# Auburn Hills Meeting Schedule

**April, 2020**

<table>
<thead>
<tr>
<th>DAY</th>
<th>TITLE</th>
<th>TIME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>City Council Meeting</td>
<td>CANCELED*</td>
<td>7:00PM</td>
</tr>
<tr>
<td>8</td>
<td>Planning Commission</td>
<td>CANCELED*</td>
<td>7:00PM</td>
</tr>
<tr>
<td>9</td>
<td>Zoning Board of Appeals</td>
<td>CANCELED*</td>
<td>7:00PM</td>
</tr>
<tr>
<td>13</td>
<td>Library Board</td>
<td>7:00PM</td>
<td>Auburn Hills Public Library 3400 Seyburn Road</td>
</tr>
<tr>
<td>14</td>
<td>Tax Increment Finance Authority</td>
<td>CANCELED*</td>
<td>4:00PM</td>
</tr>
<tr>
<td>20</td>
<td>City Council Meeting</td>
<td>7:00PM</td>
<td>Virtual Meeting (using Microsoft Teams)</td>
</tr>
<tr>
<td>21</td>
<td>Brownfield Redevelopment Authority</td>
<td>6:00PM</td>
<td>Council Chamber 1827 N. Squirrel Road</td>
</tr>
</tbody>
</table>

*This meeting has been canceled due to the social distance safety precautions required to address the COVID-19 pandemic, EO 2020-21

**NOTE:** Anyone planning to attend the meeting who has need of special assistance under the American’s with Disabilities Act (ADA) is asked to contact the City Clerk’s Office at 248.370.9402 or the City Manager’s Office at 248.370.9440 48 hours prior to the meeting. Staff will be please to make the necessary arrangements.
# Auburn Hills Meeting Schedule

**May, 2020**

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<tbody>
<tr>
<td>4</td>
<td>City Council Workshop – <strong>CANCELED</strong></td>
<td>5:30PM</td>
<td>Administrative Conference Room 1827 N. Squirrel Road</td>
</tr>
<tr>
<td>4</td>
<td>City Council Meeting – <strong>CANCELED</strong></td>
<td>7:00PM</td>
<td>Council Chamber 1827 N. Squirrel Road</td>
</tr>
<tr>
<td>6</td>
<td>Planning Commission – <strong>CANCELED</strong></td>
<td>7:00PM</td>
<td>Council Chamber 1827 N. Squirrel Road</td>
</tr>
<tr>
<td>11</td>
<td>Downtown Development Authority</td>
<td>5:30PM</td>
<td>Administrative Conference Room 1827 N. Squirrel Road</td>
</tr>
<tr>
<td>11</td>
<td>Library Board</td>
<td>7:00PM</td>
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</tr>
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<td>12</td>
<td>Tax Increment Finance Authority,</td>
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<td>City Council Meeting,</td>
<td>7:00PM</td>
<td>Council Chamber 1827 N. Squirrel Road</td>
</tr>
<tr>
<td>19</td>
<td>Brownfield Redevelopment Authority,</td>
<td>6:00PM</td>
<td>Administrative Conference Room 1827 N. Squirrel Road</td>
</tr>
<tr>
<td>26</td>
<td>Public Safety Advisory Committee</td>
<td>6:00PM</td>
<td>Public Safety Building 1899 N. Squirrel Road</td>
</tr>
</tbody>
</table>

*This meeting has been canceled due to the social distance safety precautions required to address the COVID-19 pandemic, EO 2020-21*

**NOTE:** Anyone planning to attend the meeting who has need of special assistance under the American’s with Disabilities Act (ADA) is asked to contact the City Clerk’s Office at 248.370.9402 or the City Manager’s Office at 248.370.9440 48 hours prior to the meeting. Staff will be please to make the necessary arrangements.
1. MEETING CALLED TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF COUNCIL
4. APPROVAL OF MINUTES
   4a. City Council Minutes, March 16, 2020
5. APPOINTMENTS AND PRESENTATIONS
6. PUBLIC COMMENT
7. CONSENT AGENDA
   All items listed are considered to be routine by the City council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
   7a. Board and Commission Minutes
      7a1. Public Safety Advisory Commission, February 25, 2020
      7a2. Downtown Development Authority, March 9, 2020
      7a3. Tax Increment Finance Authority, March 10, 2020
   7b. Motion – To approve the 2020 Summer Maintenance Agreement with Road Commission for Oakland County (Street Sweeping).
   7c. Motion – To approval the purchase of a Trailer Mounted Mini Message Sign Board.
   7d. Motion – To approve the Michigan Department of Transportation Contract and Resolution Authorizing Officials To Sign Contract for West Entrance Drive Rehabilitation.
   7e. Motion – To enter into a Recycling Quality Improvement Grant Contract with The Recycling Partnership
8. OLD BUSINESS
9. NEW BUSINESS
   9a. Public Hearing/Motion – To approve the Brownfield Plan for 2041 Auburn Road.
   9b. Motion – To award 2020 Special Assessment District Road Program Construction Bid to Superior Excavating and Construction Engineering/Observation, Contract Administration Services to OHM Advisors, and Material Testing Services to G2 Consulting.
   9c. Motion – To adopt a resolution accepting the Special Assessment Roll and setting a Public Hearing on the Roll (Resolution No. 4) SAD No. 6 Atlantic Boulevard.
   9d. Motion – To adopt a resolution accepting the Special Assessment Roll and setting a Public Hearing on the Roll (Resolution No. 4) SAD No. 7 West Entrance Drive.
   9e. Motion – To approve the purchase of the 2021 Budgeted Ambulance with the assignment of the 2020 General Fund balance.
10. COMMENTS AND MOTIONS FROM COUNCIL
11. CITY ATTORNEY REPORT
12. CITY MANAGER REPORT
13. CLOSED SESSION
   13a. Motion - To meet in closed session to discuss labor negotiations pursuant to MCL 15.268 8(c) of the Open Meetings Act.
14. ADJOURNMENT
City Council meeting minutes are on file in the City Clerk’s Office. NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk’s Office at 248.370.9402 or the City Manager's Office at 248.370.9440 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements.

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752.797) and/or Malicious Use of Electronics Communication (MCL 750.540).

According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications.

Public meetings are being monitored and violations of statutes will be prosecuted.
CALL TO ORDER: Mayor McDaniel at 7:00 p.m.
LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326
Present: Mayor McDaniel, Council Members Burmeister, Kittle, Knight, Marzolf, Moniz and Verbeke
Absent: None
Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, Deputy Clerk Klassen, Police Chief Baker, DPW Deputy Director Stahly, City Engineer Juidici, Recreation Director Hegdal, Director of Community Development Cohen, City Assessor Griffin

3 Guests

4. APPROVAL OF MINUTES
4a. City Council Minutes, March 2, 2020
Moved by Verbeke, Seconded by Burmeister.
RESOLVED: To approve the City Council Minutes of December 16, 2019 as presented.
VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None
Resolution No. 20.03.38 Motion Carried (7 - 0)

5. APPOINTMENTS AND PRESENTATIONS
Mayor McDaniel moved the Promotion of John Toss to another date.
Mayor McDaniel moved items 5b and 5c to the Consent Agenda as Items 7g and 7h.

5d. Motion – To confirm the appointment of Wes Schaar to the Brownfield Redevelopment Authority for a term ending December 31, 2021.
Moved by Knight, Seconded by Verbeke.
RESOLVED: To confirm the appointment of Wes Schaar to the Brownfield Redevelopment Authority.
VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.03.39 Motion Carried (7 - 0)

6. PUBLIC COMMENT

7. CONSENT AGENDA
7a. Motion – To receive and file the Board and Commission Minutes
7a1. Planning Commission/Recreation Commission, March 4, 2020
RESOLVED: To receive and file the Board and Commission Minutes.

7b. Motion – To approve the OHM Advisors Design Scope of Engineering Services for the 2020-2021 Concrete Maintenance Program
RESOLVED: To approve the OHM Advisors Design Scope of Engineering Services for the 2020-2021 Concrete Maintenance Program

7c. Motion – Approval to Purchase a Replacement Tandem Axle Dump Truck
RESOLVED: To approve the Purchase of a Replacement Tandem Axle Dump Truck

4A
7d. Motion – To approve Hawk Woods Rental Rates

RESOLVED: To approve Hawk Woods Rental Rates

7e. Motion – To Re-Adopt a Resolution Approving Ballot Language for a Charter Amendment for Road Millage to be Placed on the Ballot at the August 4, 2020 Special City Election

RESOLVED: To Re-Adopt a Resolution Approving Ballot Language for a Charter Amendment for Road Millage to be Placed on the Ballot at the August 4, 2020 Special City Election (Attachment A)

7f. Motion – To approve an Agreement Between The City of Auburn Hills And The County Of Oakland

RESOLVED: To approve an agreement between the City of Auburn Hills and the County Of Oakland

7g. Proclamation to CARE House of Oakland County recognizing April, 2020 as Child Abuse Prevention and Awareness Month

RESOLVED: To declare April, 2020 as Child Abuse Prevention and Awareness Month (Attachment B)

7h. Motion Adopting Annual Arbor Day Proclamation

RESOLVED: To adopt the annual Arbor Day proclamation designating Friday, April 24, 2020 as Arbor Day in the City of Auburn Hills. (Attachment C)

Moved by Kittle, Seconded by Verbeke.

RESOLVED: To approve the Consent Agenda.

VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.03.40 Movement Carried (7 - 0)

8. OLD BUSINESS

9. NEW BUSINESS

9a. Motion – Approval of Special Land Use Permit and Site Plan / AT&T Wireless Communication Monopole Tower – 2501 Commercial Drive

Mr. Cohen presented the need for a new monopole tower to be installed at 2501 Commercial Drive. The pole will be 150 feet in height. The tower will be situated at the northwest corner of the property.

Moved by Verbeke, Seconded by Moniz.

RESOLVED: To accept the Planning Commission’s recommendation and approve of the Special Land Use Permit and Site Plan for AT&T Wireless Communication Monopole Tower subject to the conditions of the City’s administrative review team.

VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.03.41 Motion Carried (7 - 0)

9b. Motion – Approval of Special Land Use Permit / The Apostolic Church - Automatic Changeable Copy Sign

Mr. Cohen presented the request to change the existing automatic changeable copy sign with a new automatic changeable copy sign. The existing 6 foot 4 inch tall sign was constructed in 2006 and the new sign will be the same size and in the same location.

Mr. Haitham Sitto of Sitto Industries, 44731 Woodward Ave., Pontiac, MI was present.

Mr. Kittle sought confirmation regarding the size of the sign. It was explained that the new sign is the same size and in the same location of the previous sign but will sit on a brick base and be 55 inches in height and 144 inches in length.
Ms. Verbeke stated that she will not be voting for this item. She feels there are too many signs like this within the community already.

Moved by Moniz, Seconded by Knight.

RESOLVED: To accept the Planning Commission’s recommendation and approve of the Special Land Use Permit for the automatic changeable copy sign for The Apostolic Church subject to the conditions of the City’s administrative review team.

VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Marzolf, Moniz
No: Verbeke

Resolution No. 20.03.42 Motion Carried (6 - 1)

9c. Public Hearing and Resolution – Approving the remaining 2020 Liquor License Renewals

Ms. Klassen presented the final approval for the remaining on-premise liquor licenses. It was explained that after the last City Council meeting, certified letters were sent and hand delivered by the Police Department to the remaining establishments instructing them that all financial obligations must be paid to the City. All but one followed up and were compliant with the City Ordinance. Several attempts have been made to contact GameTime with no successful conversation from them.

Moved by Verbeke, Seconded by Marzolf.

RESOLVED: To recommend approval of the annual liquor licenses of those establishments who have now met the licensing requirements of the City: TGI Friday’s, Dimitri’s OPA Restaurant and Duffy’s Pub.

Mayor McDaniel opened the Public Hearing at 7:16PM.

Mr. Moniz asked Chief Baker if the GameTime establishment was open and operating. It was reported by Chief Baker that this establishment is operational. Ms. Verbeke asked for clarification regarding if GameTime were to contact the City after the Public Hearing was closed. Mayor McDaniel stated that if GameTime had any concerns they would need to contact the City Clerk’s Office.

Mayor McDaniel closed the Public Hearing at 7:18PM.

Moved by Verbeke, Seconded by Burmeister.

RESOLVED: To object to renewal of the liquor license for GameTime based on outstanding financial obligations to the City.

VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.03.43 Motion Carried (7 - 0)

9d. Public Hearing and request to approve a new IFEC for Webasto Roof Systems Inc.

Mr. Griffin presented the new IFEC for 2500 Executive Hills Blvd. It was stated that there would be a 42,224 square foot addition added to the current location for Webasto Roof Systems, Inc. The estimated investment cost is $10,312,974.00 and there would be a six year IFEC abatement with the company staying in the location at 2500 Executive Blvd. for six years beyond the six year IFEC term.

Mayor McDaniel opened and closed the Public Hearing at 7:21PM due to no one being present.
Moved by Knight, Seconded by Burmeister.
RESOLVED: To approve the request for a 6-year year IFEC for Webasto Roof Systems Inc., for a total estimated real property investment of $10,312,974 by adopting the attached resolution. (Attachment D)

VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.03.44  Motion Carried (7 - 0)

9e. Motion – To approve the submittal of a Michigan Department of Natural Resources development grant application and resolution of support for Auburn Hills (proposed) Kayak Point Park

Ms. Hegdal presented the updated grant application for the Michigan Natural Resources Trust Fund through the Department of Natural Resources (DNR). It was presented that the submittal of the development grant application is the same that was previously submitted to the DNR in 2018 however the application was not selected by the DNR for funding at that time.

Changes were made to the application to include new access point to the Clinton River for recreational use, kayak and canoe launch site with a kayak storage locker, riverfront access for fishing, wildlife and river viewing areas, pathways and nature trails, entrance drive for vehicles off Auburn Rd., picnic shelter with seating, river wayfinding and safety signage, LED and solar sight lighting, landscaping with native plants, grasses and rock, rain gardens and bioswales for storm water filtration, and easy access from regional trail systems and public transportation. These changes are in line with the City Master Plan as well as other regional projects. The projected costs for this project is $321,000.00 which is a 19% increase from the 2018 expenses. A requested City match would be in the amount of $128,500.00, this would be a 40% match to the cost of the project. This amount includes funding from the general fund and in-kind funding from labor and material provided by the City through DPW services.

The soil testing results have been completed and there is removal that will need to take place on the north side of the river. The soil levels where the park is proposed are lower and will not require soil removal. The Brownfield Redevelopment Authority will review this project and the next steps for remediation.

Mr. Knight clarified that the Brownfield committee has set aside $1 million to spend on remediation of the site. No money will be spent on the building of the project but the remediation of the soil only.

It was discussed that at this time there are no plans for restrooms, however it might be needed at this location in the future. It was stated that this is a concept plan and that changes can be made as the project evolves. This decision will be made in December, but final results will be in 2021.

Moved by Verbeke, Seconded by Marzolf.
RESOLVED: To accept the Recreation Commissions recommendation and approve the submittal of a Michigan Department of Natural Resources Trust Fund grant application as presented for the development of (proposed) Kayak Point Park at 2041 Auburn Road, Auburn Hills, prior to the April 1, 2020 deadline, and further, to approve the attached resolution of support. (Attachment E)

VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.03.45  Motion Carried (7 - 0)

9f. Motion – Award of Professional Services Agreement to Johnson Controls for Fire Suppression Inspection and Maintenance

Mr. Stahly provided the information necessary to award Johnson Controls the service agreement for Fire Suppression and Maintenance.
Mr. Moniz questioned who was responsible for the situation that took place at the Community Center. Mr. Stahly stated that the current vendor, VFP, was responsible for that situation.

Moved by Moniz, Seconded by Verbeke.

RESOLVED: To authorize the Department of Public Works to enter into an agreement with Johnson Controls for the Inspection, Testing and Maintenance of the City's Fire Suppression Systems for a period of 3 years, with the option of two, 1-year renewals at the rates shown in Exhibit 2. Funding for Fire Suppression maintenance to come out of the respective Building Maintenance budget lines.

VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.03.46 Motion Carried (7 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mayor McDaniel – Extended his appreciation on behalf of City Council to the administration and staff. He shared that many have worked hard to preserve the safety and health of the residents and employees. Due to this situation, it has been found necessary to scale back the operations, extended through April 13, 2020. City Hall, Community Center, DPW buildings will be closed to the public for walk in purposes. This will help to protect residents, visitors and staff. The Police Department and Fire Department will continue and work their normal shifts and 911 will still be available. Staff will be available remotely.

Mr. Kittle – shared that those that were involved with the Beautification Committee will become involved with the other committees within the city now that that committee has been disbanded. He shared that he was wearing a mask because of the concern of the coronavirus and shared that the mask was an offensive action being taken. He shared that he would like to see the Federal and State Governments take action and provide more masks for everyone.

Mr. Marzolf – thanked the City Staff for their commitment to the current situation of the coronavirus.

Ms. Verbeke – asked City Council to support her in the request to lock Hawk Woods at night moving forward. She shared that there have been some things stolen from this site and the Police have had to visit there recently when there were cars getting stuck by the lake. Mayor McDaniel shared that it would be best to have staff assess the situation and bring back a recommendation regarding how to move forward. Mr. Tanghe shared that there has been some data gathered and to his knowledge there has not been a significant amount of issues. Mr. Tanghe would like to spend more time on the situation.

Mr. Knight – shared his thoughts about taking the mansion and turning it into a cold storage building. He stated he is against any upgrades to the building. He shared that he would like to see the City do a better job at keeping the grass cut and possibly adjusting the ordinance to address grass in a sever grade location. He shared that he has receive information from Avondale Schools and there is a window of time that students can apply at different schools. He would like to help those in the Pontiac School district know of the availability of school of choice.

Mr. Burmeister – thanked the staff for their efforts on the coronavirus. He encouraged residents to visit the Center for Disease Control website as well as the County website for information.

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT
Mr. Tanghe – shared that as City Hall adjusts to the coronavirus situation, the main number at City Hall will be monitored during regular business hours. He reported that Meals on Wheels will continue and life line services; shopping or doctors appoints will still be available.

13. **ADJOURNMENT**
Hearing no objections, the Mayor adjourned the meeting at 8:01PM.

_________________________  ______________________
Kevin R. McDaniel, Mayor             Kristine Klassen, Deputy Clerk
ATTACHMENT A

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF AUBURN HILLS

RESOLUTION APPROVING PROPOSED AMENDMENT TO THE CITY CHARTER AND APPROVING BALLOT LANGUAGE

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 16th day of March, 2020.

The following resolution was offered by Councilperson Kittle and supported by Councilperson Verbeke:

WHEREAS, pursuant to the Home Rule City Act, Act 279, of the Public Acts of Michigan, of 1909, as amended, an amendment to the Auburn Hills City Charter may be proposed by the City Council of the City of Auburn Hills on a three-fifths (3/5) vote of the members elect; and

WHEREAS, the City Council has determined that it is appropriate to submit a Charter Amendment to the electors of the City of Auburn Hills at a special City election to be held on August 4, 2020.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Auburn Hills City Council as follows:

1. The following proposition is approved and shall be submitted to the electors of the City of Auburn Hills at a special City election to be held in the City of Auburn Hills on August 4, 2020:

   BALLOT QUESTION

   Shall Section 7.5 of the Auburn Hills Charter be amended to authorize the levy of a perpetual additional tax rate of up to 1.5 mills ($1.50 per $1,000.00 taxable value), starting with the December 2020 levy and raising approximately $2,677,014 in the first year for the purposes of constructing, improving, rehabilitating, repairing and maintaining City public roads?

   □ Yes
   □ No

2. The ballot question shall be printed with the following Statement of Purpose:
STATEMENT OF PURPOSE

This Charter Amendment would amend Section 7.5 of the Auburn Hills Charter to provide for a perpetual tax levy of up to 1.5 mills starting in December 2020 for the purposes of constructing, improving, rehabilitating, repairing and maintaining City public roads.

3. (a) Section 7.5 of the Auburn Hills City Charter currently reads as follows:

Sec. 7.5. – Adoption of budget, tax limit
Not later than the first Monday in November, the council shall adopt the budget for the next fiscal year and shall provide, by resolution, for a levy of the amount necessary to be raised by taxation for municipal purposes, which, for library purposes shall not be more than one (1) mill, for fire purposes, shall not be less than one-half (1/2) mill nor more than two and one-half (2 1/2) mills, and for police purposes, not less than six (6) mills nor more than eight and one-half (8 1/2) mills and for the general fund, not less than one (1) mill nor more than three (3) mills.

(b) Upon adoption of the proposed Charter Amendment, Section 7.5 of the Auburn Hills City Charter would read as follows:

Sec. 7.5. – Adoption of budget, tax limit.
Not later than the first Monday in November, the council shall adopt the budget for the next fiscal year and shall provide, by resolution, for a levy of the amount necessary to be raised by taxation for municipal purposes, which, for library purposes shall not be more than one mill, for fire purposes, shall not be less than one-half (1/2) mill nor more than two and one-half (2 1/2) mills, and for police purposes, not less than six (6) mills nor more than eight and one-half (8 1/2) mills and for the general fund, not less than one (1) mill nor more than three (3) mills, and for the purposes of constructing, improving, rehabilitating, repairing and maintaining City public roads, not more than one and one-half (1 1/2) mills.

4. The City Clerk is hereby directed to do all things necessary to provide for the submission of the aforesaid proposition to the electors of the City of Auburn Hills at a special City election on August 4, 2020.

5. A copy of this Resolution and copies of the proposed Charter Amendment (and current Section 7.5 of the Charter), Ballot Question and Statement of Purpose shall be submitted to the Governor and Michigan Attorney General for approval as required by law.

6. The proposed Charter Amendment (and current Section 7.5 of the Charter), Ballot Question and Statement of Purpose shall be published in accordance with the Home Rule City Act and other applicable state law.
7. The proposed Charter Amendment (and current Section 7.5 of the Charter), Ballot Question and Statement of Purpose shall be posted in the places required by the Home Rule City Act.

AYES: 7 Kittle, Verbeke, Burmeister, Knight, Marzolf, Moniz, McDaniel

NAYES: 0

ABSENT: NONE

ABSTENTIONS: NONE

STATE OF MICHIGAN )
COUNTY OF OAKLAND )

I, Kristine Klassen, the duly qualified and appointed Deputy City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 16th day of March, 2020, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this ____ day of March, 2020.

______________________________
KRISTINE M. KLASSEN
Deputy City Clerk
City of Auburn Hills
ATTACHMENT B

PROCLAMATION

CHILD ABUSE PREVENTION AND AWARENESS MONTH
APRIL, 2020

WHEREAS, abuse and neglect are suffered by children in our communities, regardless of age, race, gender, or economic situation;

WHEREAS, one in ten children will be sexually abused before the age of 18;

WHEREAS, this reported maltreatment is only a portion of the overall problem threatening our children, for so many cases go unreported, and today’s technology has brought with it a new and dangerous form of child endangerment – the online predator;

WHEREAS, the devastating consequences of physical and emotional abuse of our children affects the community as a whole and finding solutions needs to be attended to by the community as a whole;

WHEREAS, CARE House of Oakland County works to break the cycle of child abuse and neglect; provides a protective circle of light and hope for a better life; advocates for the safety and protection of children; and partners with community organizations and agencies to offer programs and services aimed at preventing child abuse.

NOW THEREFORE BE IT RESOLVED, that I, Kevin R. McDaniel, Mayor of the City of Auburn Hills, County of Oakland, State of Michigan, do hereby proclaim April, 2020 as Child Abuse Prevention and Awareness Month in the City of Auburn Hills and call on all citizens, community agencies, organizations, and businesses to increase their participation in efforts to prevent the abuse of our children, thereby strengthening and protecting the community in which we live.

Hereby presented on this 16th day of March, 2020, on behalf of the Auburn Hills City Council.

_________________________
Kevin R. McDaniel, Mayor
ATTACHMENT C

CITY OF AUBURN HILLS
PROCLAMATION IN RECOGNITION OF

Designation of Friday, April 24, 2020 as Arbor Day in
The City of Auburn Hills

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW THEREFORE, the Auburn Hills City Council does hereby proclaim April 24, 2020 as Arbor Day in the City of Auburn Hills, and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, the Auburn Hills City Council urges all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Signed this 16th day of March, 2020, at the City of Auburn Hills

______________________________  _______________________________
Mayor Kevin R. McDaniel        Mayor Pro-Tem John Burmeister

______________________________  _______________________________
Council Member Ron Moniz        Council Member Brian Marzolf

______________________________  _______________________________
Council Member Henry Knight     Council Member Robert Kittle

______________________________
Council Member Cheryl Verbeke
ATTACHMENT D

CITY OF AUBURN HILLS
RESOLUTION
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR WEBASTO ROOF SYSTEMS INC.

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the 16th day of March, 2020.

The following resolution was offered by Councilperson Kittle and supported by Councilperson Burmeister:

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on the 16th day of March, 2020, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the Samelson Development Company Industrial Development District; and

WHEREAS, Webasto Roof Systems Inc. has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed new real property within the Samelson Development Company Industrial Development District; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the 16th day of March, 2020 at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of the facility has not begun earlier than six (6) months before 23rd day of January, 2020, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the real property is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Auburn Hills; and

WHEREAS, the aggregate SEV of real property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Auburn Hills that:

1. The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974, and PA 225 of 1978, shall not have the effect of substantially impeding the operation of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Auburn Hills.
2. The application from **Wabasto Roof Systems Inc.** for an Industrial Facilities Exemption Certificate with respect to the **New Construction of Real Property** on the following described parcel of real property situated within the **Samelson Development Company Industrial Development District**; to wit;

The real property parcel the facility is located on is identified as tax parcel **02-14-26-010**, having an address **2500 Executive Hills Blvd**, City of Auburn Hills, MI 48326, including:

T3N, R10E, SEC 26 PART OF NW 1/4 BEG AT PT DIST N 88-20-02 E 2026.05 FT & S 05-38-17 E 120.29 FT & S 05-38-17 E 255.58 FT & S 14-34-28 E 167.76 FT & S 23-30-38 E 64.38 FT & S 16-33-40 E 209.55 FT FROM NW SEC COR, TH N 70-30-00 E 870.84 FT, TH ALG CURVE TO RIGHT, RAD 11267.91 FT, CHORD BEARSS 00-31-51 W 326.40 FT, DIST OF 326.41 FT, TH S 01-21-38 W 156.38 FT, TH S 10-26-38 W 750 FT TH S 34-32-24 W 160 FT, TH N 02-44-18 E 350 FT, TH N 69-52-25 W 698.73 FT, TH ALG CURVE TO LEFT, RAD 866 FT, CHORD BEARS N 06-16-42 E 474.22 FT, DIST OF 480.36 FT TO BEG 14.62 A3-31-95 FR 007

is hereby approved for **real property improvements**.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of **six (6) years**, and the starting date for the certificate is **December 31, 2020** and the ending date is **December 30, 2026**.

4. The total project investment approved is **$10,312,974**.

5. **Wabasto Roof Systems Inc.** agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **six (6) years** after the date of the certificate’s expiration.

   AYES: 7 – Kittle, Burmeister, Knight, Marzolf, Moniz, Verbeke, McDaniel  
   NAYS: 0  
   ABSENT: NONE  
   ABSTENTIONS: NONE  

   RESOLUTION ADOPTED

STATE OF MICHIGAN)  
)SS  
COUNTY OF OAKLAND)

I, the undersigned, the duly appointed Deputy City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the **16th day of March, 2020**.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on **this 16th day of March, 2020**.

________________________________  
Kristine Klassen, Deputy City Clerk
ATTACHMENT E

CITY OF AUBURN HILLS RESOLUTION

At a regular meeting of the City Council of the City of Auburn Hills, Michigan, held at the City Hall on March 16, 2020, the following resolution was offered by Council Member Verbeke and supported by Council Member Marzolf:

RESOLVED: To accept the Recreation Commission’s recommendation and approve the submittal of a Michigan Natural Resources Trust Fund grant application as presented for the development of (proposed) Kayak Point park at 2041 Auburn Road, Auburn Hills, prior to the April 1, 2020 deadline, and further, to approved the attached resolution of support:

RESOLUTION

WHEREAS, The City of Auburn Hills supports the submission of an application titled, “Kayak Point Park Development”, to the Michigan Department of Natural Resources Trust Fund for Development of Kayak Point Park at 2041 Auburn Road; and,

WHEREAS, the location of the proposed project is within the jurisdiction of the City of Auburn Hills; and,

WHEREAS, the proposed application is supported by the Community’s 5-Year Approved Parks and Recreation Plan and will be a benefit to the community; and,

WHEREAS, the City of Auburn Hills is hereby making a financial commitment to the project in the amount of $128,500 in matching funds, in cash and/or force account; and,

NOW THEREFORE, BE IT RESOLVED that The Auburn Hills City Council hereby authorizes submission of a MDNR Trust Fund Grant Application for $192,600, and further resolves to make available its financial obligation amount of $128,500 (40%) for a total project cost of $321,100, during the 2021-2022 fiscal year.

AYES: 7 – Verbeke, Marzolf, Burmeister, Kittle, Knight, Moniz, McDaniel
NAYES: 0
ABSENT: NONE
MOTION APPROVED.

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 16th day of March 2020.

IN WITNESS WHEREOF, I have hereunto affixed by official signature on the 17th day of March, 2020.

Kristine Klassen, Deputy City Clerk
CALL TO ORDER: Chairperson Hawkins called the meeting to order at 6:00 p.m.

ROLL CALL: Mr. Boelter, Present
Mr. Taylor, Present
Mr. Johnson, Present
Mr. Moniz, Present
Mr. Hawkins, Present

Also Present: Chief Jeff Baker, Police Department
Lt. Ryan Gagnon, Police Department
Lt. Scott McGraw, Police Department
Lt. Jeremy Stubbs, Police Department
Chief Ellen Taylor, Fire Department
Asst. Chief Antonio Macias, Fire Department
Capt. John Hering, Fire Department
Lt. Bryan Shambeck, Fire Department

LOCATION: Grunsick Public Safety Building, 1899 N. Squirrel Road, Auburn Hills MI 48326

APPROVAL OF MINUTES Skip Taylor moved to approve the minutes of the July 16th, 2019 meeting with no corrections to the roll call.

Supported by Donearl Johnson.

VOTE: Yes: Taylor, Boelter, Moniz, Johnson, Hawkins
No: None

Motion carried (5-0)

ADDITIONS TO THE AGENDA:

Police Chief Baker has requested to move the Police Department presentation to before agenda item 7.

Motion by Ron Moniz to move Police Department to move their presentation up to before agenda item 7. If no objections, move to approve.

Seconded by Skip Taylor.

VOTE: Yes: Johnson, Moniz, Taylor, Boelter, Hawkins
No: None

Motion carried (5-0)
Motion by Skip Taylor to add election of officers because it is the first meeting of the new year, according to the by-laws, as New Business item 7h.

Supported by Jay Boelter.

VOTE: Yes: Moniz, Taylor Boelter Johnson, Hawkins
No: None

Motion carried (5-0)

COMMUNICATIONS (PERSONS WISHING TO BE HEARD)
None

NEW BUSINESS

a. Police Department Taser X26P Control Device Purchase

Lieutenant Stubbs presented the Police Department's plan to purchase replacement tasers because 27 of the current stock of 53 are nearing the end of their lifecycles. The recommended replacement period is 5 years, and those 27 reach replacement age this year. At 5 years, tasers are twice as likely to malfunction during use, and batteries begin to wear out. The Department wants to stick with the current model because they use the same battery and holster, and the officers have been trained to use this specific model. If the Department switches models, they will incur more training costs on top of equipment costs.

The Department recommends buying 27 tasers this year, and then begin purchasing 12 per year in the following years. Skip asked if there was a turn-in value for our current units. Stubbs explained that there is a disposal fee, so the PD will keep the old units as spares, for training, or destroy them for disposal.

Motion by Donearl Johnson to recommend the City Council the purchase of 27 Taser X26P electronic control devices by the Auburn Hills Police Department in the amount of $30,051.20.

Seconded by Jay Boelter.

VOTE: Yes: Moniz, Taylor, Boelter, Johnson, Hawkins
No: None

Motion carried (5-0)

b. Police Uniform Bid Selection

Lieutenant McGraw gave his external body armor vest to Jay Boelter to pass around. Lt. McGraw explained that the uniforms are made by Blauer and have been the same since at least 2010, and Armor Express makes the external vest being passed around. The Department put out a request for bids on uniform pricing and received two bids. On Duty Gear is the current provider, and NYE Uniform was the other bidder. NYE came in $71.49 cheaper for uniforms, but they are not a licensed distributor for Armor Express body armor. NYE also charges more for larger sized uniforms; On Duty Gear does not charge more. Eugene Hawkins asked how the turnaround time is for On Duty Gear. Lt. Gagnon said that turnaround time is very quick and because they are not open to the public, service is very focused and quick for Police Departments. The Department has also heard many complaints about NYE from surrounding Departments, and several of those Departments are leaving NYE.

Motion by Skip Taylor to recommend to City Council the acceptance of the bid placed by On Duty Gear for the 2020 Police uniform, equipment, and body armor vendor.
Ron Moniz questioned if a budget cap should be included in the motion. Lt. Gagnon approved a cap of $11,000 for 2020.

**Motion** by Skip Taylor to recommend to City Council the acceptance of the bid placed by On Duty Gear for the 2020 Police uniform, equipment, and body armor vendor not to exceed $11,000.

Seconded Jay Boelter

**VOTE:**
Yes: Johnson, Moniz, Boelter, Taylor, Hawkins
No: None

**Motion carried (5-0)**

c. **Police Vehicle Changeover Bid Selection**

Lt. McGraw explained that the Department is only upfitting two vehicles this year: one Charger and one Ram. Both units are model year 2016 and have high miles. Lt. McGraw gave an overview of the equipment in and on the vehicles. The emergency light pattern looks the same on both vehicles. A few years ago, the vinyl decals were switched to a reflective material that is more visible in inclement weather and darkness and assists with recognizing the positioning of the vehicle. He showed the radar display, mobile laptop, siren controls, light controls, and police radio. Also up front is an AR-15 with a handcuff lock so that officers can use their handcuff key to release the rifle if needed in the case that the electronic release does not work. There is also a Proguard petition for the prisoner and a citation printer. In the trunk is the shotgun because of limited space in the cabin. All electronic control units are easy to access in the trunk, and are put together by Cynergy.

The Department received 2 bid results: Cynergy Wireless and Arrowhead Upfitters. The Ram is a bit more expensive, but the Charger is less at Cynergy, and there are only two Rams in the fleet, making the cost less overall with Cynergy.

**Motion** by Donearl Johnson to recommend to City Council the acceptance of the bid placed by Cynergy Wireless for the 2020 Police Vehicle changeovers, in the amount of $17,704.84.

Seconded by Jay Boelter

**VOTE:**
Yes: Johnson, Moniz, Taylor, Boelter, Hawkins
No: None

**Motion carried (5-0)**

Lt. McGraw exited the meeting due to Department training requirements.

d. **Fire Department Ambulance Purchase**

Assistant Chief Macias started his presentation by thanking the 4 firefighters who put together the information on the current vehicles and what the department needs going forward: Larry Basaj, Bruce Weisgerber, Tony Randolph, and Bryan Shambeck. The Department and DPW have worked together on a fleet replacement plan to balance the future budget. Two ambulances were identified that need to be replaced in the next 2 years.

Rescue 2 is a 2007 mod with 80,000 miles on a 2015 chassis. The 2007 box was remounted to the new chassis after an accident and is experiencing issues based on being moved to the new chassis. Based on data from last 6 years, the Department is expecting 10 years out of the new ambulances going forward.
The Department’s request for bid was posted on January 17th and 3 bids were received on February 11th, RSVP, Emergency Vehicles Plus (EVP), and Kodiak. RSVP is out of Ohio, but they are certified to sell in Michigan. Kodiak is another dealer in Michigan. RSVP is the lowest bidder, but the best vehicle fit bid came from EVP, which supplied the department’s last two ambulances. RSVP did not provide good references, and their build documents did not match their drawings.

The Fire Department recommended EVP’s submitted bid of $252,984.00. They require 150 days from receipt of order to delivery. There is a 3 year 36,000 miles warranty on the chassis. Electrical warranty is a big consideration, and EVP offers a 10 year warranty. EVP is used by many surrounding departments. EVP is based in Holland, MI, but their mechanics come to the department for repairs. EVP states the lifetime of their vehicles is 15 years.

**Motion** by Ron Moniz to approve the purchase of a Wheeled Coach ambulance as proposed by Emergency Vehicles Plus in the amount of $252,984.00 and in addition decaling performed by local vendor (Majik Graphics) in the amount of $2,410.00, totaling $255,394.

Seconded by Skip Taylor.

**VOTE:** Yes: Boelter, Johnson, Moniz, Taylor, Hawkins  
No: None  

**Motion carried (5-0)**

e. Fire Engine (Pumper) Purchase

Asst. Chief Macias started by thanking the four firefighters that put together specifications for this acquisition: Gary Chapman, Tony Randolph, Bryan Shambeck, and Michael Riedy. The department currently has 2 ladders that are both 23 years old. Mileage and maintenance costs are adding up for both of them. The department has worked with DPW to come up with a replacement plan, and the decision was made to replace one of these ladders with an engine which will provide significant savings for the City. The Department will have 2 ladders and 3 engines.

The department’s request for bid posted on January 17th and received two bids on February 11th from Emergency Vehicles Plus (EVP) and Allied Fire Sales & Service. The team considered many factors when looking for a new engine: NFPA 1901 standards, pump capacity, weight, and water storage. The bids were also examined for vehicle life expectancy, warranties, service, and customer support. The Fire Department recommends purchasing the new engine from EVP. EVP was the lowest bidder who provides pre-pay discounts. After discussing the pre-pay options with the City’s Finance department, it was also recommended that the 75% down payment option be utilized for savings. There are bid and performance bonds on the apparatus, so the city is protected.

EVP manufacture Rosenbauer engines where several departments around Auburn Hills have and are pleased with their purchases. It’s a straight forward truck with nothing extra that will not be used. Rosenbauer is located in South Dakota and averages 50 complete units per month. They have been around since 1979. Discussion took place on the possibility of auctioning off the old ladder as past apparatus. The last department ladder auctioned off sold for approximately $26,000. The Department expects to get 15 years out of the new engine. Chief Taylor said the engine should get 10 years on the front line and 5 as a reserve unit.

Discussion took place on how the vehicle would be serviced. Asst. Chief Macias stated that most of the maintenance will be done at the department, but there will be times when it may have to be taken to Cummings for work on the motor.

**Motion** by Jay Boelter to approve the purchase of a Rosenbauer Fire Engine as proposed by Emergency Vehicles Plus in the amount of $627,370.00 while taking advantage of a 75% prepay
discount for the final cost of $608,668.00 and in addition decaling performed by local vendor (Majik Graphics) in the amount of $2,990.00.

Seconded by Donearl Johnson.

VOTE: Yes: Taylor, Moniz, Johnson, Boelter, Hawkins
      No: None

Motion carried (5-0)

f. Fire Department Vehicle Exhaust Removal System Purchase

Captain John Hering began his presentation by introducing himself to the Committee. Capt. Hering explained what the systems do: remove toxins of the vehicle exhaust from inside the station building. The systems are required by NFPA 91 and 1500. He explained that the Vehicle Exhaust Removal Systems in Stations one (1) and three (3) are 27 years old, and Station two’s (2) unit is 19 years old. He depicted the need of these systems needing to be replaced by showing pictures of the station’s old systems. The department applied and was awarded a Federal Emergency Management Agency (FEMA) Assistance to Firefighter Grant (AFG) in the amount of $144,000 to replace its current depleted Vehicle Exhaust Removal Systems where the City is required to pay 10% match of funds spent.

Two bids were received in response to the department’s posted request for bid, Hastings Air Energy Control and Clean Air Concepts. The Department asked bidders to include the costs of wireless transmitters for activation of the systems and a small hose tool to allow small engines to be ran and checked in the station apparatus bays during department apparatus checks.

The department recommends Hastings, the lowest overall bidder, as the supplier for the new ventilation systems for all three stations. Hastings is located in Farmington, MI on 8 Mile Road. It was stated that Hastings has a total of five offices in Michigan and guarantees they will be out the same day as notified of a reported service need.

A discussion took place on updating the recommended motion to include FEMA’s grant portion and the City’s portion of the procurement cost for the needed fire station Vehicle Exhaust Removing Systems. Chief Taylor recommended the verbiage to include, “recommend the purchase of the Hasting Plymovent System for $142,500.00 which includes FEMA grants paying 90% of the procurement.”

Motion by Ron Moniz to recommend City Council approve the purchase of Hastings Air Energy Control, Inc. Vehicle Exhaust Removal Systems for $142,500, with FEMA grants paying 90%.

Seconded by Donearl Johnson.

VOTE: Yes: Boelter, Taylor, Moniz, Johnson, Hawkins
      No: None

Motion carried (5-0)

g. Fire Department Cardiac Monitor/Defibrillator Purchase

Lieutenant Bryan Shambeck, EMS Coordinator, presented the recommendation to use a sole source provider for the purchase of cardiac monitor/defibrillators. The units are used on nearly every call, and have passed their life expectancies of 8 years. The 2 units needing to be replaced were purchased in 2008 and 2011. The market only has 2 options for units like this: Lifepak 15 and Zoll’s X-Series. By sticking with Lifepak, the Department would require no training for new models, and would also be able to use the same accessory stock that is currently on hand. The model would also be compatible with surrounding communities’ units, eliminating the need for
adapters. Purchasing Lifepak units would create consistency across the board. The Department would also receive trade in credits for the old units upon purchasing Lifepak units.

Ron was concerned that City Council may ask why this did not go out to bid. Lt. Shambeck explained that the benefits of purchasing units from the same manufacturer outweigh the process of looking for new bids. Also, in 2017 the bids for Lifepak models were less than other models. Ron thinks council would agree. Chief Taylor explained that Lifepak is only available from one provider, so even if this went to bid the department would have to purchase from Physio-Control.

**Motion** by Skip Taylor to recommend City Council approve the purchase of a cardiac monitor from Physio-Control in the amount of $39,090.85.

Seconded by Donearl.

**VOTE:**
- Yes: Moniz, Boelter, Taylor, Johnson, Hawkins
- No: None

Motion carried (5-0)

**h. Election of Committee Officers**

Motion by Skip Taylor to maintain the current elected officers for the coming year.

Seconded by Donearl Johnson.

**VOTE:**
- Yes: Moniz, Boelter, Taylor, Johnson, Hawkins
- No: None

Motion carried (5-0)

**REPORTS FROM DEPARTMENTS**

**a. POLICE DEPARTMENT REPORT**

**Note:** Chief Baker presented the Police Department Report before New Business, as approved by the Committee.

Chief Baker thanked the Committee for allowing him to move his presentation up to before new business. The following information was a brief synopsis of 2019 activities as outlined in the annual report

**2019 Community Policing Initiative**

Chief Baker highlighted the increased time spent in the neighborhoods by officers. The Department created a community policing piece that is quite robust, with zones assigned to each officer so that they have responsibility for an area and that the neighbors can become familiar with their zone officers. The Department ramped up community policing efforts in 2019, which has resulted in a steady increase in the time spent by officers in the neighborhoods year by year since 2017. The Department wants patrol cars in the neighborhoods, and hopes that committee members have noticed the increased presence of officers. Hours spent patrolling neighborhoods increased from 3,690 hours in 2018 to 4,820 hours in 2019.

Chief Baker gave kudos to Officer Brian Miller for forging terrific business partnerships. In fact, approximately $18,000 was donated by area businesses for the Shop with a Hero event at Target. During the month of October, the Department drove a patrol car with breast cancer awareness decals donated 100% by Faurecia. Also during 2019 the Department hosted another Citizens Police Academy, and created its first annual Youth Academy in an effort to reach area youths. The Youth Academy was a goal established by the City Council and was very well received by those that attended. The cost of the Youth Academy was fully sponsored by TI Fluids.
2019 Statistical Data
Calls for service were down 12% from 2018. Officers are remaining busy however with time spent in the neighborhoods. The Department average for each officer is 60 arrests, 732 calls for service, and 205 traffic stops. Arrests were down 13% from 2018. Use of force incidents increased 13%, totaling 57 times, which includes any use of force above the use of handcuffs. This includes the pointing of a Department issued firearm or Taser to gain complaisance. An annual review of each use of force report is conducted by the Department, which is mandated by accreditation. The increase in use of force incidents in 2019 can be attributed to the Department's change in use of force accounting. In 2019 the PD began counting use of force incidents conducted by Auburn Hills Police Officers while working on specialty task forces. These incidents were not included in prior year numbers.

Traffic stops were down for 2019, which is not unexpected. Because officers are increasing patrols in the neighborhoods, they have less time to conduct traffic stops, so this was an expected result of the new community policing model. Crashes were up 4%. Alcohol and drug citation numbers are comparable to the past—no significant change. The Department now has a traffic unit, which is focused on intersections, including M-59 from Opdyke to Adams which is considered a high crash location.

Budget
A big portion of the budget in 2019 was patrol at 82% of expenses. The Department budgeted $10,500,000 in revenue, but received $10,800,000, which was more than expected. Expenditures were budgeted at $8,900,000, with final spending numbers coming in considerably lower for the year at $8,200,000. The difference was swept back into the city fund. The Department is very careful with overtime and other purchases.

Looking ahead
In 2020, the Police Department is looking to get a security fence around the Public Safety Building. There have been incidents where janitorial staff let people in the back doors, and random people have come up to officers prepping patrol cars behind the building when they are not prepared to handle a potential threat. There was a domestic issue where people came to the back door mid-fight looking for help. There have also been nails put in the personal vehicle lot on purpose causing flat tires, so the fencing should encompass that area also. There is going to be a study done very soon, and the Department scrapped an early, very high quote for fencing.

In addition, the Department is investigating the purchase of body cameras. Body camera implementation can be very expensive, and the Department is looking into grants and available equipment. Chief Baker thinks cameras would be a benefit to agency.

The Department is also looking at issuing officers city cell phones to assist in their investigations. City issued cell phones would allow for quick follow-up, on-scene photographs and other officer conveniences to improve efficiency. The Department is trying to work out issues of personal use of city phones and the logistics of officers potentially having to carry two phones.

Mobile tablets have been received and should be in place soon for the Field Training Officer (FTO) program. The goal is to have the tablets up and running in March or early April. Current FTO paperwork and documentation is done manually on paper right now and is not very efficient.

The Department is also looking to improve the command van. It is a critical incident vehicle, but is not up to standards if there is a big critical incident. The Department is looking to put an awning on it and stock it with more supplies.

The Department is also looking to improve the security at city buildings due to worries about people walking unescorted throughout City Hall. Possible solutions include adding doors and cameras, and possibly lanyards for visitors.
Security and active assailant training is a priority for our businesses and factory buildings. Partnerships are underway and have led to significant security changes at many corporate building in Auburn Hills to include specially painted pillars and walls so that they can easily identify which area an issue occurs in, so that responding officers can correlate the location utilizing in-car maps. Some buildings are very big in the City, so this will be very helpful in a critical, time-sensitive incident. In 2020, many businesses that are new to the program will be able to visit some of our pilot program business for additional guidance in protecting their visitors and employees. Additionally, the Stop the Bleed program has been instructed to many businesses in the City. The program is very well received and will be expanded in 2020.

The Deputy Chief position was approved by City Council recently, and Lieutenant Ryan Gagnon will be filling that position in the very near future. Succession planning is underway including future replacements for Chief, Deputy Chief, Lieutenants, and Sergeants.

PSAC Comments and Questions
Eugene Hawkins congratulated the Police Department on becoming accredited, and asked where it has been publicized. Chief Baker stated that Lt. McGraw is working on it and that the plan is to have a script on the patrol vehicle trunk lids that reads "An Accredited Agency," and they are working with Cynergy to complete the project. Eugene stated that it’s a big deal to be 1 of 24 accredited agencies out of 570 Departments in the state. Chief Baker said they are very proud of becoming accredited.

Eugene Hawkins referred to the Annual Police Report regarding 6 complaints by citizens about the Department and of those only 2 were justified complaints; he asked how that is being handled. Chief Baker said the complaints were handled internally.

Ron Moniz asked if there had been a body camera study. Lt. Gagnon said there was a City Council workshop on the topic in 2015 when they first became popular for law enforcement use. It was decided at that time to wait on purchasing them until questions could be answered surrounding FOIA laws, video retention capabilities, and redaction processes. Council agreed at that time to see how these things progressed over time and could be re-evaluated in the future. Ron asked how many the Department would need. Lt. Gagnon explained that he was unsure because there are different procedures for assigning the units. The biggest cost is retention of the equipment. Chief Baker explained the logistics of the cameras needing to work with the equipment that’s already in the vehicles. Ron asked if the Fire Department would want body cameras. Chief Taylor said that body cameras would not be needed, but rig cameras might be useful to have on the vehicles. Skip said that body cameras had been brought up in the committee years ago, but legalities were an issue. Chief Baker explained that software is much better now, and a report will eventually be put together with more information about body cameras so that City Council and the Committee can weigh the cost and value of implementation.

Chief Baker thanked the Committee for allowing him to present early, and then exited the meeting.

b. FIRE DEPARTMENT REPORT

Chief Taylor presented a PowerPoint that included a quick glance at the department’s current staffing level; 2018, 2019 and 2020 budget results; summarized 2019 statistics; summarized 2019 projects; and some upcoming 2020 projects.

1. **Current Staffing:** The Department is currently budgeted for 30 full time personnel with four administrative positions and 24 suppression positions. In addition, the department currently has five (5) Paid on Call and six (6) Part Time firefighters and a half position intern. It was mentioned that the department is trying to keep Paid on Call firefighter Dr. Dan Wahl a
member of the department as an honorary physician as he is an important asset to the
department.

2. **2018, 2019 and 2020 Budget Results:** Chief Taylor went through a table that displayed the
summary amount of revenue and expenditures for the past three years that resulted in the
department giving back the general fund $1,257,556, $1,302,633, and projected $467,647 for
the 2018, 2019, and 2020 department budgets. The revenue is expected to increase by
$170,944 in 2020 and the expenditures increased by $1,005,929 which can be a little
decieving with an amount of close to $325,000 being grant funds. This increase includes the
addition of three (3) SAFER FEMA grant funded suppression positions (75% funded) and an
Administrative Officer. The department’s fleet maintenance and management also increased
12%. Overall the department’s expenditure increased 16% when the grant funds are taken
out of the formula.

3. **Summarized 2019 Statistics:**
   a. In 2019, total incident call volume was 3,906, a 4.6% increase over 2018. There has
      been a consistent increase at 3.7% over the last 5 years. Station two (2) gets the majority
      of the department’s incident calls at 49%. As for response by property use, the two
      largest are 45% residential and 15.72% outside property.
   b. Total fire incidents came in at 94, an average of 1 every 4 days.
   c. Emergency medical responses accounted for 69.25% of calls, which is higher than 2018.
      Of the emergency medical responses, traumatic injuries rank as the highest type of
      incident at 14.5%. The department had 18 viable cardiac arrest incidents in 2019, and 9
      of those survived to the hospital. The national survival rate is only 10%.
   d. There was an increase in medical service recovery revenue of 4.8%.
   e. There were 9 additional HazMat sites in 2019, which increased revenue by 3.9%.
   f. Outdoor burn complaints jumped up 61% in 2019 over 2018, including during permitted
time.
   g. In the Prevention bureau, necessary inspections increased by 3%.
   h. Mutual aid calls increased, but the Department had the same amount of people available
to respond. The need for mutual aid assistance went up 15%; there were 45 additional
incidents where we needed other departments to come assist. The Department being able
to assist surrounding departments went down. Chief Taylor shared her opinion of one
possible cause of the influx of concurrent calls. There were 1,270 times where there were
2 or more incidents occurring at the same time, resulting in 32.5% of the department’s
incidents.

4. **Summarized 2019 projects:**
   a. The department’s uniform committee had completed an overhaul of the department’s
      uniform to include the new ranks implemented. The team is now working on standardizing
      the badges and nameplates. Some other accomplishments include creating a hands-on
daily drill book to improve hands on physical performances.
   b. The apparatus committees, both the ambulance and engine committees, completed
      specifications required for the 2020 fleet replacements.
   c. The shift command vehicle was purchased and upfitted.
   d. The department is still working with the County on implementing the more efficient,
effective and reliable internet technology station alert systems. The department purchased
radio receiving toning equipment in order to utilize their antiquated UHF frequency. This
purchase was to implement a sub-standardized method to tone out the department’s
station without having to hear all emergency traffic communication.
   e. The Fire Prevention tablets and docking stations were purchased and put in service,
creating a more efficient working process while saving in costs by eliminating a second
computer for field work.
   f. The Department has worked with the County to get the CLEMIS occupancy data module
up and working.
g. The department held promotional evaluation processes and promoted three (3) lieutenants, three (3) captains or shift commanders, and an Administrative Officer.

h. The Department is spending a lot of valuable time trying to attract, recruit and interview candidates to fill current department vacant positions.

i. Two candidate academies were developed, one for the part time employees hired and one for the full time employees hired. There are four recently hired part time employees.

j. The department phones and tablets have officially been switched to the national emergency cellular band of FirstNet through AT&T. The Department will have priority access to the cellular networks for emergency services.

k. The department’s occupancy data has been cleaned up to where the inspectors report 95% accuracy. The intent is to implement a fire safety inspection program to be compliant with the national standard where all business sites are inspected at a frequency based on each sites’ occupancy classification.

l. Fire station two’s conference room has been completed and is a great improvement for the Department. The room is just waiting on a window to be installed by the Department of Public Works. The Captains’ quarter has also been completed to allow the shift commanders to sleep on the first floor closer to the apparatus bays.

m. The department has acquired AFG and SAFER grants.

n. A paramedic education reimbursement program was implemented to encourage part-time employees to attain their paramedic licensure for full-time hiring.

o. The Department applied for the CMS Triage Transport and Treatment Program (ET3). This was a big project that many hours were put into. The program allows emergency responders to not only respond to the scene and transport to a hospital, they will be able to transport patients to an urgent care or primary care physician or treat the patient on scene while on a video/audio call with a qualified physician.

p. The Fire Department lead the writing of County protocols for implementing the ET3 program.

5. Upcoming 2020 projects:
   a. Continue working with the County to implement the more up to date station alert toning system through IP technology.
   b. Install the Vehicle Exhaust Removal System at all three (3) fire stations.
   c. Purchase and replace the departments old, no longer serviceable. Lifepak cardiac monitor.
   d. Develop an RFP to analyze the department’s fire stations current viability for our twenty-four (24) shift assignment and for today’s functional ability to meet national standards and law compliance.
   e. The Department is also looking to secure a fleet vehicle for the Administrative Officer.
   f. The department will be procuring a couple of smaller equipment purchases including a forcible training door prop, and a large diameter hose roller.
   g. The Department will be acquiring apparatus tablets so that the fleet has updated computers in each vehicle. GIS software applications will be assessible on mounted tablets in the fleet vehicles so that the responding and on scene firefighters will have pre-planning information about the building they are responding to, which complies with the Firefighter Right to Know Act.
   h. City Manager Tanghe assigned the department to replace the current chairs in the community room. The department will be working with the Police Department to replace the chairs.
   i. The Department is hoping to be accepted to the ET3 Program which will require a lot of work but ultimately provide better medical services to our community.
   j. The department was one of 48 fire departments selected in Michigan to be required to participate in a Center for Medicare and Medicaid Service’s (CMS) very detailed medical care service cost analysis audit.
   k. The Fire Prevention Bureau has taken charge of a project that involves scanning old files in Station two’s (2) basement so that some space can be cleared out. This is a planned 2 year project, with $20,000 put in the budget for 2020 and $20,000 in 2021.
The Department is working closely with neighboring communities on dispatching techniques to improve faster more efficient collaborating services.

The Department is working with five (5) separate neighboring fire departments on standardizing on scene policies that include communications, Incident Command System, and accountability. This will allow the departments to work more smoothly and safely together on scene.

One of the goals for 2020 is that the Fire Department start a Cadet Program. A new application and flyer were just developed and finalized to be dispersed shortly to attract teenagers between the ages of thirteen (13) and nineteen (19).

The strategic plan has been a big project for the Department, and an outside consultant was hired to finish what will be a 4 year strategic plan.

**ADJOURNMENT**

Skip Taylor moved to adjourn the meeting at 8:24pm.

Seconded by Jay Boelter

**VOTE:**

Yes: Moniz, Johnson, Taylor, Boelter, Hawkins

No: None

*Motion carried (5-0)*

Respectfully Submitted,
Andrea Logan
Fire Department Clerk
LOCATION: Auburn Hills City Hall, Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills, MI 48326

CALL TO ORDER: Chairman Young called the meeting to order at 5:32 PM.

ROLL CALL
Present: Young, Volk, McDaniel, Rasmussen, Gliniecki
Absent: Jernigan, Wise
Also Present: Brandon Skopek, Director of Authorities; Sage Hegdal, Recreation Director
Guests: Michael Wayne, Detroit Riverside Capital; Alec Harris, Detroit Riverside Capital

PERSONS WISHING TO BE HEARD
None.

APPROVAL OF MINUTES

A. Regular Meeting Minutes – January 13, 2020

Moved by Mr. Volk to approve the DDA Regular Meeting Minutes from December 9, 2019 as presented.
Seconded by Mr. Rasmussen

Yes: Young, Volk, McDaniel, Rasmussen, Gliniecki
No: None

Motion carried

CORRESPONDENCE AND PRESENTATIONS

A. 2019 DDA Annual Report

Mr. Skopek presented the Auburn Hills Downtown Development Authority 2019 Annual Report. He noted that this report was submitted to City Council along with all other departments of the City at the beginning of February. The report provides a summary of 2019 accomplishments and a future outlook for the DDA Board.

FINANCIAL REPORT

A. FY 2019 Adopted Budget and YTD Summary – February 29, 2020

Mr. Skopek reviewed the financial report for period ending February 29, 2020. He stated that the DDA has received approximately 32% of budgeted property tax revenue to date for a total of $56,815 and 19% of budgeted expenditures have been utilized to date. The total net position of the DDA is $337,419.

Moved by Mr. Gliniecki to receive and file the financial report for period ending February 29, 2020.
Seconded by Mayor McDaniel
Yes:    Young, Volk, McDaniel, Rasmussen, Gliniecki
No:    None

Motion carried

UNFINISHED BUSINESS

None.

NEW BUSINESS

A. Children’s Music Series

Mr. Skopek presented a memo dated February 28, 2020. He noted that the total costs for the summer concert series came to $16,500, which is $3,500 below the $20,000 budget. Staff is seeking approval to utilize the remaining funds to host a children’s music series on Wednesday afternoons in July. He noted that he and the Recreation Director, Sage Hegdal, have been collaborating on a few events and projects to bring to the downtown and this series would serve as a good pilot in an attempt to host more regularly programmed events downtown.

Ms. Hegdal noted that the concerts would begin at 11:00 a.m. and run until noon. This will drive traffic downtown for lunch, but also ensures that the concerts do not interfere with the splash pad which opens at noon. She added that she has seen other communities host successful children’s concerts during this timeframe.

Vice Chairman Volk asked if there was a budget for marketing the event.

Mr. Skopek noted that there are funds available in the budget for event marketing and promotion.

Moved by Mr. Volk to approve utilizing the remaining funds from the Summer Concert Series event budget for a Children’s Music Series.
Seconded by Mr. Rasmussen

Yes:    Young, Volk, McDaniel, Rasmussen, Gliniecki
No:    None

Motion carried

B. Movies in the Park

Mr. Skopek presented a memo dated March 2, 2020. He reviewed that in October 2019 the DDA hosted a pop-up movie night in the Knight Amphitheater in Riverside Park, which proved to be successful with a large turnout. Based on the success of that event, staff is recommending hosting a downtown movie series this summer. Staff proposes to utilize in-house equipment for the movie nights to reduce costs; however, movie licensing will need to be sought, as well as the purchase of miscellaneous event supplies. Staff is seeking approval for event funding in the not-to-exceed amount of $2,500.

Ms. Hegdal stated that the Recreation Department has budgeted funds for the purchase of the movie equipment, which includes a DVD player, a screen, and audio equipment. She noted that she is slightly concerned that the budget may be insufficient for high quality equipment, but it is enough to purchase the equipment for this year as a pilot. If the series proves to be successful, higher quality equipment could be sought.

Vice Chairman Volk noted that he has high quality audio equipment that could be utilized should staff need it.

Mayor McDaniel noted that the Drama Director at Avondale High School would be a good contact for high quality audio equipment as well.

Chairman Young asked what time the movies were proposed to begin.
Mr. Skopek stated that the movies would begin at sunset.

Moved by Mr. Rasmussen to approve the Downtown Auburn Hills Movies in the Park event series with event funding not-to-exceed $2,500.
Seconded by Mr. Volk

Yes: Young, Volk, McDaniel, Rasmussen, Gliniecki  
No: None  

Motion carried

C. In Your Town Training

Mr. Skopek presented a memo dated February 28, 2020. He noted that DDA was awarded a grant from Main Street Oakland County to be used toward an “In Your Town Training” workshop. The funding can be used toward a training/workshop the DDA would like to host that is related to the organization’s downtown efforts. Some examples include social media training, market analysis training, and marketing training. He noted that the DDA Board has discussed hosting a storefront design workshop for downtown merchants, which would also qualify for the grant. Staff is seeking direction from the Board on the type of training to host for the downtown merchants. The training will need to be completed by September 30, 2020.

The Board discussed the different training opportunities that could be made available to the merchants.

Moved by Mr. Volk to utilize the $1,500 In Your Town Training grant from Main Street Oakland County to host a storefront design workshop for downtown businesses.
Seconded by Mr. Rasmussen

Yes: Young, Volk, McDaniel, Rasmussen, Gliniecki  
No: None  

Motion carried

D. Committee Research Findings

Mr. Skopek gave a brief presentation on findings from research conducted on the Main Street committee structure and committee projects as found in regional downtowns. The full presentation is attached.

The Board discussed inviting real estate brokers downtown to become familiar with the offerings of downtown Auburn Hills.

EXECUTIVE DIRECTOR UPDATE

Mr. Skopek updated the Board that Main Street Oakland County has encouraged the Auburn Hills DDA Board to apply for Associate Level status with Main Street based on the amount of work completed over the last year and the steps the Board is currently taking to advance in the program. Further, Main Street Oakland County has encouraged the Auburn Hills DDA Board to submit a nomination form for the “Program on the Rise” award for this year’s Main Street awards ceremony. He will work to complete both the Associate Level application form and nomination form.

BOARD MEMBER COMMENTS

Mr. Alec Harris of Detroit Riverside Capital asked if the Board has ever considered hosting a fair with amusement rides in downtown Auburn Hills.

Mr. Michael Wayne of Detroit Riverside Capital noted that an amusement fair could bring in over 20,000 people to downtown Auburn Hills over a weekend.

Mayor McDaniel asked if Detroit Riverside Capital had worked with any parties in the past to host a fair. He inquired about the budget.
Mr. Wayne noted that companies like Midway Amusement typically cover the costs of an event, but request support from municipalities for public safety.

Vice Chairman Volk stated that he had worked with Birmingham Rotary in the past about bringing a similar fair to Birmingham. He noted that these events are fully funded by the amusement company and that he has conducted a large amount of research and is happy to share with the Board.

The Board discussed different components associated with hosting a fair in downtown Auburn Hills.

Vice Chairman Volk will share his research with Detroit Riverside Capital.

**ANNOUNCEMENT OF NEXT MEETING**

The next Downtown Development Authority Board of Directors meeting will be held on Monday, May 11, 2020, at 5:30 PM at City Hall in the Administrative Conference Room.

**ADJOURNMENT**

Moved by Mr. Volk to adjourn the DDA Board meeting.
Seconded by Mayor McDaniel

Yes: Young, Volk, McDaniel, Rasmussen, Gliniecki
No: None

Motion carried

The DDA Board of Directors meeting adjourned at 6:50 p.m.

Respectfully submitted,
Brandon Skopek
Executive Director
CALL TO ORDER: Vice Chairman Kneffel called the meeting to order at 4:04 PM.

ROLL CALL: Present: Kneffel, Goodhall, Thornton, Dolly, Waltenspiel, Moniz, Klemanski, Roberts (Arrived at 4:07), Price (Arrived at 4:13)
Absent: None
Also Present: Brandon Skopek, Director of Authorities
Guests: None

LOCATION: Auburn Hills University Center, 3350 Auburn Road, Auburn Hills, MI 48326

PERSONS WISHING TO BE HEARD

A. Introduction of Council Member Moniz

Mr. Moniz introduced himself to the Board and provided a brief history on his experience with the City as both a former employee and sitting City Council member.

Ms. Roberts arrived at 4:07 p.m.

APPROVAL OF MINUTES

A. TIFA Regular Meeting Minutes – February 11, 2020

Moved by Mr. Goodhall to approve the TIFA Regular Meeting minutes from February 11, 2020 as presented.
Seconded by Ms. Thornton

Yes: Kneffel, Goodhall, Thornton, Dolly, Waltenspiel, Moniz, Klemanski, Roberts
No: none

Motion carried

CORRESPONDENCE AND PRESENTATIONS

A. 2019 TIFA Annual Report

Mr. Skopek presented the Auburn Hills Tax Increment Finance Authority 2019 Annual Report. He noted that this report was submitted to City Council along with all other departments of the City at the beginning of February. The report highlights TIFA’s history, a summary of 2019 accomplishments, fund balances, revenue trends, expense breakdowns and a future outlook for the TIFA Board.

Vice Chairman Kneffel inquired about the revenue spike shown in 2018.

Mr. Skopek stated that this spike was due to a transfer from the General Fund to the Tax Increment Finance Authority in the amount of approximately $570,000 for the 2018 amphitheater project.
There was no further discussion on the annual report.

**FINANCIAL REPORT**

A. FY 2020 Adopted Budget and YTD Summary – February 29, 2020

Mr. Skopek presented the financial report for the period ending February 29, 2020. He noted that expenditures for fiscal year 2020 will begin to increase as we move into the spring and summer months.

Ms. Price arrived at 4:13 p.m.

Moved by Ms. Roberts to receive and file the financial report for period ending February 29, 2020. Seconded by Dr. Klemanski

Yes: Kneffel, Goodhall, Thornton, Dolly, Waltenspiel, Moniz, Klemanski, Roberts, Price
No: none

Motion carried

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

A. Change Order for Downtown Pedestrian Alleyway

Mr. Skopek presented a memo dated February 26, 2020. He provided a brief history on the pedestrian alleyway project and noted that OHM has been working with Warren Contractors & Development, Inc. on a change order to the 2018 amphitheater project to complete the pedestrian alleyway due to Pamar Enterprises pulling out of the project in 2019. He noted that final numbers have been received for the landscaping components of the alleyway since the drafting of the memo and the final estimated cost for the remaining components of the alleyway is $95,644. He concluded by stating the Department of Public Works will be procuring the overhead lights for the alleyway as opposed to the contractor and those costs are not included in the change order.

Dr. Klemanski asked if the delay caused a cost increase for the alleyway.

Mr. Skopek stated the delay did not increase the cost. The proposed change order has come in right around the budgeted amount for the project.

Vice Chairman Kneffel asked if there were any more components that would need to be approved with the project.

Mr. Skopek stated that further down today’s meeting agenda the Board will need to choose brick color for the archway columns, but the proposed change order addresses all other remaining items in the alleyway. Work will be able to proceed following approval of the change order.

Moved by Ms. Roberts to authorize the Executive Director to authorize the associated change order and final contract costs to Warren Contractors & Development, Inc. for the 2018 amphitheater project in the not-to-exceed amount of $96,000. Furthermore, approve a budget amendment to the 2020 Tax Increment Finance Authority Budget for the associated change order. Seconded by Dr. Klemanski

Yes: Kneffel, Goodhall, Thornton, Dolly, Waltenspiel, Moniz, Klemanski, Roberts, Price
No: none

Motion carried
B. Archway Column Brick Color

Mr. Skopek presented a memo dated March 3, 2020. Attached to the memo are three color choices for the brick archway columns that are to be installed in the pedestrian alleyway. The three color options presented are a Walnut Blend that would complement the existing planter boxes downtown; a Rustic Blend that would fit well with the Astoria Park building color, brick pavers, and planter boxes; and a Seashell option that could work, but would stand out from the existing hardscape. He noted that the options were sent out to the Archway Design Sub-Committee for review and one response in favor of the Rustic Blend option was received and there were no further responses.

The Board discussed the different color options presented and noted that the Walnut Blend would best complement the existing hardscape seen throughout downtown whereas the Rustic Blend option appeared to be too dark.

The consensus of the Board was to proceed with the Walnut Blend color option for the brick archway columns.

C. TIF District D Projects

Mr. Skopek handed out an updated spreadsheet for the Board’s consideration this afternoon relating to the cost of projects in TIF District D. He presented a memo dated March 5, 2020 and discussed that a number of capital improvement projects have been excluded from the TIF District D budget over the last few years due to the negative tax capture witnessed in 2016, 2017 and 2018. With a healthy fund balance in TIF District D due to the conservative spending over the last few years and positive tax capture beginning again in 2019 and continuing as shown in the five-year budget projections, it is appropriate to revisit some of the projects that have been excluded, as well as introduce new projects.

Mr. Skopek noted that at this time the Board is only approving budget amendments and staff will bring any final bids/quotes back to the Board for approval. He discussed the list of projects and their associated estimated costs.

<table>
<thead>
<tr>
<th>Project</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seyburn Mansion Demolition</td>
<td>$150,000</td>
</tr>
<tr>
<td>Playhouse Building Renovation</td>
<td>$27,000</td>
</tr>
<tr>
<td>Municipal Campus Digital Sign</td>
<td>$150,000</td>
</tr>
<tr>
<td>Municipal Campus Tennis Court Replacement</td>
<td>$225,000</td>
</tr>
<tr>
<td>Municipal Campus Sidewalk and Outdoor Stair Maintenance</td>
<td>$70,000</td>
</tr>
<tr>
<td>Municipal Campus Storage Building</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

**Total $722,000**

Vice Chairman Kneffel asked if $150,000 was enough for the municipal campus digital sign. He stated he would like to see a nice, attractive sign that will last.

Mr. Skopek stated that the City received bids in 2016 for a digital sign that ranged from approximately $77,000 to $122,000. He believes that $150,000 is sufficient.

Ms. Roberts stated that she would like to ensure the City’s logo can easily be replaced on the sign should the City decide to change the logo.

Mr. Moniz concurred with Ms. Roberts.

Mr. Waltenspiel suggested designing the new tennis courts for other activities as well, such as pickle ball.

Mr. Moniz concurred with Mr. Waltenspiel.

There was no further discussion on the agenda item.

**Moved by Ms. Thornton to amend the 2020 Tax Increment Finance Authority budget as presented.**

**Seconded by Dr. Dolly**
EXECUTIVE DIRECTOR UPDATE

Mr. Skopek updated the Board that the contractor has begun work on the interior demolition of 3346 Auburn Road. Work is progressing quickly and is anticipated to be complete by the end of the month.

Mr. Skopek updated the Board that the Downtown Development Authority has approved funding for two new event series in downtown Auburn Hills: A Children’s Music Series and Movies in the Park. Both new event series will take place on weekdays during the summer in an attempt to drive additional pedestrian traffic downtown throughout the week.

BOARD MEMBER COMMENTS

None.

ANNOUNCEMENT OF NEXT MEETING

The next regularly scheduled TIFA Board of Directors meeting is scheduled for Tuesday, April 14, 2020 at 4:00 PM at Auburn Hills City Hall Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills, Michigan 48326.

ADJOURNMENT

Moved by Mr. Moniz to adjourn the TIFA Board meeting.
Seconded by Ms. Price

Yes: Kneffel, Goodhall, Thornton, Dolly, Waltenspiel, Moniz, Klemanski, Roberts, Price
No: none

Motion carried

The TIFA Board of Directors meeting adjourned at 4:55 p.m.

Respectfully submitted,

Steve Goodhall Brandon Skopek
Secretary of the Board Executive Director
To: Mayor and City Council  
From: Thomas A. Tanghe, City Manager; Mark Michling, Manager of Roads & Fleet  
Submitted: April 14, 2020  
Subject: Motion to Approve 2020 Summer Maintenance Agreement with the Road Commission for Oakland County (Street Sweeping)

**INTRODUCTION AND HISTORY**
In 2017 the City entered into what has become an annual agreement with the Road Commission for Oakland County (RCOC) to provide street sweeping services on county roads within the City’s boarders. The 14.49 curb-miles of sweeping includes the following:

- Walton Boulevard (City limit to City limit)
- Baldwin Road (City limit to City limit)
- Joslyn Road (City limit to City limit)
- Brown Road (Baldwin Road to Joslyn Road)

The terms of the annual agreement require a minimum of three sweepings. For the services provided, the City receives $7,607.25 payable to Auburn Hills in two installments. The amount received does exceed the City’s expenses for providing the service, which is roughly $80 per curb-mile. Participating in this program has provided benefit to both RCOC and the City of Auburn Hills in terms of customer service and does not create any undue hardship on the City.

**STAFF RECOMMENDATION**
Staff recommends continuing the street sweeping program to extend our in-house street sweeping services to include the above mentioned county roads within the City borders. The 2020 Summer Maintenance Agreement is attached for City Council’s review.

**MOTION**
Motion to authorize the City Manager, as Street Administrator, to accept on behalf of the City of Auburn Hills, the 2020 RCOC Summer Maintenance Agreement to provide street sweeping services on Walton Boulevard, Baldwin Road, Joslyn Road, and parts of Brown Road for an annual compensation of $7,607.25 payable by RCOC to the City of Auburn Hills.

**ATTACHMENT**
2020 RCOC Summer Maintenance Agreement

I CONCUR:  
THOMAS A. TANGHE, CITY MANAGER
March 4, 2020

Mr. Thomas Tanghe  
City Manager  
City of Auburn Hills  
1827 North Squirrel Road  
Auburn Hills MI 48326-2753

RE: 2020 Summer Maintenance Agreement

Dear Mr. Tanghe:

Attached are two copies of a Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Auburn Hills for sweeping on Walton Boulevard, Joslyn Road, Baldwin Road, and Brown Road within the city limits. The frequency of the sweeping activity for this year is 3 sweepings.

Please note: We are requesting that the City invoice the Road Commission for 65% of the total contract amount on September 15, 2020, and invoice for the remaining 35% upon completion of the last maintenance activity.

If the agreement is satisfactory, please attach certified copies of the resolution of approval by your City Council, and return the two signed copies to this office for approval by the Board of Road Commissioners. One fully signed copy will be returned to you.

Please submit your proof of liability insurance that covers this agreement and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. As your current Certificate of Membership in the Michigan Municipal Workers Compensation Fund will expire in June, I would appreciate it if you would forward a new certificate at that time. If there are any changes in the coverage during the term of this agreement, we must be notified of these changes.

The Board of County Road Commissioners and I extend our appreciation to you, the City Council and your road employees, for the fine work that has been done in connection with past agreements, and we want to continue to cooperate with you in any way that we can.

Also, please note that the prices in Exhibit A are reflective of our current bids. If you have any questions, please call.

Sincerely,

Darryl M. Heid, P.E.  
Director of Highway Maintenance

DMH/gg  
attachment
2020 SUMMER MAINTENANCE AGREEMENT
CITY OF AUBURN HILLS

Under 1951 PA 51, As Amended

This Summer Maintenance Agreement ("Agreement") is made this ___ day of __________, 2020, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, (hereinafter variously referred to as the "Board and as the "Road Commission for Oakland County") and the City of Auburn Hills, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the "City."

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain maintenance of said roads under the terms of this Agreement and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City hereby agrees to be responsible for performing Summer Maintenance of certain roads under the terms of this Agreement, and the Board agrees to participate in the cost thereof as provided in Section III of this Agreement. "Summer Maintenance," herein required to be performed by City, shall mean the work and services specified in Exhibit B hereto and this Agreement. All maintenance work and services performed by the City shall be in accordance with the Board’s minimum maintenance standards and this Agreement.

II

The Board has determined and specified the equipment and personnel necessary to provide the Summer Maintenance and the City has acquired the necessary equipment and personnel so specified. The City shall keep accurate and uniform records of all Summer Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the Summer Maintenance by the City, the Board hereby agrees to pay to the City the sum of $7,607.25, as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Summer Maintenance. Payments are to be made by the Board to the City as follows:

65% on September 15, 2020
35% upon completion of the last Summer Maintenance activity

The making of said payments shall constitute the Board’s entire obligation in reference to Summer Maintenance.

IV

It is specifically understood and agreed by the City and the Board that by undertaking to perform Summer Maintenance of certain county primary roads, the City does not assume the Board's legal duty to
keep said roads in such condition as to be in accordance with MCLA 224.21, reasonably safe and convenient for public travel, other than as may relate to the work and service to be performed as listed in Section I above, and the City hereby agrees to hold harmless, represent, defend with counsel acceptable to the Board, and indemnify the Board; the County of Oakland; the Office of the Oakland County Water Resources Commissioner and any and all applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; any and all local units(s) of government within which the roads subject to this Agreement are located, and the respective officers, agents and employees of all of the foregoing, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons, or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Summer Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Summer Maintenance under Section I, the City agrees to notify the Board within 30 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Summer Maintenance subject to this Agreement.

V

The City shall acquire and maintain, during the term of the Agreement, statutory worker’s compensation, employer’s liability, automobile and comprehensive general liability insurance coverages, and such other insurance coverages, as described in Exhibit C attached hereto, covering the Board’s liability for any and all claims arising out of the City’s performance or non-performance of the activities which are the subject matter of this Agreement, and these coverages shall be obtained and maintained in accordance with the requirements set forth in Exhibit C attached hereto and made a part hereof and shall be primary and non-contributory.

VI

The City further agrees to comply with all applicable laws and regulations, including laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

VII

In accordance with Michigan 1976 PA 453, as amended, and 1976 PA 220, as amended, the Contractor covenants not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or because of a disability that is unrelated to the individual’s ability to perform the duties of the particular job or position, and to require a similar covenant on the part of any subcontractor employed in the performance of the Agreement. A breach of this covenant may be regarded as a material breach of this Agreement.
Contractor shall utilize the provisions of the Federal E-Verify Program to verify the work authorization status of all newly hired employees; and the Road Commission for Oakland County may terminate the contract for failure of Contractor to so comply with the Federal E-Verify Program.

IX

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Summer Maintenance activities will be executed annually by the parties hereto.

The terms and conditions of this Agreement shall become effective as of April 1, 2020, and shall continue in full force and effect until a subsequent Summer Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Summer Maintenance agreement has not been executed by the parties hereto on or before October 1, 2020, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of ________________________, and by the City by authority of a resolution of its governing body, adopted ________________________, (copy attached as Exhibit D).

Witnesses:

CITY OF AUBURN HILLS
A Municipal Corporation

By: ________________________________
Its: ________________________________

By: ________________________________
Its: ________________________________

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF OAKLAND,
A Public Body Corporate

By: ________________________________
Its: ________________________________

By: ________________________________
Its: ________________________________
Sweeping

Walton Boulevard: Rochester Hills city limit to Perry. 3.44 Miles
Joslyn Road: Pontiac city limit to Orion Twp. border. 3.62 Miles
Baldwin Road: Pontiac city limit to Orion Twp. border. 5.01 Miles
Brown Road: Baldwin to Joslyn. 2.42 Miles
Total 14.49 Miles

Sweeping: 14.49 Curb Miles x $175.00 = $2,535.75 x 3 Sweepings = $7,607.25 (both directions, including median)

Total Contract $7,607.25
2020 SUMMER MAINTENANCE AGREEMENT

CITY OF AUBURN HILLS

WORK TO BE PERFORMED:

1. Sweep all roads listed in Exhibit A, in both directions of travel and around islands, as provided in this Agreement, three (3) times, once between April 15th and May 15th, once between July 15th and August 15th, and once between September 15th and October 15th.

2. The City may at its own expense sweep more frequently, subject to the other terms and conditions of this Agreement, including, without limitation, the indemnification and insurance provisions.
EXHIBIT C

2020 SUMMER MAINTENANCE AGREEMENT
CITY OF AUBURN HILLS

SPECIAL PROVISION FOR
INDEMNIFICATION, DAMAGE LIABILITY AND INSURANCE

SPECIAL PROVISION FOR
INDEMNIFICATION, DAMAGE LIABILITY AND INSURANCE

Indemnification and Damage Liability
See provisions of the maintenance agreement to which this Exhibit C is attached.

Insurance Coverage:
The City, prior to execution of the maintenance agreement, shall file with the Board of County Road Commissioners of the County of Oakland ("Board"), copies of completed certificates of insurance as evidence that it carries adequate insurance satisfactory to the Board; and, without the prior written consent of the Board, the City shall not cancel, reduce, or fail to renew the insurance coverage required by this Agreement. The City shall immediately notify the Board and cease operations upon the occurrence of any cancellation, reduction, modification or termination of insurance required hereunder, and shall not resume operations under this Agreement until all insurance as required by this Agreement is in full force and effect. The City shall provide in a form and substance acceptable to the Board an underwriter’s endorsement to its comprehensive general liability insurance and auto liability insurance, including any excess umbrella insurance, in the amounts set forth on Exhibit C, naming the Board and the Office of the Oakland County Water Resources Commissioner as an additional named insureds. The City shall obtain and deliver to the Board a notices of cancellation and non-renewal endorsement, acceptable to the Board, for the general liability, auto liability, and worker’s compensation and employer’s liability policies. Prior to commencing the work, the City shall provide to the Board evidence satisfactory to the Board of payment of the current premium for the required insurance and endorsements and shall also obtain certificates of insurance for each policy, providing for thirty (30) days actual (not “endeavor to”) prior, written notice to the Board by the insurance carrier of any cancellation, termination reduction or material change of the policy. The City shall make sure that each of its subcontractors, if any, providing any of the work and services under this contract, shall obtain and maintain insurance as set forth in this Agreement.

The City shall provide the following insurance coverages which shall be primary and non-contributory:

a. Workmen’s Compensation Insurance: The insurance shall provide protection for the City’s employees, to the statutory limits of the State of Michigan and $500,000 employer’s liability. The indemnification obligation under this section shall not be limited in any ways by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker’s disability compensation coverage established by law.

b. Bodily Injury and Property Damage Other than Automobile: The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operations for one year after completion of the work.
<table>
<thead>
<tr>
<th>Bodily Injury Liability Each Person: $1,000,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bodily Injury Liability Each Occurrence: $1,000,000</td>
</tr>
<tr>
<td>Bodily Injury Liability Aggregate: $2,000,000</td>
</tr>
<tr>
<td>Property Damage Liability: Each Occurrence: $250,000</td>
</tr>
<tr>
<td>Property Damage Liability Aggregate: $250,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Or: Single Limit: Bodily injury and Property Damage Each Occurrence: $1,000,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate: $2,000,000</td>
</tr>
</tbody>
</table>

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors’ coverages.

c. Bodily Injury Liability and Property Damage Liability - Automobiles (Comprehensive Auto Liability)

The minimum limits of bodily injury liability and property damage liability shall be:

<table>
<thead>
<tr>
<th>Bodily Injury Liability Each Person: $500,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bodily Injury Liability Each Occurrence: $1,000,000</td>
</tr>
<tr>
<td>Bodily Injury Liability -and- Property Damage Liability Each Occurrence: $1,000,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Or: Single Limit: Bodily Injury and Property Damage Each Occurrence: $2,000,000</th>
</tr>
</thead>
</table>

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

d. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.

e. The City shall provide for and in behalf of the Board and all agencies specified by the Board, as their interest may appear, Owner’s Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City’s Public Liability Insurance.

Reports – The City or his insurance carrier shall immediately report all claims received which relate to the Contract, and shall also report claims investigations made, and disposition of claims to the County Highway Engineer.

See provisions of the maintenance agreement to which this Exhibit C is attached.
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Mark Michling, Manager of Fleet & Roads
Submitted: April 10, 2020
Subject: Motion – Approval to Purchase a Trailer Mounted Mini Message Sign Board

INTRODUCTION AND HISTORY
Budgeted from the 2020 Fleet Operating Budget is $16,000.00 to replace a 2006 trailer mounted programmable mini message sign board. These sign boards are primarily used to provide traffic control messages for construction work zones. Various city departments, including the Police Department have found value in the use of these types of message boards to provide information for various community events. Our current 2006 message board is no longer functioning and has out-lived its expected life cycle which is typically 10 years.

Bids were solicited on March 26th with the following results:

<table>
<thead>
<tr>
<th>COMPANY NAME</th>
<th>ADDRESS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Howard T. Moriarty Co.</td>
<td>143 Broadway Rd, Toledo, OH</td>
<td>$13,900.00</td>
</tr>
<tr>
<td>K&amp;K Systems</td>
<td>687 Palmetto Rd, Tupelo, MS</td>
<td>$21,500.00</td>
</tr>
</tbody>
</table>

The proposed programmable message mini board is 92” x 54” where a common sized board is 126” x 76”. The mini board is a more flexible option because it can be used to tow behind a slow moving work crew where the regular message board is used mainly as a message board sitting in a stationary position on the side of the road to provide information.

STAFF RECOMMENDATION
To approve the purchase of a SolarTech trailer mounted mini message sign board from Howard T. Moriarty Co., 143 Broadway Rd, Toledo, OH in the amount of $13,900.00. Funding will be provided from the 2020 Fleet Operating Budget, account # 661-442-977-000.

MOTION
Move to approve the purchase of a SolarTech trailer mounted mini message sign board from Howard T. Moriarty Co., 143 Broadway Rd, Toledo, OH in the amount of $13,900.00. Funding is provided in the 2020 Fleet Operating Budget, account # 661-442-977-000.

CONCUR: Thomas A. Tanghe, City Manager
To: Mayor and City Council  
From: Thomas A. Tanghe, City Manager; Ronald J. Melchert, Director of Public Works  
Submitted: April 16, 2020  
Subject: Motion - Approve Michigan Department of Transportation Contract and Resolution Authorizing Officials To Sign Contract for West Entrance Drive Rehabilitation – Contract No. 20-5116 (Category A Grant # 1355)

INTRODUCTION AND HISTORY
Included in the City Council packet is a cost participation agreement accepting the conditions of entering into a contract with the Michigan Department of Transportation (MDOT) for the rehabilitation of West Entrance Drive (Exhibit 1). Construction will begin at Hamlin Road and end at, and including the cul-de-sac located at the north end of the roadway. The City of Auburn Hills applied for and was approved to receive $300,000 in Michigan Transportation and Economic Development Funds (MTEDF) to complete the construction. The grant award represents approximately 14% of the construction only cost of $2,115,751.69 with the remaining cost to be borne by the City. The MDOT contract is a straightforward cost participation agreement that the City has previously executed for other projects, however, this is a direct grant from the State of Michigan. As such, the bidding and contract administration will be directly managed by the City. City Attorney, Derk Beckerleg, reviewed the contract and finds it satisfactory from a legal standpoint. Also, included in the packet is a resolution that includes the names of the officials authorized to sign the contract (Exhibit 2).

Bids for this project were opened on April 9, 2020 and the low qualifying bid was presented by Superior Excavating for $2,115,751.69 which represents the road construction portion of the project. It should be noted that the agreement includes a project cost amount of $2,060,000, which was previously estimated as part of the grant application process. This amount does not impact the $300,000 grant award, and only indicates the amount of City overmatch to the project. In addition to the MTEDF funding, the West Entrance Drive project also includes funding from FANUC Robotics to upgrade the road as well as defrayment of a portion of the project through special assessment. After repayment of the special assessment, the City’s expense for the road work is estimated at $634,801.14.

STAFF RECOMMENDATION
The West Entrance Drive rehabilitation project is anticipated to be assigned as a Special Assessment District (SAD) and the project is budgeted for in 2020. Additional City Council agenda items are forthcoming with information related to the SAD Resolution No. 4 and SAD Resolution No. 5, contractor bid award, and engineering and testing services. This item for consideration is related to the MDOT MTEDF grant funding award of $300,000 and therefore staff recommends approval of the contract and resolution to support the funding of this project.

MOTION
Move to approve the contract to enter into the Michigan Department of Transportation Contract No. 20-5116 (Category A Grant # 1355) for the rehabilitation of West Entrance Drive and approve the resolution granting authorization for named officials to sign the approved contract.

I CONCUR:  
THOMAS A. TANGHE, CITY MANAGER  

Exhibit 1 - MDOT Contract No. 20-5116 (Category A Grant # 1355)  
Exhibit 2 - MDOT Resolution Authorizing Officials
Ms. Laura M. Pierce, MMC, CMMS  
City Clerk  
City of Auburn Hills  
1827 North Squirrel Road  
Auburn Hills, Michigan 48326

Dear Ms. Pierce:

RE: Contract Number: 20-5116 (Category A Grant #1355)  
Control Section: EDA 63000  
Job Number: 205887CON  
Location: West Entrance Drive, Hamlin Road to cul-de-sac, city of Auburn Hills

Enclosed is one (1) original and one (1) copy of the above referenced contract between your organization and the Michigan Department of Transportation (MDOT).

If you have questions on the content of this contract, or revisions are required, please contact Monica Uribe, Local Government Contract Engineer at uribem1@michigan.gov or (517) 335-2266.

1. Attach two (2) original certified resolutions. The resolution should include:
   - The name of officials authorized to sign the contract.
   - MDOT Contract Number 20-5116 (Category A Grant #1355).

   If you need an example of a resolution, please contact Kathy Fulton at fultonk@michigan.gov or (517) 335-4404.

2. Please return signed contracts and resolutions for MDOT Execution within 35 days from the date of this letter to:

   Kathy J. Fulton, Contract Technician  
   MDOT – Development Services Division, 2nd Floor  
   425 West Ottawa Street, P.O. Box 30050  
   Lansing, MI  48909

   MDOT will return a copy of the executed contract to your organization.

Enclosure
THIS CONTRACT is made by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT;" and the CITY OF AUBURN HILLS, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY;" for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in the City of Auburn Hills, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I," dated February 27, 2020, attached hereto and made a part hereof:

Reconstruct West Entrance Drive from Hamlin Road to the cul-de-sac located at the north end of the roadway; including hot mix asphalt resurfacing and concrete curb and gutter work; and all together with necessary related work.

WITNESSETH:

WHEREAS, the State of Michigan is hereinafter referred to as the “State;” and

WHEREAS, the PROJECT has been approved for financing in part with funds from the State appropriated to the Transportation Economic Development Fund, hereinafter referred to as "TED FUNDS," qualifies for funding pursuant to PA 231, Section 11(3)(a); Public Act of 1987, as amended, and is categorized as:

CATEGORY “A” FUNDED PROJECT

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.

2. The term "PROJECT COST," as herein used, is hereby defined as the cost of the physical construction necessary for the completion of the PROJECT.
The costs incurred by the REQUESTING PARTY for preliminary engineering, construction engineering and inspection, and right-of-way are excluded from the PROJECT COST as defined by this contract.

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) has informed the DEPARTMENT that it adopted new administrative rules (R 325.10101, et. seq.) which prohibit any governmental agency from connecting and/or reconnecting lead and/or galvanized service lines to existing and/or new water main. Questions regarding these administrative rules should be directed to EGLE. The cost associated with replacement of any lead and/or galvanized service lines, including but not limited to contractor claims, will be the sole responsibility of the REQUESTING PARTY.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to perform, at no cost to the PROJECT, such administration of the PROJECT covered by this contract as is necessary to assist the REQUESTING PARTY to qualify for funding. Such administration may include performing such review, legal, financing, any other PROJECT related activities as are necessary to assist the REQUESTING PARTY in meeting applicable State requirements.

The DEPARTMENT shall provide the REQUESTING PARTY with a notice to proceed with the award of the construction contract for the PROJECT.

The DEPARTMENT shall make a final acceptance inspection of the PROJECT as necessary to ensure the PROJECT meets State requirements. Failure to comply with State requirements may result in forfeiture of future distributions of the Michigan Transportation Fund as described in Section 5. No charges will be made by the DEPARTMENT to the PROJECT for any inspection work or construction engineering.

4. The REQUESTING PARTY, under the terms of this contract, shall advertise and award the PROJECT work in accordance with the following:

A. The REQUESTING PARTY will, at no cost to the DEPARTMENT or the PROJECT, design, or cause to be designed, the PROJECT, and shall accept full responsibility for that design. Any review undertaken by the DEPARTMENT is for its own purposes and is not to nor does it relieve the REQUESTING PARTY of liability for any claims, causes of action or judgments arising out of the design of the PROJECT.

B. The REQUESTING PARTY, hereby, certifies to the DEPARTMENT that the plans, specifications, and estimates for the PROJECT have been prepared in compliance with applicable State laws, local ordinances, and State and local standards and regulations.
C. The REQUESTING PARTY, hereby, certifies to the DEPARTMENT that the contracting procedures to be followed by the REQUESTING PARTY in connection with the solicitation of the construction contract for the PROJECT shall be based on an open competitive bid process. It is understood that the proposal for the PROJECT shall be publicly advertised and the contract awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State statutes, local ordinances, and State and local regulations.

(1) The REQUESTING PARTY shall not award the construction contract prior to receipt of a notice to proceed from the DEPARTMENT.

(2) Upon verification that contractor selection by the REQUESTING PARTY was made in accordance with the terms of this contract and upon receipt of the “Request for Payment” form from the REQUESTING PARTY, the DEPARTMENT will authorize payment to the REQUESTING PARTY for the eligible amount in accordance with Section 5.

D. The REQUESTING PARTY will, at no cost to the PROJECT or the DEPARTMENT, comply with all applicable State statutes, local ordinances, and State and local regulations, including, but not limited to, those specifically relating to construction contract administration and obtain all permits and approvals with railway companies, utilities, concerned State, Federal, and local agencies, etc., and give appropriate notifications as may be necessary for the performance of work required for the PROJECT.

The REQUESTING PARTY agrees to comply with all applicable requirements of Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended by 1995 PA 60 and 1996 PA 173, MCL 324.9101 et. seq., for all PROJECT work performed under this contract, and the REQUESTING PARTY shall require its contractors and subcontractors to comply with the same.

E. All work in connection with the PROJECT shall be performed in conformance with the DEPARTMENT’S current Standard Specifications for Construction, special provisions, and the supplemental specifications and plans pertaining to the PROJECT. All materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. Any changes in the scope of work for the PROJECT will require approval by the DEPARTMENT.
F. The REQUESTING PARTY shall, at no cost to the PROJECT or to the DEPARTMENT, appoint a project engineer who shall administer the PROJECT and ensure that the plans and specifications are followed, and shall perform or cause to be performed the construction engineering and inspection services necessary for the completion of the PROJECT.

Should the REQUESTING PARTY elect to use consultants for construction engineering and inspection, the REQUESTING PARTY shall provide a full-time project manager employed by the REQUESTING PARTY who shall ensure that the plans and specifications are followed.

G. The REQUESTING PARTY shall require the contractor who is awarded the contract for the construction of the PROJECT to provide, as a minimum, insurance in the amounts specified in and in accordance with the DEPARTMENT'S current Standard Specifications for Construction, and to:

1. Maintain bodily injury and property damage insurance for the duration of the PROJECT.

2. Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the DEPARTMENT and its officials, agents and employees, the REQUESTING PARTY and any other party with jurisdiction for the roadway being constructed as the PROJECT, and their employees, for the duration of the PROJECT and to provide copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume either ownership of any portion of the PROJECT or jurisdiction of any REQUESTING PARTY highway as a result of being named as an insured on the owner's protective liability insurance policy.

3. Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current Standard Specifications for Construction and to provide copies of notices and reports prepared to those insured.

5. The PROJECT COST shall be met in part by contributions by TED FUNDS. TED FUNDS Category A shall be applied to the eligible items of the PROJECT COST up to an amount not to exceed the lesser of: (1) 15 percent of the approved and responsible low bid amount, or (2) $300,000. The balance, if any, of the PROJECT COST, after deduction of TED FUNDS, is the sole responsibility of the REQUESTING PARTY.
The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of PROJECT work.

Based upon the final cost of the PROJECT, the final costs included in the grant, and/or a request by the REQUESTING PARTY, a payment adjustment may be initiated and/or authorized by the DEPARTMENT for eligible items of the PROJECT COST such that the total amount of TED FUNDS does not exceed $300,000. The grant includes those activities of preliminary engineering, right-of-way acquisition, construction, and construction engineering related to the grant. The REQUESTING PARTY shall certify all actual costs incurred for work performed under this contract that are eligible for payment with TED FUNDS and will be required to repay any TED FUNDS it received in excess of 15 percent of the total of such costs.

6. The REQUESTING PARTY shall establish and maintain adequate records and accounts relative to the cost of the PROJECT. Said records shall be retained for a period of three (3) years after completion of construction of the PROJECT and shall be available for audit by the DEPARTMENT. In the event of a dispute with regard to allowable expenses or any other issue under this contract, the REQUESTING PARTY shall continue to maintain the records at least until that dispute has been finally decided and the time after all available challenges or appeals of that decision has expired.

The DEPARTMENT, or its representative, may inspect, copy, or audit the records at any reasonable time after giving reasonable notice.

The REQUESTING PARTY, within six (6) months of completion of the PROJECT and payment of all items of PROJECT COST related thereto, shall make a final reporting of construction costs to the DEPARTMENT and certify that the PROJECT has been constructed in accordance with the PROJECT plans, specifications, and construction contract.

In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense, and (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall
refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT’S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, P.L. 998-502 and applicable State laws and regulations relative to audit requirements.

7. At such time as traffic volumes and safety requirements warrant, the REQUESTING PARTY will cause to be enacted and enforced such ordinances as may be necessary to prohibit parking in the traveled roadway throughout the limits of the PROJECT.

8. The REQUESTING PARTY certifies that it is not aware if and has no reason to believe that the property on which the work is to be performed under this agreement is a facility, as defined by the Michigan Natural Resources and Environmental Protection Act [(NREPA), PA 451, 1994, as amended 2012]; MCL 324.20101(1)(s). The REQUESTING PARTY also certifies that it is not a liable party pursuant to either Part 201 or Part 213 of NREPA, MCL 324.20126 et seq. and MCL 324.21323a et seq.
The REQUESTING PARTY is a local unit of government that has acquired or will acquire property for the use of either a transportation corridor or public right-of-way and was not responsible for any activities causing a release or threat of release of any hazardous materials at or on the property. The REQUESTING PARTY is not a person who is liable for response activity costs, pursuant to MCL 324.20101 (vv) and (ww).

9. If, subsequent to execution of this contract, previously unknown hazardous substances are discovered within the PROJECT limits, which require environmental remediation pursuant to either State or federal law, the REQUESTING PARTY, in addition to reporting that fact to the Department of Environmental Quality, shall immediately notify the DEPARTMENT, both orally and in writing of such discovery. The DEPARTMENT shall consult with the REQUESTING PARTY to determine if it is willing to pay for the cost of remediation and to determine the eligibility, for reimbursement, of the remediation costs. The REQUESTING PARTY shall pay all costs associated with such remediation, including all delay costs of the contractor for the PROJECT. If the REQUESTING PARTY refuses to participate in the cost of remediation, the amount of TED FUNDS the REQUESTING PARTY received from Grant 1355 shall be forfeited back to the DEPARTMENT.

10. If State funds administered by the DEPARTMENT are used to pay the cost of remediating any hazardous substances discovered after the execution of this contract and if there is a reasonable likelihood of recovery, the REQUESTING PARTY, in cooperation with the Department of Environmental Quality and the DEPARTMENT, shall make a diligent effort to recover such costs from all other possible entities. If recovery is made, the DEPARTMENT shall be reimbursed from such recovery for the proportionate share of the amount paid by the DEPARTMENT and the DEPARTMENT shall credit such sums to the appropriate funding source.

11. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the State.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT does not relieve the REQUESTING PARTY and the local agencies, as applicable, of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402 et seq., as amended.
When providing approvals, reviews and recommendations under this contract, the DEPARTMENT is performing a governmental function, as that term is defined in MCL 691.1401 et seq. as amended, which is incidental to the completion of the PROJECT.

12. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402 et seq., as amended. Exclusive jurisdiction of such highway for the purposes of MCL 691.1402 et seq., as amended, rest with the REQUESTING PARTY and other local agencies having respective jurisdiction.

13. The REQUESTING PARTY shall approve all of the plans and specifications to be used on the PROJECT and shall be deemed to have approved all changes to the plans and specifications when put into effect. It is agreed that ultimate responsibility and control over the PROJECT rests with the REQUESTING PARTY and local agencies, as applicable.

14. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this contract that apply to the reporting of costs incurred under the terms of this contract.

15. Each party to this contract will remain responsible for any and all claims arising out of its own acts and/or omissions during the performance of the contract, as provided by this contract or by law. In addition, this is not intended to increase or decrease either party’s liability for or immunity from tort claims. This contract is also not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this contract.

16. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix “A” referred to as the “contractor”) agree to comply with the State of Michigan provisions for “Prohibition of Discrimination in State Contracts,” as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964 being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2009a-2000h-6, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.
17. The REQUESTING PARTY and other local agencies, as applicable parties, understand and agree that the highway(s) or street(s) being improved under the terms of this agreement and funded with Transportation Economic Development Funds, shall not be subject to any restriction by local authorities in using certain commercial vehicles on such highway(s) or street(s). Such restrictions are in conflict with the basic concept of the Transportation Economic Development Program and Funding. The REQUESTING PARTY, by signing this agreement, agrees to obtain concurrence from other local governmental agencies within whose jurisdiction or control the highway(s) or street(s) are being improved.
18. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed as written below.

CITY OF AUBURN HILLS

By ____________________________
Title: __________________________

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By ____________________________
Department Director MDOT

By ____________________________
Title: __________________________
February 27, 2020

EXHIBIT I

CONTROL SECTION     EDA 63000
JOB NUMBER           205887CON

ESTIMATED COST

Estimated PROJECT COST

Contracted Work   $2,060,000

ESTIMATED COST PARTICIPATION

GRAND TOTAL ESTIMATED COST   $2,060,000
Less TED FUNDS*               $ 300,000
BALANCE (REQUESTING PARTY'S SHARE) $1,760,000

*TED FUNDS for the PROJECT are limited to an amount as described in Section 5.

NO DEPOSIT
APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual’s ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.

2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.

3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual’s ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual’s ability to perform the duties of a particular job or position.

5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers’ representative of the contractor’s commitments under this Appendix.

6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.
7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor’s books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.

8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.

9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011
Resolution

Be it resolved that

CONTRACT No. 20-5116 (Category A Grant # 1355), Control Section EDA 63000,
Job Number 205887CON By and between the
MIChigan DEpArtMent of transportAtion

and the
CITY OF AUBURN HILLS

is hereby accepted.

The following Officials are authorized to sign the said contract:

Thomas A. Tanghe, City Manager
Ronald J. Melchert, DPW Director

Moved by:
Supported by:

ADOPTED:    AYES:

NAYES:

Absent:

I hereby certify that the foregoing is a true and correct copy of a resolution made and adopted at a regular meeting of the Auburn Hills City Council, on the TWENTIETH DAY of April 2020.

Signed_________________________

Laura Pierce, City Clerk, City of Auburn Hills
INTRODUCTION AND HISTORY
On March 24, 2020, the City of Auburn Hills was selected as a recipient of the Recycling Quality Improvement Grant. We are one of a handful of communities in Michigan to be selected to receive the grant through The Recycling Partnership and Michigan Environment, Great Lakes and Energy (EGLE). The grant will create an opportunity for the City of Auburn Hills to implement an education program that aims to reduce the contamination rate of our recycling stream. Specifically, the $14,400 grant will be used to distribute mailers, create community signage, perform recycling audits, and tag contaminated recycling carts. Our educational program will also utilize other tools, such as social media, to provide valuable recycling information to the residents of Auburn Hills. In collaboration with Waste Management and SOCRRA, we will perform an audit of the recycling stream before and after the program to determine if our educational efforts make an impact on the contamination rate. The City will commit up to $1,000 for seasonal employee staffing to tag contaminated recycling carts, over the course of four recycling pickup weeks.

STAFF RECOMMENDATION
Staff recommends the City of Auburn Hills enter into Recycling Quality Improvement Grant contract with The Recycling Partnership and to commit $1,000 to seasonal staffing costs associated with the project.

MOTION
Move to enter into Recycling Quality Improvement Grant Contract with The Recycling Partnership and authorize Thomas A. Tanghe, City Manager, to sign the agreement on behalf of the City of Auburn Hills.

I CONCUR: ________________________________
THOMAS A. TANGHE, CITY MANAGER

ATTACHMENTS
Exhibit 1 – Recycling Partnership Grant Agreement
Exhibit 2 – Recycling Partnership Scope of Work
RECYCLING PARTNERSHIP GRANT AGREEMENT

This Grant Agreement is hereby made and entered into on the last date of execution below (“Effective Date”), by and between The Recycling Partnership, Inc. (“The Partnership”) and the City of Auburn Hills, Michigan (“Grantee”), which are referred to collectively herein as the “Parties” and individually as a “Party.”

1. **Grant Agreement Documents; Entire Agreement:** This Grant Agreement consists of this document and its attachments: Terms and Conditions Attachment A, and Grantee’s Work Plan Attachment B. This Grant Agreement comprises the entire agreement between the Parties and supersedes any and all previous and contemporaneous agreements and representations, whether oral or written.

2. **Term:** The Grant Agreement shall be effective during the Grant Period, which begins on the Effective Date and ends on March 31, 2021 unless the Parties agree to amend the Grant Agreement as provided in Paragraph 8.

3. **Grantee’s Duties:** Subject to Paragraph 10 hereof, the Grantee shall take reasonable and appropriate steps to substantially complete the Grantee’s Work Plan as set out in Attachment B and under the conditions set forth in Attachment A.

4. **Duties of Partnership and Grantee:** The Partnership shall make cash grants to the Grantee in an amount not to exceed $14,400 to support the improvement of recycling program materials quality, resident engagement and materials recovery from Grantee’s residential curbside recycling program (“Cash Grants”). The details of the Cash Grants and the anticipated costs and expenditures associated with this grant project are detailed in the section g, Project Budget and Grant Funding, of Attachment B.

   In addition to the Cash Grants, during the Grant Period The Partnership shall also provide the Grantee with access to resources, Partnership staff time, and other in-kind services with an estimated value of ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS ($125,000). The purpose of these in-kind services is to support the Grantee’s public recycling program through the provision of technical support for strategic planning, program assessment, and recycling education and outreach including recycling program outreach collateral. The amounts set forth below represent The Partnership’s intended distribution of in-kind resources to the Grantee.
In exchange for the Cash Grants and in-kind resources from The Partnership, the Grantee will commit staff time and resources for the planning and implementation of the project that is the subject of this Grant Agreement, in the Grantee’s Workplan as set out in Attachment B, and under the conditions set forth in Attachment A.

Subject to Paragraph 10 hereof the Grantee will take reasonable and appropriate steps to substantially complete the Grantee’s Work Plan in accordance with the Anticipated Implementation Timeline described in the Grantee’s Work Plan.

5. **Distribution Provisions:** The Partnership shall distribute Cash Grant funds to the Grantee to support actual allowable expenditures the Grantee has made or otherwise will incur during the Grant Period. An allowable expenditure is one associated with work performed or goods or services acquired to complete the Grantee’s Work Plan as outlined in Attachment B hereto determined by The Partnership in its sole and absolute discretion. As provided in section s of Attachment A, The Partnership may also make payments to the vendors hired to perform the measurement activities and to provide the technology used for the Feet on the Street Cart Inspection Program (as defined in section c of Attachment B). Grant funds other than those paid to vendors as described above, excluding the final payment of grant funds, shall be distributed to reimburse Grantee for actual allowable expenditures, and The Partnership shall make such distributions to the Grantee within thirty (30) days of receiving from the Grantee invoices prepared as described in Paragraph 6 below documenting allowable expenditures. Total distributions from The Partnership will not exceed ninety percent (90%) of reimbursable costs until the submittal of a final project report; the remaining ten percent (10%) of reimbursable expenses shall be paid upon final report submittal. Grant proceeds may be distributed to the Grantee by check or direct deposit, as the Grantee and The Partnership shall mutually agree prior to the distribution of Grant funds.

6. **Invoices:** As described in section r of Attachment A captioned “Reimbursement,” the Grantee shall submit reimbursement requests to The Partnership, which shall include copies of invoices for allowable expenditures for which the Grantee is seeking reimbursement. The Grantee’s final invoices must be received by The Partnership with the Grantee’s Final Report, as described in the “Reporting and Additional Post Award Requirements” section q of Attachment A. Except for invoices related to the vendors hired by The Partnership on behalf of the Grantee to perform measurement activities and technology supporting the Feet on the Street Cart Inspection Program as provided in section s of Attachment A, all invoices submitted to The Partnership by the Grantee shall provide reasonable and appropriate
evidence for The Partnership to determine the actual amounts paid by Grantee for work and services associated with allowable expenditures, and documentation that provides evidence of payment by the Grantee for all allowable expenditures submitted. In addition to supporting documentation, the Grantee shall provide a summary of the expenses paid by the Grantee in a table or spreadsheet outlining the expense, vendor, and the purpose of the expense. Upon presentation of herein described invoices and documentation, the Grantee will then be eligible for reimbursement of up to ninety percent (90%) of the amount of grant funds to be provided by The Partnership for allowable expenditures and with the final ten percent (10%) becoming available as detailed in Paragraph 5 above.

7. **Grant Contacts:** Contacts for purposes of this Grant Agreement are set forth below.

<table>
<thead>
<tr>
<th>Partnership Director of Community Programs:</th>
<th>Partnership Project Manager:</th>
<th>Grantee Project Manager:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jill Martin</td>
<td>Jill Martin</td>
<td>Name: Dean Lent</td>
</tr>
<tr>
<td>Telephone: (920) 540-0179</td>
<td>Director of Community Programs</td>
<td>Title: Administrative Assistant</td>
</tr>
<tr>
<td>Email: <a href="mailto:jmartin@recyclingpartnership.org">jmartin@recyclingpartnership.org</a></td>
<td>Telephone: (920) 540-0179</td>
<td>Division: Department of Public Works</td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:jmartin@recyclingpartnership.org">jmartin@recyclingpartnership.org</a></td>
<td>Telephone: 248-364-6925</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Email: <a href="mailto:dlent@auburnhills.org">dlent@auburnhills.org</a></td>
</tr>
</tbody>
</table>

8. **Changes and Amendments:** Any change to this Grant Agreement that increases or decreases the amount of the Cash Grants is not effective until approved in writing by the Director of Community Programs of The Partnership. This Grant Agreement may be amended in a writing signed by the Parties, subject to the approval of the City Council of the Grantee by resolution.

9. **Signature Warranty:** Each of the undersigned represents and warrants that he or she is authorized to execute this Grant Agreement.

10. **Appropriations Limitation:** All expenditures and other performance by the Grantee under this Grant Agreement are subject to appropriations by the City Council of the Grantee. Consequently, this Grant Agreement shall bind the Grantee only to the extent the Grantee appropriates sufficient funds for the Grantee to perform its obligations hereunder.

[The balance of this page is intentionally left blank.]
The parties have executed this Grant Agreement as of the date last below written.

The Recycling Partnership, Inc.

By: __________________________________

Jill Martin, Director of Community Programs

DATE: ____________________________

City of Auburn Hills, Michigan

By: __________________________________

Thomas Tanghe, City Manager

DATE: ____________________________

By: __________________________________
Attachment A: Terms and Conditions

a. **Termination:** Either Party may terminate the Grant Agreement in writing with thirty (30) days’ notice to the other Party. If the Grantee fails to substantially fulfill its obligations under this Grant Agreement in a timely and proper manner, The Partnership may provide written notice to the Grantee of its intent to terminate the Grant Agreement. Such notice shall specify the reasons for termination and allow the Grantee thirty (30) days to mitigate any specified reasons. If the Grantee fails to cure, as determined by The Partnership in its sole discretion, The Partnership may terminate this Grant Agreement by giving written notice to the Grantee of such termination and the effective date of such termination. In such event, the Grantee may receive Cash Grants equal to the total amount of actual allowable expenditures paid or entered into in good faith and subject to the other terms and conditions of this Grant Agreement that were incurred by the Grantee prior to receipt of a notice of termination from The Partnership and submitted for reimbursement within thirty (30) days of such receipt date in accordance with Paragraphs 5 and 6 of this Grant Agreement.

b. **Notices:** All notices required by the terms of this Grant Agreement to be sent to The Partnership must be delivered by email with a read receipt requested to jmartin@recyclingpartnership.org with a copy to cford@recyclingpartnership.org. All notices required by the terms of this Grant Agreement to be sent to the Grantee must be delivered by email with a read receipt requested to the Grantee’s Director, Dean Lent, at DLent@auburnhills.org with a copy to ttanghe@auburnhills.org.

c. **Recycled Paper:** The Partnership encourages the Grantee, if cost effective, to have all publications produced as a result of this Grant Agreement be printed double-sided on recycled-content paper with minimal thirty percent (30%) post-consumer recycled content.

d. **Lobbying:** The Grantee shall not use or appropriate any Cash Grant to carry on propaganda or otherwise attempt to influence legislation.

e. **Compliance with Work Plan:** The Grantee shall substantially adhere to the timeline and objectives detailed in the Grantee’s Work Plan as set out in Attachment B and strive to make sufficient progress toward fulfilling such timeline and objectives.

f. **Extensions:** The Partnership may grant extensions of time for the Grantee to perform its obligations hereunder, but such extensions are not guaranteed. If the Grantee desires an extension, the Grantee shall submit a written request to the Director of Community Programs of The Partnership at least sixty (60) days prior to the end of the Grant Period.
g. **Retroactive Costs**: Costs incurred before the Grant Period are not eligible for reimbursement unless approved in writing by the Director of Community Programs of The Partnership.

h. **Travel Expenses**: Cash Grants from The Partnership may not be used for travel expenses without prior written approval from the Director of Community Programs of The Partnership.

i. **Technical Assistance**: The Grantee agrees to work with The Partnership during the design, implementation and monitoring of the program improvements, both educational and operational, during the Grant Period.

j. **Material Collection and Management of Recyclable Materials**: The Grantee shall provide a listing of the materials currently accepted for recycling. After a review by The Partnership of recycling materials already accepted by the Grantee, the Grantee shall work with its Materials Recovery Facility (“MRF”), hauler (if applicable) and The Partnership and/or a contractor hired at The Partnership’s expense to evaluate the current mix of recycling materials collected residentially and consider the inclusion of other recyclable materials as appropriate in curbside collection.

The Parties agree that recyclable materials meeting reasonable contamination standards established by the Grantee and Grantee’s MRF operator that are collected for recycling by the program benefitted by Cash Grants made pursuant to this Grant Agreement will be delivered to a reputable processor for recycling and recovery. The Grantee shall work in good faith with The Partnership to address any issues related to the recycling and/or recovery of such materials with the goal that properly prepared recyclable materials collected by the Grantee’s program will be managed responsibly.

k. **Educational Best Practices**: The Partnership utilizes a behavior change approach to recycling education and outreach. Our best practices consist of a direct mailer to all residents with information about acceptable materials and informational cart tags that address recycling contamination, while providing direct feedback to residents. At a minimum, the Partnership requires that grant funds allocated for education and outreach be used toward the procurement of direct-to-resident communications. The Partnership further requires that Grantee cooperate with The Partnership in support of the design and implementation of the education and outreach campaign. Finally, the Partnership requires that the Grantee update its websites with updated messaging and information about the public recycling services in its jurisdiction based on recent work with the Partnership to include at a minimum a listing of acceptable materials, how to gain additional information about recycling collection schedule, requirements about recycling containers, and how residents may obtain city-issued recycling containers.
l. **Press Events:** The Grantee agrees to participate in local press events related to The Partnership, which may include, but are not limited to, press releases, interviews, ribbon cutting ceremonies, etc. The Partnership agrees to give reasonable notice to the Grantee’s Grant Contacts regarding any such press events.

m. **Graphic Design Edits:** The Partnership will work with the Grantee to customize educational materials to fit the needs of the Grantee’s campaign in accordance with the timeline established by the Parties. The Grantee must give at least seven (7) days’ notice for any edits or changes to educational materials that are to be conducted by The Partnership. If the Grantee uses a third-party service provider for the design of education and outreach materials, The Partnership will cooperate with the third-party service provider by providing access to Partnership tools, artwork and images for use by such third-party provider. The Partnership will not, however, provide customized design services to such a third-party service provider. The Partnership will work with the Grantee on campaign materials and will provide two (2) rounds of edits to the graphic design of these materials. Additional rounds of editing on graphic design materials may be provided by mutual agreement between the Parties.

n. **Logo Usage:** The Grantee shall use The Partnership logo with the phrase “Funded in part by” on all education materials associated with the project that is the subject of this Grant Agreement. When a Partnership project is funded by one or more other funders, then, in addition to The Partnership logo, such funders may also need to be acknowledged by the Grantee in communications materials with the “Funded in part by” language, and the use of one or more funder logos may be requested, with the final acknowledgment to be developed by mutual agreement between the Parties. Prior to finalization, The Partnership requires proof review of any campaign materials developed by the Grantee or a third party that uses campaign images, graphics or logos of The Partnership and any other funders. Upon presentation of materials for review, The Partnership agrees to review proofs and provide feedback within five (5) business days, or it shall lose the right to require the use of The Partnership logo, and the logos of any additional funders and associated use of the “Funded in part by” phrasing. The Grantor understands that under no circumstances may the Grantee appear to be endorsing or advertising on behalf of a private business.

o. **Compliance with Patent, Trademark and Copyright Laws:** The Parties agree that all work performed under this Grant Agreement, shall comply with all applicable patent, trademark and copyright laws, rules, regulations and codes. The Parties further agree that neither will use any protected patent, trademark or copyright in performance of their respective work unless a Party has obtained proper permission and all releases and other necessary documents. The Parties agree to release, indemnify and save one another harmless from any and all claims, damages, suits, costs, expenses, liabilities, actions or proceedings of any kind or nature whatsoever, of or by anyone whomsoever, in any way resulting from,
or arising out of, directly or indirectly, the performance or work under this Grant Agreement which infringes upon any patent, trademark or copyright protected by law.

p. **Electronic Signatures and Electronic Records:** The Partnership consents to the use of electronic signatures by the Grantee. The Grant Agreement, and any other documents requiring a signature under the Grant Agreement, may be signed electronically by the Grantee in the manner specified by the Grantee. The Parties agree not to deny the legal effect or enforceability of the Grant Agreement solely because it is in electronic form or because an electronic record was used in its formation. The Parties agree not to object to the admissibility of the Grant Agreement in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

q. **Reporting and Additional Post-Award Requirements:** The Grantee shall comply with reporting requirements, including:

- In order to establish a baseline for measurement of project success, the Grantee shall provide The Partnership with monthly waste and recycling tonnage data for at least the twelve (12) month period immediately before the project that is the subject of this Grant Agreement is initiated.
- The Grantee shall deliver to The Partnership monthly waste and recycling data reports on a quarterly basis during the duration of quality improvement project and Grantee shall further provide a final tonnage report with monthly waste and recycling data for one full year (twelve (12) months) beyond the date of the completion of the quality improvement project that is the subject of this Grant Agreement.
- The Grantee shall establish an account with the Municipal Measurement Program (“MMP”) system for annual reporting. Reporting in the MMP system is free and involves entering annual tonnage data and answering questions about waste and recycling programs and services through a web-based analytical tool. To aid in the tracking of the long-term impacts of the work conducted, the Grantee commits to reporting annually in the MMP system for five (5) years following the term of this Grant Agreement. (This requirement applies only to an individual city, township or municipality receiving grant funding. All counties, districts or regional authorities receiving funding are exempt from this MMP requirement.)
- The Grantee shall submit to The Partnership for review a draft Final Report at least thirty (30) days prior to the end of the Grant Period. The Partnership will provide the required format for the Final Report and feedback to the Grantee about the draft Final Report, including necessary changes and points of clarification, within fourteen (14) days of receipt of the draft Final Report, and a fully reviewed and finalized Final Report is required to be submitted by the end of the Grant Period.
- Additional reporting requirements may be included in Grantee’s Work Plan set out in Attachment B.
r. **Reimbursement**: Other than grant funds for the measurement activities and technology supporting the Feet on the Street Inspection Program paid directly to the vendors hired by The Partnership on behalf of the Grantee as provided for in section s of Attachment A, as stipulated in Paragraph 5 of the Grant Agreement, grant funds will be distributed by The Partnership on a reimbursement basis. When seeking reimbursement for grant related expenditures, Grantee must utilize the format provided by The Partnership. When submitting reimbursement requests, the Grantee must include a copy of any invoices or receipts for which the Grantee seeks reimbursement from The Partnership. All invoices should be accompanied by associated proof that Grantee has made payment for the invoices in question. Acceptable proof of payment can include copies of canceled checks or Grantee finance system reports showing that the payment has been made.

The Partnership shall reimburse Grantee for actual allowable expenditures with The Partnership retaining a minimum of ten percent (10%) of the grant funds until all grant related activities are completed and all reports are received and accepted. The remaining ten percent (10%) of reimbursable expenses shall be paid upon completion of a satisfactory Final Report as described above in the section titled “Reporting and Additional Post-Award Requirements.”

The Partnership may withhold making Cash Grants if the Grantee does not meet its reporting obligations as set out in section q of Appendix A, Reporting and Additional Post-Award Requirements. It is acknowledged by both Parties that select reporting requirements including the requirement to provide one full year of post-implementation monthly waste and recycling data and the requirement to perform five (5) years of annual reporting in the MMP system may be scheduled to take place after the project is complete and all eligible grant proceeds have been distributed to the Grantee. Grantee commits in good faith to meet these future reporting obligations and to work with The Partnership to resolve any questions about the data submitted in these reports even though this may take place after the Grant Agreement has expired.

s. **Vendors Hired on Behalf of Grantee**: The Partnership may, in its sole discretion, hire vendors on behalf of the Grantee for the performing activities in support of the project described in Attachment B, Grantee’s Workplan. Such vendors shall be hired on behalf of the Grantee to provide various services including, but not limited to measurement activities and technology supporting the Feet on the Street Inspection Program. No vendor hired on behalf of the Grantee may be an employee of the Grantee or an entity controlled by an employee of the Grantee or members of his or her family. The Partnership shall notify the Grantee in writing of its intent to hire vendors and shall include the Grantee in the process to integrate the services to be provided by such vendors into the Grantee’s Work Plan as outlined in Attachment B. Such vendors shall (i) provide evidence of commercially reasonable insurance for the services provided and (ii) indemnify and hold harmless The Partnership and the
Grantee for third party and other claims related to the services provided, each under such terms and conditions as determined by The Partnership in its sole discretion.
Attachment B: Grantee’s Workplan

a. **Project Objective:** With the support of grant funding from Michigan Department of Environment, Great Lakes and Energy (EGLE) and technical assistance from The Recycling Partnership (The Partnership), the Grantee will improve curbside recycling and implement tactics that increase awareness of the need to recycle, reduce contamination, change resident behavior, sustain an efficient and effective recycling program, provide good customer service and divert clean recyclable material from landfills to viable end markets.

b. **Background:** After entering into an agreement in October of 2019, EGLE and The Partnership are working together to provide Michigan recycling communities, counties and/or regional authorities grant funding to improve the quality of the residential recycling stream and improve recycling participation. This project will focus on anti-contamination and quality improvement for drop-off and curbside recycling programs throughout the state of MI through the implementation of the “Feet on the Street” program. Similar projects in other states have shown a 50-80 percent decrease in contaminated carts if the carts are rejected when non-conforming materials are placed into them by residents. Likewise, if the carts are not rejected but the carts are tagged with educational materials, a reduction of 20-30 percent in contaminated carts can be achieved. The Partnership will support the Grantee in its effort to reduce contamination in its curbside recycling program by providing financial and technical assistance for their operational and educational cart tagging program.

This workplan has been developed in response to the Grantee’s Application Submittal. The details of the Grantee’s curbside quality improvement program are as follows.

Grantee: City of Auburn Hills MI
Collection container (e.g. bags, bins, carts – include size): combination of 18-gallon bins and resident provided containers no larger than 32 gallons and identified with recycling sticker
Frequency of collection: Weekly
Hauler: Waste Management
MRF: SOCRRA, Troy MI

Number of households served in proposed project area: 4,800
Participation Rate: Unknown
Annual program tonnage: 775
In-bound Contamination rate: 25.90 %
How the contamination rate was derived: Waste Management

c. **Project Description:** With the support of grant funding and technical assistance from The Partnership, the Grantee will conduct a recycling quality improvement campaign including educational and tagging strategies that will target 4,800 households. This program will involve a baseline sort to
confirm or establish the current inbound-contamination rate of the identified project area prior to program implementation. Once the baseline in-bound contamination rate is established the Grantee and The Partnership will collaboratively develop a workplan, design and produce communication media and informational mailers and the Grantee will perform field inspection of recycling carts that include tagging and direct curbside feedback to the residents. The educational campaign will be developed and focused around the top contaminate identified in the material sort process. This comprehensive education strategy and campaign will be developed between the Grantee and The Recycling Partnership using an existing library of materials, incorporating various proven tools and best management strategies. It is anticipated the project will be flexible and iterative with the intention of measuring project performance and adjusting the project workplan as needed. The collaborative development and implementation of the targeted and customized communication campaign is intended to reduce contamination and increase participation. After the inspections and targeted education campaign concludes, another sort will be conducted at the MRF to measure the inbound contamination rate at the end of the quality improvement work. As with any good program, measurement will be a key component of this work.

As part of the Feet on the Street effort and as provided for in Attachment A section s, The Partnership will secure an outside vendor to provide technology that will be used by field inspection staff.

d. **Measurement Plan:** Measurement and metrics tracking is very important to The Recycling Partnership. Key metrics in this project include in-bound contamination rate, tonnage, participation, set out, and tagging rate.

Contamination rates:
- The Recycling Partnership will work with Grantee and MRF to conduct two in-bound contamination sorts at the MRF by pulling samples from the back of the collection trucks that represent the 4,800 households within the proposed project area. One sort will occur prior to the curbside inspections and subsequent quality improvement education program and the second sort will occur after the conclusion of the program. All the audit sort data will be uploaded into a database system.

Participation rates:
- The Grantee will document and report out the participation rates of the proposed project area throughout the duration of the project.

Set out rates:
- The Grantee will document and report out the set-out rates of the proposed project area throughout the duration of the project.

Tagging rates
- The Grantee will document and report weekly tagging occurrences within the proposed project area throughout the duration of the program.
Tonnage

- The Grantee will provide:
  - Monthly tonnage data for the 12 months prior to program implementation,
  - Monthly tonnage data during the program implementation, and
  - Monthly tonnage data for 12 months after program implementation.

Reports documenting measurement efforts will be provided to The Partnership as outlined in section q, Reporting and Additional Post-Award Requirements, of Attachment A.

e. **Public Outreach Plan:** The Grantee will work with The Recycling Partnership to localize educational materials from the current library of educational pieces. Various educational strategies will be agreed upon including mailers, bill stuffers, digital, direct engagement, cart tags, and other strategies within the identified budget.

The Grantee will work closely with The Partnership to develop and implement an effective education and outreach campaign in support of the Grantee’s curbside recycling program utilizing the approach outlined in section k, Educational Best Practices, of Attachment A. Technical support will be provided by The Partnership as set out in this Grant Agreement. The Grantee will partner closely with The Partnership to maximize the educational efforts and materials developed during this campaign.

This educational effort will focus on educating residents to increase participation in the curbside recycling program and improve the quality of the recycling stream. The education campaign will target 4,800 single-family households in the proposed project area using direct mail pieces, as well as concentrated tagging efforts that address contamination.

f. **Anticipated Implementation Timeline:** The Parties agree to develop and maintain a detailed Project Timeline providing milestones in the implementation of the project. The anticipated key dates in the project are as follows:

<table>
<thead>
<tr>
<th>DATE</th>
<th>ITEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>April-May 2020</td>
<td>Contract between The Recycling Partnership Inc. (“Partnership”), and City of Auburn Hills, MI (“Grantee”) fully executed</td>
</tr>
<tr>
<td>Early June 2020</td>
<td>MRF Baseline Contamination Sort Conducted</td>
</tr>
<tr>
<td>Early June 2020</td>
<td>Communication Collateral Developed</td>
</tr>
<tr>
<td>Mid-June 2020</td>
<td>Inspection Training</td>
</tr>
<tr>
<td>Late-June 2020</td>
<td>Communication collateral printed and mailed</td>
</tr>
<tr>
<td>July 2020</td>
<td>Tagging Team deployed in field</td>
</tr>
</tbody>
</table>
The Parties acknowledge the difficulty of predicting the exact dates for implementation of the various elements of this project. With this in mind, the above dates are intended as milestones, and with the understanding that if unanticipated changes or delays in the above schedule occur, then the Parties agree to revisit the timeline and adjust as necessary to pursue the successful implementation of the project as described in section c, Project Description, above.

**g. Project Budget and Grant Funding:** The amounts set forth in the table below represents The Partnership’s intended distribution of grant funding to the Grantee.

<table>
<thead>
<tr>
<th>Grant Element</th>
<th>Recycling Partnership &amp; EGLE Grant Funding Paid Directly to Grantee</th>
<th>Recycling Partnership Grant Funds Paid Directly to Vendor</th>
<th>Other Funding</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff for Tagging or Auditing **</td>
<td>$3,800</td>
<td></td>
<td>$1,000</td>
<td>$4,800</td>
</tr>
<tr>
<td>Info Mailer Printing and Postage **</td>
<td>$2,400</td>
<td></td>
<td></td>
<td>$2,400</td>
</tr>
<tr>
<td>Signage (e.g. trucks, bus stops, buses, public spaces, drop off containers)</td>
<td></td>
<td>$500</td>
<td></td>
<td>$500</td>
</tr>
<tr>
<td>Social Media Boosting/Website (If unsure, $5000 is a good budget) **</td>
<td></td>
<td>$3,100</td>
<td></td>
<td>$3,100</td>
</tr>
<tr>
<td>Oops tags printing **</td>
<td>$1,000</td>
<td></td>
<td></td>
<td>$1,000</td>
</tr>
<tr>
<td>Top Issue Direct Mailer Printing and Postage **</td>
<td>$2,400</td>
<td></td>
<td></td>
<td>$2,400</td>
</tr>
<tr>
<td>Rubicon tagging app (curbside programs only), $0.25/HH</td>
<td></td>
<td></td>
<td>$1,200</td>
<td>$1,200</td>
</tr>
<tr>
<td>Online Digital Communication Platform (e.g. Recollect, Recycle Coach, Recycle by City, etc.), approx. $0.25/HH</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Drop off site security solutions (e.g. fencing, cameras, etc.)

Other educational efforts (please specify below)

<table>
<thead>
<tr>
<th></th>
<th>$13,200</th>
<th>$1,200</th>
<th>$1,000</th>
<th>$15,400</th>
</tr>
</thead>
</table>

** indicates required pieces within the grant program

All costs associated with project implementation beyond the direct grant funding from The Partnership will be the responsibility of the Grantee. It is understood that actual expenses may vary depending on a variety of factors. Upon mutual agreement of the Parties, the final allocation of grant funding may be adjusted between expense categories as necessary, as long as the budget doesn’t exceed the maximum allocation of $3 per household. The actual amount of grant funding will be based on actual reimbursable expenditures as outlined in section r, Reimbursement, of Attachment A, and the total amount of grant funding shall not exceed the amount specified in Paragraph 4 of the Grant Agreement. Any Cash Grants to the Grantee are subject to the requirements set out in Paragraph 10 of the Grant Agreement. The Grantee shall only invoice and receive reimbursement for actual allowable expenditures incurred.
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Brandon Skopek, Director of Authorities
Submitted: April 1, 2020
Subject: Public Hearing / Motion – Brownfield Plan for 2041 Auburn Road

INTRODUCTION AND HISTORY
Attached you will find a Brownfield Plan for 2041 Auburn Road. This City-owned parcel is situated northeast of the intersection of Auburn Road and Opdyke Road and contains approximately 11.1 acres of vacant land. Proposed for the southern portion of the parcel is Kayak Point Park. The Brownfield Plan has been drafted for the subject parcel with the knowledge that the parcel may be split into three separate development areas in the future. Eligible activity costs have been broken down based on the future “North” parcel, “Central” parcel, and “South” parcel and Clinton River.

The Auburn Hills Brownfield Redevelopment Authority (AHBRA) began environmental work on the subject parcel following City Council’s approval of the development application submitted by Opdyke Medical, PLLC for an 8,100 square foot medical office building on the northern portion of the subject parcel. While conducting due diligence on the site and preparing for construction, Opdyke Medical, PLLC encountered environmental concerns that impeded the development of the site. Previous subsurface investigation work on the Opdyke Medical portion of the subject parcel revealed polychlorinated biphenyl (PCB) impact at each of the soil boring locations completed during a Phase II Environmental Site Assessment conducted by Applied Environmental. The AHBRA assisted Opdyke Medical, PLLC with environmental investigation and clean-up, however, Opdyke Medical, PLLC has since decided not to proceed with the development of the site. The AHBRA remained proactive on the environmental clean-up of the site and proceeded with environmental testing following the departure of Opdyke Medical, PLLC.

Additional environmental investigations conducted by the AHBRA’s Brownfield consultant, AKT Peerless, identified chromium and PCBs in the soil and/or groundwater on the subject parcel at concentrations exceeding Michigan Department of Environment, Great Lakes, and Energy (EGLE) Residential Cleanup Criteria (RCC). Based on these results, the site meets the definition of a “facility” as defined in Part 201 of the Natural Resources and Environmental Protection Act, Michigan PA 451 of 1994, as amended. Due to the presence of PCBs, the Environmental Protection Agency (EPA) will need to approve the Work Plan for the site, which has been submitted as is currently under review. Comments from the EPA are expected to be received within the next month.

The approval of the Brownfield Plan will enable the AHBRA to utilize available Local Brownfield Revolving Fund (LBRF) dollars to fund certain eligible activities and prepare the site for future redevelopment. When a developer is identified in the future to redevelop the site, the Plan may be amended to include additional eligible activities and to describe the anticipated capture of tax increment revenues for the purpose of reimbursing the AHBRA’s LBRF and/or a developer for privately-funded additional eligible activities. The estimated cost of eligible activities, as defined by Act 381, is $1 million.

At their meeting on November 19, 2019, the AHBRA considered and recommended approval of the proposed Brownfield Plan.

STAFF RECOMMENDATION
It is recommended that City Council open a public hearing for any public comment on the proposed Brownfield Plan. Upon closing the public hearing, it is recommended that City Council adopt the attached resolution approving the Brownfield Plan for 2041 Auburn Road.

MOTION
Move to adopt the attached resolution approving the Brownfield Plan for 3180 Auburn Road, in accordance with Public Act 381.
I CONCUR:  

THOMAS A. TANGHE, CITY MANAGER
CITY OF AUBURN HILLS
RESOLUTION

APPROVING BROWNFIELD PLAN FOR
2041 AUBURN ROAD

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, MI 48326 at 7:00 p.m. On the 20th day of April, 2020.

The following resolution was offered by _________________ and supported by _________________:

WHEREAS, the City of Auburn Hills (the City) has created a Brownfield Redevelopment Authority (the Authority) pursuant to PA 381 of 1996, as amended (the Act); and

WHEREAS, the Authority met and considered the Brownfield plan submitted by City of Auburn Hills for the property consisting of parcel with Sidwell Number 02-14-26-351-001; and

WHEREAS, the Authority has reviewed the Brownfield plan in accordance with the Act; and

WHEREAS, the Authority, following review of the plan, approved the same and recommended approval to the City Council; and

WHEREAS, the notices required by the Act have been given; and

WHEREAS, The City Council, in accordance with the Act, met and conducted a public hearing on April 20, 2020, in order to review the plan; and

WHEREAS, during the public hearing conducted by the City Council on April 20, 2020, all persons, including the affected taxing jurisdictions, were allowed an opportunity to comment on the brownfield plan and present their view and recommendations.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Auburn Hills City Council that:

1. The City Council of the City of Auburn Hills hereby approves the Plan and determines that the Plan, in accordance with the Act, constitutes a public purpose.
2. Furthermore, the Plan meets the requirements of Section 13 of the Act.
3. Furthermore, that the costs of eligible activities proposed are reasonable and necessary to carry out the purposes of the Act.

AYES:
NAYS:
ABSENT:
ABSTENTIONS:
STATE OF MICHIGAN
COUNTY OF OAKLAND

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 20th day of April, 2020.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this ___ day of ______, 2020.

___________________________________
Laura Pierce, City Clerk
CALL TO ORDER: Vice-Chairman Hawley called the meeting to order at 6:00 p.m.

ROLL CALL: Present: Hawley, Douglas, Knight, Capen (Via Communications Equipment)
Absent: Slocum
Also Present: Brandon Skopek, Director of Authorities; Kirstie Hardy, AKT Peerless; Mary Hoeh, AKT Peerless (Via Communications Equipment)

LOCATION: Auburn Hills City Hall, Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills, MI 48326

NEW BUSINESS

Item 7c. Opdyke Road – Draft Brownfield Plan – AKT Peerless

Mr. Skopek presented a memo dated November 7, 2019. He reviewed the medical office building on the northern portion of the site is no longer being considered, but that the Board has remained proactive in cleaning up the entire site for potential development. He added that the Board approved total clean-up activities in an amount not-to-exceed $1,000,000. The site has been split into three sections for the purpose of clean-up activities, but remains one parent parcel. The draft Brownfield Plan covers the entire parent parcel. The intent of the plan is to set the base taxable value of the property at $0 and to enable local brownfield revolving fund dollars on clean-up activities.

Vice-Chairman Hawley noted that the property address is 2041 Auburn Road although the property also fronts Opdyke Road. She would like future meetings to refer to the project as an Auburn Road site rather than an Opdyke Road site.

Mr. Skopek stated the site has been commonly referred to as an Opdyke Road site and that staff has been utilizing the parcel ID number rather than address. Changes will be made to future agenda items.

Vice-Chairman Hawley stated that although there are different development plans for the site, she would like to see it referred to as one parent parcel and the site should be treated as one parcel. She would like the site to be cleaned up as one parcel at one time.

Mr. Knight stated that there are three distinct pieces of developable property. He agreed that the whole site should be cleaned, but that clean-up activities are subject to development plans.

Vice-Chairman Hawley stated that funding was initially broken into different developable sites. Since there is no longer a proposed development, she would like to see the entire site cleaned up rather than specify funds for each section.

Ms. Hoeh stated that there is distinct clean-up criteria for PCB contamination depending on the development type based on high occupancy and low occupancy areas. Low occupancy areas could utilize a cap to contamination, but high occupancy areas would require soil removal and delineation. She added that if the site were to be cleaned up to once specific standard, there may be a need for additional clean-up activities based on building and site plans.

Vice-Chairman Hawley stated her reasoning for wanting to clean up the entire parcel is so that the Board would not need to consider clean-up activities every time a new development is proposed.
Ms. Hoeh stated that if the site were to be cleaned up to high occupancy standards, almost a foot of soil would have to be removed from the top layer of the entire property.

Chairman Capen reiterated that breaking up the parcel could allow for different clean-up standards based upon any proposed development.

Ms. Hoeh stated that once building and site plans are reviewed for any type of development, there would be a better understanding of what clean-up activities need to take place.

Vice-Chairman Hawley asked if there was a benefit to having two separate work plans for high occupancy and low occupancy clean-up activities.

Ms. Hoeh stated that there is no real benefit either way. If there was one plan put into place, there may be the need to amend the plan based on potential developments.

Mr. Douglas believes the northern portion of the property is likely to be developed as office space and the southern portion south of the river is to be developed as a City park.

Mr. Knight stated that he does not want to see one work plan for the site. He would like to see what type of developments are proposed before any decisions are made on clean-up activities.

Vice-Chairman Hawley inquired about the best way to expedite the clean-up of the entire parcel.

Ms. Hoeh stated that there is a remediation plan for the former Opdyke Medical office and a remediation plan for the central portion of the property just north of the Clinton River. Additional sampling needs to be conducted in the groundwater and soil of the southern portion at the corner of Opdyke Road and Auburn Road. A clean-up plan for the entire parcel cannot be identified until all the data is gathered.

Ms. Hardy clarified for the Board that the plan before the Board for consideration is a brownfield plan and not a clean-up work plan. The brownfield plan has been written in a way to be able incorporate the entire parcel or incorporate other parcels if they are to be split into separate parcels. The budget included in the plan may be utilized on any portion of the parcel regardless of how it may or may not be split from the parent parcel.

 moved by Mr. Knight to approve the draft Brownfield Plan for 2041 Auburn Road as presented and forward the plan to City Council for review and approval.
 Supported by Mr. Douglas.

Yes: Hawley, Douglas, Knight
No: None
Abstain: Capen

Motion carried by roll call vote
PROJECT SUMMARY

**PROJECT NAME**  
Opdyke & Auburn Redevelopment Project Located at 2041 Auburn Road, Auburn Hills, Michigan

**ELIGIBLE PROPERTY LOCATION**  
The Eligible Property is located at 2041 Auburn Road, Auburn Hills, Michigan. Parcel ID Number 14-26-351-001. The Eligible Property also includes the area of the Clinton River which runs through the parcel.

**TYPE OF ELIGIBLE PROPERTY**  
Facility

**PROJECT DESCRIPTION**  
The AHBRA will conduct various eligible activities to prepare the property located at 2041 Auburn Road for future redevelopment. It is anticipated that the single parcel that currently comprises the Eligible Property (Parcel ID 14-26-351-001) will be split into three separate parcels in the future (“north”, “central” and “south”) and that separate redevelopment projects will take place on these new parcels once environmental response activities are completed. The eligible activities described in this Brownfield Plan are necessary to prepare the Eligible Property for future redevelopment.

The Project is seeking approval of Tax Increment Financing (TIF) and use of Local Brownfield Revolving Fund (LBRF) dollars for the activities described below.

**ELIGIBLE ACTIVITIES**  
Department Specific Activities and Preparation of a Brownfield Plan

**REIMBURSABLE COSTS**  
$1,000,000

**MAXIMUM DURATION OF CAPTURE**  
30 years

**INITIAL TAXABLE VALUE**  
$0
## LIST OF ACRONYMS AND DEFINITIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AHBRA</td>
<td>Auburn Hills Brownfield Redevelopment Authority</td>
</tr>
<tr>
<td>BEA</td>
<td>Baseline Environmental Assessment (Michigan process to provide new property owners and/or operators with exemptions from environmental liability)</td>
</tr>
<tr>
<td>BFP OR PLAN</td>
<td>Brownfield Plan</td>
</tr>
<tr>
<td>ELIGIBLE PROPERTY</td>
<td>Property for which eligible activities are identified under a Brownfield Plan, referred to herein as “the subject property”.</td>
</tr>
<tr>
<td>ESA</td>
<td>Environmental Site Assessment</td>
</tr>
<tr>
<td>LBRF</td>
<td>Local Brownfield Revolving Fund</td>
</tr>
<tr>
<td>EGLE</td>
<td>Michigan Department of Environment, Great Lakes &amp; Energy</td>
</tr>
<tr>
<td>MEDC</td>
<td>Michigan Economic Development Corporation</td>
</tr>
<tr>
<td>MSF</td>
<td>Michigan Strategic Fund</td>
</tr>
<tr>
<td>PHASE I ESA</td>
<td>An environmental historical review and site inspection (no soil and/or groundwater sampling and analysis)</td>
</tr>
<tr>
<td>PHASE II ESA</td>
<td>Environmental subsurface investigation (includes soil, soil gas, and/or groundwater sampling and analysis)</td>
</tr>
<tr>
<td>RCC</td>
<td>Residential Cleanup Criteria</td>
</tr>
<tr>
<td>SUBJECT PROPERTY</td>
<td>The Eligible Property, located at 2041 Auburn Road, northeast of the intersection of Auburn Road and Opdyke Road, in Auburn Hills, Michigan. It comprises one parcel.</td>
</tr>
<tr>
<td>TIF</td>
<td>Tax Increment Financing (TIF describes the process of using TIR—i.e., TIF is the use of TIR to provide financial support to a project)</td>
</tr>
<tr>
<td>TIR</td>
<td>Tax Increment Revenue (new property tax revenue, usually due to redevelopment and improvement that is generated by a property after approval of a Brownfield Plan)</td>
</tr>
</tbody>
</table>
1.0 Introduction

The City of Auburn Hills, Michigan (the “City”), established the Auburn Hills Brownfield Redevelopment Authority (the “Authority”) on September 30, 1998, pursuant to Michigan Public Act 381 of 1996, as amended (“Act 381”). The primary purpose of Act 381 is to encourage the redevelopment of eligible property by providing economic incentives through tax increment financing for certain eligible activities.

The main purpose of this Brownfield Plan is to promote the redevelopment of and investment in certain “Brownfield” properties within the City. Inclusion of subject property within Brownfield plans will facilitate financing of environmental response and other 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, Brownfield plans are intended to promote economic growth for the benefit of the residents of the City and all taxing units located within and benefited by the Authority. In addition, the purpose of this Brownfield Plan is to be able to utilize Local Brownfield Revolving Fund (LBRF) dollars on Eligible Property to complete predevelopment activities and environmental due care compliance activities to protect human health and the environment and prepare the Eligible Property for future redevelopment.

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

This Brownfield 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. The applicable sections of Act 381 are noted throughout the Brownfield Plan for reference purposes.

This Brownfield Plan contains information required by Section 13(2) of Act 381.

2.0 General Provisions

The following sections detail information required by Act 381.

2.1 Description of Eligible Property (Section 13 (h))

The Eligible Property (“subject property”) is located at 2041 Auburn Road, in the southwest ¼ of Section 26 (Township 3 North /Range 10 East) in Auburn Hills, Michigan. The Eligible Property also includes the portion of the Clinton River which runs through the parcel. The subject property is situated northeast of
The intersection of Auburn Road and Opdyke Road. The subject property consists of one parcel that contains approximately 11.1 acres. The parcel and all tangible real and personal property located thereon will comprise the Eligible Property, which is referred to herein as the “subject property.” The subject property is located in an area of Auburn Hills (“City”) that is characterized by commercial and residential properties. The Clinton River runs through the southern half of the property.

The following table describes the parcel which comprises the subject property. Also see Attachment A, Figure 2 – Eligible Property Boundary Map.

<table>
<thead>
<tr>
<th>Address</th>
<th>Tax Identification Number</th>
<th>Basis of Brownfield Eligibility</th>
<th>Approximate Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2041 Auburn Road</td>
<td>14-26-351-001</td>
<td>Facility</td>
<td>11.1</td>
</tr>
</tbody>
</table>

The subject property is zoned General Business District (B-2). It currently consists of vacant land.

Attachment A includes site maps of the Eligible Property, refer to: Figure 1, Topographic Location Map and Figure 2, Eligible Property Boundary Map (which includes lot dimensions). The legal description of the parcel included in the Eligible Property is presented in Attachment B.

It is anticipated that, in the future, the existing single parcel will be split into three parcels to be developed separately.

2.2 Basis of Eligibility (Section 13 (2)(h), Section 2 (p))

The subject property is considered “Eligible Property” as defined by Act 381, Section 2 because: (a) the subject property was previously utilized as a commercial property; (b) it is located within the City of Auburn Hills, a non-qualified local governmental unit, or “Non-Core Community” under Act 381; and (c) the parcel which comprises the subject property has been determined to be a “facility.”

Historically, the property was utilized as commercial property. Most recently, a diner operated on the portion of the subject property south of the Clinton River.

According to previous environmental investigations conducted on the property in 2019, chromium and polychlorinated biphenyls (PCBs) have been identified in soil and/or groundwater on the property at concentrations exceeding Michigan Department of Environment, Great Lakes and Energy (EGLE) Residential Cleanup Criteria. Based on these results, the subject property meets the definition of a “facility” as defined in Part 201 of the Natural Resources and Environmental Protection Act, Michigan PA 451 of 1994, as amended.

2.3 Summary of Eligible Activities and Description of Costs (Section 13 (2)(a),(b))

The “eligible activities” that are intended to be carried out at the subject property are considered “eligible activities” as defined by Sec 2 of Act 381, because they include Department Specific Activities (Phase I Environmental Site Assessment, subsurface investigations, Baseline Environmental Assessment and due care compliance activities) and the preparation of a Brownfield Plan (see Table 1).

A summary of the eligible activities and the estimated cost of each eligible activity intended to be paid for with Tax Increment Revenues from the subject property are shown in the table on the next page.
Estimated Cost of Reimbursable Eligible Activities

<table>
<thead>
<tr>
<th>Description of Eligible Activity</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Department Specific Activities</td>
<td></td>
</tr>
<tr>
<td>Future “North” Parcel</td>
<td>$248,000</td>
</tr>
<tr>
<td>Future “Central” Parcel</td>
<td>$248,000</td>
</tr>
<tr>
<td>Future “South” Parcel and Clinton River</td>
<td>$496,000</td>
</tr>
<tr>
<td><strong>Subtotal Eligible Activities</strong></td>
<td><strong>$992,000</strong></td>
</tr>
<tr>
<td>2. Brownfield Plan Preparation</td>
<td>$8,000</td>
</tr>
<tr>
<td><strong>Total Eligible Activities Cost</strong></td>
<td><strong>$1,000,000</strong></td>
</tr>
</tbody>
</table>

At this time, no tax increment revenues are being generated from the subject property. The purpose of this Brownfield Plan is to set the base taxable value at $0 and enable LBRF dollars to be used on the subject property for the costs related to the activities listed above. Tax increment revenues are anticipated to be captured once a future development occurs.

The costs listed in the table above are estimated costs and may increase or decrease depending on the nature and extent of environmental contamination and other unknown conditions encountered on the subject property. The actual cost of those eligible activities encompassed by this Brownfield Plan will qualify for funding payment from the LBRF.

In accordance with this Brownfield Plan, all eligible activities will be funded by the LBRF. Once tax increment revenues become available, following redevelopment of the property, the LBRF will be reimbursed first.

2.4 Estimate of Captured Taxable Value and Tax Increment Revenues (Section 13 (2)(c)); Impact of Tax Increment Financing on Taxing Jurisdictions (Section 13 (2)(g), Section 2(ss))

This Brownfield Plan was prepared to utilize LBRF dollars to complete certain eligible activities to ready the subject property for redevelopment. Tax increment revenues will be captured once a future development occurs and until that time, there will be no impact to taxing jurisdictions.

2.5 Plan of Financing (Section 13 (2)(d)); Maximum Amount of Indebtedness (Section 13 (2)(e))

Eligible activities are to be financed by the LBRF.

All reimbursements authorized under this Brownfield Plan shall be governed by the Brownfield Plan. The Authority shall not incur any note or bonded indebtedness to finance the purposes of this Brownfield Plan. The inclusion of eligible activities and estimates of costs in this Brownfield Plan is intended to authorize the Authority to fund such reimbursements from the LBRF.

2.6 Duration of Brownfield Plan (Section 13 (2)(f))

In no event shall the duration of the Brownfield Plan exceed 35 years following the date of the resolution approving the Brownfield Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (4) and (5) of Section 13 of Act 381 or 30 years. Further, in no event shall the beginning date of the capture of tax increment revenues be later than five years after the date of the resolution approving the Brownfield Plan.
2.7 Effective Date of Inclusion in Brownfield Plan

The subject property will become a part of this Brownfield Plan on the date this Brownfield Plan is approved by the City of Auburn Hills.

2.8 Local Brownfield Revolving Fund ("LBRF") (Section 8, Section 13(2)(m))

The Authority has established a Local Brownfield Revolving Fund (LBRF). The LBRF will be used to fund the costs of eligible activities under this Brownfield Plan.

The LBRF consists of all tax increment revenues authorized to be captured and deposited into the LBRF, as specified in Section 13(8) of Act 381. The Authority captures incremental local and state school taxes to fund the LBRF, to the extent allowed by law.

2.9 Other Information

In order to promote economic development within the City of Auburn Hills and prepare the subject property for redevelopment, this Plan has been prepared to qualify the eligible activity costs to be funded by the LBRF and later be reimbursed with tax increment revenues once such revenues become available. It is also the intention of this Plan to set the base taxable value at $0 to maximize the amount of available tax increment revenue, once a new development is completed.
Attachments
Attachment A

Site Maps
PONTIAC NORTH QUADRANGLE
MICHIGAN - OAKLAND COUNTY
7.5 MINUTE SERIES (TOPOGRAPHIC)

TOPOGRAPHIC LOCATION MAP
PARCEL NO. 14-26-351-001
AUBURN HILLS, MICHIGAN
PROJECT NUMBER: 14306F-1-20

IMAGE TAKEN FROM 1997 U.S.G.S. TOPOGRAPHIC MAP
Attachment B
Legal Description(s)
Parcel is Vacant

Owner and Taxpayer Information

Owner: CITY OF AUBURN HILLS
1827 N SQUIRREL RD
AUBURN HILLS, MI 48326-2749

Taxpayer: SEE OWNER INFORMATION

General Information for Tax Year 2020

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<th>Property Class</th>
<th>202 Bus Vac</th>
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<td>AVONDALE SCHOOL DISTRICT</td>
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<td>Taxable Value</td>
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<tr>
<td>State Equalized Value</td>
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<td>Date of Last Name Change</td>
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<td>Notes</td>
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<td>Census Block Group</td>
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<td>Exemption</td>
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Principal Residence Exemption Information

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<th>Principal Residence Exemption</th>
<th>June 1st</th>
<th>Final</th>
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<td>2020</td>
<td>0.0000 %</td>
<td>-</td>
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<tr>
<td>2019</td>
<td>0.0000 %</td>
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Previous Year Information

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<th>MBOR Assessed</th>
<th>Final SEV</th>
<th>Final Taxable</th>
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</thead>
<tbody>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>2018</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>2017</td>
<td>$136,000</td>
<td>$136,000</td>
<td>$136,000</td>
</tr>
</tbody>
</table>

Land Information

<table>
<thead>
<tr>
<th>Zoning Code</th>
<th>B-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Value</td>
<td>$296,177</td>
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<tr>
<td>Renaissance Zone</td>
<td>No</td>
</tr>
<tr>
<td>Total Acres</td>
<td>11.100</td>
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<tr>
<td>Land Improvements</td>
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<td>Renaissance Zone Expiration Date</td>
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<tr>
<td>Mortgage Code</td>
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<tr>
<td>Neighborhood</td>
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</tr>
<tr>
<td>Lot Dimensions/Comments</td>
<td>No Data to Display</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot(s)</th>
<th>Frontage</th>
<th>Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>No lots found.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Frontage: 0.00 ft  Average Depth: 0.00 ft

Legal Description

T3N, R10E, SEC 26 PART OF SW 1/4 BEG AT SW SEC COR, TH N 02-03-00 W 1046.93 FT, TH N 89-59-00 E 354.91 FT, TH S 00-10-00 W 450 FT, TH N 89-59-00 E 114.5 FT, TH S 00-10-00 E 200 FT, TH N 89-59-00 E 304.82 FT, TH S 00-10-00 E 376.23 FT, TH S 88-00-00 W 740 FT TO BEG, EXC THAT PART IN M-24 HWY 11.10 AQ186C
## Land Division Act Information

<table>
<thead>
<tr>
<th>Date of Last Split/Combine</th>
<th>No Data to Display</th>
<th>Number of Splits Left</th>
<th>Not Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Form Filed</td>
<td>No Data to Display</td>
<td>Unallocated Divs of Parent</td>
<td>Not Available</td>
</tr>
<tr>
<td>Date Created</td>
<td>No Data to Display</td>
<td>Unallocated Divs Transferred</td>
<td>Not Available</td>
</tr>
<tr>
<td>Acreage of Parent</td>
<td>0.00</td>
<td>Rights Were Transferred</td>
<td>No</td>
</tr>
<tr>
<td>Split Number</td>
<td>0</td>
<td>Courtesy Split</td>
<td>No</td>
</tr>
<tr>
<td>Parent Parcel</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

## Sale History

<table>
<thead>
<tr>
<th>Sale Date</th>
<th>Sale Price</th>
<th>Instrument</th>
<th>Grantor</th>
<th>Grantee</th>
<th>Terms of Sale</th>
<th>Lib/Page</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/26/2017</td>
<td>$34,883.00</td>
<td>D</td>
<td>OAKLAND COUNTY TREASURER</td>
<td>CITY OF AUBURN HILLS</td>
<td>19-Invalid Bank/Mtg</td>
<td>50919072</td>
<td></td>
</tr>
<tr>
<td>03/29/2016</td>
<td>$1000.00</td>
<td>D</td>
<td>SALTAIELLI ANTOINETTE FLORENCE</td>
<td>GAGNE GUIDA</td>
<td>2-$1 or No Consideration</td>
<td>43199481</td>
<td>TO BROTHER &amp; SISTER</td>
</tr>
</tbody>
</table>

**Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

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Attachment C

Tables
Table 1. Eligible Activities
2041 Auburn Road
Auburn Hills, MI
AKT Peerless Project No. 14306F
As of October 29, 2019

<table>
<thead>
<tr>
<th>ELIGIBLE ACTIVITIES COST SUMMARY</th>
<th>Estimated Cost of Eligible Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department Specific Activities - Future Opdyke Medical Facility Parcel</td>
<td>$248,000</td>
</tr>
<tr>
<td>Department Specific Activities - Future Central Parcel</td>
<td>$248,000</td>
</tr>
<tr>
<td>Department Specific Activities - Future Southern Parcel and River</td>
<td>$496,000</td>
</tr>
<tr>
<td><strong>Total Environmental Eligible Activities</strong></td>
<td><strong>$992,000</strong></td>
</tr>
<tr>
<td>Brownfield Plan &amp; Act 381 WP Preparation</td>
<td>$8,000</td>
</tr>
<tr>
<td><strong>Total Eligible Activities Cost with 15% Contingency</strong></td>
<td><strong>$1,000,000</strong></td>
</tr>
</tbody>
</table>
NOTICE OF PUBLIC HEARING

COUNTY OF OAKLAND

NOTICE OF PUBLIC HEARING
ON THE ADOPTION OF A
BROWNFIELD PLAN
FOR THE CITY OF AUBURN HILLS
PURSUANT TO AND IN ACCORDANCE WITH ACT 381 OF THE
PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

PLEASE TAKE NOTICE THAT a Public Hearing shall be held before the
Auburn Hills City Council of the County of Oakland on the 20th day of April,
2020, at 7:00 p.m. in the City Council Chamber at 1827 North Squirrel Road,
Auburn Hills, Michigan, on the adoption of a Brownfield Plan for 2041 Auburn
Road, within which the Authority shall exercise its powers, all pursuant to and in
accordance with the provisions of the Brownfield Redevelopment Financing Act,
The description of the proposed Brownfield is:

The Eligible Property (“Subject Property”) is located at 2041 Auburn Road, in the southwest \(\frac{1}{4}\)
of Section 26 (Township 3 North / Range 10 East) in Auburn Hills, Michigan. (Parcel ID
Number 02-14-26-351-001) The subject property is situated northeast of the intersection of
Auburn Road and Opdyke Road. The subject property consists of one parcel that contains
approximately 11.1 acres. The Clinton River runs through the southern half of the property.

The proposed brownfield plan would allow the City of Auburn Hills Brownfield Redevelopment
Authority to fund certain brownfield eligible activities with its Local Brownfield Revolving Fund.
Eligible activity costs include those related to environmental investigation as well as preparation
of the Brownfield Plan. The Brownfield Plan must first be approved by City Council.

A legal description of the property, along with any maps and a description of the
Brownfield Plan, are available for public inspection at this website address:


Please note that all aspects of the Brownfield Plan are open for discussion at the
public hearing.
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Aaron Stahly, Deputy Public Works Director
Submitted: April 15, 2020
Subject: Motion – Award 2020 Special Assessment District Road Program Construction Bid to Superior Excavating, Construction Engineering/Observation and Contract Administration Services to OHM Advisors, and Material Testing Services to G2 Consulting

INTRODUCTION AND HISTORY

BID AWARD

Bids were received on Thursday, April 9, 2020 for the Special Assessment District (SAD) Road Program which consists of roadway reconstruction of Atlantic Boulevard and West Entrance Drive. The work will generally include asphalt pavement reconstruction, narrowing of the roadway, curb/gutter replacement on Atlantic Boulevard, and asphalt pavement reconstruction to Class A standards with curb/gutter repair on West Entrance Drive. In addition to the road improvements, and mutually exclusive from the SAD, work is also proposed to include water main replacement along a portion of West Entrance Drive and pedestrian pathway to be constructed along Atlantic Boulevard. The project also includes grading and improvements along Butler Road. The table below provides a summary of the bids received:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pro-Line Asphalt Paving</td>
<td>$5,113,176.19</td>
</tr>
<tr>
<td>Superior Excavating</td>
<td>$5,125,396.74</td>
</tr>
<tr>
<td>Florence Cement Company</td>
<td>$5,403,284.97</td>
</tr>
<tr>
<td>Ajax Paving Industries</td>
<td>$5,472,064.47</td>
</tr>
<tr>
<td>ML Chartier</td>
<td>$5,519,073.22</td>
</tr>
</tbody>
</table>

While Pro-Line Asphalt Paving Corporation out of Washington, Michigan is the overall low bidder for this project, the difference between the 1st and 2nd bids for this project is $12,220.55, or 0.24% of the low bid. Superior Excavating out of Auburn Hills, Michigan is the second-low bidder for this project. Staff is recommending award to Superior Excavating in the spirit of the Purchasing Ordinance (Exhibit 1) which provides a 2% preferential provision for Auburn Hills-based businesses. In addition, Superior Excavating’s bid was $47,525.87 lower than Pro-Line Asphalt’s for the SAD road portions of the project. Since a portion of the SAD road costs are being defrayed to the property owners, staff felt it prudent to ensure the costs were reflective of the low qualified bidder. Superior Excavating has over 55 years of experience in similar construction and has completed many other projects throughout the region, including numerous projects within the City of Auburn Hills, for private developers, as well as the City. Staff is recommending award of the project to Superior Excavating given the 2% provision in the Purchasing Ordinance for Auburn Hills-based vendors, as well as their bid being low for the SAD portion of the project.

For the West Entrance Drive portion of the project, the water main proposed to be replaced along a section of West Entrance Drive is estimated to cost $363,344. Staff is proposing to remove 2,215 feet of 12 inch asbestos cement pipe and replacing it with more resilient ductile iron pipe. While the current pipe is in fair condition, as the pipe is under the road it makes sense to replace it now in lieu of the pipe potentially failing in the future, which would then require removing the new road pavement to make the repair. Also note that we do not have the easements required to relocate the pipe from under the road.

This project also includes grading and improvements along Butler Road utilizing the asphalt millings from West Entrance Drive. We will be completing both a chip and slurry seal to the new 4 inch asphalt milling cross section which cost is estimated in the amount of $156,650. This work will then eliminate the City’s last city-owned dirt road.
For the Atlantic Boulevard portion of the project, there is also the matter of the addition of pathway on both sides of the road. As some property owners have objected to the addition of pathway due to the added cost toward the SAD, the City would have to pay for the addition in entirety. That additional cost is estimated to be $278,896. It should be noted that pedestrians currently walk within the Atlantic Boulevard roadway on a regular basis. Although this is not ideal, the current excessive road width allows vehicles to maneuver around the pedestrians. After the reconstruction of Atlantic Boulevard, the road width will be narrowed to reduce the excessive pavement. Due to this, pedestrians will no longer be able to walk in the roadway without being in direct conflict with motor vehicles. Installation of the pathways along both sides the roadway will allow safe pedestrian travel along Atlantic Boulevard. Also, as part of the City’s annual Act 51 allocation the City is required to dedicate 1% of our allocation towards pathway improvements. In support of meeting that requirement staff does recommend proceeding with the pathway improvements recommended as part of this project.

CONSTRUCTION ENGINEERING/OBSERVATION AND CONTRACT ADMINISTRATION SERVICES
OHM Advisors serves as the City Engineer and provides engineering, observation, and contract administration for all of the City’s infrastructure capital projects. Their Scope of Services is attached as Exhibit 2.

COSTS
The total project costs including construction, engineering, and materials testing is estimated to be $5,611,985 and reflected in the table below. Currently budgeted is $5,475,000 for the SAD portion of the project, providing for a surplus of $661,905. Budget transfer within the Major Road Fund using the surplus budget can be accomplished administratively to cover the Atlantic Boulevard pathway. However, a budget amendment to the Water Fund, Account # 592-536-977WESTENTRANCE will be required to fund the West Entrance Drive water main work totaling $400,000 ($363,344 plus a 10% contingency). Also, a budget amendment to the Local Road Fund, Account # 203-453-935.000 2020BUTLERRD is recommended for the Butler Road work totaling $175,000 ($156,650 plus a 10% contingency).

<table>
<thead>
<tr>
<th></th>
<th>Construction Contract</th>
<th>CE/CA Services</th>
<th>Crew Days (Observation)</th>
<th>Testing Services</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atlantic Blvd Road</td>
<td>$ 2,220,333</td>
<td>$ 142,648</td>
<td>$ 46,800</td>
<td>$ 49,500</td>
<td>$2,459,281</td>
</tr>
<tr>
<td>West Entrance Road</td>
<td>$ 2,115,751</td>
<td>$ 135,363</td>
<td>$ 50,700</td>
<td>$ 52,000</td>
<td>$2,353,814</td>
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<tr>
<td>West Entrance WM</td>
<td>$ 324,815</td>
<td>$ 21,009</td>
<td>$ 7,020</td>
<td>$ 10,500</td>
<td>$ 363,344</td>
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<tr>
<td>Atlantic Blvd Path</td>
<td>$ 240,632</td>
<td>$ 15,564</td>
<td>$ 11,700</td>
<td>$ 11,000</td>
<td>$ 278,896</td>
</tr>
<tr>
<td>Butler Road</td>
<td>$ 139,394</td>
<td>$ 9,016</td>
<td>$ 6,240</td>
<td>$ 2,000</td>
<td>$ 156,650</td>
</tr>
<tr>
<td>Total</td>
<td>$ 5,040,925</td>
<td>$ 323,600</td>
<td>$ 122,460</td>
<td>$ 125,000</td>
<td>$5,611,985</td>
</tr>
</tbody>
</table>

STAFF RECOMMENDATION
Staff recommends award of the 2020 Special Assessment District Road Program construction bid to Superior Excavating, construction engineering/observation and contract administration services to OHM Advisors, and material testing services to G2 Consulting. Work on the West Entrance Drive road portion of the project is scheduled for late summer and may not begin until the MDOT Notice to Proceed is received. DPW staff will work with Finance to transfer surplus funds within the Major Road Fund to identify and track costs for SAD related road work and proposed pathway construction.

MOTION
Move to award the 2020 Special Assessment District Road Program construction bid to Superior Excavating in the amount of $5,125,396.74, construction engineering/observation and contract administration services to OHM Advisors in the amount not to exceed $446,060, as well as material testing services to G2 Consulting in the estimated amount of $125,000 subject to City Council’s Confirmation of the Rolls for SAD No. 6 and SAD No. 7. All costs for the SAD work will be divided into appropriate amounts and paid from account numbers GL#203-453-973.000WESTENTNCSSAD and GL#202-452-973.000ATLANTICBLVD. Also, amend the Water Fund Budget to reflect $400,000 for work related to the West Entrance Drive water main replacement, and amend the Local Road Fund to reflect $175,000 for work related to the Butler Road maintenance.

I CONCUR:       

THOMAS A. TANGHE, CITY MANAGER

Exhibit 1 – Purchasing Ordinance
Sec. 2-208. - Awards to other than low bidder; tie bids.

(a) When the award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the agent and filed with the other papers relating to the transaction.

(b) If all bids received are for the same total amount or unit price, quality and service being equal, the contract shall be awarded to a local bidder; otherwise, in the case of tie bids, the agent shall award the contract to one of the tie bidders by drawing lots in public.

(c) Notwithstanding (a) and (b) above, a bidder residing within the corporate limits of the City of Auburn Hills and identified and documented as a property owner or lessee within the city, may be awarded a bid, if quality and service is equal to other bidders, and if their total bid price is within two percent more than the lowest qualified bidder. Such approval shall also apply to Michigan companies when their total bid price is within one percent more than the lowest qualified bidder, with Auburn Hills-based bidders maintaining priority. A resident business is defined as one that pays real and/or personal property taxes to the City of Auburn Hills, whose product is produced and/or shipped from their Auburn Hills business address, or whose corporate headquarters is located in Auburn Hills. A Michigan company is one whose primary company headquarters is located in Michigan.

(Ord. No. 376, § 13, 1-27-86; Ord. No. 802, § 5, 8-6-07)
April 10, 2020

Mr. Ronald Melchert  
Director of Public Works  
City of Auburn Hills  
1500 Brown Road  
Auburn Hills, Michigan 48326

RE: 2020 Special Assessment District Road Program (Atlantic & West Entrance)  
Scope of Construction Services

Dear Mr. Melchert:

Outlined below is a Scope of Work for construction services to be provided by OHM Advisors for the above referenced project.

PROJECT UNDERSTANDING

It is our understanding that the City of Auburn Hills plans to move forward with the construction phase of the 2020 Special Assessment District (SAD) road project for which bids were received on Thursday, April 9, 2020. The proposed project consists of the following:

- Asphalt road reconstruction, including narrowing, on Atlantic Boulevard
- Pedestrian pathway construction along Atlantic Boulevard
- Asphalt road reconstruction on West Entrance Drive
- Water main replacement on a portion of West Entrance Drive
- Grading and improvements to Butler Road

SCOPE OF SERVICE

Construction Engineering / Observation

Under this task the project team will observe the construction efforts on the project and assist with any necessary field changes to successfully complete the work. Specific work efforts include:

- Provide daily observation of the project when construction work is occurring to verify that materials, installation, and construction methods used are in conformance with the project plans and specifications as well as applicable standards. Full-time observation will be provide for all roadway and utility construction.
- Produce daily field reports to document construction activities and record quantities of contract pay items.
- Prepare and provide the Contractor with a list of required submittals and review shop drawings, construction schedules, materials certifications, and other submittals.
- Address Contractor’s construction concerns and resolve conflicts with the executed contract specifications.
- Arrange and attend regularly scheduled progress meetings during the construction phase. It is anticipated that meetings will be held weekly during the active construction period.
Coordinate with the materials testing consultant on materials related items.
Coordinate with the business owners and other stakeholders in the construction area regarding access, traffic staging, schedule, and other pertinent items for the duration of the project.
Prepare and deliver record (As-Built) plans that include the constructed location of all installed underground utilities. Record plans will be delivered electronically in PDF format as well as hard (mylar) copy.

**Contract Administration**
Under this task, the project team will complete services necessary to administer the contract. Specific work efforts include:

- Coordination with the Contractor and City to execute the contract documents.
- Arrange and attend one (1) pre-construction meeting prior to the start of the project.
- Provide two (2) signed copies of the contract documents to the City, one (1) to the Clerk’s office and one (1) to the DPW.
- Review Contractor’s progress on the project to ensure that the work is in compliance with the proposed schedule.
- Prepare monthly construction pay estimates and process contract change orders (if required).
- Request and review information from the Contractor to verify compliance with wage rates, Buy America, and other funding requirements.
- Review construction claims and coordinate claim resolution with Contractor and City.
- Assist with completion of the required TEDF project paperwork for the West Entrance Drive portion of the project.
- Request and collect Contractor’s declaration, contractor’s affidavit, waivers from major suppliers and subcontractors, release of surety, and release from other public agencies for which permits have been obtained under this contract.

**Construction Survey**
This task will involve performing construction staking for the proposed roadway work. Specific work efforts include:

- Establish on-site survey control to be utilized during the construction of the project.
- Provide required construction staking for line and elevation of contract items for curb & gutter, driveways, sidewalk ramps, and underground utilities. Off-set stake locations will be coordinated with the Contractor.
- We have included effort required to provide one complete set of off-set stakes for these items. Re-staking of items due to displaced or damaged stakes will be provided for an additional hourly fee.

**Crew Days (Construction Observation)**
This project contract includes a line item for Crew Days in Contractor’s bid. This item is for construction observation required for the Contractor’s operations. OHM will provide daily observation of work under this Crew Day item. Full-time inspection will be provided for all construction operations as indicated in the contract specifications for Crew Days. The Contractor has included the Crew Day amount in their bid based on their anticipated schedule for the project.

**SCHEDULE**
Based on the SAD process and Council meeting schedule, we anticipate that the project award would be approved at the May 4th Council meeting and construction on the project would begin in early May. The project is expected to be completed by November of this year.
COMPENSATION

The construction engineering, contract administration, and construction survey services outlined above will be performed on an hourly basis for the not-to-exceed amount of three hundred twenty-three thousand six hundred dollars ($323,600.00). The construction observation as Crew Days will be performed on a per day basis for the amount of one hundred twenty-two thousand four hundred sixty dollars ($122,460.00), which is based on the amount bid by the Contractor for this item. The City will be invoiced for services on a monthly basis. The estimated budget breakdown is as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Construction Engineering</th>
<th>Contract Administration</th>
<th>Construction Survey</th>
<th>Crew Days (Observation)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atlantic Blvd Road</td>
<td>$52,679</td>
<td>$55,691</td>
<td>$34,278</td>
<td>$46,800</td>
<td>$189,448</td>
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<tr>
<td>West Entrance Road</td>
<td>$49,989</td>
<td>$52,847</td>
<td>$32,527</td>
<td>$50,700</td>
<td>$186,063</td>
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<tr>
<td>West Entrance WM</td>
<td>$7,758</td>
<td>$8,202</td>
<td>$5,049</td>
<td>$7,020</td>
<td>$28,029</td>
</tr>
<tr>
<td>Atlantic Blvd Path</td>
<td>$5,748</td>
<td>$6,076</td>
<td>$3,740</td>
<td>$11,700</td>
<td>$27,264</td>
</tr>
<tr>
<td>Butler Road</td>
<td>$3,330</td>
<td>$3,520</td>
<td>$2,166</td>
<td>$6,240</td>
<td>$15,256</td>
</tr>
</tbody>
</table>

Total $119,504       $126,336       $77,760           $122,460     $446,060

Construction Services Total $446,060

Materials Testing Services (G2) $125,000

FURTHER CLARIFICATIONS AND ASSUMPTIONS

The above-listed scope of services was prepared with the following assumptions:

- Materials testing services will be provided by G2 Consulting Group under a separate contract and are not included in this scope of services. The estimated amount for this service is indicated above.
- The City will be responsible for all permit fees.

Should you find this agreement acceptable, please execute both copies and return one copy to us for our files. We look forward to providing professional services on this project. If you have any questions, please contact us.

Sincerely,

OHM ADVISORS

Timothy J. Juidici, P.E.
Principal-in-Charge

cc: Aaron Stably, Deputy Director of Public Works
Mark Michling, Manager of Fleet & Roads
Jason Deman, Manager of Public Utilities
Andrew Cousino, OHM
File
City of Auburn Hills  
2020 SAD Road Program  
Construction Services  

Accepted By:  

Printed Name:  

Title:  

Date:  
INTRODUCTION AND HISTORY
On January 20, 2020, the Auburn Hills City Council held a Public Hearing for the purpose of hearing statements and objections to the proposed Special Assessment District (SAD) No. 6 Atlantic Boulevard road improvement project. Following the Public Hearing, City Council adopted Resolution No. 3 to declare necessity and to proceed with the proposed Special Assessment District (SAD) No. 6 regarding the repair of and improvements to Atlantic Boulevard. The Atlantic Boulevard road improvements will be constructed according to the plans and specifications prepared by OHM Advisors and are on file in the City Clerk’s Office. The Public Hearing Minutes with list of property owners who object to the SAD No. 6 is available in the packet for your review.

The City received firm bids on Thursday, April 9, 2020 from companies interested in performing the road work. The updated cost estimate for the project based on construction bids is $2,755,298.18, down from the original estimate of $3,065,000, of which a 50% portion will be defrayed by special assessments upon specially benefited properties identified in the SAD (list provided as part of Resolution No. 4). The City’s estimated share in the cost will be $1,377,649.09 and the remaining balance will be divided equally among the 13 benefitting properties estimated at $105,973.01 each. The special assessment roll was prepared by the City Assessor and filed with the City Clerk. The updated cost estimate based on the bids received was prepared by OHM Advisors. These items have been made available in the packet for your review.

There is also the matter of the potential addition of pathway. As some property owners have objected the addition of pathway due to the added cost, the City would have to pay for the addition in entirety. That additional cost is estimated to be $278,896. As part of the City’s annual Act 51 allocation the City is required to dedicate 1% towards pathway improvements. In support of meeting that requirement staff does recommend proceeding with the pathway improvements recommended as part of this project.

Provided in the packet is Resolution No. 4 reviewed and approved by City Attorney, Derk Beckerleg. The resolution, if adopted, accepts the SAD Roll prepared by the City Assessor and filed with the City Clerk. Upon adoption of Resolution No. 4, a public hearing will be set to allow interested persons an opportunity to object to the special assessment roll, and to consider confirmation of the roll. The Public Hearing will be set for May 18, 2020, at 7:00 p.m., in the City Hall at 1827 N. Squirrel Road, Auburn Hills, MI 48326 (or via teleconference).

STAFF RECOMMENDATION
Resolution No. 4 is the 4th of 5 resolutions that requires City Council approval to satisfy the SAD proceedings prescribed by City Ordinance. Therefore, staff recommends approval of the resolution provided regarding the proposed SAD No. 6 for road improvements to Atlantic Boulevard. The associated pathway improvements are not part of the SAD and further information will be provided in the total project bid award.

MOTION
Move to approve Resolution No. 4, a Resolution Accepting the Special Assessment Roll for the proposed Special Assessment District No. 6, regarding the repair of and improvements to Atlantic Boulevard, setting a Public Hearing on the Roll for May 18, 2020, at 7:00 p.m., in the City Hall at 1827 N. Squirrel Road, Auburn Hills, MI 48326 (or via teleconference).

I CONCUR: _ Thomas A. Tanghe

THOMAS A. TANGHE, CITY MANAGER

Exhibit 1 – Public Hearing Minutes
Exhibit 2 – Schedule A - Special Assessment Roll
Exhibit 3 – Cost Estimate
Exhibit 4 – Resolution No. 4
CALL TO ORDER: Mayor McDaniel at 7:00 p.m.

LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

Present: Mayor McDaniel, Council Members Burmeister, Kittle, Knight, Marzolf, Moniz and Verbeke

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Police Chief Baker, City Assessor Griffin, Deputy DPW Director Stahly, City Planner Keenan, Mgr of Municipal Properties Torres, Mgr of Public Utilities Deman, City Engineer Juidici, Management Intern Hagge

6 Guests

4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes, January 6, 2020

Moved by Verbeke, Seconded by Burmeister.

RESOLVED: To approve the City Council Workshop Minutes of January 6, 2020 as presented.

VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 20.01.05 Motion Carried (7 - 0)

4b. City Council Minutes, January 6, 2020

Moved by Verbeke, Seconded by Kittle.

RESOLVED: To approve the City Council Minutes of January 6, 2020 as presented.

VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 20.01.06 Motion Carried (7 - 0)

5. APPOINTMENTS AND PRESENTATIONS

6. PUBLIC COMMENT

7. CONSENT AGENDA

7a. Board and Commission Minutes

7a1. Planning Commission Meeting, December 11, 2019

7a2. Planning Commission Meeting, January 8, 2020

RESOLVED: To receive and file the Board and Commission Minutes.

Moved by Verbeke, Seconded by Marzolf.

RESOLVED: To approve the Consent Agenda.

VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 20.01.07 Motion Carried (7 - 0)
8. **OLD BUSINESS**

9. **NEW BUSINESS**

9a. **Motion** – To approve a one-year extension of the Site Plan and Tree Removal Permit for Harmon Road Development.

Mr. Keenan presented the need for an extension on the approval that was granted on February 25, 2019. Mr. Bennet Donaldson of JB Donaldson Company, 30610 Hills Tech Dr., Farmington Hills, MI was present. He shared that the property was cleared and the detention pond, which is near the road, was installed and will remain with landscaping being added later. There are no signed contracts at this time but there is a very positive lead.

**Moved by Moniz, Seconded by Knight.**

**RESOLVED:** To approve a one-year extension of the Site Plan and Tree Removal Permit for Harmon Road Development. The approval shall expire on February 25, 2021.

**VOTE:**

- **Yes:** Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
- **No:** None

**Resolution No. 20.01.08**

9b. **Public Hearing/Motion** – To approve Resolution No. 3, declaring necessity and proceeding with the project for the proposed Special Assessment District No. 7 regarding the repair of and improvements to West Entrance Drive.

Mr. Stahly presented the need to take the next step in the Special Assessment District (SAD) for West Entrance Drive. He shared that the road is rated at a PASER level 2, and that the development agreement with FANUC addresses the improvement of the road from a Class B to a Class A road. He stated that there is some water main work that needs to be performed but that will be taken care of separately from this issue. He also shared that there are no letters against the project at this time. Construction is tentatively scheduled to take place August through November 2020.

Mr. Moniz requested clarification regarding the number of properties that would be benefitting from the SAD. Mr. Stahly explained that the discrepancy lies with the number of parcels that can be developed and those that are not able to be developed. There was discussion regarding the number of properties in the resolution. Mr. Stahly stated that he would verify the number of properties.

Mayor McDaniel opened the Public Hearing at 7:16PM.

Mr. Joe Cvengros, VP of Operations for FANUC America, 1100 W. Entrance Drive, Auburn Hills shared that they are in support of this project and their commitment to improve the road for the business.

Kristine Tolan, 985 W. Entrance Dr., requested clarification if the SAD was only going to cover the road and not the water main repair. Mr. Stahly responded that the water main would be a separate project and not part of the SAD.

Hearing no further comments, Mayor McDaniel closed the Public Hearing at 7:18PM.

**Moved by Verbeke, Seconded by Knight.**

**RESOLVED:** To approve Resolution No. 3, a Resolution Declaring Necessity and to Proceed with Project and Defray a Portion of the Costs of the Project by Special Assessments upon Specially Benefited Properties for the proposed Special Assessment District No. 7 regarding the repair of and improvements to West Entrance Drive. (Attachment A)

**VOTE:**

- **Yes:** Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
- **No:** None

**Resolution No. 20.01.09**

Motion Carried (7 - 0)
9c. Public Hearing/Motion – To approve Resolution No. 3, declaring necessity and proceeding with the project for the proposed Special Assessment District No. 6 regarding the repair of and improvements to Atlantic Boulevard.

Mr. Stahly presented the need to take the next step in the Special Assessment District (SAD) for Atlantic Boulevard. He stated that this road has a PASER rating of 3. Mr. Stahly shared that the pathway will be in the bid but will not be added to the SAD given the number of stakeholders that have objected to the project. He stated that the projected construction was to take place May-July, 2020. He explained that this project will be a complete reconstruct down to the base and not a mill off and relay.

Mr. Stahly presented a slide showing the properties that have objected to the SAD which includes:
1597 Atlantic Blvd – Glenn Charest, LLC
1797 Atlantic Blvd – Kemp & Sherman Company
1755 Atlantic Blvd – Kemp & Sherman Company
Address Not Listed – R2 Land Holdings
1388 Atlantic Blvd – R2 Land Holdings
1460 Atlantic Blvd – RDB Atlantic, LLC
1377 Atlantic Blvd – RIM Properties LP
1555 Atlantic Blvd – What About Me LLC

Mayor McDaniel opened the Public Hearing at 7:24PM.

Mr. James Vlasic, 39533 Woodward Ave., Suite 200, Bloomfield Hills, Michigan, is the attorney for R2 Land Holdings which own parcels 14-03-01-021 and 14-03-01-022 on Atlantic Blvd. He objected to the assessment for the road improvements and the pathway as not being in reasonable proportion to the benefits to be derived from the proposed improvements. The owners of 8 of the 13 parcels have signed a list petition opposing the assessment. He stated that the City has not produced evidence that each parcel will benefit the amount being assessed.

Mr. Jason Scurest, 1597 Atlantic Blvd, representing Glenn Charest, LLC was present. He shared that they are not in support of this SAD. He shared that many of the businesses are small and will not be able to afford this assessment.

Ms. Nicole Prokopetz, representative for RIM Properties, LP asked for clarification to the process for when the project goes out to bid if the actual bid comes out higher than the estimated cost. Attorney Beckerleg stated that the project would come back to City Council for resolution 4 and 5 and the owners will be notified.

Hearing no further comments, Mayor McDaniel closed the Public Hearing at 7:31 PM.

Moved by Knight, Seconded by Verbeke.

RESOLVED: To approve Resolution No. 3, a Resolution Declaring Necessity and to Proceed with Project and Defray a Portion of the Costs of the Project by Special Assessments upon Specially Benefited Properties for the proposed Special Assessment District No. 6 regarding the repair of and improvements to Atlantic Boulevard.

(Attachment B)

VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 20.01.10 Motion Carried (7 - 0)
9d. Public Hearing/Motion – To accept the second reading and adoption of an Ordinance to Amend Chapter 2 Administration of the Auburn Hills City Code.

Mr. Tanghe presented that this item will fulfill the second reading requirement for the ordinance allowing immediate family members to be employed and working within the same department, provided that it is not in a supervisor and subordinate relationship. He stated that he would not want the City to eliminate a good candidate just because they have a relative working in the same department. Discussion took place with specific scenarios. Mr. Tanghe stated that the new ordinance will be reviewed by the collective bargaining unit to ensure that all parties are being treated fairly.

Mayor McDaniel opened the Public Hearing at 7:37 PM and hearing no comments, he closed the Public Hearing at 7:38 PM.

Moved by Moniz, Seconded by Burmeister.

RESOLVED: To accept the Second Reading and Adoption of an ordinance to amend Chapter 2, Administration, of the Auburn Hills City Code. (Attachment C)

VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 20.01.11

Motion Carried (7 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Kittle – Shared that he will be out of town for the next two meetings. He shared that he has done his inspection of Seyburn Mansion and is under the impression that the building should come down.

Mr. Moniz – Mentioned that he would like to see a flag pole in the Riverside Park area.

Mr. Marzolf – Shared that he attended the Martin Luther King event at the Community Center, it was well done and Ms. Adcock and staff did a great job. He would like to consider in the future, not holding City Council meetings on Martin Luther King Day.

Mr. Knight – Stated that he agrees with Mr. Marzolf with not holding Council meetings on Martin Luther King Day. He shared that he also was at the event at the Community Center and encourages all to come see the event next year. He provided information to Chief Baker that the light on the north end of Squirrel and M-59 is still blinking yellow.

Mayor McDaniel – Shared his gratitude to DPW, Fire Department and the Police Department for getting the City through the snow storm and keeping everyone safe with the snow emergency.

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT

Mr. Tanghe – Shared the annual report from the Community Development Director and City Assessor showing the status of tax abatements. He also shared the passing of Charlotte Copple, formed TIFA Board member and strong supporter of the City.

13. ADJOURNMENT

Hearing no objections, the Mayor adjourned the meeting at 7:48 PM.
ATTACHMENT A

CITY OF AUBURN HILLS

RESOLUTION DECLARING NECESSITY AND TO PROCEED WITH PROJECT AND TO DEFRAY A PORTION OF THE COST OF THE PROJECT BY SPECIAL ASSESSMENTS UPON SPECIALY BENEFITED PROPERTIES (RESOLUTION NO. 3)

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 20th day of January 2020, the following resolution was offered by Councilperson __________ and supported by Councilperson __________:

WHEREAS, the City has considered construction of the proposed improvement described below (the Project) and has further requested the establishment of a special assessment district to finance and defray a portion of the costs of the project; and

WHEREAS, the proposed improvement (the Project) is the repair of and improvements to West Entrance Drive; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district (the District) attached to this Resolution; and

WHEREAS, after an initial consideration, the City Council on November 18, 2019, adopted its Resolution No. 2 declaring its tentative intent to proceed with the Project and with the establishment of the District; and

WHEREAS, plans for the Project, and an estimate of the costs of the project in the amount of $2,089,000, of which amount it is estimated that approximately $1,044,500 will be defrayed by special assessments against the properties in the special assessment district, have been prepared and notice of public hearing has been duly given, according to law, to the owners of property in the District to inform them of their opportunity to present comments and objections to the Project and to the District; and

WHEREAS, the hearing was duly conducted and held on January 20, 2020, consistent with the notice, following which the City Council determined to proceed with the project and the establishment of the district.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council determines that the Project is necessary.

2. The City shall proceed with the Project.

3. The plans and specifications prepared for the Project and the cost estimate for the Project in the amount of $2,089,000 presented at the hearing are approved.

4. The District shall consist of the properties identified in the special assessment district attached to this Resolution and against which 50% of the cost of the project shall be assessed.
5. The District shall be designated and known as the West Entrance Drive Road Improvement Special Assessment District, Special Assessment District No. 7.

6. The duration of the District’s existence shall be ten (10) years, and unless paid in cash earlier with respect to a particular property, the special assessment shall be paid in ten (10) annual installments at the rate of five percent (5%) interest to be charged on said installments, with the date of the first assessment installment to be determined and set forth in the City Council’s Resolution confirming the special assessment roll.

7. The City Assessor shall prepare a special assessment roll that includes all lots and parcels of land within the District with the names of the respective record owners of each property, if known, and shall also include the total amount to be assessed against each property. The amount to be assessed against each property shall be based upon the proportionate amount of special benefit to be received by each property from the Project. The amount spread in each case shall be based upon the detailed estimate of costs as approved by the City Council.

8. When the Assessor completes the assessment roll, the Assessor shall file it with the City Clerk for presentation to the City Council, along with the Assessor’s certification that the roll has been prepared by the Assessor pursuant to the January 20, 2020, Resolution of the City Council and that in making the assessments contained in the assessment roll, the Assessor has, as near as may be, according to the Assessor’s best judgment, conformed in all respects with the directions contained in the January 20, 2020, Resolution of the City Council and the Auburn Hills City Charter and the provisions of Chapter 58 of the Auburn Hills City Code.

9. The City Manager is directed to obtain firm bids from companies and/or other entities who are interested in performing the work necessary to complete the project.

AYES: 7
NAYES: None
ABSENT: None
ABSTENTION: None

STATE OF MICHIGAN  )
COUNTY OF OAKLAND  )

I, LAURA M. PIERCE, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 20th day of January, 2020, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this______day of __________________, 2020.

LAURA M. PIERCE  
City Clerk
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<tr>
<th>Parcel ID</th>
<th>Address</th>
<th>Owner Name</th>
<th>Street Address</th>
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<th>State</th>
<th>Zip Code</th>
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<td>4 14-24-476-024</td>
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<td>Fanuc America Corporation</td>
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<td>FCA US LLC</td>
<td>800 Chrysler Drive, CIM 482-60-03</td>
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<td>MI</td>
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<td>1840 Oak Avenue Suite 300</td>
<td>Evanston</td>
<td>IL</td>
<td>60201</td>
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<td>7 14-24-476-009</td>
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<td>Valley View LLC</td>
<td>26711 Northwestern Hwy., STE 125</td>
<td>Southfield</td>
<td>MI</td>
<td>48033</td>
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ATTACHMENT B

CITY OF AUBURN HILLS

RESOLUTION DECLARING NECESSITY AND TO PROCEED WITH PROJECT AND TO DEFRAY A PORTION OF THE COST OF THE PROJECT BY SPECIAL ASSESSMENTS UPON SPECIALLY BENEFITED PROPERTIES (RESOLUTION NO. 3)

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WHEREAS, the City has considered construction of the proposed improvement described below (the Project) and has further requested the establishment of a special assessment district to finance and defray a portion of the costs of the project; and

WHEREAS, the proposed improvement (the Project) is the repair of and improvements to Atlantic Boulevard; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district (the District) attached to this Resolution; and

WHEREAS, after an initial consideration, the City Council on November 18, 2019, adopted its Resolution No. 2 declaring its tentative intent to proceed with the Project and with the establishment of the District; and

WHEREAS, plans for the Project, and an estimate of the costs of the project in the amount of $3,065,000, of which amount it is estimated that approximately $1,532,500 will be defrayed by special assessments against the properties in the special assessment district, have been prepared and notice of public hearing has been duly given, according to law, to the owners of property in the District to inform them of their opportunity to present comments and objections to the Project and to the District; and

WHEREAS, the hearing was duly conducted and held on January 20, 2020, consistent with the notice, following which the City Council determined to proceed with the project and the establishment of the district.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council determines that the Project is necessary.

2. The City shall proceed with the Project.

3. The plans and specifications prepared for the Project and the cost estimate for the Project in the amount of $3,065,000 presented at the hearing are approved.

4. The District shall consist of the properties identified in the special assessment district attached to this Resolution and against which 50% of the cost of the project shall be assessed.
5. The District shall be designated and known as the Atlantic Boulevard Road Improvement Special Assessment District, Special Assessment District No. 6.

6. The duration of the District’s existence shall be ten (10) years, and unless paid in cash earlier with respect to a particular property, the special assessment shall be paid in ten (10) annual installments at the rate of five percent (5%) interest to be charged on said installments, with the date of the first assessment installment to be determined and set forth in the City Council’s Resolution confirming the special assessment roll.

7. The City Assessor shall prepare a special assessment roll that includes all lots and parcels of land within the District with the names of the respective record owners of each property, if known, and shall also include the total amount to be assessed against each property. The amount to be assessed against each property shall be based upon the proportionate amount of special benefit to be received by each property from the Project. The amount spread in each case shall be based upon the detailed estimate of costs as approved by the City Council.

8. When the Assessor completes the assessment roll, the Assessor shall file it with the City Clerk for presentation to the City Council, along with the Assessor’s certification that the roll has been prepared by the Assessor pursuant to the January 20, 2020, Resolution of the City Council and that in making the assessments contained in the assessment roll, the Assessor has, as near as may be, according to the Assessor’s best judgment, conformed in all respects with the directions contained in the January 20, 2020, Resolution of the City Council and the Auburn Hills City Charter and the provisions of Chapter 58 of the Auburn Hills City Code.

9. The City Manager is directed to obtain firm bids from companies and/or other entities who are interested in performing the work necessary to complete the project.

AYES:
NAYES:
ABSENT:
ABSTENTIONS:

STATE OF MICHIGAN  

COUNTY OF OAKLAND  

I, LAURA M. PIERCE, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 20th day of January, 2020, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this_____day of  

__________________________, 2020.

__________________________
LAURA M. PIERCE
City Clerk
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<tr>
<th>Parcel ID</th>
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<th>Owner Name</th>
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<th>City</th>
<th>State</th>
<th>Zip Code</th>
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<td>MI</td>
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<td>Bingham Farms</td>
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<td>What About Me LLC</td>
<td>PO Box 259</td>
<td>Lake Orion</td>
<td>MI</td>
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ATTACHMENT C
CITY OF AUBURN HILLS
ORDINANCE NO.________

AN ORDINANCE TO AMEND SECTION 2-58, APPOINTMENT OR EMPLOYMENT—
WITHIN SAME DEPARTMENT OR SUPERVISOR/SUBORDINATE RELATIONSHIP, OF
CHAPTER 2, ADMINISTRATION, AS AMENDED TO ADD NEW LANGUAGE ADDING
A CITY MANAGER EXCEPTION

THE CITY OF AUBURN HILLS ORDAINS:

Section 1.

Section 2-58. Appointment or Employment—Within Same Department or
Supervisor/Subordinate Relationship, of Chapter 2. Administration, of the Auburn Hills City
Code, as amended, is hereby amended to read as follows:

Sec. 2-58. The appointment or employment of members of an immediate family shall not be
allowed within the same department or in a supervisor/subordinate relationship
where the chain of command crosses departmental lines. If employees become
members of an immediate family by the process of adoption or marriage, or
creation of espoused relationship, reasonable effort shall be made to place one of
the employees in another department or outside the chain of command, provided
that a position is available wherein the duties and rate of pay are reasonably
similar to the position from which the employee is being transferred. Subject to
the terms of Collective Bargaining Agreements which shall control, the City
Manager shall have the authority to waive the limitations of this Section and
may allow members of an immediate family to be employed and working in
the same department but not in a supervisor/subordinate relationship, in
those circumstances where the City Manager determines there will be no
detrimental impact on the City and/or the department involved.

Section 2. Repealer.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the
extent necessary to give this Ordinance full force and effect.

Section 3. Severability.

If any section, clause or provision of this Ordinance shall be declared to be
unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section,
clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part
of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.
Section 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the 20th day of January 2020, and ordered to be given publication in the manner prescribed by the Charter of the City of Auburn Hills.

AYES:

NAYES:

ABSTENTIONS:

STATE OF MICHIGAN)

) ss.

COUNTY OF OAKLAND)

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. _______ adopted by the Auburn Hills City Council on the 6th day of January 2020, the original of which is in my office.

LAURA PIERCE, City Clerk
### Atlantic Boulevard Improvement Special Assessment District
#### Schedule A Special Assessment Roll

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<th>OwnerName1</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>LegalDescription</th>
<th>Assessed to City of Auburn Hills at large</th>
<th>Benefit</th>
<th>Assessment</th>
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<td>1500 Atlantic Blvd.</td>
<td>Auburn Hills</td>
<td>MI</td>
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<td>10100 Telegraph Rd., Ste 366</td>
<td>Bingham Farms</td>
<td>MI</td>
<td>48025</td>
<td>T3N, R1OE, SEC 3 &amp; 4 METRO NORTH TECHNOLOGY PARK LOTS 16 &amp; 17 5-27-15 FR 008</td>
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</table>

**Total Parcels Assessed**: 13

**Grand Total**: $1,377,649.13

---

**Certification of Assessor**: I, William Griffen, City Assessor, do hereby certify that the roll has been prepared by the Assessor pursuant to the Resolution of City Council, and that in making the assessments contained in the assessment roll, the Assessor has, as near as may be, according to the Assessor's best judgment, conformed to all respect to the directions contained in the Resolution of the City Council and the Auburn Hills City Charter and the provisions of Chapter 58 of the Auburn Hills City Code.

Signed: [Signature]
Date: 4/14/2020

---

I hereby certify that on [Date], the City Council of the City of Auburn Hills did confirm the attached special assessment roll.

Signed: [Signature]
Date: [Date]
Atlantic Boulevard SAD (with contingency)

<table>
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<tr>
<th>Item</th>
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<td>Construction Contingency (5%)</td>
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<td>CE/CA Services</td>
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<td>Testing Services</td>
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<td>SAD Administration</td>
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<td><strong>Total Project Cost</strong></td>
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<tr>
<td>City Contribution (50%)</td>
<td>$ 1,377,649.09</td>
</tr>
<tr>
<td><strong>Total SAD Cost</strong></td>
<td><strong>$ 1,377,649.09</strong></td>
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CITY OF AUBURN HILLS

RESOLUTION ACCEPTING THE SPECIAL ASSESSMENT ROLL AND SETTING PUBLIC HEARING ON THE ROLL (RESOLUTION NO. 4)

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 20th day of April, 2020, the following resolution was offered by Councilperson __________________ and supported by Councilperson __________________:

WHEREAS, plans for the Project and an estimate of the cost of the Project in the amount of $3,065,000.00 for the repair of and improvement to Atlantic Boulevard have been prepared and notice has been given, according to law to the owners of the property in the district with respect to a public hearing for the purpose of presenting any objections to the Project and to the special assessment district; and

WHEREAS, on January 20, 2020, the City Council adopted a Resolution Declaring Necessity and to Proceed with Project and to Defray a Portion of the Costs of the Project By Special Assessments Upon Specially Benefited Properties (Resolution No. 3); and

WHEREAS, the City Council has conducted a public hearing for construction of the proposed improvement described below (the Project) and establishing a special assessment to finance and defray a portion of the cost of the Project; and

WHEREAS, the proposed improvement (the Project) is the repair of and improvements to Atlantic Boulevard; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district attached to this Resolution, which will be designated as Special Assessment District No. 6 (the district); and

WHEREAS, plans for the Project, the estimated cost of the Project in the amount of $3,065,000.00, of which amount it was estimated that approximately $1,532,500.00 would be defrayed by special assessments against the properties in the special assessment district, and the special assessment district has been approved by the aforementioned resolution of the City Council following the required public hearing on January 20, 2020; and

WHEREAS, based on the City obtaining and accepting a firm bid from a company who will perform the work necessary to complete the Project, the final cost of the Project is $2,755,298.18, of which amount $1,377,649.09 will be defrayed by special assessments against the properties in the special assessment district.

WHEREAS, in accordance with the direction of the City Council, the Assessor has prepared a special assessment roll allocating the total final cost of the Project to the properties within the district according to law, and the Assessor has filed such roll with the City Clerk.
NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council accepts the special assessment roll.

2. The special assessment roll shall be filed in the City Clerk’s Office and be available for public examination and review.

3. A public hearing is hereby set for May 18, 2020, to be held at 7:00 p.m. in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, for consideration of confirming the special assessment roll and for hearing objections by any interested person with respect to the special assessment roll. The City Council will review the roll and hear and consider any objections presented.

4. The City Clerk shall give notice that the City Council shall conduct a public hearing on May 18, 2020, at 7:00 p.m. in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, (or via teleconference) for the purpose of considering confirmation of the special assessment roll and for the purpose of hearing objections by any interested person with respect to the special assessment roll. Notice of the public hearing shall be published twice in a newspaper published and/or circulated in the City with the first publication being at least ten (10) days before the May 18, 2020, hearing, and notice shall also be sent by first class mail to each record owner or party-in-interest in whose name the land in the district is to be assessed as shown on the City’s last preceding tax assessment roll for ad valorem purposes, with said notices to be mailed at least ten (10) days before the May 18, 2020, hearing. The notice to be published and mailed by first class mail shall include the following:

   (a) The date, time and place of the public hearing;

   (b) A statement that the special assessment roll is on file with the City Clerk for public examination and review.

   (c) A statement that appearance and protest at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal and that if the special assessment is protested properly, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within thirty (30) days after confirmation of the special assessment roll, and that any person deeming themselves aggrieved by the special assessment roll may file their objections thereto in writing with the City Clerk at or prior to the time of the public hearing, in which case appearance in person at the public hearing is not required.

AYES:
NAYES:
ABSENT:
ABSTENTIONS:
STATE OF MICHIGAN )
) ss
COUNTY OF OAKLAND )

I, LAURA PIERCE, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 20th day of April, 2020, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this______day of__________, 2020.

________________________________________
LAURA PIERCE
City Clerk
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<tr>
<th>Parcel ID</th>
<th>Address</th>
<th>Owner Name</th>
<th>Street Address</th>
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<td>PO Box 259</td>
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INTRODUCTION AND HISTORY
On February 17th, 2020, the Auburn Hills City Council held a Public Hearing for the purpose of hearing statements and objections to the proposed Special Assessment District (SAD) No. 7 West Entrance Drive road improvement project. Following the Public Hearing, City Council adopted Corrected Resolution No. 3 to declare necessity and to proceed with the proposed Special Assessment District (SAD) No. 7 regarding the repair of and improvements to West Entrance Drive. The West Entrance Drive road improvements will be constructed according to the plans and specifications prepared by OHM Advisors and are on file in the City Clerk’s Office. The Public Hearing Minutes are available in the packet for your review.

The City received firm bids on Thursday, April 9, 2020 from companies interested in performing the road work. The updated cost estimate for the road improvement portion of the project based on construction bids is $2,579,602.27, less $710,000 contribution from FANUC America Corporation to upgrade the class of the road, resulting in the remaining total estimated cost of $1,869,602.27, of which a 50% portion will be defrayed by special assessments upon specially benefited properties identified in the SAD (list provided as part of Resolution No. 4). The City’s estimated share in the cost will be $934,801.14 and the remaining balance will be divided equally among the ten benefitting properties and estimated at $93,480.11 each. The special assessment roll was prepared by the City Assessor and filed with the City Clerk. The updated cost estimate based on the bids received was prepared by OHM Advisors. These items have been made available in the packet for your review.

In addition to the road improvements, water main will be replaced along a portion of West Entrance Drive in the amount of $363,344. We will be removing 2,215 feet of 12 inch asbestos cement pipe and replacing it with more resilient ductile iron pipe. While the current pipe is in fair condition, as the pipe is under the road it makes sense to replace it now in lieu of the pipe potentially failing in the future, which would then require digging the road up. Also note that we do not have the easements required to relocate the pipe from under the road.

The project also includes grading and improvements along Butler Road utilizing the asphalt millings from West Entrance Drive. We will be completing both a chip and slurry seal to the new 4 inch asphalt milling cross section which cost is estimated in the amount of $156,650. This work will then eliminate the City’s last city-owned dirt road.

Provided in the packet is Resolution No. 4 reviewed and approved by City Attorney, Derk Beckerleg. The resolution, if adopted, accepts the SAD Roll prepared by the City Assessor and filed with the City Clerk. Upon adoption of Resolution No. 4, a public hearing will be set to allow interested persons an opportunity to object to the special assessment roll, and to consider confirmation of the roll. The Public Hearing will be set for May 18, 2020, at 7:00 p.m., in the City Hall at 1827 N. Squirrel Road, Auburn Hills, MI 48326 (or via teleconference).

STAFF RECOMMENDATION
Resolution No. 4 is the 4th of 5 resolutions that requires City Council approval to satisfy the SAD proceedings prescribed by City Ordinance. Therefore, staff recommends approval of the resolution provided regarding the
proposed SAD No. 7 for road improvements to West Entrance Drive. Additional information related water main improvements, as well as the maintenance improvements to Butler Road will be provided in the total construction bid award memorandum to City Council.

MOTION
Move to approve Resolution No. 4, a Resolution Accepting the Special Assessment Roll for the proposed Special Assessment District No. 7, regarding the repair of and improvements to West Entrance Drive, and setting a Public Hearing on the Roll for May 18, 2020, at 7:00 p.m., in the City Hall at 1827 N. Squirrel Road, Auburn Hills, MI 48326 (or via teleconference).

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER

Exhibit 1 – Public Hearing Minutes
Exhibit 2 – Schedule A - Special Assessment Roll
Exhibit 3 – Cost Estimate
Exhibit 4 – Resolution No. 4
CALL TO ORDER: Mayor McDaniel at 7:00 p.m.
LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326
Present: Mayor Pro Tem Burmeister, Council Members Knight, Marzolf, Moniz and Verbeke
Absent: Mayor McDaniel, Council Member Kittle
Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Fire Chief Taylor, Police Lieutenant Gagnon, DPW Director Melchert, Community Development Director Cohen, Director of Authorities Skopek, City Engineer Juidici, Management Intern Hagge

4. APPROVAL OF MINUTES
4a. City Council Workshop Minutes, February 3, 2020
Moved by Knight, Seconded by Verbeke.
RESOLVED: To approve the City Council Workshop Minutes of February 3, 2020 as presented.
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.02.16
Motion Carried (5 - 0)

4b. City Council Regular Meeting Minutes, February 3, 2020
Moved by Knight, Seconded by Verbeke.
RESOLVED: To approve the City Council Minutes of February 3, 2020 as amended.
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.02.17
Motion Carried (5 - 0)

5. APPOINTMENTS AND PRESENTATIONS
5a. Presentation by the Detroit Institute of Arts
Amanda Harrison Keighley of the Detroit Institute of Arts (DIA), reflected on the DIAs collection and shared that they are looking to partner with the Library and the Community Center in the Inside Out Program. She shared that there will be a millage issue on the March 10, 2020 ballot.

6. PUBLIC COMMENT
Tyson Brown of 3097 Waukegan St. shared his disapproval of the deconstruction of Seyburn Mansion. He shared that as the President of the Auburn Hills Historical Society his concern is that once the building is down the history cannot be rebuilt nor preserved.

7. CONSENT AGENDA
Council Members requested the following items be removed from the Consent Agenda:

- Item 7b (Sanitary Sewer Agreement) by Council Member Verbeke
- Item 7e (Resolution Opposing Regional Transit Authority) by Council Member Knight

7a. Board and Commission Minutes
7a.1. Beautification Advisory Commission, January 15, 2020
7a.2. Planning Commission, February 5, 2020
7a.3. Election Commission, February 3, 2020
RESOLVED: To receive and file the Board and Commission Minutes.

7c. Motion – To amend the 2020 budget to reflect the Assistance to Firefighters Grant (AFG)
RESOLVED: To amend the 2020 budget to reflect the Assistance to Firefighters Grant

7d. Motion – To amend the 2020 budget to reflect the Staffing for Adequate Fire and Emergency Response Grant (SAFER)
RESOLVED: To amend the 2020 budget to reflect the Staffing for Adequate Fire and Emergency Response (SAFER) Grant

Moved by Verbeke, Seconded by Marzolf.
RESOLVED: To approve the Consent Agenda Items 7a, 7c, 7d.
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.02.18 Motion Carried (5 - 0)

7b. Motion – To adopt the Second Amendment to the December 2, 2005 Sanitary Sewer Agreement between Auburn Hills and Orion Township.
Ms. Verbeke sought clarification on the differences within this agreement and how it will benefit Auburn Hills. Mr. Melchert explained that the second amendment was expanded to include another residential development. He stated that he is confident that this will not impact the community in a negative way.

Moved by Verbeke, Seconded by Moniz.
RESOLVED: To adopt the Second Amendment to the December 2, 2005 Sanitary Sewer Agreement between Auburn Hills and Orion Township.
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.02.19 Motion Carried (5 - 0)

7e. Motion – To adopt the Resolution opposing Regional Transit Authority (RTA)
Mr. Knight stated that this topic has been studied by Council. He shared that the opposition to this bill is due to the way it is written currently, stating that there is taxation with very little service. Council would like to see the bill changed stating it allows each community to opt out if the community feels the RTA does not help their community.

Moved by Knight, Seconded by Verbeke.
RESOLVED: To adopt the Resolution opposing Regional Transit Authority. (Attachment A)
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.02.20 Motion Carried (5 - 0)

8. OLD BUSINESS
9. NEW BUSINESS
9a. Public Hearing/Motion – To approve Corrected Resolution No. 3 regarding West Entrance Drive Special Assessment District No. 7.
Mr. Melchert presented the Corrected Resolution No. 3 regarding the West Entrance Drive road improvement project. He stated that the resolution includes a revised list of the benefiting properties.

Mayor Pro Tem Burmeister opened the Public Hearing at 7:22PM.
Brad Baxter, property owner at 1080 West Entrance Drive, shared that he is opposed to this assessment. He stated that this is a public road and was unsure as to why the improvements were being handled with a special assessment.

Mr. Tanghe stated that the significant differentiation to this issue is that this road is primarily used only by the users that are located on the roadway. He shared that in the past the City paid for road improvements at 100% but that was during a time when the revenue allowed the City to be able to do that. He shared that a decision was made about 3 years ago that moving forward the City would share the cost at 50%.

Hearing no comment, Mayor Pro Tem Burmeister closed the Public Hearing at 7:25PM.

Moved by Knight, Seconded by Moniz.

RESOLVED: To approve Corrected Resolution No. 3, a Resolution Declaring Necessity and to proceed with Project and Defray a Portion of the Costs of the Project by Special Assessments upon Specially Benefited Properties for the proposed Special Assessment District No. 7 regarding the repair of and improvements to West Entrance Drive. (Attachment B)

VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke

No: None

Motion Carried (5 - 0)

9b. Motion – To approve Special Land Use Permits, Site Plan, and Tree Removal Permit / R. Youngblood & Co.

Mr. Cohen presented the redevelopment plan located at 3915 Auburn Road. This plan is zoned properly for this type of project. This is a three season operation, not allowing for any snow plowing or salt services offered by the company. Construction is to be May 2020 with completion by December 2020.

Ryan Youngblood, 512 Madison Ave., Rochester, Michigan, provided a broad overview of the company. He stated that he looks forward to being a strong asset and having an impact in the community.

There was discussion regarding the smell from the mulch piles, and if the entrance would cause any trouble for the residents living across the street. Mr. Youngblood stated that all these items were reviewed and should not be a concern.

Moved by Moniz, Seconded by Knight.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Special Land Use Permits, Site Plan, and Tree Removal Permit for the R. Youngblood & Co. subject to the conditions of the administrative review team.

In addition, the following conditions are required to protect the health, safety and welfare and the social and economic well-being of those landowners immediately adjacent to the proposed land use, and the community as a whole:

1. This permit approval is only granted to R. Youngblood & Co based on this specific redevelopment proposal and shall not be transferable to another entity without City Council approval.

2. The permit approval shall also be based on R. Youngblood & Co’s compliance with the staff conditions of approval, City ordinances, and the representations and commitments made by R. Youngblood & Co on the public record and within the packet materials.

3. In addition to the permit requirements and staff conditions, R. Youngblood & Co.’s operations shall conform with the performance standards listed in the City’s Zoning Ordinance and Code of Ordinances which address light trespass, open storage, noise, dust, blight, odor, and other nuisances. Truck movement shall be restricted per the traffic control order approved by the City Council on February 25, 2019.

VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke

No: None
Resolution No. 20.02.22

9c. Motion – To approve a Combined PUD Step One – Concept Plan and PUD Step Two – Site Plan and Tree Removal Permit / Evolution Sportsplex Expansion.

Mr. Cohen presented the expansion plans for the existing complex located at 141 South Opdyke Road. Construction is expected to begin in the Spring of 2020 and will take 6 months to complete.

Randy Stephens owner of Evolution Sportsplex located at 141 South Opdyke Road clarified that the two domes cannot be connected at this time due to the Fire Department needing full access around the building.

There was concern that there may not be enough parking with the amount of traffic that could take place on tournament days. Mr. Craig McDonald of McDonald Associates, 312 E. Liberty Street, Milford stated that there will be the required amount of parking. It was discussed that the design complex has 291 parking spaces designated and the ordinance calls for 169. Mr. Cohen clarified that this property is a practice facility and so the business will not be holding tournaments with heavy volumes of traffic. If the company wants to change their business model to include that, then they will have to come before Council for approval.

There was concern regarding the residents in Sheffield Estates and if they had been properly notified. Mr. Cohen stated that per State Law the notification was mailed out to property owners 1000 feet from the property seeking the variance. Mr. Knight shared his concern for the residents and that this project could be approved and the residents not know about it because the property owner was notified and not the residents. He stated that he would not be voting yes on this topic without the residents being notified. Mr. Tanghe stated that in the best interest of everyone it would be wise to conduct a mailing to the residents of Sheffield Estates and give them the opportunity to voice their concerns should they have them.

Moved by Verbeke, Seconded by Knight.
RESOLVED: To postpone this item until the March 2, 2020 City Council Meeting.
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.02.23

9d. Motion - To approve a Special Land Use Permit, Site Plan, and Tree Removal Permit / Speedway Fueling Station and Convenience Store Rebuild.

Mr. Cohen presented the request from Speedway, LLC for approval to construct a sixteen pump gas station and convenience store at the current location of 2100 University Drive. Construction is expected to being in early Fall 2020 and will take approximately five months to complete.

Ms. Mandy Gauss, P.E., CESO, 13060 Old US 27, Suite D, Dewitt, MI presented the reasons for the rebuild. The underground storage tanks and existing infrastructure will be removed and replaced with new equipment to make the site safer for the public. She shared that there will be a shared lot with the existing Marathon station and that there will be a storm water pond on the back portion of the site to collect the storm water.

Council shared that they were pleased with these improvements and that the changes should make it a safer site.

Moved by Moniz, Seconded by Knight.
RESOLVED: To accept the Planning Commission’s recommendation and approve the Special Land Use Permit and Site Plan for the Speedway Fueling Station and Convenience Store subject to the conditions of the City’s Administrative Review Team.
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.02.24  

Motion Carried (5 - 0)

9e. Motion – To approve a text amendment to amend Article IX, B-2, General Business Districts and Article XII, T&R, Technology & Research Districts of the Zoning Ordinance.

Mr. Cohen presented the recommendation to approve the text amendment to provide City Council full discretion over the approval of future motel, hotel, and conference center developments, along with the expansion of existing motel, hotel, and conference center developments, within in the B-2 and T&R zoning districts by only permitting such projects via the Planned Unit Development Option. This will restrict the over saturation of hotels within the community.

Moved by Verbeke, Seconded by Knight.

RESOLVED: To accept the Planning Commission’s recommendation and approve the enclosed Text Amendment to Article IX, B-2, General Business Districts and Article XII. T&R, Technology & Research Districts of the Zoning Ordinance. It shall be referenced as Ordinance No. 20-913. (Attachment C)

VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.02.25  

Motion Carried (5 - 0)

9f. Motion – To accept the first reading of an ordinance to amend Article V. Boards, Commissions, and Committees, of Chapter 2, Administration, of the Auburn Hills City Code to dissolve and remove reference to the Beautification Advisory Commission and set for Public Hearing and Second Reading / Adoption at the Meeting of March 2, 2020.

Ms. Verbeke presented this issue as the City Council liaison for the Beautification Advisory Commission. It was shared that there is not enough work to continue the existence of this board. She stated that the two major events that take place during the year will continue, Perennial Exchange and the Beautification Awards Program. She shared that by dissolving this commission it will help to allocate staff resources to work on other projects for the City. It was also shared that the City has dissolved other boards in the past, the Environmental Review Board and the Tax Incentive Review Committee.

Dr. Valeria Eloby-Slade of 874 Canter Lane, Auburn Hills shared that she is opposed to this decision and as a new member to the commission she would like to be given one year to turn the program around.

It was discussed that there is time between this meeting and the Public Hearing to review the concerns that have been shared. It was also clarified that if there is need to continue the discussion then Council can specify that they would like to hold another meeting.

Moved by Knight, Seconded by Verbeke.

RESOLVED: To accept the First Reading of an Ordinance to Amend Article V. Boards, Commissions, and Committees, of Chapter 2, Administration, of the Auburn Hills City Code to dissolve and remove reference to the Beautification Advisory Commission and Set for Public Hearing and Second Reading / Adoption at the Meeting of March 2, 2020.

VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None

Resolution No. 20.02.26  

Motion Carried (5 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Marzolf – He questioned the work that is being done on Squirrel Road in the right-of-way and how the City will ensure it is restored properly. Mr. Melchert clarified that the work is being performed by a communication contractor
all over the City. The City is watching the installation process very closely and a bond was taken to ensure the
ground is restored properly. This falls under the Metro Act permit process.

Mr. Marzolf shared that he has received phone calls regarding trees being taken down in the Hawk Woods area and
is wondering if there are any other plans in place for development, other than the new center. Mr. Tanghe clarified
that there is an operational maintenance and improvement plan for the park and this maintenance plan will cover
39 items. Mr. Melchert was asked to email the plan to City Council.

Ms. Verbeke – She provided an update on the requested information from the last council meeting regarding the
Pontiac School District bond issue. At the meeting she asked the members presenting the bond issue to provide the
number of students that live in Auburn Hills that are attending the Pontiac School District. She received a report
from the district but the information she requested was not in the report, so she sent another email and will continue
to follow up.

Mayor Pro Tem Burmeister – He shared that he has received complaints regarding snow plowing in the City. He
provided areas to Mr. Melchert to look into. He also shared that one of the billboard signs on I-75 was not working
properly. Mr. Cohen stated that he will look into it.

11. CITY ATTORNEY REPORT
12. CITY MANAGER REPORT
13. CLOSED SESSION
13a. Motion – Move to meet in closed session to discuss an attorney opinion pursuant to MCL 15.268 8 (h) of the
Open Meetings Act.
13b. Motion – Move to meet in closed session to discuss labor negotiations pursuant to MCL 15.268 8 (c) of the
Open Meetings Act.

Moved by Verbeke, Seconded by Moniz.
RESOLVED: To meet in closed session to discuss an attorney opinion pursuant to MCL 15.268 8(h) and to discuss labor negotiations pursuant to MCL 15.268 8(c) of the Open Meetings Act.
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.02.27 Motion Carried (5 - 0)

Recessed to Closed Session at 8:33 PM.
Reconvened in Open Session at 9:23 PM.

Moved by Knight, Seconded by Verbeke.
RESOLVED: To ratify the collective bargaining agreement by and between the City of Auburn Hills and the Police Officers Labor Council/Patrol Unit, under the terms and conditions contained in the negotiated agreement, for the period January 1, 2020 through December 31, 2023. Furthermore, to authorize the Mayor, City Clerk and City Manager to execute the agreement on behalf of the City.
VOTE: Yes: Burmeister, Knight, Marzolf, Moniz, Verbeke
No: None
Resolution No. 20.02.28 Motion Carried (5 - 0)

14. ADJOURNMENT

Hearing no objections, the Mayor adjourned the meeting at 9:25PM.
RESOLUTION # 20.02.20
TO OPPOSE THE 2020 REGIONAL TRANSIT AUTHORITY (RTA) MILLAGE PROPOSAL

At a regular meeting of the Auburn Hills City Council, Oakland County, Michigan, held on Monday, February 17, 2020, at 7:00 p.m. in the Auburn Hills City Council Chamber.

The following resolution was offered by Council Member Knight and seconded by Council Member Verbeke:

WHEREAS, the Regional Transit Authority (the “RTA”) was initiated in 2012 to manage and secure transportation resources, significantly enhance mobility options, improve quality of life for residents, and increase economic viability for the City of Detroit, Wayne County, Macomb County, Oakland County, and Washtenaw County.

WHEREAS, House Bill 5229 would amend the Municipal Partnership Act (the “Act”). HB 5229, if passed, would allow Wayne, Oakland and Washtenaw counties to create a three-county regional transit plan by a majority vote within each jurisdiction, exempt municipal partnerships from millage caps, and ensure municipal partnership tax revenue funds are used only for the purpose approved by voters.

WHEREAS, in 2016, a regional 20-year, 1.2-mill property tax increase ballot measure was defeated losing in Macomb and in Oakland, while Wayne and Washtenaw county voters approved it.

WHEREAS, HB 5229 would exempt Macomb County due to its voter’s strong opposition to the 2016 ballot measure.

WHEREAS, the RTA’s vision is to create a region with sufficient and secure funding to support enhanced public transportation options that will ensure accessibility; satisfy the integrated mobility needs of the community; and promote livable, healthy, and sustainable growth. Passage of HB 5229 by the legislature is likely to undermine the RTA’s vision.

WHEREAS, the RTA’s primary role will be to link communities where gaps in service exist with the AARTA, DDOT, and SMART bus systems.

WHEREAS, as stated by the late Oakland County Executive, L. Brooks Patterson, and confirmed by the Crain’s Detroit Business article dated November 19, 2010 and the current RTA website...
program map, the RTA plan is unlikely to provide any discernable benefit for Auburn Hills or its residents.

WHEREAS, over the 20 year period of the plan, the City of Auburn Hills is estimated to contribute over $71 million dollars of tax payer money, without knowledge of a published transit plan; and

WHEREAS, if the RTA and the Oakland County Board of Commissioners decide 1.5 mills will not generate adequate tax revenue due to Macomb County’s exemption, HB 5229 will allow the RTA millage to be increased.

WHEREAS, RTA and County Officials have not yet settled on a proposed tax rate for the 2020 ballot in November.

WHEREAS, RTA and County Officials have refused to confirm whether RTA transportation funds will or will not be diverted to buy down a balloon loan for the Q Line rail on Woodward Avenue, or used to pay off unfunded Pension and OPEB liabilities for AARTA, SMART, and DDOT for transportation authorities.

WHEREAS, there is no confirmation at this time that the intent of the RTA is not to combine services with AARTA, SMART, or DDOT for purposes of improving operational efficiencies or achieving cost reductions.

WHEREAS, there has not been a definitive RTA plan, a specific list of associated costs and a viable operation plan shared with any of the affected communities for review.

THEREFORE BE IT RESOLVED that the City of Auburn Hills, implores the members of the House of Representatives and the Oakland County Administration to oppose HB 5229 unless an opt-out clause be added, which would allow any of the Oakland County communities that are not expected to receive adequate direct benefit from the RTA plan to be exempt from the millage, or alternatively, to allow residents of the City the right to vote on a RTA opt-in or opt-out option.

BE IT FURTHER RESOLVED, a certified copy of this resolution will be forwarded to the following: Oakland County Executive Coulter, County Commissioner Gingell, County Commissioner Kuhn, the Governor, State Senator Bayer, State Representative Carter, Michigan Municipal League, SEMCOG Executive Director, and Executive Director of RTA, for the purposes of requesting the State and County to allow Oakland County communities the ability to opt-out of the RTA plan, or alternatively, to allow the residents of the affected communities the right to vote on an opt-in or opt-out option.

Yeas: 5
Nays: None
Abstentions: None
Absent: 2 (Kittle, McDaniel)
Resolution declared adopted.

State of Michigan  )
                   )ss
County of Oakland )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City of Auburn Hills, Oakland County, Michigan, on the 17th day of February, 2020, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on the 18th day of February, 2020.

Laura M. Pierce
City Clerk
ATTACHMENT B

CITY OF AUBURN HILLS

CORRECTED RESOLUTION DECLARING NECESSITY AND TO PROCEED WITH PROJECT AND TO DEFRAY A PORTION OF THE COST OF THE PROJECT BY SPECIAL ASSESSMENTS UPON SPECIALLY BENEFITED PROPERTIES (CORRECTED RESOLUTION NO. 3)

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 17th day of February 2020, the following resolution was offered by Councilperson Knight and supported by Councilperson Moniz:

WHEREAS, the City has considered construction of the proposed improvement described below (the Project) and has further requested the establishment of a special assessment district to finance and defray a portion of the costs of the project; and

WHEREAS, the proposed improvement (the Project) is the repair of and improvements to West Entrance Drive; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district (the District) attached to this Resolution; and

WHEREAS, after an initial consideration, the City Council on February 3rd, 2020, adopted its Corrected Resolution No. 2 declaring its tentative intent to proceed with the Project and with the establishment of the District; and

WHEREAS, plans for the Project, and an estimate of the costs of the project in the amount of $2,089,000, of which amount it is estimated that approximately $1,044,500 will be defrayed by special assessments against the properties in the special assessment district, have been prepared and notice of public hearing has been duly given, according to law, to the owners of property in the District to inform them of their opportunity to present comments and objections to the Project and to the District; and

WHEREAS, on November 18, 2019 the City Council adopted resolution number 2 and on January 20, 2020 the City Council adopted resolution number 3, both of which resolutions contained errors and as a result, the City Council has adopted a corrected resolution number 2 on February 3rd, 2020 and after holding a public hearing, the City Council needs to adopt a corrected resolution number 3.

WHEREAS, the hearing was duly conducted and held on February 17th, 2020, consistent with the notice, following which the City Council determined to proceed with the project and the establishment of the district.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council determines that the Project is necessary.

2. The City shall proceed with the Project.
3. The plans and specifications prepared for the Project and the cost estimate for the Project in the amount of $2,089,000 presented at the hearing are approved.

4. The District shall consist of the properties identified in the special assessment district attached to this Resolution and against which 50% of the cost of the project shall be assessed.

5. The District shall be designated and known as the West Entrance Drive Road Improvement Special Assessment District, Special Assessment District No. 7.

6. The duration of the District’s existence shall be ten (10) years, and unless paid in cash earlier with respect to a particular property, the special assessment shall be paid in ten (10) annual installments at the rate of five percent (5%) interest to be charged on said installments, with the date of the first assessment installment to be determined and set forth in the City Council’s Resolution confirming the special assessment roll.

7. The City Assessor shall prepare a special assessment roll that includes all lots and parcels of land within the District with the names of the respective record owners of each property, if known, and shall also include the total amount to be assessed against each property. The amount to be assessed against each property shall be based upon the proportionate amount of special benefit to be received by each property from the Project. The amount spread in each case shall be based upon the detailed estimate of costs as approved by the City Council.

8. When the Assessor completes the assessment roll, the Assessor shall file it with the City Clerk for presentation to the City Council, along with the Assessor’s certification that the roll has been prepared by the Assessor pursuant to the February 17, 2020, Corrected Resolution of the City Council and that in making the assessments contained in the assessment roll, the Assessor has, as near as may be, according to the Assessor’s best judgment, conformed in all respects with the directions contained in the February 17, 2020, Corrected Resolution of the City Council and the Auburn Hills City Charter and the provisions of Chapter 58 of the Auburn Hills City Code.

9. The City Manager is directed to obtain firm bids from companies and/or other entities who are interested in performing the work necessary to complete the project.

AYES: 5
NAYES: None
ABSENT: 2 (Kittle, McDaniel)
ABSTENTIONS: None

STATE OF MICHIGAN )
)ss
COUNTY OF OAKLAND )

I, Laura M. Pierce, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 17th day of
February, 2020, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this 17th day of February, 2020.

Laura M. Pierce
City Clerk
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ATTACHMENT C

CITY OF AUBURN HILLS
COUNTY OF OAKLAND
STATE OF MICHIGAN
ORDINANCE NO. 20-913

TEXT AMENDMENT TO ZONING ORDINANCE

AN ORDINANCE TO AMEND ARTICLE IX, B-2, GENERAL BUSINESS DISTRICTS
AND ARTICLE XII. T&R TECHNOLOGY AND RESEARCH DISTRICTS
OF THE AUBURN HILLS ZONING ORDINANCE NO. 372

THE CITY OF AUBURN HILLS ORDAINS

Section 1.
Section 902. Item. 7 of Article IX. B-2 General Business Districts of Auburn Hills Zoning
Ordinance No. 372, as amended, shall read as follows:

7. New motels, hotels, and conference centers, or the expansion of existing motels, hotels,
and conference centers, shall only be permitted in the B-2, General Business Districts
via Section 1830. Planned Unit Development Option. The decision to approve a Planned
Unit Development allowing a motel, hotel, and/or conference center, or the expansion of
an existing motel, hotel, and/or conference center, in the B-2, General Business Districts
shall be at the sole discretion of the City Council, after recommendation from the
Planning Commission. An applicant shall not have the right to seek relief from this
section to the Zoning Board of Appeals. Motels, hotels, and conference centers
approved by the City Council in the B-2, General Business Districts before February 17,
2020 shall be considered legally conforming and subject to the Zoning Ordinance
standards and conditions in effect at the time of the City approval.

Section 2.
Section 1201. Item. 3 of Article XII. T&R Technology and Research Districts of Auburn Hills
Zoning Ordinance No. 372, as amended, shall read as follows:

3. New motels, hotels, and conference centers, or the expansion of existing motels, hotels,
and conference centers, shall only be permitted in the T&R Technology and Research
Districts via Section 1830. Planned Unit Development Option. The decision to approve a
Planned Unit Development allowing a motel, hotel, and/or conference center, or the
expansion of an existing motel, hotel, and/or conference center, in the T&R Technology
and Research Districts shall be at the sole discretion of the City Council, after
recommendation from the Planning Commission. An applicant shall not have the right to
seek relief from this section to the Zoning Board of Appeals. Motels, hotels, and
conference centers approved by the City Council in the T&R Technology and Research
Districts before February 17, 2020 shall be considered legally conforming and subject to
the Zoning Ordinance standards and conditions in effect at the time of the City approval.
Section 3. Repealer.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5. Savings.

The proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 6. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

Section 7. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the ____ day of _________, and ordered to be given publication in a manner prescribed by the Charter of the City of Auburn Hills.

AYES:  5
NAYES: None
ABSTENTIONS: None
ABSENT:  2 (Kittle, McDaniel)
STATE OF MICHIGAN )
COUNTY OF OAKLAND ) ss.

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 20-913 adopted by the Auburn Hills City Council on the 17th day of February the original of which is in my office.

_________________________________________
LAURA PIERCE, City Clerk
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Total Parcels Assessed: 10

Grand Total: $949,801.18
West Entrance SAD (with contingency)

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>As-Bid Construction Cost</td>
<td>$2,115,751.69</td>
</tr>
<tr>
<td>Construction Contingency (5%)</td>
<td>$105,787.58</td>
</tr>
<tr>
<td>FANUC Upgrade Contribution</td>
<td>$(710,000.00)</td>
</tr>
<tr>
<td>Design Services</td>
<td>$105,000.00</td>
</tr>
<tr>
<td>CE/CA Services</td>
<td>$186,063.00</td>
</tr>
<tr>
<td>Testing Services</td>
<td>$52,000.00</td>
</tr>
<tr>
<td>SAD Administration</td>
<td>$15,000.00</td>
</tr>
<tr>
<td><strong>Total Project Cost</strong></td>
<td><strong>$1,869,602.27</strong></td>
</tr>
<tr>
<td>City Contribution (50%)</td>
<td>$934,801.14</td>
</tr>
<tr>
<td><strong>Total SAD Cost</strong></td>
<td><strong>$934,801.14</strong></td>
</tr>
</tbody>
</table>
CITY OF AUBURN HILLS

RESOLUTION ACCEPTING THE SPECIAL ASSESSMENT ROLL AND SETTING PUBLIC HEARING ON THE ROLL (RESOLUTION NO. 4)

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 20th day of April, 2020, the following resolution was offered by Councilperson _______________________________ and supported by Councilperson _______________________________

WHEREAS, plans for the Project and an estimate of the cost of the Project in the amount of $2,089,000 for the repair of and improvement to West Entrance Drive have been prepared and notice has been given, according to law to the owners of the property in the district with respect to a public hearing for the purpose of presenting any objections to the Project and to the special assessment district; and

WHEREAS, on February 17th, 2020, the City Council adopted a Resolution Declaring Necessity and to Proceed with Project and to Defray a Portion of the Costs of the Project by Special Assessments upon Specially Benefited Properties (Corrected Resolution No. 3); and

WHEREAS, the City Council has conducted a public hearing for construction of the proposed improvement described below (the Project) and establishing a special assessment to finance and defray a portion of the cost of the Project; and

WHEREAS, the proposed improvement (the Project) is the repair of and improvements to West Entrance Drive; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district attached to this Resolution, which will be designated as Special Assessment District No. 7 (the district); and

WHEREAS, plans for the Project, the estimated total cost of the Project in the amount of $2,799,000, of which amount it was determined that Fanuc America Corporation will contribute $710,000 toward the road upgrade, and that the City will contribute approximately $1,044,500, and that the remaining $1,044,500 would be defrayed by special assessments against the properties in the special assessment district, and the special assessment district has been approved by the aforementioned corrected resolution (Corrected Resolution No. 3) of the City Council following the required public hearing on February 17th, 2020; and

WHEREAS, based on the City obtaining and accepting a firm bid from a company who will perform the work necessary to complete the Project, the final cost of the Project considered for the SAD is $1,869,602.27, of which amount $934,801.14 will be defrayed by special assessments against the properties in the special assessment district.

WHEREAS, in accordance with the direction of the City Council, the Assessor has prepared a special assessment roll allocating the total final cost of the Project to the properties within the district according to law, and the Assessor has filed such roll with the City Clerk.
NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council accepts the special assessment roll.

2. The special assessment roll shall be filed in the City Clerk’s Office and be available for public examination and review.

3. A public hearing is hereby set for May 18, 2020, to be held at 7:00 p.m. in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, for consideration of confirming the special assessment roll and for hearing objections by any interested person with respect to the special assessment roll. The City Council will review the roll and hear and consider any objections presented.

4. The City Clerk shall give notice that the City Council shall conduct a public hearing on May 18, 2020, at 7:00 p.m. in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, (or via teleconference) for the purpose of considering confirmation of the special assessment roll and for the purpose of hearing objections by any interested person with respect to the special assessment roll. Notice of the public hearing shall be published twice in a newspaper published and/or circulated in the City with the first publication being at least ten (10) days before the May 18, 2020, hearing, and notice shall also be sent by first class mail to each record owner or party-in-interest in whose name the land in the district is to be assessed as shown on the City’s last preceding tax assessment roll for ad valorem purposes, with said notices to be mailed at least ten (10) days before the May 18, 2020, hearing. The notice to be published and mailed by first class mail shall include the following:

(a) The date, time and place of the public hearing;

(b) A statement that the special assessment roll is on file with the City Clerk for public examination and review.

(c) A statement that appearance and protest at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal and that if the special assessment is protested properly, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within thirty (30) days after confirmation of the special assessment roll, and that any person deeming themselves aggrieved by the special assessment roll may file their objections thereto in writing with the City Clerk at or prior to the time of the public hearing, in which case appearance in person at the public hearing is not required.

AYES:
NAYES:
ABSENT:
ABSTENTIONS:
I, LAURA PIERCE, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 20th day of April, 2020, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this______day of __________, 2020.

______________________________
LAURA PIERCE
City Clerk
<table>
<thead>
<tr>
<th>Parcel ID</th>
<th>Address</th>
<th>Owner Name</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14-24-476-021</td>
<td>1080 W Entrance Dr</td>
<td>BJB Properties LLC</td>
</tr>
<tr>
<td>2</td>
<td>14-24-476-005</td>
<td>900 N Squirrel Rd</td>
<td>Bridge Commercial Real Estate, LLC Attention Carolyn Williams</td>
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<td>3</td>
<td>14-24-476-023</td>
<td>1075 W Entrance Dr</td>
<td>Bridge Commercial Real Estate, LLC Attention Carolyn Williams</td>
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<td>4</td>
<td>14-25-201-005</td>
<td>3501 Hamlin Road</td>
<td>Comerica Properties</td>
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<td>5</td>
<td>14-25-201-004</td>
<td>3551 Hamlin Road</td>
<td>Comerica Properties</td>
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<td>Address Not Listed</td>
<td>Comerica Properties</td>
<td>Parking lot and valued on related property. Excluded.</td>
</tr>
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<td>Comerica Properties</td>
<td>Parking lot and valued on related property. Excluded.</td>
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<tr>
<td>6</td>
<td>14-25-226-015</td>
<td>3501 Hamlin Road</td>
<td>Comerica Properties</td>
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<td>7</td>
<td>14-24-476-024</td>
<td>1100 W Entrance Dr</td>
<td>Fanuc America Corporation</td>
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<td>8</td>
<td>14-24-476-022</td>
<td>1035 W Entrance Dr</td>
<td>FCA US LLC</td>
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<tr>
<td>9</td>
<td>14-24-476-006</td>
<td>885 W Entrance Dr</td>
<td>DXC Technology Services LLC c/o MacMunnis, Inc.</td>
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<tr>
<td>10</td>
<td>14-24-476-009</td>
<td>985 W Entrance Dr</td>
<td>Valley View LLC</td>
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</tbody>
</table>
Mayor and City Council

From: Thomas A. Tanghe, City Manager; Antonio Macias, Assistant Chief

Submitted: April 13, 2020

Subject: Motion – Approve the move up purchase of the 2021 Budgeted Ambulance with the assignment of the 2020 General Fund balance

INTRODUCTION AND HISTORY

In an effort to be proactive and minimize procurement delays, the fire department is recommending the purchase of the 2021 budgeted ambulance now, due to the anticipated delays caused by the COVID-19 pandemic. The current idling of the automotive industry, who supply truck chassis’, and priority orders from FEMA to supply ambulances to areas more severely COVID-19 impacted, like New York City, is anticipated to cause a backlog of normal ambulance orders. The lead time of the currently approved 2020 ordered ambulance was six (6) – eight (8) months before the pandemic idled the automotive industry. Emergency Vehicles Plus has submitted an ambulance cost proposal to the fire department for the second ambulance of $249,972.00 if ordered by April 30th, 2020. This cost is $3,012.00 lower than the 2020 approved purchase price reflective of a multiple vehicle discount. By ordering the second ambulance now, it saves an additional anticipated 4% ($10,119.36) increase in cost for the 2021 model year.

City Council approved the 2020 budgeted ambulance on March 2nd of this year after the fire department presented the need to replace two (2) ambulances in its current fleet due to age and not being able to properly compartmentalize new life saving equipment. One ambulance was budgeted in 2020 and the second ambulance in 2021. On February 11, 2020, three (3) bids were received and reviewed, checking for compliance with the posted RFP ambulance specifications. The manufacturers’ length of time in business, the amount of ambulances built, and service records was also taken into consideration. Follow up questions and reference checking with other EMS providing agencies who have purchased and experienced ambulances from the following bid submitters were completed in detail.

<table>
<thead>
<tr>
<th>Company</th>
<th>Original Bid Costs</th>
<th>R.S.V.P. - AEV</th>
<th>Emergency Vehicles Plus – Wheeled Coach</th>
<th>Kodiak - Braun</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Cost</td>
<td></td>
<td>$235,572.20</td>
<td>$252,984.00</td>
<td>$272,685.00</td>
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<tr>
<td>Delivery</td>
<td></td>
<td>120 days from receipt of order &amp; chassis</td>
<td>150 days from receipt of order &amp; chassis</td>
<td>180 days from receipt of order &amp; chassis</td>
</tr>
</tbody>
</table>

The Emergency Vehicles Plus (EVP) proposal is the bid that best meets the requested specifications. While this proposal may not be the lowest bid or earliest delivered, it matches the desired specifications in standardizing our department’s ambulance fleet. The preferred proposal from EVP includes enhanced occupant safety by having most features needed to treat patients within arm’s reach of the attendant’s seated position. These features significantly reduce the need for personnel to stand up to retrieve equipment while the ambulance is moving. Additionally, this ambulance layout has been improved with storage securing our expensive Cardiopulmonary Resuscitation compression device and active shooter personal protection equipment.
Currently, the fire department has three (3) frontline and one (1) reserve ambulance to respond to all medical emergencies. The Auburn Hills Fire Department has been providing the City’s Emergency Medical Service (EMS), transporting for the past six (6) years. These years of transport service has allowed our personnel time to evaluate what works in an ambulance and what keeps our citizens and personnel safe during a transport. This transport service time has generated a revenue stream keeping the funds in the city supporting the fire department’s EMS transport service.

The City’s Fleet Division of the Department of Public Works has planned adequate funding set aside in the 2021 budget for the purchase.

**Company Information**

Wheeled Coach Industries, Inc. presently operates a facility in Orlando, Florida. This modern facility consists of 311,000 square feet and includes both ambulance production and office space.

Wheeled Industries, Inc., an ISO 9001:2008 certified company, produced an excess of one thousand (1000) completed units within the previous twelve (12) months. Wheeled Coach Industries, Inc. is also a member in good standing of the Ambulance Manufactures’ Division (AMD) of the National Truck Equipment Association (NTEA).

Emergency Vehicles Plus, EVP, is a Michigan sales representative for Wheeled Coach Industries, Inc. EVP is a full service emergency vehicle dealership. EVP is the dealership that handled the sale of our new aerial ladder truck and previous ambulances. Our experience dealing with representatives from EVP has been excellent.

**PSAC Recommendation**

On Tuesday, February 25, 2020, the Public Safety Advisory Committee (PSAC) voted unanimously to recommend the purchase of the 2020 ambulance from Emergency Vehicles Plus and in addition decaling performed by local vendor (Majik Graphics). This request is a duplication of the previous PSAC approval. Under the current circumstances, it was not possible to take this purchase request to PSAC first.

**STAFF RECOMMENDATION**

To appropriate $24,997 (10% down payment) and assign $224,975 (remaining purchase cost) from the 2020 General Fund balance specifically for the purchase of a Wheeled Coach ambulance as proposed by Emergency Vehicles Plus in the amount of $249,972.00. In addition, assign $2,410 from the 2020 General Fund for decaling performed by local vendor (Majik Graphics).

**MOTION**

Move to amend the 2020 General Fund appropriating an additional $24,997 to Fire Suppression account, 101-339-999.001, for a 10% down payment on the purchase a Wheeled Coach ambulance from Emergency Vehicles Plus as specified in proposal amount of $249,972.00 and to Assign $224,975 from the 2020 general fund balance for the remaining amount of the ambulance purchase price along with an additional amount of $2,410 for decaling performed by local vendor (Majik Graphics). The assigned funds are forecasted to be expended in fiscal year 2021.

I CONCUR:  

THOMAS A. TANGHE, CITY MANAGER
13. CLOSED SESSION
No Electronic Information Available

MOTION
Move to meet in closed session to discuss labor negotiations pursuant to MCL 15.268 8(c) of the Open Meetings Act.
Good afternoon,

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note following changes:

On or before April 21, 2020, CLEO TV (channels 726 & 1302) will be made available to more customers as it is added to Digital Starter and the Entertainment genre pack.

ESPN Goal Line/ESPN Bases Loaded is terminating service on or before June 30, 2020 and is currently dormant as there are no college baseball or football games expected to be played before June 30th.

Please feel free to contact me at 734-359-2079 if you have any questions.

Sincerely,

Leslie A. Brogan
Senior Director, Government Affairs
Comcast, Heartland Region
1401 E. Miller Rd.
Lansing, MI 48911
March 19, 2020

Re: Postponement of Cartoon Network Moving to Digital Preferred Package

Dear Local Official:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Given recent events impacting our customers and our community, the scheduled move of Cartoon Network to the Digital Preferred or Preferred package on May 5, 2020 has been deferred. We will notify customers further before making any changes to the packaging of Cartoon Network.

Please feel free to contact me at Comcast_Heartland@cable.comcast.com if you have any questions.

Sincerely,

[Signature]

John P. Gardner
Director, External Affairs
Comcast, Heartland Region
1401 E. Miller Rd.
Lansing, MI 48911
March 19, 2020

Ms. Laura Pierce, Clerk
City of Auburn Hills
1827 N. Squirrel
Auburn Hills, MI 48326

Re: Continuation of Communications Services During COVID-19 National Emergency

Dear Ms. Pierce:

As communities and households continue to grapple with the COVID-19 pandemic and the Declaration of National Emergency, first and foremost, the health and safety of our customers, employees, and communities is our top priority and concern. Comcast will continue to ensure that our communications facilities and services are operating and maintained during this period of National Emergency. These steps may include deploying technicians and other employees, fueling vehicles and other equipment, and maintaining fulfillment and customer service centers, in order to operate, access, repair, or construct such facilities to prevent loss of service or to restore service.

Please feel free to contact me at 734-359-2079 if you have any questions.

Sincerely,

Leslie A. Brogan
Senior Director, Government Affairs
Comcast, Heartland Region
1401 E. Miller Rd.
Lansing, MI 48911