



**Study Session City Council Meeting  
7:00 PM, TUESDAY, SEPTEMBER 6, 2016  
Conference Room  
Farmington City Hall  
23600 Liberty St  
Farmington, MI 48335**

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## **STUDY SESSION MEETING AGENDA**

### **1. CALL TO ORDER**

**Roll Call**

### **2. APPROVAL OF AGENDA**

### **3. PUBLIC COMMENT**

### **4. PRESENTATIONS**

**A. David Ryall - Chatham Hills Subdivision Association**

**B. Andy Machcinski - Civil Air Patrol**

### **5. OTHER BUSINESS**

**A. Consideration to Appoint Delegate for Annual MML Meeting  
September 14-16, 2016 on Mackinac Island, Michigan**

**B. Consideration to Approve Purchase & Delivery of Topsoil for  
Establishment of Flanders Park**

**C. Consideration to Accept Proposal to Establish Flanders Park**

**D. Consideration to Amend Fiscal Year 2016/17 Budget**

**E. Consideration to Accept the 2016 Oakland County Grant for the  
Local Road Improvement Matching Fund Grant Pilot Program in  
the Amount of \$11,642.00**

### **6. COUNCIL COMMENT**

**7. CLOSED SESSION - LAND ACQUISITION**

**8. ADJOURNMENT**

**Motion To Adjourn**

**Farmington City Council  
Staff Report**
**Council Meeting Date:**  
September 6, 2016

**Reference  
Number  
(ID # 2250)**
**Submitted by:** David Murphy, City Manager

**Description:** Consideration to Appoint Delegate for Annual MML Meeting September 14-16, 2016 on Mackinac Island, Michigan

**Requested Action:**

Move to appoint Mayor Bill Galvin as Farmington's delegate for the annual MML meeting September 14-16, 2016 and Mayor Pro Tem Steve Schneemann as the alternate.

**Background:**

The Michigan Municipal League is requesting that the City Council designate a delegate and alternate, by official action, who will be in attendance at the annual meeting on Mackinac Island, Michigan, September 14-16, 2016. This person will be the official representative to cast the vote for the City of Farmington. Their Bylaws for the League provides that each member city and village shall be equally represented and provide a vote in the election of officers and any proposals presented.

Mayor Bill Galvin and Mayor Pro Tem Steve Schneemann are registered to attend the annual conference. City Administration recommends that the City Council appoint Mayor Galvin as the voting delegate and Mayor Pro Tem Steve Schneemann as the alternate.

**Agenda Review**
**Review:**
**David M. Murphy Completed 09/01/2016 4:59 PM**
**City Manager Completed 09/01/2016 4:59 PM**
**City Council Pending 09/06/2016 7:00 PM**

**Farmington City Council  
Staff Report**

**Council Meeting Date:**  
September 6, 2016

**Reference  
Number  
(ID # 2247)**

**Submitted by:** Chuck Eudy,

**Description:** Consideration to Approve Purchase & Delivery of Topsoil for Establishment of Flanders Park

**Requested Action:**

Move to approve \$18,312.50 for the purchase & delivery of topsoil from Calo & Sons for Flanders Park

**Background:**

To facilitate the cost effective establishment of Flanders Park quotes from several supplies have been obtained.

Boones Express	\$14.00 cu/yd.	50 yard loads
Calo & Sons	\$14.65 cu/yd.	can deliver all topsoil in 3 days
Redford Topsoil	\$12.00 cu/yd.	potential delivery delays

Farmington DPW has been using topsoil purchased from Calo & Sons over the last 3 years. The product provided by Calo & Sons has proven to be a quality product and deliveries have been timely.

**Agenda Review**

**Review:**

**Chuck Eudy Pending**

**City Manager Pending**

**City Council Pending 09/06/2016 7:00 PM**

# Calo & Sons Construction / Tia Marie Trucking TRUCKING AND / OR MATERIAL QUOTE

Date: 6/24/2016

Customer: City of Farmington

Project Name: 32600 Flander

Location: Farmington

Attention: Josh

[jleach@farmgov.com](mailto:jleach@farmgov.com)

	Material	Quantity	Unit	Train or Semi Rate	Total Delivered Unit Price
1	Peastone	As needed	ton	train	\$18.95
2	30A Slag	As needed	ton	train	\$18.95
3	Screened Topsoil	As needed	yard	train	\$14.65
4					
5					
6					
7					
8					
9					
10					
11					

**Prices are good for 30 days**  
**Prices are good for up to 15 minutes loading / unloading time. Any time beyond the 15 minutes will be charged an hourly demurrage time at the equipment used hourly rate**

Accepted By \_\_\_\_\_

Date \_\_\_\_\_

Thank You! We look forward to doing business with you.

Calo & Sons Construction, P.O. Box 530563, Livonia MI 48153  
Office: 248-468-9200 Fax: 248-468-9149

**Chuck Eudy - Calo Pricing**

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**From:** Joshua Leach  
**To:** Chuck Eudy  
**Date:** 8/19/2016 11:15 AM  
**Subject:** Calo Pricing  
**Cc:** matt.parks@ohm-advisors.com; Jessica Howard

---

Chuck,

Calo and Son pricing is still good and they would like at least 1 day notice prior to hauling in material for Flanders Park. Should only take 2 - 3 days to complete providing there is enough room for the material.

*Joshua Leach*  
Asst. Superintendent  
City of Farmington Public Works  
248-473-7250  
Fax: 248-473-7279  
jleach@farmgov.com

**Farmington City Council  
Staff Report**
**Council Meeting Date:**  
September 6, 2016

**Reference  
Number  
(ID # 2246)**
**Submitted by:** Chuck Eudy,

**Description:** Consideration to Accept Proposal to Establish Flanders Park

**Requested Action:**

Move to approve proposal from Anglin Civil LLC. to establish Flanders Park not to exceed \$59,742.50

**Background:**

Estimates have been received to establish Flanders Park from two contractors. Both of the contractors have recently been previously awarded contracts within the City which they were the low bidder and have completed the scope of the projects timely.

Establishment of the park will include:

Spreading 4 inches of topsoil on the 2.22 acre park

Seeding & mulching the 2.22 acre park after spreading topsoil

Construct 10 foot wide walking path 945 feet in length of slag sand in the park

Construct underground drainage system for the playground

Install filter fabric in playground area

Place wood carpet for playground area

Estimates:

Bidigare Contracting \$123,131.00 including labor and all materials except wood carpet

Anglin Civil LLC. \$ 98,492.50 including labor and all materials except wood carpet

Anglin Civil LLC. \$ 59,742.50 including labor and all materials except topsoil and wood carpet

Orchard Hiltz & McCliment (OHM) will develop an abridged contract agreement (log job). This will document all materials and quantities per the design.

**Agenda Review**
**Review:**
**Chuck Eudy Pending**
**City Manager Pending**
**City Council Pending 09/06/2016 7:00 PM**

# Flanders Park

Contractor Supplied Materials:	quantity		unit \$	Anglin Civil LLC	Anglin Civil LLC		Bidigare Contracting
				Total \$	Total \$		Total \$
Mobilization	1.00	ls	\$1,725.00	\$ 1,725.00	\$ 1,725.00		
Place topsoil, seed & mulch	8500.00	Syd	\$3.45	\$ 29,325.00	\$ 29,325.00	ls	\$58,933.00
Contractor Supplies Topsoil	1250.00	Cyd	\$31.00	\$ 38,750.00	\$ -		
10' slag sand path, 6"	1050.00	Syd	\$10.35	\$ 10,867.50	\$ 10,867.50	ls	\$37,798.00
Place 12" wood carpet	1050.00	Syd	\$2.30	\$ 2,415.00	\$ 2,415.00		
Geotextile under wood carpet	1050.00	Syd	\$5.75	\$ 6,037.50	\$ 6,037.50		
Install 6" Underdrain w/sock	500.00	lf	\$18.40	\$ 9,200.00	\$ 9,200.00	ls	\$26,400.00
Install Conc. Underdrain outlet	1.00	ea.	\$172.50	\$ 172.50	\$ 172.50		
				\$ 98,492.50	\$ 59,742.50		\$123,131.00
<b>City Supplied Materials:</b>							
Calo Supplies Topsoil	1250.00	Cyd	\$14.65		\$ 18,312.50		
Provide wood carpet (Miracle Midwest)	350.00	Cyd	\$14.00	\$ 4,900.00	\$ 4,900.00		
Freight for wood carpet	1.00	ls		\$ 993.00	\$ 993.00		
					\$ 24,205.50		
<b>Park Establishment Cost:</b>					\$ 83,948.00		
Adjusted Project Cost					\$ 95,000.00		
Engineering Cost to Date					\$ 7,953.00		
Park Establishment Cost					\$ 83,948.00		
Balance Remaining for inspections and replacement equipment					\$ 3,099.00		

Attachment: 16.9.6 Flanders Park cost estimates summary (2246 : Flanders Anglin)



*Calo & Sons Construction / Tia Marie Trucking*  
**TRUCKING AND / OR MATERIAL QUOTE**

Date: 6/24/2016

Customer: City of Farmington

Project Name: 32600 Flander

Location: Farmington

Attention: Josh

[jleach@farmgov.com](mailto:jleach@farmgov.com)

	Material	Quantity	Unit	Train or Semi Rate	Total Delivered Unit Price
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9					
10					
11					

Prices are good for 30 days  
 Prices are good for up to 15 minutes loading / unloading time. Any time beyond the 15 minutes will be charged an hourly demurrage time at the equipment used hourly rate

Accepted By \_\_\_\_\_

Date \_\_\_\_\_

Thank You! We look forward to doing business with you.

Calo & Sons Construction, P.O. Box 530563, Livonia MI 48153  
 Office: 248-468-9200 Fax: 248-468-9149

**Chuck Eudy - Calo Pricing**

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*Joshua Leach*  
Asst. Superintendent  
City of Farmington Public Works  
248-473-7250  
Fax: 248-473-7279  
jleach@farmgov.com



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 & Ohio!

**QUOTATION – 1606271447MT**

TO: City of Farmington  
 Attn: Josh Leach  
 33720 W. 9 Mile Rd.  
 Farmington, MI 48335  
 Ph: 248-473-7250

DATE: June 27, 2016  
 SUBJECT: Engineered Wood Fiber  
 QUOTE FIRM: 30 days  
 DELIVERY TIME ARO: 10-21 days  
 Email: jleach@farmgov.com

PRICES QUOTED: F.O.B: JOBSITE

TERMS: NET 30 DAYS WITH APPROVED CREDIT AND WITH PURCHASE ORDER.

**NO ORDERS WILL BE PLACED WITHOUT A SIGNED QUOTATION AND/OR PURCHASE ORDER.**

**ORDERS OVER \$5,000 WILL REQUIRE A SIGNED PURCHASE ORDER BEFORE THEY WILL BE PLACED.**

QUANTITY	ITEM #	DESCRIPTION	TOTAL PRICE
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**ZEAGER BROTHERS**

350cyds	WoodCarpet	Engineered Wood Fiber Safety Surfacing @ \$14/cyd Freight (3 Trucks Valid only for 30 days)	\$4,900.00 \$ 993.00
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**Delivered Cost – Net 30 days \$5,893.00**

Thank you for the opportunity to provide this quotation.

Signed: Kimberly Alexander  
 Miracle Midwest

THIS QUOTE **DOES NOT** INCLUDE:

- ✓ Unloading/Storage/Assembly/Installation of Equipment/Materials

Please sign, complete all information below and fax to us at 517-349-1911 OR email to [info@miraclemidwest.com](mailto:info@miraclemidwest.com)

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Print this address on your PO, send quote/P.O. to fax number/email listed above.

P.O. to Miracle Recreation Equipment Co.  
 878 Hwy 60, Monett, MO 65708  
 (Required for orders over \$5,000)

**PLEASE PROVIDE (NECESSARY FOR ORDER TO BE PLACED):**

SHIP TO ADDRESS:

INVOICE TO ADDRESS:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

DELIVERY CONTACT: \_\_\_\_\_

INVOICING CONTACT: \_\_\_\_\_

PHONE: \_\_\_\_\_

PHONE #: \_\_\_\_\_

**Farmington City Council  
Staff Report**
**Council Meeting Date:**  
September 6, 2016

**Reference  
Number  
(ID # 2245)**
**Submitted by:** Chuck Eudy,

**Description:** Consideration to Amend Fiscal Year 2016/17 Budget

**Requested Action:**

Move to adopt a resolution amending Fiscal Year 2016/17 Budget

**Background:**

In association with the Flanders Development, the City has established a new park. The park is 2.22 acres and is planned to have a playground, walking path, and green space. To prepare the park, the site will require installation of the following:

4 inches of topsoil (1,250 cubic yards)  
10 foot wide slag walking path  
An underground drainage system  
Wood carpet for the playground

The City has received estimates for the work to be performed and the total cost of the project is projected to be \$95,000. If Council would like to proceed, a budget amendment will be necessary.

The City budgeted \$87,500 for the project. \$35,000 in the 2015/16 Budget and \$52,500 in the 2016/17 Budget. Therefore, the total budget will need to be increased by \$7,500. In addition, only \$2,300 was spent in 2015/16, so the unspent budgeted amount of \$32,700 will need to be rolled over to the 2016/17 Budget. The total amount of the budget amendment is \$40,200 (\$7,500+\$32,500). Funding for this budget amendment will be provided by a transfer from the Capital Improvement Fund.

**Recommendations**

Move to adopt resolution amending Fiscal Year 2016/17 Budget.

**Attachments**

Budget Amendment Resolution

**Agenda Review**
**Review:**
**Chuck Eudy Pending**
**City Manager Pending**
**City Council Pending 09/06/2016 7:00 PM**

CITY OF FARMINGTON

RESOLUTION \_\_\_\_\_

Motion by, \_\_\_\_\_ seconded by, \_\_\_\_\_

**Budget Amendment No 1**

<b>Fund: General Fund</b>		
Recreation and Culture	<b>\$40,200</b>	
Transfer, Capital Improvement Fund		<b>\$40,200</b>
<b>To adjust for Flanders Park.</b>		
<b>Fund: Capital Improvement Fund</b>		
Transfer, General Fund	<b>\$40,200</b>	
Appropriations, Fund Balance		<b>\$40,200</b>
<b>To adjust for Flanders Park.</b>		

Attachment: 16.9.6 Flanders Park Budget Amendment (2245 : Flanders Park Amendment)

**Farmington City Council  
Staff Report**
**Council Meeting Date:**  
September 6, 2016

**Reference  
Number  
(ID # 2244)**
**Submitted by:** Chuck Eudy,

**Description:** Consideration to Accept the 2016 Oakland County Grant for the Local Road Improvement Matching Fund Grant Pilot Program in the Amount of \$11,642.00

**Requested Action:**

Move to accept the 2016 Oakland County Grant for the Local Road Improvement Matching Fund Pilot Program in the amount of \$11,642.00

**Background:**

Oakland County has established a Local Road Improvement Matching Fund Grant Pilot Program for the purposes of improving economic development in Oakland County cities and villages. The County intends this Program to assist its municipalities by offering limited matching funds for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages.

**Required Matching Funds**

A city or village participating in the Local Road Improvement Matching Fund Grant program shall match any funds authorized by the Oakland County Board of Commissioners in an amount equal to a minimum of 50% of the cost of the total project award. Funding shall be utilized to supplement and enhance local road maintenance and improvement programs. Funding is not intended to replace existing budgeted local road programs or to replace funding already committed to road improvements.

City Manager, David Murphy has recommended to allocate \$150,000.00 for local & major road improvement program in Fiscal Year 2016/17 budget. Farmington city council has approved the allocation for the funds in the Fiscal Year 2016/17 budget. Farmington city council has established a committee to review the annual PASER evaluation of the community's streets. This evaluation will be used to determine the most effective use of our resources.

Following the 2016/17 road improvements, the City of Farmington shall submit an invoice to Oakland County Board of Commissioners requesting reimbursement of up to \$11,642.00 from the 2016 Oakland County Grant for the Local Road Improvement Matching Fund Pilot Program

**Agenda Review**
**Review:**
**Chuck Eudy Pending**
**City Manager Pending**
**City Council Pending 09/06/2016 7:00 PM**


**BOARD OF COMMISSIONERS**

1200 N. Telegraph Road  
 Pontiac, MI 48341-0475  
 Phone: (248) 858-0100  
 Fax: (248) 858-1572

**2016 APPLICATION FORM**
**LOCAL ROAD IMPROVEMENT MATCHING FUND PILOT PROGRAM**

**Background:** Oakland County has established a Local Road Improvement Matching Fund Pilot Program for the purposes of improving economic development in Oakland County cities and villages. The County intends this Program to assist its municipalities by offering limited matching funds for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages.

**Project Policies and Guidelines:** The Oakland County Board of Commissioners and the Local Road Improvement Subcommittee has established policies, procedures and guidelines for project consideration. These documents have been included as Attachment "A".

**Available Funding:** Oakland County's maximum contribution for projects in eligible cities or villages has been established within the distribution formula included as Attachment "B".

**Required Matching Funds:** A city or village participating in the Local Road Improvement Matching Fund program shall match any funds authorized by the Oakland County Board of Commissioners in an amount equal to a minimum of 50% of the cost of the total project award. Funding shall be utilized to supplement and enhance local road maintenance and improvement programs. Funding is not intended to replace existing budgeted local road programs or to replace funding already committed to road improvements.

**REQUESTING LOCAL GOVERNMENT**

MUNICIPALITY City of Farmington	CONTACT PERSON Charles J. Eudy	TELEPHONE NUMBER 248/473-7250
STREET ADDRESS 33720 W. 9 Mile Road	CITY/ZIP Farmington, 48335	E-MAIL ADDRESS ceudy@farmgov.com

## PROJECT INFORMATION

### SHORT DESCRIPTION OF PROJECT

To improve local and major roads within the City of Farmington, by crack sealing, joint replacement, and full slab replacement, as well as mill & fill asphalt roads, and improve pedestrian crossings.

### ROAD/ROAD(S) TO BE IMPROVED

Potential roads could be Chesley north of 8 Mile Road, Smithfield Street south of Grand River, Lilac north Grand River, Power Road south of Grand River, Gill Road north of Freedom Road, Gill Road south of Grand River, 9 Mile Road at eastern City limits, Power Road north of Shiawassee.

### DESCRIPTION

All Concrete Maintenance and HMA projects would include:  
Audio/Video inspection of route prior to reconstruction. Erosion control as specified by Oakland County Water Resource Commissioner. Barricading per MDOT and/or RCOC standards. Full depth pavement removal, including curb and gutter where applicable. Sub-grade undercut as needed and instructed from engineers as soil conditions dictate. Repair or reconstruct storm water collection system as needed. Repair or reconstruct sanitary collection system as needed. Improve water distribution system as outlined in or 2014 Water Reliability Study. Pedestrian crossing improvements which may include rapid flashing beacons, pedestrian safe zone where crossing multiple lanes of traffic. Detectable warning surface at pedestrian crossings as needed. Turf establishment and timely closeout of Oakland County Soil Erosion Permit.



## PROJECT BUDGET

FUNDING REQUESTED \$11,642	LOCAL MATCH \$11,642	TOTAL PROJECT BUDGET Construction/Engineering Estimate \$3,363,000.00
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DESCRIPTION OF PROPOSED PROJECT EXPENDITURES

Please see attachments

## ECONOMIC IMPACT OF PROJECT

The Local Road Improvement Pilot Program has been established under MCL 123.872, the Gifts of Property Act, which provides that "A county may grant or loan funds to a township, village, or city located within that county for the purpose of encouraging and assisting businesses to locate and expand within the county."

DESCRIBE HOW THE PROJECT MEETS THE STATUTORY REQUIREMENT OF ENCOURAGING AND ASSISTING BUSINESS TO LOCATE AND EXPAND IN THE COUNTY

In fall of 2014, the City of Farmington Engineers established a priority list of road maintenance projects. The targeted locations are highly visible and on the major arteries entering the community.

Grand River to the east falls outside of our Downtown Development Authority; our vision is to extend the quaint shopping district of the downtown from the Farmington DDA boundaries to Farmington Hills as this area meets the Eight Mile Boulevard. This would expand our shopping district and could ultimately bring more people to our community.

To our southern border with Wayne County, Chesley Drive at Eight Mile Road is a gateway to our largest commercial district in the City of Farmington. Improvements in this area would draw a distinct line between Wayne and Oakland Counties, welcoming people to both our county and our Farmington community.

Grand River, being the City of Farmington's major thoroughfare and a MDOT Route, must always be maintained as an alternate route when road construction or traffic emergencies occur on I-696.

Any traffic that is re-routed through the City of Farmington is an opportunity for the community to show that it is a family-friendly destination with a lot to offer. Downtown Farmington consist of many boutique-type businesses. Traffic is crucial to their success.

A key focus of Farmington City Administration is to make the community a year-round destination. The downtown now includes an outdoor public ice rink in the winter months, summer concerts in the park and a farmers market. Business recruitment is another component to the viability of the community. It is critical to the success of the community that its gateways and pathways are in keeping with the quality of the downtown, and that they are safe.

As a walkable destination, pedestrians look for a safe environment to work, play and visit local businesses. If pedestrians do not feel safe crossing major roads, they will likely travel elsewhere. If road surfaces are deteriorated motorist will find a different route to their destination, thus bypassing a small town community. Existing local businesses will endure the higher cost of deliveries, due to the fact if the roads are failing, this causes increased vehicle maintenance cost, which are passed down to the consumer.

Pedestrians, motorist, deliveries, and businesses entering the community will see the direct efforts of reinvestment into the community by the Local and County government's.

## OPTIONAL MULTI-YEAR PROJECT PLAN

The Local Road Improvement Program has been expressly established as a pilot program. There is no guarantee the program will be continued from year to year. The Local Road Improvement Program Subcommittee recognizes that the allocation authorized for local governments may not provide adequate funding in a single year to allow a project to move forward. Local governments shall be offered the opportunity to submit project plans that would necessitate the accumulation of multiple years of the community's allocation amount to fulfill the County's share of a project budget. A multi-year project plan submittal shall not exceed three years in duration. The allocation amount available to each community is subject to change annually based upon the factors utilized in the distribution formula. Consideration of multi-year project plans does not obligate Oakland County in any way to fund any project or program in the future. These plans are meant to be utilized for planning purposes and for consideration by the Oakland County Board of Commissioners to authorize a limited carryover of a community's allocation year to year.

### DESCRIPTION OF MULTI-YEAR PLAN INCLUDING ESTIMATED PROJECT BUDGET AND CARRYOVER PERIOD OF COMMUNITY'S ALLOCATION

The City of Farmington began annual Pavement Surface Evaluation and Rating (PASER) system in 2013. In August this year (2016), will be our fourth (4) year of collecting the PASER data. We have already determined our initial projections of the road maintenance program are not sufficient. Following this year's collection of the PASER system, we will be able to provide our residents an updated Road Program.

Earlier this year, the Farmington City Council opened a discussion to re-establish a roads/infrastructure capital improvements program and schedule. The capital improvements program will require DWRP, SAW Grants, and possible bonding.

The City of Farmington generates nearly \$350,000.00 annually through ACT 51 funds, Local Road Millage, and other funds. We are determining how aggressive we need to be to meet our goals of improving our local and major roads. This program must be a continuing effort, not just a 3 year plan.

The first year of plans will be the crack sealing of multiple streets in selected subdivisions, and skip patching of asphalt roads. Our 2016-17 budget includes up to \$150,000 allocated for the first year.

The second year will focus on joint replacement and structure repairs to our local and major roads.

The third year will begin the major reconstruction efforts of infrastructure renewal and road replacement. By the third year, we will have our full reconstruction plan in order with funding established. This is when the City could begin to address the \$3,363,000.00 of targeted projects.

## ADDITIONAL INFORMATION

The Local Road Improvement Program Subcommittee of the Finance Committee of the Oakland County Board of Commissioners has been tasked with managing this program and making recommendations for project approval. Please supply any additional information you believe may be helpful in the consideration of your application.

OPTIONAL ADDITIONAL INFORMATION

## REPORT FOLLOWING COMPLETION OF THE PROJECT

MCL 123.872 requires that "the grant or loan contract made by a county shall require a report to the county board of commissioners regarding the activities of the recipient and the degree to which the recipient has met the stated public purpose of the funding".

I, on behalf of City of Farmington, have been provided with a copy of the Policies and Procedures of the Local Road Improvement Program (Attachment "A") and agree to comply with these terms and conditions.

I, on behalf of City of Farmington, understand and agree to comply with the requirement to provide the Oakland County Board of Commissioners with a report following the completion of an approved project outlining the degree to which the project met the stated purpose of the funding.

**Charles J. Eudy**

Digitally signed by Charles J. Eudy  
DN: cn=Charles J. Eudy, o=City of Farmington, ou=Public Services,  
email=ceudy@farmgov.com, c=US  
Date: 2016.07.08 11:02:50 -04'00'

**July 8, 2016**

Signature of Authorized Party

Date

**Charles J. Eudy, Superintendent**

Printed Name and Title

Please return completed application to:

Local Road Improvement Subcommittee  
Oakland County Board of Commissioners  
1200 N. Telegraph Road  
Pontiac, MI 48341-0475

A pdf copy of application can be emailed to: Chris Ward, Senior Analyst [wardcc@oakgov.com](mailto:wardcc@oakgov.com)

Questions regarding the application and approval process should be directed to Chris Ward at the email address above or by phone at (248)858-0111

## LOCAL ROAD IMPROVEMENT MATCHING FUND PILOT PROGRAM

### COST PARTICIPATION AGREEMENT

Repair and Resurfacing of Local Roads

City of Farmington

Board Project No. 2016-03

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the Board of Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the City of Farmington, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD has established the Pilot Local Road Improvement Matching Fund Program, hereinafter the PROGRAM, for the purposes of improving economic development in Oakland County cities and villages. The terms and policies of the PROGRAM are contained in Attachment A. The BOARD intends the PROGRAM to assist its municipalities by offering limited funds, from state statutory revenue sharing funds, for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages; and

WHEREAS, the BOARD shall participate in a city or village road project in an amount not exceeding 50% of the cost of the road improvement, hereinafter referred to as the PROJECT, and also not exceeding the Preliminary Distribution Formula as it relates to the COMMUNITY, (Attachment B); and

WHEREAS, the COMMUNITY has identified the PROJECT as Repair and Resurfacing of Local Roads, as more fully described in Attachment C, attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of and within the COMMUNITY and are not under the jurisdiction of the Road Commission for Oakland County or state trunk lines; and

WHEREAS, the COMMUNITY has acknowledged and agreed to the BOARD's policies regarding the PROGRAM, Attachment A, and further acknowledge and agree that the PROJECT's purpose is to encourage and assist businesses to locate and expand within Oakland County and shall submit a report to the BOARD identifying the effect of the PROJECT on businesses in the COMMUNITY at the completion of the PROJECT. In addition, the COMMUNITY acknowledges that the program is meant to supplement and not replace funding for existing road programs or projects; and

WHEREAS, the COMMUNITY has acknowledged and agreed that the PROGRAM is expressly established as a pilot program and there is no guarantee that the PROGRAM will be continued from year to year. The COMMUNITY further acknowledges and agrees that if the PROJECT is a multi-year road improvement project, the maximum number of years for the PROJECT funding is three (3) years, although the BOARD anticipates that most PROJECT's

funded under the PROGRAM will be completed by the end of calendar-year 2017, and there is no obligation on behalf of the BOARD to fund either the PROJECT or the PROGRAM in the future; and

WHEREAS the COMMUNITY has acknowledged and agreed that the COMMUNITY shall assume any and all responsibilities and liabilities arising out of the administration of the PROJECT and that Oakland County shares no such responsibilities in administering the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$150,000 committed to the current year program; and

WHEREAS, said PROJECT involves certain designated and approved Local Road Improvement Matching Funds in the amount of \$11,642, which amount shall be paid to the COMMUNITY by the BOARD; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of the PROJECT and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law and BOARD resolution(s), it is hereby agreed between the COMMUNITY and the BOARD that:

1. The BOARD approves of the PROJECT, and in reliance upon the acknowledgements of the COMMUNITY, finds that the PROJECT meets the purpose of the PROGRAM.
2. The BOARD approves of a total funding amount under the PROGRAM for the PROJECT in an amount not to exceed \$11,642, The COMMUNITY shall submit an invoice to the COUNTY in the amount of \$11,642, addressed to Lynn Sonkiss, Manager of Fiscal Services, Executive Office Building, 2100 Pontiac Lake Road, Building 41 West, Waterford, MI 48328, upon execution of this Agreement. Upon receipt of said invoice, the BOARD shall pay the COMMUNITY the sum of \$11,642 from funds available in the PROGRAM.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

OAKLAND COUNTY BOARD OF COMMISSIONERS

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

Its: \_\_\_\_\_

COMMUNITY

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

It's: \_\_\_\_\_

Attachment: AgreementDraftFarmington (2244 : 2016 Oakland County Grant)

## Attachment "A"

PILOT LOCAL ROAD IMPROVEMENT MATCHING FUND PROGRAM**STATEMENT OF PURPOSE**

Oakland County Government recognizes that Michigan law places the primary responsibility for road funding on the State and non-county local units of government. However, the County also recognizes that the law does permit a limited, discretionary role for the County in assisting a road commission and local units within a county by supporting some road maintenance and improvement efforts.

Accordingly, for many years Oakland County has voluntarily provided limited assistance to its cities, villages and townships (CVT's) and to the Road Commission of Oakland County (RCOC) by investing in a discretionary Tri-Party Road Program. Authorized under Michigan law, the County's tri-party funding contributions primarily facilitate safety improvement projects on CVT roads under the jurisdiction of the RCOC. By law, tri-party funds cannot be used to fund projects on roads solely under the jurisdiction of CVT's.

Recognizing a continuing need to better maintain local CVT streets and roads, yet being ever mindful of the County's limited responsibility for and jurisdiction over non-county roads and streets, Oakland County Government wishes to pilot a discretionary program that is more flexible than the current Tri-Party Road Program, one that will allow Oakland County to assist its cities and villages with maintenance and safety projects on non-county roads.

Not being the funding responsibility of County government, local CVT roads generally cannot be maintained or improved using county funds because doing so would be considered to be the "gifting" of County resources. However laudable the purpose, Michigan law generally forbids the gifting of government resources. To avoid application of the constitutionally-based gifting restriction, the state legislature must, and in this arena has, determine that a public benefit results from a taxpayer investment, one that provides a *quid pro quo* sufficient to avoid application of the gifting prohibition. Here, the legislature has determined that the economic development benefit presumed to accrue to a county as a result of local street and road investments can provide a sufficient *quid pro quo* to county taxpayers justifying a discretionary county investment in a non-county road, a benefit that constitutes a fair exchange for value and not a gift.

This legislative determination is set forth in 1985 P.A. 9, which amended 1913 P.A. 380, by adding a new section 2, which in pertinent part provides:

"(1)...A county may grant or loan funds to a township, village or city located within that county for the purpose of encouraging and assisting businesses to locate and expand within the county...

(2) A loan or grant made under subsection (1) may be used for local public improvements or to encourage and assist businesses in locating or expanding in this state, to preserve jobs in this state, to encourage investment in the communities in this state, or for other public purposes."



Communities that wish to attract, retain and grow business, retain jobs and encourage community investment, needs a safely maintained road infrastructure. This road infrastructure must include both residential and commercial roads as workers and consumers need to get to and from work, shopping, schools and recreation. In a fiscally prudent and limited manner, the County wishes to help its cities and villages accomplish this objective by test-piloting a new local road improvement matching fund program.

Any such program must be mindful of the limits imposed under Public Act 9. One important restriction Public Act 9 imposed on grants or loans made pursuant subsection 2 of the Act is the mandate that, "A grant or loan under this subsection shall not be derived from ad valorem taxes except for ad valorem taxes approved by a vote of the people for economic development." This means that funding for an expanded local road assistance program cannot utilize proceeds from any of Oakland County's ad valorem tax levies since no levy has been approved by voters specifically for economic development.

Given this limitation, it appears that the state statutory revenue sharing appropriated to the County can provide a non-ad valorem source of funds that legally can be used to support the pilot program. Competition for those funds, which are limited in amount, is fierce and their yearly availability is subject to the state legislative process. In the recent past, the State stripped all of those funds away from Michigan counties. Understanding that reality, it shall be the policy of the Oakland County Board of Commissioners that the Board shall not appropriate any county funds for a local road improvement matching fund program for non-county roads in any year where the State of Michigan fails to appropriate statutory revenue sharing funds to Oakland County in an amount sufficient to allow the County to first prudently address its core functions.

Act 9 imposes additional conditions on grants and loans. These include requirements that the loan or grant shall be administered within an established application process for proposals; that any grant or loan shall be made at a public hearing of the county board of commissioners and that the Board shall require a report to the county board of commissioners regarding the activities of the recipient and a report as to the degree to which the recipient has met the stated public purpose of the funding.

Understanding all of the above, the Oakland County Board of Commissioners hereby establishes the following Pilot Local Road Improvement Matching Fund Program:

#### **PROGRAM SUMMARY**

The Board of Commissioners establishes a Pilot Local Road Improvement Matching Fund Program for the purposes of improving economic development in Oakland County cities and villages. The County intends this Program to assist its municipalities by offering limited matching funds for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages.

A city or village participating in the Local Road Improvement Matching Fund Program shall match any fund authorized by the Board of Commissioners in an amount equal to a minimum of 50% of the cost of the total project award. County participation shall be limited to a maximum of 50% of the cost of the total project budget. Funding shall be utilized to supplement and enhance local road maintenance and

improvement programs. Funding is not intended to replace existing budgeted local road programs or to replace funding already committed to road improvements.

### **PROJECT GUIDELINES**

Program funding shall be utilized solely for the purposes of road improvements to roads under the jurisdiction of local cities and villages. Road improvements may include, but not be limited to, paving, resurfacing, lane additions or lengthening, bridges, or drainage as such improvements relate to road safety, structure or relieving congestion.

Program funding:

May be utilized to supplement a local government's matched funding for the purposes of receiving additional federal transportation funding;

May not be utilized to fulfill a local government's responsibility to fund improvements to state trunklines;

Shall be limited to real capital improvements to roadways and shall not be utilized for other purposes, such as administrative expenses, personnel, consultants or other similar purposes;

Shall not be utilized for non-motorized improvements, unless these improvements are included in a project plan for major improvements to a motorized roadway;

Shall be utilized for projects that will result in a measurable improvement in the development of the local economy and contribute to business growth. Recipients shall be responsible for providing an outline of the economic benefits of the project prior to approval and for reporting to the Board of Commissioners after the completion of the project on the benefits achieved as a result of the projects.

### **ADMINISTRATION**

Local Road Improvement Matching Fund Program projects may be appropriated by the Board of Commissioners in compliance with the County budget process. The amount of funds to be dedicated for the Pilot Program shall be determined by the Board of Commissioners on an annual basis. Program funding may be reduced or eliminated based upon the ability of the County government to meet primary constitutional and statutory duties. The Board of Commissioners expressly reserves the right to adjust the County matching funds share at any time based upon County budget needs.

In accordance with MCL 123.872, funds dedicated to the Local Road Improvement Matching Fund Program shall not be derived from ad valorem tax revenues. Program funding shall be limited to funds derived from the County's distribution from the Michigan General Revenue Sharing Act. Reduction or elimination of the County's distribution of revenue sharing funds may result in the elimination or suspension of the program.

Funding availability shall be distributed based upon a formula updated annually. The formula will consist of:

1. A percentage derived from the number of certified local major street miles in each city and village divided by aggregate total of certified local major street miles of all cities and villages in the county.
2. A percentage derived from the population of each city and village as determined by the last decennial census conducted by the U.S. Census Bureau divided by the aggregate total population of cities and villages in the county.
3. A percentage derived from the three year rolling total of the number of crashes on city and village major local streets divided by the aggregate three year rolling crash numbers for all city and village major local streets. The crash data will be supplied by the Road Commission for Oakland County using data from the Traffic Improvement Association.

Each city and villages percentage allocation shall be determined by adding each factor percentage and dividing that total by three. The amount of funds available for match shall be determined by the total amount of funds allocated by the Board of Commissioners added to an equal amount representing the match provided by local cities and villages.

The Chairman of the Finance Committee of the Board of Commissioners shall establish a Subcommittee on the Local Road Improvement Program. This subcommittee shall consist of three members, with two members representing the majority caucus and one member representing the minority caucus. It shall be the responsibility of the Subcommittee to direct the administration of this program, receive applications for program funding and make recommendation of acceptance to the Finance Committee and Board of Commissioners. The Subcommittee may consult with county departments, staff and the Road Commission for Oakland County in the conduct of its business.

#### **DISBURSEMENT**

The Subcommittee shall forward recommendations for approval of Local Road Improvement Matching Fund Program projects to the Chairman of the Board of Commissioners. This recommendation shall include a cost participation agreement between the County and participating municipality. Minimally, cost participation agreements shall include: responsibility for administering the project, the project location, purpose, scope, estimated costs including supporting detail, provisions ensuring compliance with project guidelines, as well as disbursement eligibility requirements. The cost participation agreement shall also require the maintenance of supporting documentation to ensure compliance with the following provisions:

1. Any and all supporting documentation for project expenditures reimbursed with appropriated funding shall be maintained a minimum of seven years from the date of final reimbursement for actual expenditures incurred.
2. The Oakland County Auditing Division reserves the right to audit any and all project expenditures reimbursed through the program.

Upon receipt of recommendation of project approval from the Subcommittee, the County Commissioner or Commissioners, representing the area included in the proposed project, may introduce

a resolution authorizing approval of the project and the release of funds. Resolutions shall be forwarded to the Finance Committee of the Board of Commissioners, who shall review and issue a recommendation to the Board on the adoption of the resolution. The Chairperson of the Finance Committee shall schedule a public hearing before the Board of Commissioners prior to consideration of final approval of the resolution.

The deadline for projects to be submitted for consideration shall be established by the Subcommittee. The Subcommittee may work with participating municipalities to develop a plan for projects that exceed that municipality's annual allocation amount. This may include a limited plan to rollover that municipality's allocation for a period of years until enough funding availability has accrued to complete the project, subject to funding availability.

Upon completion of project plans and execution of the local participation agreement by the County and governing authority of the local municipality, the participating municipality shall submit an invoice in accordance with the terms and conditions included in the agreement. The Oakland County Department of Management and Budget Fiscal Services Division shall process payments in accordance with policies and procedures as set forth by the Department of Management and Budget and the Oakland County Treasurer.

In the event an eligible local unit of government chooses not to participate in the Local Road Improvement Matching Fund Program, any previously undistributed allocated funding may be re-allocated to all participating local units of government in accordance with the formula included in this policy.

At the completion of each project, the participating local government shall provide a report to the Board of Commissioners regarding the activities of the recipient and the degree to which the recipient has met the stated public purpose of the funding as required by MCL 123.872.

LOCAL ROAD IMPROVEMENT SUBCOMMITTEE  
FINANCE COMMITTEE, OAKLAND COUNTY BOARD OF COMMISSIONERS

Provision regarding existing funded local road programs and projects. The standard project agreement shall require participating municipalities to acknowledge that the Local Road Improvement Program is meant to supplement and to not replace funding for existing road programs or projects.

Fulfillment of economic benefit provisions of MCL 123.872. The Pilot Local Road Improvement Program has been established by the Oakland County Board of Commissioners under the authority granted by MCL 123.872, which provides that “A county may grant or loan funds to a township, village or city located within that county for the purposes of encouraging and assisting businesses to locate and expand within the county”. It shall be the responsibility of the municipality to outline the extent to which the project included in their application will meet these standards. The Subcommittee shall only consider projects that meet the standards provided in MCL 123.872. The standard project agreement shall include a provision requiring the participating municipality to fulfill the statutory requirement included in MCL 123.872 that, “the grant or loan contract made by county shall require a report to the county of board of commissioners regarding the activities of the recipient and the degree to which the recipient has met the stated purpose of the funding.”

Multi-year projects. The Local Road Improvement Program has been expressly established as a pilot program. There is no guarantee the program will be continued from year to year. The Subcommittee recognizes that the allocation authorized for local governments may not provide adequate funding in a single year to allow a project to move forward. Local governments shall be offered the opportunity to submit project plans that would necessitate the accumulation of multiple years of the community’s allocation amount to fulfill the county’s share of a project budget. A multi-year project plan submittal shall not exceed three years in duration. The allocation amount available to each community is subject to change annually based upon the factors utilized in the formula. Consideration of multi-year project plans does not obligate Oakland County in any way to funding any project or program in the future. These plans are meant to be utilized for planning purposes and for consideration by the Oakland County Board of Commissioners regarding authorizing a limited carryover of a community’s allocation year to year.

Completion of projects and submittal of post-project report. The standard cost participation agreement shall include a provision requiring the municipality to complete the project and submit the required post-project completion report prior to the end of the next calendar year following the date of project approval. An alternative schedule may be approved for a project by action of the Board of Commissioners, upon recommendation of the Subcommittee.

**PRELIMINARY DISTRIBUTION FORMULA  
OAKLAND COUNTY LOCAL ROAD IMPROVEMENT PILOT PROGRAM**

City/Village	Cert Major Local Road Miles	Miles %	Population	Pop %	Crash Data	Crash %	Miles+Pop+Crash	Proposed Total Exp.	Max County Contribution
Auburn Hills	32.33	4.82%	21,412	2.80%	236	1.34%	2,99%	\$59,753	\$29,877
Berkeley	15.63	2.33%	14,970	1.96%	55	0.31%	1.53%	\$30,683	\$15,342
Beverly Hills	10.99	1.64%	10,267	1.34%	40	0.23%	1.07%	\$21,398	\$10,699
Bingham Farms	1.02	0.15%	1,111	0.15%	54	0.31%	0.20%	\$4,025	\$2,013
Birmingham	21.87	3.26%	20,103	2.63%	580	3.29%	3.06%	\$61,196	\$30,598
Bloomfield Hills	8.83	1.32%	3,869	0.51%	235	1.33%	1.05%	\$21,039	\$10,520
Clarkston	1.48	0.22%	882	0.12%	37	0.21%	0.18%	\$3,640	\$1,820
Clawson	9.62	1.44%	11,835	1.55%	134	0.76%	1.25%	\$24,960	\$12,480
Farmington	7.36	1.10%	10,372	1.36%	183	1.04%	1.16%	\$23,284	\$11,642
Farmington Hills	58.36	8.71%	79,740	10.43%	1955	11.08%	10.07%	\$201,492	\$100,746
Ferrdale	20.99	3.13%	19,900	2.60%	219	1.24%	2.33%	\$46,513	\$23,257
Franklin	4.34	0.65%	3,150	0.41%	48	0.27%	0.44%	\$8,878	\$4,439
Hazel Park	17.12	2.55%	16,422	2.15%	188	1.06%	1.92%	\$38,445	\$19,223
Holly	7	1.04%	6,086	0.80%	83	0.47%	0.77%	\$15,421	\$7,711
Huntington Woods	6.95	1.04%	6,238	0.82%	58	0.33%	0.73%	\$14,533	\$7,267
Keego Harbor	1.93	0.29%	2,970	0.39%	80	0.46%	0.38%	\$7,547	\$3,774
Lake Angelus	0	0.00%	290	0.04%	22	0.12%	0.05%	\$1,084	\$542
Lake Orion	2.74	0.41%	2,973	0.39%	123	0.70%	0.50%	\$9,980	\$4,990
Lathrup Village	7.36	1.10%	4,075	0.53%	185	1.05%	0.89%	\$17,867	\$8,934
Leonard	2.34	0.35%	403	0.05%	4	0.02%	0.14%	\$2,817	\$1,409
Madison Heights	21.5	3.21%	29,694	3.89%	745	4.22%	3.77%	\$75,431	\$37,716
Milford	7.3	1.09%	6,175	0.81%	108	0.61%	0.84%	\$16,716	\$8,358
Northville*	0.8	0.12%	5,970	0.78%	109	0.62%	0.51%	\$10,110	\$5,055
Novi	39.52	5.90%	55,224	7.23%	1313	7.44%	6.86%	\$137,104	\$68,552
Oak Park	18.35	2.74%	29,319	3.84%	275	1.56%	2.71%	\$54,220	\$27,110
Orchard Lake	1.8	0.27%	2,375	0.31%	120	0.68%	0.42%	\$8,397	\$4,199
Ortonville	3.21	0.48%	1,442	0.19%	40	0.23%	0.30%	\$5,962	\$2,981
Oxford	6.01	0.90%	3,436	0.45%	107	0.60%	0.65%	\$13,006	\$6,503
Pleasant Ridge	3.59	0.54%	2,526	0.33%	145	0.82%	0.56%	\$11,254	\$5,627
Pontiac	70.21	10.47%	59,515	7.79%	1264	7.16%	8.48%	\$169,507	\$84,754
Rochester	8.59	1.28%	12,711	1.66%	245	1.39%	1.44%	\$28,879	\$14,440
Rochester Hills	38.61	5.76%	70,995	9.29%	1945	11.02%	8.69%	\$173,830	\$86,915
Royal Oak	63.96	9.54%	57,236	7.49%	1083	6.14%	7.72%	\$154,461	\$77,231
South Lyon	4.43	0.66%	11,327	1.48%	144	0.81%	0.99%	\$19,717	\$9,859
Southfield	64.71	9.65%	71,739	9.39%	2452	13.90%	10.98%	\$219,625	\$109,813
Sylvan Lake	2.58	0.38%	1,720	0.23%	66	0.38%	0.33%	\$6,574	\$3,287
Troy	57.34	8.55%	80,980	10.60%	2343	13.28%	10.81%	\$216,211	\$108,106
Walled Lake	5.34	0.80%	6,999	0.92%	153	0.87%	0.86%	\$17,212	\$8,606
Wilom	10.49	1.56%	13,498	1.77%	408	2.31%	1.88%	\$37,628	\$18,814
Wolverine	3.69	0.55%	4,312	0.56%	57	0.33%	0.48%	\$9,598	\$4,799
<b>TOTAL</b>	<b>670.29</b>	<b>100.00%</b>	<b>764,251</b>	<b>100.00%</b>	<b>17,639</b>	<b>100.00%</b>	<b>100.00%</b>	<b>\$2,000,000</b>	<b>\$1,000,000</b>

**ATTACHMENT C**

Pilot Local Road Improvement Matching Fund Program

Repair and Resurfacing of Local Roads

City of Farmington

Board Project No. 2016-03

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Crack sealing of multiple streets in selected subdivisions, and skip patching of asphalt roads.

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ESTIMATED PROJECT COST

Crack sealing of multiple streets in selected subdivisions, and skip patching of asphalt roads	\$150,000	
	\$150,000	

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COST PARTICIPATION BREAKDOWN

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	COMMUNITY	BOARD	TOTAL
TOTAL COST	\$138,358	\$11,642	\$150,000

Attachment: AgreementDraftFarmington (2244 : 2016 Oakland County Grant)