

1. City Council Regular Meeting Agenda

Documents:

[3-4-14 AGENDA.PDF](#)

2. City Council Regular Meeting Packet

Documents:

[3-4-14 PACKET.PDF](#)



**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, March 4, 2014
7:00 P.M.**

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Jefferson	P A	Council Member Robb	P A
Council Member Moeller	P A	Council Member Vogt	P A
Council Member Murdock	P A	Mayor Schreiber	P A
Mayor Pro-Tem Richardson	P A		

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

VI. AGENDA APPROVAL –

VII. PUBLIC HEARINGS –

1. Purchase agreement for Herman and Kittle Properties for 3.14 acres of Water Street for multi-family residential housing.
 - A. Resolution No. 2014-058, determination.
 - B. Open the public hearing.
 - C. Resolution No. 2014-059, close public hearing.
2. New Obsolete Property Rehabilitation Act Exemption for Thompson Block Project
 - A. Resolution No. 2014-060, determination.
 - B. Open the public hearing.
 - C. Resolution No. 2014-061, close public hearing.

VIII. ORDINANCES – FIRST READING –

1. Update to Uniform Traffic Code – formatting as well as changes to give mid-block pedestrian crossing same status as pedestrian crossings at intersections
 - A. Resolution No. 2014-062, determination.
 - B. Open the public hearing.
 - C. Resolution No. 2014-063, close public hearing.

2. Traffic Control Orders – making permanent 2013 TCOs

A. Resolution No. 2014-064, determination.

B. Open the public hearing.

C. Resolution No. 2014-065, close public hearing.

IX. AUDIENCE PARTICIPATION –

X. REMARKS BY THE MAYOR –

XI. MINUTES –

Resolution No. 2014-066, approving the minutes of February 18, 2014.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2014-067, to revoke 2006 OPRA tax exemption for Thompson Block project.

2. Resolution No. 2014-068, of blight for Thompson Block project.

3. Resolution No. 2014-069, of support for Brownfield Plan for Thompson Block Project.

4. Resolution No. 2014-070, approving Title VI Non-Discrimination Plan.

5. Resolution No. 2014-071, reconsidering the Special Events policy.

6. Resolution No. 2014-046, approving the Special Events policy.

7. Resolution No. 2014-072, approving the design engineering and geotechnical testing services proposal submitted by Orchard, Hiltz & McCliment, Inc.

XIII. LIASON REPORTS –

A. SEMCOG Update

B. Washtenaw Area Transportation Study

C. Washtenaw Metro Alliance

D. Urban County

E. Freight House

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

Nominations:

Human Relations Commission
Jennifer Symanns (reappointment)
108 Oakwood
Ypsilanti, MI 48197
Term Expires: 4/5/2017

Planning Commission
Gary Clark (reappointment)
309 E. Cross
Ypsilanti, MI 48198
Term Expires: 5/1/2017

Planning Commission
Heidi Jugenitz (reappointment)
327 Miles
Ypsilanti, MI 48198
Term Expires: 5/1/2017

Planning Commission
Nicki Sandberg (replacing Brett Lenart)
910 Sheridan Apt. 2
Ypsilanti, MI 48197
Term Expires: 5/1/2017

Parks and Recreation Commission
Eric Maes (reappointment)
1004 Sherman
Ypsilanti, MI 48197
Term Expires: 5/1/2017

Zoning Board of Appeals
Tom Roach (reappointment)
912 Pearl
Ypsilanti, MI 48197
Term Expires: 5/1/2017

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. AUDIENCE PARTICIPATION -

XVIII. REMARKS FROM THE MAYOR -

XIX. ADJOURNMENT -

Resolution No. 2014-073, adjourning the City Council meeting.



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X. REMARKS BY THE MAYOR –

XI. MINUTES –

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XII. CONSENT AGENDA –

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

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5. Resolution No. 2014-071, approving Special Events policy. ***(Postponed 2/18/14)***

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REQUEST FOR LEGISLATION
March 4, 2014

From: Teresa Gillotti, Director Community and Economic Development

Subject: Purchase agreement with Herman & Kittle LLC, for purchase and development of 3.14 acres for Purchase and Development of multifamily apartment units

Background

On January 21, 2014, City Council approved a non-binding Letter of Intent with Herman & Kittle Properties, Inc (HKP). for the purchase of up to 3.14 acres of the Water Street Development Area for a multi-family apartment building. On Tuesday, February 25, 2014, City Council held a work session to discuss the proposal changes, site visits to other HKP properties, and other concerns and questions that remained from council, staff, and the public in attendance.

Proposal changes

As reported previously, there have been some changes to the proposal due to financing requests from State of Michigan Housing Development Authority (MSHDA).

As part of the financing for the proposed Water Street Flats, HKP has been working with MSHDA on approval of the product. MSHDA requested that the larger units be placed on the ground floor or be stacked on top of like units to prevent larger units (3 or 4 bedrooms) from being located over smaller units (1-2 bedrooms). To accommodate this request, HKP is proposing to increase the number of units from 76 to 90 to allow a better balance to the unit mix and location within the building. All 3 and 4 bedroom units will now be located on the first floor. This request does alter the proposed site plan, but it is still in compliance with the city's zoning guidelines. The change will provide a more solid edge to the future corner of River and South Streets, still forming an "L" at the southwest corner of the proposed property (see below).

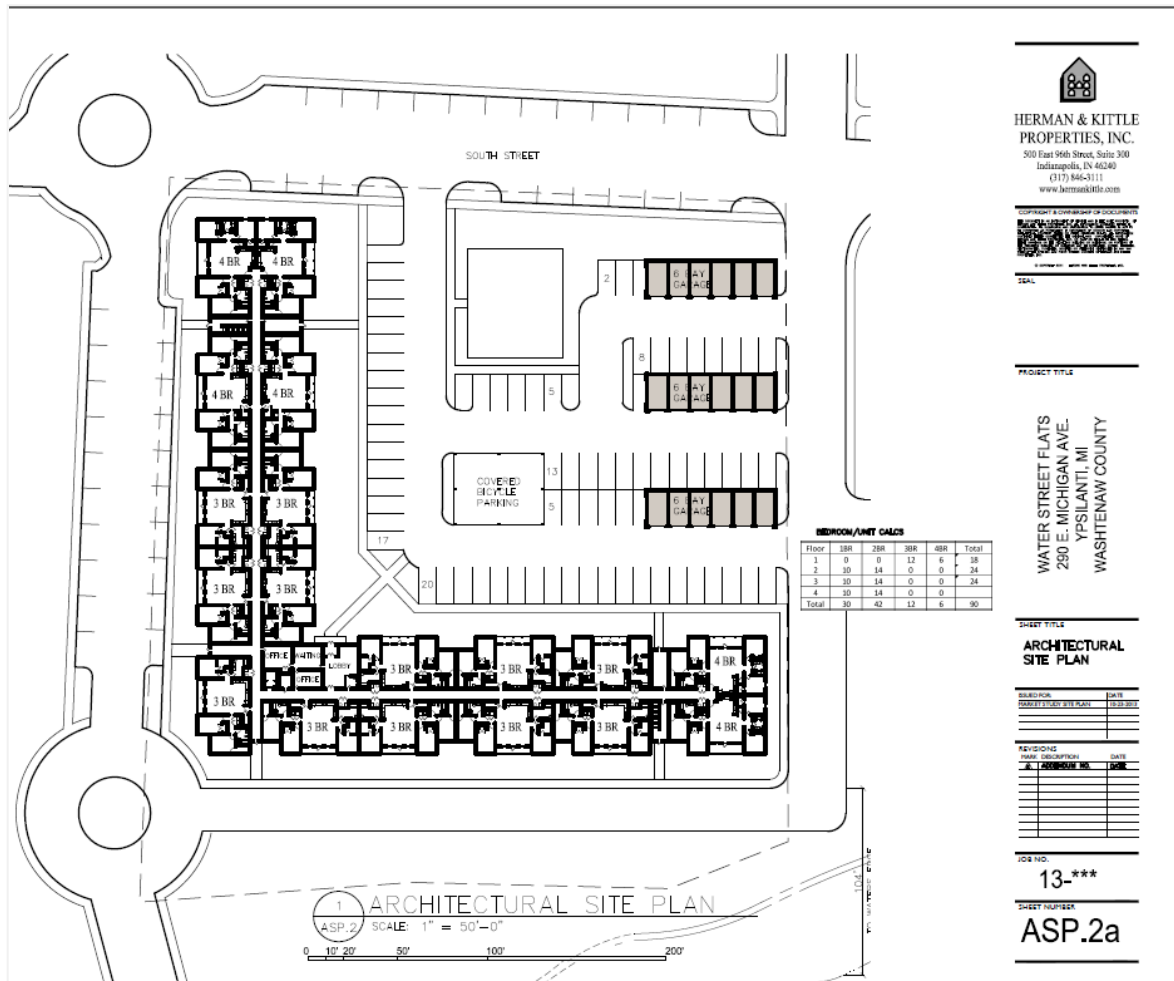
Floor	1BR	2BR	3BR	4BR	Total
1			12	6	18
2	10	14			24
3	10	14			24
4	10	14			24
Total	30	42	12	6	90

Letter of Intent provisions - Unchanged

Parcel Size:	3.14 acres
Location:	SE block of proposed River and South Street
Use:	Multi-family apartment units ranging from 1-4 bedrooms
Purchase Price	\$50,000 per acre or \$157,000
Taxes:	This is a taxable property
Orientation:	Building is oriented to front on River Street and the Huron River
Access:	From proposed River and South Streets, with portions of Lincoln and ring road. All street to be built by Developer and deeded to the City
Utilities:	Oversized water and sewer lines expected to pull from Michigan Ave. to the interior, built by Developer.

Letter of Intent provisions - Changed

Unit count:	Increased from 76 units to 90 units
Building Size	Increased from 105,882 square feet to approx 130,212 sf
Façade:	Primarily brick facade on Huron River and River Streets – design more in line with residential building than commercial first floor.
Parking:	Accommodating majority of required spaces on site, with 26 to be accommodated with nearby on-street parking
Investment:	Increase to \$12.5 million – final budget estimates will be available Feb. 28. Vertical improvements estimated at \$10 million



Proposed concept site plan –Landscaping and other details to be addressed at the point of full site plan review.

Proposed Infrastructure improvements



The proposed buildable area remains unchanged at up to 3.14 acres. The related infrastructure to be added includes River Street extended south to the ring road, the ring road between River and Lincoln, Lincoln between the ring road and South Street, and South Street from River to Park Streets. All related water, sewer and storm sewer will be oversized and pulled into the site from Michigan Avenue to service this and future adjacent developments. Due to financing requirements, HKP is requesting to purchase the parcel plus the related street right-of-way. Once built, those right-of-ways will be dedicated back to the City. The purchase agreement reflects this, and will require the post-construction deeding of right-of-way.

Site plan and other considerations still under discussion

As a reminder, the current process for approval of projects starts with approval of a non-binding letter of intent. This is then followed by a City Council approval of a purchase agreement after a public hearing. Per the terms of the purchase agreement, the purchaser has to rezone the property to a Planned Unit Development (PUD) and provide a site plan, both reviewed and recommended by the Planning Commission, but with ultimate approval by City Council. Items under discussion for that phase of the process (listed as governmental approvals in the attached purchase agreement) include:

- Potential relocation of outdoor amenities to Water Works Park (benches, grills, small play structure)
- Layout and count of parking lot, as well as related landscaping
- Full building elevations as part of site plan approval.

- Green Building Certification – the developer is interested in pursuing a certification beyond the required [MSHDA green](#) if funds remain near the end of construction. More on this at the presentation on March 4.
- Name of the project.

Building Design

Staff has communicated council requests to the developer regarding the need for an attractive and quality building. They have provided initial concept drawings that include more architectural variation in the facades including bay windows, alcoves, varied rooflines, balconies in some sections, and variation in material use and color. The street facades will be primarily brick with the facades on the parking lot consisting primarily of hardi-plank. Elevations will be provided prior to the council meeting.

Unit mix and rents

The 90 units will vary between 1 and 4 bedroom units with the majority falling in the 1-2 bedroom range with 10%, or 9 barrier-free units. Five units (6%) would have income restrictions of 50% of the Washtenaw County Area Median income. The remaining 85 units would be restricted to 60% of the Washtenaw County Area Median Income. As was indicated in the work session, these rents roughly reflect market rental rates in Ypsilanti.

Unit	Income	Rents
1BR	50% AMI	\$631
1BR	60% AMI	\$816
2BR	50% AMI	\$765
2BR	60% AMI	\$810
3BR	50% AMI	\$900
3BR	60% AMI	\$975
4BR	50% AMI	\$996
4BR	60% AMI	\$1,050

To maintain the affordability over a long period of time where market rates can fluctuate, income caps will also be in place. As shown below, the income caps vary based on household size.

Household Size AMI	One Person	Two Person	Three Person	Four Person	Five Person	Six Person
50%	\$ 30,600	\$ 35,000	\$ 39,350	\$ 43,700	\$ 47,200	\$ 50,700
60%	\$ 36,720	\$ 42,000	\$ 47,220	\$ 52,440	\$ 56,640	\$ 60,840

**Income limits updated annually*

Parcel subsurface investigation

As has been previously discussed, the location in question is primarily fill soil. HKP hired an engineering firm to conduct and analyze soil borings to determine the extent of the fill to answer the question as to whether a standard foundation would support the proposed development, or if an engineered pier system would be required. Deleterious fill was found at various levels including 16 feet below surface, and would not adequately support the proposed structures. Final recommendations are for a rammed aggregate pier system to be utilized. The estimated cost for the piers is \$200,000.

Safety Standards

HKP has budgeted for security cameras and if approved, will work with the Ypsilanti Police Department in determining appropriate and effective locations for installations.

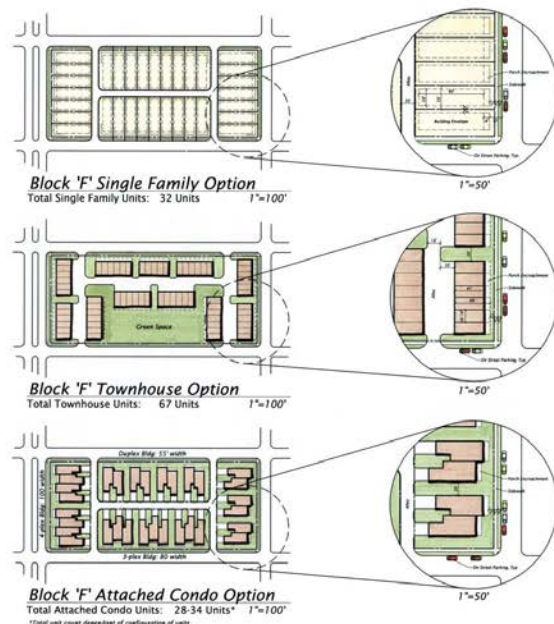
Relationship to previous planning efforts

The last formal plan for development of the entire Water Street Redevelopment Area was the Freed plan in 2006. At that time a single developer proposed mixed use and single story commercial development on Michigan Avenue and a mix of residential products through the site. The area under discussion is represented by portions of "block K" as well as underdeveloped land in diagram below. Requirements for that block are 4-5 stories of residential housing with more units (112-140) than what is being proposed,



Block Capacity Data				
Block	Use	Area	Yield/Density	
			Retail	Residential
A	Restaurant	1.25 Acres	17,200 s.f.	
B	Retail/Professional Office & Residential	1.75 Acres	18,200 s.f.	29 Units
C	Retail/Professional Office & Residential	1.75 Acres	17,600 s.f.	45 Units (35 Apts. & 10 Townhomes)
D	Retail (Market)/Residential	2.00 Acres	24,600 s.f.	36 Units (26 Apts. & 10 Townhomes)
E	Drug Store	1.45 Acres	14,820 s.f.	
F	Moderate Density Res.	3.00 Acres		(Low) 28 Units (8.3 Units/Ac) (High) 67 Units (22.3 Units/Ac)
G	Moderate Density Res.	3.00 Acres		28 Units (9.3 Units/Ac) 67 Units (22.3 Units/Ac)
H	Moderate/High Density Res.	1.50 Acres		28 Units (17.3 Units/Ac) 55 Units (35.3 Units/Ac)
I	Moderate/High Density Res.	2.90 Acres		41 Units (14.1 Units/Ac) 55 Units (18.9 Units/Ac)
J	High Density Residential	2.20 Acres		112 Units (4 story) 140 Units (5 story) 50.9 Units/Ac 63.6 Units/Ac
K	High Density Residential	2.70 Acres		112 Units (4 story) 140 Units (5 story) 50.9 Units/Ac 63.6 Units/Ac
L	High Density Residential	.50 Acres		24 Units (4 story) 32 Units (5 story) 48.0 Units/Ac 64.0 Units/Ac
Totals			92,420 s.f.	481 Units (Low) 649 Units (High)

TYPICAL BLOCK DEVELOPMENT OPTIONS



NOTE:
This plan is a conceptual development plan only. It is not intended to be used for any other purpose without the express written consent of the developer. The plan is subject to change without notice.

DEVELOPMENT SCENERIOS

July 20, 2006

WATER STREET REDEVELOPMENT

YPSILANTI, MICHIGAN

Prepared for: Joseph Freed & Associates



JFA
JOSEPH FREED AND ASSOCIATES, LLC
11111 W. 11TH AVE. SUITE 100
WYOMING, MI 48186



Environmental Consultants

NTH Consultants, LTD.
Clayton Group Services, Inc.

Relationship to Shape Ypsi Master Plan

The site layout conforms with the Shape Ypsi master plan design guidelines as well as the City Council approved infrastructure plan. Staff will be providing a look at how the project fits with the Shape Ypsi guidelines and decision-making rubric as part of the Council presentation.

Comparable Development

Previous estimates put the future taxable value of the development at \$2 million. The City Assessor provided a more conservative estimate of \$1.675 million. Using the assessor's number, city tax capture would be \$61,000. It is expected that local and related taxes would be captured by the brownfield plan for the site to cover infrastructure costs over the long term. Tax capture to be directed at bond payments will be available once taxable value on the site exceeds \$3,125,806. This will be discussed further during the March 4, 2014 presentation.

Investment, Financing, and Timeline

The total project investment is estimated at \$12.5 million. The amount estimated for infrastructure and site preparation will be updated and provided at the March 4, 2014 council meeting.

The project would be financed with several different mechanisms including Rental Housing Tax credits (RHTC) from MSHDA, Tax Exempt Bond financing, HOME funds, and developer contribution. The estimated \$745,000 in infrastructure costs would also include oversized utilities that would run from Michigan Avenue south under River Street to serve the site as well as future development. These costs would be reimbursable to the developer through the Brownfield Tax Increment Financing.

Proposed project financing:

- \$3,400,000 in Rental Housing Tax Credits (RHTCs) from MSHDA
- \$4,800,000 in Tax Exempt Bond Financing (MSHDA mortgage)
- \$2,900,000 in HOME Funds
- \$725,000 in deferred developer contribution (through brownfield TIF capture)

The project timeline as discussed with the major financier, MSHDA, has changed. The financing timeline previously discussed was for rehab projects, not new construction. Below is a more realistic timeline of when the project would be approved, funded, closed on and followed with construction.

Project Timeline

- December, 2013: Preliminary Application due to MSHDA
- March 4, 2014: purchase agreement between City of Ypsilanti and Herman Kittle Properties
- April, 2014: Full Application due to MSHDA
- July, 2014: Allocation Announced
- March 2015: Closing on Financing, closing on purchase agreement, and Start of Construction
- November, 2015: Leasing Begins
- March, 2016: Construction Complete

Next steps

At this point, approving the purchase agreement would contractually obligate the City, per the terms and conditions provided in the agreement as presented and the contingency and governmental approvals periods will begin. If approved, the agreement would be executed immediately. City staff will begin amendments to the Brownfield Plan which would be presented and potentially approved during the governmental approvals period as well. HKP will

immediately begin work on a survey and legal description as well as environmental reviews. If the MSHDA allocation is approved in July, the governmental approval period will begin with development of a formal Planned Unit Development and site plan submission as well as other related approvals. As noted in the proposed timeline above, the start of construction would be tentatively scheduled for March 2015.

Comments and questions can be directed to Teresa Gillotti at tgillotti@cityofypsilanti.com or 734-483-9646.

RECOMMENDED ACTION: Approval.

ATTACHMENTS:

- Term Sheet
- Purchase Agreement
- Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____

March 4, 2014
TERM SHEET
CITY OF YPSILANTI/HERMAN & KITTLE PROPERTIES, INC

Seller:	City of Ypsilanti One South Huron Street Ypsilanti, MI 48197
Purchaser:	HERMAN & KITTLE PROPERTIES, INC, 500 E. 96th Street, Suite 300 Indianapolis, IN 46240
Parcel Location:	Approximately 3.14 acres on future SE corner of River and South Streets
Use:	Four-story building with 90 apartments ranging from 1-4 bedroom units. 10% of units will be ADA compliant.
Building Details and amenities:	Exterior façade will be primarily brick except facades facing parking lot which will be primarily hardi-plank. Interior amenities to include community room with kitchen, exercise room, library/computer center. Units will include walk in closets, washer and dryer in each unit, and Energy Star appliance. Video surveillance system to be installed per direction of YPD.
Purchase Price:	\$157,000, or \$50,000 per acre
Infrastructure requirements	Purchaser to build at their own expense River Street to ring road. Ring road east to Lincoln Street. Lincoln Street north to South Street. South street from River street to Park Street. All streets to be built to city standards including on-street parking, street trees and sidewalks. Parcel will initially include the streets which will be dedicated back after completion at closing.
Deposit:	\$5,000 due within five (5) days of execution.
Seller's Deliverables:	All existing information regarding the Property.
Title Commitment and Policy:	Purchaser obligated to obtain its own title commitment and pay for its own policy. Purchaser obligated to obtain a Survey of the Property with legal description confirmation within 60 days from the effective date.
Inspection Period	Purchaser has 10 days after an approved July 2014 allocation from MSHDA or August 15, 2014, whichever is earlier.
Governmental approvals	Purchaser has 150 days from MSHDA allocation date to inspect the property, physical, environmental, title, survey and all Governmental

	permits and approvals necessary to commence and complete development of the property, including PUD and site plan approval, all at Purchaser's sole cost and expense.
Failure of contingencies:	In the event the Purchaser is not satisfied with the condition of the Property or able to obtain all of the governmental approvals necessary to proceed within the Contingency Period, the Purchaser may terminate the Purchase Agreement in writing and receive a refund of the Deposit.
Restrictive Covenant:	None requested.
Closing:	Closing to occur 180 days after Allocation Date. Three (3), thirty day extensions can be requested but \$5,000 each as needed.
City Closing Costs:	City to be responsible for (i) any transfer taxes and (ii) recording costs associated with any curative documents to cure conditions of title and (iii) recording costs for the Declaration of Restrictive Covenant
Tax prorations:	None, property is currently exempt from taxes.
Possession:	Delivered at closing
Covenant to Construct:	Purchaser shall commence construction of such improvements within six (6) months from the Closing date and shall complete such improvements by December 31, 2016.
Commission:	Paid by the City to CBRE. per separate agreement.
Purchaser's Default:	Purchaser's Default – City's sole remedy is to terminate the agreement and retain the Deposit and seek enforcement of any restoration and/or indemnification obligations of the Purchaser
City's Default:	Purchaser has the right to terminate and receive return of the Deposit or to specifically enforce the terms of the Agreement. Both parties waive the right to seek monetary damages due to a Default.
Failure to secure MSHDA allocation	Contract will automatically terminate if HKP does not receive 2014 MSHDA allocation.



Resolution No. 2014- 58
March 04, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council approved a Letter of Intent for the sale 3.14 acres at its regularly-scheduled January 21, 2014 meeting; and

WHEREAS, Ypsilanti City staff have been working with Herman Kittle Properties on a multifamily development in the south-east quadrant of the Water Street Redevelopment Area, adjacent to the intersection of the proposed River and South Street extensions; and

WHEREAS; Ypsilanti City Council approved an ordinance to sell Water Street on August 18, 2009; and

WHEREAS, Ypsilanti City Council passed a resolution requiring a public hearing with every purchase offer for the Water Street Redevelopment Area in July 21, 2009; and

WHEREAS; Ypsilanti City Council has held a public hearing for a sale of a 3.14 acre portion of the Water Street Redevelopment area to provide an opportunity for public input on March 4, 2014; and

WHEREAS: Herman Kittle Properties and the City have negotiated terms including a concept site plan, related building elevations, governmental approval periods as well as purchase price, and development of related infrastructure; and

WHEREAS Herman Kittle Properties has agreed to the attached purchase agreement for the purchase and development of 3.14 acres for \$157,000 for the development of multifamily housing;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approve the attached Purchase Agreement with Herman & Kittle Properties to sell and develop 3.14 acres of the Water Street Redevelopment Area as presented in the agreement and attachments; and

FURTHER, that the Mayor and City Clerk are authorized to sign the Purchase Agreement

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

AGREEMENT TO PURCHASE REAL ESTATE

THIS AGREEMENT TO PURCHASE REAL ESTATE (this "Agreement") is entered into by and between, **THE CITY OF YPSILANTI**, a Michigan municipal corporation, the address of which is One South Huron Street, Ypsilanti, Michigan 48197 (the "City"), and **HERMAN & KITTLE PROPERTIES, INC., an Indiana Corporation**, the address of which is 500 E. 96th Street, Suite 300, Indianapolis, IN 46240 ("Purchaser").

R E C I T A L S:

A. The City is the owner of certain real property located in the City of Ypsilanti, Washtenaw County, Michigan, which is more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

B. The Property is part of an overall project known as the Water Street Redevelopment Project ("Water Street Project") located within the real property which is identified on Exhibit B attached hereto ("Overall Property"). The City is requiring that the Water Street Project be developed in accordance with the Commercial Redevelopment District and Residential Redevelopment District of the Water Street Zoning Guidelines, copies of which are attached hereto as Exhibit C ("Zoning Guidelines") and any site plan and PUD rezoning be processed pursuant to the existing Planned Unit Development (PUD) provisions of the City's existing Zoning Ordinance.

C. Purchaser has proposed to construct on the Property an approximately 90 unit multifamily residential rental project and, in connection therewith, to install, at its sole cost, certain offsite infrastructure improvements as described herein.

D. The City desires to sell and Purchaser desires to purchase the Property, upon the terms and conditions described below.

THEREFORE, in consideration of the mutual covenants and the undertakings described in this Agreement, the parties agree as follows:

1. **Agreement of Purchase And Sale.** The City agrees to sell to Purchaser, and Purchaser agrees to purchase, the Property, subject to and in accordance with the terms and conditions of this Agreement.

2. **Purchase Price.** The purchase price ("Purchase Price") for the Property shall be One Hundred Fifty-Seven Thousand (\$157,000) Dollars. At Closing, as defined in Paragraph 9 below, Purchaser shall pay to the City the Purchase Price, subject to closing adjustments and prorations as provided in this Agreement.

3. **Earnest Money Deposit.** Within five (5) days from the date of Purchaser's receipt of a fully executed copy of this Agreement (the "Effective Date"), Purchaser shall deliver evidence to City that Purchaser has delivered to First American Title Insurance Company, Indianapolis, Indiana (the "Title Company"), an earnest money deposit in the amount of Five Thousand (\$5,000) Dollars (the "Deposit"), together with the Title Company's agreement to hold and/or disburse the Deposit as hereinafter provided. The Deposit shall be returned to Purchaser at Closing. The Deposit shall otherwise be returned to Purchaser or retained by the City in accordance with the terms of this Agreement.

4. **Title; Survey.** Within fifteen (15) days from the Effective Date, the City shall, at Purchaser's cost, cause the Title Company to deliver to Purchaser a commitment for an ALTA Owner's Title Insurance Policy (the "Commitment") in the amount of the Purchase Price, bearing a date later than the Effective Date, and identifying the condition of title to the Property, together with copies of the instruments and documents referenced in the Commitment. In addition, within fifteen (15) days from the Effective Date, the City shall furnish to Purchaser a copy of the City's most-recent existing survey of the Property ("Survey"). Purchaser shall obtain an updated Survey and provide to the City a copy of such updated Survey within sixty (60) days from the Effective Date.

5. **Objections To Title And Survey.** Purchaser shall have a period of ninety (90) days from the Effective Date to object in writing to the condition of title to the Property. If Purchaser does not provide the City with its title objections within such ninety (90) day period, Purchaser shall be deemed to have waived all objections to the condition of title to the Property. The City shall have thirty (30) days from its receipt of any such written objections to cure such objections, but shall have no obligation to do so. The City shall be deemed to have cured a title objection if the City causes such matter to be removed from the Commitment as an exception to coverage or the Title Company agrees to insure Purchaser for such matter. If the City does not cure Purchaser's objections as provided above, Purchaser shall have the right to terminate this Agreement by providing written notice to the City within five (5) days from the expiration of the foregoing thirty (30) day period. If Purchaser terminates this Agreement in accordance with this Paragraph 5, Purchaser shall receive a refund of the Deposit and the parties shall have no further rights or obligations under this Agreement, except for Purchaser's indemnity obligations which shall survive. If Purchaser does not terminate this Agreement within such five (5) day period, Purchaser shall be deemed to have waived its objections to the condition of title to the Property and the exceptions identified in the Commitment shall be deemed accepted by Purchaser and shall be "Permitted Exceptions" to the condition of title.

6. **Inspection of Property/MSHDA Allocation.**

(a) **Inspection Period; Access.** Purchaser shall have until the earlier of ten (10) days after the date that the Michigan State Housing and Development Authority ("MSHDA") announces the allocation of rental housing tax credits for new housing projects in the State of Michigan (the "Allocation Date") or August 15, 2014 (the "Inspection Period") to inspect or cause to be inspected all elements and aspects of the Property, including, but not limited to, the physical and environmental condition of the Property. The City shall provide Purchaser with certain existing information regarding the Property. Such information may be provided on a computer disc. The City does not make any representation or warranty regarding any such information, including, without limitation, any representation or warranty with respect to the completeness or accuracy of any such information. Purchaser, at its cost, shall have the right to inspect additional information regarding the Property which is located within the City's offices and is otherwise available to the public at mutually acceptable times and, if required by the City, with appropriate supervision by City staff. At all times during the term of this Agreement, the City grants to Purchaser, and those persons designated by Purchaser, the right to enter upon the Property in order to inspect the Property and to take soil borings and conduct engineering and environmental tests and studies. Purchaser shall provide to the City, at no cost to the City, copies of all due diligence materials prepared by or on behalf of Purchaser in connection with this transaction promptly following Purchaser's receipt of such due diligence materials, regardless of whether the transaction closes.

(b) **Restoration; Insurance; Indemnity.** Purchaser shall use all reasonable efforts to minimize any damage to the Property and, in the event any portion of the Property is disturbed or altered by virtue of Purchaser's investigations, Purchaser shall promptly, at its sole cost and expense, restore the Property to substantially the same or better condition that existed prior to such disturbance or

alteration. Purchaser shall indemnify, defend and hold harmless the City from and against any and all claims, liabilities, suits, costs, expenses and damages, including reasonable attorneys' fees, arising out of the inspection activities of Purchaser or its agents, employees or contractors, and/or any construction liens filed by any of Purchaser's contractors, subcontractors or suppliers in connection with any such inspection activities. Prior to entering the Property, Purchaser shall provide the City with evidence of liability insurance in the amount of Two Million and 00/100 (\$2,000,000.00) Dollars, which names the City as an additional insured party and provides coverage for all of Purchaser's activities within the Property, including Purchaser's indemnity obligations, and which insurance coverage cannot be cancelled or the amount of coverage reduced prior to Closing.

(c) **MSHDA Allocation.** The parties' obligation to proceed under this Agreement shall be contingent upon Purchaser receiving an allocation from MSHDA of rental housing tax credits on such terms and conditions as may be required by Purchaser for Purchaser's development of the Property (the "Required Allocation") prior to the expiration of the Inspection Period. After the Effective Date, Purchaser shall prepare and file and thereafter diligently pursue the issuance to Purchaser of the Required Allocation and shall keep City advised as to its progress in that regard. Purchaser shall pay all fees and/or costs required in making application for the Required Allocation and shall otherwise comply with all rules and regulations applicable thereto. Purchaser shall advise City in writing within five (5) days after the Allocation Date as to whether Purchaser has received the Required Allocation. In the event Purchaser is not awarded the Required Allocation prior to the expiration of the Inspection Period, then this Agreement shall automatically terminate. If Purchaser does receive a Required Allocation on the Allocation Date, but such allocation is not otherwise acceptable to Purchaser in its sole discretion, then Purchaser shall provide written notice thereof to City within the earlier of ten (10) days of the Allocation Date or the expiration of the Inspection Period, whereupon this Agreement shall terminate and each party shall be released of its obligations hereunder except those which specifically survive such termination. In the absence of the City's receipt of timely written notice from the Purchaser that the allocation awarded to the Purchaser on the Allocation Date is unacceptable, then Purchaser shall be deemed to have received a Required Allocation. If, at any time following the Allocation Date, Purchaser loses the Required Allocation or such Required Allocation is withdrawn by MSHDA then, in that event, Purchaser shall immediately provide written notice of such revocation to City, whereupon this Agreement shall terminate and each of the parties shall thereafter be released of all liabilities or obligations hereunder except those which specifically survive the termination of this Agreement. The application for the Required Allocation shall be based upon the assumption that rents at the project will be calculated at 60% AMI of comparable rents in the Primary Market Area (except for a small percentage of 50% AMI units).

(d) **Expiration of the Inspection Period.** If Purchaser, in its commercially reasonable judgment, determines that the condition of the Property is unsatisfactory, Purchaser may, prior to the expiration of the Inspection Period, elect in writing to terminate this Agreement. If Purchaser elects to terminate this Agreement, the Deposit shall be returned to Purchaser and the parties shall have no further rights or obligations under this Agreement, except for Purchaser's indemnity obligations which shall survive. If Purchaser does not provide the City with notice of termination on or before the expiration of the Inspection Period, Purchaser shall increase the Deposit to the sum of Eight Thousand Five Hundred (\$8,500.00) Dollars (i.e., an increase of \$3,500.00) and upon such tender, the Deposit, as increased, shall become non-refundable, except under Paragraphs 7(c), 15 and 16 below, and the parties shall proceed to perform their respective obligations in accordance with and subject to the terms and conditions of this Agreement.

7. Governmental Approvals.

(a) **Governmental Approval Period.** Assuming Purchaser receives a Required Allocation prior to the expiration of the Inspection Period, Purchaser shall have a period of one hundred

fifty (150) days (the “Governmental Approval Period”) after the Allocation Date to seek and obtain all governmental permits and approvals necessary to commence and complete the development of the Property (collectively, the “Governmental Approvals”) upon terms and conditions acceptable to Purchaser in its commercially reasonable discretion. Purchaser shall be responsible, at its sole cost and expense, for the preparation of all applications and related plans and instruments and all applicable filing, submission and permit fees related to the Governmental Approvals. Upon request, Purchaser shall provide to the City periodic updates with respect to the status of the Governmental Approvals.

(b) **Approval Of Plans.** Purchaser agrees that the Property shall be developed in accordance with the Zoning Guidelines and that all plans for the Purchaser’s development shall be prepared in accordance with the Zoning Guidelines and all permit applications shall be submitted to the City pursuant to the City’s existing PUD provisions of the City’s existing Zoning Ordinance. Prior to submitting plans to any governmental authority for approval by any other governmental authority, including, but not limited to, Purchaser’s grading plans, Purchaser shall first submit such plans to the City for its review and approval. Plans for the Purchaser’s project shall provide for the construction of a four story apartment complex, an outdoor entertainment area with interior amenities including a community room with kitchen, exercise room, library/computer center, nine full ADA compliant residential units, walk in closets, washer and dryer in each unit, and Energy Star appliances. At Closing, Purchaser and City shall enter into an agreement confirming the undertaking of the Purchaser to develop the Property in accordance with the plans and with the designated amenities and further committing Purchaser or its successors and assigns, to keep the project in compliance with all rules and regulations necessary to maintain the affordability designation thereof pursuant to the MSHDA Guidelines for a period of at least thirty (30) years. Nothing contained in this Agreement shall be deemed to be an approval by the City as to any matter, including, but not limited to an approval with respect the historical designation of any structure or other improvement, and Purchaser shall be required to follow the process for obtaining approvals contained in the applicable City zoning or other ordinances. Purchaser acknowledges that as a condition of the issuance of the approval of the PUD for the subject Property and the City’s obligation to close, Purchaser shall agree to undertake the construction, at its sole cost, of the following (“Purchaser’s Construction Obligations”): (i) install infrastructure improvements in the areas outlined in Exhibit D1 which include: extension of River Street from Michigan Avenue south to the river’s edge, installation of ring road between River and Lincoln Streets, extension of Lincoln Street between ring road and South Street, extension of South Street between River and Park Streets, all to city standards including sidewalk, street trees and on-street parking; (ii) the building will have minimum setbacks and will have a primarily brick exterior façade on all sides which do not face the parking lot and the façade that faces the parking lot shall have a hardy oak façade and (iii) install and operate interior and exterior security cameras throughout the project per the direction of the police department. Purchaser further agrees that it shall convey to City upon demand at any time following completion of Purchaser’s Construction Obligations, title to all roads, sidewalks, and other infrastructure improvements described on Exhibit D.

(c) **Expiration of the Governmental Approval Period.** If Purchaser does not obtain the Governmental Approvals prior to the expiration of the Governmental Approval Period, Purchaser may elect in writing to terminate this Agreement by providing written notice to the City prior to the expiration of the Governmental Approval Period. If Purchaser elects to terminate this Agreement, the Deposit shall be returned to Purchaser and the parties shall have no further rights or obligations under this Agreement, except for Purchaser’s indemnity obligations which shall survive. If Purchaser does not provide the City with notice of termination on or before the expiration of the Governmental Approval Period, the Deposit shall become non-refundable, except under Paragraphs 15 and 16 below, and the parties shall proceed to perform their respective obligations in accordance with and subject to the terms and conditions of this Agreement.

8. **Restrictive Covenant Agreement.** At Closing, the City and Purchaser shall execute and record a restrictive covenant agreement ("Restrictive Covenant Agreement") that restricts the Property from being utilized for the uses described on the attached Exhibit E [Family Dollar and County Recreation Uses] ("Exclusive Uses"). The Restrictive Covenant Agreement shall provide that the City shall have the right to record additional restrictive covenants against the Property which restrict the Property from being utilized for certain uses for which the City has granted other purchasers of land within the Water Street Project exclusive rights in connection with the initial sale of land by the City to such purchasers, provided that any such restrictions shall not restrict the Property from being utilized for multi-family residential rental apartments. The Restrictive Covenant Agreement shall contain such additional terms and conditions as the parties may agree.

9. **Closing.** The closing ("Closing") shall be consummated within one hundred eighty (180) days after Allocation Date; provided, however, that Purchaser shall have the option to extend Closing by three (3) thirty (30) day extensions by providing written notice of such extension to Purchaser at least five (5) days prior to the scheduled Closing and paying to City with each such extension an extension fee of Five Thousand (\$5,000) Dollars for each thirty (30) day extension, which shall be retained by City, but applied to the Purchase Price at Closing. The Closing shall take place at a time and location that is mutually agreeable to the parties. If the date for Closing falls on a Saturday, Sunday or legal holiday, Closing shall occur on the next immediately following business day.

10. **Closing Documents and Actions.** At Closing, the City shall execute and deliver to Purchaser (as required) and Purchaser shall execute and deliver to the City (as required) the following:

(a) **Payment of Purchase Price.** Purchaser shall deliver to the City the Purchase Price, together with the amount identified in Paragraph 11 below, subject to applicable adjustments and prorations as provided for in this Agreement.

(b) **Covenant Deed.** The City shall deliver to Purchaser a fully executed and recordable covenant deed for the Property, conveying to Purchaser fee simple marketable title to the Property, subject only to the Permitted Exceptions, the Restrictive Covenant Agreement identified in Paragraph 8 above and the easements identified in Paragraph 13(b) below.

(c) **Non-Foreign Person Affidavit.** The City shall furnish Purchaser with an affidavit stating that the City is not a "Foreign Person" within the meaning of IRC Section 1445(f)(3), as amended.

(d) **Closing Statement.** The City and Purchaser shall execute and deliver to each other a Closing Statement showing the amount by which the Purchase Price shall be adjusted as of the Closing date. The City shall pay all real property transfer taxes, all premiums with respect to the owner's title insurance policy, fees to record any instruments necessary to cure Purchaser's title objections and the parties shall pay the fees and charges of their own representatives, agents or contractors. Purchaser shall pay the fees to record the easements identified in Paragraph 13(b) below, the Restrictive Covenant Agreement and all escrow and other fees charged by the Title Company to close this transaction.

(e) **Title Insurance Policy.** The City shall order and pay for a policy of title insurance, without standard exceptions (provided that Purchaser provides the survey required by the Title Company to remove the standard survey exception), with coverage in an amount equal to the Purchase Price, subject only to the Permitted Exceptions, the Restrictive Covenant Agreement identified in Paragraph 8 above and the easements identified in Paragraph 13(b) below. The Purchaser shall be responsible for obtaining any endorsements to such title policy desired by Purchaser, at Purchaser's cost. The City shall deliver to the Title Company an Owners Affidavit and such other documents reasonably

required by the Title Company to enable the Title Company to satisfy its Schedule B-1 requirements and to delete its standard exceptions and to provide a "marked-up" Commitment, dated as of the Closing date. The "marked-up" Commitment shall reflect Purchaser as both fee simple title owner of the Property and the insured under said Commitment.

(f) **Easements.** Purchaser shall execute and deliver to the City all easement agreements required pursuant to Paragraph 13(b) below.

(g) **Restrictive Covenant Agreement.** The City and the Purchaser shall execute and deliver to the other the Restrictive Covenant Agreement identified on Paragraph 8 above.

(h) **Further Assurances.** The City and Purchaser shall execute such additional documents and instruments and take such further actions as may be necessary or desirable to consummate the sale of the Property in accordance with the terms of this Agreement.

11. **Tax Prorations.** The City shall pay in full on or before Closing any and all real estate taxes which are due as of the Closing date. The City shall also pay in full, on or before Closing, all current installments of special and other assessments which were established and constitute a lien against the Property.

12. **Possession; As-Is Condition.** At Closing, the City shall deliver to Purchaser possession of the Property, free and clear of any rights or claims of possession by the City or any third party. Purchaser acknowledges that the City has not made and Purchaser has not relied on any representation or warranty by the City, including, without limitation, any representation or warranty regarding the physical or environmental condition of the Property, the fitness of the Property for any particular purposes or the availability of any permits or approvals. Purchaser acknowledges that Purchaser has relied completely on its own investigations and other due diligence activities to evaluate the condition of the Property and the availability of permits and approvals and that, at Closing, Purchaser will be accepting the Property in its then-current as-is, where-is condition, with all faults.

13. **Post-Closing Obligations.**

(a) **Infrastructure; Special Assessment District.** Following Closing, the City shall have no obligation to construct any improvements to the Overall Project ("Infrastructure Improvements"). Purchaser acknowledges that the Property may be subject to one or more special assessment districts for the costs of any such Infrastructure Improvements, which the City may elect to undertake in the future and Purchaser agrees to fully cooperate with and not object to the creation of any special assessment district.

(b) **Dedication or Easements.** If any roads, sidewalks and other infrastructure improvements existing or to be constructed by Purchaser within the Property or within the overall Property have not been dedicated and accepted as public improvements, at Closing, City shall retain or the Purchaser shall grant to City such easements for same for the benefit of the public. Upon request by the City, Purchaser shall dedicate the roads and other infrastructure improvements within the Property or otherwise installed by Purchaser as public improvements or shall execute an easement agreement granting to the public the right to utilize the roads within the Property, which agreement shall contain such additional terms which are reasonably acceptable to the parties. In addition, upon request by the City, the Purchaser shall grant an easement for ingress and egress over the driveways established within the Property for the benefit of one or more adjacent parcels. Upon request by the City, Purchaser shall execute an easement agreement granting an easement for ingress and egress to and from such adjacent

parcel(s), which agreement shall contain such additional terms which are reasonably acceptable to the parties.

(c) **Covenant to Construct, Open and Operate.**

(i) Purchaser shall construct all improvements to and within the Property in accordance with the plans that have been approved by the City. Purchaser's obligation under this Section 13 shall be reaffirmed at Closing by the execution of a supplemental agreement in form and content acceptable to City. Purchaser shall commence construction of such improvements within six (6) months from the Closing date and shall complete such improvements by December 31, 2016. For purposes of the foregoing, commencement of construction shall mean that Purchaser has obtained all permits and approvals necessary for the construction of such improvements and that all necessary utility improvements and building footings have been installed. Purchaser agrees that Purchaser's business within the Property shall be fully stocked and fully staffed and Purchaser shall commence operation its business from the Property by December 31, 2016.

(ii) In the event that Purchaser does not construct its improvements within the Property as provided in Section 13(c)(i), the City shall have the option to re-purchase the Property from Purchaser for a purchase price equal to the Purchase Price. At the closing for any such re-purchase of the Property by City, Purchaser shall be responsible for the payment of all transfer taxes payable in connection with such transaction and the title insurance premium for a title insurance policy issued by the Title Company, subject only to the Permitted Exceptions and any other matters that have been approved by City prior to such closing.

(d) **Demolition Activities.** Purchaser acknowledges and agrees that the City does not have any obligation to demolish existing improvements and/or structures within the Property and that any such demolition activities are Purchaser's sole obligation. The City shall have the right, but not the obligation, to utilize any structures within the Property that are intended to be demolished by Purchaser in connection with training activities for the City of Ypsilanti Fire Department. Purchaser shall notify the City prior to demolishing any existing structures within the Property.

14. **Real Estate Commission.** The City shall be responsible for the payment of any commission that is payable CBRE in connection with this transaction. Subject to the foregoing, the City and Purchaser each represent and warrant to the other that they have not used the services of any other brokers in connection with this transaction. Each party agrees to indemnify and hold harmless the other party from and against any claim that a commission or fee is due to any broker who dealt with the party from whom indemnification is sought.

15. **Condemnation.** In the event that, prior to Closing, notice of any action, suit or proceeding shall be given for the purpose of condemning all or any portion of the Property, then Purchaser shall have the right to terminate its obligations under this Agreement within ten (10) days from its receipt of such notice of condemnation proceeding, and upon such termination, the proceeds resulting from the condemnation shall be paid to the City, and the Deposit shall promptly be returned to Purchaser and the parties shall have no further rights or obligations under this Agreement, except for Purchaser's indemnity obligations, which shall survive. In the event Purchaser elects not to terminate this Agreement, at Closing, the condemnation proceeds shall be assigned and belong to Purchaser.

16. **Default.** In the event that Purchaser defaults in its obligations under this Agreement, in addition to all other remedies available at law, in equity or under this Agreement, the City shall be entitled to retain the Deposit paid by Purchaser. In the event that the City defaults in its obligations under this Agreement, Purchaser may, as its sole remedy, at its option: (a) receive a refund of the Deposit; or (b)

specifically enforce the terms and conditions of this Agreement, provided that Purchaser has fully performed all of its obligations under this Agreement. Purchaser shall not have the right to seek monetary damages from the City.

17. **Representations, Warranties and Covenants.** Purchaser represents, warrants and covenants to the City as follows:

(i) **Due Organization.** Purchaser is a _____ duly organized under the laws of the State of Michigan and has the power to enter into this Agreement and purchase the Property.

(ii) **Power And Capacity.** Purchaser has the full power, capacity, authority and legal right to execute and deliver this Agreement and to perform its obligations under this Agreement.

(iii) **Due Authorization.** This Agreement has been duly authorized, executed and delivered by Purchaser and constitutes the legal, valid and binding obligation of Purchaser, enforceable in accordance with its terms. Prior to or at Closing, any and all documents required by this Agreement to be executed and delivered by Purchaser shall have been duly authorized, executed and delivered by Purchaser and all such documents shall contain legal, valid and binding obligations of Purchaser, enforceable in accordance with their terms.

18. **No Joint Venture.** No party is the agent, partner or joint venture partner of the other. No party has any obligation to the other except as specified in this Agreement.

19. **Non-Waiver.** The failure of a party to complain of any act or omission on the part of another party, no matter how long it may continue, shall not be deemed to be a waiver by any party to any of its rights hereunder except as expressly provided for in this Agreement. No waiver by any party at any time, expressed or implied, of any breach of any provision of this Agreement shall be deemed a waiver of a breach of any other provision. If any action by any party shall require the consent or approval of another party, the consent or approval of the action on any one occasion shall not be deemed a consent to or approval of that action on any subsequent occasion or a consent to or approval of any other action on the same or any subsequent occasion.

20. **Third Party Rights.** No party other than the City and Purchaser and their successors and assigns, shall have any right to enforce or rely upon this Agreement, which is binding upon and made solely for the benefit of the City and Purchaser, and their respective successors or assigns, and not for the benefit of any other party.

21. **Time.** TIME IS OF THE ESSENCE OF AND ALL UNDERTAKINGS AND AGREEMENTS OF THE PARTIES HERETO.

22. **Notices.** Any notice to be given or served upon any party to this Agreement must be in writing and shall be deemed to have been given: (a) upon receipt in the event of personal service by actual delivery (including by telecopy or delivery service); (b) the first business day after posting if deposited in the United States mail with proper postage and dispatched by certified mail, return receipt requested; or (c) upon receipt if notice is given other than by personal service or by certified mail. All notices shall be given to the parties at the following addresses:

If To the City: City of Ypsilanti
One South Huron Street
Ypsilanti, Michigan 48197
Attn: _____
Fax No: _____

With A Copy To: Joseph M. Fazio, Esq.
Miller, Canfield, Paddock and Stone, P.L.C.
101 N. Main Street, 7th Floor
Ann Arbor, Michigan 48104
Fax No: (734) 747-7147

If To Purchaser: Herman & Kittle Properties, Inc.
500 East 96th Street, Suite 300
Indianapolis, IN 46240

Attn: Jeff Kittle
Fax No.: 317-663-6800

With A Copy To: Herman & Kittle Properties, Inc.
500 East 96th Street, Suite 300
Indianapolis, IN 46240
Attn: David Thompson, Esq.
Fax No.: 317-663-6815

Any party to this Agreement may at any time change the address for notices to that party by giving notice in this manner.

23. **Days.** Whenever this Agreement requires that something be done within a specified period of days, that period shall (a) not include the day from which the period commences, (b) include the day upon which the period expires, (c) expire at 5:00 p.m. local time on the day upon which the period expires, and (d) unless otherwise specified in this Agreement, be construed to mean calendar days; provided, that if the final day of the period falls on a Saturday, Sunday or legal holiday, the period shall extend to the first business day thereafter.

24. **Severability.** If one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, that invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if the invalid, illegal or unenforceable provision had never been contained within the body of this Agreement.

25. **Entire Agreement.** This Agreement embodies the entire understanding between the parties with respect to the transaction contemplated herein. All prior or contemporaneous agreements, understandings, representations, warranties and statements, oral or written, are superseded by and merged into this Agreement. Neither this Agreement nor any of its provisions may be waived, modified or amended except by an instrument in writing signed by the party against which enforcement is sought, and then only to the extent set forth in that instrument.

26. **Governing Law.** This Agreement shall be governed by and construed in accordance with the provisions of the laws of the State of Michigan.

27. **Captions.** Captions to paragraphs and sections of this Agreement have been included solely for the sake of convenient reference and are entirely without substantive effect.

(a) **Successors And Assigns.** Purchaser may assign this Agreement to an entity owned and controlled by Purchaser or under common control with Purchaser, provided however, such assignment shall not release Purchaser from any obligations and/or liability hereunder and no such assignment shall be effective unless and until Purchaser provides to City written notice of such assignment, a copy of same and the assignee expressly assumes all obligations hereunder. Other than to an entity owned and controlled by Purchaser, Purchaser shall not assign this Agreement without the City's prior written consent. This Agreement shall be binding upon, and its benefits shall inure to, the parties hereto and their respective heirs, personal representatives, successors and assigns. A to-be-formed limited liability company under common control with Purchaser shall be the general partner (the "General Partner") of the limited partnership which shall own the Property. The General Partner shall not transfer its general partner interest for at least fifteen (15) years after Closing.

28. **Facsimile Signatures; Counterparts.** A facsimile of an original signature to this Agreement shall be deemed an original signature. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one agreement. The signature of any party to any counterpart shall be deemed to be a signature to, and may be appended to, any other counterpart.

29. **Offer Period.** The offer embodied in this Agreement shall remain irrevocable by Purchaser for a period of thirty (30) days from the date that a copy of this Agreement signed by Purchaser has been provided to the City. Purchaser acknowledges and agrees that this Agreement shall not be binding on the City until the City of Ypsilanti City Council has approved this Agreement pursuant to a public meeting and corresponding resolution and this Agreement has been signed by the Mayor of the City of Ypsilanti and any other parties required by the City Council or under applicable ordinances, laws, the Charter of the City of Ypsilanti and such resolution and that the foregoing thirty (30) day period is necessary to seek and obtain such approval.

THIS AGREEMENT has been executed by the parties hereto on the date set forth above.

"PURCHASER"

**Herman & Kittle Properties, Inc.,
an Indiana Corporation**

By: Michael Rodriguez

Its: Development Director

Dated: _____

"THE CITY"

**CITY OF YPSILANTI,
a Michigan municipal corporation**

By: _____

Its: Mayor

And

By: _____

Its: _____

Dated: _____ ("Effective Date")

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

DRAFT

DIAGRAM OF THE OVERALL PROPERTY

EXHIBIT C

Zoning Guidelines

DRAFT

EXHIBIT D

INFRASTRUCTURE IMPROVEMENTS

Herman & Kittle Properties to install all road infrastructure, including utilities, street trees, and sidewalks in the following locations.

- Extend River Street South from Michigan Avenue to a terminating ring road as depicted in Exhibit D1.
- Extend South Street from South Park Street West to River Street as depicted in Exhibit B.
- Extend Lincoln Street from South Street South as depicted in Exhibit B
- Extend Ring Road from River to Lincoln Streets

[illegible]

EXHIBIT E

RESTRICTED USES
TO BE PROVIDED

21948568.2\099368-00037
2/26/14



Resolution No. 2014 – 059
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the "Purchase agreement with Herman & Kittle LLC, for purchase and development of 3.14 acres for Purchase and Development of multifamily apartment units" be **officially closed**.

OFFERED BY: _____

SUPPORTED BY: _____

AYES:

NAYS:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION
March 4, 2014

From: Teresa Gillotti, Community and Economic Development Director

Subject: Thompson Block Project Tax abatement and other incentives approvals:

- Revocation of previously approved OPRA tax exemption (2006)
- Application for new OPRA for expanded Thompson Block Project
- Resolution of Blight for Thompson Block project
- New Brownfield Plan for streetscape and storm water improvements

SUMMARY & BACKGROUND:

The Thompson Block redevelopment project has a long history of starts and stops, several of which are part of the approvals and changes requested by City Council. As a reminder, the proposed redevelopment consists of the combined parcel which includes 400-412 N. River St. (the buildings), the vacated alley to the east, and the land of the former 107 E. Cross St.

The proposed reuse of the existing structure will include restoring the building and façade, with 16 upper story residential lofts, and a combination of commercial/retail uses on the first floor totaling approximately 10,000 sf. The vacated alley and the vacant 107 E. Cross will provide for parking, storm water management, and buffer between the development and adjacent properties.

During the mid to late 2000s, Historic Equities Fund, LLC, worked to secure financing and related tax incentives in order to rehabilitate the property. On September 23, 2009 the structure suffered a significant fire, effectively stopping all redevelopment efforts.

In 2013, the newly formed Thompson Block Partners, LLC took over and restarted the efforts to redevelop the property including expanding the project scope by vacating a portion of the adjacent alley to the east, and combining 400 N. River, the alley and 107 E. Cross into a single property. The broader project then received Planned Unit Development rezoning and site plan approval through the planning Commission and City Council as of January 7, 2014.

Request for Obsolete Property Rehabilitation Tax Exemption

In 2006, City Council approved an OPRA exemption for the Thompson Block project for 12 years with a condition that the work be completed in three years. As development did not occur, the current owners, Thompson Block Partners, are asking City Council to revoke the existing OPRA and to approve a new OPRA for 12 years.

The combined parcel under consideration is parcel ID # 11-11-04-495-024. The assessor previously did an inspection post-fire and has again provided a certificate of obsolescence for the site (see attached).



Project Financing

Total project costs are estimated at \$5,875,000 and include building, parking lot, storm water management and streetscape improvements along N. River Street in particular.

The financing includes the following contributions:

- Historic Tax Credits (state enhanced and federal)
- Investor shares (\$10,000 each)
- Bank loan or other mortgage
- State of Michigan MBT credit
- MEDC Community Revitalization Program (CRP) grant
- City of Ypsilanti OPRA (pending)
- Brownfield Tax Increment Financing

As noted above, the State of Michigan is greatly involved in the financing. Some financing remains from previous allocations (State enhanced historic preservation tax credits, MBT credits) as well as newer contributions such as the CRP grant and new Brownfield Plan.

The owner has applied for and received a grant from the Ypsilanti DDA for building and façade improvements up to \$17,500.

OPRA Application

The applicant is requesting an Obsolete Property Rehabilitation Act (OPRA) exemption for 12 years. The OPRA would effectively freeze the value of the improvements on the combined property at the 2014 taxable value for improvements, approximately \$109,308. Investment and improvements to the properties would not be taxed during the lifetime of the abatement. Post development value is estimated at \$1.75 million by the City's assessor, a more conservative estimate than provided in the supporting materials.

Attached is the application and supporting materials, including the affidavit of obsolescence from the City Assessor, summary from the applicant, proforma as well as construction estimates. Additional detail is provided with the proposed Brownfield plan for the site. Project construction is expected to start

DDA Recommendation

As the properties in question are in the DDA, it was requested that the DDA Board provide a recommendation. The DDA did discuss the application at their Feb. 20, 2014 meeting and have provided a resolution of unanimous support for the project.

Related to the DDA, the City assessor noted that as the combined parcel is only partially in the DDA, DDA capture would be portioned appropriately.

City Review

The City review team met on Feb. 19, 2014. The review team consisted of Aaron Powers and Doug Shaw from WCA Assessing, Teresa Gillotti, Planner, and Tim Colbeck from the DDA. The team reviewed the proformas, provided the more modest estimate of value once completed, and discussed the other details of the project. The team determined that the project meets the criteria set out in the City's tax abatement policy as well as the goals for the Blueprint for Downtown encouraging upper story residences and ground floor commercial.

Staff recommends tying the number of years for construction to be completed to the end of redemption period for the State Enhanced Tax Credits, December 31, 2016.

Other approvals

Blight Resolution

The State of Michigan Economic Development Corporation (MEDC) has requested a blight resolution from the City of Ypsilanti in addition to the Assessor's certificate of obsolescence. That resolution is attached.

Brownfield Plan

As mentioned, this project previously utilized a Brownfield plan for additional eligible expenses. Post-fire, these expenses have changed and include streetscape improvements along River Street previously approved through the PUD/site plan approval process, as well as site preparation and storm water management for the parking lot on the east side of the building.

The current plan would collect taxes according to the proposed schedule in the attached brownfield plan. If the OPRA is approved, then eligible expenses would be collected from State School education and Operating taxes. This collection is expected to last for 11 years, through 2025. Please note, that if taxable value declines and the collection period extends past the lifetime of the OPRA, local taxes could be collected. Further detail is provided in the draft brownfield plan and memo from Washtenaw County Brownfield Authority staff Nathan Voght.

RECOMMENDED ACTIONS:

- Revocation of previously approved OPRA tax exemption (2006)
- Approval of OPRA tax exemption for 12 years
- Approval of Blight resolution for Thompson Block project
- Approval of Brownfield Plan for streetscape and storm water improvements

ATTACHMENTS: Thompson Block Project, OPRA application and supporting materials
Thompson Block Project, OPRA Review sheet
Assessor's Affidavit of Obsolescence
Resolution 2014-____, Revoke 2006 Thompson Block OPRA
Resolution 2014-____, Approve Thompson Block Project OPRA
application

Historic Thompson Block Brownfield Plan
Memo – Brownfield Plan
Resolution 2014, Approve Historic Thompson Block Brownfield Plan
Resolution 2014-____, Approve Blight resolution for Thompson Block

DDA District-wide OPRA District approval and map

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2014 - 060
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Obsolete Property Rehabilitation Act, Public Act 146 of 2000 (the "Act"), provides for a tax incentive to encourage the redevelopment of obsolete buildings through the establishment of an Obsolete Property Rehabilitation District; and

WHEREAS, pursuant to PA 146 of 2000, the City of Ypsilanti is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the Council of the City of Ypsilanti legally established an Obsolete Property Rehabilitation District that includes parcel #11-11-04-495-024 (400 N. River St.) as part of a broader district including the three DDA districts on June 5, 2012 after a public hearing held on the same date as provided by section 3 of Public Act 146 of 2000; and

WHEREAS, the combined parcel at 400 N. River Street has been certified functionally obsolete by the City Assessor per P.A. 146 in February 2014; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Ypsilanti eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, the owners of the above referenced parcels, Thompson Block Partners, LLC have submitted an application for an obsolete property as defined in section 2(h) of Public Act 146 of 2000 requesting an exemption for a period of 12 years as a function of the Act; and

WHEREAS, the application included all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate; and

WHEREAS, Thompson Block Partners, LLC are not delinquent in any taxes related to the facility; and

WHEREAS, the owners of the above referenced parcel have proposed to rehabilitate currently vacant, fire-damaged, blighted, and functionally obsolete structure into first floor commercial space, and upper story residential lofts; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Ypsilanti; and

WHEREAS the rehabilitation includes improvements aggregating approximately 100% of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

WHEREAS, the review committee met on February 19, 2014 and recommends approval of the application for a period of twelve years (2015-2026); and

WHEREAS, the application is not recommended for an extension; and

WHEREAS the completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, increase commercial activity, revitalize urban areas, and increase number of residents in the community in which the facility is situated.

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on March 4, 2014; and

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council hereby grants an Obsolete Property Rehabilitation Exemption for a period of 12 years beginning December 31, 2014 and ending December 30, 2026 for the real property, excluding land, located in the Obsolete Property Rehabilitation District which include parcel #11-11-04-495-024 (400 N. River Street) pursuant to the provisions of PA 146 of 2000, as amended, subject to completion of the renovations by December 31, 2016, the final approval of exemption certificates by the State Tax Commission, and to the taxes on the property being paid on time.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



Historic Equities Fund

1/29/2014

City Council
City of Ypsilanti
One South Huron
Ypsilanti, MI 48197

Re: Obsolete Property Rehabilitation Act Revocation Request
Thompson Block: 400 N. River, Ypsilanti

Dear City Council,

Please revoke the existing OPRA on 400 N. River.

Stewart W. Beal, Managing Member
Historic Equities Fund I, LLC



Thompson Block Partners

January 24, 2014

Teresa Gillotti
Planner II/Community & Economic Development
City of Ypsilanti
One South Huron
Ypsilanti, MI 48197

Re: Obsolete Property Rehabilitation Act Request
Thompson Block: 400 N. River, Ypsilanti

Dear Ms. Gillotti,

The purpose of this letter is to formally request that the City of Ypsilanti grant a new 12 year Obsolete Property Rehabilitation Act (OPRA) Tax Abatement to the Thompson Block Project. The project appears to meet (and exceeds in many areas) the City's criteria for granting this tax abatement, and the project needs the Obsolete Property Rehabilitation Act Tax Abatement requested in order to proceed.

Statement of Need:

Our project is proposed to include one major restaurant and several additional commercial tenants, and 16 luxury loft units, bringing as many as 30 new residents or 50 new office workers to the city. The project will dramatically improve a highly visible stretch of River Street and the most visible corner in Depot Town and will contribute and encourage further development in the area. It will bring more people to Depot Town on a 24/7 basis, and help support new and existing restaurant and retail establishments. The improvements will be permanent, and will on a long term basis raise the value of this and the surrounding buildings to several times their current value, to the considerable benefit of the community.

As everyone is aware, the cost of rehabilitating this badly maintained and time worn building, combined with the less than desirable rents, especially for commercial tenants, achievable in Ypsilanti leaves us with considerable difficulty in making the numbers work. As such, and without additional flexibility on the part of the City of Ypsilanti and/or the Depot Town DAA over tax issues, we are unable to demonstrate long term viability of the project to the financial community, preventing us from obtaining the construction financing necessary to proceed.

As such we are now formally requesting that City Council approve the dissolution of the previously approved OPRA Tax Abatement and put in its place a new 12 year OPRA Tax Abatement to assist us in overcoming the intense financial burdens involved in redeveloping the Thompson Block.

It is very important that we achieve an agreement in advance over the ongoing property tax burden that this property will face upon completion. As you are aware, Ypsilanti has a very high millage rate due to traditionally low property values in the City. This high millage rate acts as a powerful disincentive to new investment such as the property improvements proposed here, contributing to continued low property values and again high millage rates.

Fixing these costs in advance of significant investment can break this cycle, by guaranteeing the City a measure of new property tax revenue (plus the additional benefits cited earlier and described in more detail below) on new investment, while allowing us the opportunity to manage our costs and build a “bankable” proforma so important to allowing us to proceed with our project in the first place. To conclude, the Thompson Block Project needs an Obsolete Property Rehabilitation Act designation to make the project work financially.

In addition to the statement of need above the following is true of the Thompson Block Project:

- 1) The Thompson Block project and its owner Thompson Block Partners, LLC have no outstanding back taxes, fines, or liens owed to the city.
- 2) Upon completion of the project, a Certificate of Occupancy will be obtained.
- 3) Thompson Block Partners, LLC will offer its employees a living wage.
- 4) Thompson Block Partners, LLC and its contractors, agents, and tenants will make a concerted effort to employ primarily residents of the city of Ypsilanti.
- 5) The Thompson Block project will use context sensitive design in the development with a special attention to storm water management and energy efficient design.
- 6) The Thompson Block project will accommodate new economy businesses, green technologies, and/or innovative business models.
- 7) The Thompson Block project will not start prior to tax abatement approval.
- 8) Thompson Block Partners, LLC is not an employer, but its agents and contractors are equal opportunity employers.
- 9) The Thompson Block Project will be in compliance with the Historic District Guidelines.
- 10) The requested tax abatement is required for the success of the project. Please see attached written statement addresses to City Council in addition to the pro forma submitted with the application materials.
- 11) The property is currently functionally obsolete.

Furthermore the Thompson Block Project will follow and promote the general economic development/redevelopment goals of the City of Ypsilanti

- 1) Promoting the growth and expansion of existing businesses and the growth and development of local entrepreneurs.
- 2) Encouraging the adaptive reuse of historic and underutilized buildings including properties that are currently tax exempt, and supporting Brownfield cleanup and redevelopment.
- 3) Attracting businesses that diversity the city’s commercial and industrial base and contribute to the economic and social well-being of the community.
- 4) Supporting and attracting businesses that further develop the local workforce by increasing the personal income of residents, diversifying the job base, and creating new jobs.
- 5) Promoting energy efficiency in building renovation and rebuilds.
- 6) Continuously improving the quality of life in Ypsilanti.

I have included with this letter a set of 12 year cash flow projections for the Thompson Block Redevelopment Project with and without the OPRA Abatement included that clearly shows how important the Obsolete Property Rehabilitation Tax Abatement is to the project and why it should be approved for the full 12 years. With our currently projected costs and income and without the above requested incentive, the project will not only fail to achieve the 1.25 debt service coverage ratio typically required to obtain financing from even the most supportive banks, but will in fact lose money for every year in which the OPRA Tax Abatement would otherwise be in place.

We anticipate paying additional property taxes on these properties. We view this as one of the benefits the project provides to the community, just as you do, and appreciate the ongoing downtown improvements and additional services that these funds will contribute paying for. We would ask that you work with us creatively to manage the property taxes on this property at a level that both contributes to the community and allows the project to work. After all, if there is no project, there will be no additional tax revenue.

We are progressing with all other facets of project planning in anticipation of a late summer – early fall 2014 date. We look forward to continuing to work with the City of Ypsilanti on this fantastic and long awaited redevelopment project and toward your approval of the Obsolete Property Rehabilitation Tax Abatement requested here.

Please let me know if you have any questions or concerns.

Thank you for your consideration.

Tyler Weston, Partner
Thompson Block Partners, LLC

Attached: 12 Year Cash Flow Projection with and without OPRA Tax Abatement

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility) Thompson Block Partners LLC								
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 221 Felch Street, Ann Arbor, Michigan 48103								
Location of obsolete facility (No. and street, City, State, ZIP Code) 400 North River Street, Ypsilanti Michigan 48197								
City, Township, Village (indicate which) City of Ypsilanti		County Washtenaw						
Date of Commencement of Rehabilitation (mm/dd/yyyy) 08/01/2014	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 09/01/2015	School District where facility is located (include school code) Ypsilanti Public Schools						
Estimated Cost of Rehabilitation \$5,875,000.00	Number of years exemption requested 12	Attach Legal description of Obsolete Property on separate sheet						
Expected project likelihood (check all that apply): <table border="0"><tr><td>☒ Increase Commercial activity</td><td>☐ Retain employment</td><td>☒ Revitalize urban areas</td></tr><tr><td>☒ Create employment</td><td>☐ Prevent a loss of employment</td><td>☒ Increase number of residents in the community in which the facility is situated</td></tr></table> Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment _____			☒ Increase Commercial activity	☐ Retain employment	☒ Revitalize urban areas	☒ Create employment	☐ Prevent a loss of employment	☒ Increase number of residents in the community in which the facility is situated
☒ Increase Commercial activity	☐ Retain employment	☒ Revitalize urban areas						
☒ Create employment	☐ Prevent a loss of employment	☒ Increase number of residents in the community in which the facility is situated						
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion. ☒								

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) Thompson Block Partners LLC	Telephone Number (734) 657-3439	Fax Number
Mailing Address 221 Felch Street, Ann Arbor, Michigan 48103		Email Address tweston@thompsonblock.com
Signature of Company Officer (no authorized agents)		Title Manager

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature	Date application received
-----------	---------------------------

FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date: _____		
☐ Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)		
☐ Denied		
Date District Established	LUCI Code	School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

A statement that the local unit is a Qualified Local Governmental Unit. A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000. A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit. A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years. A statement that the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing. A statement that the applicant is not delinquent in any taxes related to the facility. If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit. A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.	A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000. A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District. A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district. A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in. A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000. A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.
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PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

Taxable Value		State Equalized Value (SEV)	
Building(s)			
Name of Governmental Unit	Date of Action on application	Date of Statement of Obsolescence	

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature	Date	
Clerk's Mailing Address	City	State	ZIP Code
	Telephone Number	Fax Number	Email Address

Mail completed application and attachments to: State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, call (517) 373-3272.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

Thompson Block Partners LLC

400 N. River
Ypsilanti, MI 48197

The Thompson Block Re-development

400 North River Street
Ypsilanti, Michigan 48197

With \$4.4 Million in Construction Financing and \$2.25Million in Permanent Loans

A project of Thompson Block Partners LLC

12 Year Cash Flow Projection p1			w/OPRA Tax Abatement			
			2016	2017	2018	2019
REVENUE						
Commercial Tenants; Increase 3% / yr after 3rd year						
Bay 1-6	sf/unit	rent/yr				
Bay 7-10	6,964	\$16.00	\$111,424.00	\$111,424.00	\$111,424.00	\$114,766.72
Basement below Bay 1-3	3,258	\$12.50	\$40,725.00	\$40,725.00	\$40,725.00	\$41,946.75
	3,137	\$7.50	\$23,527.50	\$23,527.50	\$23,527.50	\$24,233.33
	13,359					
Residential Lofts; Unit # and Type						
	sf/unit	rent/mo				
201 2 bdrm 1 bath Unit	1,187	\$1,306	\$15,668.40	\$16,138.45	\$16,622.61	\$17,121.28
202 1 bdrm 1 bath Unit	973	\$1,070	\$12,843.60	\$13,228.91	\$13,625.78	\$14,034.55
203 1 bdrm 1 bath Unit	977	\$1,075	\$12,896.40	\$13,283.29	\$13,681.79	\$14,092.24
204 1 bdrm 1bath Unit	981	\$1,079	\$12,949.20	\$13,337.68	\$13,737.81	\$14,149.94
205 1 bdrm 1bath Unit	979	\$1,077	\$12,922.80	\$13,310.48	\$13,709.80	\$14,121.09
206 2 bdrm, 1 bath Unit	1,105	\$1,216	\$14,586.00	\$15,023.58	\$15,474.29	\$15,938.52
207 2 bdrm, 1 bath Unit	1,039	\$1,143	\$13,714.80	\$14,126.24	\$11,640.00	\$11,640.00
208 1 bdrm, 1 bath Unit	763	\$839	\$10,071.60	\$10,373.75	\$10,684.96	\$11,005.51
209 efficiency 1 bath Unit	610	\$732	\$8,784.00	\$9,047.52	\$9,318.95	\$9,598.51
210 1 bdrm 1 bath Unit	846	\$931	\$11,167.20	\$11,502.22	\$11,847.28	\$12,202.70
301 2 bdrm, 1 bath Unit	1,187	\$1,424	\$17,088.00	\$17,600.64	\$18,128.66	\$18,672.52
302 1 bdrm, 1 bath Unit	973	\$1,168	\$14,016.00	\$14,436.48	\$14,869.57	\$15,315.66
303 1 bdrm, 1 bath Unit	977	\$1,172	\$14,064.00	\$14,485.92	\$14,920.50	\$15,368.11
304 1 bdrm, 1 bath Unit	961	\$1,153	\$13,836.00	\$14,251.08	\$14,678.61	\$15,118.97
305 1 bdrm 1 bath Unit	979	\$1,175	\$14,100.00	\$14,523.00	\$14,958.69	\$15,407.45
306 2 bdrm 1 bath Unit	1,105	\$1,326	\$15,912.00	\$16,389.36	\$16,881.04	\$17,387.47
Total Rent for Building	15,642		\$390,296.50	\$396,735.10	\$400,456.83	\$412,121.33
Late fees / Penalties / interest & misc.			\$2,000.00	\$2,060.00	\$2,121.80	\$2,185.45
TIF Reimbursement			\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
Subtotal			\$392,296.50	\$398,795.10	\$402,578.63	\$414,306.79
Vacancy Rate (10% yr 1, dropping to 7.5% year 3)			-\$39,029.65	-\$33,722.48	-\$30,034.26	-\$30,909.10
TOTAL REVENUE			\$353,266.85	\$365,072.62	\$372,544.36	\$383,397.69
GENERAL OPERATING EXPENSES						
Real Properties Management Fees			\$14,130.67	\$14,602.90	\$14,901.77	\$15,335.91
Leasing Expense			\$0.00	\$0.00	\$0.00	\$10,856.81
Depreciation Expense			\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00
Insurance: liability & misc			\$15,000.00	\$15,450.00	\$15,913.50	\$16,390.91
Loan Interest: \$ 2,250,000 20 yrs @ 5.50 % Mortgage			\$122,163.48	\$118,577.85	\$114,789.96	\$110,788.41
Legal/Accounting Fees			\$7,500.00	\$7,725.00	\$7,956.75	\$8,195.45
Building Maintenance: Staff and Materials			\$3,500.00	\$5,000.00	\$11,176.33	\$11,501.93
Building Maintenance: Maintenance Contracts / Outside Services			\$2,400.00	\$6,000.00	\$6,000.00	\$6,000.00
Site Maintenance			\$9,000.00	\$9,270.00	\$9,548.10	\$9,834.54
Security System Monitoring			\$600.00	\$618.00	\$636.54	\$655.64
Property Taxes (Net of OPRA)			\$22,000.00	\$22,330.00	\$22,664.95	\$23,004.92
Utilities (most utilities to be separately metered)			\$11,000.00	\$11,330.00	\$11,669.90	\$12,020.00
Other Expenses and Reserves			\$2,000.00	\$4,000.00	\$4,120.00	\$9,994.57
Total Operating Expenses			\$329,294.15	\$334,903.75	\$339,377.81	\$354,579.08
Net Operating Income(Loss)			\$23,972.70	\$30,168.86	\$33,166.56	\$28,818.61
Add Back						
Depreciation Expense			\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00
Loan Interest: \$ 1,800,000 20 yrs @ 5.50 % Mortgage			\$122,163.48	\$118,577.85	\$114,789.96	\$110,788.41
Cash Flow Available for Debt Service			\$269,136.18	\$268,746.71	\$267,956.52	\$259,607.02
Less: Debt Service						
Loan Principal and Interest: \$ 2,250,000 20 yrs @ 5.50 % Mortgage			\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55
Total Debt Service			\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55
Net Cash Flow			\$80,406.63	\$83,017.16	\$82,226.97	\$73,877.47
Debt Service Coverage Ratio with OPRA			1.43	1.45	1.44	1.40

12 Year Cash Flow Projection p1			w/o OPRA Tax Abatemnt		
All numbers except Tax Cost Remain as Stated Above					
Delete OPRA Adjusted Property Taxes	-\$22,000.00	-\$22,330.00	-\$22,664.95	-\$23,004.92	
Add Property Taxes w/o an OPRA	\$119,450.00	\$121,241.75	\$123,060.38	\$124,906.28	
Total Operating Expense w/o OPRA	\$426,744.15	\$433,815.50	\$439,773.23	\$456,480.44	
Net Operating Income(Loss)	-\$73,477.30	-\$68,742.89	-\$67,228.87	-\$73,082.75	
Add Back					
Depreciation Expense	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	
Loan Interest: \$ 1,800,000 20 yrs @ 5.50 % Mortgage	\$0.00	\$0.00	\$0.00	\$0.00	
Cash Flow Available for Debt Service	\$46,522.70	\$51,257.11	\$52,771.13	\$46,917.25	
Less: Debt Service					
Loan Principal and Interest: \$ 2,250,000 20 yrs @ 5.50 % Mortgage	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	
Total Debt Service	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	
Net Cash Flow	-\$139,206.85	-\$134,472.44	-\$132,958.42	-\$138,812.30	
Debt Service Coverage Ratio w/o OPRA	0.25	0.28	0.28	0.25	

Thompson Block Partners LLC

400 N. River
Ypsilanti, MI 48197

The Thompson Block Re-development

400 North River Street
Ypsilanti, Michigan 48197

With \$4.4 Million in Construction Financing and \$2.25Million in Permanent Loans

A project of Thompson Block Partners LLC

12 Year Cash Flow Projection p2

2020	2021	2022	2023	2024	2025	2026	2027
\$118,209.72	\$121,756.01	\$125,408.69	\$129,170.95	\$133,046.08	\$137,037.47	\$141,148.59	\$145,383.05
\$43,205.15	\$44,501.31	\$45,836.35	\$47,211.44	\$48,627.78	\$50,086.61	\$51,589.21	\$53,136.89
\$24,960.32	\$25,709.13	\$26,480.41	\$27,274.82	\$28,093.07	\$28,935.86	\$29,803.93	\$30,698.05
\$17,634.92	\$18,163.97	\$18,708.89	\$19,270.16	\$19,848.26	\$20,443.71	\$21,057.02	\$21,688.73
\$14,455.58	\$14,889.25	\$15,335.93	\$15,796.01	\$16,269.89	\$16,757.98	\$17,260.72	\$17,778.55
\$14,515.01	\$14,950.46	\$15,398.98	\$15,860.95	\$16,336.77	\$16,826.88	\$17,331.68	\$17,851.63
\$14,574.44	\$15,011.67	\$15,462.02	\$15,925.88	\$16,403.66	\$16,895.77	\$17,402.64	\$17,924.72
\$14,544.73	\$14,981.07	\$15,430.50	\$15,893.41	\$16,370.22	\$16,861.32	\$17,367.16	\$17,888.18
\$16,416.67	\$16,909.17	\$17,416.45	\$17,938.94	\$18,477.11	\$19,031.42	\$19,602.36	\$20,190.44
\$11,640.00	\$11,640.00	\$11,640.00	\$11,640.00	\$11,640.00	\$11,640.00	\$11,641.00	\$11,642.00
\$11,335.67	\$11,675.74	\$12,026.02	\$12,386.80	\$12,758.40	\$13,141.15	\$13,535.39	\$13,941.45
\$9,886.47	\$10,183.06	\$10,488.56	\$10,803.21	\$11,127.31	\$11,461.13	\$11,804.96	\$12,159.11
\$12,568.78	\$12,945.85	\$13,334.22	\$13,734.25	\$14,146.27	\$14,570.66	\$15,007.78	\$15,458.02
\$19,232.69	\$19,809.68	\$20,403.97	\$21,016.08	\$21,646.57	\$22,295.96	\$22,964.84	\$23,653.79
\$15,775.13	\$16,248.39	\$16,735.84	\$17,237.91	\$17,755.05	\$18,287.70	\$18,836.33	\$19,401.42
\$15,829.16	\$16,304.03	\$16,793.15	\$17,296.95	\$17,815.85	\$18,350.33	\$18,900.84	\$19,467.87
\$15,572.54	\$16,039.72	\$16,520.91	\$17,016.53	\$17,527.03	\$18,052.84	\$18,594.43	\$19,152.26
\$15,869.67	\$16,345.76	\$16,836.14	\$17,341.22	\$17,861.46	\$18,397.30	\$18,949.22	\$19,517.70
\$17,909.10	\$18,446.37	\$18,999.76	\$19,569.75	\$20,156.85	\$20,761.55	\$21,384.40	\$22,025.93
\$424,135.77	\$436,510.64	\$449,256.76	\$462,385.27	\$475,907.62	\$489,835.65	\$504,182.52	\$518,959.77
\$2,251.02	\$2,318.55	\$2,388.10	\$2,459.75	\$2,533.54	\$2,609.55	\$2,687.83	\$2,768.47
\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
\$426,386.79	\$438,829.19	\$451,644.87	\$464,845.01	\$478,441.16	\$492,445.20	\$506,870.36	\$521,728.24
-\$31,810.18	-\$32,738.30	-\$33,694.26	-\$34,678.90	-\$35,693.07	-\$36,737.67	-\$37,813.69	-\$38,921.98
\$394,576.61	\$406,090.89	\$417,950.61	\$430,166.12	\$442,748.09	\$455,707.53	\$469,056.67	\$482,806.25
\$15,783.06	\$16,243.64	\$16,718.02	\$17,206.64	\$17,709.92	\$18,228.30	\$18,762.27	\$19,312.25
\$11,182.51	\$11,517.99	\$11,863.53	\$12,219.43	\$12,586.02	\$12,963.60	\$13,352.50	\$13,753.08
\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00
\$16,882.63	\$17,389.11	\$17,910.78	\$18,448.11	\$19,001.55	\$19,571.60	\$20,158.75	\$20,763.51
\$106,561.15	\$102,095.49	\$97,277.80	\$92,394.06	\$87,129.21	\$81,567.38	\$75,691.81	\$69,484.81
\$8,441.32	\$8,694.56	\$8,955.39	\$9,224.05	\$9,500.78	\$9,785.80	\$10,079.37	\$10,381.75
\$11,837.30	\$12,182.73	\$12,538.52	\$12,904.98	\$13,282.44	\$13,671.23	\$14,071.70	\$14,484.19
\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00
\$10,129.58	\$10,433.47	\$10,746.47	\$11,068.86	\$11,400.93	\$11,742.96	\$12,095.25	\$12,458.10
\$675.31	\$695.56	\$716.43	\$737.92	\$760.06	\$782.86	\$806.35	\$830.54
\$23,350.00	\$23,700.25	\$24,055.75	\$24,416.59	\$24,782.84	\$25,154.58	\$25,531.90	\$25,914.88
\$12,380.60	\$12,752.01	\$13,134.58	\$13,528.61	\$13,934.47	\$14,352.51	\$14,783.08	\$15,226.57
\$10,294.40	\$10,603.23	\$10,921.33	\$11,248.97	\$11,586.44	\$11,934.03	\$12,292.05	\$12,660.82
\$353,517.85	\$352,308.03	\$350,838.61	\$349,398.24	\$347,674.66	\$345,754.84	\$343,625.03	\$341,270.50
\$41,058.75	\$53,782.86	\$67,112.00	\$80,767.88	\$95,073.43	\$109,952.69	\$125,431.64	\$141,535.75
\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00
\$106,561.15	\$102,095.49	\$97,277.80	\$92,394.06	\$87,129.21	\$81,567.38	\$75,691.81	\$69,484.81
\$267,619.90	\$275,878.35	\$284,389.80	\$293,161.94	\$302,202.64	\$311,520.07	\$321,123.45	\$331,020.56
\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55
\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55
\$81,890.35	\$90,148.80	\$98,660.25	\$107,432.39	\$116,473.09	\$125,790.52	\$135,393.90	\$145,291.01
1.44	1.49	1.53	1.58	1.63	1.68	1.73	1.78
-\$23,350.00	-\$23,700.25	-\$24,055.75	-\$24,416.59	-\$24,782.84	-\$25,154.58	-\$25,531.90	-\$25,914.88
\$126,779.88	\$128,681.57	\$130,611.80	\$132,570.97	\$134,559.54	\$136,577.93	\$138,626.60	\$140,706.00
\$456,947.73	\$457,289.36	\$457,394.65	\$457,552.63	\$457,451.36	\$457,178.19	\$456,719.73	\$456,061.62
-\$62,371.13	-\$51,198.47	-\$39,444.04	-\$27,386.51	-\$14,703.27	-\$1,470.67	\$12,336.93	\$26,744.63
\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$135,393.90	\$145,291.01
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$57,628.87	\$68,801.53	\$80,555.96	\$92,613.49	\$105,296.73	\$118,529.33	\$147,730.83	\$172,035.64
\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55
\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55	\$185,729.55
-\$128,100.68	-\$116,928.02	-\$105,173.59	-\$93,116.06	-\$80,432.82	-\$67,200.22	-\$37,998.72	-\$13,693.91
0.31	0.37	0.43	0.50	0.57	0.64	0.80	0.93



277 Gratiot, Suite 500
Detroit, Michigan 48226
313-963-8951 / 313-963-3144

221 Felch Street
Ann Arbor, Michigan 48103
734-662-6133 / 734-662-5869

The Thompson Block Project Completion Estimate

As Designed with 1st Floor Commercial

400 River Street
Ypsilanti, Michigan 48198

Completion Estimate

Work Category	Unit	# Units	Unit Pricing	Total Labor	Material	Sub Pricing	Total Price	Category Totals	Sq Ft Cost by Category	% of Project Cost
Division I General Conditions										
Supervision and Cleanup								\$155,828.10	\$5.37	3.95%
Project Manager	mo	10	\$4,500.00	\$45,000.00	\$1,500.00		\$46,500.00	"		
Superintendent	mo	10	\$8,500.00	\$85,000.00	\$5,000.00		\$90,000.00	"		
Project Engineer	mo	10	\$500.00	\$5,000.00	\$1,325.00		\$6,325.00	"		
Cleanup								"		
Progress	trip	30	\$175.00	\$5,250.00	\$500.00		\$5,750.00	"		
Final	sf	29031	\$0.10	\$2,903.10	\$600.00		\$3,503.10	"		
Dumpsters	each	10	\$375.00	\$0.00		\$3,750.00	\$3,750.00	"		
Temporary Facilities; Re-construction								\$50,020.00	\$1.72	1.27%
Sidewalk / Street barricades	allow	1	\$15,000.00	\$0.00		\$15,000.00	\$15,000.00	"		
Traffic Engineering / permit for same	allow	1	\$10,000.00	\$0.00		\$10,000.00	\$10,000.00	"		
Safety rails at floor / wall openings	lf	120	\$6.00	\$720.00	\$600.00		\$1,320.00	"		
Project temporary utilities	mo	10	\$500.00	\$5,000.00	\$5,000.00	\$1,000.00	\$11,000.00	"		
Temp. storefront, other protection	hrs	80	\$50.00	\$4,000.00	\$3,000.00		\$7,000.00	"		
Security installation & maintenance	mo	10	\$50.00	\$500.00		\$200.00	\$700.00	"		
Testing and Layout	allow	1	\$5,000.00	\$0.00		\$5,000.00	\$5,000.00	"		

Temp Construction: Facade Stabilization -----								\$98,390.00	\$3.39	2.49%
Fire watch / stabilization supervision	hours	60	\$65.00	\$3,900.00	\$300.00		\$4,200.00	"		
Temporary chain link fence	lf	600	\$4.50	\$0.00		\$2,700.00	\$2,700.00	"		
Assemble scaffold on Cross & River	boxes	80	\$100.00	\$8,000.00	\$5,000.00	\$500.00	\$13,500.00	"		
Add 2x wall / diagonal bracing	lf	1500	\$6.00	\$9,000.00	\$5,000.00	\$2,500.00	\$16,500.00	"		
Fasten bracing to street	lf	200	\$10.00	\$2,000.00	\$1,000.00		\$3,000.00	"		
Run "wall clamps"	lf	960	\$4.50	\$4,320.00	\$1,800.00		\$6,120.00	"		
Install shoring posts	each	20	\$75.00	\$1,500.00	\$2,400.00	\$100.00	\$4,000.00	"		
Add cable ties	hours	8	\$50.00	\$400.00	\$150.00		\$550.00	"		
Board up first floor openings	sf	1000	\$0.50	\$500.00	\$500.00	\$100.00	\$1,100.00	"		
Rear wall post installation	each	8	\$75.00	\$600.00	\$400.00	\$100.00	\$1,100.00	"		
Set up rear wall bracing	each	8	\$200.00	\$1,600.00	\$700.00		\$2,300.00	"		
Remove dangerous wall sections	sf	400	\$2.50	\$1,000.00			\$1,000.00	"		
Apply fill along foundation walls	cy	70	\$15.00	\$1,050.00	\$700.00	\$500.00	\$2,250.00	"		
Street cleanup	hours	16	\$45.00	\$720.00	\$350.00		\$1,070.00	"		
Structural Engineering Expense	LS	1	\$7,500.00	\$0.00		\$7,500.00	\$7,500.00	"		
Relocate exterior shoring for City	hrs	160	\$50.00	\$8,000.00	\$1,000.00	\$500.00	\$9,500.00	"		
Dismantle / remove all of above	hrs	400	\$50.00	\$20,000.00	\$1,000.00	\$1,000.00	\$22,000.00	"		
Division II Demolition & Sitework								"		
Utilities -----								\$34,500.00	\$1.19	0.87%
Reinstall temporary electric service	allow	1	\$4,500.00			\$4,500.00	\$4,500.00	"		
New services								"		
Electric / Gas	allow	1	\$15,000.00			\$15,000.00	\$15,000.00	"		
Water and Sewer	allow	1	\$15,000.00			\$15,000.00	\$15,000.00	"		
Site Improvements / Repairs -----								\$125,550.00	\$4.32	3.18%
Earthwork								"		
Clear debris from alley	cy	50	\$18.00	\$900.00	\$375.00		\$375.00	"		
Excavate & backfill retaining wall	cy	100	\$30.00	\$3,000.00	\$1,000.00		\$4,000.00	"		
Clear drive area for asphalt	cy	300	\$18.00	\$5,400.00	\$800.00		\$6,200.00	"		
Backfill demolished building area	cy	120	\$15.00	\$1,800.00	\$1,200.00		\$3,000.00	"		
Site Concrete								"		
Retaining / seat wall footings	lf	150	\$40.00	\$0.00		\$6,000.00	\$6,000.00	"		Asphalt & Walks
Retaining wall	lf	100	\$175.00	\$0.00		\$17,500.00	\$17,500.00	"		\$80,625.00
New front & side stair at porch	lfsf	108	\$25.00	\$0.00		\$2,700.00	\$2,700.00	"		
New side stair at south elevation	lfsf	45	\$25.00	\$0.00		\$1,125.00	\$1,125.00	"		
Concrete walks & porch floor	sf	800	\$10.00	\$0.00		\$8,000.00	\$8,000.00	"		
Rear Building sidewalk	sf	400	\$10.00	\$0.00		\$4,000.00	\$4,000.00	"		
Dumpster Pad	sf	300	\$10.00	\$0.00		\$3,000.00	\$3,000.00	"		
Curb and gutter	lf	300	\$24.00	\$0.00		\$7,200.00	\$7,200.00	"		
Parking bumpers	each	28	\$75.00	\$0.00		\$2,100.00	\$2,100.00	"		
Site Masonry								"		
Seat wall along Cross Street	sf	100	\$35.00			\$3,500.00	\$3,500.00	"		
Asphalt								"		
Parking lot, drive, street infillw / stor	sf	8500	\$3.00	\$0.00		\$25,500.00	\$25,500.00	"		
Street repairs at storm/gas line	allow	1	\$3,500.00	\$0.00		\$3,500.00	\$3,500.00	"		Utilities

Storm Drainage								"		\$36,850.00		
4" underdrain	lf	300	\$12.50	\$0.00		\$3,750.00	\$3,750.00	"				
12" connection	lf	40	\$15.00	\$0.00		\$600.00	\$600.00	"				
Catch basins	each	1	\$2,500.00	\$0.00		\$2,500.00	\$2,500.00	"				
Landscaping							\$0.00	"		Landscaping		
Construct bioswale and rain garden	sf	2500	\$2.50	\$0.00		\$6,250.00	\$6,250.00	"		\$21,000.00		
Plant same	sf	2500	\$2.50	\$0.00		\$6,250.00	\$6,250.00	"				
Trees							\$0.00	"				
Arbor Vitae	each	3	\$150.00	\$0.00		\$450.00	\$450.00	"				
Red Maples	each	20	\$150.00	\$0.00		\$3,000.00	\$3,000.00	"				
White Spruce	each	17	\$150.00	\$0.00		\$2,550.00	\$2,550.00	"				
Additional plantings	allow	1	\$2,500.00	\$0.00		\$2,500.00	\$2,500.00	"				
Demolition / debris removal									\$57,025.00	\$1.96	1.44%	
Remove fallen debris								"				
Floor & roof joists / sheathing	cf	12000	\$0.75	\$9,000.00	\$500.00		\$9,500.00	"				
Roofing and flashing materials	cf	5500	\$1.00	\$5,500.00			\$5,500.00	"				
Brick wall debris	cf	9000	\$1.00	\$9,000.00	\$500.00		\$9,500.00	"				
Timber beams and columns	cf	500	\$1.50	\$750.00			\$750.00	"				
Misc debris fallen onto basement	cf	2500	\$1.00	\$2,500.00			\$2,500.00	"				
Remove damaged materials still in place								"				
Floor & roof joists / sheathing	sf	5400	\$1.50	\$8,100.00	\$400.00	\$1,500.00	\$10,000.00	"				
Roofing and flashing materials	sf	3000	\$1.25	\$3,750.00			\$3,750.00	"				
Failing masonry wall sections	cf	500	\$2.50	\$1,250.00			\$1,250.00	"				
Timber beams and columns	cf	300	\$1.75	\$525.00			\$525.00	"				
Dumpsters for removals	each	30	\$375.00	\$0.00		\$11,250.00	\$11,250.00	"				
Asbestos cleanup								"				
Pick up fallen asbestos debris	hrs	20	\$75.00	\$1,500.00	\$800.00	\$200.00	\$2,500.00	"				
Division III Building Concrete Work												
Foundations									\$36,900.00	\$1.27	0.93%	
New footings at elevator/stair shafts	lf	120	\$45.00	\$0.00		\$5,400.00	\$5,400.00	"				
New footings at basement columns	each	24	\$600.00	\$0.00		\$14,400.00	\$14,400.00	"				
New footings at wall changes	lf	40	\$45.00	\$0.00		\$1,800.00	\$1,800.00	"				
Hand excavate same	cy	48	\$100.00	\$4,800.00	\$500.00		\$5,300.00	"				
Underpinning / repairs	allow	1	\$5,000.00	\$0.00		\$5,000.00	\$5,000.00	"				
Misc structural concrete repairs	allow	1	\$5,000.00	\$0.00		\$5,000.00	\$5,000.00	"				
Flatwork									\$92,000.00	\$3.17	2.33%	
Break up damaged basement slabs	sf	10000	\$0.50	\$0.00		\$5,000.00	\$5,000.00	"				
Infill basements with engineered fill	cy	2200	\$15.00	\$0.00		\$33,000.00	\$33,000.00	"				
Pour new slabs at grade	sf	10000	\$4.50	\$0.00		\$45,000.00	\$45,000.00	"				
Infill stairs and landings	sf	640	\$5.00	\$3,200.00	\$800.00		\$4,000.00	"				
Gypcrete and/or self-leveling topping	sf	2000	\$2.50	\$0.00		\$5,000.00	\$5,000.00	"				
Division IV Masonry Work												
Unit masonry									\$419,000.00	\$14.43	10.61%	
Rebuild fallen brick separation walls	sf	9000	\$27.50	\$0.00		\$247,500.00	\$247,500.00	"				
Stair & elevator shafts	sf	5800	\$25.00	\$0.00		\$145,000.00	\$145,000.00	"				
Repair stone basement walls	sf	1000	\$25.00	\$0.00		\$25,000.00	\$25,000.00	"				
Repair basement wall at water line	allow	1	\$1,500.00	\$0.00		\$1,500.00	\$1,500.00	"				

Masonry restoration								\$214,100.00	\$7.37	5.42%
Stabilize collapsed south wall	sf	200	\$35.00	\$0.00		\$7,000.00	\$7,000.00	"		
Rebuild collapsed south wall	sf	500	\$35.00	\$0.00		\$17,500.00	\$17,500.00	"		
Rebuild openings	each	15	\$1,000.00	\$0.00		\$15,000.00	\$15,000.00	"		
General tuckpointing and cleaning	sf	16600	\$7.50	\$0.00		\$124,500.00	\$124,500.00	"		
Additional repairs at corners	each	4	\$7,500.00	\$0.00		\$30,000.00	\$30,000.00	"		
Shoring for storefront repair	each	12	\$200.00	\$2,400.00	\$2,600.00	\$100.00	\$5,100.00	"		
Scaffold and hoisting	allow	1	\$15,000.00			\$15,000.00	\$15,000.00	"		
Division V Steelwork								\$121,800.00	\$4.20	3.08%
Structural and Miscellaneous Steel								"		
Structural Steel								"		
Replace burned beams at storefron	lf	76	\$250.00	\$19,000.00	\$15,000.00	\$1,000.00	\$35,000.00	"		
First floor support columns	each	20	\$500.00	\$10,000.00	\$10,000.00		\$20,000.00	"		
Lintels for new masonry openings	each	15	\$150.00	\$2,250.00	\$750.00		\$3,000.00	"		
Framing at interior stair tower	each	1	\$5,000.00	\$0.00		\$5,000.00	\$5,000.00	"		
Misc. and specialty steel								"		
New stairs & railings at same	each	2	\$15,000.00	\$0.00		\$30,000.00	\$30,000.00	"		
New railing along porch & steps	lf	140	\$45.00	\$0.00		\$6,300.00	\$6,300.00	"		
New railings at rooftop decks	set	8	\$2,500.00			\$20,000.00	\$20,000.00	"		
Elevator sill angles	LS					\$2,500.00	\$2,500.00	"		
Division VI Wood & Plastic								\$278,750.00	\$9.60	7.06%
Rough carpentry								"		
Rebuild floor/roof systems								"		
Run perimeter frames	lf	2000	\$8.50	\$17,000.00	\$20,000.00	\$2,500.00	\$39,500.00	"		
All new joists (Microlams?)	each	900	\$45.00	\$40,500.00	\$90,000.00	\$5,000.00	\$135,500.00	"		
Sheathing at floor / roof	sf	26820	\$0.50	\$13,410.00	\$13,000.00	\$1,000.00	\$27,410.00	"		
Rebuild bay window area	hrs	40	\$50.00	\$2,000.00	\$1,000.00		\$3,000.00	"		
Build new stairs at stair towers	flight	8	\$2,500.00	\$20,000.00	\$8,000.00		\$28,000.00	"		
Build new stairs in two story units	each	6	\$1,200.00	\$7,200.00	\$7,500.00		\$14,700.00	"		
Frame in storefronts	lf	76	\$15.00	\$1,140.00	\$600.00		\$1,740.00	"		
Sheath same	sf	800	\$0.50	\$400.00	\$400.00		\$800.00	"		
Facade construction								"		
Scaffold erection (w/picks)	box	56	\$120.00	\$6,720.00	\$1,280.00	\$500.00	\$8,500.00	"		
Frame in storefront	lf	124	\$25.00	\$3,100.00	\$1,000.00		\$4,100.00	"		
Cornice framing	lf	240	\$20.00	\$4,800.00	\$1,200.00		\$6,000.00	"		
Cornice sheathing	sf	500	\$1.00	\$500.00	\$500.00		\$1,000.00	"		
Blocking								"		
Window and door bucks	each	200	\$20.00	\$4,000.00	\$1,500.00		\$5,500.00	"		
Misc blocking & infills	hours	40	\$55.00	\$2,200.00	\$800.00		\$3,000.00	"		

Finish Carpentry	-----						\$105,200.00	\$3.62	2.66%
Interior work							"		
Standing and running trim	lf	5000	\$2.00	\$10,000.00	\$10,000.00	\$20,000.00	"		
Unit interior door frames & casings	each	32	\$150.00	\$4,800.00	\$5,000.00	\$9,800.00	"		
Window casings	each	100	\$75.00	\$7,500.00	\$7,500.00	\$15,000.00	"		
Facade construction							"		
Trim out storefront	lf	124	\$50.00	\$6,200.00	\$10,000.00	\$16,200.00	"		
Install panels below glass	each	14	\$150.00	\$2,100.00	\$2,100.00	\$4,200.00	"		
Cornice brackets	each	40	\$125.00	\$5,000.00	\$5,000.00	\$10,000.00	"		
Cornice cove/misc molding(5 part)	lf	200	\$15.00	\$3,000.00	\$7,000.00	\$10,000.00	"		
Rooftop decks	sf	300	\$50.00	\$0.00	\$15,000.00	\$15,000.00	"		
Scaffold and hoisting	allow	1	\$5,000.00	\$0.00	\$5,000.00	\$5,000.00	"		
Custom Woodwork	NA: See kitchen casework & tops					\$0.00	"		

Division VII Thermal and Moisture Protection

Insulation									
See acoustic insulation at Division 9	NA								

Roofing									
Complete tearoff and removal	sf	3000	\$1.75	\$0.00	\$5,250.00	\$5,250.00	"	\$85,400.00	\$2.94 2.16%
Roof replacement & new w / flashings	sf	10500	\$7.50	\$0.00	\$78,750.00	\$78,750.00	"		
Roof up over parapet & new cornice	w/above					\$0.00	"		
Wall flashings	lf	140	\$10.00	\$0.00	\$1,400.00	\$1,400.00	"		

Caulking and sealants									
Door frames	ea	80	\$30.00	\$2,400.00	\$150.00	\$2,550.00	"	\$3,150.00	\$0.11 0.08%
Casework & misc caulking	lf	500	\$1.00	\$500.00	\$100.00	\$600.00	"		

Division VIII Doors and Windows

Doors, Frames, and Hardware	-----						\$71,720.00	\$2.47	1.82%
Hollow metal frames							"		
Frames	each	12	\$75.00	\$900.00	\$1,800.00	\$2,700.00	"		
Doors	each	12	\$60.00	\$720.00	\$2,000.00	\$2,720.00	"		
Unit entry doors	each	16	\$150.00	\$2,400.00	\$6,800.00	\$9,200.00	"		
Storefront wood entry doors	each	6	\$150.00	\$900.00	\$4,000.00	\$4,900.00	"		
Interior wood doors	each	80	\$75.00	\$6,000.00	\$12,000.00	\$18,000.00	"		
Hardware							"		
Typical hardware	set	92	\$100.00	\$9,200.00	\$16,000.00	\$25,200.00	"		
special hardware: exits, etc	set	12	\$250.00	\$3,000.00	\$6,000.00	\$9,000.00	"		
Glass, glazing, and windows	-----						\$217,000.00	\$7.47	5.49%
Glass shower doors	set	16	\$375.00	\$0.00	\$6,000.00	\$6,000.00	"		
Storefront glazing	sf	1000	\$35.00	\$0.00	\$35,000.00	\$35,000.00	"		
Wall Panels	sf	1000	\$15.00	\$0.00	\$15,000.00	\$15,000.00	"		
Windows							"		
Window replacements	each	90	\$500.00	\$45,000.00	\$106,000.00	\$151,000.00	"		
Window restoration	each	10	\$500.00	\$5,000.00	\$5,000.00	\$10,000.00	"		

Division IX Finishes

Gypsum wall systems							\$181,000.00	\$6.23	4.58%
Wall framing	lf	2000	\$17.50	\$35,000.00	\$30,000.00	\$65,000.00	"		
Acoustic Insulation	sf	20000	\$0.50	\$10,000.00	\$10,000.00	\$20,000.00	"		
Drywall & finishing							"		
walls	sf	40000	\$1.50	\$0.00	\$60,000.00	\$60,000.00	"		
ceilings (w/ hat channel ?)	sf	12000	\$3.00	\$0.00	\$36,000.00	\$36,000.00	"		
Flooring							\$159,750.00	\$5.50	4.04%
Hard Tile floors at bathrooms	sf	3000	\$10.00	\$0.00	\$30,000.00	\$30,000.00	"		
Carpet & base	sy	175	\$20.00	\$0.00	\$3,500.00	\$3,500.00	"		
Hardwood				\$0.00	\$0.00	\$0.00	"		
New wood floors	sf	14000	\$7.25	\$0.00	\$101,500.00	\$101,500.00	"		
Stain/seal 1st floor concrete floors	sf	9000	\$2.75	\$0.00	\$24,750.00	\$24,750.00	"		
Paint Systems							\$63,350.00	\$2.18	1.60%
Painting walls & ceilings	sf	95000	\$0.45	\$0.00	\$42,750.00	\$42,750.00	"		
Spray out joists at roof	sf	10000	\$0.70	\$0.00	\$7,000.00	\$7,000.00	"		
doors, frames, & misc	each	80	\$45.00	\$0.00	\$3,600.00	\$3,600.00	"		
exterior paint	sf	20000	\$0.50	\$0.00	\$10,000.00	\$10,000.00	"		

Division X Specialties

Toilet accessories	set	22	\$100.00	\$2,200.00	\$3,300.00	\$5,500.00	\$8,000.00	\$0.28	0.20%
Building signage / directory	allow	1	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00	"		

Division XI - XII Furnishings & Equipment

Window treatments	each	100	\$75.00	\$0.00	\$7,500.00	\$7,500.00	\$95,180.00	\$3.28	2.41%
Fire protection specialties ?	each	6	\$30.00	\$180.00	\$500.00	\$680.00	"		
Kitchen & bath casework	set	16	\$750.00	\$12,000.00	\$24,000.00	\$36,000.00	"		
Kitchen & bath tops	set	16	\$250.00	\$4,000.00	\$10,000.00	\$14,000.00	"		
Closet specialties	set	24	\$50.00	\$1,200.00	\$3,000.00	\$4,200.00	"		
Appliances	set	16	\$50.00	\$800.00	\$32,000.00	\$32,800.00	"		
				\$0.00					

Division XIV Conveying Systems

Elevator	LS	1	\$65,000.00	\$0.00	\$65,000.00	\$65,000.00	\$67,500.00	\$2.33	1.71%
Elevator related trade work	allow	1	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00	"		

Division XV Mechanical Work

Plumbing							\$134,600.00	\$4.64	3.41%
Living unit bathrooms/kitchen(rough)	set	16	\$7,250.00	\$0.00	\$116,000.00	\$116,000.00	"		
bathrooms only	set	6	\$3,100.00	\$0.00	\$18,600.00	\$18,600.00	"		

Fire Protection								\$94,835.25	\$3.27	2.40%
Piping, distribution, and heads	sf	29031	\$2.75	\$0.00		\$79,835.25	\$79,835.25	"		
Building set up for same	allow	1	\$15,000.00	\$0.00		\$15,000.00	\$15,000.00	"		
HVAC work								\$195,400.00	\$6.73	4.95%
Residential HVAC systems	each	16	\$8,150.00	\$0.00		\$130,400.00	\$130,400.00	"		
Commercial Area White Box	sf	10000	\$6.50	\$0.00		\$65,000.00	\$65,000.00			
Division XVI Electrical Work										
Electrical								\$278,187.86	\$9.58	7.04%
Service Work	Allow	1	\$45,000.00	\$0.00		\$45,000.00	\$45,000.00			
Power and lighting throughout building	sf	29031	\$8.00	\$0.00	\$939.86	\$232,248.00	\$233,187.86			
Special systems								\$13,163.95	\$0.45	0.33%
Fire alarm system/phone/data	w/above									
Security & access control systems	sf	29031	\$0.45	\$0.00	\$100.00	\$13,063.95	\$13,163.95			
Project Subtotal						\$3,457,300.16		\$3,457,300.16	\$119.09	87.53%
Contingency	5.0%					\$172,865.01	\$172,865.01		\$5.95	4.38%
Building & misc permits	1.00%					\$34,573.00	\$34,573.00		\$1.19	0.88%
Liability & misc. project insurance	0.28%					\$9,680.44	\$9,680.44		\$0.33	0.25%
JC Beal CM Fee	7.5%					\$275,581.40	\$275,581.40		\$9.49	6.98%
Grand Total for Project Completion						\$3,950,000.00		\$3,950,000.00	\$136.06	100.00%
Cost per square foot					29031	\$136.06				



Obsolete Property Rehabilitation Act (OPRA) (PA 146) Tax Exemption Application Review Worksheet

Property Address: 400 N. River Street Date 2-19-14

Business/ Applicant name Thompson Block Partners, LLC

Is the applicant current on tax payments?	Owners are current as determined by City and County Treasurers.
Is the property a commercial property or a commercial housing property?	The property is commercial property. Commercial is expected on ground floor and residential in upper stories. It has been rezoned through the PUD process to reflect these uses.
Does the property meet the definition of "blighted" or "functionally obsolete" as defined by the Brownfield Redevelopment Financing Act of 1996? Briefly explain.	Updated affidavit verifying obsolescence granted by Level II assessor on Feb. 26, 2014.
Is the company a new economy business or an innovative business model? Is it a green technology? Describe.	Thompson Block Partners LLC's intended reuse will provide green redevelopment as it will be adaptive reuse of an historic structure. No expected new economy businesses. Tenants yet to be identified.
Number or percentage of jobs created by project for resident of Ypsilanti? (includes contractors and sub contractors)	Construction jobs expected, but unspecified. Commercial jobs (restaurant) also expected but details not supplied.
What salaries are being offered to employees? (living wage or better?) 2010 – Living wage is \$12.75 /hour without health insurance and \$10.88/ hour with health	All employees on the project will receive a living wage.

insurance	
Are there opportunities for advancement, and/ or training opportunities available to employees? Describe or List	N/A
(Historic District Only)Has the project been approved by Historic District Commission? Date of approval? (please note any conditions of approval)	The project is required to receive Historic District Approval. The HDC previously provided a letter of support for the PUD/site plan approval.
Has a Certificate of Occupancy been obtained? What was the date granted?	Certificate of Occupancy expected upon completion of improvements.
List reasons given by applicant that Tax Abatement is necessary for project to occur.	Excerpts from applicant letter: As everyone is aware, the cost of rehabilitating this badly maintained and time worn building, combined with the less than desirable rents, especially for commercial tenants, achievable in Ypsilanti leaves us with considerable difficulty in making the numbers work. As such, and without additional flexibility on the part of the City of Ypsilanti and/or the Depot Town DDA over tax issues, we are unable to demonstrate long term viability of the project to the financial community, preventing us from obtaining the construction financing necessary to proceed. It is very important that we achieve an agreement in advance over the ongoing property tax burden that this property will face upon completion. As you are aware, Ypsilanti has a very high millage rate due to traditionally low property values in the City. This high millage rate acts as a powerful disincentive to new investment such as the property improvements proposed here, contributing to continued low property values and again high millage rates.

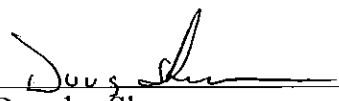
	F ixing these costs in advance of significant investment can break this cycle, by guaranteeing the City a measure of new property tax revenue (plus the additional benefits cited earlier and described in more detail below) on new investment, while allowing us the opportunity to manage our costs and build a “bankable” proforma so important to allowing us to proceed with our project in the first place. To conclude, the Thompson Block Project needs an Obsolete Property Rehabilitation Act designation to make the project work financially.
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AFFIDAVIT OF DOUGLAS SHAW

STATE OF MICHIGAN)
) SS:
COUNTY OF WASHTENAW)

Douglas Shaw, being sworn, says:

1. I have personal knowledge of the facts stated in this affidavit and, if sworn, as a witness, I am competent to testify hereto.
2. I am the City Assessor, Level III, for the City of Ypsilanti in the State of Michigan.
3. I inspected the specific property located at 17 N. River. The building is approximately 35,696 square feet, it has been determined that this suffers from extreme physical depreciation and is not fit for occupancy and is currently vacant.
4. On the basis of my physical inspection of the specific aforementioned property, I have determined that this property is functionally obsolete and is unable to be used to perform as intended.
5. Further affiant sayeth not.



Douglas Shaw

Subscribed and sworn to before me
This 26th day of February, 2014.



Notary Public, County, MI
My commission expires: December 22, 2014
Acting in Washtenaw County, Michigan

February 20, 2014
2014-6

**DOWNTOWN DEVELOPMENT AUTHORITY
RESOLUTION OF SUPPORT FOR AN OBSOLETE PROPERTY REHABILITATION
ACT (OPRA) CERTIFICATION FOR 400 N. RIVER ST. (THOMPSON BLOCK)**

The following preamble and resolution were offered by Member K. Hill and supported by Member A. Gainsley.

WHEREAS, 400 N. River/Thompson Block is one of the key redevelopment pieces located in the Depot Town District of the Ypsilanti DDA; and

WHEREAS, Thompson Block Partners LLC has been formed with the mission of redeveloping the vacant Thompson Block properties; and

WHEREAS, the Thompson Block Partners LLC requesting that the City revoke their previous OPRA and approve a new OPRA based on the expanded scope of their project; and

WHEREAS, 400 N. River St. is located within the pre-approved OPRA District; and

WHEREAS, the applicant has made the case that the OPRA designation is required to make the project financially achievable; and

WHEREAS, granting an OPRA to 400 N. River St. will result in a freeze of taxable value at its 2014 assessed rate for 12 years; and

WHEREAS, the YDDA has previously supported the OPRA designation for this property and accepts the potential loss of TIF revenue with the freeze of taxable value; and

WHEREAS, the YDDA will not request the City reimburse the DDA for lost TIF revenues if the OPRA is approved;

NOW, THEREFORE, BE IT RESOLVED THAT

1. the Ypsilanti DDA supports the granting of an Obsolete Property Rehabilitation Act (OPRA) exemption certificate for 400 N. River St. to assist with the complete restoration of these historic properties and return to active use.
2. all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are and the same hereby are rescinded.

AYES: A. Edmonds, A. Gainsley, K. Hill, R. Parker, R. Savvides, P. Schreiber, and R. Smith

NAYS: none

ABSTAINED: none

YES: 7 NO: 0 ABSENT: 4 VOTE: affirmed



Resolution No.2012-115
June 5, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Tax abatements further encourage economic development through providing support to development or redevelopment projects that otherwise may not have occurred; and

WHEREAS, the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, as amended, provides for a tax incentive to encourage the redevelopment of obsolete buildings; and

WHEREAS, parcels within the proposed district are characterized by obsolete commercial or commercial housing property as required by section (1) (a) of the Act; and

WHEREAS, the City of Ypsilanti, a qualified local governmental unit, sets forth a finding and determination that the district meets the requirements set forth in section 3(1) of Public Act 146 of 2000; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district, and to the public by newspaper advertisement in the and public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on June 5, 2012 a public hearing was held and all residents and taxpayers of the City of Ypsilanti were afforded an opportunity to be heard thereon; and

WHEREAS, the Ypsilanti City Council deems it to be in the public interest of the City of Ypsilanti to establish the Obsolete Property Rehabilitation Act District as proposed;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council establishes the Obsolete Property Rehabilitation District consisting of parcel in the West Cross, Downtown and Depot Town DDA districts, as shown on the attached map.

OFFERED BY: Council Member Bodary

SUPPORTED BY: Council Member Vogt

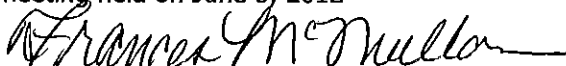
YES: 7

NO: 0

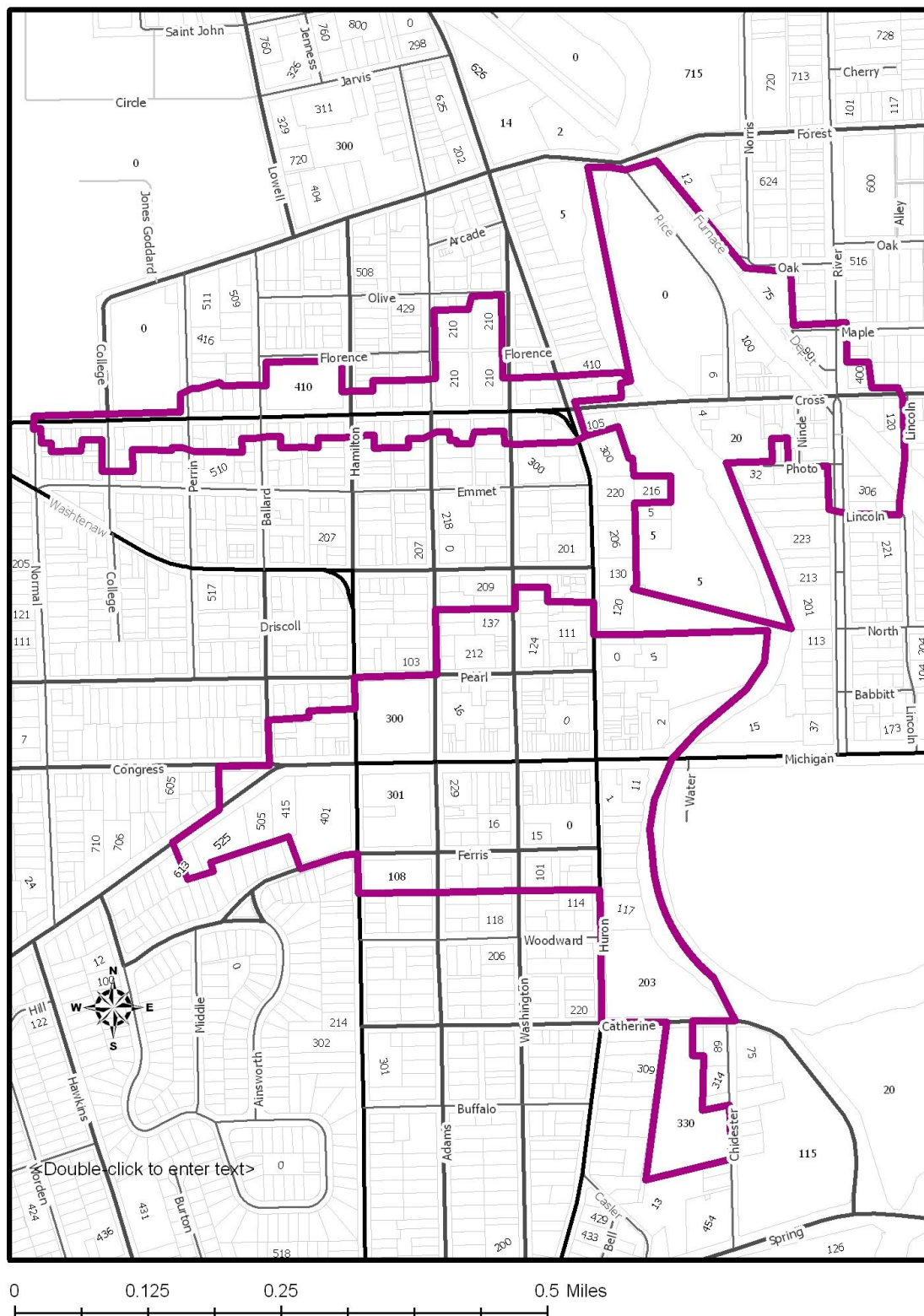
ABSENT: 0

VOTE: Carried

I do hereby certify that the above resolution is a true and correct copy of Resolution 2012-115 as passed by the Ypsilanti City Council, at their meeting held on June 5, 2012


Frances McMullan, City Clerk

Attachment: DDA-wide OPRA district map





Resolution No. 2006 - 274
November 21, 2006

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council has established that implementing revitalization initiatives for certain projects is a high priority in order to strengthen the fiscal capacity of the City;

WHEREAS, The Obsolete Property Rehabilitation Act, Public Act 146 of 2000, as amended (the "Act") provides for a tax incentive to encourage the redevelopment of obsolete buildings;

WHEREAS, The City is a qualified local unit of government pursuant to the Act with authority to establish Obsolete Property Rehabilitation Districts;

WHEREAS, The City Council legally established an Obsolete Property Rehabilitation District on November 8, 2006, after a public hearing held on that date;

WHEREAS, The taxable value of this exemption plus the aggregate taxable value of property already exempt does not exceed 5% of the total taxable value of the City of Ypsilanti;

WHEREAS, The applicant, Historic Equities Fund I, has provided all required items listed under the application instructions to the City of Ypsilanti;

WHEREAS, The applicant, Historic Equities Fund I, is not delinquent in any taxes related to the facility;

WHEREAS, The application is for property that is obsolete as defined in Section 2(h) of the Act;

WHEREAS, The application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility within the meaning of the Act, situated within an Obsolete Property Rehabilitation District;

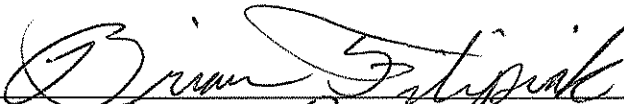
WHEREAS, Rehabilitation of this facility, as covered by this exemption, had not begun prior to November 8, 2006, the date the Obsolete Property Rehabilitation District was established;

WHEREAS, completion of the rehabilitation facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity, to create and retain employment, and to revitalize an urban area;

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by Section 2(l) of the Act; and

WHEREAS, A duly noticed public hearing has been held and notice to representatives of ad valorem taxing units has been sent;

NOW THEREFORE BE IT RESOLVED, That the Ypsilanti City Council grant an Obsolete Property Rehabilitation Act exemption to Historic Equities Fund I for the real property located in the Obsolete Property Rehabilitation District and consisting of parcels #11-11-04-495-013 and 11-11-04-495-014, for a period of twelve (12) years, pursuant to the provisions of Public Act 146 of 2000, as amended, subject to rehabilitation work being completed within three (3) years of final approval of exemption certificates by the State Tax Commission; to parking requirements being determined and met prior to granting of a certificate of occupancy; *and to the City and the DTDDA negotiating and approving an agreement not later than 90 days from final approval of exemption certificates which addresses, to the extent deemed feasible, the annual shortfall in revenue that the DTDDA will experience as a result of the granting of the exemption.*

OFFERED BY: _____

SUPPORTED BY: _____

YES: 6

NO:

ABSENT: 1
(Richardson)

VOTE: Carried



Resolution No. 2014 – 061
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the "New Obsolete Property Rehabilitation Act Exemption for Thompson Block Project" be **officially closed**.

OFFERED BY: _____

SUPPORTED BY: _____

AYES:

NAYS:

ABSENT:

VOTE:



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

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John M. Barr
Karl A. Barr
Daniel J. DuChene

Jesse O'Jack ~ Of Counsel
William F. Anhut ~ Of Counsel – Retired
Jennifer A. Healy ~ Legal Assistant

REQUEST FOR LEGISLATION

DATE: March 4, 2014

FROM: Jesse O'Jack, Assistant Ypsilanti City Attorney

SUBJECT: Amendments to the Uniform Traffic Code

SUMMARY/BACKGROUND

The City of Ypsilanti is considering adding crosswalks at locations other than intersections and the Uniform Traffic Code must be amended as a preliminary step. Additionally, Section 102-34 pertaining to amendments of the City Code is outdated and confusing to read. This proposed ordinance addresses both of these issues.

The only substantive change proposed by this ordinance is amending Section R 28.1706 Rule 706 subsection (1) of the Uniform Traffic Code from:

"Every pedestrian who crosses a roadway at any point other than within a marked crosswalk at an intersection shall yield the right-of-way to all vehicles on the roadway."

to

"Every pedestrian who crosses a roadway at any point other than within a marked crosswalk shall yield the right-of-way to all vehicles on the roadway."

This amendment would delete the requirement for pedestrians to yield right-of-way at a marked crosswalk that is not at an intersection. However, at any location the City of Ypsilanti does not install a marked crosswalk, a pedestrian would still need to yield the right-of-way to vehicles.

Codes, such as the Uniform Traffic Code, adopted by reference are amended differently than are sections of the Ypsilanti City Code. If Rule 706(1) of the Uniform Traffic Code had been a section of the Ypsilanti City Code itself, the proposed amendment would set forth the section and only need to indicate that the words "at an intersection" were being deleted. However, when a section of a



Code adopted by reference is amended, the entire section must be indicated as new because it has not previously been set forth specifically in the City Code. Section 102-34 is the section of the City Code which sets forth all amendments the City has made to the Uniform Traffic Code.

The current Uniform Traffic Code is a completely different Code than the original Uniform Traffic Code. The City of Ypsilanti did not use to have the authority to adopt the Michigan Vehicle Code by reference, but only had the authority to adopt the Uniform Traffic Code. Therefore, the City adopted the Uniform Traffic Code as promulgated by the State in 1981 so that the City could enforce traffic laws. Unfortunately, the State did not keep that version up-to-date and every time the State changed the Michigan Vehicle Code the City had to amend the 1981 version of the Uniform Traffic Code to match. Finally, the State passed legislation that gave the City the authority to adopt the Michigan Vehicle Code directly by reference. The ability to adopt the Michigan Vehicle Code directly by reference made the majority of the Uniform Traffic Code useless. Therefore, shortly thereafter, in 2002, the State re-wrote the Uniform Traffic Code as a very short supplementary code, and deleted all provisions that purely duplicated the Michigan Vehicle Code.

The City Code in Section 102-34 currently references and shows deletions pertaining to many sections of the "old" Uniform Traffic Code. These references are confusing and now completely unnecessary as they refer to sections that do not currently exist.

Therefore, this proposed amendment also completely removes these outdated amendments from the City Code.

Finally, there were some amendments previously made that were carried through to the "new" Uniform Traffic Code. However, the City Code still contained some references to "old" section numbers for these sections. Additionally, these sections contained some outdated "legalese." Rather than make numerous separate amendments to each of these sections, it was cleaner and simpler to just re-pass "clean" versions of these previous amendments and delete the previous amendments altogether. **Therefore, all the sections marked by underlining as "new," except Rule 706 pertaining to crosswalks, are not actually "new," but rather just clean versions of amendments to the Uniform Traffic Code that the City Council have previously passed.**



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

February 28, 2014
Page 3

ATTACHMENTS: Proposed Ordinance

RECOMMENDED ACTION: Adoption of the ordinance

DATE RECEIVED:_____ AGENDA ITEM NO.

CITY MANAGER COMMENTS:

FOR AGENDA OF:_____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:

The City of Ypsilanti

Ordinance No. 2014- 1209

AN ORDINANCE TO AMEND CHAPTER 102 "TRAFFIC AND VEHICLES" OF THE YPSILANTI CITY CODE, ARTICLE II "UNIFORM TRAFFIC CODE," SECTION 102-34 "CHANGES IN CODE," TO AMEND RULE 706 SO THAT IT DOES NOT REQUIRE PEDESTRIANS TO YIELD THE RIGHT-OF-WAY WITHIN A MARKED CROSSWALK THAT IS NOT AT AN INTERSECTION, AND TO DELETE PREVIOUS AMENDMENTS OF THE UNIFORM TRAFFIC CODE AND TO RE-PASS THOSE PREVIOUS AMENDMENTS WHICH PERTAIN TO THE CURRENT VERSION OF THE UNIFORM TRAFFIC CODE.

THE CITY OF YPSILANTI HEREBY ORDAINS:

Section 1: Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

That Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Traffic and Vehicles," Article II "Uniform Traffic Code," Section 102-34 "Changes in code," is hereby amended as follows:

Sec. 102-34. Changes in code.

This section provides that the following sections and subsections of the Uniform Traffic Code for Cities, Townships and Villages are hereby amended or deleted as set forth, and additional sections and subsections are added as indicated. Subsequent section numbers used in this section shall refer to the like-numbered sections of the Uniform Traffic Code.

Section R 28.1201a Rule 201a is added to read as follows:

Section R 28.1201a Rule 201a. Current regulations. All intersection stops and yield right-of-way requirements, regulations on stopping, standing or parking; prima face speed limits; one-way streets, roadways and alleys; crosswalks; restricted turns; through streets; play streets; angle parking zones; all night parking restrictions; curb loading zones; public carrier stands; parking meter zones and spaces; weight restrictions; no passing zones; traffic control devices and traffic control orders heretofore established and effective on the effective date of this code are

deemed established hereunder and will remain effective until rescinded or modified as herein provided.

Section R 28.1603a Rule 603a is added to read as follows:

Section R 28.1603a Rule 603a.

(1) A person may not operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(2) No person may ride a bicycle on any sidewalk at a rate of speed exceeding eight miles per hour.

(3) No person may ride a bicycle upon the sidewalks in any business district of the city. In all other parts of the city, bicycles may be ridden upon the sidewalks, subject to the regulations hereinafter provided.

(4) A person who violates this section is responsible for a civil infraction.

Section R 29.1603b Rule 603b is added to read as follows:

Sec. R 29.1603b 603b. Impounding. The chief of police may impound any bicycle which is being parked as an obstruction upon any public street, alley or sidewalk in the city or is being operated thereon in an unsafe manner or in violation of any state law, this chapter or any ordinance. For the first offense such bicycle may be impounded not to exceed 20 days, for the second offense not to exceed 40 days and for each subsequent offense not to exceed 60 days. Should the violator desire an appeal from impoundment, the chief of police may order the release of any bicycle held for violation of this chapter upon the payment by the owner thereof of a violation fee as set by resolution of the city council, payable at police headquarters.

Section R 29.1603c Rule 603c is added to read as follows:

Sec. R 29.1603c Rule 603c. Licensing and registration of bicycles.

(1) *Required; serial numbers.* No bicycle may be licensed unless it has cut, impressed or embossed on some portion thereof the manufacturer's serial number. Any person who has in his or her possession a bicycle from which the serial number has been removed or altered must present the bicycle to the chief of police who, after investigation, will assign a serial number before a license plate may be issued.

(2) *Information to be registered with police.* Any person owning a bicycle which may be operated, ridden or propelled upon any public street, alley or sidewalk in the city must list and

register with the police department his or her name and address, the name of the manufacturer of the bicycle, its number, style and general description and any other information necessary to identify or establish title to such bicycle.

(3) *Registration book; license plates.* The chief of police will keep at his or her office in the police station a suitable book and record for the purpose of registering bicycles and will provide suitable metallic license plates, upon each of which will be stamped a distinguishing number and for each bicycle registered, and will furnish to the owner thereof one of such metallic license plates. The owner must affix and keep affixed to the bicycle for which the same is issued such metallic license plate.

(4) *Removing, altering, etc., serial number or license plate; stamping new serial number on frame.* It is unlawful for any person to wilfully or maliciously remove, destroy, mutilate or alter the number on any bicycle frame or the license plate issued therefore; provided, however, that nothing in this chapter will prohibit the chief of police from stamping or causing to be stamped numbers on the frame of a bicycle if such numbers cannot be found or are illegible or for any other reason unidentifiable after rightful ownership is established.

(5) *Fee; term; certificate.* The fee for such registration and license plate will be as set by resolution of the city council, which will be paid to the chief of police at the time of the issuance thereof. Only one license and registration is required so long as a bicycle continues to belong to the same owner. The issuance of the license herein provided for and the recording thereof will be the only evidence of the license and registration of the bicycle, and no written license certificate will be issued.

(6) *Transfer.* Upon change of ownership, the license plate will be transferred to and issued in the name of the new owner upon payment by him or her of a fee as set by resolution of the city council. License plates may not be transferred from one bicycle to another, and no person may attach to any bicycle a license plate not issued for use thereon.

(7) *Loss of license plate.* Upon loss of any license plate and upon application and satisfactory evidence of such loss, a duplicate license plate will be issued by the chief of police upon the payment of a fee as set by resolution of the city council.

(8) *A person who violates this section is responsible for a civil infraction.*

Section R 28.1706 Rule 706 is amended to read as follows:

Section R 28.1706 Rule 706. Pedestrians; yielding right-of-way; violation as civil infraction.

(1) Every pedestrian who crosses a roadway at any point other than within a marked crosswalk ~~at an intersection~~ shall yield the right-of-way to all vehicles on the roadway.

(2) A person who violates this rule is responsible for a civil infraction.

Section R 28.1801a Rule 801a is added to read as follows:

Sec. R 28.1801a Rule 801a. Parking, generally.

(1) A person may not stand or park a vehicle in front of any property, including the area between the curb and curb line and the location of a residence or other building, including the area commonly known as the lawn extension or margin, whether or not any sidewalk or curb is actually in place on the street, except in driveways or as specifically permitted by the city Code or other applicable law, or for loading or unloading. This rule also applies to any side or rear yard facing a street.

(2) A person who violates this rule is responsible for a civil infraction.

Section R28.1801b Rule 801b is added to read as follows:

Section R 28.1801b Rule 801b. Commercial vehicles or trailers; buses.

(1) No truck of 1½-ton capacity or any trailer may be parked on any street or highway, except when actually engaged in loading or unloading for a longer period than one hour.

(2) Overnight parking of any motorbus in the street or highway is prohibited.

(3) A person who violates this section is responsible for a civil infraction.

Section R28.1801c Rule 801c is added to read as follows:

Section R 28.1801c Rule 801c. Vehicles to be moved upon request of police.

(1) The operator of any vehicle which is standing at a curb where parking is allowed must move the vehicle therefrom at the request of any police officer.

(2) A person who violates this section is responsible for a civil infraction.

Section R28.1801d Rule 801d is added to read as follows:

Section R 28.1801d Rule 801d. Parking prohibited on certain streets between 2:00 a.m. and 6:00 a.m.

(1) In order to facilitate the cleaning of streets and the removal of snow and ice therefrom, no person may park a vehicle on certain public streets in the city between the hours of 2:00 a.m. and 6:00 a.m. of any day. Such streets shall be marked with appropriate warning signs.

(2) A person who violates this section is responsible for a civil infraction.

~~Sec. 1.007(1). "Commercial motor" vehicle is deleted.~~

~~Sec. 1.007b. "Conviction" is deleted.~~

~~Sec. 1.010d. "Foreign vehicle" is deleted.~~

~~Sec. 1.025b. "Prosecuting attorney" is deleted.~~

~~Sec. 1.028a. "Revocation, operator's or chauffeur's licenses" is deleted.~~

~~Sec. 1.104a. "Law of another state" is deleted.~~

~~Sec. 2.5. "Reports of stolen and recovered vehicles" is deleted.~~

~~Sec. 2.5a. "Abandoned vehicle procedures" is deleted.~~

~~Sec. 2.5b. "Abandoned scrap vehicle procedures" is deleted.~~

~~Sec. 2.5c. "Vehicle removed from private property" is deleted.~~

~~Sec. 2.5d. "Vehicle removed by police" is deleted.~~

~~Sec. 2.5e. "Abandoned vehicle—Jurisdiction of court" is deleted.~~

~~Sec. 2.5f. "Same—Duties of court" is deleted.~~

~~Sec. 2.5g. "Same—Public sale" is deleted.~~

~~Sec. 2.17c. "Procedure upon arrest for certain offenses" is deleted.~~

~~Section 2.59 is amended and re-adopted as R 28.1201a Rule 201a to read as follows:~~

~~*R 28.1201a Rule 201a.* Current regulations. All intersection stops and yield right-of-way requirements, regulations on stopping, standing or parking; prima face speed limits; one-way streets, roadways and alleys; crosswalks; restricted turns; through streets; play streets; angle parking zones; all night parking restrictions; curb loading zones; public carrier stands; parking meter zones and spaces; weight restrictions; no passing zones; traffic control devices and traffic control orders heretofore established and effective on the effective date of this code shall be deemed established hereunder and shall remain effective until rescinded or modified as herein provided.~~

~~Sec. 5.12a. "Speed and load limitations on bridges, causeways and viaducts" is deleted.~~

~~Sec. 5.12b. "Obedience to "slow" signs" is deleted.~~

~~Sec. 5.12c. "Violations" is deleted.~~

~~Section 5.15. "Driving while under influence of intoxicating liquor or controlled substance or with certain blood alcohol percentage" is deleted.~~

~~Sec. 5.15a. "Arrest; preliminary chemical breath analysis; chemical test" is deleted.~~

~~Sec. 5.15b. "Arraignment; pretrial conference advising accused; licensing sanction" is deleted.~~

~~Section 5.15c. "Consent to chemical tests; persons not considered to have given consent to withdrawal of blood; administration of tests" is deleted.~~

~~Sec. 5.15d. "Refusal to submit to chemical test" is deleted.~~

~~Sec. 5.15e. "Notice of receipt of report; request for hearing" is deleted.~~

~~Sec. 5.15f. "Failure to request hearing; effect" is deleted.~~

~~Sec. 5.15g. "Duty of officer upon refusal" is deleted.~~

~~Section 5.15m. "Prohibition of operation of commercial motor vehicle with certain percentage of alcohol in blood" is deleted.~~

~~Sec. 5.15n. "Penalty for violation of certain sections" is deleted.~~

~~Sec. 5.62a. "Operator's or chauffeur's license or registration; suspension, revocation or denial; penalty for operation of vehicle; subsequent offenses; confiscation of plates; status and record of persons" is deleted.~~

~~Sec. 5.62c. "Detention of driver; vehicle immobilization; temporary vehicle registration plate" is deleted.~~

~~Sec. 5.62d. "Vehicle immobilization; violations of 5.15; suspension, revocation, or denial of license; prior suspensions" is deleted.~~

~~Sec. 5.62d(1) is deleted.~~

~~Sec. 5.62e. "Vehicle immobilization, available technology to prevent operation of vehicle; sale or lease of immobilized vehicle; removal or tampering with immobilization devices; penalties; preemption" is deleted.~~

~~Sec. 5.95. "Information on sides of trucks, commercial vehicles" is deleted.~~

~~Sec. 5.97. "School buses" is deleted.~~

~~Sec. 5.100a. "Evidence of vehicle insurance; production upon request of police officer" is deleted.~~

~~Sec. 5.100b. "Certificate of insurance prima facie evidence of insurance contents" is deleted.~~

~~Sec. 5.100c. "Violation; penalty" is deleted.~~

~~Sec. 5.100d. "False evidence; penalty" is deleted.~~

~~Sec. 5.100e. "Points not to be entered on record" is deleted.~~

~~Sec. 5.100f. "Foreign vehicles; inapplicability" is deleted.~~

~~Sec. 5.101. "Child restraint systems" is deleted.~~

~~Sec. 5.102. "Safety belt regulations" is deleted.~~

~~Section 6.14 regarding riding bicycles is amended and re-adopted as Section R 28.1603a Rule 603a to read as follows:~~

~~Section R 28.1603a Rule 603a.~~

(1)

~~A person shall not operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.~~

(2)

~~No person shall ride a bicycle on any sidewalk at a rate of speed exceeding eight miles per hour.~~

(3)

~~No person shall ride a bicycle upon the sidewalks in any business district of the city. In all other parts of the city, bicycles may be ridden upon the sidewalks, subject to the regulations hereinafter provided.~~

(4)

~~A person who violates this section is responsible for a civil infraction.~~

~~Section 6.22a is amended and re-adopted as R 29.1603b Rule 603b to read as follows:~~

~~*Sec. R 29.1603b 603b. Impounding.* The chief of police may impound any bicycle which is being parked as an obstruction upon any public street, alley or sidewalk in the city or is being operated thereon in an unsafe manner or in violation of any state law, this chapter or any ordinance. For the first offense such bicycle may be impounded not to exceed 20 days, for the second offense not to exceed 40 days and for each subsequent offense not to exceed 60 days. Should the violator desire an appeal from impoundment, the chief of police may order the release of any bicycle held for violation of this chapter upon the payment by the owner thereof of a violation fee as set by resolution of the city council, payable at police headquarters.~~

~~Sec. 6.29. "Restriction on location" is deleted.~~

~~Section 6.30 is amended and re-adopted as R 29.1603c Rule 603c to read as follows:~~

~~*Sec. R 29.1603c Rule 603c. Licensing and registration of bicycles.*~~

(1)

~~*Required; serial numbers.* No bicycle shall be licensed unless it shall have cut, impressed or embossed on some portion thereof the manufacturer's serial number. Any person who has in his possession a bicycle from which the serial number has been removed or altered shall present such bicycle to the chief of police who, after investigation, shall assign a serial number before a license plate shall be issued.~~

(2)

~~*Information to be registered with police.* Any person owning a bicycle which shall be operated, ridden or propelled upon any public street, alley or sidewalk in the city shall list and register with the police department his name and address, the name of the manufacturer of his bicycle, its~~

number, style and general description and any other information necessary to identify or establish title to such bicycle.

(3)

Registration book; license plates. The chief of police shall keep at his office in the police station a suitable book and record for the purpose of registering bicycles and shall provide suitable metallic license plates, upon each of which shall be stamped a distinguishing number and for each bicycle registered shall furnish to the owner thereof one of such metallic license plates. The owner shall affix and keep affixed to the bicycle for which the same is issued such metallic license plate.

(4)

Removing, altering, etc., serial number or license plate; stamping new serial number on frame. It shall be unlawful for any person to wilfully or maliciously remove, destroy, mutilate or alter the number on any bicycle frame or the license plate issued therefor; provided, however, that nothing in this chapter shall prohibit the chief of police from stamping or causing to be stamped numbers on the frame of a bicycle if such numbers cannot be found or are illegible or for any other reason unidentifiable after rightful ownership is established.

(5)

Fee; term; certificate. The fee for such registration and license plate shall be as set by resolution of the city council, which shall be paid to the chief of police at the time of the issuance thereof. Only one license and registration shall be required so long as a bicycle continues to belong to the same owner. The issuance of the license herein provided for and the recording thereof shall be the only evidence of the license and registration of the bicycle, and no written license certificate shall be issued.

(6)

Transfer. Upon change of ownership, the license plate shall be transferred to and issued in the name of the new owner upon payment by him of a fee as set by resolution of the city council. License plates shall not be transferred from one bicycle to another, and no person shall attach to any bicycle a license plate not issued for use thereon.

(7)

Loss of license plate. Upon loss of any license plate and upon application and satisfactory evidence of such loss, a duplicate license plate shall be issued by the chief of police upon the payment of a fee as set by resolution of the city council.

~~Section 810 (u) is deleted.~~

~~Sec. 810 (v) is amended and re-adopted as R 28.1801a Rule 801a.~~

~~Sec. R 28.1801a Rule 801a. Parking, generally.~~

~~(1)~~

~~A person shall not stand or park a vehicle in front of any property, including the area between the curb and curb line and the location of a residence or other building, including the area commonly known as the lawn extension or margin, whether or not any sidewalk or curb is actually in place on the street, except in driveways or as specifically permitted by the city Code or other applicable law, or for loading or unloading. This shall also apply to any side or rear yard facing a street.~~

~~(2)~~

~~A person who violates this rule is responsible for a civil infraction.~~

~~Sections 8.25, 8.26, and 8.28 are amended and re-adopted as R 28.1801b Rule 801b, R 28.1801c Rule 801c, and R 28.1801d Rule 801d, to read as follows:~~

~~Sec. R 28.1801b Rule 801b. Commercial vehicles or trailers; buses.~~

~~(1)~~

~~No truck of 1½-ton capacity or any trailer shall be parked on any street or highway, except when actually engaged in loading or unloading for a longer period than one hour.~~

~~(2)~~

~~Overnight parking of any motorbus in the street or highway is prohibited.~~

~~Sec. R 28.1801c Rule 801c. Vehicles to be moved upon request of police. The operator of any vehicle which is standing at a curb where parking is allowed shall move therefrom at the request of any police officer.~~

~~Sec. R 28.1801d Rule 801d. Parking prohibited on certain streets between 2:00 a.m. and 6:00 a.m. In order to facilitate the cleaning of streets and the removal of snow and ice therefrom, no person shall park a vehicle on certain public streets in the city between the hours of 2:00 a.m. and 6:00 a.m. of any day. Such streets shall be marked with appropriate warning signs.~~

~~Sec. 9.6. "Effect of conviction on plea of nolo contendere" is deleted.~~

Section 2. Severability.

If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, is for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment will not affect, impair, or invalidate the remainder of this Ordinance and the application of such

provision to other persons, firms, corporations, legal entities, or circumstances by such judgment will be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment has been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

Section 3. Repeal.

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

Section 4. Savings Clause.

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

Section 5. Copies to be available.

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

Section 6. Publication and Effective Date.

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the Ypsilanti Courier. The Ypsilanti City Charter Section 2.10(c) says " Except as otherwise provided in this Charter, every adopted ordinance shall become effective after publication at the expiration of 30 days after adoption or at any later date specified therein." Pursuant to that authority this ordinance will become effective on _____, 2014.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY
OF _____, 2014.

Paul Schreiber, Mayor

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in the Ypsilanti Courier on
the ____ day of _____, 2014.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting
of the City Council held on the ____ day of _____, 2014.

Frances McMullan, City Clerk

Notice Published _____

First Reading _____

Second Reading _____

Published _____

Effective Date _____



RESOLUTION NO. 2014-062

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 102 "TRAFFIC AND VEHICLES" OF THE YPSILANTI CITY CODE, ARTICLE II "UNIFORM TRAFFIC CODE," SECTION 102-34 "CHANGES IN CODE," TO AMEND RULE 706 SO THAT IT DOES NOT REQUIRE PEDESTRIANS TO YIELD THE RIGHT-OF-WAY WITHIN A MARKED CROSSWALK THAT IS NOT AT AN INTERSECTION, AND TO DELETE PREVIOUS AMENDMENTS OF THE UNIFORM TRAFFIC CODE AND TO RE-PASS THOSE PREVIOUS AMENDMENTS WHICH PERTAIN TO THE CURRENT VERSION OF THE UNIFORM TRAFFIC CODE” be approved on first reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Resolution No. 2014 – 063
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the "Update to the Uniform Traffic Code" be **officially closed.**

OFFERED BY: _____

SUPPORTED BY: _____

AYES:

NAYS:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION

10 February 2014

From: Bonnie Wessler, Planner I

Subject: Ordinance to Approve Traffic Control Orders

Background:

During calendar year 2013, the Traffic Review Committee recommended a total of fourteen Traffic Control Orders (TCOs) be approved by the City Manager. The Uniform Traffic Code and City Ordinance §10-32 allow the City Manager to issue temporary TCOs good for a period of 90 days; residential permit parking program TCOs automatically become permanent. City Council must approve an ordinance for these orders to be made permanent. The City Manager and the Traffic Review Committee request that Council ordain the attached eight temporary TCOs permanent.

Please contact Bonnie Wessler, Planner I, at wesslerb@cityofypsilanti.com or 734-483-9646 if you have questions regarding this matter.

RECOMMENDED ACTION: Approval

ATTACHMENTS:

Traffic Control Orders:

- o TCO 2013-01, "Reserved Parking - Handicapped" signage and striping in front of 524 Madison.
- o TCO 2013-02, Washington Street Parking Lot- devotion of two spaces to Hertz 24-7 hourly rental cars.
- o TCO 2013-04, "Do Not Enter" additional signage installation, Depot Town city parking lot @ 39 E Cross entrance.
- o TCO 2013-05, "No Trucks" signage installation, Depot Town city parking lot @ 39 E Cross entrance.
- o TCO 2013-06, ""Do Not Enter" and "One-Way" additional signage installation, Depot Town city parking lot @ Rice St entrance.
- o TCO 2013-07, "Reserved Parking – Handicapped" signage and striping in front of 103 Ferris.
- o TCO 2013-08, removal of meters in Washington Street city parking lot; authorization for AATA to install Park-and-Ride permit parking in this location.
- o TCO 2013-14, installation of "no parking" signage along east-side of street for approximately 1,100 feet from the Michigan Ave frontage; install "no parking" signage along west side between drives for 540 S Mansfield and 556 S Mansfield.
- o Resolution 2014-____, Approval of 2013 Traffic Control Orders

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2014-064
March 4, 2014

ORDINANCE TO APPROVE TRAFFIC CONTROL ORDERS

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Traffic Review Committee has reviewed several traffic control requests and made appropriate recommendations based on best practices, City ordinance, and City policy; and

WHEREAS, the City Manager has seen fit to issue temporary Traffic Control Orders 2013-01, 2013-02, 2013-04, 2013-05, 2013-06, 2013-07, 2013-08, and 2013-14 based on said recommendations; and

WHEREAS, the City Manager recommends City Council provide final approval for the Traffic Control Orders listed above.

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby approves Traffic Control Orders as listed above and authorizes the requested signage, pavement marking, and metering changes as approved by the Traffic Review Committee and City Manager.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: June 5, 2013

ORDER NO: 2013-01

LOCATION: 524 Madison

ORDER: Install Handicap parking sign

REASON: Resident requested access in front of her house.

Approved by: Ralph A. Lange
Ralph A. Lange, City Manager

Prepared by: Teresa Gillotti
Teresa Gillotti, Director of Community and Economic Development

Date Completed: 6-27-13

By: Gilbert Perry

cc: Ralph A. Lange, City Manager
Tim Colbeck, YDDA
Max Anthouard, YFD
Janice Beckett, DPS
Kim Teamer, Treasurer

Traffic Review Committee:
Stan Kirton, DPS
Teresa Gillotti, Planning
Amy Walker, YPD
Tony Deguisti, YPD



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: June 5, 2013

ORDER NO: 2013-02

LOCATION: Washington Street Parking lot – 2 spaces on SE corner as shown on attached map.

ORDER: Remove 2 meters and install "Hertz 24-7" signage for two spaces as shown on map. Signs will be provided by Hertz.

REASON: This will permanently reserve spaces for a pilot car sharing program in downtown. The car sharing is intended to provide options for downtown employees and residents, allowing them to bus to work but still have access to a vehicle during the day or perhaps allowing residents to not own a vehicle due to access.

Approved by: Ralph A. Lange
Ralph A. Lange, City Manager

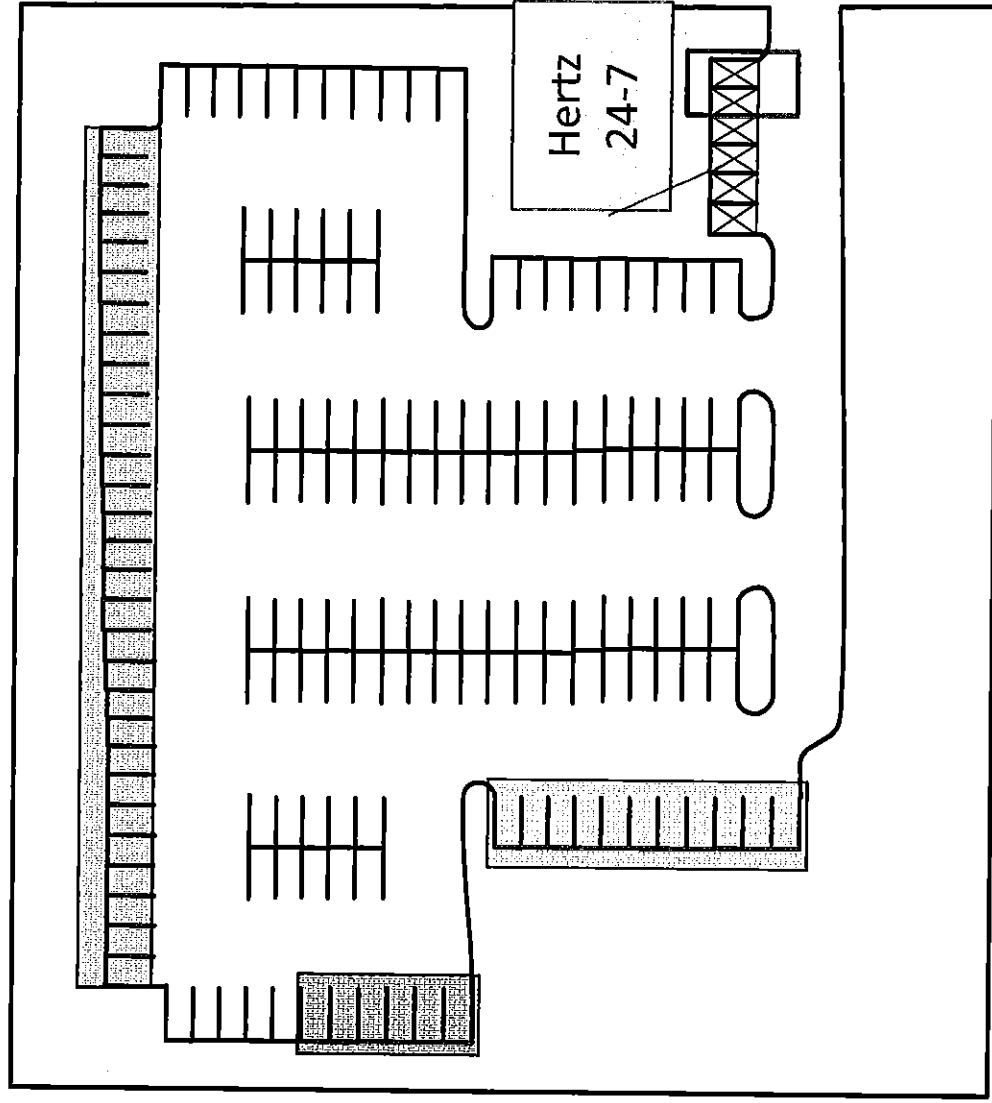
Prepared by: Teresa Gillotti
Teresa Gillotti, Director of Community and Economic Development

Date Completed: 8/20/2013 By: _____

cc: Ralph A. Lange, City Manager
Tim Colbeck, YDDA
Max Anthouard, YFD
Janice Beckett, DPS
Kim Teamer, Treasurer

Traffic Review Committee:
Stan Kirton, DPS
Teresa Gillotti, Planning
Amy Walker, YPD
Tony Deguisti, YPD

Washington Street Parking Lot



Total Spaces = 163
Residential and Employee Parking Permits – 29
AATA Park and Ride spaces – 11
Metered Spaces (10 hour) - 122



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: June 5, 2013

ORDER NO: 2013-04

LOCATION: Driveway entrance west of 39 E. Cross Street

ORDER: Install R5-2 "No Trucks" sign on the existing sign post that indicates one way.

REASON: Delivery trucks use this entrance carrying an undue load for this paved parking area.

Approved by: Ralph A. Lange
Ralph A. Lange, City Manager

Prepared by: Deputy Police Chief A. DeGiusti

Date Completed: _____

By: _____

cc: Ralph A. Lange, City Manager
Tim Colbeck, YDDA
Max Anthouard, YFD
Janice Beckett, DPS
Kim Teamer, Treasurer

Traffic Review Committee:
Stan Kirton, DPS
Teresa Gillotti, Planning
Amy Walker, YPD
Tony Deguisti, YPD



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: June 5, 2013

ORDER NO: 2013-05

LOCATION: Parking lot entrance off of Rice Street adjacent to the Freight House.

ORDER: Install R5-1 "Do Not Enter" and a R6-2 "One Way" sign on the S/W corner of the entrance.

REASON: Signage is inadequate for southbound Rice traffic to be advised of the one way status of the parking lot driveway.

Approved by: Ralph A. Lange
Ralph A. Lange, City Manager

Prepared by: Deputy Police Chief A. DeGiusti

Date Completed: _____

By: _____

cc: Ralph A. Lange, City Manager
Tim Colbeck, YDDA
Max Anthouard, YFD
Janice Beckett, DPS
Kim Teamer, Treasurer

Traffic Review Committee:
Stan Kirton, DPS
Teresa Gillotti, Planning
Amy Walker, YPD
Tony Deguisti, YPD



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: June 5, 2013

ORDER NO: 2013-06

LOCATION: N/W Corner of building at 39 E. Cross Street

ORDER: Install R5-1 "Do Not Enter" sign attached to building facing north or on independent sign post.

REASON: Inadequate signage to warn drivers of one way oncoming traffic at a blind corner.

Approved by: Ralph A. Lange
Ralph A. Lange, City Manager

Prepared by: Deputy Police Chief A. DeGiusti

Date Completed: _____

By: _____

cc: Ralph A. Lange, City Manager
Tim Colbeck, YDDA
Max Anthouard, YFD
Janice Beckett, DPS
Kim Teamer, Treasurer

Traffic Review Committee:
Stan Kirton, DPS
Teresa Gillotti, Planning
Amy Walker, YPD
Tony Deguisti, YPD



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: August 1, 2013

ORDER NO: 2013-07

LOCATION: First parking space west of Huron on south side of Ferris. Directly in front of 103 Ferris.

ORDER: Install R7-8 "Reserved Parking - Handicapped" sign and blue strip street and apply handicapped symbol to pavement.

REASON: Allow closer access for handicapped patients to doctor's office located at 103 Ferris.

Approved by: Ralph A. Lange
Ralph A. Lange, City Manager

Prepared by: Deputy Police Chief A. DeGiusti

Date Completed: 10-2-13

By: Gil Kerry

cc: Ralph A. Lange, City Manager
Tim Colbeck, YDDA
Max Anthouard, YFD
Janice Beckett, DPS
Kim Teamer, Treasurer

Traffic Review Committee:
Stan Kirton, DPS
Teresa Gillotti, Planning
Amy Walker, YPD
Tony Deguisti, YPD

SEP 16 2009



**CITY OF YPSILANTI
TRAFFIC CONTROL ORDER**

DATE: Aug 7, 2013

ORDER NO: 2013-08

LOCATION: Washington Street parking lot

ORDER: Remove 11 parking meters (perhaps poles) in Washington Street parking lot as shown. Completion requested by end of August 2013.

REASON: City Council approved an agreement with AATA for the removal of

Approved by: Ralph A. Lange
Ralph A. Lange, City Manager

Prepared by: Bonnie Wessler
Bonnie Wessler, Planner I

Date Completed: _____

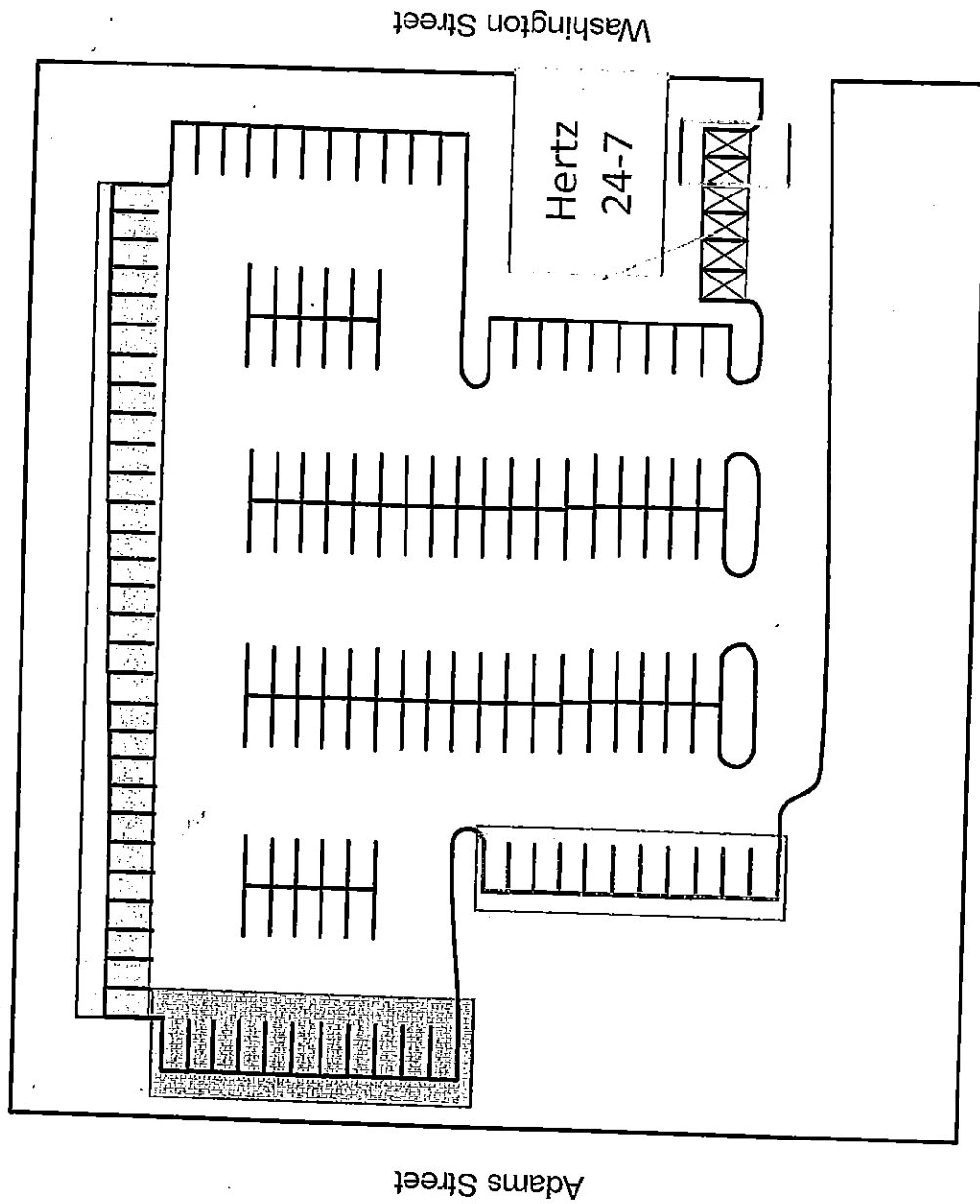
By: Paul Perry

cc: Ralph A. Lange, City Manager
Tim Colbeck, YDDA
Max Anthouard, YFD
Janice Beckett, DPS
Kim Teamer, Treasurer

Traffic Review Committee:
Stan Kirton, DPS
Teresa Gillotti, Planning
Amy Walker, YPD
Tony Degulsti, YPD

SEP 1 8 2009

Washington Street Parking Lot



Total Spaces = 169
Residential and Employee Parking Permits – 29
AATA Park and Ride spaces – 22
Hertz 24-7 (car-sharing) -2 spaces
Metered Spaces (10 hour) - 116



CITY OF YPSILANTI TRAFFIC CONTROL ORDER

DATE: 25 November 2013

ORDER NO: 2013-14

LOCATION: South Mansfield Street south of Michigan Avenue

ORDER:

- A. Install "No Parking, Tow-Away Zone" signs along east side of street for approximately the first 1,100 feet south of Michigan at appropriate intervals.
- B. Install two: "No parking Between Signs, Tow Away Zone" signs along west side of street south of the southernmost drive of 540 S. Masfield and north of the drive for 556 S. Mansfield.: signs along west

REASON: The street is currently unsigned for parking. Seasonal high parking volumes on both sides of the street block truck traffic attempting to access facilities elsewhere in the industrial park. Limiting parking to one side of the street will enable truck access and turning radii for semi's to access existing parcel drives.

Approved by: Ralph A. Lange
Ralph A. Lange, City Manager

Prepared by: Teresa Gillotti
Teresa Gillotti

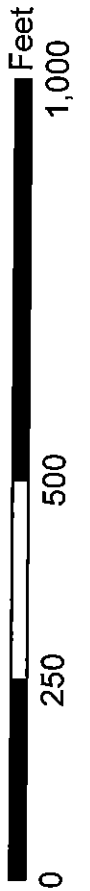
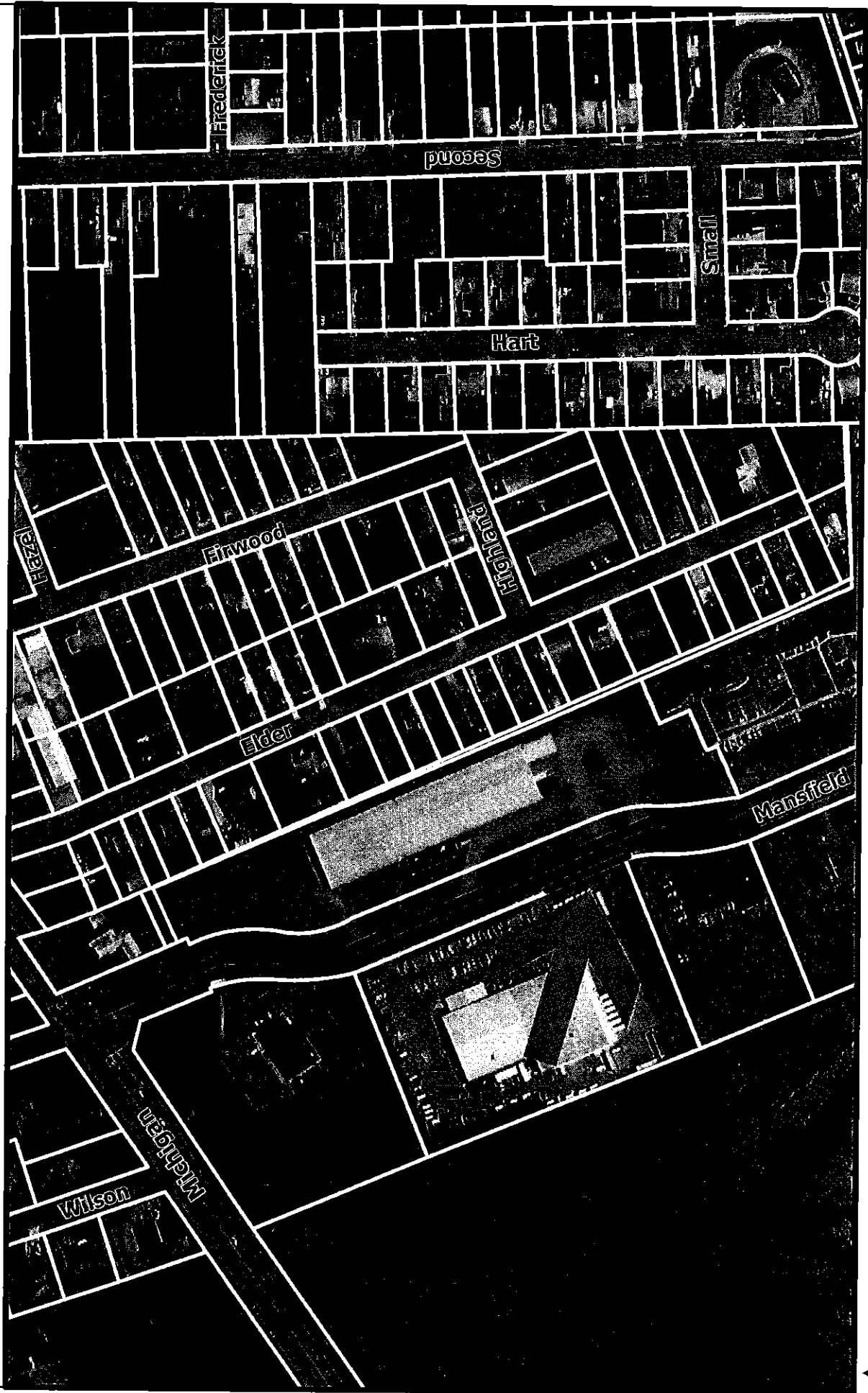
Date Completed: 12-5-13

By: Del Perry

cc: Ralph A. Lange, City Manager
Tim Colbeck, YDDA
Max Anthouard, YFD
Janice Beckett, DPS
Kim Teamer, Treasurer

Traffic Review Committee:
Stan Kirton, DPS
Teresa Gillotti, Planning
Tony DeGiusti, YPD

Masfield St TCO 2013-14 map



Data from Washtenaw County GIS and Ypsilanti Planning and Development
For illustrative purposes only
21 November 2013



Resolution No. 2014 – 065
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the "Traffic Control Orders" be **officially closed.**

OFFERED BY: _____

SUPPORTED BY: _____

AYES:

NAYS:

ABSENT:

VOTE:



Resolution No. 2014 – 066
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of February 18, 2014 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Draft

**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, FEBRUARY 18, 2014
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:07 p.m.

II. ROLL CALL –

Council Member Jefferson	Present	Council Member Robb	Present
Council Member Moeller	Absent	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

Council Member Vogt, supported by Mayor Pro-Tem Richardson, to excuse the absences. On a voice vote, the motion carried.

III. INVOCATION –

The Mayor asked all to stand for a moment of silence

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

Mayor Schreiber introduced City Clerk Intern Semaj Ray, City Attorney John Barr, Assistant City Attorney Jesse O'Jack, Assistant to the City Manager Ericka Savage, Public Services Director Stan Kirton, Downtown Development Authority Director Tim Colbeck, and Downtown Development Authority Chair Amanda Edmonds.

VI. AGENDA APPROVAL –

Council Member Murdock asked to move Resolution No. 2014-055 to be the first resolution. On a voice vote, the motion carried.

VII. PRESENTATIONS –

None

VIII. PUBLIC HEARING

Resolution approving issuance of a new Redevelopment Liquor License to Bona Sera Restaurant, located at 200 W. Michigan Ave., Ypsilanti, MI 48197.

- A. Resolution No. 2014-049, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Bona Sera Café has applied to the City of Ypsilanti requesting a new Redevelopment Liquor License to be located at 200 W. Michigan Ave., Ypsilanti, MI 48197 in accordance with MCL 436.1531(A)(1)(b); and

WHEREAS, the proposed location of the license is within the Downtown Redevelopment Liquor License Area created by Resolution 2008-143 of the Ypsilanti City Council on July 15, 2008; and

WHEREAS, a public hearing to consider the request was duly noticed and held on February 18, 2014;

NOW, THEREFORE, BE IT RESOLVED THAT the request of Bona Sera Cafe for a Redevelopment Liquor License to be located at 200 W. Michigan Ave., Ypsilanti, MI 48197 be approved.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Murdock

Downtown Development Authority (DDA) Director Tim Colbeck stated the redevelopment liquor license was created by the Liquor Control Commission (LCC) to generate economic development activity in the communities that have been approved. The liquor license is more of an economical purchase than a standard liquor license. The redevelopment liquor license has a set price of \$25,000, acting as a Class C liquor license, and is only connected to the property that it is approved for. It can be transferred within a three year period, but not to another location, and if the applicant is rewarded can be in operation with the liquor license. It cannot be sold. The requirements for the license are \$75,000 of improvements within five years, minimum number of hours of operation (at least five days a week and ten hours of week), and a minimum capacity. All of the requirements were met by Bona Sera under their initial review. The redevelopment liquor license creates economic investment through permanent investment into a physical address and also creates economic development through a viable business that has more employee opportunities.

- B. Open public hearing.

1. DDA Chair Amanda Edmonds, 320 Garland, stated the Downtown Development Authority strongly supports the redevelopment license for Bona Sera.
2. Barbara Marcothe, 200 W. Michigan Ave, an owner of Bona Sera thanked the DDA for all the work they have done. She stated their base started as an underground fundraising group doing benefit dinners for various charities raising over \$20,000.

- C. Resolution No. 2014-050, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider a new Redevelopment Liquor License for Bona Sera Café to be located at 200 W. Michigan Avenue, Ypsilanti, MI 48197 be officially closed.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Jefferson

Council Member Murdock stated this would be a positive change for the city by making a difference in the business and downtown. He also mentioned that the City Council and DDA had the foresight to create a district for these licenses.

Mayor Schreiber stated he supported the resolution because Bona Sera is good addition to downtown.

On a roll call, the vote to approve Resolution No. 2014-050 was as follows:

Council Member Jefferson	Yes	Council Member Robb	Yes
Council Member Moeller	Absent	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Moeller) Vote: Carried

IX. AUDIENCE PARTICIPATION –

1. Todd Wilber, 714 Dwight, supported the installation of speed humps on his street.
2. Lori Stark, 125 E. Forest, supported the speed humps and believed the speed testing should be redone because it was inappropriately done due to the location of the speed testing machine. She mentioned the speed humps would also deter traffic.
3. Jane Ratclife, 819 Durant, supported the speed humps and believed the speed tests were skewed because of the location of the device.
4. Alessandra White, 805 Dwight, mentioned she helped get signatures for the petition and believed majority of the residents in the neighborhood supports the speed humps.
5. Ted Mault, 704 Dwight, stated he supports the speed humps because they will slow down the traffic.
6. Mark Hardock, 111 Miles, lauded Police Chief DeGiusti's borderless policing, suggested speed humps on Martin Place and consolidation of services.

X. REMARKS BY THE MAYOR –

None

XI. MINUTES –

Resolution No. 2014-051, approving the minutes of February 4, 2014.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of February 4, 2014 be approved.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Vogt

On a voice vote, the motion carried and the minutes were approved as submitted.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS -

1. Resolution No. 2014-055, approving the incorporation of speed humps into the Prospect Road Reconstruction project. (**Moved**)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the condition of Prospect Road has caused traffic to divert through the residential streets of Dwight, Hemphill and Stanley causing safety issues due to speeding and other driver behavior, and

WHEREAS, the severe winter of 2014 is going to further deteriorate Prospect Road increasing the traffic flow on these residential streets, and

WHEREAS, Prospect Road is scheduled for reconstruction and resurfacing in 2015 requiring a construction traffic plan and possible detours, and

WHEREAS, the residents have submitted a petition expressing their concerns about neighborhood safety due to the increased traffic and speeding, and

WHEREAS, the residents have requested measures be taken to abate the safety issues including the installation of speed humps.

NOW THEREFORE BE IT RESOLVED, as part of the Prospect Road reconstruction project a temporary speed hump be installed in each block of Dwight, Hemphill and Stanley (six speed humps in total) in the Spring of 2014, and

FURTHER RESOLVED THAT, the cost of purchase and installation of these speed humps and any related signage is incorporated into the Prospect Road Reconstruction Project and if necessary be allocated from the Local Street Fund, and

FURTHER RESOLVED THAT, the speed bump issue on these streets be reviewed in the fall of 2016 to determine the necessity of maintaining them or alternative traffic calming measures to be approved.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Robb

Council Member Murdock explained the resolution as way to improve safety and prevent speeding on Dwight, Hempley, and Stanley streets and mentioned this was the best timing because it can be incorporated into the Prospect Road Reconstruction project to abate the hazards.

Council Member Vogt supported the resolution and believed that they will be beneficial in the future because they're temporary and can be moved where needed. He asked when the speed testing was done.

City Manager Ralph Lange responded that he didn't know but would find out.

Mayor Pro-Tem Richardson stated she does not oppose the speed humps but Frederick Street needs them as well due to speeding on the hill. Residents were told in the past that the speed humps could be installed at their expense. She mentioned other streets have problems as well with the volume of traffic and speeding.

Council Member Murdock agreed with Mayor Pro-Tem Richardson that their needs to be more of a permanent policy to solve the issue citywide and suggested maybe funds could be allocated annually for speed humps.

Council Member Jefferson mentioned speed humps deter traffic and that the input of the residents has a larger impact than the speed tests. The machines don't measure up to the dangers and safety of the residents. He affirmed his support for the resolution.

Mayor Pro-Tem Richardson suggested for the City to contact Ypsilanti Township to see the impact their speed humps have had on deterring traffic.

Council Member Murdock mentioned there are alternative ways of controlling traffic on residential streets.

Mayor Schreiber asked Mr. Lange if there was staff input on the resolution.

Mr. Lange responded that city officials have done research on Ypsilanti Township and found alternative ways of traffic control. He stated that this would be a good trial to see the affect it will have.

Mayor Schreiber stated he would oppose the resolution until a policy is put in place to tackle the issue citywide.

Mayor Pro-Tem Richardson stated it is an emergency measure to help relieve an acute problem for those residents affected. She affirmed her support for the resolution as a temporary measure to solve the problem.

On a roll call, the vote to approve Resolution No. 2014-055 was as follows:

Council Member Jefferson	Yes	Council Member Robb	Yes
Council Member Moeller	Absent	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	No
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 5 No: 1 (Schreiber) Absent: 1 (Moeller)

Vote: Carried

2. Resolution No. 2014-052, granting approval to the Boy Scout Troop 290 to control the Rice Street Parking Lot during the 2014 Color Run.

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

WHEREAS, the City of Ypsilanti desires to support recreation, exercise and community groups within the city, and

WHEREAS, the 2014 Color Run will bring thousands of people to the city needing parking spaces, and

WHEREAS, Boy Scout Troop 290, chartered by Emmanuel Lutheran Church of Ypsilanti has been in existence in the city for over 40 years and has demonstrated experience in controlling and running parking lots during events within the city, increasing the orderly parking of autos, lessening confusion and reducing the need for city services, and

WHEREAS, Boy Scout Troop 290 has offered and requested permission to control the Rice Street Parking Lot during the 2014 Color Run.

NOW THEREFORE BE IT RESOLVED, that license is granted to Boy Scout Troop 290 to control the Rice Street Parking lot during the 2014 Color Run, with a regular license fee of \$250 payable to the city.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

Assistant to the City Manager Ericka Savage stated it was a request submitted to the City Manager's office by the Boy Scout Troop 290. There is no policy in place for city parking lots. The \$250 was the price given in past practice.

Mr. Mayes, representing Boy Scout Troop 290, mentioned that \$250 has been the price for renting the parking lot for each day.

Mr. Lange stated the lease of the parks with the Heritage Festival, somehow gave them authority over the parking lots when they shouldn't have. The city only has that authority.

Mr. Mayes asked Council Member Murdock if the Heritage Festival Committee was given authority over the Depot Town area and the Heritage Festival asked Boy Scout Troop 290 to manage the parking lot for them.

Council Member Murdock stated it was in the Heritage Festival ordinance that they wanted to get City Council out of the business of deciding who gets the parking lot. It is the decision of the event holder who gets the parking lot.

Council Member Robb stated the date as June 21, 2011

Mr. Mayes stated 10% of the net profits go to the organization that sponsors the troop.

Mr. Lange asked Mr. Mayes who the \$250 fee gets paid to.

Mr. Mayes responded that the fee gets paid to the city and the funds get directed to Rutherford Pool. It is possible the Rice Street parking lot is unavailable during the Color Run because of the road closures.

Council Member Robb mentioned there was a policy approved in 2011 that keeps the city out of who controls the parking lots during specific events. The event holder controls the parking lots. The Huron Street parking lot has parking permits so people shouldn't be charged for parking.

Mr. Mayes asked who the troop should contact to gain control of the parking lot for the Color Run.

Council Member Murdock stated the event can't decide whether or not they want control of the parking lot. The Visitor's Conventions Bureau (VCB) contracts with the Color Run so the troop may contact them if they want control of the parking lot.

Mr. Lange stated they should make an amendment to the policy so there's a clear understanding of who an entity should contact if they want control of the parking lot.

Mr. Mayes asked if the Troop Committee should contact the VCB.

Mayor Schreiber responded that was true until a policy changed amended it.

Council Member Robb asked if applications can be submitted before the Special Events policy is approved.

Ms. Savage stated they can submit applications but it would be under the old format.

Mayor Pro-Tem Richardson stated the Boy Scout Troop usually gets permission when they ask City Council for control of the parking lot and asked City Attorney John Barr for legality on the policy.

Mr. Barr stated the Heritage Festival has an ordinance where they're granted control of the Rice Street parking lot but they have allowed the Boy Scout Troop to conduct it for them.

Mr. Lange stated that city staff and officials shouldn't decide who controls the parking lots but they don't want to prevent the Boy Scout Troop from fundraising at the parking lots.

On a roll call, the vote to approve Resolution No. 2014-052 was as follows:

Council Member Jefferson	Yes	Council Member Robb	No
Council Member Moeller	Absent	Council Member Vogt	Yes
Council Member Murdock	No	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 4 No: 2 (Murdock, Robb) Absent: 1 (Moeller) Vote: Carried

Mayor Schreiber stated he would like to reconsider his vote.

OFFERED BY: Mayor Schreiber

SUPPORTED BY: Council Member Murdock

On a roll call, the vote to reconsider Resolution No. 2014-052 was as follows:

Council Member Jefferson	Yes	Council Member Robb	Yes
Council Member Moeller	Absent	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	No		

VOTE:

Yes: 5 No: 1 (Richardson) Absent: 1 (Moeller) Vote: Carried

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

WHEREAS, the City of Ypsilanti desires to support recreation, exercise and community groups within the city, and

WHEREAS, the 2014 Color Run will bring thousands of people to the city needing parking spaces, and

WHEREAS, Boy Scout Troop 290, chartered by Emmanuel Lutheran Church of Ypsilanti has been in existence in the city for over 40 years and has demonstrated experience in controlling and running parking lots during events within the city, increasing the orderly parking of autos, lessening confusion and reducing the need for city services, and

WHEREAS, Boy Scout Troop 290 has offered and requested permission to control the Rice Street Parking Lot during the 2014 Color Run.

NOW THEREFORE BE IT RESOLVED, that license is granted to Boy Scout Troop 290 to control the Rice Street Parking lot during the 2014 Color Run, with a regular license fee of \$250 payable to the city.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

Mayor Schreiber stated he wanted to reconsider his vote because he wants to support the policy they currently have and he still supports Boy Scout Troop 290.

Council Member Murdock moved to table Resolution No. 2014-052 and second by Council Member Vogt.

On a roll call, the vote to table Resolution No. 2014-052 was as follows:

Council Member Jefferson	No	Council Member Robb	Yes
Council Member Moeller	Absent	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	No
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 4 No: 2 (Jefferson, Schreiber) Absent: 1 (Moeller) Vote: Carried

City Council clarified to Mr. Mayes that the VCB can grant Boy Scout Troop 290 permission to control the Rice Street Parking Lot.

3. Resolution No. 2014-046, approving Special Events policy. *(Postponed 3/4/14)*

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti desires to become more efficient and streamline the Special Events application process; and

WHEREAS, City staff has created a Special Events Policy to combine all of the City's current policies, applications and fees related to special events; and

WHEREAS, a Special Events Application has also been created that combines all of the current special events permit applications.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti hereby adopts a Special Events Policy that will govern the all requirements for special events, including, but not limited to the event details, classifications, required permits, insurance mandates, billing and estimate process.

BE IT FURTHER RESOLVED that the City of Ypsilanti Special Events Policy supersedes any previously approved permit applications or policies.

BE IT FURTHER RESOLVED that administrative changes to the Special Events policy may be incorporated by the City Manager, so long as the updated policy is filed with the City Clerk and posted on the city's website.

OFFERED BY: Council Member Richardson

SUPPORTED BY: Council Member Vogt

Ms. Savage explained the estimates were added and they have contacted the current events. A spreadsheet was added that includes all of the fees.

Mayor Pro-Tem Richardson asked if the recurring events would pay more because of the policy.

Ms. Savage stated that all the application packets were combined into one.

Mayor Schreiber stated the spreadsheet with the estimates and fees wasn't public until the day of the meeting.

Ms. Savage stated the events wouldn't see the fee schedule because it can be complicated to understand.

Mayor Schreiber mentioned to postpone the resolution so the fee schedule can be public for a couple more weeks.

Council Member Robb mentioned the fee schedule was already approved last year. He opposes the Special Events Policy.

On a roll call, the vote to approve Resolution No. 2014-046 was as follows:

Council Member Jefferson	No	Council Member Robb	No
Council Member Moeller	Absent	Council Member Vogt	Yes
Council Member Murdock	No	Mayor Schreiber	No
Mayor Pro-Tem Richardson	No		

VOTE:

Yes: 1 No: 5 Absent: 1 (Moeller) Vote: Failed

Ms. Savage asked for direction so it can possibly get approved next time.

Mayor Pro-Tem Richardson opposes the policy because there should be one fee for closing the street.

Ms. Savage stated the estimates are from last year and may change. If the events change the fees may change as well.

Council Member Vogt mentioned the individual fees were separated so the event could pick and choose what they want. The fees compensate the city for the costs. He supports the Special Events policy.

Council Member Robb mentioned that the street closure fee includes parking lot meter revenue.

Ms. Savage stated that was only for the recurring events and they created a monthly permit fee that will be a street closure fee.

Mr. Lange stated the recurring events fees were created to be more accommodating in a streamline way.

Ms. Savage stated the recurring events mostly have police bills and not DPS bills.

Mayor Schreiber stated he wants the public to read the article about the fees and see the spreadsheet in the packet on the website.

4. Resolution No. 2014-053, approving contract with Michigan Lighting Systems East for interior lighting upgrades to LED lighting in city facilities and parking lots.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council has established a Energy Efficiency Revolving Fund to fund energy efficiency projects for city facilities; and

WHEREAS, bids were solicited for interior lighting upgrades to LED lighting in city facilities and parking lots; and

WHEREAS, three bids were received for the purchase of LED retro-fit kits and fixtures from Madison Electric, Ann Arbor, MI, Park Avenue Lighting, Inc., Ann Arbor, MI and Michigan Lighting Systems East, Troy MI; and

WHEREAS; Madison Electric submitted a bid in the amount of \$51,890.00; Park Avenue Lighting, Inc. submitted a bid for the amount of \$61,215.00 and Michigan Lighting Systems East submitted a bid in the amount of \$48,445.00; and

WHEREAS; the bid submitted by Michigan Lighting Systems East, 1389 Wheaton Avenue, Suite 500, Troy, MI 48083, best meets the project specifications and is in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council awards the bid to Michigan Lighting Systems East for the amount of \$48,445.00; and

FURTHER, that the the Mayor and City Clerk are authorized to sign this contract and any change orders, subject to approval by the City Attorney.

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Robb

Public Services Director Stan Kirton explained the resolution as an LED lighting upgrade for the facilities.

Mr. Chris Simmons, Supervisor in Public Services Department, stated the energy savings will be \$8000-\$12,000 per year. The LEDs have a 7-10 year warranty so the light bulbs don't need to be changed as often. City will also save \$8000 in relamping/labor costs per year. Total estimated savings is at least \$16,000 per year and will pay for themselves within 3 years. They have been piloted. It takes about six weeks to get the lights.

Mr. Kirton stated the lighting strips are approximately \$90 each and replacing the troffers are \$200. The lights at the City Hall parking lot, Police Department, and Fire Department will be changed. The return on investment may possibly be within 5 years. There are DTE rebates approximately \$11 per unit, totally about \$4000. Project must be completed within 90 days after the rebates are submitted.

Council Member Murdock asked if there would be light reduction or motion sensors installed. He is supportive of the LED lighting.

Mr. Simmons stated there will be a pilot for the sensors (motion and occupancy) at City Hall, Police Department, and the Fire Department.

Mr. Kirton stated he will be attending a DTE Energy Efficiency Systems session.

Mr. Lange stated the DTE rebates will help with the return on investment.

On a roll call, the vote to approve Resolution No. 2014-053 was as follows:

Council Member Jefferson	Yes	Council Member Robb	Yes
Council Member Moeller	Absent	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Moeller) Vote: Carried

5. Resolution No. 2014-054, approving renewal of Michigan Main Street Program contract.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

The Michigan Main Street Program Agreement Associate Level is approved for the city to continue as an associate member of the Michigan Main Street Program as administered by the Ypsilanti Downtown Development Authority.

The Mayor and City Clerk are authorized to sign the agreement, subject to the approval of the City Attorney.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Murdock

Mr. Colbeck stated the resolution was an annual agreement between the city, the DDA, and Michigan Main Street program. It will be at no cost to the city and the city has been an associate level member since 2008. It provides a variety of resources.

Council Member Murdock asked what was the status of the DDA moving to the next level.

Mr. Colbeck stated the associate level was best for the city now.

Council Member Murdock stated if there was a rethinking of the Michigan Main Street project agreement.

Mr. Colbeck stated there wasn't a firm decision on changing the agreement.

On a roll call, the vote to approve Resolution No. 2014-053 was as follows:

Council Member Jefferson	Yes	Council Member Robb	Yes
Council Member Moeller	Absent	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Moeller) Vote: Carried

XIII. LIASON REPORTS –

A. SEMCOG Update

Mayor Pro-Tem Richardson stated they would be meeting next week.

B. Washtenaw Area Transportation Study

Council Member Murdock stated they would be meeting the next day to discuss the changes on the Prospect Road Construction project.

- C. Washtenaw Metro Alliance
- D. Urban County
- E. Freight House

XIV. COUNCIL PROPOSED BUSINESS –

Richardson

- Ms. Richardson referenced to an email that she sent and would like to disregard due to have already receiving the information she needed.
- She also brought attention to Mr. George Wilson, 1044 Madison, and his decision to discontinue the maintenance of a lot next door to his property, which Mr. Wilson believes to be city property.
- Made suggestion of sending a get well card to City Council Member Moeller, who will be out sick until March.
- Referenced a sewer gate at Harriet and Adams where there was a significant backup where YCUA needs to be consulted to ensure completed cleanup. She believed the high traffic may have caused the backup. Sewer gate is located at 437 S. Adams Mr. Lange stated he would follow up.

Murdock

- Mr. Murdock inquired about applying for the fire convention safety grants. The application deadline is in upcoming March.

Mr. Lange stated that the city will be applying for the grants and inquired for the applications to be sent over.

- Mr. Murdock then mentioned the talk in Lansing about brutal road conditions and the high volume of street maintenance needed.
- Suggested that we keep track of our city budget and maintenance contracts.
- He also brought up the minimum wage ordinance he suggested and stated that Attorney John Barr is in the process of the draft.

Mr. Lange confirms that the wage ordinance draft is waiting to be published and will be brought to a council meeting soon.

Vogt

- Mr. Vogt referenced an article discussing legislature increase of revenue sharing on formulas and expressed his concern that we must be aware and prepared.

XV. COMMUNICATIONS FROM THE MAYOR –

- Stated nothing for this week.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Mr. Lange informed everyone of EMU interest about city policy as far as cameras. Must check with American Civil Liberties Union and Police Chief.
- Stated that apartment complexes will receive more cameras of the views in approach of the location.
- He also suggested to the council an idea of choosing locations and starting a pilot program for cameras in public places.

Council member Robb states that he is not sold on starting public policy suggested by Mr. Lange due to concerns of how it will be managed.

- Mr. Lange provides more vivid detail on how trial run for the camera public policy will work, explaining that it will only be confined to a high priority area.
- Council did not overall support the research into the city purchasing cameras for policing.
- Attended a YCUA project meeting with Fiscal Services Director Marilou Uy where they discussed the water plants need to be upgraded and the additional funding required wouldn't drive up their surcharge.
- Recommends the city extend their contract with Waste Management.
- Praised recently approved LED lights because they're cheaper, good quality, and energy efficient. Highly support them since it will be influential in city financial survival.
- Excused the city staff for not quick response due to many employees being sick.
- Stated two SAFER grant firefighters are working.
- Thanked City Council for City Manager evaluation and comments in newspaper.
- Invited by EMU to a contingency with staff and faculty for a German Exchange student program where the students would work full-time for free.
- Stated the streetlights are making progress and rebates are being secured (new and old).
- Mentioned police service consolidation is extremely functional and more convenient, saving time and effort.
- Believed that everyone is on the same page as far as fees for renting the parking lot.
- Mentioned the Special City Council meeting scheduled for next week.

XVII. AUDIENCE PARTICIPATION –

1. Patrick Greve, resident from Wixon and Waste Management, hoped that City will retain their business and extend Waste Management contract.
2. Mark Hardock, 111 Miles, supported Waste Management and suggested the City consolidate services with Ypsilanti Township.
3. Andrea Edmonds, DDA chair, stated the DDA should be in the discussion for control of the parking lots. She also stated the results and seasonal report of the Farmer's Market.

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2014-056, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: Council Member Jefferson

SUPPORTED BY: Council Member Vogt

On a voice vote the motion carried and the meeting adjourned at 9:45 p.m.



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti considers requests for tax abatement to encourage further growth and development in the city; and

WHEREAS, the City previously granted an OPRA to Historic Equities LLC for the Thompson Block project in 2006; and

WHEREAS, work was not completed during the time-frame allotted by the approval, and the Thompson Block Partners have requested that the City revoke said 2006 OPRA tax abatement agreement to pursue an amended project;

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti revokes the 2006 OPRA tax abatement exemption for 400 North River Street.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the property at 400 N. River, parcel ID# 11-11-04-495-024 experienced a fire in September of 2009 and remains open to the elements; and

WHEREAS, the property no longer has utilities; plumbing, heating, and sewerage have been disconnected, and the building lacks complete floors as well as ingress and egress, thus it is unfit for occupancy or its intended use under the State of Michigan building code; and

WHEREAS, the City has inspected the property on numerous occasions and determined that remains a dangerous property per the definitions found in Chapter 18, Article VI of the City Code of Ordinances;

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti declares the property at 400 N. River blighted as defined in the Brownfield Redevelopment Financing Act, PA 381 of 1996, as amended, based on the above findings.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



MEMO

Date: February 24, 2014

Re: Historic Thompson Block Brownfield Plan Information

To: Teresa Gillotti, City of Ypsilanti Planner II, Community & Economic Development

From: Nathan Voght, Washtenaw County Brownfield Redevelopment Coordinator

Washtenaw County formed a regional Brownfield Authority in 1999. The City of Ypsilanti joined the County Brownfield Authority by resolution in 2000. A Brownfield Plan for The Historic Thompson Block was originally approved in 2008 by both the City of Ypsilanti, and Washtenaw County Board of Commissioners, which supported the reimbursement of approximately \$300,000 in eligible brownfield expenses using Tax Increment Financing. Those costs included building demolition, site preparation and utilities, public infrastructure, asbestos and lead abatement, 15% contingency, and costs to prepare the brownfield plan and Act 381 Work Plans.

The Washtenaw County Brownfield Authority and myself have been working closely with you and the developer to update the Brownfield Plan for the project. A Brownfield Authority review sub-committee was formed, including yourself, in order to assist with preparation of the draft, updated Brownfield Plan. We are in receipt of a final draft, and it's my understanding that the City of Ypsilanti City Council will be considering the plan at the March 4th meeting. In addition, I will be asking the County Brownfield Authority to take action on the plan at its March 6th meeting.

Due to Act 381 requirements, the Plan is considered a "new" plan. As you are aware, the historic structure suffered a significant fire in 2009, which changed the nature of the project, and contributed to its delay. The new plan now being considered reflects revised costs in almost all categories, as well as adding a new eligible, adjacent property (107 E. Cross). In addition, some new eligible expenses are included, which are now allowed under Act 381 and MEDC policies. These include "Low Impact Design" features of the site, such as the bio-retention landscape areas to handle the majority of the annual storm events on-site. In addition, public streetscape enhancements in the North River Street right-of-way. The total amount being sought for developer reimbursement is now approximately \$271,000, down from \$300,000 from the 2008 plan.



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It should be noted that, due to the Obsolete Properties Rehabilitation Certificate planned for the project, all of the Tax Increment Financing generated to reimburse the developer for eligible costs will come from State School Education and Operating Taxes. Provided an Act 381 Work Plan is approved by the MEDC for the project, which would pledge that School Taxes generated from Tax Increment Revenues will be used to reimburse the developer, there are not expected to be *local* taxing millages utilized to reimburse the \$271,000 in eligible activities.

With the assumption the OPRA certificate will be re-approved, the eligible expenses will take 11 years to be fully reimbursed, similar to the 2008 Brownfield Plan.

Please contact me at 734-222-3860 or voghtn@ewashtenaw.org if I can provide any additional information, or if you have any questions.



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Washtenaw County established the Washtenaw County Brownfield Development Authority (WCBRA) in accordance with the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act") to encourage redevelopment of contaminated, functionally obsolete or blighted property by providing economic incentives;

WHEREAS, the property located at 400 North River Street (the "Property") has been determined to be functionally obsolete by a Level III Assessor and located in a qualified local unit of government, thus the property is considered to be an eligible property as defined in the Act;

WHEREAS, The Brownfield Plan for the Historic Thompson Block (the "Plan") has been created to facilitate the redevelopment of the Property to include approximately 10,000 square feet of office/retail businesses on the ground floor and approximately 16 upper story residential units for an overall investment estimated at \$5.875 million;

WHEREAS, the Plan will allow application for a State of Michigan Brownfield Redevelopment Michigan Business Tax Credit valued at \$175, 578.31 to assist in the financing of the redevelopment;

WHEREAS, the Plan must be approved by the City of Ypsilanti, before the WCBRA and Washtenaw County Board of Commissioners will consider the plan for approval; and

WHEREAS, neither Washtenaw County nor the Washtenaw County Brownfield Redevelopment Authority will incur a financial note or bonded indebtedness for neither this project nor is any local tax increment financing capture proposed;

NOW THEREFORE BE IT RESOLVED, That the Ypsilanti City Council approve The Brownfield Plan for Historic Thompson Block for the property located at 400 North River Street as authorized by the Washtenaw County Brownfield Redevelopment Authority.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

**BROWNFIELD REDEVELOPMENT PLAN
THE HISTORIC THOMPSON BLOCK
THOMPSON BLOCK PARTNERS
400-408 NORTH RIVER STREET
and 107 EAST CROSS STREET

CITY OF YPSILANTI, MICHIGAN**

for

WASHTENAW COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY
WASHTENAW COUNTY, MICHIGAN

February 24, 2014

Washtenaw County Brownfield Redevelopment Authority

Brownfield Redevelopment Plan

For

The Historic Thompson Block

**400-408 North River St.
& 107 East Cross St**

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ATTACHMENTS

- A. Figure 1.a – 1.i : Property Location Map, Site Plans & Building Plans
 Figure 2: Boundary Map of Eligible Property
 Figure 3: Project Illustrations
- B. Legal Description
- C. Tables 1 – Sources and Uses
 Table 2 – Annual Tax Increment Financing Table
 Table 3 – Eligible Activities
- D. Affidavit from Level 3 Assessor
- E. Obsolete Property Rehabilitation Exemption Certificate (New cert forthcoming)
- F. Thompson Block: Approach to the Renovation, Historic Background and a description of the 2009 fire and some photos for reference

PROJECT SUMMARY

Project Name:	The Historic Thompson Block
Project Location:	The eligible property is located at 400-408 North River Street and 107 East Cross Street, Original Legal Description: Parcels 11-11-04-495-023 & 11-11-04-495-015, see Combined Legal Description, Attachment B.
Type of Eligible Property:	Obsolete Property
Eligible Activities:	Lead and Asbestos Abatement, Demolition, Site Preparation and Infrastructure Improvements, Storm Water Management System
Reimbursable Costs:	\$271,578.31
Estimated Eligible Investment:	\$7 million
Annual Tax Revenue Before Project:	\$6,200.00
Annual Tax Revenue After Project:	\$120,000 (based on estimated value of real and personal property)
Project Overview:	The Property will be redeveloped and used as a mixed-use building containing ground floor retail, second floor office space, and third floor loft apartments. The overall investment for the project is approximately \$7 million. The plan includes \$271,578.31 to be reimbursed through tax increment financing (TIF) attributable to school operating taxes. Construction is anticipated to begin summer of 2014 and will continue for approximately 12 months. This Brownfield Plan has been created to allow for the use of TIF attributable to school operating taxes, and to allow for the submittal of a Michigan Business Tax Brownfield credit, which would facilitate the redevelopment of the Property.

**AMENDED
BROWNFIELD PLAN**

**The Historic Thompson Block
400 North River Street
(400 & 408 North River St.
& 107 East Cross Street)
Ypsilanti, Michigan**

1.0 INTRODUCTION

In order to promote the revitalization of environmentally distressed and blighted areas with the boundaries of Washtenaw County, Michigan (“County”), the County has established the Washtenaw County Brownfield Redevelopment Authority (“Authority”) in 1999 by the adoption of a resolution pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended (Act 381). Act 381 authorized the Authority to undertake all activities allowed by law. The primary purpose of Act 381 is to encourage the redevelopment of contaminated, functionally obsolete, or blighted property by providing economic incentives through tax increment financing for certain eligible activities and Michigan Business Tax (MBT) Brownfield credits.

The primary purpose of this Brownfield Plan (“Plan”) is to promote the redevelopment of and private investment in certain “Brownfield” properties within the County. Inclusion of property within this Plan will facilitate financing of the qualified local unit of governments eligible activities at eligible properties, and will also provide tax incentives to eligible taxpayers willing to invest in revitalization of eligible sites, commonly referred to as “Brownfields.” By facilitating redevelopment of Brownfield properties, this Plan is intended to promote economic growth for the benefit of the residents of the County and all taxing units located within and benefited by the Authority.

The Plan describes qualifying factors that determine “eligible property” status, as Functionally Obsolete and Blighted and makes it a Brownfield site. The Plan also describes the methods used to revitalize the site, including the cost and amount of tax dollars generated by the new development that will be used to pay for the revitalization. Once approved by the City of Ypsilanti, the Authority, and the Washtenaw County Board of Commissioners (“Governing Body”), the Plan acts as a guide for implementation of the project.

The identification or designation of a developer or proposed use for the eligible property that is the subject of this Plan shall not be integral to the effectiveness or validity of this Plan. This Plan is intended to apply to the eligible property identified in this Plan, and to identify and authorize the eligible activities to be funded by tax increment revenues. Any change in the proposed developer or proposed use of the eligible property shall not necessitate an amendment to this Plan, affect the application of this Plan to the eligible property, or impair the rights available to the Authority under this Plan.

This Plan is intended to be a living document, which may be modified or amended in accordance with the requirements of Act 381, as necessary to achieve the purposes of Act 381. This Brownfield Plan contains information required by Act 381 Section 13(1).

2.0 DEFINITIONS AS USED IN THIS PLAN

All terms used in this Brownfield Plan are defined as provided in Michigan Public Act 381 of 1996, as amended (MCL 125.2652 Definitions) (Act 381), or Part 201, Environmental Remediation and Michigan Public Act 36 of 2007 (Michigan Business Tax Act) and Michigan Public Act 451 of 1994 (Natural Resources and Environmental Protection Act).

MCL 125.2652 Definitions:

"Additional response activities" means response activities identified as part of a Brownfield plan that are in addition to baseline environmental assessment activities and due care activities for an eligible property.

"Authority" means a Brownfield redevelopment authority created under this act.

"Baseline environmental assessment activities" means those response activities identified as part of a Brownfield plan that are necessary to complete a baseline environmental assessment for an eligible property in the Brownfield plan.

"Blighted" means property that meets any of the following criteria as determined by the governing body:

Has been declared a public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance.

Is an attractive nuisance to children because of physical condition, use, or occupancy.

Is a fire hazard or is otherwise dangerous to the safety of persons or property.

Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.

"Brownfield Plan" means a plan that meets the requirements of Section 13 and is adopted under Section 14 of Act 381.

"Captured taxable value" means the amount in 1 year by which the current taxable value of an eligible property subject to a Brownfield Plan, including the taxable value or assessed value, as appropriate, of the property for which specific taxes are paid in lieu of property taxes, exceeds the initial taxable value of that eligible property. The State Tax Commission shall prescribe the method for calculating captured taxable value.

"Eligible activities" or "eligible activity" means 1 or more of the following:

Baseline environmental assessment activities.

Due care activities.

Additional response activities.

For eligible activities on eligible property that was used or is currently used for commercial, industrial, or residential purposes that is in a qualified local governmental unit, that is owned or under the control of a land bank fast track authority, or that is located in an economic opportunity zone, and is a facility, functionally obsolete, or blighted, and except for purposes of former section 38d of the single business tax act, 1975 PA 228, the following additional activities:

Infrastructure improvements that directly benefit eligible property.

Demolition of structures that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

Lead or asbestos abatement.

Site preparation that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

Assistance to a land bank fast track authority in clearing or quieting title to, or selling or otherwise conveying, property owned or under the control of a land bank fast track authority or the acquisition of property by the land bank fast track authority if the acquisition of the property is for economic development purposes.

Except as otherwise provided in this subdivision, "eligible property" means property for which eligible activities are identified under a Brownfield Plan that was used or is currently used for commercial, industrial, public, or residential purposes, including personal property located on the property, to the extent included in the Brownfield Plan, and that is 1 or more of the following:

Is in a qualified local governmental unit and is a facility, functionally obsolete, or blighted, and includes parcels that are adjacent or contiguous to that property if the development of the adjacent and contiguous parcels is estimated to increase the captured taxable value of that property.

Is not in a qualified local governmental unit and is a facility, and includes parcels that are adjacent or contiguous to that property if the development of the adjacent and contiguous parcels is estimated to increase the captured taxable value of that property.

Is tax reverted property owned or under the control of a land bank fast track authority.

"Fiscal year" means the fiscal year of the authority.

"Functionally obsolete" means that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as overcapacity, changes in technology, deficiencies or super adequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property.

"Governing body" means the elected body having legislative powers of a municipality creating an authority under this act.

"Infrastructure improvements" means a street, road, sidewalk, parking facility, pedestrian mall, alley, bridge, sewer, sewage treatment plant, property designed to reduce, eliminate, or prevent the spread of identified soil or groundwater contamination, drainage system, waterway, waterline, water storage facility, rail line, utility line or pipeline, or other similar or related structure or improvement, together with necessary easements for the structure or improvement, owned or used by a public agency or functionally connected to similar or supporting property owned or used by a public agency, or designed and dedicated to use by, for the benefit of, or for the protection of the health, welfare, or safety of the public generally, whether or not used by a single business entity, provided that any road, street, or bridge shall be continuously open to public access, and that other property shall be located in public easements or rights-of-way and sized to accommodate reasonably foreseeable development of eligible property in adjoining areas.

"Initial taxable value" means the taxable value of an eligible property identified in and subject to a Brownfield Plan at the time the resolution adding that eligible property in the Brownfield Plan is adopted, as shown either by the most recent assessment roll for which equalization has been completed at the time the resolution is adopted or, if provided by the Brownfield Plan, by the next assessment roll for which equalization will be completed following the date the resolution adding that eligible property in the Brownfield Plan is adopted. Property exempt from taxation at the time the initial taxable value is determined shall be included with the initial taxable value of zero. Property for which a specific tax is paid in lieu of property tax shall not be considered exempt from taxation. The State Tax Commission shall prescribe the method for calculating the initial taxable value of property for which a specific tax was paid in lieu of property tax.

"Local taxes" means all taxes levied other than taxes levied for school operating purposes.

"Municipality" means all of the following:

A city.

A village.

A township in those areas of the township that are outside of a village.

A township in those areas of the township that are in a village upon the concurrence by resolution of the village in which the zone would be located.

A county.

"Qualified local governmental unit" means that term as defined in the obsolete property rehabilitation act, 2000 PA 146, MCL 125.2781 to 125.2797.

"Qualified taxpayer" means that term as defined in former sections 38d and 38g of the single business tax act, 1975 PA 228, or section 437 of the Michigan business tax act, 2007 PA 36, MCL 208.1437.

"Response activity" means that term as defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

"Tax increment revenues" means the amount of ad valorem property taxes and specific taxes attributable to the application of the levy of all taxing jurisdictions upon the captured taxable value of each parcel of eligible property subject to a Brownfield Plan and personal property located on that property. Tax increment revenues exclude ad valorem property taxes specifically levied for the payment of principal of and interest on either obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit, and specific taxes attributable to those ad valorem property taxes. Tax increment revenues attributable to eligible property also exclude the amount of ad valorem property taxes or specific taxes captured by a Downtown Development Authority, Tax Increment Finance Authority, or local development finance authority if those taxes were captured by these other authorities on the date that eligible property became subject to a Brownfield Plan under this act.

"Taxable value" means the value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

"Taxes levied for school operating purposes" means all of the following:

The taxes levied by a local school district for operating purposes.

The taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

That portion of specific taxes attributable to taxes described under subparagraphs (i) and (ii).

"Work plan" means a plan that describes each individual activity to be conducted to complete eligible activities and the associated costs of each individual activity.

Please find additional definitions in:

Act 36 of 2007; **MICHIGAN BUSINESS TAX ACT**

Act 451 of 1994; **NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT**

3.0 BROWNFIELD PROJECT—THE HISTORIC THOMPSON BLOCK

3.1 DESCRIPTION OF THE PROJECT AND COSTS TO BE PAID THROUGH THE BROWNFIELD PLAN AND SUMMARY OF ELIGIBLE ACTIVITIES (MCL 125.2663(1)(a) and (b))

A. Project Description

Public Act 381 of 1996, as amended, defines "eligible property" as "...property for which eligible activities are identified under a Brownfield Plan that was used or is currently used for commercial, industrial, public or residential purposes, including personal property located on the property, to the extent included in the Brownfield Plan, and that is 1 or more of the following: (i) Is in a qualified local unit of government and is a facility, functionally obsolete, or blighted, and includes parcels that are adjacent or contiguous to that property if the development of the adjacent and contiguous parcels is estimated to increase the captured taxable value of that property."

The eligible property consists of originally two parcels, located in the City of Ypsilanti (City) and having the address of 400-408 North River Street and 107 East Cross Street (Parcel ID Numbers 11-11-04-495-015, 11-11-04-495-023) herein referred to collectively as the "Property". The Property is located in a commercial area of the City and is currently vacant. A legal description of the Property is included in **Attachment B**. **Attachment A.1.a** provides a location map, and **Attachment A.2** provides a map designating the eligible property boundary.

The Historic Thompson Block is a 150-year old three-story building located in Ypsilanti's historic Depot Town area. Built with the bricks and stone of the Great Western Hotel, the Thompson Block has played host to the 14th and 27th infantry during the civil war, it was rumored to have been a stop on the Underground Railroad with a direct link to the Michigan Central Railroad across the street. Other previous uses included a paint store, bicycle shop, fire department and a Dodge dealership (one of the first in the area).

Project investors, hereinafter referred to as the "Developer," intend to redevelop the Property as a mixed-use building that includes residential condominiums, retail and office space, and a parking lot for municipal and residential uses. The phase of the project that is the basis for this plan will include up to 16 luxury loft units (15,642 sf) and 13,342 square feet of retail /class-A office space/commercial space construction along with

associated site amenities such as parking and landscaping. Examples of uses that may be included within the development include, but are not limited to, restaurant, retail, and professional office uses. Exact uses will be defined more fully as planning for the project continues and is formalized.

The overall estimated investment for the portion of the project that is the basis for this Plan is approximately \$7 million. Construction is anticipated to begin in the summer of 2014, and will continue until estimated completion in mid-2015. This Plan has been created for the purpose of facilitating redevelopment of the Property, to allow the Authority to utilize tax incremental financing (TIF) attributable to school operating taxes to reimburse the Developer for the cost of certain eligible activities and to allow for a qualified taxpayer to apply for a Michigan Business Tax Brownfield Credit.

The completed Thompson Block project will dramatically improve a highly visible stretch of River Street, and the most visible corner in Depot Town. The redevelopment of the Thompson Block will also encourage development in the area, bring visitors to Depot Town, and help support new and existing restaurant and retail establishments. The improvements to this currently vacant and blighted property will be permanent, and will help raise the value of this and the surrounding buildings to several times their current value, all of which will benefit the surrounding community considerably.

B. Identification of the Property as Blighted and Functionally Obsolete

The property is considered “eligible property” as defined by Act 381, Section 2 because (a) the Property was previously utilized for commercial purpose; (b) it is located within the City of Ypsilanti, a qualified local government unit under Act 381; and (c) the Property is determined to be functionally obsolete as defined by Act 381.

The building is dangerous and unable to be used to adequately perform the function for which it was intended due to a substantial deterioration. The requisite affidavit signed by a Level 3 Assessor certifying the assessor’s expert opinion that the Property is functionally obsolete is provided in **Attachment D**. Further description of its eligibility is outlined below and **Attachment E** provides illustrations further documenting the building’s obsolescence. The description below also documents the building’s current state of disrepair.

Functionally Obsolete:

- The property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from deficiencies in design and changes in technology.
- Mechanical and electrical systems must be replaced.
- The building is an attractive nuisance to children because of physical conditions.
- It is a fire hazard or is otherwise dangerous.
- Life safety systems (smoke detectors, fire alarm systems, exit signs and fire sprinklers) must be installed.

- The property has had utilities disconnected permanently due to them being rendered ineffective for current usage.
- The elevators must be brought up to code.
- Interior finishes have been stripped.
- A new security system must be installed
- The windows must be rehabilitated or replaced
- The entire roof must be replaced as well as most of the flooring systems as a result of a significant fire in 2009.

C. Description of Costs to be Paid for with Tax Increment Revenues and Summary of Eligible Activities

Eligible activities that will take place as part of this project are described in the **TIF Eligible Cost of Redevelopment Activities Showing MSF Specific Costs** table below and attachment (**Table 2**) including more detail include lead and asbestos abatement, demolition, site preparation, and infrastructure improvements. Tax increment revenues attributable to school operating taxes generated by the new development will be captured by the Authority, and used to reimburse the Developer for the cost of eligible activities completed on the Property. The Plan constitutes a public purpose by providing new tax revenues and employment for the community. The estimated cost of the eligible activities is shown below.

TIF Eligible Cost of Redevelopment Activities Showing MSF Specific Costs

Project Name: The Thompson Block
Project Address: 400-408 North River St & 107 E Cross St
 Ypsilanti Michigan 48198
Parcel Number(s): 11-11-04-495-015 & 11-11-04-495-023

Item/Activity	Total Cost
Further Assessment Activities (Supplemental Phase II, BEA, Brownfield Plan, etc.)	
Brownfield Plan	\$5,000.00
Act 381 Work Plan	\$7,500.00
MSF Eligible Activities (building demolition, site preparation, infrastructure improvements and lead & asbestos abatement)	
Building Demolition	\$24,000.00
Selective Interior Demolition	\$70,250.00
Site Preparation & Utilities	\$0.00
Infrastructure Improvements	\$84,105.00
10% Architectural / Engineering	\$17,835.50
Asbestos Abatement	\$8,475.00
Lead Abatement	\$5,625.00
15% Abatement Supervision	\$2,115.00

Engineering, Design, Testing & Supt/GCs	\$27,311.99
Consulting Services	
MSF Review Fees	NA
15% Contingency based on all eligible investments (potentially add 33,546.60)	\$31,860.83
Projected Totals	\$271,578.31

TIF: Tax Increment Financing

The costs listed in the **TIF Eligible Cost of Redevelopment Activities Showing MSF Specific Costs** (table above) are estimated costs, and may increase or decrease depending on unknown conditions encountered on the Property. No costs of eligible activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the approved Plan. This Plan will dictate the total cost of eligible activities subject to reimbursement, provided that the total cost of eligible activities subject to reimbursement shall not exceed the estimated costs set forth above, without requiring an amendment to this Plan. As long as the total costs are not exceeded, line items costs of eligible activities may be adjusted after the date of this Plan as approved by the Authority/Governing Body, to the extent adjustments do not violate the terms of the approved Michigan Economic Growth Authority Act 381 Work Plan.

3.2 ESTIMATE OF CAPTURED TAXABLE VALUE AND TAX INCREMENT REVENUES (MCL 125.2663 (1)(c))

The Developer has received an Obsolete Properties Rehabilitation Act (OPRA) tax abatement from the City of Ypsilanti and the State Tax Commission for 12 years (the Obsolete Property Rehabilitation Exemption Certificate is provided in **Attachment E**, Therefore; local taxes on the building have been frozen. The State of Michigan Treasury Department has granted an OPRA abatement on 50% of the school operating taxes for the first six years. The Plan proposes capturing the available tax increment revenues attributable to school operating taxes, because the local taxes on the building have been frozen. The total estimated cost of the eligible activities to be reimbursed through the capture of tax increment revenue attributable to school operating taxes is \$271,578.31 The Developer shall invest approximately \$7 million in personal and real property improvements on the Property. Redevelopment of the Property is expected to initially generate incremental taxable value in 2016 with the first significant increase in taxable value of approximately \$1.6 million. It is estimated that the 2016 through 2026 tax increment revenues attributable to school operating taxes will be captured. This annual reimbursement will enable the Developer to justify the debt to income ratio with the lender, additionally it will allow for the project to flourish in a protected fiscal situation in its formative years.

Captured incremental taxable value and associated tax increment revenue will be based on the annual increased taxable value from the actual taxable improvements on the Property, and the millage rates attributable to school operating taxes.

3.3 METHOD OF FINANCING AND DESCRIPTION OF ADVANCES BY THE MUNICIPALITY (MCL 125.2663(1)(d))

Project costs are to be financed by the Developer. The Authority will reimburse the Developer for the cost of approved eligible activities, but only from tax increment revenues attributable to school operating taxes generated from the Property. No advance has been made or shall be made by the City, Authority, or the Governing Body for the costs of eligible activities under this Plan.

3.4 MAXIMUM AMOUNT OF NOTE OR BONDED INDEBTEDNESS (MCL 125.2663(1)(e))

Project costs are to be financed by the Developer and the Authority/Governing Body shall not incur any note or bonded indebtedness to finance the purposes of this Plan.

3.5 DURATION OF BROWNFIELD PLAN (MCL 125.2663(1)(f))

The duration of the Brownfield Plan for eligible activities on eligible property shall not exceed 35 years following the date of the governing body resolution approving the Plan amendment. The date of tax capture shall commence during the year construction begins or the immediate following year, but the beginning date of tax capture shall not exceed five years beyond the date of the governing body resolution approving the Plan amendment. Tax increment revenue capture shall not exceed 30 years.

3.6 ESTIMATED IMPACT OF TAX INCREMENT FINANCING ON REVENUES OF TAXING JURISDICTIONS (MCL 125.2663(1)(g))

The following table presents a summary of the tax increment revenues, generated by the taxing jurisdictions, which will be captured by the Authority to reimburse eligible activities under this Plan. 69,272.52

TAXES CAPTURED BY TAXING JURISDICTION

Taxing Jurisdiction	Total
State Education Tax (SET)	\$ 68,243.07
School Operating	\$ 203,335.24
TOTAL Collected	\$ 271,578.31

Additional information related to the impact of tax increment financing on the various taxing jurisdictions is presented in **Attachment C.2**.

3.7 MICHIGAN BUSINESS TAX CREDIT

The Property is included in this Plan to enable “qualified taxpayers” as defined by Michigan Public Act 36 of 2007, as amended, Michigan Business Tax (MBT) Act, to avail themselves of eligibility for a credit against their Michigan Business Tax liability for eligible investments incurred on the Property after the adoption of this Plan. Eligible investment is estimated at approximately \$7 Million.

By approval of this Plan, the City, Authority, and Governing Body do not intend to make, nor have made representation to a developer or any other person of the availability, amount or value of any credit under the MBT Act or that adoption of this Plan will qualify or entitle a developer or any other person to apply for or receive pre-approval or approval of any credit under the MBT Act for the Property. The City, Authority, and Governing Body also assume no obligation to take any action or to modify or amend this Plan to facilitate or to allow any person to receive pre-approval or approval of any credit under the MBT Act for the Property.

3.8 LEGAL DESCRIPTION, PROPERTY MAP AND PERSONAL PROPERTY (MCL 125.2663(1)(h))

Attachment B includes a legal description of the Property, **Attachment A.1** provides a property location map and **Attachment A.2** provides a map of the eligible property boundaries.

The Property is considered “eligible property” as defined by Act 381, Section 2 because (a) the Property was previously utilized for commercial purpose; (b) it is located within the City of Ypsilanti, a qualified local government unit under Act 381; and (c) the Property is determined to be functionally obsolete and blighted as defined by Act 381. **Attachment D** provides an affidavit from a Level 3 Assessor determining the building to be functionally obsolete.

3.9 ESTIMATES OF RESIDENTS AND DISPLACEMENT OF FAMILIES (MCL 125.2663(1)(i))

There are no persons residing on the Property to which this Plan applies and, therefore there are no families to be displaced.

3.10 PLAN FOR RELOCATION OF DISPLACED PERSONS (MCL 125.2663 (1)(j))

There are no persons residing on the Property to which this Plan applies and, therefore there are no families to be displaced.

3.11 PROVISIONS FOR RELOCATION COSTS (MCL 125.2663 (1)(k))

There are no persons residing on the Property to which this Plan applies and, therefore there are no families to be displaced.

3.12 STRATEGY FOR COMPLIANCE WITH MICHIGANS RELOCATION ASSISTANCE LAW (MCL 125.2663 (1)(l))

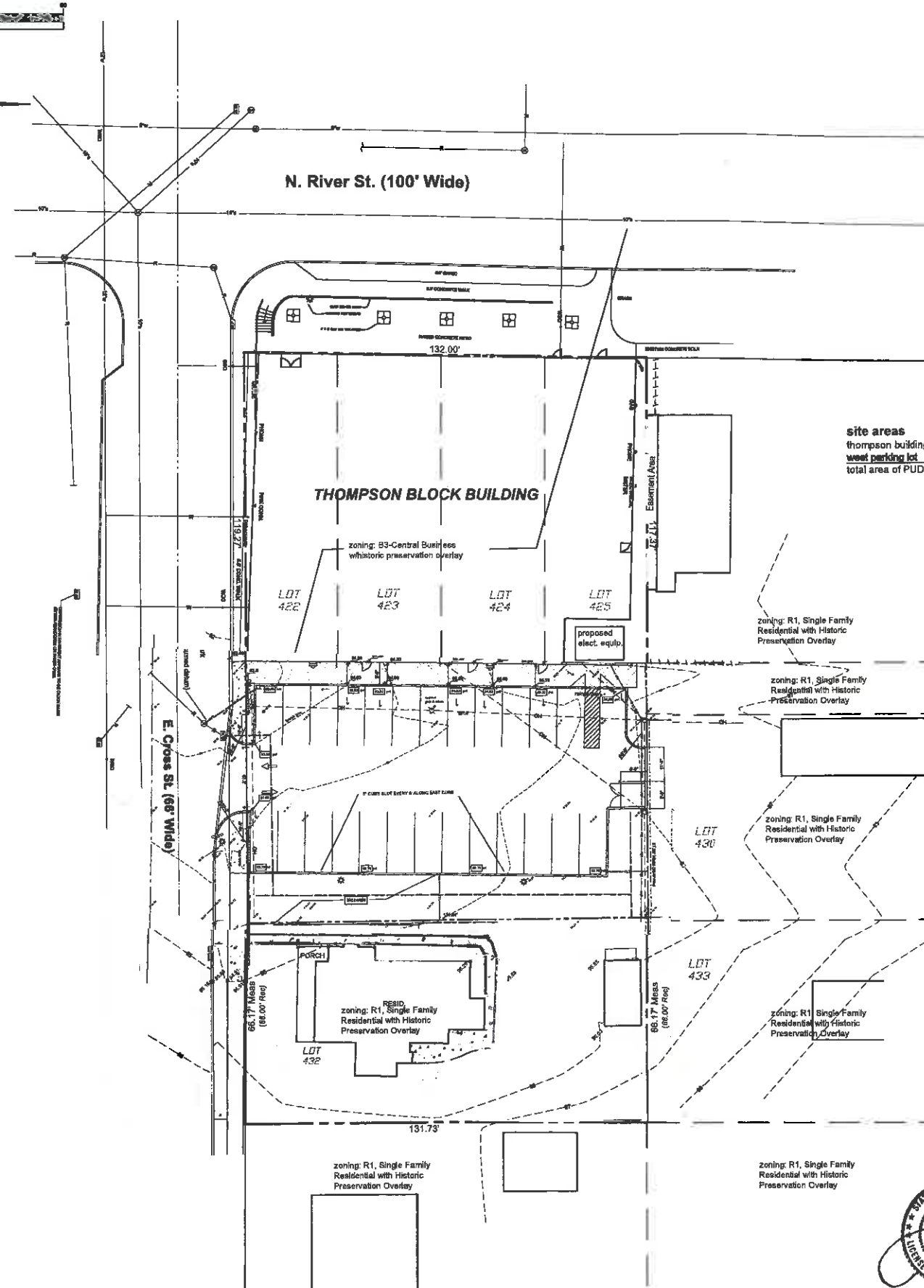
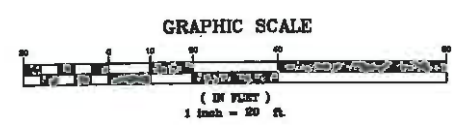
There are no persons residing on the Property to which this Plan applies, and therefore there is no need for compliance with Act 227 of the Public Acts of 1972, being Section 213.321 to 213.332 of the Michigan Compiled Laws.

3.13 DESCRIPTION OF PROPOSED USE OF LOCAL SITE REMEDIATION REVOLVING FUND (MCL 125.2663 (1)(m))

Tax increment revenue will not be deposited in the Authority's Local Site Remediation Revolving Fund as part of this Plan

3.14 OTHER MATERIAL THAT THE AUTHORITY OR GOVERNING BODY CONSIDERS PERTINENT

None



site areas
thompson building (including alley to be vacated): 15,637.42 sq. ft. 0.36 acres
west parking lot: 8,846.58 sq. ft. 0.20 acres
total area of PUD: 24,384.00 sq. ft. 0.56 acres

Sec. 122-394. Area regulations.
No building or structure nor any enlargement thereof in a B3 central business district shall be erected except in conformance with the following lot area, yard, and building coverage requirements.
(1) Lot area and width. The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off-street parking, loading, screening, walls and yard setbacks as provided in this chapter for the respective uses and use districts.
(2) Front yard. Where all frontage on the same side of a street between two intersecting streets is located entirely within business zoning districts and where a setback has been established by 50 percent of such frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than five feet.
(3) Side yard. No side yards are required along the interior side lot lines if building walls are built of fire-retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.

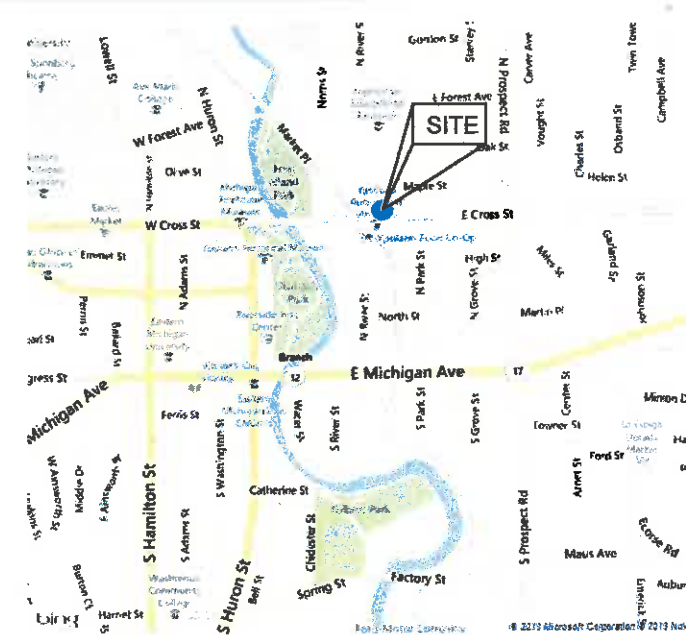


exemptions requested

setbacks:	required	exemption	result
rear yard:	25'	25'	0'
abutting residential:	25'	22'	3'

Landscaping: None
Parking: None
Screenwalls: yes not installed no walls

parking requirement
4 units of 2 bedrm apts: 2 space/unit = 8 spaces
12 units of 1 bedrm apts: 1-1/2 space/unit = 18 spaces
total required: 26 spaces
total provided: 26 spaces



PUD notes:
The existing Thompson Block Building and proposed parking lot (Lots 422-425, Lot 431 and the adjoining alley to be vacated) comprise the proposed PUD.
The existing apartment building to the east is not part of the PUD application and is shown here for context purposes.
A recorded easement to allow the use of a portion of 414 N. River for the addition of a fence, and to allow for securing fence and gate to house located there will be required prior to the start of construction.
The base underlying zoning for this PUD application is B-3, Central Business.
Minimum Size -Sec.122-573(2): 1/2 acre if the proposal involves a historically significant structure.



MASON BROWNS ASSOCIATES, LLC
CIVIL ENGINEERS & SURVEYORS
2708 BRIDLE ROAD
BLOOMFIELD HILLS, MICHIGAN 48304
(248) 425-9798
mason.brown@mbaassoc.com

THOMPSON BLOCK PUD PLAN
Lots 422-425 & 431, M. Norris Addition

THOMPSON BLOCK PARTNERS, LLC
Ann Arbor, MI 48103 1107 East Cross Street, City of Ypsilanti
221 Felch Street Suite 6

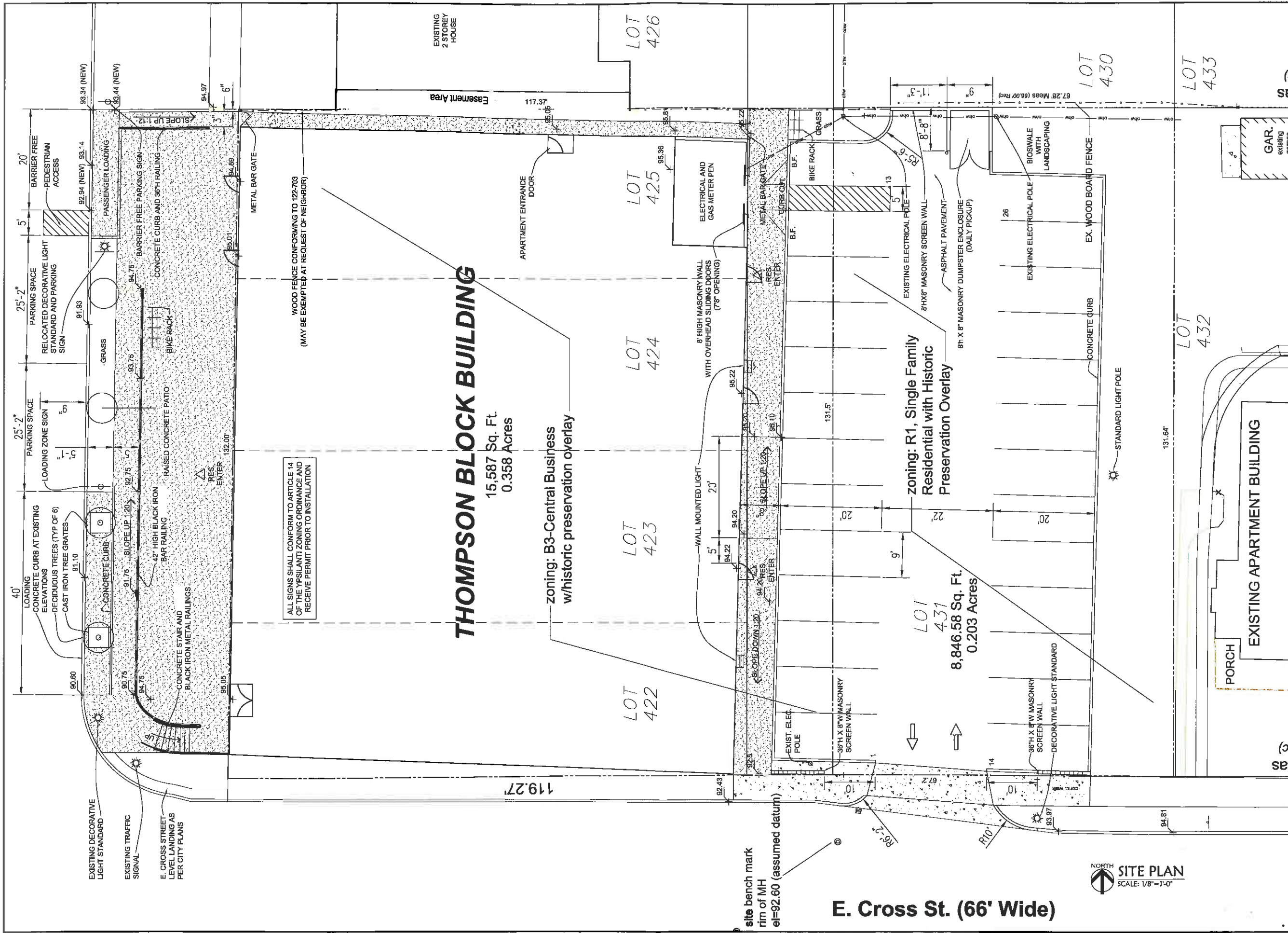
2015-12-03	2015-07-18	2015-05-19
REVISIONS	PER CLIENT	PER CITY
DESIGN: ---	DRAWN: m	CHECKED: m
13-014.DWG	FIELD OK: m	

SCALE:
as shown

DATE:
07-15-13

JOB NO.
13-014

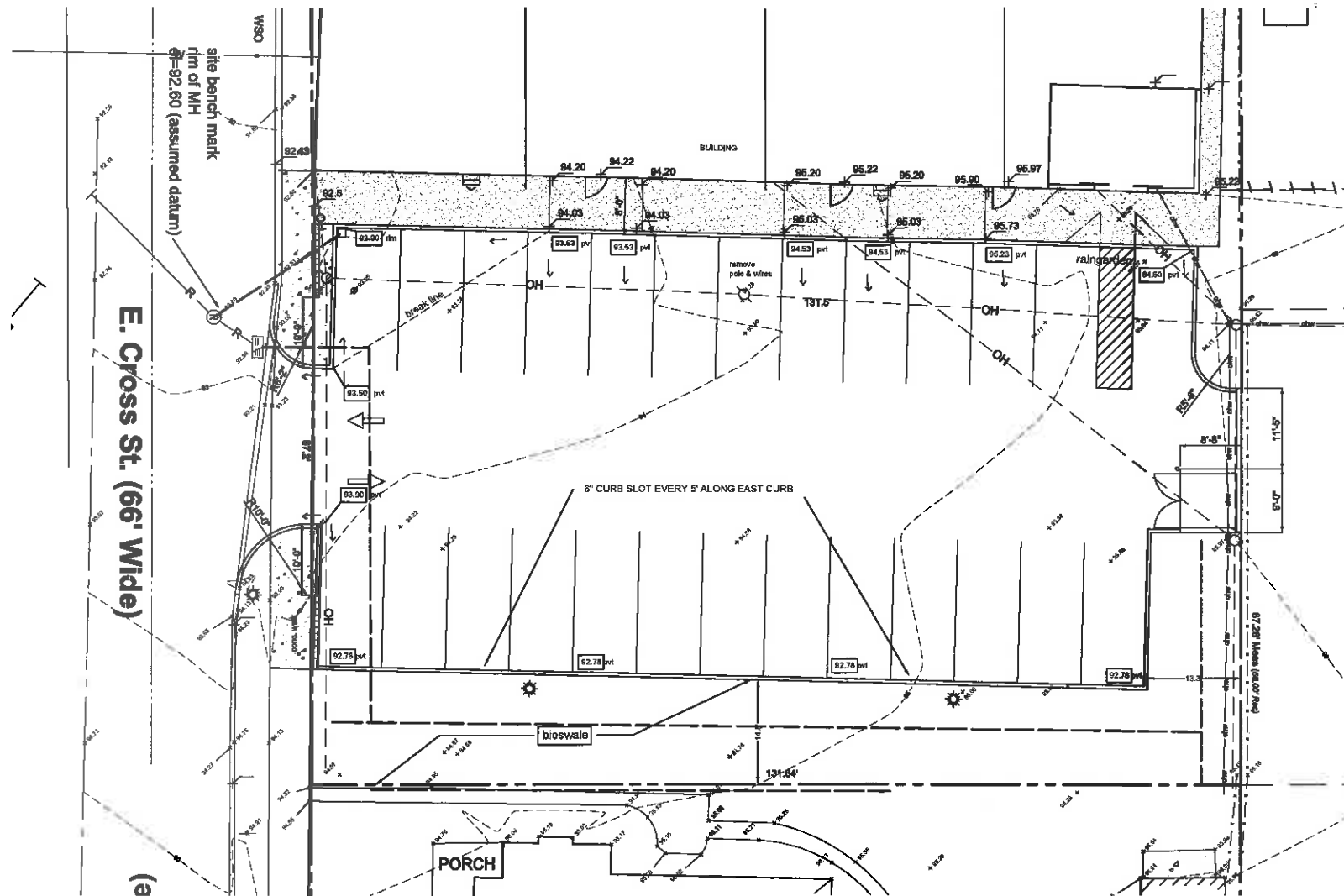
SHEET
1



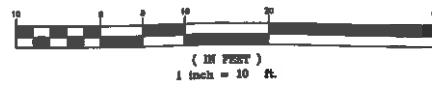
ARCHITECTURAL SITE PLAN THOMPSON BLOCK DEPOT TOWN 400 NORTH RIVER ROAD YPSILANTI, MICHIGAN	Job No. 1302	 <i>David J. Vander</i>	Drawing No. A-1	DO NOT SCALE DRAWINGS			
				ARCHITECTURAL SITE PLAN			
				THOMPSON BLOCK			
				DEPOT TOWN			
				400 NORTH RIVER ROAD			
				YPSILANTI, MICHIGAN			
				David J. Vander Architect PC			
				planting • architecture • interiors			
				420 South Water Street Marine City, Michigan 48039 586-721-3410			
				David Vander Architect PC planting • architecture • interiors			



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GRAPHIC SCALE



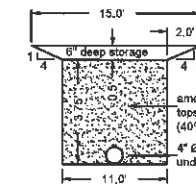
DETENTION CALCULATION

PAVT AREA	=	0.255 acre
ROOF AREA	=	0 acre
WATER SURFACE AREA	=	0 acre
SEMI-PERVIOUS AREA	=	0.03 acre
TOTAL AREA	=	0.315 acre

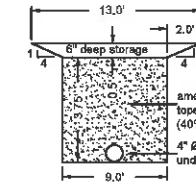
USE HYDROLOGIC SOIL GROUP B, SLOPE BETWEEN 1% AND 3% = 0.25

$$C = (ROOF + PAVT)(0.65) + (WATER)(1.00) + (SEMI-PERVIOUS)(0.25) / SITE AREA$$
$$C = 0.817$$
$$Q_p = (0.15 \text{ cfs/acre})(area) = 0.04725 \text{ CFS}$$
$$Q_p = Q_p / AC = 0.18 \text{ CFS/ACRE-IMP}$$
$$T = 25 + \sqrt{Q_p(10312.5/Q_p)} = 211.65 \text{ MIN.}$$
$$V_s = (16500T)(1+25) / (6000T) = 13,201.94 \text{ CF/ACRE-IMP}$$
$$V_t = V_s \times AC \times C = 3,396.20 \text{ CF}$$

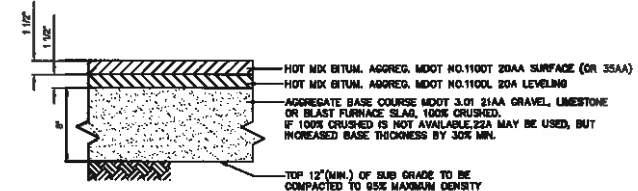
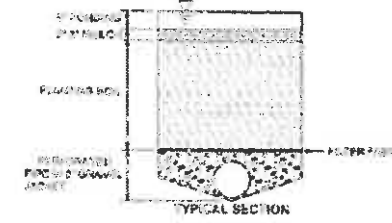
detention provided



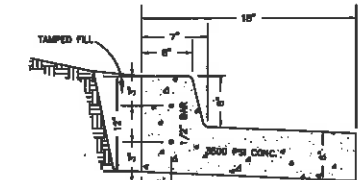
bioswale along east property line:
 $A = 11 \times 0.5 \times 2 \times 0.5 = 5.50$
 $+ 11 \times 3.75 \times 40\% = 16.50$
 $+ 4' \times 0.5 = 0.08$
Total = 22.08 sf
length = 123 ft
 $V = 22.08 \text{ sf} \times 123 \text{ ft} = 2,840 \text{ cf}$



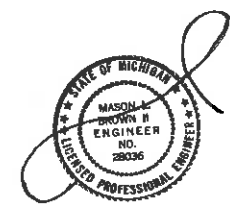
bioswale along north property line:
 $A = 9 \times 0.5 \times 2 \times 0.5 = 5.50$
 $+ 9 \times 3.5 \times 40\% = 12.60$
 $+ 4' \times 0.5 = 0.08$
Total = 18.18 sf
length = 35 ft
 $V = 18.18 \text{ sf} \times 35 \text{ ft} = 637 \text{ cf}$
total storage = 2840 + 637 = 3477 cf



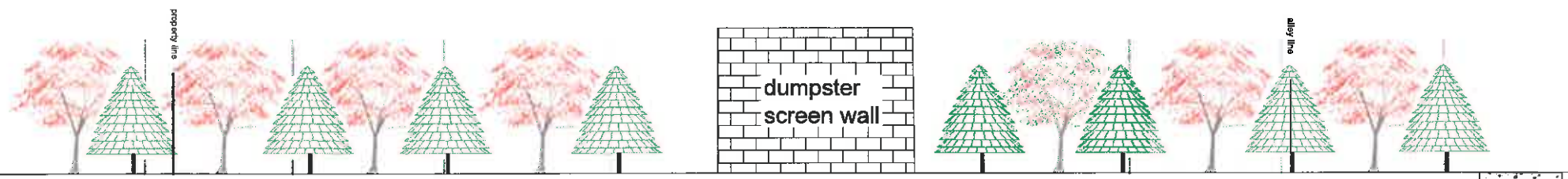
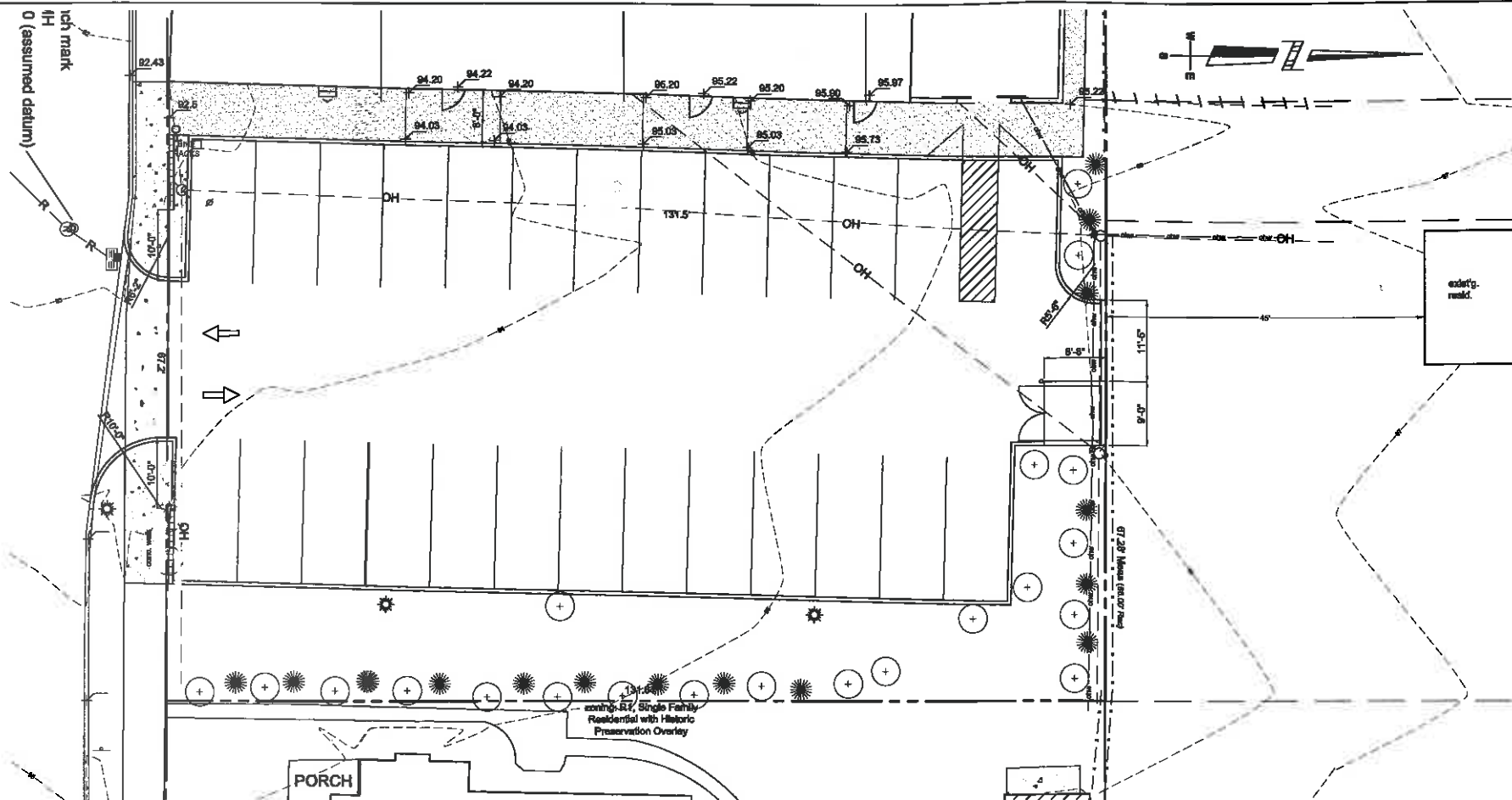
ASPHALT PAVING DETAIL



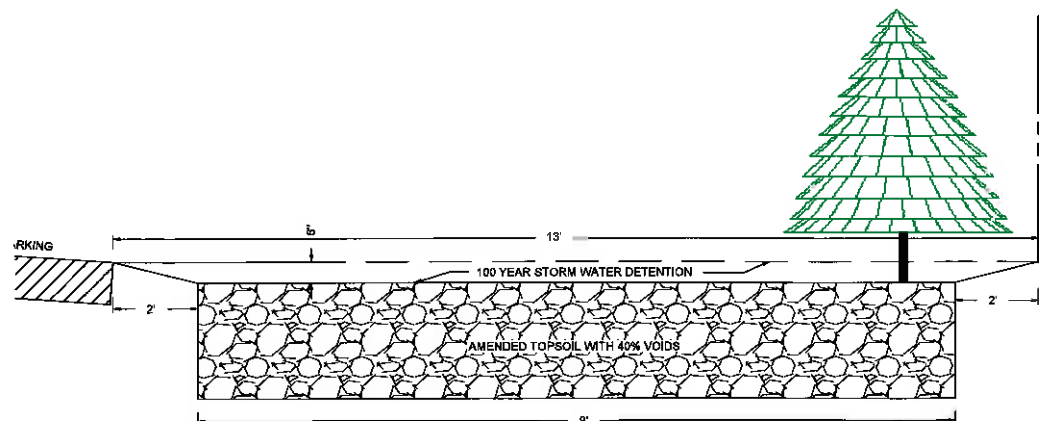
SPILL - OUT CURB & GUTTER



MASON BROWN ASSOCIATES, LLC CIVIL ENGINEERS & SURVEYORS 2708 BRIDLE ROAD BLOOMFIELD HILLS, MICHIGAN 48304 (248) 425-9789 mason_brown@abglobal.net		THOMPSON BLOCK PARTNERS, LLC 221 Fitch Street Suite 6 Ann Arbor, MI 48103 2013-12-03 2013-07-16 2013-03-16 2013-03-13		PROPOSED PARKING LOT GRADING & DETENTION PLAN Lot 431, M. Norris Addition Washtenaw County, Michigan	
REVISIONS	DESIGN	13-014-DWG	13-014-DWG	13-014-DWG	13-014-DWG
PER CLIENT	DRAWN	MB	MB	MB	MB
PER CITY & CLIENT	CHECKED	MB	MB	MB	MB
FIELD OR NOT	FIELD OR NOT	FIELD OR NOT	FIELD OR NOT	FIELD OR NOT	FIELD OR NOT
SCALE:	as shown	as shown	as shown	as shown	as shown
DATE:	07-13-13	07-13-13	07-13-13	07-13-13	07-13-13
JOB NO.	13-014	13-014	13-014	13-014	13-014
SHEET	3	3	3	3	3



Elevation along North Bioretention Swale
1" = 4'



Section thru North Bioretention Swale
1" = 2'

LANDSCAPING:

ON SITE PARKING PROVIDED: 31 SPACES TOTAL

PARKING LOT TREES

1 TREE/8 SPACES x 26 SPACES = 3 REQUIRED
STREET FRONTAGE TREES: 1 TREE/30' x 67' = 2 REQUIRED
STREET ORNAMENTAL DECIDUOUS TREES: 1/20'x67' = 3 REQUIRED
TOTAL REQUIRED = 8
TOTAL FRONTAGE & PARKING LOT TREES PROVIDED = 8

SCREENING ALONG NORTH & EAST PROPERTY LINES

SINCE BIORETENTION IS PROPOSED IN THESE AREAS, NO SCREEN WALL IS PROPOSED. AN EXEMPTION WILL BE REQUESTED.

SCREENING PLANTS

A TOTAL OF 19 DECIDUOUS TREES AND 17 EVERGREEN TREES, ALL WATER TOLERANT ARE PROPOSED.

SEE PLAN FOR LOCATION AND LANDSCAPE LEGEND FOR SPECIES.

ALL LANDSCAPING TO COMPLY WITH CITY REQUIREMENTS.

LANDSCAPE AREAS

REQUIRED = 10% OF TOTAL AREA OF
= 10% x (24,384) = 2,438 SQ. FT.
PROVIDED = 2,490 SQ. FT. = 10.2%

Landscape Legend	
NUMBER	
17	Viburnum 2.5" min. caliper
15	Fuqua Occidentalis (American Arborvitae) 6' min. height
2	Arborvitae 3' min. height
	Stormwater Seed Mix as distributed by JF New (or approved equal).

Sec. 122-711. Installation, maintenance, and completion.

- All landscaping required by this Ordinance shall be planted before obtaining a Certificate of Occupancy or the appropriate final plat, as set forth in Section 122-135, shall be placed in place in the amount of the cost of landscaping to be released only after landscaping is completed.
- All landscaping and landscape elements shall be planted and earth moving or grading performed, in a sound workmanlike manner according to accepted planting and grading procedures.
- All plant material shall be maintained to good condition so as to present a healthy, neat and orderly appearance and shall be trimmed or pruned in such a manner so as to not alter their natural growth potential.
- The owner of property required to be landscaped by this Ordinance shall maintain such landscaping in a strong and healthy condition, free from physical damage or injury arising from lack of water, chemical damage, insects, diseases, blight or other causes.

All materials used to satisfy the requirements of this Ordinance which become unhealthy or dead shall be replaced within six (6) months of damage or death or the next appropriate planting period, whichever comes first.

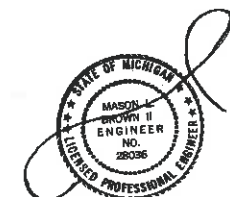
- All landscaped areas shall be provided with a readily available and acceptable water supply. Irrigation systems shall be installed, utilized and maintained in order to ensure the proper watering of all plant materials on the site.

Table 1
Long-Term Maintenance Schedule
Thompson Block, Ypsilanti, MI

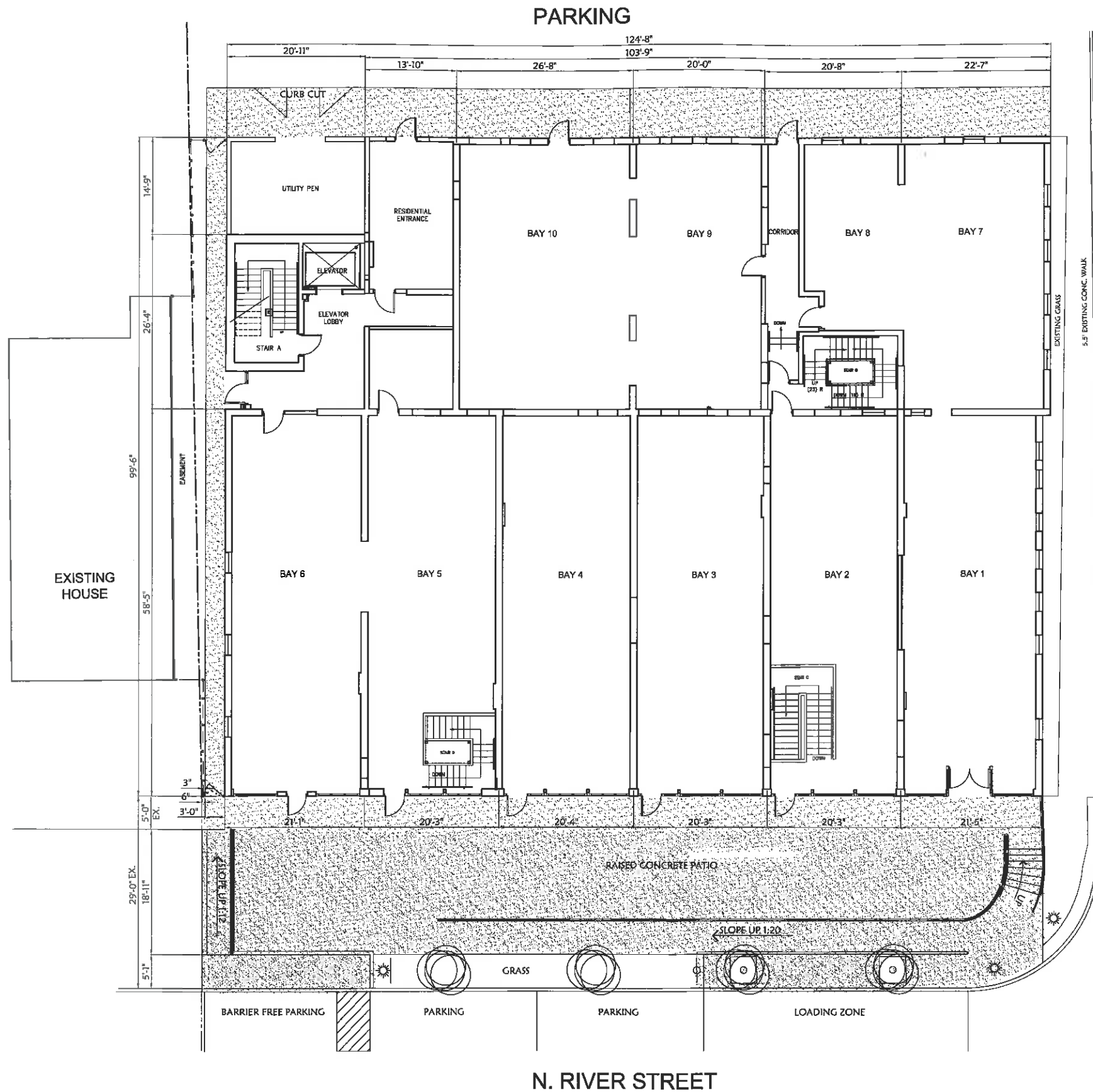
Maintenance Activities	System Component	
	Bioretention	Frequency
Monitoring/Inspection		
-Inspect for sediment accumulation/clogging of stone filter	X	Annually
-Inspect for floatables, dead vegetation & debris	X	Annually & after major events
-Inspect for erosion & integrity of system	X	Annually & after major events
-Inspect all components during wet weather & compare to as-built plans	X	Annually
-Monitor plantings/vegetation	X	2 times per year
-Ensure means of access for maintenance remain clear/open	X	Annually
Preventative Maintenance		
-Remove accumulated sediment	X	As needed**
-Remove floatables, dead vegetation & debris	X	As needed
-Re-apply/replace mulch layer	X	Reapply every 6 months. Replace every 2 years
-Replace subsurface components (e.g., soil, underdrain systems, etc.)	X	Every 5 years or as needed (e.g., when water ponds more than 6 hours)
-Remove invasive plant species	X	Annually
Re-medial Actions		
-Rehabilitate areas of erosion	X	As needed
-Replace dead plantings, bushes, trees	X	As needed
-Re-seed bare areas	X	As needed
-Structural repairs	X	As needed
-Make adjustments/repairs to ensure proper functioning	X	As needed



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11/17/2013 12:43:41 PM



MAIN FLOOR PLAN
SCALE: 1/8"=1'-0"

Issued For	
Drawn	DL
Design	DL
Check	DL
Approved	DL

420 South Water Street
Marine City, Michigan 48039
586-921-3410

David Lander Architect PC
planning • architecture • interiors

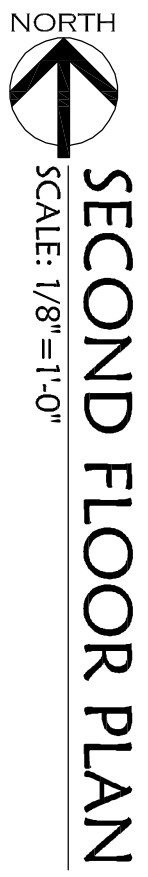
**MAIN FLOOR PLAN
THOMPSON BLOCK**
DEPOT TOWN
400 NORTH RIVER ROAD
YPSILANTI, MICHIGAN

DO NOT SCALE DRAWINGS

Job No.
1302

DAVID LANDER
ARCHITECT
No. 34181
LICENSED ARCHITECT

Drawing No.
A-2



Drawn	Date	Issued For
DL	2013.08.16	SPA
Designed	2013.09.09	SPA RI
-	-	-
-	-	-
Checked	-	-
-	-	-
-	-	-
Approved	-	-
DL	-	-

420 South Water Street
Marine City Michigan
48039
586-921-3410



SECOND FLOOR PLAN THOMPSON BLOCK

DEPOT TOWN
400 NORTH RIVER ROAD
YPSILANTI, MICHIGAN

DO NOT SCALE DRAWINGS

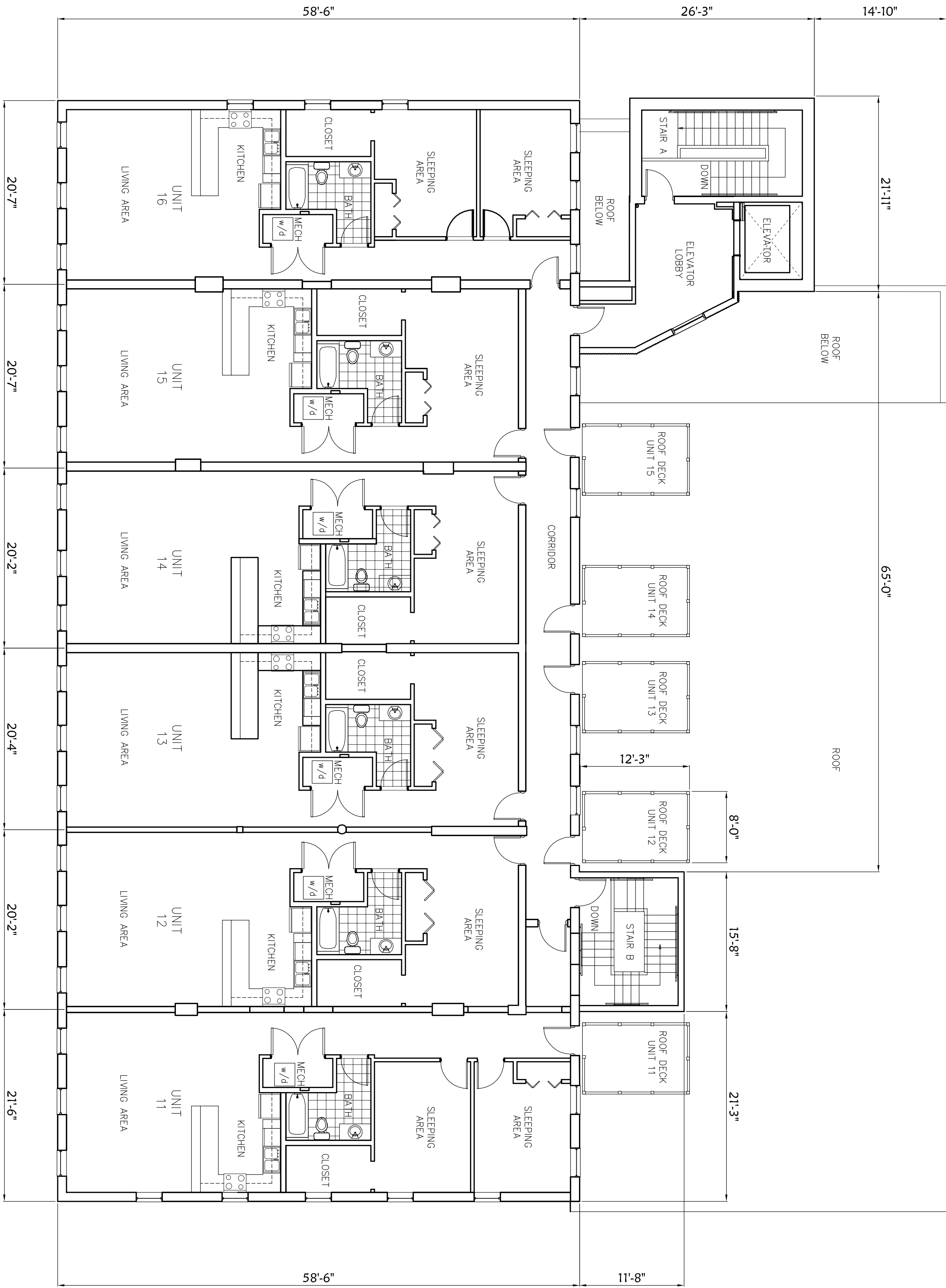
Job No.

1302



Drawing No.

A-4



NORTH
THIRD FLOOR PLAN
SCALE: 1/8"=1'-0"

Drawn	Date	Issued For
DL	2013.08.16	SPA
Designed	2013.09.09	SPA_R1
-	-	-
Checked	-	-
-	-	-
Approved	-	-
DL	-	-



THIRD FLOOR PLAN
THOMPSON BLOCK
DEPOT TOWN
400 NORTH RIVER ROAD
YPSILANTI, MICHIGAN

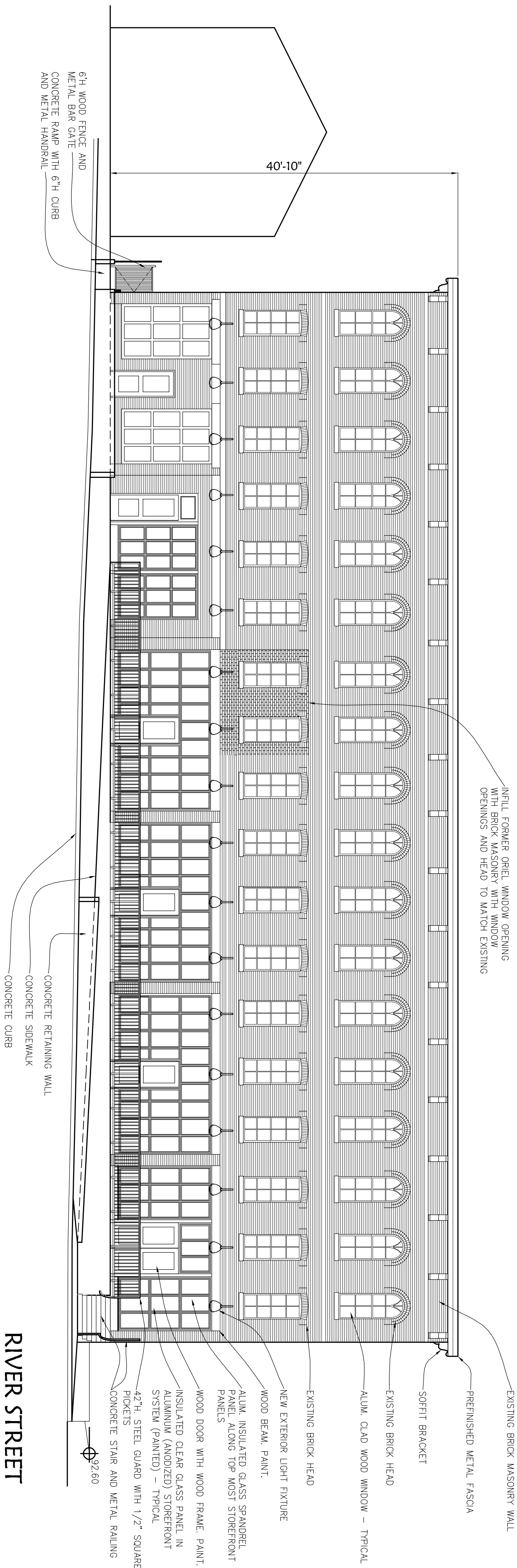
DO NOT SCALE DRAWINGS

Job No.
1302

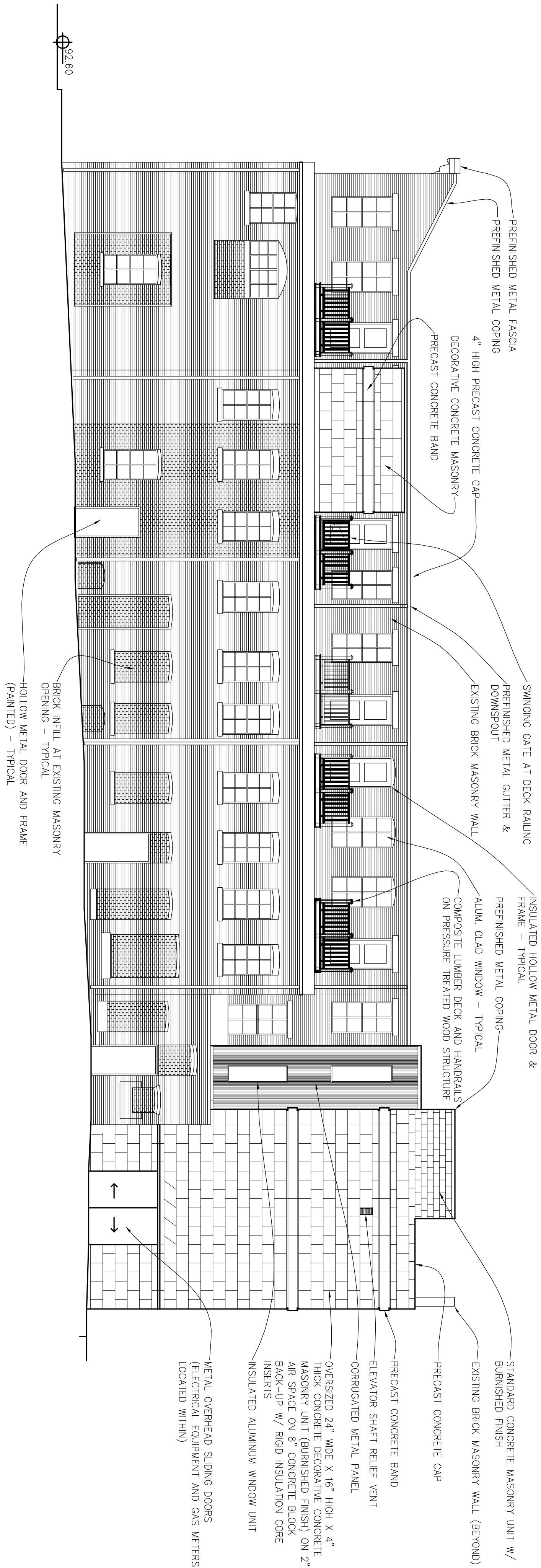


Drawing No.

A-5



RIVER STREET
WEST ELEVATION
SCALE: 1/8"=1'-0"



PARKING
EAST ELEVATION
SCALE: 1/8" = 1'-0"

Drawn	Date	Issued For
DL	2013.08.16	SPA
Designed	-	-
-	-	-
Checked	-	-
-	-	-
Approved	-	-
DL	-	-

420 South Water Street
Marine City Michigan
48039
586-921-3410



ELEVATIONS
THOMPSON BLOCK

DEPOT TOWN
400 NORTH RIVER ROAD
YPSILANTI, MICHIGAN

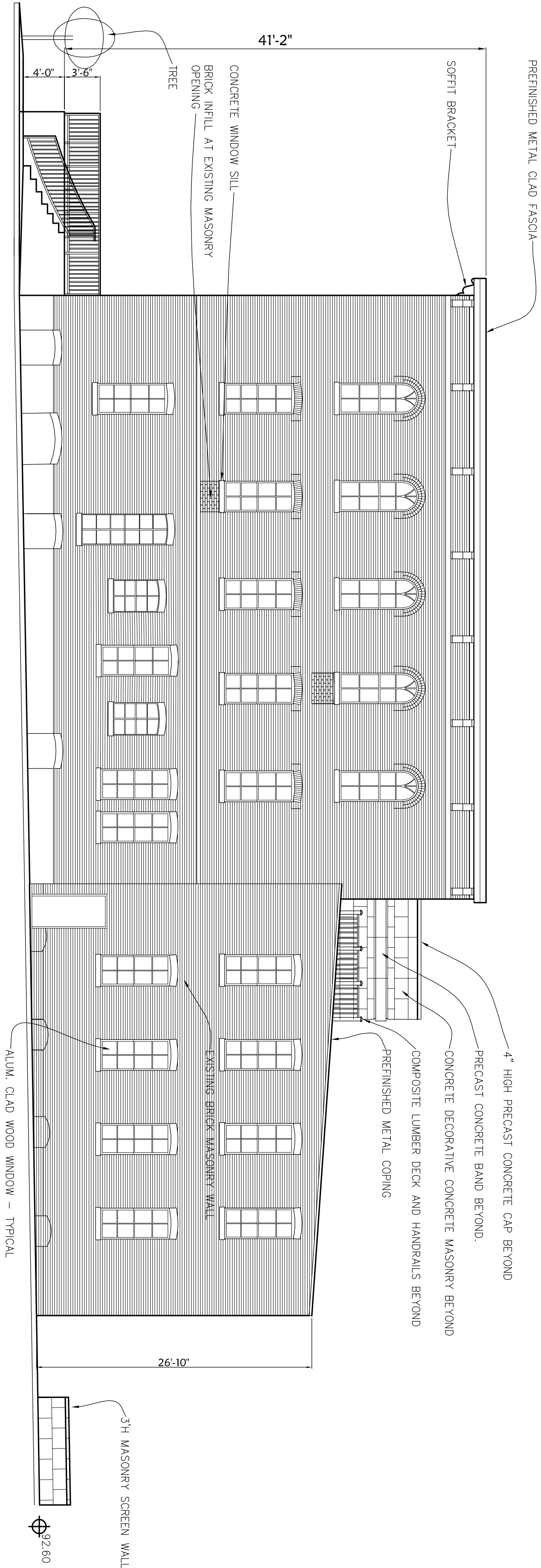
DO NOT SCALE DRAWINGS

Job No.
1302

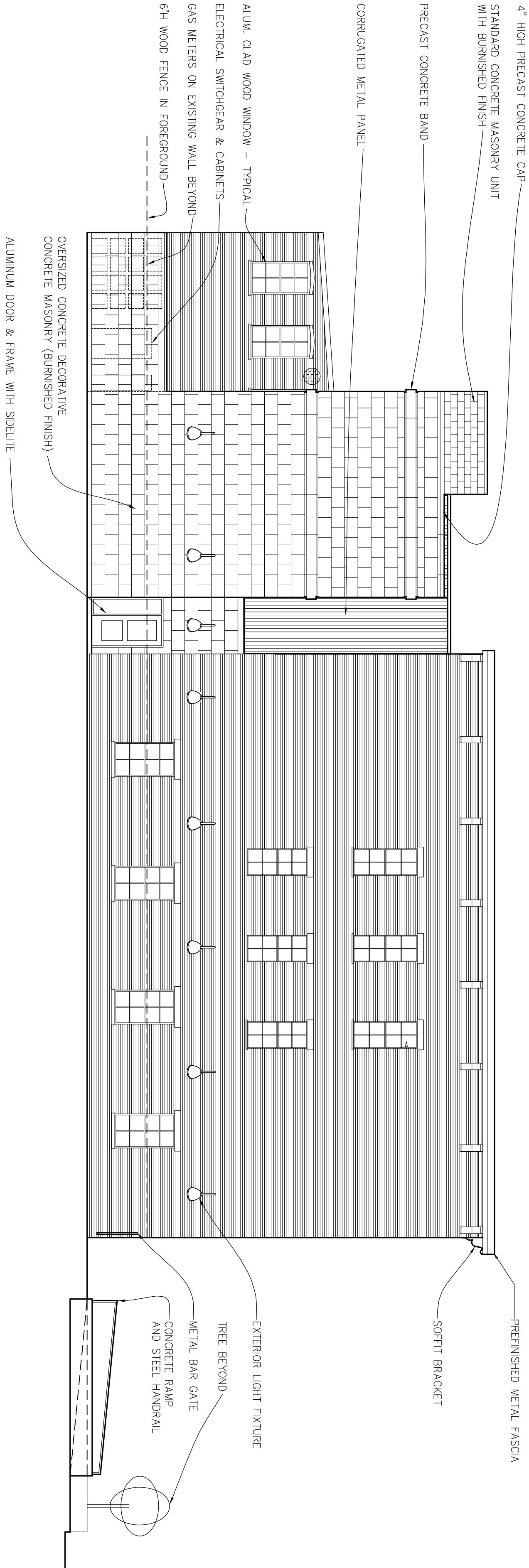


Drawing No.

A-6



EAST CROSS
WEST ELEVATION
SCALE: 1/8"=1'-0"



RESIDENTIAL
SOUTH ELEVATION
SCALE: 1/8"=1'-0"

Drawn	Date	Issued For
DL	2013.08.16	SPA
Designed	2013.09.09	SPA_R1
-	-	-
Checked	-	-
-	-	-
Approved	-	-
DL	-	-

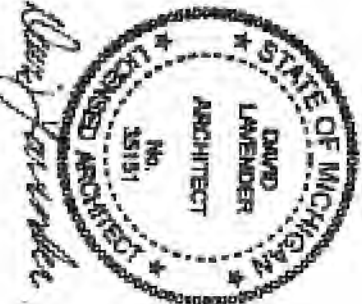


420 South Water Street
Marine City Michigan
48039
586-921-3410

ELEVATIONS
THOMPSON BLOCK
DEPOT TOWN
400 NORTH RIVER ROAD
YPSILANTI, MICHIGAN

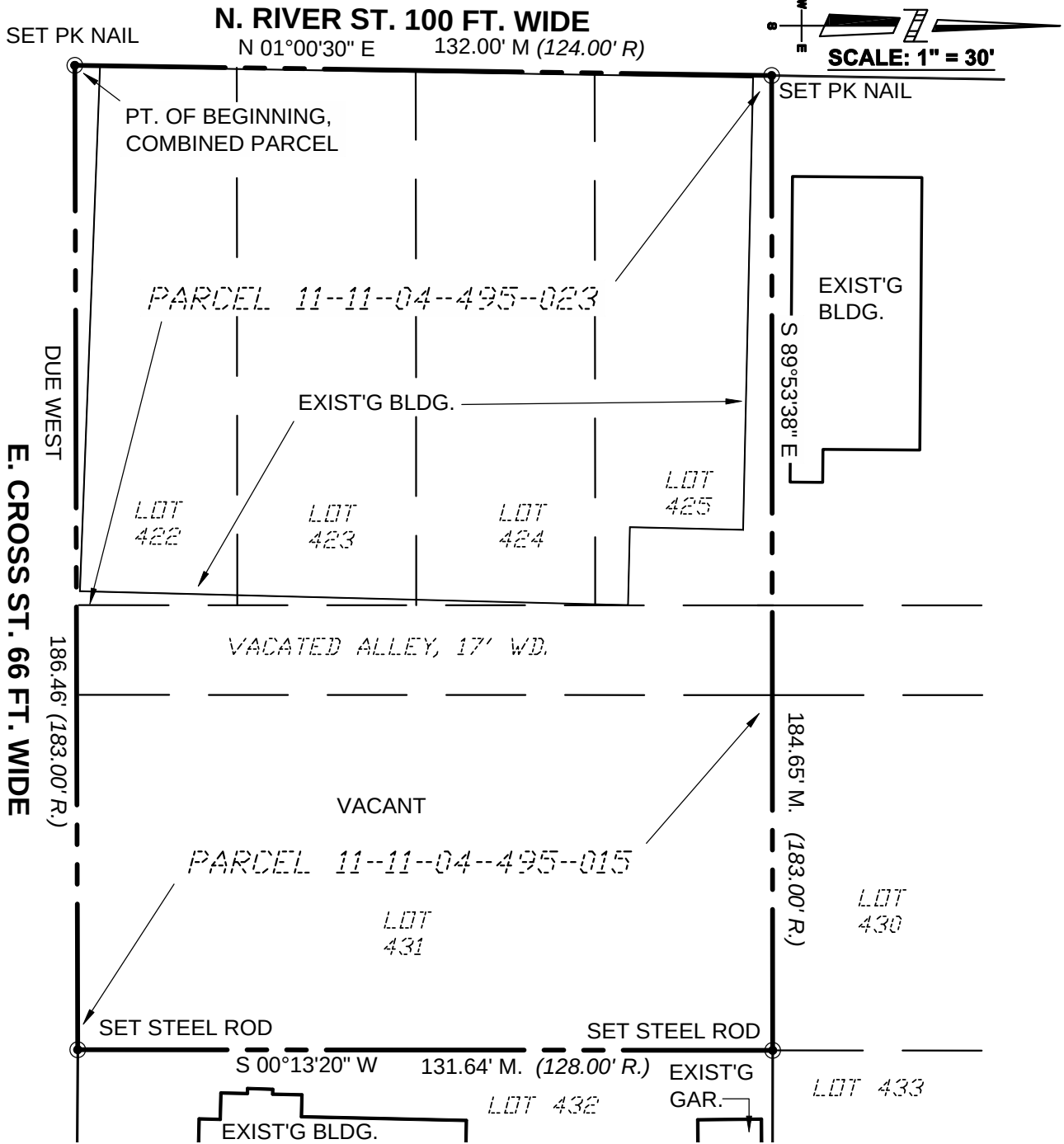
DO NOT SCALE DRAWINGS

Job No.
1302



Drawing No.

A-7



ORIGINAL LEGAL DESCRIPTIONS:

PARCEL 11-11-04-495-023

LOTS 422, 423, 424 AND 425, **M. MORRIS' ADDITION**, AS RECORDED IN LIBER N, PAGE 162, WASHTENAW COUNTY RECORDS.

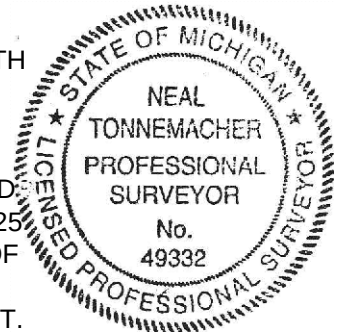
PARCEL 11-11-04-495-015

LOT 431, **M. MORRIS' ADDITION**, AS RECORDED IN LIBER N, PAGE 162, WASHTENAW COUNTY RECORDS.

COMBINED LEGAL DESCRIPTION:

LOTS 422, 423, 424, 425, 431 AND THE NORTH/SOUTH 17' WD. VACATED ALLEY LYING ADJACENT THERETO, **M. MORRIS' ADDITION**, AS RECORDED IN LIBER N, PAGE 162, WASHTENAW COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE SW CORNER OF SAID LOT 422, BEING ALSO THE INTERSECTION OF THE EAST LINE OF N. RIVER ST., 100' WD. WITH THE NORTH LINE OF E. CROSS ST., 66' WIDE; THENCE N.01°00'30"E. 132.00 FT. ALONG THE WEST LINE OF SAID LOTS 422-425; THENCE S.89°53'38"E. 184.65 FT. ALONG THE NORTH LINE OF SAID LOTS 425 AND 431 AND THEIR EXTENTION ACROSS SAID VACATED ALLEY, THENCE S.00°13'20"W. 131.64 FT. ALONG THE EAST LINE OF SAID LOT 431; THENCE DUE WEST 186.46 FT. ALONG THE SOUTH LINE OF SAID LOTS 425 AND 431 AND THEIR EXTENTION ACROSS SAID VACATED ALLEY, TO THE POINT OF BEGINNING. CONTAINING 0.56 ACRES.

BEARINGS BASED ON THE NORTH LINE OF SAID E. CROSS ST. AS DUE EAST/WEST.



WE HEREBY CERTIFY that we have surveyed the parcel of land described and delineated hereon; that said plan is a true representation of a survey as performed by us and that there are no encroachments other than as shown hereon; that said survey was performed with an error of closure of 1:17,423; and that we have fully complied with the requirements of Section 3 of Act No. 132, Public Acts, 1970, as amended.

NOTE: SET IRON BARS 1/2" DIA. X 18" POINTS MARKED THUS "⊙"

⊙ = INDICATES FOUND IRON BAR

R = INDICATES RECORDED

M = INDICATES MEASURED IN FIELD

DATE OF SURVEY: MAY 23, 2013

FOR: THOMPSON BLOCK PARTNERS, LLC JOB NUMBER: 13-014C

MASON BROWNS ASSOCIATES, LLC
CIVIL ENGINEERS & SURVEYORS
2708 BRIDLE ROAD
BLOOMFIELD HILLS, MICHIGAN 48304
(248) 425-9789 mason_brown@sbcglobal.net

BY:

PE & LS, Mich. No. 49332

Thompson Block Partners LLC

221 Felch Street
Ann Arbor, Michigan 48103
734-662-6133 / 734-662-5869

Attachment B.1

Prepared by Fred J. Beal
1/31/2013
Updated for TBP 04/18/2013
Updated for LMF-CRP 05/24/2013
Updated with final site plans 08/01/2013

The Thompson Block Re-development

400 North River Street and 107 East Cross Street
Ypsilanti, Michigan 48197

Thompson Block As Designed with 107
East Cross Parking Lot

With \$4.4 Million in Construction Financing and \$2.9 Million in
Permanent Loans

Adaptive Reuse Analysis

A project of Thompson Block Partners LLC

Sources and Uses of Funds

Thompson Block Re-development as a mixed use project, including the owner's cost of temporary Fire Response / Façade Stabilization Work and Fire Repairs related to the September 23, 2009 fire incident, plus all costs to complete the buildout of the project for 2nd and 3rd floor loft apartments as envisioned in the JC Beal Construction Inc. drawings of March 8, 2008, 1st floor commercial units with basements below as discussed since, and the construction of an adjacent parking lot.

Sources of Funds

Construction Financing

Permanent Financing

Equity Investment:

Historic Equities Fund I (Prorated Value of Building)	\$200,000.00	\$200,000.00
Historic Equities Fund I (Cash previously applied to listed Uses)	\$230,000.00	\$230,000.00
107 East Cross Contribution	\$40,000.00	\$40,000.00
Investor Cash	\$75,000.00	\$75,000.00
Deferred Development Fee	\$970,280.00	\$970,280.00

Total Equity Investment	\$1,515,280.00	\$1,515,280.00
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Incentive Financing: Assumes Owner will transfer credits to affiliates for use internally

Historic Preservation Tax Credit Sale				
Federal	82.0%	20%	\$5,946,680.00	\$0.00
State Basic	85.0%	5%	\$5,946,680.00	\$0.00
State Enhanced	85.0%	15%	\$5,946,680.00	\$0.00
Brownfields (MBT) Tax Credit				
Basic / Urban Credit	85.0%	12.5%	\$2,990,265.00	\$0.00
New Market Tax Credits		Not contemplated	\$0.00	\$0.00
Conservation / Façade Easement Funds		Not contemplated	\$0.00	\$0.00

Total Incentive Financing	\$0.00	\$2,303,906.78
---------------------------	--------	----------------

Debt Financing

Private / Bank Financing	\$2,900,000.00	\$1,800,000.00
Tax Credit Bridge Loan	\$1,500,000.00	\$0.00
CRP Loan		\$1,100,000.00

Total Debt Financing	\$4,400,000.00	\$2,900,000.00
----------------------	----------------	----------------

Total Sources of Funds

\$5,915,280.00	\$6,719,186.78
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The Thompson Block Re-development

Uses of Funds

		Construction Financing	Permanent Financing
Land (Building) Cost:			
Thompson Block Purchase Price		\$200,000.00	\$200,000.00
107 East Cross Purchase Price		\$40,000.00	\$40,000.00
Closing & Finance Costs	NA	\$0.00	\$0.00
Total Land Cost		\$240,000.00	\$240,000.00
Site Planning, Building Design and Tax Credit Costs			
Misc Developer Services		\$25,000.00	\$75,000.00
Survey		\$12,500.00	\$12,500.00
Architecture & Engineering (Round 1 and 2)		\$190,000.00	\$200,000.00
Special Façade Engineering Costs		\$30,000.00	\$30,000.00
Re-submit for Historic / MBT Credits		\$10,000.00	\$10,000.00
Total Site Planning and Building Design Costs		\$267,500.00	\$327,500.00
Preconstruction Costs:			
Appraisal Costs (As-is, and As-completed)		\$10,000.00	\$10,000.00
Phase 1 Environmental Report		\$5,000.00	\$5,000.00
Phase 2 Environmental, incl. lead and asbestos		\$10,000.00	\$10,000.00
Tax Credit and Miscellaneous Legal Expenses		\$45,000.00	\$65,000.00
Deal Accounting and Cost Certification		\$25,000.00	\$50,000.00
Bank Fees: Financing / Processing / Closing Fees		\$45,000.00	\$80,000.00
Soft Cost Contingency		\$38,000.00	\$40,900.00
Total Preconstruction Costs		\$178,000.00	\$260,900.00
Construction Costs:			
400-408 North River: Prior Accumulated Construction Costs		\$0.00	\$200,000.00
400-408 North River: Resi-Comm Project Version	\$3,950,000.00		\$3,950,000.00
Site work and Utilities including 107 Parking Lot	"		"
Fire Stabilization and Cleanup Costs	"		"
Demolition and Abatement	"		"
Core / Shell, & Infrastructure Costs	"		"
Vertical Transportation Addition			
Apartment Build-out	"		"
Construction Administration	"		"
Building and misc permits	"		"
DTE / City utilities fees and costs			
Construction Contingency	"		"
Tenant Build-out Allowance			\$300,000.00
Builders Risk & Liability Insurance	\$40,000.00		\$40,000.00
Construction Finance Costs	\$110,000.00		\$160,000.00
		\$4,100,000.00	\$4,650,000.00
Building Operations (for the ownership period prior to occupancy)			
Utilities:	\$15,000.00		\$15,000.00
Property taxes:	\$50,000.00		\$50,000.00
Building Insurance	\$20,000.00		\$20,000.00
Maintenance and misc. expenses	\$10,000.00		\$10,000.00
Building Operations Contingency	\$9,500.00		\$9,500.00
Total Building Operations expenses		\$104,500.00	\$104,500.00
Marketing / Leasing Costs			
Marketing Program Costs	\$5,000.00		\$15,000.00
Outside Leasing Fees	\$0.00		\$26,000.00
Total Marketing / Leasing Costs		\$5,000.00	\$41,000.00
Reserves and Fees			
Development Fee (Deferred): 20% of Historic QRE's	\$970,280.00		\$970,280.00
Project Contingency and Reserve	\$50,000.00		\$125,000.00
Bridge Loan Repayment	\$0.00		\$0.00
Total reserves and fees		\$1,020,280.00	\$1,095,280.00
Total Uses of Funds		\$5,915,280.00	\$6,719,180.00

Thompson Block Partners LLC

221 Felch Street
Ann Arbor, Michigan 48103
734-662-6133 / 734-662-5869

Prepared by Fred J. Beal
1/31/2013
Updated for TBP 04/18/2013
Updated for LMF-CRP 05/24/2013
Updated with final site plans 08/01/2013

The Thompson Block Re-development

400 North River Street and 107 East Cross Street
Ypsilanti, Michigan 48197

Thompson Block As Designed with
107 East Cross Parking Lot

Adaptive Reuse Analysis

A project of Thompson Block Partners LLC

Sources and Uses of Funds

Page 3 Intentionally Left Blank

The Thompson Block Re-development

Tax Credit Rehabilitation Expense (QRE) Analysis

MBT Analysis	Federal and State Historic Credit Analysis	Land (Building) Cost:
\$0.00	\$0.00	Purchase Price
\$0.00	\$0.00	Closing & Finance Costs
		Total Land Cost
		Site Planning and Building Design Costs
\$75,000.00	\$75,000.00	Misc Pre-construction Services Costs
\$12,500.00	\$12,500.00	Survey
\$50,000.00	\$50,000.00	Architecture & Engineering
\$30,000.00	\$30,000.00	Special Façade Investigation Costs
\$10,000.00	\$10,000.00	Re-submit for Historic / MBT Credits
		Total Site Planning and Building Design Costs
		Preconstruction Costs:
\$10,000.00	\$10,000.00	Appraisal Costs (As-is, and As-comp
\$5,000.00	\$5,000.00	Phase 1 Environmental Report
\$10,000.00	\$10,000.00	Phase 2 Environmental, incl. lead and asbestos
\$0.00	\$25,000.00	Tax Credit and Miscellaneous Legal Expenses
\$0.00	\$25,000.00	Deal Accounting and Cost Certification
\$0.00	\$80,000.00	Bank Fees: Financing / Processing / Closing Fees
\$40,900.00	\$40,900.00	Soft Cost Contingency
		Total Preconstruction Costs
		Construction Costs:
\$0.00	\$75,000.00	400-408 North River: Prior Accumulated Construction Costs
\$3,950,000.00	\$3,950,000.00	400-408 North River: All Residential Project Version
"	"	Site work and Utilities
"	"	Fire Stabilization and Cleanup Costs
"	"	Demolition and Abatement
"	"	Core / Shell, & Infrastructure Costs
"	-\$150,000.00	Vertical Transportation Addition
"	"	Apartment Build-out
"	"	Construction Administration
"	"	Building and misc permits
"	"	DTE / City utilities fees and costs
"	"	Construction Contingency
\$300,000.00	\$300,000.00	Tenant Build-out Allowance
\$0.00	\$40,000.00	Builders Risk & Liability Insurance
\$0.00	\$160,000.00	Construction Finance Costs
		Total Construction Costs
		Building Operations (for the ownership period prior to occupancy)
\$0.00	\$15,000.00	Utilities:
\$0.00	\$30,000.00	Property taxes:
\$0.00	\$20,000.00	Building Insurance
\$0.00	\$15,000.00	Maintenance and misc. expenses
\$0.00	\$8,000.00	Building Operations Contingency
		Total Building Operations expenses
		Marketing / Leasing Costs
\$0.00	\$15,000.00	Marketing Program Costs
\$0.00	\$0.00	Leasing Fees
		Total Marketing / Leasing Costs
\$0.00	\$970,280.00	Development Fee (Deferred): 20% of Historic QRE's
\$0.00	\$125,000.00	Project Contingency and Reserve
		Total reserves and fees
\$4,493,400.00	\$5,946,680.00	Total Qualified Rehabilitation Expenses (QRE's)

MBT Credit approved
with QRE of
\$2,990,265.00 unless
amended

\$2,990,265.00

Amended Brownfield Redevelopment Plan - Historic Thompson Block
ATTACHMENT C, TABLE 2.1

2-24-2014

Taxable value Frozen for OPRA adjustment

400 N. River	56600
408 N. River	39708
107 E. Cross	13,000
Total	109308

Post Development True Market Value

400 North River	\$ 2,000,000.00
408 N. River	\$ 1,000,000.00
107 E. Cross	\$ 200,000.00
	\$ 3,200,000.00

Taxing Jurisdictions

Existing taxable Value (2007)

400 & 408 N. River	\$ 57,856.00
107 E. Cross	\$ 13,000.00
	\$ 70,856.00

Local Capture

Intermediate School District (ISD)	3.97450
Library	2.78450 DDA Capture
Community College (WCC)	3.63760 DDA Capture
County Operating	5.76540 DDA Capture
Ypsilanti General Operating	19.02110 DDA Capture
Police and Fire Pension	3.98500 DDA Capture
Sanitation	2.78140 DDA Capture
Street Improvement	3.46410
TOTAL	45.41360

State Capture

State Education Tax (SET)	3.00000
State Education Tax (SET), future Brownfield Fund	3.00000 State Capture
School Operating	18.00000
TOTAL	24.00000

State Capture Minus 50% Opra Reduction of Millage

State Education Tax (SET)	3.00000
School Operating	9.00000
TOTAL	12.00000

Total Capture	69.41	0.069414
With Debt Total Capture	74.27	0.07427
Local Capture and Debt Total	45.41	0.04541

Amended Brownfield Redevelopment Plan - Historic Thompson Block
ATTACHMENT C, TABLE 2.1
2-24-2014

Post Development Taxable Value

400 N. River	\$1,000,000.00
408 N. River	\$500,000.00
107 East Cross	\$100,000.00
TOTAL	\$1,600,000.00

Inflation Rate (assumed) 1%

THOMPSON BLOCK YPSILANTI, 2-24-14: ATTACHMENT C, TABLE 2.2													
	2015 Year 1	2016 Year 2	2017 Year 3	2018 Year 4	2019 Year 5	2020 Year 6	2021 Year 7	2022 Year 8	2023 Year 9	2024 Year 10	2025 Year 11	2026 Year 12	2027 Year 13
Taxable value Frozen for OPRA adjustment	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00	\$ 109,308.00
Post Development - Estimated		\$ 1,600,000.00	\$ 1,616,000.00	\$ 1,632,160.00	\$ 1,648,481.60	\$ 1,664,966.42	\$ 1,681,616.08	\$ 1,698,432.24	\$ 1,715,416.56	\$ 1,732,570.73	\$ 1,749,896.44	\$ 1,767,395.40	\$ 1,785,069.35
Incremental Value	\$ (109,308.00)	\$ 1,490,692.00	\$ 1,506,692.00	\$ 1,522,852.00	\$ 1,539,173.60	\$ 1,555,658.42	\$ 1,572,308.08	\$ 1,589,124.24	\$ 1,606,108.56	\$ 1,623,262.73	\$ 1,640,588.44	\$ 1,658,087.40	\$ 1,675,761.35
Local Capture													
Intermediate School District (ISD)	0.0039745	3.97450											
Library	0.0027845	2.78450											
Community College (WCC)	0.0036376	3.63760											
County Operating	0.0057654	5.76540											
Ypsilanti General Operating	0.0190211	19.02110											
Police and Fire Pension	0.0039850	3.98500											
Sanitation	0.0027814	2.78140											
Street Improvement	0.0034641	3.46410											
TOTAL	0.0454136	45.41360											
no local capture due to OPRA													
State Capture (Second Row of Millage Rates Reflects 6-year 50% Reduction for OPRA)													
State Education Tax (SET)	0.0030000	0.0000000	\$ -	\$ -	\$ -	\$ -	\$ 4,716.92	\$ 4,767.37	\$ 4,818.33	\$ 4,869.79	\$ 4,921.77	\$ 4,974.26	\$ 5,027.28
State Education Tax (SET), future Brownfield Fund	0.0030000	0.0030000	\$ 4,472.08	\$ 4,520.08	\$ 4,568.56	\$ 4,617.52	\$ 4,666.98	\$ 4,716.92	\$ 4,767.37	\$ 4,818.33	\$ 4,869.79	\$ 4,921.77	\$ 4,974.26
School Operating	0.0180000	0.0090000	\$ 13,416.23	\$ 13,560.23	\$ 13,705.67	\$ 13,852.56	\$ 14,000.93	\$ 28,301.55	\$ 28,604.24	\$ 28,909.95	\$ 29,218.73	\$ 29,530.59	\$ 30,163.70
TOTAL	0.0240000	0.0120000	\$ 17,888.30	\$ 18,080.30	\$ 18,274.22	\$ 18,470.08	\$ 18,667.90	\$ 37,735.39	\$ 38,138.98	\$ 38,546.61	\$ 38,958.31	\$ 39,374.12	\$ 40,218.27
0													
0	0.0000000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0	0.0000000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0	0.0000000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Accumulated Capture (minus DDA capture and OPRA)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Accumulated Capture	\$ 17,888.30	\$ 35,968.61	\$ 54,242.83	\$ 72,712.92	\$ 91,380.82	\$ 129,116.21	\$ 167,255.19	\$ 205,801.80	\$ 244,760.10	\$ 284,134.23	\$ 323,928.32	\$ 364,146.60	
Total Accumulated Capture	\$ 17,888.30	\$ 35,968.61	\$ 54,242.83	\$ 72,712.92	\$ 91,380.82	\$ 129,116.21	\$ 167,255.19	\$ 205,801.80	\$ 244,760.10	\$ 284,134.23	\$ 323,928.32	\$ 364,146.60	
State Capture	\$ 17,888.30	\$ 18,080.30	\$ 18,274.22	\$ 18,470.08	\$ 18,667.90	\$ 37,735.39	\$ 38,138.98	\$ 38,546.61	\$ 38,958.31	\$ 39,374.12	\$ 39,794.10	\$ 40,218.27	
TIF RECAPTURE (equals Accumulated State Tax less future Brownfield)	\$ 13,416.23	\$ 26,976.46	\$ 40,682.12	\$ 54,534.69	\$ 68,535.61	\$ 101,554.08	\$ 134,925.69	\$ 168,653.97	\$ 202,742.49	\$ 237,194.85	\$ 272,014.68	\$ 307,205.67	
State Recapture after TIF Collection	\$ 4,472.08	\$ 4,520.08	\$ 4,568.56	\$ 4,617.52	\$ 4,666.98	\$ 4,716.92	\$ 4,767.37	\$ 4,818.33	\$ 4,869.79	\$ 4,921.77	\$ 5,410.63	\$ 40,218.27	
Total Accumulative TIF Capture Available for Developer Reimbursement	\$ 13,416.23	\$ 26,976.46	\$ 40,682.12	\$ 54,534.69	\$ 68,535.61	\$ 101,554.08	\$ 134,925.69	\$ 168,653.97	\$ 202,742.49	\$ 237,194.85	\$ 271,578.31		
WCBRA Administrative Fee of 5% and Revolving Loan Fund Fee N/A due to OPRA and DDA capture of local taxes													
TIF Recapture Amount	\$ 271,578.31												
TOTAL TIF RECAPTURE AMOUNT \$271,578.31													



221 Felch Street
Ann Arbor, Michigan 48103
734-662-6133 / 734-662-5869
and
277 Gratiot, Suite 500
Detroit, Michigan 48226
313-963-8951 / 313-963-1344

Breakdown by Fred J. Beal
January 30, 2008
Revised March 28, 2008
Revised August 1, 2013
Revised January 14, 2014
Revised February 17, 2014
Revised 2/24/14

The Thompson Block Re-development

400-408 North River Street, Ypsilanti, MI 48198

Information pulled from Construction Estimate

Table 3 - MSF Eligible Activities Costs

Environmental Evaluation / Public Infrastructure Improvements, Demolition / Contingency

					2/17/2014
					School & Local MSF
					Act 381 eligible activ.
	Quantity	Unit	Unit Cost	Extension	
1 Environmental Assessment Activities					12,500.00
Brownfield Plan	1	LS	\$5,000.00	\$5,000.00	
Act 381 Work Plan	1	LS	\$7,500.00	\$7,500.00	
2 Site Preparation / Development					178,355.00
Demolition	(to prep bldg and site for re-development)				
2A. Building Demolition					24,000.00
Completely remove NE building bay	24,000	CF	\$0.75	\$18,000.00	
Hauling / disposal cost related to same	12,000	CF	\$0.50	\$6,000.00	
2B. Selective Demolition					70,250.00
Remove storefronts	1,200	SF	\$5.00	\$6,000.00	
Clear out building contents	10,000	CF	\$0.75	\$7,500.00	
Remove fallen debris					
Floor & roof joists / sheathing	12000	CF	\$0.75	\$9,000.00	
Roofing and flashing materials	5500	CF	\$1.25	\$6,875.00	
Brick wall debris	9000	CF	\$1.25	\$11,250.00	
Timber beams and columns	500	CF	\$1.50	\$750.00	
Misc debris fallen onto basement	2500	CF	\$1.00	\$2,500.00	
Remove damaged materials still in place					
Floor & roof joists / sheathing	5400	SF	\$1.50	\$8,100.00	
Roofing and flashing materials	3000	SF	\$1.25	\$3,750.00	
Failing masonry wall sections	500	SF	\$2.50	\$1,250.00	
Timber beams and columns	300	SF	\$1.75	\$525.00	
Dumpsters for removals	30	each	\$425.00	\$12,750.00	
2C. Site Preparation and Utilities Work	(to correct inadequate City furnished utilities)				0.00
Gas installation and related fees	LS	NA	\$4,500.00		
Underground electrical installation	LS	NA	\$8,000.00		
Water installation and related fees	LS	NA	\$20,000.00		
Sewer installation and related fees	LS	NA	\$6,000.00		
Excavation & patching at the street	LS	NA	\$4,000.00		
2D. Infrastructure Improvements	(to improve public approach / parking / lighting/storm water mgmt)				84,105.00
Remove sidewalk, stairs, curb, asphalt	12,000	SF	\$1.75	\$21,000.00	
New sidewalk structure / stairs	2,400	SF	\$10.00	\$24,000.00	
Curb and gutter at revised street parking	160	NA	\$0.00	\$0.00	
Rear Sidwalk	800	NA	\$0.00	\$0.00	
Asphalt work	8,000	NA	\$0.00	\$0.00	
Excavation & backfill, storm water mgmt	300	YD	\$20.85	\$6,255.00	
Hauling / disposal cost related to same	12,000	CF	\$0.50	\$6,000.00	
Exterior lighting	16	NA	\$0.00	\$0.00	
Construct bioswale and rain garden	2500	SF	\$2.50	\$6,250.00	
Plant biswale and rain garden	2500	SF	\$2.50	\$6,250.00	
Trees appropriate to same	40	each	\$150.00	\$6,000.00	
Additional site plantings	1	allow	\$2,500.00	\$2,500.00	
4" underdrain at Bioswale and rain garden	300	lf	\$12.50	\$3,750.00	
Related 12" connection drain	40	lf	\$15.00	\$600.00	
Catch basins	1	NA	\$1,500.00	\$1,500.00	
2E. Architectural & Engineering for Above	10.0%	(of above)		\$17,835.50	17,835.50
3 Remediation Activities					16,215.00
3A. Asbestos Abatement					8,475.00
Asbestos pipe wrap	150	LF	\$10.00	\$1,500.00	
VAT and mastic	3,500	SF	\$0.75	\$2,625.00	
Roof flashings and coatings	300	SF	\$2.50	\$750.00	

3B.	Pick up fallen asbestos debris	40	hrs	\$75.00	\$3,000.00	
	Engineering controls for ACM removal	1	LS	\$600.00	\$600.00	
	Lead Abatement					5,625.00
	Paint removal	1,500	SF	\$2.75	\$4,125.00	
3D.	Engineering controls for LCM removal	1	LS	\$1,500.00	\$1,500.00	
	Abatement Supervision	15.0%	(of above)		\$2,115.00	2,115.00
						Subtotal
						212,405.50
4	Engineering, Design, Testing, GC's and Fees					
	Architecture and Engineering (6.5%)			6.50%	\$13,806.36	13,806.36
	Construction Supervision and misc GC's (7.5%)			7.50%	\$13,505.63	13,505.63
	SUBTOTAL				\$224,551.98	239,717.48
	Construction Management Fee (7.5%)			5.00%	\$11,227.60	0.00
	Building and Miscellaneous Permits			1.25%	\$2,947.24	0.00
	General Liability & Builders Risk Insurance (1.3%)			1.30%	\$3,103.45	0.00
5	Consulting Services					
	MEGA Review Fees	1	LS	NA	\$0.00	
	Subtotal					239,717.48
6	Contingency					
	Construction Contingency (15%)			15.00%	\$31,860.83	31,860.83
Total MSF Activities						271,578.31



City of Ypsilanti

Finance Department
Assessment Division

To All Parties Concerned,

June 24, 2008

The property located at 400-412 North River Street, Ypsilanti, MI 48198 has been deemed functionally obsolete by the City of Ypsilanti

The property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from deficiencies in design and changes in technology. The poor condition of the property is also affecting both the value of the property itself and the property's relationship with other surrounding property.

If you have any questions, please feel free to contact me. Thank you

Sharon Doom
City Assessor
Level III

One South Huron Street
Ypsilanti, MI 48197

Tel (734) 483-1530
Fax (734) 483-7324

www.CityofYpsilanti.com

Michigan Department of Treasury
4482 (2-07)



Obsolete Property Rehabilitation Exemption Certificate

Certificate No. 3-07-0002

Pursuant to the provisions of Public Act 146 of 2000, as amended, the State Tax Commission hereby issues an Obsolete Property Rehabilitation Exemption Certificate for the commercial property, owned by Historic Equities Fund, LLC, and located at 400 - 408 North River, City of Ypsilanti, County of Washtenaw, Michigan.

This certificate provides the authority for the assessor to exempt the commercial property for which this Obsolete Property Rehabilitation Exemption Certificate is in effect, but not the land on which the rehabilitated facility is located or the personal property, from ad valorem taxation. This certificate further provides the authority to levy a specific tax known as the Obsolete Properties tax.

This certificate, unless revoked as provided by Public Act 146 of 2000, as amended, shall remain in force for a period of 12 year(s);

Beginning December 30, 2007, and ending December 30, 2019.

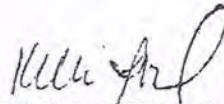
The real property investment amount for this obsolete facility is **\$3,500,000.**

The frozen taxable value of the real property related to this certificate is **\$96,308.**

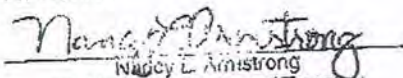
The State Treasurer has excluded from the specific tax **one-half of the mills levied for local school operating purposes and one-half of the state education tax** to be levied for this certificate for a period of six years, beginning **December 30, 2007** and ending **December 30, 2013.**

This Obsolete Property Rehabilitation Exemption Certificate is issued on **June 15, 2007.** This certificate was revised on November 5, 2007 and supersedes all certificates previously issued.




Kelli Sobel, Executive Secretary
State Tax Commission

A TRUE COPY
ATTEST:


Nancy L. Armstrong
Michigan Department of Treasury



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

ROBERT J. KLEINE
STATE TREASURER

October 31, 2007

Stewart Beal, President
Historic Equities Fund, LLC
221 Felch, Suite 6
Ann Arbor, MI 48103

Re: Obsolete Property Rehabilitation Act Certificate #3-07-0002, Historic Equities Fund, LLC,
400 - 408 North River, City of Ypsilanti, Washtenaw County

Dear Mr. Beal:

Pursuant to the requirements of Act 146, P.A. of 2000, as amended, the State Tax Commission has approved the above mentioned obsolete property rehabilitation application at a meeting held on June 15, 2007. The exemption has been approved for 12 years.

The pre-rehabilitation taxable value of the real property will remain frozen at \$96,308 for the duration of the certificate. The current taxable value, which includes the rehabilitation investment portion, will be determined by the assessor on a yearly basis. Both taxable values described will be utilized to determine the annual tax bill for this facility.

I am pleased to inform you that the State Treasurer has also approved the additional exemption of fifty percent of the mills levied for local school operating purposes (9 mills) and the State Education Tax (3 mills) for six consecutive years beginning with the 2008 tax year.

For questions regarding this letter, please contact the Department at P.O. Box 30471, Lansing, MI 48909-7971 or call (517) 373-3272.

Sincerely,

A handwritten signature in green ink that reads "Thomas F. Saxton".

Thomas F. Saxton
Deputy State Treasurer

c: Frederick Headen, Director, Bureau of Local Government Services
Sharon Doom, Assessor, City of Ypsilanti



Obsolete Property Rehabilitation Exemption Certificate

Certificate No. 3-07-0002

Pursuant to the provisions of Public Act 146 of 2000, as amended, the State Tax Commission hereby issues an Obsolete Property Rehabilitation Exemption Certificate for the commercial property, owned by **Historic Equities Fund, LLC**, and located at **400 - 408 North River, City of Ypsilanti**, County of Washtenaw, Michigan.

This certificate provides the authority for the assessor to exempt the commercial property for which this Obsolete Property Rehabilitation Exemption Certificate is in effect, but not the land on which the rehabilitated facility is located or the personal property, from ad valorem taxation. This certificate further provides the authority to levy a specific tax known as the Obsolete Properties tax.

This certificate, unless revoked as provided by Public Act 146 of 2000, as amended, shall remain in force for a period of **12 year(s)**;

Beginning December 30, 2007, and ending December 30, 2019.

The real property investment amount for this obsolete facility is **\$3,500,000**.

The frozen taxable value of the real property related to this certificate is **\$96,308**.

The State Treasurer **has excluded** from the specific tax **one-half of the mills levied for local school operating purposes and one-half of the state education tax** to be levied for this certificate for a period of six years, beginning **December 30, 2007** and ending **December 30, 2013**.

This Obsolete Property Rehabilitation Exemption Certificate is issued on **June 15, 2007**. This certificate was revised on November 5, 2007 and supersedes all certificates previously issued.




Kelli Sobel, Executive Secretary
State Tax Commission

Attachment F.1

The Thompson Block:

JC Beal Construction Inc. Approach to Renovation

The re-development of **The Thompson Block**, consisting of 6 bays of 3 story 1860's era brick building located at 400 North River Street in Ypsilanti's Depot Town area, will require a somewhat unique renovation approach by JC Beal Construction Inc..

The buildings, originally constructed in 1861 using recycled brick from a yet earlier structure, have seen many uses, and significant alterations over the last 150 years. While an active commercial venue for almost 100 years, and presumably well maintained during that period, they were primarily used for storage and severely neglected in the period of 1950-2000.

The building suffered a significant fire in 2009 at which point only a heroic façade stabilization effort by JC Beal managed to keep the street facing facades intact. While the remaining portions of the building are structurally sound, especially since the completion of additional floor framing and façade stabilization work in 2011, significant areas of the building require the construction of new bearing walls and floor systems not originally anticipated in the 2008 renovation plan, and the installation of complete new infrastructure and finishes to convert the existing condition into the planned bustling mixed use community of retail / restaurant, and residential uses.

First some additional historic background

The Thompson Block is a 150 + year old commercial building, located in Depot Town in the core of Ypsilanti's Downtown Historic District. The building was constructed in part with the bricks and stones of the former Great Western Hotel, another historic building in the area. This structure has played host to the 14th and 27th infantry during the civil war, it was rumored to have been a stop on the Underground Railroad with a direct link to the Michigan Central Railroad across the street. In its long and robust lifetime the building has been a paint store, a bicycle shop, a fire department, and one of the first Dodge dealerships in the area.

The Ypsilanti Historic District contains the historic core of Ypsilanti, one of Michigan's oldest towns, including the historic downtown, with buildings dating back at least to the early 1850's; a second old commercial/industrial area dating from the 1840's and 50's; and the city's oldest residential neighborhoods on either bank of the Huron River. of the town founders who were instrumental in promoting the city's commercial and industrial growth during the nineteenth century also remain standing within the district. The district contains most of Ypsilanti's oldest homes, commercial, industrial, and civic buildings, and churches. The age, quality, and diversity of this architecture is almost unique in Michigan for a town of Ypsilanti's size.

Numerous buildings both in the downtown and in the Depot Town area survive from the pre Civil War heyday of development of these two separate commercial/industrial areas, the one "Downtown Ypsilanti" focusing on the town's main through highway, the other "Depot Town" on water power sites and a railroad line and depot.

The Thompson Block is a key component of the Depot Town streetscape, and its re-development will add immeasurably to the local areas commercial success and quality of life. The completed project will dramatically improve a highly visible stretch of River Street and the most visible corner in Depot Town; encouraging further development in the area, and bringing additional visitors to Depot Town to support both new and existing restaurant and retail establishments. The improvements will be permanent, and will help raise the value of this and the surrounding buildings to several times their current value, to the substantial benefit of the surrounding community considerably.

The Renovation Project: Work to Date

The planned re-development of the Thompson Block, came together starting in late 2005 through the vision of Stewart Beal when JC Beal Construction Inc., a local firm specializing in historic rehab / redevelopment work was brought in to assist Historic Equities Fund in assembling the project. After two years of work in design and engineering, tax credit assembly, marketing, pursuit of financing and pre-construction planning, construction was initiated in mid 2008 but halted abruptly shortly thereafter when the bank providing the construction loan was felled by the national recession and banking crises.

Unfortunately for the project and its developer, the building suffered a significant arsonist set fire in 2009 while the recession continued. Fortunately the JC Beal Construction Inc. team, led by Fred J. Beal was able, through heroic façade stabilization effort initiated while the fire still smoldered, managed to keep the street facing building facades intact. The temporary shoring system cobbled together on less than 8 hours notice at the time of the fire, was removed in the summer of 2011 when the major facades and portions of the adjoining cross walls were reconstructed, and tied together by floor and roof framing added in the south building bay across the front of the building.

Construction Work: Project Completion

At this point the building facades and floor systems are structurally sound, and while additional infill is required, the construction activities required are straightforward, consisting as with the work performed in 2011 of constructing multiwythe brick walls and installing floor systems of structural wood bond beams, joists, and decking to provide a platform for the remaining work. This work will all be performed by hand, working from scaffold erected within the existing building envelope.

The additional work activities required to convert the existing building into the 16 luxury lofts and 14,000sf of retail / restaurant space proposed can be broken down into several basic categories: Exterior Restoration, Life Safety / Building Circulation, Utility Upgrades and Interior Build-out.

Exterior Restoration: Portions of the masonry building exterior were stabilized when construction began in 2008 and additional areas saw improvement in the 2011 façade stabilization effort. That said the entire building envelope will be revisited when work restarted to insure the building's long term improvement. All masonry work will be inspected, and tuckpointed where necessary.

The windows originally intended to be restored, but almost without exception destroyed in the 2009 fire, will be replaced, and the storefronts rebuilt in a historically accurate manner. Site improvements will include a new raised front patio area and sidewalks along River and Cross Streets, and a parking lot on Cross Street.

Life Safety / Building Circulation: In its recent past the building had contained multiple staircases and no functioning elevator. A new stair / elevator tower will be constructed near the parking lot and a second egress stair added within the building to provide for safe, convenient, and fire rated access / egress pathways. The building will also be equipped with a modern fire alarm and fire suppression system that will greatly enhance the building's overall safety.

Utility Upgrades: The building's electrical, mechanical, plumbing and communications systems will be completely modernized. New electrical switch gear will be installed and each tenant or dwelling unit will be individually metered. New residential HVAC systems will be installed to provide economical heating and cooling to the residential units, and individual roof top mechanical units will serve the retail/commercial component. Phone, cable television and internet service will be installed throughout the building.

Interior Build Out: The interior of the building will be developed into two distinct components: Commercial, and Residential. The commercial component in the basement and first floor will see the development of "white box" space to house several separate businesses, while the residential component on floors two and three will be finished out as 16 luxury loft apartments in studio, one, and two bedroom configurations.



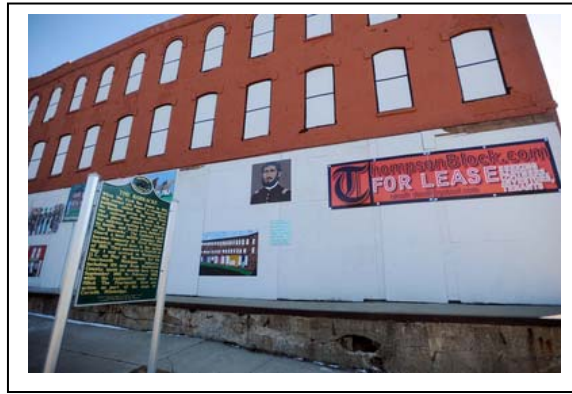
Thompson Block Fire 09-23-09

Attachment F.2



Attachment F.3: Thompson Block September 29, 2009





Thompson Block Today





the Thompson Block

Historic Renovation

Depot Town

Ypsilanti, Michigan



B **PROPOSED ELEVATION (WEST)**
SCALE: 1/4" = 1'-0"



A **PROPOSED ELEVATION (SOUTH)**
SCALE: 1/4" = 1'-0"

**PROGRESS SET
NOT FOR CONSTRUCTION**

18 Sept 2006 Historic Review
13 Sept 2006 Owner Review
Date: Issued For:

Thompson Block

Depot Town
Ypsilanti, Michigan

construction manager:
JCBeal Construction Inc.



CONSTRUCTION DOCUMENTS

Project Number: **05105** Date: **09-01-06**

Sheet Title:
**PROPOSED
EXTERIOR
ELEVATIONS**

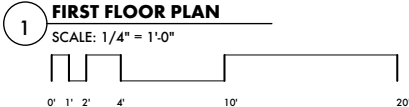
Sheet Number:

A5.10

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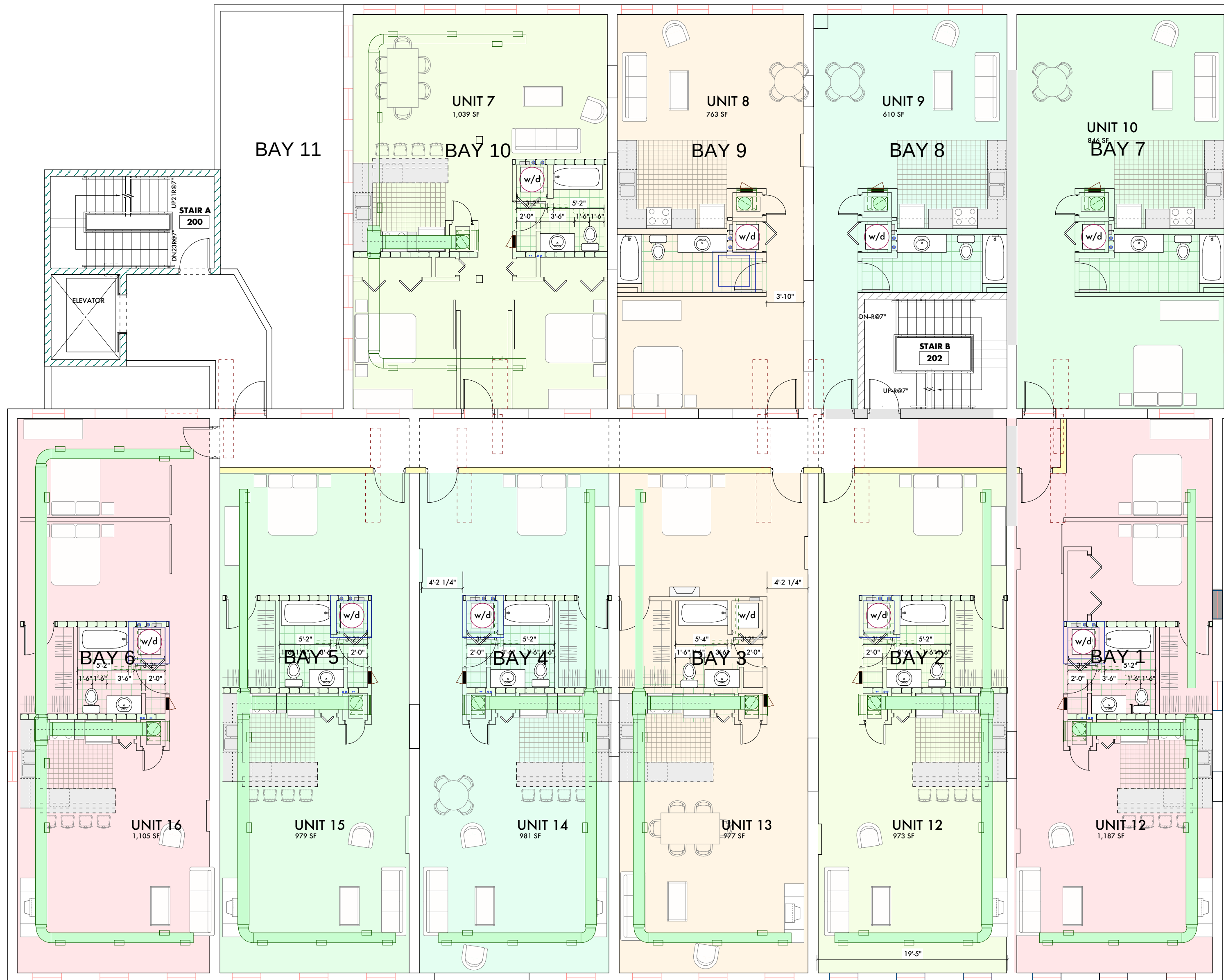
Thompson Block
Historic Renovation
1st Floor/Basement Tenant Scheme



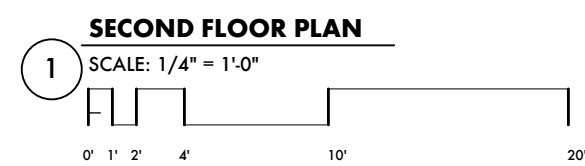
Sheet Number:

A3.01

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**PROGRESS SET
NOT FOR CONSTRUCTION**



15 Nov 2006 Owner Review
7 Nov 2006 Owner Review
13 Sept 2006 Owner Review
Date: Issued For:

Thompson Block

Depot Town
Ypsilanti, Michigan

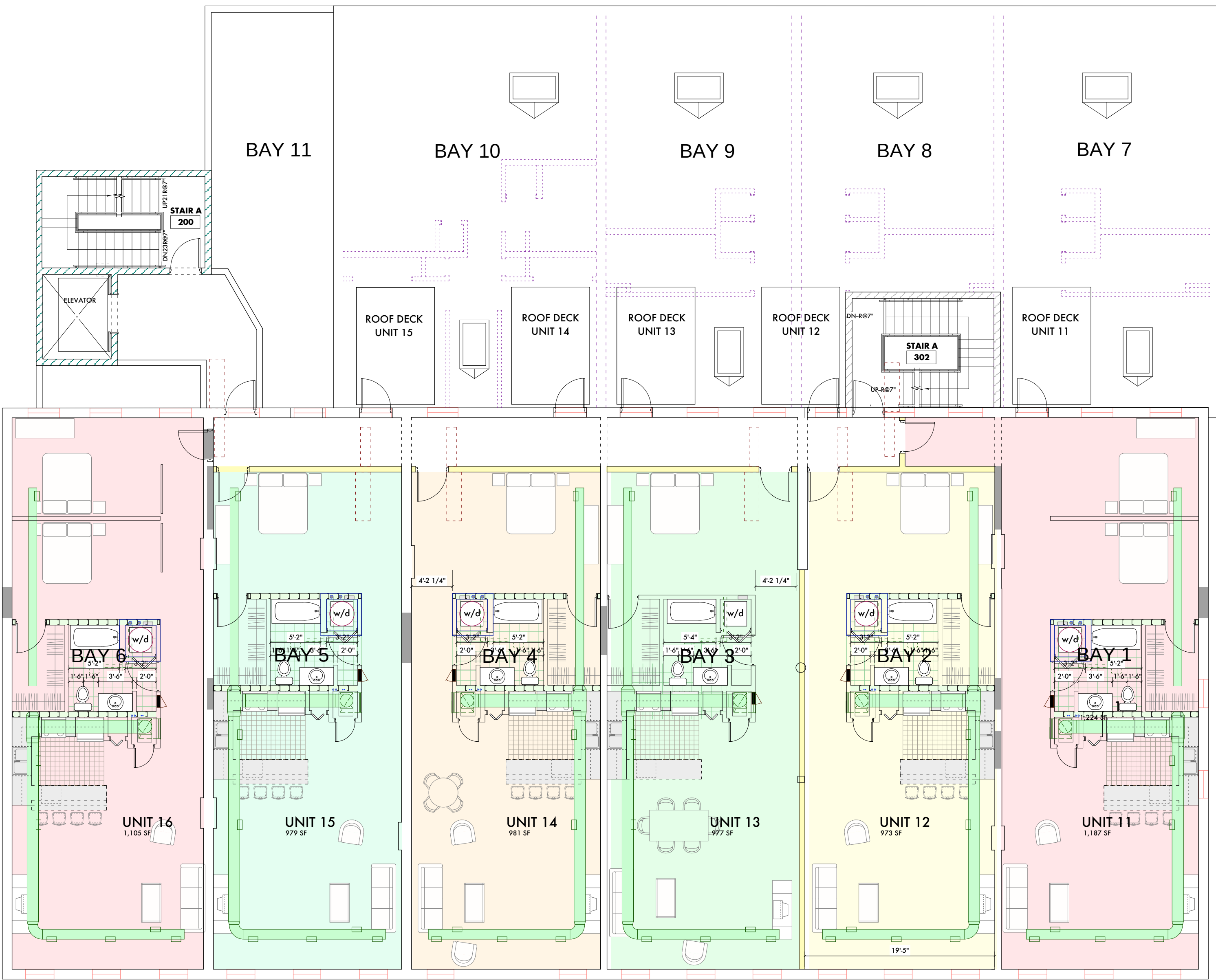
construction manager:
JCBeal Construction Inc.

JCBeal
CONSTRUCTION INC.
Precisely as intended.

CONSTRUCTION DOCUMENTS
Project Number: 05105 Date: 10-20-06

Sheet Title:
**2ND FLOOR PLAN -
SCHEME D**

Sheet Number:
A3.12 (D)
© 2006 JC Beal Construction, Inc.



WALL CONSTRUCTION

- A** UNIT SEPARATION WALL (SEE SHEET A8.10)
(1) LAYER 5/8", TYPE 'X' GYPSUM BOARD ON 3/4" RESILIENT CHANNEL ON 1/4" GYPSUM BOARD ON EACH SIDE 3 5/8" METAL STUDS. INSULATE FULL CAVITY WITH ACOUSTICAL INSULATION
- B** 2-HOUR RATED WALL
8" CONCRETE BLOCK WALL (NOMINAL) (SIMILAR TO UL U907)
- C** 2-HOUR RATED WALL (SEE SHEET A8.10)
(2) LAYERS 5/8", TYPE 'X' GYPSUM BOARD EACH SIDE ON 3 1/2" METAL STUDS. INSULATE BOTH METAL STUDS WITH ACOUSTICAL INSULATION (SIMILAR TO UL U411)
- CONTRACTOR'S ALTERNATE:
USE 2-HOUR RATED GYPSUM BOARD SHAFT WALL
- D** TYPICAL INTERIOR PARTITION (SEE SHEET A8.10)
0-HOUR RATED WALL
(1) LAYER 1/2", GYPSUM BOARD EACH SIDE ON 3 5/8" METAL STUDS.
- NOTE: MOISTURE RESISTANT GYPSUM BOARD AT INTERIOR OF BATHROOMS AND MECHANICAL CLOSETS
- E** EXISTING WALL TO REMAIN
- F** 2-HOUR RATED WALL
16" CONCRETE BLOCK WALL (NOMINAL) 4" THICK DECORATIVE CONCRETE BLOCK ON 2" AIRSPACE ON 2" RIGID INSULATION ON 8" CONCRETE BLOCK BACK-UP - BELOW VISIBLE AREAS BELOW ROOF LINE WALL IS TO BE (2) 8" THICK CONCRETE BLOCKS DOWN TO FOOTING (SIMILAR TO UL U907)

15 Nov 2006 Owner Review
7 Nov 2006 Owner Review
13 Sept 2006 Owner Review
Date: Issued For:

Thompson Block

Depot Town
Ypsilanti, Michigan

construction manager:
JCBeal Construction Inc.



CONSTRUCTION DOCUMENTS

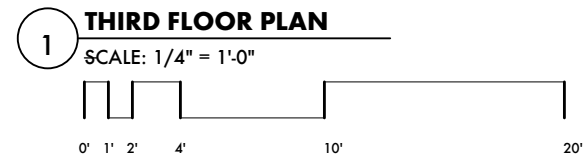
Project Number: 05105 Date: 10-21-06

Sheet Title:
3RD FLOOR PLAN -
SCHEME D

Sheet Number:
A3.13 (D)

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**PROGRESS SET
NOT FOR CONSTRUCTION**





To: Mayor Schreiber & City Council
From: Ericka R. Savage, Assistant to the City Manager
Date: February 26, 2014
RE: **Title VI Non-Discrimination Plan**

Office of the City Manager

REQUEST FOR LEGISLATION SUMMARY/BACKGROUND

On January 27, 2014, City officials were contacted by a representative of the Michigan Department of Transportation (MDOT) who indicated that the City of Ypsilanti currently does not have a Title VI Plan or a Limited English Proficiency Plan on file with MDOT.

On November 19, 2013, City Council adopted a Limited English Proficiency Plan. It was communicated by MDOT that given number of LEP persons in our community, under Federal Highway Administration guidelines, we are below the Safe Harbor Threshold. Therefore, it is not necessary for the City to have a separate LEP Plan on file. The MDOT required LEP Plan is now included within the Title VI Plan that is attached.

All recipients, or sub-recipients, of federal funds are required to implement a plan for the purpose of investigating and resolving complaints under the civil rights act of 1964. Under the Plan, the City must provide assistance with the interpretation of documents as to individuals not proficient in the English Language. Further, under the Plan, the City will be responsible for the Title VI Coordinator to investigate, possibly resolve, and make a probable cause determination as to complaints lodged by individuals and subcontractors alleging discrimination as to City of Ypsilanti programs, activities and/or services. As the plan provides, the Human Resources Manager will be the Title VI Coordinator.

The City will be required to place a copy of the Plan on the city's website. Additionally, the City will be required to file a "Title VI Sub-Recipient Annual Certification Form" annually by October 5th.

ATTACHMENTS: Title VI Non-Discrimination Plan; Resolution; Correspondence with MDOT

RECOMMENDED ACTION: Approval

DATE RECEIVED: _____ AGENDA ITEM NO. _____

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL _____

COUNCIL ACTION TAKEN:



Resolution No. 2014-070
March 4, 2014

RESOLUTION TO APPROVE TITLE VI NON-DISCRIMINATION PLAN

WHEREAS, Title VI of the City Rights Act of 1964 states that no person in the United States shall, on the grounds of race, color, national origin, sex, age, disability or socioeconomic status, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal financial assistance; and

WHEREAS, the Civil Rights Act of 1987 restored the full intent of Title VI to require compliance by all federal aid recipients and sub-recipients whether their programs are federally funded or not; and

WHEREAS, MDOT requires that if a local jurisdiction has ever entered into a contract with MDOT for federal highway funds, or has received assistance from the Federal Highway Administration in relationship to an MDOT project, or wishes to be eligible to receive federal financial assistance through MDOT, then that jurisdiction must have a Title VI Non-Discrimination Plan in place; and

WHEREAS, the primary goals and objectives of the City of Ypsilanti Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the City Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the City of Ypsilanti's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color national origin, age, sex or disability;
3. To prevent discrimination in the City of Ypsilanti programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create illegal adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations;

5. To establish procedures to annually review Title VI compliance within specific program areas within the City of Ypsilanti;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in the City of Ypsilanti services, programs or activities.

THEREFORE, BE IT RESOLVED, that the City of Ypsilanti hereby approves and adopts the Title VI Non-Discrimination Plan for the City of Ypsilanti.

BE IT FURTHER RESOLVED that the City Manager, or designee, shall be authorized to enforce the procedures and provisions as provided therein, including filing a Title VI Sub-Recipient Annual Certification Form to MDOT by October 5th of each year.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

CITY OF YPSILANTI



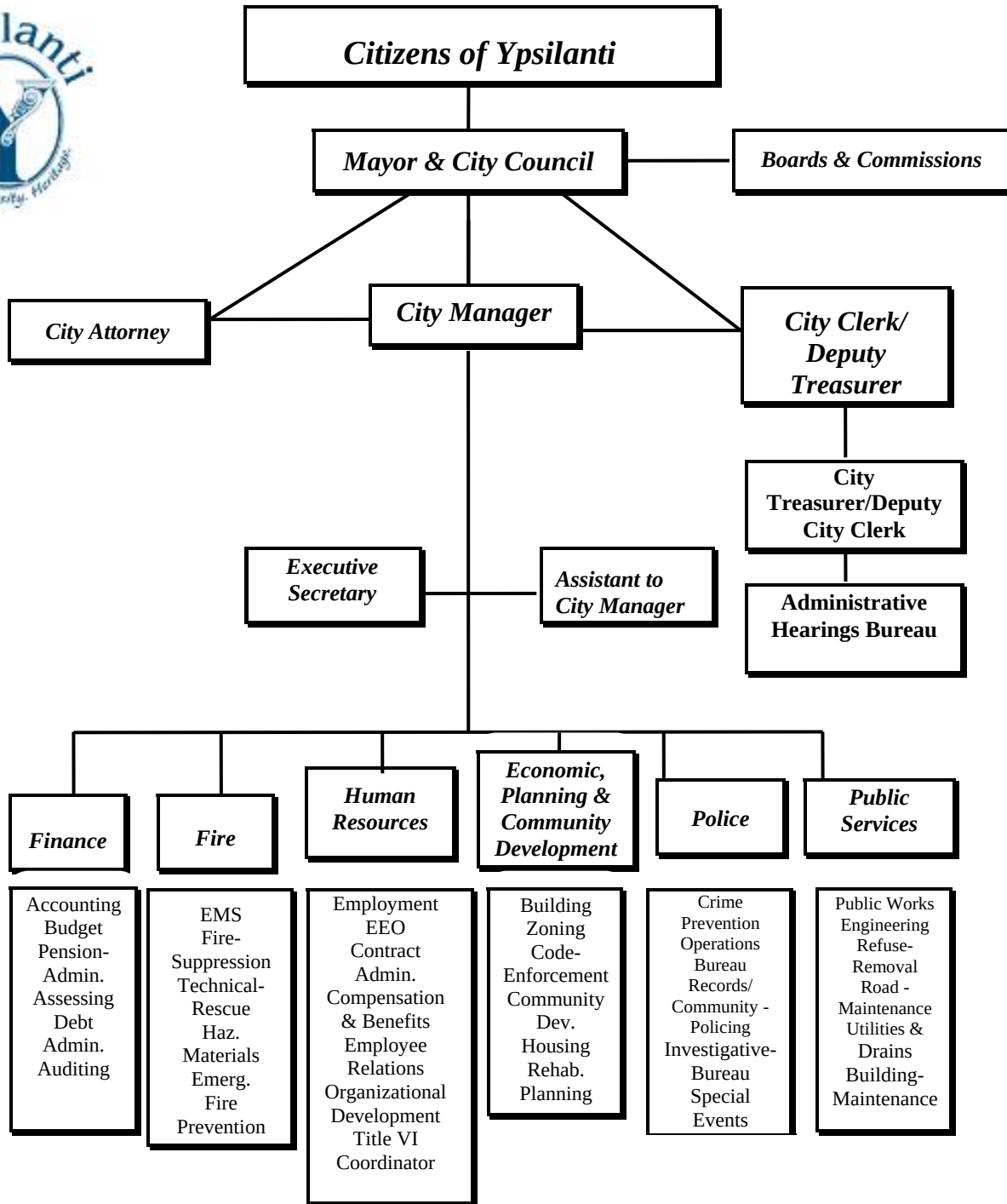
TITLE VI NON-DISCRIMINATION PLAN

**1 South Huron Street
Ypsilanti, MI 48197
Phone: (734) 483-1100
Fax: (734) 483-8742
Website: www.cityofypsilanti.com**

**Title VI Coordinator:
Judi Smith, Human Resources Manager
Phone: (734) 483-1242
Fax: (734) 483-7348
Email: jsmith@cityofypsilanti.com**

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INTRODUCTION

The City of Ypsilanti serves all people of the state of Michigan who live, work, shop or pass through our city, including minority populations, low-income populations, the elderly, and persons with disabilities. The City of Ypsilanti recognizes its responsibility to provide fairness and equity in all of its federally funded programs, services, and activities, and that it must abide by and enforce federal and state civil rights legislation.

Title VI of the Civil Rights Act of 1964, is the overarching civil rights law which prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that, “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.” Title VI has been broadened by related statutes, regulations and executive orders. Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibit unfair and inequitable treatment of persons as a result of projects which are undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” signed in February of 1994, requires federal agencies to achieve Environmental Justice as part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Environmental Justice initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice. Also, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP),” provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance.

As a recipient of federal financial assistance, the City of Ypsilanti (“City”) must provide access to individuals with limited ability to speak, write, or understand the English language. The City will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin. Therefore, the primary goals and objectives of the City’s Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the City's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in the City's programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create illegal adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations;
5. To establish procedures to annually review Title VI compliance within specific program areas within the City;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in the City's services, programs or activities.

As the sub-recipient of federal transportation funds, the City must comply with federal and state laws, and related statutes, to ensure equal access and opportunity to all persons, with respect to transportation services, facilities, activities, and programs, without regard to race, color, religion, national origin, sex, socio-economic status, or geographical location. Every effort will be made to prevent discrimination in any program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The City shall also ensure that their sub-recipients adhere to state and federal law and include in all written agreements or contracts, assurances that the sub-recipient must comply with Title VI and other related statutes. The City as a sub-recipient who distributes federal transportation funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, the City will make a good faith effort to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI; and that sub-recipients will proactively gauge the impacts of any program or activity on minority populations and low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations.

Discrimination under Title VI

There are two types of illegal discrimination prohibited under Title VI and its related statutes. One type of discrimination which may or may not be intentional is “disparate treatment.” Disparate treatment is defined as treating similarly situated persons differently because of their race, color, national origin, sex, disability, or age.

The second type of illegal discrimination is “disparate impact.” Disparate impact discrimination occurs when a “neutral procedure or practice” results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The City’s efforts to prevent such discrimination must address, but not be limited to, a program’s impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the overarching functions of planning, project development and delivery, right-of-way, construction, and research.

The City has developed this Title VI Plan to assure that services, programs, and activities of the City are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities (see Title VI Assurances).

CITY OF YPSILANTI NON-DISCRIMINATION POLICY STATEMENT

The City of Ypsilanti ("City") reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." In applying this policy, the City and its sub-recipients of federal funds shall not:

1. Deny any individual with any service, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual's receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
5. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way, which would limit or impede access to a federally-funded service or benefit.

The City will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues all within a period not to exceed 90 days.

The City of Ypsilanti designates Judi Smith, Human Resources Manager as the Title VI Coordinator. The Human Resources Department will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations. Inquiries concerning the City of Ypsilanti and Title VI may be directed to Judi Smith, Human Resources Manager, 1 S. Huron St, Ypsilanti, MI 48197; Phone: (734) 483-1242; Fax: (734) 483-7384; Email: jsmith@cityofypsilanti.com.

Paul Schreiber
Mayor

Judi Smith
Human Resources Manager / Title VI Coordinator

CITY OF YPSILANTI TITLE VI ASSURANCES

The City of Ypsilanti (hereinafter referred to as the “Recipient”) hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs for the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of gender, race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient received Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and hereby gives assurances that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) and (b) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the Federal Aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

“The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom it delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

City of Ypsilanti

Paul Schreiber, Mayor

Date

AUTHORITIES

Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h);

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

Federal Aid Highway Act of 1973, 23 USC 324: No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

Age Discrimination Act of 1975, 42 USC 6101: No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

Americans With Disabilities Act of 1990 PL 101-336: No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a state or local government.

Section 504 of the Rehabilitation Act of 1973: No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

USDOT Order 1050.2: Standard Title VI Assurances

EO12250: Department of Justice Leadership and coordination of Non-discrimination Laws.

EO12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

28 CFR 50.3: Guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.

EO13166: Improving Access to Services for Persons with Limited English Proficiency.

DEFINITIONS

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to: (See Appendix E for additional discussion of “significant”)

- Bodily impairment, infirmity, illness or death
- Air, noise and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of person’s businesses, farms or non-profit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of the City of Ypsilanti’s programs, policies and activities

Federal Assistance – Includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, federal property or any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement or other contract which has, as one of its purposes, the provision of assistance.

Limited English Proficiency - Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the City of Ypsilanti.

Low-Income – A person whose median household income is at or below the Department of Health and Human Service Poverty guidelines (see <http://aspe.hhs.gov/poverty/>).

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City of Ypsilanti program, policy or activity.

Minority – A person who is:

- a. Black – A person having origins in any of the black racial groups of Africa;
- b. Hispanic – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- c. Asian American – A person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or

- d. American Indian and Alaskan Native – A person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City of Ypsilanti program, policy or activity.

Non-Compliance – A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Persons – Where designation of persons by race, color or national origin is required, the following designation ordinarily may be used; “White not of Hispanic origin”, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, “American Indian or Alaskan Native”. Additional sub-categories based on national origin of primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program – Includes any road or park project including planning or any activity for the provision of services financial aid or other benefits to individuals. This includes education or training, work opportunities, health welfare, rehabilitation, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient - Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Significant Adverse effects on Minority and Low-Income Populations – An adverse effect that:

- a. is predominantly borne by a minority population and/or a low-income population, or
- b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Sub-Recipient – Any agency such as a council of governments, regional planning agency, or educational institution, for example, that received Federal Highway Administration (FHWA) funds through the State DOT and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

ADMINISTRATION – GENERAL

The City of Ypsilanti designates Judi Smith, Human Resources Manager, as the Title VI Coordinator (hereinafter referred to as the “Title VI Coordinator”). Mrs. Smith shall have lead responsibility for coordinating the administration of the Title VI and related statutes, programs, plans, and assurances.

Complaints: If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the City of Ypsilanti. Complaints may be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

Data Collection: Statistical data on race, color, national origin, English language ability and sex of participants in and beneficiaries of the City of Ypsilanti programs; e.g., impacted citizens and affected communities will be gathered and maintained by the City. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Reviews: Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The City does have a special emphasis program that is being set up by the Human Relations Commission. They will be presenting a forum to reach out to the Hispanic/Latino community.

Title VI Reviews on Sub-Recipients: Title VI compliance reviews will be conducted annually by the Title VI Coordinator. Priority for conducting reviews will be given to those recipients of federal (U.S. Department of Transportation) funds with the greatest potential of impact to those groups covered by the Act. The reviews will entail examination of the recipients’ adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to relevant U.S. Department of Transportation (USDOT) modes upon request.

Annual Reporting Form: The Title VI Coordinator will be responsible for coordination, compilation, and submission of the annual reporting form data to the Michigan Department of Transportation (MDOT), Civil Rights Program Unit via the Sub-Recipient Annual Certification Form (MDOT form #0179) by October 5th.

Title VI Plan Updates: If updated, a copy of Title VI Plan will be submitted to the MDOT, Civil Rights Program Unit, as soon as the update has been completed, or as soon as practicable, and no later than 30 days if significant changes are made.

Public Dissemination: The City of Ypsilanti will disseminate Title VI Program information to the City employees and to the general public. Title VI Program information will be submitted to

sub-recipients, contractors and beneficiaries. Public dissemination will include inclusions of Title VI language in contracts and publishing the City's Title VI Plan within 90 days of approval on the main page of the City of Ypsilanti's internet website, at www.cityofypsilanti.com.

Remedial Action: The City, through the Title VI Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

LIMITED ENGLISH PROFICIENCY (LEP)

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiencyⁱ, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounterⁱⁱ. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, "LEP," or Limited English Proficient. The Executive Order states that:

"Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities."

Not only do all federal agencies have to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies, to nonprofits and organizations. Title VI covers a recipient's entire program or activity. This means all parts of a recipient's operations are covered, even if only one part of a recipient's organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The City of Ypsilanti receives funds from the US Department of Transportation via the Federal Highway Administration.

The US Department of Transportation published *Policy Guidance Concerning Recipients' responsibilities to Limited English Proficient Person* in the December 14th, 2005 Federal Register.ⁱⁱⁱ

The Guidance implies that the City of Ypsilanti is an organization that must follow this guidance:

This guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient's entire program or activity, i.e., to all parts of a recipient's operations. This is true even if only one part of the recipient receives the Federal assistance. For example, if DOT provides assistance to a state department of transportation to rehabilitate a particular highway on the National Highway System, all of the operations of the entire state department of transportation—not just the particular highway program or project—are covered by the DOT guidance.

Elements of an Effective LEP Policy

The US Department of Justice, Civil Rights Division has developed a set of elements that may be helpful in designing an LEP policy or plan. These elements include:

1. Identifying LEP persons who need language assistance
2. Identifying ways in which language assistance will be provided
3. Training Staff
4. Providing notice to LEP persons
5. The recommended method of evaluating accessibility to available transportation services is the Four-Factor Analysis identified by the USDOT.

These recommended plan elements have been incorporated into this plan.

Methodology for Assessing Needs and Reasonable Steps for an Effective LEP Policy

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to the LEP Community.
4. The resources available to the City of Ypsilanti and overall cost.

The greater the number or proportion of eligible LEP persons, the greater the frequency with which they have contact with a program, activity, or service and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets.

The DOT guidance is modeled after the Department of Justice's guidance and requires recipients and sub-recipients to take steps to ensure meaningful access to their programs and activities to LEP persons. More information for recipients and sub-recipients can be found at <http://www.lep.gov>.

The Four-Factor Analysis

This plan uses the recommended four-factor analysis of an individualized assessment considering the four factors outlined above. Each of the following factors is examined to determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to City of Ypsilanti services and activities that may affect their quality of life. Recommendations are then based on the results of the analysis.

Factor 1: The Proportion, Numbers and Distribution of LEP Persons

The Census Bureau has a range for four classifications of how well people speak English. The classifications are: 'very well,' 'well,' 'not well,' and 'not at all.' For our planning purposes, we are considering people that speak English less than 'very well' as Limited English Proficient persons.

As seen in Table #1, the Census 2012 Data for the City of Ypsilanti shows a small number of the population that speak English less than 'very well.'

TABLE #1

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	18,551	18,551
English only	16,786	90.5%
Language other than English	1,765	9.5%
Speak English less than "very well"	598	3.2%
Spanish	352	1.9%

Speak English less than "very well"	72	0.4%
Other Indo-European languages	388	2.1%
Speak English less than "very well"	86	0.5%
Asian and Pacific Islander languages	661	3.6%
Speak English less than "very well"	237	1.3%
Other languages	364	2.0%
Speak English less than "very well"	203	1.1%

Factor 2: Frequency of Contact with LEP Individuals

The City has conducted an informal survey of our employees with regard to whether they have had encounters with LEP individuals in the performance of their job functions and found that the City of Ypsilanti has 6 employees who are able to speak and write Chinese, German, French, Japanese, Spanish and Tagalog. We had a Department of Public Works' employee who was able to communicate in German with two LEP individuals who needed assistance in understanding the Recycling process. Our Records Clerk at the Police Station occasionally will have LEP individuals who speak Spanish and she is able to assist them. Our Fire Chief, who speaks French, once assisted a car accident victim who spoke only French. On another occasion, he translated the deposition of a person who was assaulted. We have offices accessible to the public and therefore accessible to LEP individuals. We also have staff that work in the field that could encounter LEP individuals. Additionally, regular Council meetings are held every first and third Tuesday of each month, which would potentially bring LEP individuals to these meetings. Given the number of LEP individuals, as displayed in Table #1 (above), the probability of our employees to encounter an LEP individual is low.

Factor 3: The Nature and Importance of the Program, Activity, or Service to LEP

The City of Ypsilanti serves individuals throughout the City in a variety of ways including managing roads, water, sewer, police, fire, elections, and other services to residents and other individuals, such as visitors and those traversing the state. The nature of the services that the City provides is very important to an individual's day-to-day life. Therefore the denial of services to an LEP individual could have a significant detrimental effect. Given the number of LEP individuals in the City, we will ensure accessibility to all of our programs, services, and activities.

Factor 4: The Resources Available to the City of Ypsilanti and Overall Cost

US Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

“Certain DOT recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written LEP plan.”

The City of Ypsilanti serves very few LEP persons and has very limited resources. However, it has decided to include a LEP section in its Title VI Plan in order to comply with the Executive Order and to ensure access and reasonable accommodations for LEP persons who may be unknown at this time.

Safe Harbor Stipulation

Federal law provides a “Safe Harbor” situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A “Safe Harbor” means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient’s written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is non-compliance, but rather provides a guide for recipients that would like greater certainty of compliance than can be provided by a fact-intensive, four factor analysis. For example, even if a Safe Harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient’s written translation obligations under “Safe Harbor” includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This “Safe Harbor” provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Given the small number of LEP language group members, the City of Ypsilanti’s budget and number of staff, it is deemed that written translations of vital documents would be so burdensome as to defeat the legitimate objectives of our programs. It is more appropriate for the City of Ypsilanti to proceed with oral interpretation options for compliance with LEP regulations.

Providing Notice to LEP Persons

USDOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage, in languages that an LEP individual would understand that free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient's services, including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals that those requiring language assistance and/or special accommodations will be provided the requested service free of charge, with reasonable advance notice to the City of Ypsilanti.

Options and Proposed Actions

Options:

Federal fund recipients have two (2) main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis.^{iv}

The City of Ypsilanti is defining an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.^v

Considering the relatively small size of the City, the small number of LEP individuals in the service area, and limited financial resources, it is necessary to limit language aid to the most basic and cost-effective services. However, when requested appropriate assistance will be provided.

What the City of Ypsilanti will do. What actions will the City of Ypsilanti take?

- Notify the public that interpreter services are available upon request, with two day advance notice.
- With advance notice of two calendar days, the City will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- The City will utilize the *Translators Resource List* as provided by MDOT for translation services and verbal interpretation if there is no City Employee available.
- The Census Bureau “I-speak” Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual’s language has been identified, an agency from the *Translators Resource List* will be contacted to provide interpretation services if there is no City Employee available.
- Publications of the City’s complaint form will be made available online and upon request.
- In the event that a City employee encounters a LEP individual, they will follow the procedure listed below:

OFFICE ENCOUNTER

1. Provide an I-speak language identification card to determine the language spoken of the LEP individual.
2. Once the foreign language is determined, the Title VI Coordinator or their designee will contact an interpreter from MDOT’s *Translators Resource List* if there is no City Employee available, to assist the LEP individual(s).
3. If the need is for a document to be translated, the Title VI Coordinator or their designee will have the document translated and provided to the requestor as soon as possible.

ROAD ENCOUNTER

1. Road crew employee will immediately contact the Title VI Coordinator or their designee for assistance, and provide an I-speak language identification card to the LEP individual(s) to determine the language spoken of the individual.
2. Once the foreign language is determined, provide information to Title VI Coordinator or their designee, who will contact an interpreter from MDOT’s *Translators Resource List* if there is no City Employee available, to provide telephonic interpretation.

3. If the need is for a document to be translated, the Title VI Coordinator or their designee will have the document translated and provided to the requestor as soon as possible.

IN WRITING

1. Once a letter has been received it will be immediately forwarded to the Title VI Coordinator or their designee.
2. The Title VI Coordinator or their designee will contact a translator from the MDOT's *Translators Resource List* if there is no City Employee available, to determine the specifics of the letter request information.
3. The Title VI Coordinator or their designee will work with the selected agency to provide the requested service to the individual in a timely manner.

OVER THE PHONE

1. If someone calls into our office speaking another language every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line and if possible determine the language spoken of the caller.
2. Once the language spoken by the caller has been identified, we will proceed with providing the requested assistance to the LEP individual(s).

The City's Staff Training

The City of Ypsilanti's staff will be provided training on the requirements for providing meaningful access to services for LEP persons.

ENVIRONMENTAL JUSTICE (EJ)

Compliance with Title VI includes ensuring that no minority or low income population suffers "disproportionately high and adverse human health or environmental effect" due to any "programs, policies and activities" undertaken by any agency receiving federal funds. This obligation will be met by the City in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The City will use U.S. Census data to identify low

income and minority populations. Where a project impacts a small number or area of low income or minority populations, the City will document that:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment; etc.
- The project's impact is unavoidable;
- The benefits of the project far out-weigh the overall impacts; and
- Mitigation measures are being taken to reduce the harm to low income or minority populations.

If it is concluded that no minority and/or low income population groups are present in the project area, the City will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the City will administer a potential disproportionate effects test.

The following steps will be taken to assess the impact of projects on minorities and/or low income population groups:

STEP ONE: Determine if a minority or low income population is present within the project area. If the conclusion is that no minority and/or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority population groups and/or low income population groups present, proceed to Step Two.

STEP TWO: Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step Three.

STEP THREE: Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.

STEP FOUR: If after mitigation, enhancements and offsetting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action (b) have increased costs of extraordinary magnitude?

STEP FIVE: Include all findings, determinations or demonstrations in the environmental document prepared for the project.

FILING A TITLE VI COMPLAINT

I. Introduction

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the City's programs, activities, and services as required by statute.

II. Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the City for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

III. Roles and Responsibilities

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

IV. Filing a Complaint

The complainant shall make himself/herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of City programs, activities, and services, including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of federal and state funds.

Eligibility: Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the City or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited

English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Title VI Coordinator's office. In all situations, the employees of the City must contact the Title VI Coordinator or their designee, immediately upon receipt of Title VI related complaints.

Complaints must be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know that the act was discriminatory within the 180 day period, he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances

V. Investigation

Investigation Plan: The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s)
- Basis for complaint
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation time line
- Remedy sought by the complainant(s)

Conducting the Investigation:

- The investigation will address only those issues relevant to the allegations in the complaint.

- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- If a Title VI complaint is received on a MDOT related contract against the City of Ypsilanti, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a Title VI complaint filed against the City of Ypsilanti, the complaint and any pertinent information should immediately be forwarded to the MDOT, Civil Rights Program Unit.

Investigation Reporting Process:

- Complaints made against a City of Ypsilanti sub-recipient should be investigated by the City following the internal complaint process.
- Within 40 days of receiving the complaint, the investigator prepares an investigative report and submits the report and supporting documentation to the office of Judi Smith for review.
- The Title VI Coordinator reviews the file and investigative report. Subsequent to the review, the Title VI Coordinator makes a determination of “probable cause” or “no probable cause” and prepares the decision letter.

Retaliation:

The laws enforced by this City prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint please contact:

Judi Smith, Human Resources Manager
City of Ypsilanti
1 South Huron Street, Ypsilanti, MI 48197
Phone: (734) 483-1242
Fax: (734) 483-7348
Email: jsmith@cityofypsilanti.com

Reporting Requirements to an External Agency

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 60 days of the date the complaint was received.

Records

All records and investigative working files are maintained in a confidential area. Records are kept for three years.

APPENDIX A - [TO BE INSERTED IN ALL FEDERAL-AID CONTRACTS]

During the performance of this contract, the contractor, for itself, its assignees and successors, in interest (hereinafter referred to as the “contractor”) agrees, as follows:

1. **Compliance with Regulations:** The contractor shall comply with Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event the contractor’s noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding payments to the contractor under the contract until the contractor complies and/or

- b. Cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B - TRANSFER OF PROPERTY

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Michigan, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4) does hereby remise, release, quitclaim and convey unto the State of Michigan all the right, title and interest of the Department of Transportation in and to said lands described Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)*

TO HAVE AND TO HOLD said lands and interests therein unto the State of Michigan, and its successors forever, subject, however, the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State of Michigan, its successors and assigns.

The State of Michigan, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part, on, over, or under such lands hereby conveyed (,) (and)*(2) that the State of Michigan shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and

the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX C - PERMITS, LEASES AND LICENSES

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Michigan Department of Transportation, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases, add, “as a covenant running with the land”) that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan Department of Transportation and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

APPENDIX D - TITLE VI COMPLAINT FORM

CITY OF YPSILANTI TITLE VI COMPLAINT FORM

Title VI of the Civil Rights Act of 1964 states that “No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program, service, or activity receiving federal assistance.”

This form may be used to file a complaint with the City of Ypsilanti based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. **Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.**

If you need assistance completing this form, please contact Judi Smith by phone at (734) 483-1242 or via e-mail at jsmith@cityofypsilanti.com.

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Please explain your relationship with the individual(s) indicated above: _____

Name of agency and department or program that discriminated:

Agency or department name: _____

Name of individual (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Date(s) of alleged discrimination:

Date discrimination began _____ Last or most recent date _____

ALLEGED DISCRIMINATION:

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

____ Race

____ Religion

____ Color

____ National Origin

____ Age

____ Sex

____ Disability

____ Income

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

Signature: _____ Date: _____

Please return completed form to: Judi Smith, Human Resources Manager, 1 S. Huron St, Ypsilanti, MI 48197; Phone: (734) 483-1242; Fax: (734) 483-7384; Email: jsmith@cityofypsilanti.com.

Note: The City of Ypsilanti prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.

APPENDIX E - DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

(a) *Context*. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.

(b) *Intensity*. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

- (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this has no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the Human Resources Manager.

APPENDIX F - PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS FOR CURRENT PLAN YEAR

1. The City of Ypsilanti's Title VI Plan will be communicated to each City Department Head who will review the plan with departmental employees. All City of Ypsilanti employees will be trained or made aware of the Title VI and LEP policies and complaint procedures.
2. The City of Ypsilanti's Title VI Plan will be published on the main page of the City's website www.cityofypsilanti.com, within 90 days of approval.
3. Appendix A will be included in all of the City's contracts as outlined in the Title VI Plan.
4. The language in Number 2 of the City of Ypsilanti's Title VI Assurances will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
5. The procedure(s) for responding to individuals with Limited English Proficiency will be implemented.
6. A review of City's facilities will be conducted in reference to compliance with the American Disabilities Act.
7. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
 - a. **Boards and Commissions:** The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
 - b. **Public Meetings:** The number of open meetings; how meeting dates and times are communicated to the general public and to individuals directly affected by the meeting.
 - c. **Construction Projects:** The number of construction projects and minority contractors bidding and the number selected; verification that Title VI language was included in bids and contracts for each project.
 - d. **LEP Needs:** The number of requests for language assistance that were requested or required; the outcome of these requests.
 - e. **Complaints:** The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
 - f. **Timeliness of Services:** The number of requests for services; amount of time from request to when service was delivered; number of requests denied.
 - g. **Right of Way/Eminent Domain:** The number of such actions and diversity of individual(s) affected.
 - h. **Program Participants:** Racial data of program participants where possible.

ⁱ The executive order verbatim can be found online at <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>.

ⁱⁱ Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons. Federal Register: December 14, 2005 (Volume 70, Number 239)

ⁱⁱⁱ The DOT has also posted an abbreviated version of this guidance on their website at <http://www.dotcr.ost.dot.gov/asp/lep.asp>.

^{iv} <http://www.dotcr.ost.dot.gov/asp/lep.asp>

^v Department of Justice Final LEP Guidelines, Federal Register June 18, 2002-Vol. 67-Number 117.



STATE OF MICHIGAN

RICK SNYDER

DEPARTMENT OF TRANSPORTATION

KIRK T. STEUDLE

GOVERNOR

LANSING

DIRECTOR

January 27, 2014

Paul Schreiber, Mayor
City of Ypsilanti
1 South Huron Street
Ypsilanti, Michigan 48197

Dear Mayor Schreiber:

Title VI of the Civil Rights Act of 1964, and related statutes state that, "No person in the United States shall on the grounds of race, color, or national origin, sex, age, disability, or socio-economic status, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance". The Civil Rights Restoration Act of 1987 restored the full intent of Title VI to require compliance by all federal-aid recipients and sub-recipients whether their programs or activities are federally funded or not.

Related to Title VI, Executive Order 12898, Limited English Proficiency and Executive Order 13166, Environmental Justice was enacted to ensure non-discrimination against low-income populations, minority populations and persons who have limited ability to speak, write, or understand English. These Executive Orders require recipients and sub-recipients to address Environmental Justice and Limited English Proficiency in consideration of and approach to any program, service, or activity receiving federal-financial assistance, in their Title VI Plans.

Our records indicate that the Michigan Department of Transportation (MDOT) does not have a Title VI Plan on file for the City of Ypsilanti.

A Title VI Plan is required *prior to the receipt* of federal financial assistance. *If you have ever entered into a contract with MDOT for federal highway funds or have received assistance from the Federal Highway Administration (FHWA) in relationship to an MDOT project, you must have a Title VI Plan.*

Failure to comply with this requirement may place you in deficiency status until you have complied with the regulation as specified in 23 CFR Part 200 and 49 CFR Part 21. You must verify that your organization meets compliance requirements by completing and submitting the enclosed "Sub-Recipient Application for Certification of Title VI and EEO Compliance and Assurances - form 0106."

YOU HAVE 90 CALENDAR DAYS (4/28/14) FROM RECEIPT OF THIS CORRESPONDENCE TO HAVE YOUR FINAL COMPLETED PLAN IN PLACE AND POSTED ON YOUR WEBSITE. YOUR INITIAL DRAFT PLAN MUST BE SUBMITTED FOR REVIEW BY OUR OFFICE WITHIN 30 DAYS (2/26/14); SO THAT WE MAY ASSIST YOU IN ENSURING THAT YOUR TITLE VI PLAN IS IN COMPLIANCE WITH THE REGULATIONS. PLEASE NOTE THAT YOUR FINAL DRAFT

MURRAY D. VAN WAGONER BUILDING • P.O. BOX 30050 • LANSING, MICHIGAN 48909

www.michigan.gov • (517) 373-2090

PLAN MUST BE REVIEWED AND RECEIVE APPROVAL BY OUR STAFF PRIOR TO SENDING IT TO YOUR CITY COUNCIL FOR ADOPTION.

At a minimum, your Title VI Plan must include:

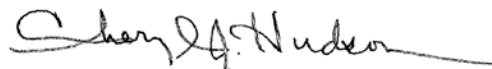
- Title VI Assurances signed by the City Manager or other appropriate executive or responsible authority
- Appendix A, B, and C must be inserted in every contract or sub-contract (enclosed for your reference)
- Local Public Agency (LPA) Plans must include at a minimum:
 - Designation of a Title VI Coordinator and/or EEO Officer with full authority to implement the Title VI Plan and related statutes
 - Internal compliance reviews of all programs
 - Public outreach and education plan
 - Training programs for staff and others
 - Complaint procedures including time limits for responding
 - Procedures for identifying and addressing Title VI Issues
 - Annual reporting methods on the status of Title VI compliance
 - Methods to prevent discrimination in policy, programs, and procedures
 - Data collections procedures and methods
 - Prevention of discrimination by ensuring fairness in sub-contracting
 - Assurances against discrimination in employment
 - Limited English Proficiency Plan (LEP)
 - Environmental Justice Plan (To address the effects of projects on low-income populations and minority populations)
 - Retaliation clause

Once you have determined who the Title VI Coordinator will be for your organization, please have them contact one of the following individuals to receive the Title VI & LEP Plan template documents that should be used to create the initial draft document(s) for our review:

Katherine Russman
Michigan Department of Transportation
(517) 335-2381
Fax: 517-335-2785
Russmank@michigan.gov

I look forward to working with you to ensure non-discrimination. The work you do is vital to the economic vitality of our state and the nation, and requires that public funds be used for the benefit of all in a fair and equitable manner.

Sincerely,



Cheryl J. Hudson
EEO Officer

Enclosure(s)



To: Mayor Schreiber & City Council
From: Ericka Savage, Assistant to the City Manager
Date: March 4, 2014
RE: **Special Events Policy**

Office of the City Manager

REQUEST FOR LEGISLATION SUMMARY/BACKGROUND

In an attempt to become more efficient and streamline the Special Events application process, City staff has created a Special Events Policy to combine all of the current policies:

- Class 1 & 2 permit application
- Class 3 & 4 permit application
- Street Closure permit application
- Gazebo permit application
- Pavilion permit application

The fees and requirements contained in the above applications are now contained in one comprehensive Special Events Policy. *The vast majority of the new Policy is the same provisions listed in current applications, but in instances where it is a newly created or amended policy, the text has been highlighted in yellow.*

Additionally, for your information, City staff has streamlined a component of the Special Events process by creating an online application form that may be submitted through the website. The application is now available on the website and contains the current application requirements. Once the Special Events Policy is adopted, references to the Policy will be incorporated into the application.

ATTACHMENTS: Special Events Policy, Resolution

RECOMMENDED ACTION: Approval

DATE RECEIVED: _____ AGENDA ITEM NO. _____

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL _____

COUNCIL ACTION TAKEN:



Resolution No. 2014 – 071
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti desires to become more efficient and streamline the Special Events application process; and

WHEREAS, City staff has created a Special Events Policy to combine all of the City's current policies, applications and fees related to special events; and

WHEREAS, a Special Events Application has also been created that combines all of the current special events permit applications.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti hereby adopts a Special Events Policy that will govern the all requirements for special events, including, but not limited to the event details, classifications, required permits, insurance mandates, billing and estimate process.

BE IT FURTHER RESOLVED that the City of Ypsilanti Special Events Policy supersedes any previously approved permit applications or policies.

BE IT FURTHER RESOLVED that administrative updates to the Special Events policy (e.g., personnel changes, Council adopted fee amendments, etc...) may be incorporated by the City Manager, so long as the updates are is filed with the City Clerk and posted on the city's website.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: 0 VOTE:

I do hereby certify that the above resolution is a true and correct copy of Resolution 2014- ____ as passed by the Ypsilanti City Council, at their Meeting held on March 4, 2014.

Kimberly D. Teamer, Acting City Clerk



City of Ypsilanti Special Events Policy

Applicant,

Thank you for your interest in selecting the City of Ypsilanti to organize your Special Event! Please read this Special Events Policy carefully, as it will help you determine the classification, permit and fee requirements for your event.

By submitting a Special Event Application, you and/or your organization agree to the following:

- The terms outlined in the Special Events Policy
- To comply with all other ordinances, laws and City requirements that may apply to Special Events
- That a fee will be billed for ALL Special Events

Thank you!

Section 1- Overview

This policy statement on Special Events covers all Special Events, including the commercial filming of locations and events in the City of Ypsilanti ("City"). Any individual or organization wishing to sponsor or hold a Special Event in the City will be required to complete a [City of Ypsilanti Special Events Application](#). Any Special Event within the City that will be conducted on the streets, parks or other public areas is required to be approved by City Administration.

1.1 Organizing Special Events

The City of Ypsilanti Special Events season is May 1 through October 31. If you are planning an event that falls outside these dates, please contact the Special Events Coordinator prior to filling out any application materials. Limited exceptions may be made on a case by case basis.

Note: City Code Section 10-288(c) prohibits the following within the event area: dogs (except service dogs), horses, farm animals, uncaged domestic animals, snakes, exotic animals, bicycles, skateboards, roller-skates, rollerblades, and glass containers.

1.2 Special Events Coordinator

The Special Events Coordinator is the primary contact for all planning and organizing of Special Events in the City of Ypsilanti. The Special Events Coordinator will facilitate inter-departmental communications, permits, planning meetings and all other necessary activities to execute your event.

Special Events Coordinator: Amanda Holsinger
(734) 482-9825
aholsinger@cityofypsilanti.com

1.3 City Services Related to Special Events- The City will provide support to Special Events on the following basis:

- a. **City Supported Events:** The City may operate its own Special Events and may contract with one or more organizations to perform Special Event services.

FY 2013-2014 City Supported Events

-  Memorial Day Parade
-  4 of July Parade
-  Neighborhood Association/Block Parties
-  DAY/Halloween Event
-  Ypsi Pride

- b. **Co-Sponsored events:** The City may jointly sponsor certain events with other organizations when City Council determines that the event is of general interest to the public and advances the City's public image. The City will provide financial support to these events as determined in the annual budget appropriation. These events must meet the other requirements of the Special Events Policy, and must reimburse the City for any costs in excess of the support level authorized by the budget appropriation.

- c. **Other Non-Profit Events:** The City may, in its discretion, contribute the park rental fee to assist other Special Events operated by non-profit organizations with good cause shown or hardship (*See* City Code Section 10-270). For the purposes of this policy, good cause or hardship may be

demonstrated by startup organizations, charitable events, or any other reasonable cause for lacking in operating capital.

Park fee contributions must be approved by City Council no less than 30 days prior the event. City Council may, in its discretion, waive park rental on a per day basis, up to three (3) days. City Council may also impose conditions and/or require repayment terms after completion of the event. These events must meet the all requirements of the Special Event Policy, and must reimburse the City for any City costs in excess of this support level. Non-Profit Organizations must submit a current IRS 501 C3 Statement.

- d. **For-Profit Events:** The City will allow Special Events operated by for-profit sponsors so long as they are beneficial to the City and the public. For-Profit events must pay 100% of all City costs related to the event and a 15% administrative fee. These events must meet all other requirements of the Special Event Policy, and must reimburse the City for any City costs in addition to the payment of the established rent.
 - o **Films:** For [instructions and regulations for obtaining a film permit in the City of Ypsilanti](#), please visit the [City's website](#).
- e. **Political or Ballot Issue Events:** The City will allow Political or Ballot Issue events providing that the political party, candidate or political organization pay 100% of all costs, including a minimum rental/usage/facility fee of \$250.00 per day.

1.4 Insurance

Special Events and/or facility rentals have prerequisite insurance requirements that are listed, where applicable, in this policy. Please submit only the Certificate of Liability/Property Damage insurance page of the policy with your application. **TIP:** Prior to purchasing a new insurance policy, check with your insurance carriers (business, organization, auto, renters, home owners, etc.) to see if they will extend your coverage to the special event.

Section 2- Special Event Application

Applications to conduct a Special Event must be made in writing to the Special Events Coordinator. Applications are available online or the City Clerk's Office.

2.1 Event Applicant/Organizer

The Event Applicant/Organizer must be the chief officer or a representative who has been authorized by the organization to complete the special event application. The contact person(s) listed on the event application must be the primary contact for all event planning meetings as well as follow up communications, as needed. Persons listed on the application must also be authorized to amend the event plan and approve expenditures on behalf of the event sponsor(s).

2.2 Event Details

Event Details must be as comprehensive as possible at the time the application is submitted. The Special Events Coordinator will process the application and formulate a billing estimate for the event based on the application materials that are submitted. The more accurate the Event Details, the more accurate the billing estimate will be.

2.3 Annual and Recurring Events

Annual Events

For annual events, the Applicant may reserve a date for the following year. Although not required, preference will be given to Applicants who reserve the following year's event date at the time of completing the application. The proposed date may be amended once within 6 months.

Recurring Events

If an event will run recurrently, the City may issue one permit per month so long as the event will run for 30 days or longer (for weekly events), 60 days or longer (for biweekly events), or 90 days or longer (for monthly events). The Applicant must specify on the application that the event is recurring in order to qualify to receive one permit per month in accordance with the fee schedule permit fee. This section does not apply to Special Events that occur on consecutive days.

2.4 Application Deadlines

Application deadlines have been incorporated into this policy, where applicable. Late or incomplete applications will not be processed.

2.5 Application Fees

For all Special Events, applicants are required to complete a [Special Events Application](#). The application fee is \$25, which includes processing the application form, reserving the date and time of the event, preparing an estimate of costs and fees, and if necessary, a pre-event planning meeting. Additionally, all permit applications have a fee. Application fees are non-refundable, but in some instances may be applied to the final billing statement.

2.6 Security Deposit

A cash deposit, performance bond or other security acceptable to the City will be required in an amount equal to an estimate by the City to be billed for City Fees. The amount of the security deposit depends on the event classification. Security deposits are refundable and may be applied to the final billing statement for the event. Arrangements for the deposit, or other acceptable security, are to be made by event organizers not less than fourteen (14) working days before the start of the event.

Note: fees listed are only estimates; actual fees may be higher or lower.

(<http://www.cityofypsilanti.com/EventsRecreation/EventPermits>)

2.7 City Approval of Special Events

Upon receipt of all mandatory application materials, permit fees, and the security deposit, written approval will be forwarded to the individual or organization requesting the event by the Special Events Coordinator. The Special Events Coordinator will also provide an Estimate of City Fees and any special conditions that must be met. A sample approval letter is included as Attachment A to this policy. A sample Estimate of City Fees is included as Attachment B to this policy.

Two or More Applications for the Same Event Date- In the instance that two or more completed Special Event Applications are received for the same date and time, and prior to the final approval of either event, the date and time that each application was received by the City will determine the order of

preference. For the purposes of this policy, an event has received final approval once an Approval Letter has been issued (Attachment A). Once the event is approved, it shall be the policy of the City to not award further permits for the same date, time and general location.

2.8 Pre-event Planning Meeting

The Special Events Coordinator will determine whether the event requires a Pre-Event Planning Meeting. If required, the fees for the meeting are included in the application fee. It is mandatory for the event organizer(s) to attend the Pre-Event Planning Meeting with City staff in order to gather all information and determine the need for services and cost estimates. If additional planning meetings are required or requested, the applicant will be billed for staff costs to attend.

Section 3- Special Event Classifications

Review this section to determine the proper classification and permit requirements for your Special Event. Rental fees, city services and equipment are billed separately from the event classification permits.

3.1 Class 1 Events – (Low Hazard) involves no physical activity by participants and no severe exposure to spectators; Class 1 events are not open to the public. Examples of events in this category include, but are not limited to: meetings, seminars, social gatherings, block parties, family reunions, and weddings.

Application deadline:	15 days prior to event
Non-Refundable application fee:	\$25
Permit fee:	\$55
Security Deposit:	\$100

Application deadline with Street Closure	30 days prior to event
Security Deposit with Street Closure:	\$100 + \$500 + per permit, fee per street, per day

Class 1 Insurance Requirements

Insurance will be required for all Class 1 Events in the amount of \$250,000 per occurrence, naming the City of Ypsilanti as additionally insured **if any of the following instances are planned:**

- Planned/Organized athletic event.
- Any commercial service being provided, including but not limited to:
 - Setting up of tents/canopies, such at family reunions, weddings, etc.
 - A hired act – magician, animal rides, band, etc.
 - A hired service, such as caterers, portable toilets, moonwalks, rides, etc.
- o Property Damage insurance may be required up to \$5,000

3.2 Class 2 Events – (Moderate Hazard) involves limited physical activity by participants and no severe exposure to spectators; Class 2 events are open to the public. Events in this category include, but are not limited to: amateur team sports, dances, animal shows, political rallies, flea markets, farm markets, picnics, and parades with no floats.

Application deadline:	30 days prior to event
Non-Refundable application fee:	\$25
Permit fee:	\$65
Security Deposit:	\$500
Security Deposit with Street Closure:	\$500 + \$500 + permit fee, per street, per day

Class 2 Insurance requirements

Insurance will be required for all Class 2 Events in the amount of \$250,000 per occurrence, naming the City of Ypsilanti as additionally insured. **Property Damage insurance may be required up to \$5,000.**

- 3.3 Class 3 Events** – (High Hazard) involves major participation by participants and/or moderate exposure to spectators; also involves sale of tickets or donations. Events in this category include, but are not limited to: parades with floats, marathons or races, car shows, circus/carnivals/festivals, and semi-pro team sporting events.

Application deadline:	150 days prior to event
Non-refundable application fee:	\$25
Permit fee:	\$200/day
Capital Park Improvement Fee:	\$250/day
Security Deposit:	\$1000
Security Deposit with Street Closure:	\$1000 + \$500 + permit fee, per street, per day

- **Class 3a-** A Class 3 event involving the distribution or sale of alcohol.

Permit fee:	\$300/day
Capital Park Improvement fee:	\$1000/day
Security deposit:	\$2000
Security Deposit with Street Closure:	\$3000 + \$500 + permit fee, per street, per day

Class 3 Insurance requirements

Insurance will be required for all Class 3 Events in the amount of \$1,000,000 per occurrence, naming the City of Ypsilanti as additionally insured. **Property Damage insurance may be required up to \$15,000.**

- 3.4 Class 4 Events** – (Severe Hazard/High Volume) involves severe exposure to spectators and /or participants. Examples of events in this category include, but are not limited to: rock concerts, fireworks displays, ice carving events, professional or collegiate sporting events, and events involving 10,000 or more participants within a day.

Application deadline:	150 days prior to event
Non-refundable application fee:	\$25
Permit Fee:	\$400/day
Capital Park Improvement fee:	\$1000/day
Security Deposit:	\$5000
Security Deposit with Street Closure:	\$5000 + \$500 + permit fees

- **Class 4a-** A Class 4 event involving the distribution or sale of alcohol.

Permit fee:	\$500/day
Capital Park Improvement fee:	\$1000/day
Security deposit:	\$6000
Security Deposit with Street Closure:	\$6000 + \$500 + permit fees

Class 4 Insurance requirements

Insurance will be required for all Class 4 Events in the amount of \$1,000,000 per occurrence, naming the City of Ypsilanti as additionally insured. **Property Damage insurance may be required up to \$20,000**

3.5 Food Permit

If any food will be prepared, distributed, or sold at the event, each vendor must apply for and receive a permit from the [Washtenaw County Environmental Health Department](#), 705 Zeeb Rd, PO Box 8645, Ann Arbor, or (734) 222-3800. You must attach a copy of food vendor permits and include vendor locations in the Event Plan/Map where food vendors will be placed.

3.6 Alcohol

Alcohol is strictly prohibited in any City Street and/or any Public Property pursuant to City Code Section 6-4 (a) without a license. A special license to sell alcohol at your event may be obtained through this application process; however applicants are required to apply with the [Michigan Liquor Control Commission](#). If the sales are on a street (trunklines), the State of Michigan requires proof that the sale has been approved by the City.

You must attach a copy of a Liquor Control Permit, Event Plan/Map indicating where alcohol sales will take place (See Section 4.1), and proof of liquor liability insurance in the amount of \$1,000,000, naming the City of Ypsilanti as additionally insured is required. [Certificate of Liability Insurance](#). All documentation must be finalized and submitted within fourteen (14) days of the event.

Note: The City requires that all event staff handling alcoholic beverages receive appropriate training. The event plan must include how event staff will be trained, who will perform the training and how persons of legal drinking age will be identified.

Note: The City requires that all events handling alcoholic beverages pay an alcohol security deposit and per day Capital Park Improvement fee (See Sections 3.3 and 3.4)

3.7 Street Closure Permit

A Street Closure Permit is required for any street closure/blockading within the city limits of Ypsilanti. A Street Closure Permit shall not be issued until the application has been reviewed and approved by the City Manager's designee according to City Code Section 10-268.

Street Closure Permit Deadlines:

- Application, 30 days prior to event date;
- Street closure map (See Section 4.1), 30 days prior to event date
- ***If you are closing a state trunkline***, applications are due 45 days prior to the event date because both the city and state are required to approve the permit.

Street Closure Permit Fees:

- Each major street: \$160/day
- Each local street: \$100/day
- \$500 security deposit

[Street Closure Permit Application](#)

Street Closure Insurance requirements

Insurance will be required for all Street Closures in the amount of \$250,000 per occurrence, naming the City of Ypsilanti as additionally insured.

3.8 Noise Permit

Event coordinators are responsible for monitoring noise levels and ensuring compliance with the stated noise policy for events.

1. Permissible Noise Levels – Maximum decibel levels shall not exceed 80 dB (A) from the hours of 10 am thru 10 pm. Maximum decibel levels shall not exceed 75 dB (A) from the hours of 10 pm thru 10 am. These measurements shall be taken from the Right Of Way along the perimeters of the parks. Events in violation will be given (1) warning to correct violations. If a second violation occurs, then the event will be shut down. Event holders are responsible for any cost incurred to the YPD in this respect.
2. No obscene language or racial epithets shall be allowed during stage productions.
3. The Ypsilanti Police Department reserves the right to cancel any production for any violation of item (1) or (2). No refunds shall be given and additional costs may be deducted from the security deposit.

[Noise Permit Application](#)

3.9 Right of Way (ROW) Permit

A ROW permit is required for each location that a Special Event will use public ROWs (e.g., sidewalks, public alleys).

[ROW Permit Application](#)

Section 4- Other Event Requirements

4.1 Event Map

Event maps are required for events serving alcohol, using streets and/or sidewalks (walk, run, etc), and/or the event will use multiple locations. Please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots requested to be blocked off. Event maps must be submitted within 30 days of the event.

 **Traffic Control Plan & Street Closures-** Event maps must include a traffic control plan for the event that includes the placement of signs, barricades, etc. In addition, major and local street closures must be specified in the plan. In the event the applicant has not prepared a traffic control plan, the City will prepare one and charge an administrative fee that will be added to the final billing (see fee schedule).

 **Vendors-** Event maps must include a detailed description of where all approved vendors will be placed, including licensed alcohol and/or food vendors.

 **Parking-** Event maps must include a detailed description of the parking available in the area surrounding the event, and how attendees will be directed to parking (signage is recommended).

Public Lots: the City does not permit private parties to rent parking spaces in public lots without prior authorization (see City Code Section 22-176). Parking spaces in designated lots can be rented/reserved by event organizers on a per-day basis (see fee schedule).

Capped meters: Applicants requesting capped meters or unlimited parking for an event must specify in the Special Events Application why unlimited parking is being requested, and note the locations on the event map.

Private Lots: written authorization from the property owner(s) is required and must be attached if using school, church, or private parking lots.

- 🌐 **Temporary Apparatus-** Event maps must list and include the placement of all apparatus to be used for the special event (e.g., staging, fencing, bleachers, benches, tents, etc...).
- 🌐 **Restrooms-** If the event requires restroom facilities, the Event Map must include the placement of all portable restrooms and how many will be supplied for the event. Note: City parks do not have restroom facilities.
- 🌐 **Trash Receptacles & Disposal Plan-** If event organizers will be providing trash receptacles, the Event Plan must include the number of receptacles and trash disposal plan for the event. Penalties will be assessed for the event site not being restored to its original condition (See Section 4.9).

4.2 Event Signs

The Special Event Application shall include a description of the advertising signs that are proposed to be used for the event. The use of signs shall conform to the description contained in the application, or as modified by the City. Event signs erected prior to the first day of the event shall be approved by the City and may be subject to restrictions or a permit. The City ordinances do not allow posting of flyers on any poles (utility or otherwise) within the City limits, nor does it allow posting of signs in any public right of way (space between street and sidewalk) without express permission.

[Sign Permit Application](#)

4.3 Security

Security requirements vary widely, depending on the hazard level for the event. The Ypsilanti Police Department has the authority to recommend the level of security deemed necessary. For example, the Police Department may require private bonded security for select events. The City will also assign police officers, as necessary, and charge the permit holder for these services. The need for private security and/or police officers should be determined at, or before, the pre-event planning meeting (See Section 2.7).

If you plan to provide your own security for the event, please specify who will administer the security services for the event (e.g., event volunteers, private security). If private security, please attach a copy of the contract.

The following numbers will be determined by the Ypsilanti Police Department:

- Private security officers required
- Police officers required
- Volunteer service corps members required

4.4 Site Restoration

Site restoration and equipment removal are required by 1:00 pm the day after the event, unless prior arrangements have been made. Event organizers are required to restore the event location(s) to the condition that it was found. A fee of \$50 will be billed for every day the site is not restored. In the event the City has to restore the site, the City will bill a minimum of \$150, plus labor and fringes, and actual costs to restore the site.

Section 5- City Services & Fees

5.1 City Services

The City of Ypsilanti provides a variety of facilities and public services for events, including, but not limited to: **Parade routes, Traffic control plans, Walk/run routes**, Site improvement, Building inspections and Fire inspections. Please contact the Special Events Coordinator if you are interested in one or more City services. Fees are listed in the fee schedule.

5.2 City Parks & Facilities

Riverside & Frog Island Park- Rental fees for Riverside and Frog Island Park are merged into Class 3 and 4 permit application fees and are subject to additional Capital Park Improvement and/or Administrative Fees for coordinating public park use, per day of the event. Capital Park Improvement fees do not apply on set-up or take-down days for events, however rental charges may apply.

Weddings- Private weddings that take place in Riverside & Frog Island Park may not be subject to Capital Park Improvement fees if, aside from the ceremony, no additional activity will take place in the park (such as the reception, a dance floor, tents/canopies, etc...).

Special Event applicants shall reimburse the City for actual costs of cleanup required (including but not limited to Public Works employees) if applicant fails to comply with site restoration. Employee and equipment costs shall be reimbursed at hourly rate plus 10% for non-profit events, or plus 15% for for-profit events.



Riverside Park key fee

Driveway gates at Riverside Park are locked when the park is closed. To ensure that you have access to the park during the hours on the approved application, you can pick up a key for your event at the DPW office anytime Monday through Friday between 9a – 4p for a \$20 key deposit. The deposit is 100% refundable after the key is returned.

City Parks & Facilities

Pavilion Rental: Pavilions may be reserved for specials events on an hourly basis. Pavilions are located in Candy Cane Park, Parkridge Park, Penisular Park, Prospect Park, Recreation Park and Waterworks Park. Pavilion rental fees are non-refundable. A security deposit is required for all pavilions, but will be refunded, minus any expenses incurred to the facility. Utility charges may be applicable, depending on the event size and classification.

Rental Fee: \$55 first 2 hours/ \$25 each additional hour

Pavilion Rental Insurance requirements

Insurance will be required in the amount of \$250,000 per occurrence, naming the City of Ypsilanti as additionally insured if any of the following instances are planned:

- Event is open to the public
- Any commercial service being provided, including but not limited to:
 - o Setting up of tents/canopies, stages etc.
 - o A hired act, such as a band, etc.
 - o A hired service, such as caterers, portable toilets, etc.

Rental Fee: \$55 first 2 hours/\$25 each additional hour

[Reserve a Pavillion](#)

Gazebo Rental: The Gazebo may be reserved for special events on an hourly basis. The Gazebo is located in Riverside Park. The Gazebo rental fee is non-refundable. A security deposit is required for the Gazebo, but will be refunded, minus any expenses incurred to the facility.

Rental Fee: \$100 first 2 hours/ \$25 each additional hour

Gazebo Rental Insurance Requirements

Insurance will be required in the amount of \$250,000 per occurrence, naming the City of Ypsilanti as additionally insured if any of the following instances are planned:

- Event is open to the public
- Any commercial service being provided, including but not limited to:
 - o Setting up of tents/canopies, stages etc.
 - o A hired act, such as a band, etc.
 - o A hired service, such as caterers, portable toilets, etc.

If you are interested in holding an event in a city park, please notify the Special Events Coordinator to determine the appropriate rental/facility fees.

[Reserve the Gazebo](#)

5.3 City Equipment- City Equipment may be rented for Special Events. Please see Attachment C for a list of Special Event fees related to equipment. The City will also bill for any City equipment used to execute or coordinate the event.

5.4 Fees for Special Events

Event permit holders shall reimburse the City for 100% of the cost of services provided. The fees and rates herein are for informational purposes only and do not constitute a written or implied contract. The need for services and cost estimates will be determined at the pre-event meeting between the event permit applicant and City staff.

Fees should be submitted with the application and may be paid via cash, check or money order payable to ***“City of Ypsilanti.”*** If the actual costs differ from the amount paid, the City or the permit holder must refund or pay the difference within 30 days after the event. Penalties and interest will be charged for late payments. The penalty for late payments is 3.0% of the outstanding balance. The interest charge for late payments is 0.5% of the outstanding balance each month until paid in full. These rates are subject to change without notice and will change annually on July 1.

Fees shall be charged for City services provided to Special Events as follows (See Attachment C for a detailed fee schedule):

- a. **Hourly Rate** shall be the hourly cost for any employee working on a Special Event as established by the City Administration. Please note that these rates are reviewed and adjusted annually. Please refer to Attachment C to confirm rates. Hourly Rate shall include all expenses related to the employee working on your event, including fringe benefits and overhead.
- b. **Purchased or Rented Materials** shall include all direct costs for all materials purchased or rented by the City of Ypsilanti for use at the event. An Administrative Fee of 10% shall be added to all purchased or rented material to cover costs related to order processing and vendor payment.
- c. **Equipment Charges** shall be the current equipment rental rates charged by the City of Ypsilanti.
- d. **Replacement Costs** will be billed for missing/damaged equipment/supplies/landscaping.
- e. **Administrative Fee** will be billed to cover costs related to coordinating the special event, including, but not limited to: order processing, vendor payments, coordinating police/fire personnel, city equipment usage/rental, coordinating public services, and coordinating event planning meetings.

Administrative fees will be applied to the subtotal of Municipal Services, Municipal Service Employee time, Police Employee time, Fire Department time, Equipment Charges, Purchased Materials and/or Rented Materials. Administrative fees are not applied to facility or park rentals fees.

- 10% administrative fee will be added to Not-For-Profit Events
- 15% administrative fee will be added to For-Profit events

5.5 Billing for Special Events

Special Event billings by the City shall be itemized as follows (See Attachment B for a sample Estimate of City Fees):

Municipal Services \$
Municipal Services Employee Time \$
Police Employee Time \$
Fire Department Time \$
Equipment Charges \$
Purchased Materials \$
Rented Materials \$
Missing/Damaged Equipment/Supplies \$
Sub-Total \$
Administrative Fee \$+
Rent/Facility Fee if applicable \$ +
Less amount of City support \$ -
Less amount of security deposit (if applicable) \$-
NET /TOTAL BILLING \$



APPLICATION APPROVAL / DENIAL LETTER

Attachment A

DATE
APPLICANT NAME
ADDRESS
CITY, STATE ZIP

RE: (event name)

Dear

This is to inform you that your recent Special Event Application has been Approved / Denied by the City Manager on ____/____/ 20____.

If "Approved" is indicated above, please be advised that there may be charges for City Services in accordance with the Special Events Policy and Fee Schedule. Special Events fees can be found in the Special Events Policy as well as the website. In addition, we have provided an Estimate of Fees, which estimates the potential costs, if any, that you will incur for your event and lists possible additional restrictions and/ or requirements for your event. Please be advised that this cost is only an initial estimate, and your actual costs may be substantially higher depending on your need for services.

For events requiring certificates of Insurance, the City requires a copy of your certificate of insurance and it must list the City of Ypsilanti as an additional insured on your policy. The City cannot accept documentation that shows the City as a certificate holder, unless it also states that the certificate holder is an additional insured on the policy.

If "Denied" is indicated above, or if you have any additional questions regarding your application status, please contact me at 734-482-9825.

Sincerely,

Amanda Holsinger
Special Events Coordinator

Enclosures

Estimate of City Fees for Special Events

Today's Date:

EVENT NAME:**EVENT DATE:**

Event Category

- ☐ City Co-Sponsored
- ☐ Not-for Profit
- ☐ For-Profit

Event Classification

- ☐ Class I – Low Hazard
- ☐ Class II – Moderate Hazard
- ☐ Class III – High Hazard
- ☐ Class IV – Severe Hazard

Note: the following fees are estimates and can increase upon assessment of services after completion of the event.

Security Deposit:

Permit Fees:

MUNICIPAL SERVICES:

Regular Time Costs: \$ _____ Overtime Costs: \$ _____
Equipment & Materials Costs: \$ _____

POLICE:

Regular Time Costs: \$ _____ Overtime Costs: \$ _____
Equipment & Materials Costs: \$ _____

FIRE:

Regular Time Costs: \$ _____ Overtime Costs: \$ _____
Equipment & Materials Costs: \$ _____

Department of Public Works:

Regular Time Costs: \$ _____ Overtime Costs: \$ _____
Equipment & Materials Costs: \$ _____

Administrative Fee:**Facility/Equipment Rental Charges:****TOTAL BILLING ESTIMATE:**

**City of Ypsilanti
Event Permit**

Event Title: _____

Event Date(s): _____ Event Hours: _____

ATTESTATION

As applicable to event, applicant understands and agrees to comply with City ordinances and rules governing events and agrees to make final payment within thirty (30) days after the scheduled event invoice is received for any additional services required. Failure to comply within thirty (30) days shall place the applicant in default status. Further, it is understood that in the event a permit holder is placed in default status, the permit holder will be denied any other event permit(s) for a period of at least eighteen (18) months from the date of final payment and/or default resolution.

I hereby agree to comply with all Federal and State Statutes and with all City of Ypsilanti Ordinances, including the curfew and noise ordinances. I understand and agree that in the event any nuisance or disturbances are caused by the individuals attending the event, the use of the location may be terminated without prior notice by the Police Chief or the City Manager or their designee. I authorize the Fire Marshal to determine the maximum number of persons who may attend this event based on available space. Further, I understand and agree to abide by any additional City requirements that may be deemed necessary to safely operate the proposed event.

This application represents my intent for the proposed event to the best of my knowledge. I am authorized to sign on behalf of the organization:

Applicant Name (printed) Signature Date

<u>Department Approval</u>	<u>Name (printed)</u>	<u>Approved?</u>	<u>Date</u>
Public Works	_____	_____	_____
Ypsilanti Police	_____	_____	_____
City Manager's Designee	_____	_____	_____

A permit shall not be issued until all information has been submitted, application and security deposit fees paid and approved by the City Manager's designee according to the City Code Section 10.268.



REQUEST FOR LEGISLATION
March 4, 2014

From: Stan Kirton, Public Services Director

Subject: Approval of Proposal from Orchard, Hiltz & McCliment, Inc. for the Prospect Corridor Improvements Project Design Engineering Services

SUMMARY AND BACKGROUND:

The Prospect Road Corridor Improvements Project is slated for construction in the 2015 construction season. Federal Surface Transportation – Urban funds have been appropriated for this project through the City of Ypsilanti by WATS; \$75,000 in 2014 which has been deferred to 2015, \$360,000 in 2015 and \$460,000 in the 2016 as an Advanced Construction (AC). Total federal aid for this project will be approximately \$895,000. The project includes full depth reconstruction of Prospect Road between Holmes Road and Forest Avenue, full road reconstruction between Forest Avenue and Cross Street and mill and overlay pavement rehabilitation from Cross Street to S. Grove Street in the 2015 construction season. The design includes ADA compliant ramps at all intersections, pavement markings and maintenance of traffic. The estimated construction costs with contingency for this project are approximately \$1,144,000. See attached Prospect Road Corridor Cost Summary. The estimated total cost to the City is \$566,800.

It is necessary to secure design engineering services for this project. The Design engineering services proposed by OHM is at a not to exceed cost of \$105,800.

Attachments: OHM Proposal for Design Engineering Services, Detailed Scope of Services, Cost Summary, Resolution

RECOMMENDED ACTION: Approval

Date Received: February 26, 2014 Agenda Item No.: _____

City Manager Comments: _____

For Agenda of March 4, 2014 Finance Director Approval _____

Council Action Taken: _____



Resolution No. 2014 - 072
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed for repairs including full depth reconstruction, asphalt milling and overlay, selective curb/gutter replacement and drainage improvements for Prospect Road between Holmes Road and South Grove Road in the 2015 construction season; and

WHEREAS, Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar street improvement projects, and possesses a depth of experience with the infrastructure in the project area; and

WHEREAS, it is necessary to secure construction engineering services to keep this project on schedule;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the design engineering and geotechnical testing services proposal submitted by Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a not to exceed cost of \$105,800; and

THAT the Mayor and City Clerk are authorized to sign this contract, subject to review and approval by the City Attorney; and

THAT the City Manager is authorized to sign any change orders that may be needed to maintain the project's schedule, subject to review and approval by the City Attorney.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

ARCHITECTS. ENGINEERS. PLANNERS.



February 24, 2014

City of Ypsilanti
One South Huron Street
Ypsilanti, Michigan 48197

Attention: **Mr. Stan Kirton, Director DPS**

Regarding: **City of Ypsilanti
Proposal for Engineering Services
Prospect Road Corridor Improvements
Holmes Road to Grove Street**

Dear Mr. Kirton:

Orchard, Hiltz & McCliment, Inc. (OHM) is pleased to submit this proposal for engineering services for Prospect Road Corridor Improvements in the City of Ypsilanti.

PROJECT UNDERSTANDING

The project will involve the development of bidding documents to rehabilitate Prospect Road between Holmes Road and South Grove Road, excluding the bridge deck over the railroad tracks and through the intersection of Michigan Avenue. Roadway work will involve full depth pavement replacement between Holmes Road to Forest Avenue, full road reconstruction between Forest Avenue and Cross Street and mill and overlay pavement rehabilitation from Cross Street to Grove Street. The design includes ADA compliant ramps at all intersections, pavement markings, and maintenance of traffic. A separate proposal will be prepared for the improvements to the traffic signals at Michigan Avenue once that independent grant application has been awarded. We understand the project will be administered through MDOT's Local Agency Program (LAP).

SCOPE OF SERVICES

We have attached a detailed scope of design services to this proposal as Exhibit A.

SCHEDULE

We understand that the City desires to construct the project beginning in the spring of 2015. Based on this and the MDOT LAP Fiscal Year 2015 Project Planning Guide, we plan to submit Preliminary (GI) Plans by July 25, 2014 and Final Plans by September 26, 2014. This will result in a project letting date of January 9, 2015 with expected construction beginning the end of April, 2015.



FEE SCHEDULE

OHM proposes to provide the professional services outlined above for a not-to-exceed cost of \$105,800.00

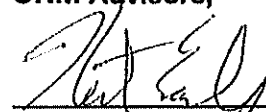
BASIS OF PAYMENT

OHM will invoice the City on a monthly basis in accordance with the continuing services agreement between OHM and the City.

We thank you for this opportunity to provide professional engineering services. Should there be any questions, please contact us.

Sincerely,

OHM Advisors,



Kent J. Early, PE
Director of Municipal Engineering

Attachments

Cc: Mr. Ralph A. Lange, City Manager
Marcus McNamara, OHM
File

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Exhibit A - Scope of Design Services

Prospect Road Corridor Improvements between Holmes and Grove

A. General

The Consultant will provide design services for the following improvements within the Prospect Road corridor:

- Full depth pavement replacement (approximately 5" HMA cross section) of the two-lane section of Prospect Road from Holmes Road to Forest Avenue. The existing curb and gutter will be maintained. Spot repairs to the curb will be done as necessary.
- Full road reconstruction of the two lane section of Prospect Road from Forest Avenue to Cross Street. This segment will include full removal of the existing road and curb and gutter and replacement with 7 inches of HMA over 8 inches of aggregate base, underdrain and new curb and gutter.
- Pavement resurfacing along Prospect Road from Cross Street to Grove Street. This segment will receive removal and replacement of 2.5 inches of HMA. Spot pavement and curb repairs will be made prior to the overlay.
- Replacement of intersecting streets sidewalk ramps to be ADA compliant.
- Lane configuration, lane widths, pedestrian routes, and bike routes will be reviewed during design phase.
- Project will meet complete streets ordinance requirements.
- Design will incorporate Border to Border Trail needs at the intersection of Prospect Road and Grove Street.

The following are not expected to be part of the project and are not included in the scope:

- Reconstruction and signal safety improvements at Michigan Avenue intersection.
- Resurfacing of bridge crossing over Railroad tracks near Michigan Avenue (Being completed in 2014 as a separate project)
- Signal installations or upgrades.
- Streetscaping – Trees, decorative materials, etc.
- Street lighting
- Road widening
- Acquisition of grading permits or additional right-of way.
- Water main replacement
- Sanitary sewer main line replacement (Structure adjustments are included)
- Storm sewer main line replacement (Structure adjustments are included)
- Border to Border improvements beyond Prospect Rd ROW

B. Design Phase Service

1. Preliminary & Start up
 - a. Attend pre-design meeting with the City to discuss project approach, finalize how to communicate between team members, agree on standard documents and details to be used, schedule review meetings and finalize schedule. Prepare summary of action items and distribute after the meeting.
 - b. Provide full topographic survey within the Right-Of-Way from Holmes to Cross and 100 ft in each direction at intersection streets between Cross and Grove.
 - c. Prepare base plan sheets that will be used to develop the construction plans.



Exhibit A - Scope of Design Services

Prospect Road Corridor Improvements between Holmes and Grove

2. Base Plans (Geometrics)

- a. Prepare base plans which will investigate horizontal and vertical geometrics, lane configuration, maintenance of traffic concepts and opinion of probable cost for review and analysis by the City for approval of concepts prior to proceeding to detailed design. (It is anticipated that the project will be minimally changed both horizontally and vertically).
- b. Horizontal Alignment: The alignment shall follow the centerline of the existing roadway.
- c. Vertical Alignment: A vertical alignment will be developed that best fits the existing condition. The profile will closely match the existing elevations to avoid significant impacts outside of the ROW, unless known issues are observed that can be modified by changing the profile.
- d. Contact existing utility companies and plot known utilities on the topographic survey within the project limits.
- e. Coordinate with the geotechnical consultant, Schleede-Hampton, for soil boring locations, pavement cores, and verification of the proposed pavement cross section design options.
- f. Prepare preliminary engineer's opinion of probable construction cost.
- g. Coordinate with City staff to assist in preparation of the draft MDOT Programming Forms.
- h. Submit base design plans and estimate to the City for review.
- i. Attend a review meeting with the City, YCUA and Washtenaw County.

3. Preliminary Plan Stage

a. Design

- i. Prepare detailed construction plans for the full depth replacement of Prospect Road from Holmes Road to Forest Avenue and reconstruction of Prospect Road from Forest Avenue to Cross Street. It is anticipated that removal, construction, and centerline profiles will be required. The proposed two lane section will be comprised of asphalt pavement with concrete MDOT F type curbing.
- ii. Prepare construction plans based on GIS data and surveyed cross sections every 100 feet for the pavement rehabilitation of Prospect Road from Cross Street to Grove Street.
- iii. Include detailed grading sheets for sidewalk ramps at intersecting streets to meet current ADA requirements.
- iv. Prepare pavement marking plans for the corridor.
- v. Develop maintenance of traffic plans and coordinate the project with the City, schools and businesses within the project limits. The maintenance of traffic scheme is unknown at this time.
- vi. Prepare the required SHPO application to investigate historic properties within the project limits.
- vii. Prepare GI engineer's opinion of probable construction cost for early review by City and at the GI submittal stage. Cost will be split out by participating work (Federal aid eligible items) and non-participating (100% City cost) if necessary. We are not aware of any items that will be 100% City cost at this time.
- viii. Attend the Grade Inspection meeting with the City and MDOT.



Exhibit A - Scope of Design Services

Prospect Road Corridor Improvements between Holmes and Grove

- ix. Participate in one public meeting with the City. Format to be determined. OHM will provide exhibits for this meeting for the public to review.
- x. Anticipated Project Plan Sheets:
 - Cover Sheet (1)
 - Typical Section Sheet (2)
 - Miscellaneous Detail Sheet (2)
 - Note Sheet (1)
 - Legend Sheet (1)
 - Alignment Sheet (1)
 - Removal Sheets (4)
 - Construction Sheets Plan and Surface Profile (4)
 - Construction Sheets Plan View only (4)
 - Soil Erosion Sheets (3)
 - Detailed Grading Sheets (3)
 - MOT/Stage Construction Sheets (4)
 - Pavement Marking and Signing Details (6)
 - Washtenaw County Standard Details (2)
 - MDOT Special Details (2)
 - YCUA Sanitary & Water Standard Details (5)

Estimated Plan Sheet Total – 45 sheets

- b. Sanitary manhole covers reset
 - i. Include in the bid package items for exterior waterproofing of the chimney section of the sanitary structures impacted by construction in accordance with YCUA standard details to eliminate infiltration into the sanitary system.
- c. Utility Coordination
 - i. Follow up with the utilities contacted during the base plan phase. Provide preliminary plans to utilities as they are developed and schedule meetings with those utilities impacted by construction. Coordinate with utilities through out the design phase or until the utilities have been relocated. If relocation has not occurred prior to bidding, prepare a hand off status document to the City outlining status and next steps.
- d. Permitting
 - i. Submit permit application to Washtenaw County Road Commission for work within the Washtenaw County ROW. It is expected this will primarily be construction signing.
 - ii. Submit permit application to MDOT via Michigan Business One Stop for work within the Michigan Avenue right-of-way.
 - iii. Attend two coordination and plan review meetings with the City, MDOT, and WCRC.
- 4. Final Plans & Bidding
 - a. Final submittal will include the following to the City and/or MDOT:
 - i. Three sets (11" x 17") of paper plans
 - ii. Electronic plans in pdf and AutoCAD format
 - iii. Project Specifications (8 ½" x 11" Special Provisions)
 - iv. Engineer's Opinion of Probable Construction Cost in MERL/SAPW format
 - b. Answer questions during the bidding process as required by the MDOT.
 - c. Review bids as collected by MDOT and discuss the bid results with City.



Exhibit A - Scope of Design Services Prospect Road Corridor Improvements between Holmes and Grove

C. City Responsibilities

1. Provide storm sewer record plan and GIS information for project area. Provide most recent stormwater, and road master plans.
2. Coordination with police, fire and schools.
3. Coordinate and lead public information component.
4. Attend all review meetings with MDOT and Washtenaw County.
5. Attend all utility coordination meetings and furnish necessary authorizations for design by private utilities if required.
6. Pay all permit and review fees.

D. Design Criteria and Standards

1. The plans will be developed utilizing separate removal and construction sheets and will be at a scale of 1" = 40' horizontal.
2. Posted Speed: 25 mph
3. Road Classification: All Weather
4. General Design Standards: MDOT 4R Design Standards, Michigan Manual of Uniform Traffic Control Devices Standards, Washtenaw County Road Commission Standards, and City of Ypsilanti Standards, as applicable.
5. Specifications: MDOT: "2012 Standard Specifications for Construction", including the current "MDOT Standard Plans for Roads and Bridges", supplemented by locally authored Special Provisions will be utilized.
6. Drainage: Follow MDOT and WCRC drainage standards as applicable unless modified by the City.



Prospect Road Corridor Cost Summary

DATE: Jan 14, 2014
 PROJECT NO. 0094-13-0041
 ESTIMATOR: MJM
 CHECKED BY: KJE

Section	From	To	Construction Description	A Estimated Construction Cost with Contingency	B 80% Fed Aid Share	C 20% Local Share	D Estimated Design Engineering	E Estimated Construction Engineering	F Approximate Cost of Ramp Work
1	Holmes	Forest	Full Depth Pavement Remove and Replace	\$236,000.00	\$188,800.00	\$47,200.00	\$29,000.00	\$41,000.00	\$18,000.00
2	Forest	Cross	Full Reconstruction	\$427,000.00	\$341,600.00	\$85,400.00	\$52,000.00	\$73,000.00	\$27,000.00
3	Cross	Michigan	2.5" Mill and Overlay	\$160,000.00	\$128,000.00	\$32,000.00	\$20,000.00	\$28,000.00	\$15,000.00
4	Michigan	Spring	2.5" Mill and Overlay	\$231,000.00	\$184,800.00	\$46,200.00	\$28,000.00	\$40,000.00	\$18,000.00
5	Spring	Grove	2.5" Mill and Overlay	\$90,000.00	\$72,000.00	\$18,000.00	\$11,000.00	\$16,000.00	\$6,000.00
Total				\$1,144,000.00	\$915,200.00	\$228,800.00	\$140,000.00	\$198,000.00	\$84,000.00

Notes:

Total Federal Aid (B) \$915,200.00
 Total City Cost (C+D+E) \$566,800.00
 Total Value of Ramp Work (F) \$84,000.00

Total of \$895,000 of Federal Aid is allocated to the City in the current Transportation Improvement Plan over the next three years (2014, 2015, 2016)
 Ramp Work - Column (F) costs included in Estimated Construction Costs - Column (A)
 Design For Sections 1 & 2 budgeted for in FY 2013/2014 budget
 Prospect Bridge deck scheduled for replacement in 2014
 Safety Grant application has been submitted for signal improvements at Michigan and Prospect intersection for 2015 funding

Statement from Jennifer Symanns:

Hello, Mayor Schreiber! Thank you for contacting me about reappointment to the Human Relations Commission. I have thoroughly enjoyed my time so far and would love the opportunity to serve for another term.

During my term, I have worked with my fellow Commissioners to plan and execute two public forums on topics that concern our community. In addition to being a resource for the public at large, these forums also allow us, as Commissioners, an opportunity to learn more about the people in the city we serve. Past forum topics have included homelessness (November 2012) and disability (September 2013). We are currently finalizing plans for a third forum on the Latino/Hispanic community for Spring 2014. I plan to continue working on future forum topics with my fellow Commissioners. I would also like to plan additional proactive, outreach activities such as speaking at local community groups to educate them about what the HRC's function and purpose. Lastly, I have served as the HRC's Co-Chair for the past year and have enjoyed the opportunity to provide leadership and direction for the HRC with Chair, John Schuler. I hope to continue in this role in the upcoming year. Please let me know if you need any additional information.

Sincerely,
Jennifer Symanns

Statement from Gary Clark:

Dear Mayor Schreiber,

Thank you for requesting my reappointment to the Ypsilanti City Planning Commission. I always try to provide studied, practical and positive input into the various issues that come before us in the course of doing our job as commissioners. As the longest standing member of this commission I also bring a historical perspective which has a value of its own. I believe that the present Commission is a good mix of personalities and skill sets and hope to be able to continue to contribute to the effective disposition of the issues that come before us in the future.

I believe that my vision and sense of history can be especially effective as we continue to contemplate and further develop the Water Street property. I was starting on the Planning Commission when the site was being cleared and have been present to hear all the various plans for the site, attend charrettes, deal with various neighborhood concerns, chair the 20/20 Task Force as we envisioned the future of our city including the Water Street site, met with and listened to various consultants and helped to form plans for the entities who currently plan to occupy the site. My future goals for this next period would be to help shape future development on the Water Street property in a logical and organic way with an eye to avoiding past mistakes and with an educated mind that remembers the past, values the tremendous aesthetic (and therefore monetary) asset this property is, and is mindful of the financial necessities the city of Ypsilanti faces.

Another project that has been embarked upon and is due before the Ypsilanti City Planning Commission in my next term would (hopefully) be the Thompson Block. As a near neighbor of this historic site, I believe I can bring a valuable and informed perspective to its ongoing planning and development. Even as a business it is a companion to the Freight House, the

Depot, the Auto and Fire Museums, the Corner Brewery and other historic buildings in the area and could enhance the whole HESNA neighborhood if properly conceived and executed.

I would likewise try to bring a sensible outlook to the unfinished 'Shape Ypsi' process with a special eye to neighborhoods and their connectivity one to the other, North, south, east and west. I believe we need to grow the city from the inside out in a sustainable way and avoid "trendy" zoning patterns and ideas that may not work for us. I will adhere to that philosophy as a commissioner.

These are just a few of the projects I am anxious to be able help our city shape and move forward. Thank you for your trust and faith in my ability to perform this important volunteer task in what promises to be a growth period for the city of Ypsilanti.

Sincerely,
Gary Clark
309 East Cross Street
Ypsilanti, Michigan 48198
Gacsk8@aol.com

Statement from Heidi Jugenitz:

I have enjoyed serving on the Planning Commission since October of last year. I've appreciated the opportunity to participate in decision-making about the City of Ypsilanti's future at a time of significant change and opportunity. In particular, I was proud to adopt the Master Plan and recommend the approval of the Ypsilanti Housing Commission's affordable housing redevelopment project.

The newly adopted Master Plan, in my view, is both a major achievement and a visionary blueprint that, if adhered to, will keep Ypsilanti diverse and affordable while supporting quality-of-life improvements for residents throughout the City. If appointed to another term on the Planning Commission, my goals would be:

- To develop a core set of indicators and five-year targets, focused on quality-of-life considerations, to help the Planning Commission and the City monitor the implementation of the Master Plan
- To recommend zoning guidelines, site plans and special use provisions that improve the City of Ypsilanti's "livability", whether by incentivizing creation of quality jobs, increasing access to goods and services within the City, or assuring the safety and attractiveness of parks, streets and other public spaces
- To support further integration and interconnectivity between EMU and the City of Ypsilanti in ways that are mutually beneficial
- To help ensure that the Water Street redevelopment area is developed in a way that enhances Ypsilanti's curb appeal and strengthens the economic life of the City

Statement from Nicki Sandberg:

I received my BA in economics from the University of Michigan followed by a masters degree in urban and regional planning from Virginia Tech. My focus during my graduate degree was community development with an emphasis on food systems planning and geographic information systems. After graduating, I served in the Peace Corps in Honduras from 2010-2012 as a small business adviser where I worked primarily with women's groups, students, and non-profit organizations to implement education and development projects. I also gained fluency in Spanish.

My husband and I relocated to Ypsilanti in late summer 2012. Since then, I have been working as a geospatial analyst at the Children's Environmental Health Initiative, a research group at the University of Michigan's School of Natural Resources and Environment. My work focuses on leveraging spatial data analysis to examine the impact of the built and natural environment on health outcomes in vulnerable populations. I enjoy devoting my time to local activities and as such, I volunteer at Growing Hope and am also a member of the Washtenaw Food Policy Council's Zoning and Planning Team.

As a trained urban planner committed to a triple bottom line approach to development, I would like to serve as a member of the Planning Commission. Through my service, I will utilize both my professional background as well as my experience in community development to contribute to the continued health, safety, and well-being of the Ypsilanti community. My goal is to lend my unique and informed perspective to the Commission to help make decisions that will have a positive impact on our local economy, the environment, and all residents of the City.

Statement from Eric Maes:

I would welcome the opportunity to be reappointed to the Parks & Rec. Commission. Here is my short bullet list of goals:

- Continue the effort to complete the Rutherford Pool rebuild
- Work with FORP to begin effort to update the bath house
- Continue to work with local youth to identify park and community update projects. Like the tennis court project, tree planting, Ypsi PRIDE, etc.
- Work more closely with YALL (little league baseball) to establish closer working relationship with the City and DPW

Those are my ideas.

Thanks - Eric

Eric D. Maes
emaes@provide.net

Statement from Tom Roach:

Hello Mayor Schreiber,

Thank you for your offer to reappoint me on the Zoning Board of Appeals. I will be happy to continue serving in that capacity for the term beginning on May 1, 2014. My goals are to assist the ZBA in evaluating appeals to the Zoning Board for compliance to the zoning ordinance of the City of Ypsilanti.

Sincerely,

Thomas Roach



Resolution No. 2014-073
March 4, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE: