



**Regular City Council Meeting
7:00 PM, MONDAY, MARCH 18, 2013
City Council Chambers
23600 Liberty Street
Farmington, MI 48335**

REGULAR MEETING AGENDA

1. CALL TO ORDER

Roll Call

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF ITEMS ON CONSENT AGENDA

- A. Minutes of the City Council - Regular - Feb 4, 2013 7:00 PM**
- B. Minutes of the City Council - Special Study Session - Feb 18, 2013 5:45 PM**
- C. Minutes of the City Council - Special - Feb 18, 2013 6:30 PM**
- D. Minutes of the City Council - Special Study Session - Mar 4, 2013 7:00 PM**
- E. Approve Farmington Monthly Payments Report January 2013**
- F. Approve Farmington Public Safety Monthly Report, February 2013**
- G. Approve Farmington Financial Report Quarter Ended December 31, 2012**
- H. Approve Farmington Investment Report Quarter Ended December 31, 2012**
- I. Approve 47Th District Court Financial Report Quarter December 31, 2012**
- J. Special Event Request - American Cancer Society Relay for Life**
- K. Consideration to Approve Road Race Request - August 17, 2013**
- L. Special Event Request - Our Lady of Sorrows Annual Church Picnic**
- M. Special Event Request - South Farmington Baseball Movie Night**

4. APPROVAL OF REGULAR AGENDA

5. PRESENTATION/PUBLIC HEARINGS

- A. Farmington Area Commission on Aging/Project Living Susan Lightner**
- B. Consideration to Approve Resolution Accepting Bids and Issuance of 2013 Capital Improvement Bonds Laura Bassett - Miller, Canfield, Paddock and Stone**

- C. Consideration of Resolution to Support the Commission on Children, Youth and Families Providing Oversight and Administration to the Call to Action Coalition Programs Ed Cherkinsky**
- D. Recognition of Donald Munter/Historical Commission**
- E. Proclamation - Christiane Lenz**
- 6. UNFINISHED BUSINESS**
- 7. NEW BUSINESS**
 - A. Consideration to Conditionally Accept Bids for Grove Street and Warner/Thomas Construction Project and Award Contract to Warren Construction**
 - B. Consideration to Adopt Resolution to Allocate Remaining Proceeds from the 2011 Capital Improvements Bond Issue to the Grove Street and Warner/Oakland Water Main Replacement Project**
 - C. Consideration to Approve Lot Split - 33200 Grand River Avenue, Former Dimitri's Restaurant**
 - D. Consideration to Authorize the Purchase of Two Patrol Vehicles**
 - E. Consideration to Adopt Resolution for Continued Membership with the Alliance for Alliance for Rouge Communities (ARC) and Adoption of Amended Bylaws**
 - F. Consideration to Authorize City Manager and City Treasurer to Solicit Proposals to Finance Purchase of Digital Projection Equipment for the Civic Theater**
 - G. Consideration to Approve Contract with the Michigan Department of Transportation for Improvements to Sewer Transmission Main Along M-102**
 - H. Consideration to Amend City Pay Plan Involving Assistant Public Works Superintendent & Building Official**
 - I. Recognition of John Anhut - 90Th Birthday**
 - J. Board and Committee Appointment**
- 8. PUBLIC COMMENT**
- 9. COUNCIL COMMENT**
- 10. CLOSED SESSION - LAND ACQUISITION**
 - 1. CLOSED SESSION, Land Acquisition**
- 11. ADJOURNMENT**



Regular City Council Meeting
7:00 PM, MONDAY, FEBRUARY 4, 2013
City Council Chambers
23600 Liberty Street
Farmington, MI 48335

DRAFT

REGULAR MEETING MINUTES

A Regular meeting of the Farmington City Council was held on February 4, 2013, in City Council Chambers, 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:04 PM by Mayor J.T. Buck.

1. CALL TO ORDER

| Attendee Name | Title | Status | Arrived |
|----------------|---------------|---------|---------|
| J.T. Buck | Mayor | Present | |
| Greg Cowley | Councilmember | Present | |
| William Galvin | Mayor Pro Tem | Present | |
| Kristin Kuiken | Councilmember | Present | |
| JoAnne McShane | Councilmember | Present | |

City Administration Present

- Superintendent Eudy
- Director Christiansen
- City Clerk Halberstadt
- City Manager Pastue
- Attorney Schultz
- Director Schulz
- Treasurer Weber

2. PLEDGE OF ALLEGIANCE

Director Eudy led the Pledge of Allegiance.

3. APPROVAL OF ITEMS ON CONSENT AGENDA

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Kristin Kuiken, Councilmember |
| SECONDER: | JoAnne McShane, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

- A. Minutes of the City Council - Special Study Session - Jan 22, 2013 6:00 PM**
- B. Minutes of the City Council - Regular - Jan 22, 2013 7:00 PM**
- C. Minutes of the City Council - Special - Jan 30, 2013 6:30 PM**

Minutes Acceptance: Minutes of Feb 4, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

D. Approve Public Works and Water Sewer Department 2Nd Quarter Report, October 1, 2012-December 31, 2012

4. APPROVAL OF REGULAR AGENDA

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Greg Cowley, Councilmember |
| SECONDER: | William Galvin, Mayor Pro Tem |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

5. PUBLIC COMMENT

Bill Dwyer, Oakland County Commissioner, was present to provide an update on County activities. He noted Public Safety Director Schulz is now the Vice President of the Farmington/Farmington Hills Police/Fire Benevolent Association. He spoke about the longevity and accomplishments of the association.

6. PRESENTATION/PUBLIC HEARINGS

A. Legislative Update - Vicki Barnett, State Representative

State Representative Barnett provided an update on the activities of the State Legislature and discussed the impact of recently passed bills on local government.

B. PUBLIC HEARING - GROVE STREET ASSESSMENT DISTRICT

Pastue advised the City Council accepted the preliminary assessment roll and scheduled a public hearing for the Grove Street Special Assessment District. He further advised City Administration is requesting that the City Council hold the public hearing and accept comment from the property owner within the district.

1. Motion to Open the Public Hearing.

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Kristin Kuiken, Councilmember |
| SECONDER: | JoAnne McShane, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

Charles Kuhn of Manifold Ventures was present.

Hearing no public comment, Mayor Buck requested a motion to close the public hearing.

2. Motion to close the Public Hearing

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | JoAnne McShane, Councilmember |
| SECONDER: | Kristin Kuiken, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

C. Proclamation - the Farmington Genealogical Society

Pastue read a proclamation recognizing February as "Genealogy and Family History Month" in Farmington.

7. UNFINISHED BUSINESS

A. Consideration to Adopt Resolution #5 Establishing Grove Street Special Assessment

Pastue requested the Assessor's certification and preliminary assessment roll be attached to the resolution.

Move to adopt Resolution #5 approving the Assessment Roll to establish the Grove Street Special Assessment District including the attachment of the Assessor's certification and preliminary assessment roll. [SEE ATTACHED RESOLUTION NO. 01-13-004]

The votes were taken in the following order: Cowley, Galvin, Kuiken, McShane, Buck.

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|------------------|---------------------------------------|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | JoAnne McShane, Councilmember |
| SECONDER: | William Galvin, Mayor Pro Tem |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

8. NEW BUSINESS

A. Consideration to Approve Agreement for Conveyance of Land for Grove Street with the Groves Center, L.L.C.

Pastue reviewed the highlights of the Agreement for Conveyance of Land which gives the city ownership of the parking lot that runs the length of the existing building and a portion of the larger parking lot to the south. Director Christiansen reviewed the proposed site plan for The Groves Center.

Discussion followed regarding making the site plans available to the public.

Galvin thanked Manifold Ventures for their significant investment in the City.

Cowley stated this is a perfect example of a private/public partnership that is working for the betterment of the entire city and its residents. He complimented City Manager Pastue and his staff and the investors for this major achievement. He recognized the sizable investment in this project from both the city and investors.

Kuiken praised the proposed project and how it will improve walkability in the downtown, as well as creating additional gathering spaces. She stated it will do a lot to contribute to a sense of place in Farmington. She thanked the investors for investing in Farmington.

McShane questioned if there is a problem approving the agreements when the paperwork has not been finalized and signed. Attorney Schultz responded that

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conceptually this situation is similar to buying a house where the agreement is signed and then the paperwork is completed after the fact. He stated the requested action by Council is a motion that approves the agreement subject to the final form being resolved by the City Manager, City Attorney and Manifold Ventures, and subject to approval of all other agreements.

McShane stated that as part of her consideration for approval of the project she asked herself if it served a public purpose. She asked will the public be served by these improvements, is the money well spent, and is the money well directed. She stated Council is seizing opportunities, using new solutions, alternative methods and innovations to create economic viability. She recognized there are risks and tradeoffs involved, but that is true for the investors as well. She stated the city is fortunate to have this type of partnership.

McShane spoke about the benefits of the project to the city including: increase tax base, bring more businesses to town, more people and foot traffic, will add a nice connection to Riley Park and the Sundquist Pavilion, additional gatherings spaces, and it will add more jobs.

McShane stated that with this project the city is fostering a rebirth of the downtown. She believes it will be a great project for the city.

Buck is looking forward to the refreshed look the project will bring to the downtown. He believes it will provide the stimulus for a fresh new look and energy in the downtown and beyond. He hopes it will motivate other building owners to look at what is possible. He is looking forward to new businesses and additional jobs in the downtown. He recognized the expectations of both the city and investors are very high in making this a fabulous project.

Responding to a question from Buck, Pastue advised the project will produce a net parking of 20-25 spaces.

Responding to an additional question from Buck, Schultz advised there have been no substantive changes to the documents since their review by Council at the last meeting.

Pastue confirmed there have been no changes to the geographics surrounding the center since Council's last review of the plan.

Schultz discussed elements of the proposed motion.

Move to approve "Agreement for Conveyance of Land" with The Groves Center, L.L.C. and to authorize the Mayor and City Clerk to sign the Agreement, and also to sign all agreements referred to therein, subject to final administrative review and approval of all final terms and conditions, including necessary corrections and amendments for minor and non-substantive matters, by the City Manager and City Attorney, after (1) approval of the "Agreement for the Financing of Street and Utility Improvements and Creation of Special

Assessment on Property" with The Groves Center, L.L.C. by the City; (2) approval of the "Agreement Regarding Facade Grant and Declaration of Covenants" and "Agreement for Conveyance of Open Space Easement and Undertaking of Facade Improvements" with The Groves Center, L.L.C. by the Downtown Development Authority; and (3) signature by The Groves Center, L.L.C. [SEE ATTACHED AGREEMENTS].

The votes were taken in the following order: Galvin, Kuiken, McShane, Buck, Cowley.

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|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | William Galvin, Mayor Pro Tem |
| SECONDER: | JoAnne McShane, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

B. Consideration to Approve Special Assessment District (SAD) Financing Agreement with the Groves, L.L.C.

Pastue discussed provisions of the special assessment agreement that provides \$600,000 to the project.

Move to approve "Agreement for the Financing of Street and Utility Improvements and Creation of Special Assessment on Property" with The Groves Center, L.L.C. and to authorize the Mayor and Clerk to sign the agreement, subject to final administrative review and approval of all final terms and conditions, including necessary corrections and amendments for minor and non-substantive matters, by the City Manager and City Attorney, after (1) approval of the "Agreement for Conveyance of Land" by the City; (2) approval of the "Agreement Regarding Facade Grant and Declaration of Covenants" and Agreement for Conveyance of Open Space Easements and Undertaking of Facade Improvements" with The Groves Center, L.L.C. by the Downtown Development Authority and (3) signature by The Groves Center, L.L.C. [SEE ATTACHED AGREEMENT].

The votes were taken in the following order: Kuiken, McShane, Buck, Cowley, Galvin.

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|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | JoAnne McShane, Councilmember |
| SECONDER: | Greg Cowley, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

C. Consideration of Partial Approval of Proposed DDA Budget Amendment for Portion Relating to Grove Street Facade Improvements

Pastue discussed proposed facade improvements to "The Groves" and related funding.

Move to approve portion of proposed budget amendment to Downtown Development Authority budget as requested in the amount of \$160,000, in

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order to allow the DDA to enter into, and contingent upon the DDA's entry into, with The Groves, Center, L.L.C., the "Agreement Regarding Facade Grant and Declaration of Covenants" and the "Agreement for Conveyance of Open Space Easement and Undertaking of Facade Improvements." [SEE ATTACHED AGREEMENT].

The votes were taken in the following order: McShane, Buck, Cowley, Galvin, Kuiken.

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|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Kristin Kuiken, Councilmember |
| SECONDER: | William Galvin, Mayor Pro Tem |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

D. Consideration of Bond Authorization Resolution for 2013 Capital Improvement Bonds

Pastue reviewed provisions of the resolution prepared by the city's bond counsel: Miller, Canfield, Paddock and Stone. He advised the bid opening for the issuance of the bonds is scheduled for March 18th.

Move to adopt a resolution authorizing the issuance of 2013 City of Farmington Capital Improvement Bonds in the amount of \$1,300,000. [SEE ATTACHED RESOLUTION NO. 01-13-005].

The votes were taken in the following order: Buck, Cowley, Galvin, Kuiken, McShane.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Greg Cowley, Councilmember |
| SECONDER: | Kristin Kuiken, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

E. Consideration to Authorize Purchase of Backup Generator for Public Works Facility and Transfer from General Fund Contingency Line Item

Pastue advised the back-up generator for the public works facility is no longer operable and is essential in the event of a power failure. He stated proposals were solicited with the low bid submitted by Bridgewater Cummings in the amount of \$16,770.

Move to approve purchase of backup generator for Public Works facility with Bridgewater Cummings in the amount of \$16,770, along with a transfer from the General Fund Contingency line item in the amount of \$18,740 to cover the purchase and installation.

The votes were taken in the following order: Cowley, Galvin, Kuiken, McShane, Buck.

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RESULT: APPROVED [UNANIMOUS]
MOVER: Greg Cowley, Councilmember
SECONDER: William Galvin, Mayor Pro Tem
AYES: Buck, Cowley, Galvin, Kuiken, McShane

F. Consideration to Approve Agreement with the Michigan Department of Transportation for the Drake Road Resurfacing Project

Pastue advised the city received federal grant funds toward the resurfacing of Drake Road from Freedom to Grand River. The grant covers 80% of the eligible construction cost. The estimated cost of the construction work is \$627,500 of which the city will contribute \$123,100.

Move to approve an agreement with the Michigan Department of Transportation regarding the acceptance of grant funds for the Drake Road Resurfacing Project and administration of the project. [SEE ATTACHED AGREEMENT].

The votes were taken in the following order: Galvin, Kuiken, McShane, Buck, Cowley.

RESULT: APPROVED [UNANIMOUS]
MOVER: JoAnne McShane, Councilmember
SECONDER: Kristin Kuiken, Councilmember
AYES: Buck, Cowley, Galvin, Kuiken, McShane

G. Consideration to Adopt Resolution Approving Budget Amendment #3

Pastue advised the City is requesting City Council adopt Budget Amendment #3 which amends the budget appropriations for the General Fund, Major Street, Capital Improvements, and Water and Sewer Funds.

Move to adopt a resolution approving Budget Amendment No. 3 as presented involving the General Fund, Major Street Fund, Capital Improvements Fund, and Water and Sewer Fund. [SEE ATTACHED RESOLUTION NO. 01-13-006]

The votes were taken in the following order: Kuiken, McShane, Buck, Cowley, Galvin.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kristin Kuiken, Councilmember
SECONDER: William Galvin, Mayor Pro Tem
AYES: Buck, Cowley, Galvin, Kuiken, McShane

H. Consideration to Cancel February 18 Regular Meeting and Schedule Special Meeting to Initiate Community Visioning Program

Move to cancel the February 18, 2013 regular meeting and schedule a special meeting to kick-off the Community Visioning Program for February 18, 2013 at 6:30 p.m. in the Farmington High School Cafeteria.

The votes were taken in the following order: McShane, Buck, Cowley, Galvin, Kuiken.

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|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Greg Cowley, Councilmember |
| SECONDER: | JoAnne McShane, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

I. Board and Committee Appointments

Move to make the following re-appointments: Annette Knowles to the Brownfield Redevelopment Authority for a 3-year term ending 2/28/2016; William Ingall and David Mariner to the Construction Board of Appeals for 2-year terms ending 2/28/2015; Melissa Andrade to the Downtown Development Authority for a 4-year term ending 2/28/17; Keith Grattan, Jane Gundlach, and Marilyn Weimar to the Historical Commission for 3-year terms ending 3/31/2016; James McLaughlin to the Library Board for a 4-year term ending 3/31/2017; and appoint Les Key to the Downtown Development Authority for a 4-year term ending 2/28/2017.

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|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | JoAnne McShane, Councilmember |
| SECONDER: | Greg Cowley, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

9. DEPARTMENT HEAD COMMENTS

Schulz announced contributions to the 9/11 Memorial Fund can now be made through the city's website. He further announced a meeting on suicide prevention has been scheduled for February 13th at 7pm at Farmington Hills City Hall.

Eudy thanked Council for approval of the generator.

Christiansen advised the Planning Commission will consider Manifold Ventures site plan next Monday evening and the Design Committee will review the plans on Thursday.

Christiansen noted the Planning Commission will also consider the lot split for Dimitris. He discussed a recent visioning session of the Grand River Corridor which was well attended. He stated consultants are putting a plan together for the corridor as a result of the information gathered at the meeting. He stated another public meeting is being planned in the near future.

10. COUNCIL COMMENT

Galvin read the following comments:

"Tonight marks a significant step forward for Farmington. It shows what we can accomplish with leadership, cooperation and most importantly - funding.

On February 18th our community will begin setting its Vision for the future. This will allow everyone an opportunity to take a leadership role and contribute to the vision for Farmington's future.

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Farmington and other communities are facing a financial future that will be significantly different than our pasts. The state has cut back statutory revenue sharing. The personal property tax is being eliminated. Proposal A limits inflationary increases on our property tax revenue. At the same time, salaries, benefits, water, fuel and equipment for city services continue to escalate. Our current budget projections include a 1% annual increase in revenue and 3-10% annual increases in various costs over the next several years.

I want to emphasize this is not a problem unique to Farmington. Every community faces these same financial pressures.

With regards to our Visioning Plan I believe the best ideas will be those that include a way to pay for them.

My fellow members of Council and City Administration have heard my comments in study sessions on our Capital Improvements Fund. The City has several funds such as a General Fund, a Roads Fund, the Civic Theatre Fund and more.

Our Capital Improvement Fund provides money for things like building repairs and improvements. It pays for the sidewalks and parking lots that we use every day. And it also pays for equipment like snow plows and trucks which are necessary to keep our city running.

Historically, deposits to the Capital Improvement Fund were made with discretionary excess revenue. Without that excess revenue over the past several years, it has become a spending account. This is like a savings account that only has withdrawals.

It will surely take money to accomplish many of the ideas we all have for the future vision of Farmington. At the top of my list of visionary ideas will be a dedicated, permanent funding source for our Capital Improvement Fund to help pay for our future - without raising taxes. We can accomplish this through the second part of my vision which I am calling Re-Farmington. It involves the repurposing, redeveloping and redeploying of assets and liabilities.

I look forward to seeing you on February 18th at 630pm at Farmington High School.

Cowley pointed out investors are coming back into the market place which bodes well for both businesses and residential. He noted no dollars from the General Fund are being used to fund these projects. He stated the City is trying to stimulate revenue. He discussed the 3,000-4,000 visitors to the Farmers Market each week and the related parking issue. He stated it is incumbent on the City Council and staff to address this issue. He noted a

previous parking study that called for a short and long term strategy. He expressed the need for a parking authority to address the issue.

Kuiken reminded everyone to visit the F2h Fit Challenge website and enroll in the program. She discussed the problems of obesity in Michigan. She stated collectively we can meet the fitness goal of 1,000,000 miles of exercise in our community.

McShane thanked Kuiken for raising the attention of the F2h fit challenge. She believes our community does not necessarily have a parking problem, but rather a walking problem. She stated we can all walk a few blocks to where we need to go. She encouraged everyone to sign up and contribute to the good health of the whole community.

Buck stated this is another great day for Farmington with the approval of The Groves Project.

11. ADJOURNMENT

1. Motion to adjourn the meeting.

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|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | William Galvin, Mayor Pro Tem |
| SECONDER: | Greg Cowley, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

Meeting adjourned at 9:20 p.m.

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Approval Date: _____

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Special Study Session City Council Meeting
5:45 PM, MONDAY, FEBRUARY 18, 2013
Conference Room A
Farmington City Hall
23600 Liberty St
Farmington, MI 48335

DRAFT

SPECIAL STUDY SESSION MEETING MINUTES

A Special Study Session meeting of the Farmington City Council was held on February 18, 2013, in Conference Room A, Farmington City Hall, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 5:45 PM by Mayor J.T. Buck.

1. ROLL CALL

| Attendee Name | Title | Status | Arrived |
|----------------|---------------|---------|---------|
| J.T. Buck | Mayor | Present | |
| Greg Cowley | Councilmember | Present | |
| William Galvin | Mayor Pro Tem | Present | |
| Kristin Kuiken | Councilmember | Present | |
| JoAnne McShane | Councilmember | Present | |

City Administration Present

- City Clerk Halberstadt
- City Manager Pastue
- Attorney Schultz
- Director Schulz
- Director Knowles

2. APPROVAL OF AGENDA

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Kristin Kuiken, Councilmember |
| SECONDER: | JoAnne McShane, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

3. CONSIDERATION TO ADOPT RESOLUTION FOR REDEVELOPMENT LIQUOR LICENSES

A. 02-13-007: Consideration to Adopt Resolution Authorizing Submittal of Documentation for Redevelopment Liquor Licenses Within the Downtown Development Authority District.

Pastue advised at the January 22, 2013 meeting, City Council adopted a resolution authorizing the submittal of information to the Michigan Liquor Control Commission (LCC) pertaining to redevelopment liquor licenses. He requested adoption of another

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resolution based on two items. First, the LCC does not want the City’s resolution sent to them directly which was the case in the past, they want it submitted with the applicant’s application. In addition, they want to have municipalities adopt this resolution for each redevelopment license. Second, Oakland County Equalization, serving as the City Assessor, submitted their affidavit to include new personal property tax investment; this significantly raised the private investment amount.

Move to adopt a resolution authorizing submittal of documentation for Redevelopment Liquor Licenses within the Downtown Development Authority District. [SEE ATTACHED RESOLUTION 02-13-007].

The votes were taken in the following order: Cowley, Galvin, Kuiken, McShane, Buck.

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|------------------|---------------------------------------|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | JoAnne McShane, Councilmember |
| SECONDER: | Kristin Kuiken, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

4. CONSIDERATION TO ADOPT RESOLUTION RECOMMENDING LIQUOR LICENSE FOR LOS TRES AMIGOS

A. Consideration to Adopt Resolution Recommending Approval of Liquor License for Los Tres Amigos

Pastue requested adoption of a resolution to approve a new Class C liquor license with an entertainment permit, dance permit and SDM License for Los Tres Amigos.

John Carlin, Liquor License Attorney for Los Tres Amigos, was present to respond to questions.

Responding to a question from McShane, Pastue advised no entertainment was planned except for televisions.

Responding to a question from Galvin, Director Schulz advised his department does not formally monitor how businesses train their staff on serving liquor. He pointed out that all of the Los Tres Amigos employees go through a state recognized training program.

Carlin noted the State requires all employees who serve alcohol to complete one of four recognized training programs in order to be certified.

Responding to a question from Cowley, Carlin confirmed a new manager would be in charge of the Farmington restaurant. He spoke about how Los Tres Amigos employees are trained for management positions.

Cowley noted the importance of management training and oversight.

Responding to a question from Galvin, Carlin confirmed the two stipulations offered by

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Commander Demers regarding the liquor license would be met.

Move to adopt a resolution authorizing a new Class C Liquor License with Entertainment Permit and SDM License for Los Tres Amigos, Farmington Downtown L.L.C. located at 33200 Grand River Avenue. [SEE ATTACHED RESOLUTION 02-13-008].

The votes were taken in the following order: Galvin, Kuiken, McShane, Buck, Cowley.

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|------------------|---------------------------------------|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Kristin Kuiken, Councilmember |
| SECONDER: | JoAnne McShane, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

5. CONSIDERATION TO APPROVE INTERGOVERNMENTAL AGREEMENT WITH FH TO PROVIDE IT SERVICES

A. Consideration to Approve Intergovernmental Agreement with the City of Farmington Hills to Provide IT Services

Pastue noted two changes to the Agreement: 1) payments would be made quarterly rather than annually; and 2) the term of the contract would begin on April 1, 2013.

Responding to a question from Cowley, Pastue advised the cost of IT services through Farmington Hills would be somewhat higher than the City was previously paying.

Responding to a question from Galvin, Pastue stated he has no concern with regard to data being compromised. He believes it will be more secure than what is currently in place.

Pastue confirmed that with the new IT Services, the City will be wireless throughout the building. He spoke about the effort it will take to bring the City's computer system up-to-date.

Responding to a question from Galvin, Pastue advised the Public Safety Department will sell the old computer equipment online.

Discussion followed regarding benefits of using Farmington Hills IT Services.

Move to approve intergovernmental agreement with the City of Farmington Hills to provide information technology services in the substantial form as attached and authorize the City Manager to negotiate and sign the agreement. [SEE ATTACHED AGREEMENT].

The votes were taken in the following order: Kuiken, McShane, Buck, Cowley, Galvin.

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|------------------|---------------------------------------|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | William Galvin, Mayor Pro Tem |
| SECONDER: | Kristin Kuiken, JoAnne McShane |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

6. OTHER BUSINESS

No other business was heard.

7. PUBLIC COMMENT

No public comment was heard.

8. COUNCIL COMMENT

Cowley pointed out that with the new project(s) in the downtown the parking problem will get worse. He does not believe this issue has been addressed, nor does anyone own it. He recommended the City establish a Parking Authority.

McShane noted parking studies and plans have been completed for the downtown. She suggested Council review these plans and take any necessary action.

Christiansen supported a review of the parking plans in light of the redevelopment projects.

Discussion followed regarding the procedure for the Visioning meeting that would follow.

Responding to a question from Buck, Pastue advised the City receives 55% of the redevelopment liquor license fees.

9. ADJOURNMENT

Motion to adjourn the meeting.

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Greg Cowley, Councilmember |
| SECONDER: | William Galvin, Mayor Pro Tem |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

The meeting was adjourned at 6:10 pm.

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Minutes Acceptance: Minutes of Feb 18, 2013 5:45 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

Approval Date: _____

Minutes Acceptance: Minutes of Feb 18, 2013 5:45 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)



Special City Council Meeting
6:30 PM, MONDAY, FEBRUARY 18, 2013
Farmington High School
32000 Shiawassee Road
Farmington, MI 48336

DRAFT

SPECIAL MEETING MINUTES

A Special meeting of the Farmington City Council was held on February 18, 2013, in Farmington High School, 32000 Shiawassee Road, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 6:40 PM by Mayor J.T. Buck.

1. CALL ORDER

2. ROLL CALL

| Attendee Name | Title | Status | Arrived |
|----------------|---------------|---------|---------|
| J.T. Buck | Mayor | Present | |
| Greg Cowley | Councilmember | Present | |
| William Galvin | Mayor Pro Tem | Present | |
| Kristin Kuiken | Councilmember | Present | |
| JoAnne McShane | Councilmember | Present | |

City Administration Present

Director Christiansen
City Manager Pastue
Attorney Schultz
Recording Secretary Murphy

3. FARMINGTON VISION PLAN WELCOME/INTRODUCTION

A. Farmington Vision Plan Welcome/Introduction - Mayor/City Manager

Mayor Buck welcomed everyone and thanked attendees for their participation. He reminded everyone that Farmington's 200th anniversary is coming up in ten years and that we should be looking forward to the future.

City Manager Pastue recognized all Council members present. He cited the benefits of having participated in a visioning program in 1998 and was excited to work with the City's consultant, OHM, on this process for Farmington.

A. Team Introduction

Aaron Domini was introduced as a senior planner for OHM. He stated three goals for the evening: 1) to introduce the project to the community so

Minutes Acceptance: Minutes of Feb 18, 2013 6:30 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

everyone will have a better understanding of what it is; 2) to get organized and ask community members what role they want to play in the project; and 3) to start listening to the community, their needs, concerns, and taking all their ideas to build a framework for the future.

- i. Client Team - Mayor Buck, City Council, Vince Pastue, Kevin Christiansen
- ii. Consultant Team - Aaron Domini, Jim Houk, Charlie Fleetham - Project Innovations

B. Ice Breaker

Domini introduced himself and gave his personal work history and background.

C. What is a Vision Plan?

Domini explained the benefit of time spent talking to the public to develop a vision plan, citing it promotes interest and commitment from the community and encourages openness to unique and creative solutions.

D. Review Your Role

i. Define Roles

The three categories of roles were defined as being a core member, flex member and observer, where different levels of commitment were assigned to each level.

ii. Team Sign-up

A brief break in the proceedings was held so attendees could sign up for the different categories.

E. Visioning

i. Treasure Card

Participants were given a card and asked to put down one thing they treasure most about Farmington.

ii. Visioning Exercise (small groups)

Cards were collected and the audience broke off in small groups to discuss and share their ideas. Some of the topics included were economic development, mobility, public space and programming, housing, community services, infrastructure, reputation/image/character.

F. Next Steps.

Domini stated that his team would compile the information gathered that evening and present it at the next meeting which is scheduled for the third week in March.

4. PUBLIC COMMENT

Inquiry was made as to who would be invited to the next meeting and Domini stated that everyone who signed in at the meeting would be included.

5. ADJOURNMENT

Motion to adjourn the meeting.

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | William Galvin, Mayor Pro Tem |
| SECONDER: | Greg Cowley, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

The meeting adjourned at 8:11 p.m.

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Approval Date: _____

Minutes Acceptance: Minutes of Feb 18, 2013 6:30 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)



Special Study Session City Council Meeting
7:00 PM, MONDAY, MARCH 4, 2013
Conference Room A
Farmington City Hall
23600 Liberty St
Farmington, MI 48335

DRAFT

SPECIAL STUDY SESSION MEETING MINUTES

A Special Study Session meeting of the Farmington City Council was held on March 4, 2013, in Conference Room A, Farmington City Hall, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 PM by Mayor J.T. Buck.

1. ROLL CALL

| Attendee Name | Title | Status | Arrived |
|----------------|---------------|---------|---------|
| J.T. Buck | Mayor | Present | |
| Greg Cowley | Councilmember | Present | |
| William Galvin | Mayor Pro Tem | Present | |
| Kristin Kuiken | Councilmember | Present | |
| JoAnne McShane | Councilmember | Present | |

City Administration Present

Director Christiansen
City Clerk Halberstadt
City Manager Pastue
Attorney Schultz

2. APPROVAL OF AGENDA

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| SECONDER: | Kristin Kuiken, JoAnne McShane |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

3. BUSINESS ITEMS

A. Consideration to Accept and File the Financial Reports for the City of Farmington Brownfield Redevelopment Authority for the Flagstar and TCF Projects

Pastue advised the city is required to submit an annual financial report to the State Tax Commission on properties under Brownfield Redevelopment Authority.

Minutes Acceptance: Minutes of Mar 4, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

Move to accept the Financial Reports for the City of Farmington Brownfield Redevelopment Authority for the Flagstar and TCF Projects for the year ending June 30, 2012 and authorize that they be filed with the State Tax Commission.

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | JoAnne McShane, Councilmember |
| SECONDER: | Kristin Kuiken, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

B. Consideration to Approve Amendment to the DDA Budget

Pastue reviewed proposed amendments to the DDA budget.

Move to approve amendment to the Downtown Development Authority Budget, as presented. [SEE ATTACHED AMENDMENT].

The votes were taken in the following order: Cowley, Galvin, Kuiken, McShane, Buck.

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Kristin Kuiken, Councilmember |
| SECONDER: | Greg Cowley, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

4. DOWNTOWN DEVELOPMENT AUTHORITY UPDATE - ANNETTE KNOWLES

A. Work Plan Update and Main Street Evaluation Report

DDA Executive Director Knowles provided an update on DDA work plans related to Core Themes of: Walkability, Downtown Marketing and Business Development.

McShane asked about parking plans and directional signage. She pointed out that concern was expressed at the recent Visioning Session that the downtown still lacks proper directional signage and lighting for some parking areas. She stated the DDA had previously developed plans for more wayfinding signs and better lighting.

Knowles responded current parking initiatives are focused on Dimitris parking and lighting. She stated the DDA had discussed the need for comprehensive wayfinding signs in the downtown but it has not yet been funded. There is no specific plan at this time.

McShane stated she hoped that in the future the DDA will find funds to support the parking plans.

Kuiken asked about improvements for Los Tres Amigos.

Knowles responded that most of the improvements will be done on the interior of the restaurant. Outdoor seating will be added and some modifications made to the facade.

Gavin asked about feedback from the market regarding the temporary relocation.

Knowles responded there will always be issues with a temporary relocation, however, she pointed out the new temporary site will be larger than the pavilion area. She stated

Minutes Acceptance: Minutes of Mar 4, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

the issue will be finding parking.

Responding to a question from Cowley, Pastue confirmed construction traffic would not interfere with the market.

Cowley asked how many DDA Boardmembers attended the Visioning Session and what role does the DDA play in that process. He expressed concern there is an absence from the DDA Board in participating in the sessions. He recommended committing one of the DDA committees to the vision planning.

McShane supported the importance of involving the DDA Board in the visioning process. She pointed out that business owners at the first session shared their ideas about the downtown including their concern regarding parking.

Galvin suggested Director Christiansen chair the DDA Business Development Committee. Knowles responded the by-laws require that position be filled by a boardmember. She stated City staff acts in an advisory capacity.

Discussion followed regarding the expansion of the market analysis beyond just demographics.

Responding to a question from McShane, Knowles stated not all DDA boardmembers serve on a committee.

Knowles advised their Main Street Program was recently evaluated by Oakland County and received a perfect score of 10. She discussed the criteria on which they were judged.

Discussion followed regarding a review by Main Street Oakland County of the DDA's event calendar.

B. Review of Intergovernmental Draft Agreement

Pastue reviewed an intergovernmental agreement between City of Farmington and Farmington Downtown Development Authority.

Responding to a question from McShane, Pastue stated the DDA Board and structure will remain pretty much the same except he will act as DDA Director and there will be changes to economic development.

Responding to an additional question from McShane, Pastue stated that in terms of compensation it is not an even trade. It will be approximately \$25,000 additional cost to the City.

McShane stated the DDA needs to look at downsizing its number of employees. She noted Main Street Oakland County (MSOC) in their previous evaluation stated the DDA was overstaffed.

Knowles pointed out elimination of an administrative assistant position is proposed in the next budget.

Cowley suggested moving the termination clause in the agreement from 4 to 6 months.

Responding to a question from Cowley, Schultz stated with these changes there is no increased liability to the City relative to the events.

Galvin asked if Oakland County had a problem with the proposed changes. Knowles responded initially they did, but came to realize the need to make the changes.

Galvin stated that perhaps the City can serve as an example of how to make a DDA more efficient.

Cowley commented Main Street Oakland County does not know anything about events. He does not support impacting events in any negative manner. He stated MSOC will not assist the DDA relative to events because they believe events are a detraction to economic development.

McShane pointed out businesses have complained about the events because it takes away parking from their customers.

5. REVIEW OF BIDS, ENGINEERS RECOMMENDATION AND FINANCING

A. Review of Bids, Engineers Recommendation and Financing for Grove and Warner/Oakland Project

Matthew Parks from the City's Engineering Firm, OHM, was present to review bids and respond to questions.

Pastue advised bids came in higher than originally budgeted for the projects. He discussed the source of the funding: Major Street Fund, Local Street Fund, Municipal Street Fund and Capital Improvements Fund.

Pastue presented four project alternatives that would not put the city in a cash strapped position: 1) proceed with Grove Street and Warner from Grand River to Thomas only; 2) spread project over two construction seasons; 3) proceed with the projects in their entirety during the 2013 construction season; and 4) reject the bids and re-bid the projects separately.

Pastue advised contractors expressed willingness to hold their prices into 2014 if any of the construction needed to be delayed.

Pastue reviewed a proposed 5-year budget that reflects funding for the major street projects.

Pastue recommended moving forward with Grove Street and Warner and "audibilize" as construction proceeds. In other words, as construction progresses it will be determined if there is enough funding to proceed further with the Warner project from Thomas to Shiawassee and evaluate the Oakland Street project from Warner to Farmington Road. He discussed contingency funds built into both projects that may or may not be used. He also noted contingencies in the quantity estimates.

Pastue stated if Council is comfortable with this approach, the contracts would need to be modified accordingly.

Pastue advised this is a quality based contractor selection process.

Discussion followed regarding Pastue's recommended alternative.

McShane asked if it is critical for Oakland Street to be done. Pastue responded it is a street that the City has identified to be replaced.

Responding to a question from Galvin, Pastue stated the difference between the actual bid and what was budgeted is \$150k.

Cowley recommended taking the three low bids and ask those contractors to rebid them to lower costs. He described this as value based re-engineering which is common in the private sector. He did not support two construction periods.

Pastue expressed concern about transparency in government and the City's desire not to show favoritism.

Parks discussed the criteria for selecting a contractor.

Galvin discussed merits of completing both projects at same time versus over two years.

Pastue expressed confidence that most of the construction: Grove Street, Warner from Grand River to Shiawasse, and Oakland from Warner to Farmington Road can be completed this year.

Discussion followed regarding the merits of re-bidding.

Parks advised that with value re-engineering it is likely the contractors will come back with three different ways to cut costs which forces the City to make a decision that is more arbitrary than comparing apples to apples. He suggested looking at value re-engineering options to present to the contractors.

Discussion followed regarding the context in which the original budget was set for the projects.

Kuiken expressed support for a quality-based selection.

Pastue stated the city will attempt to renegotiate with contractors. He advised it is unlikely the project will start April 1st as originally planned. They will make every effort to move forward as soon as possible.

6. OTHER DISCUSSION WITHOUT ATTACHMENT

Council took a 5 minute break at 9:00 pm.

Civic Theater Digital Projection Equipment Financing

Pastue advised the Theater needs to move from 35mm to digital films which has become the industry standard. He stated the cost will be approximately \$130k - \$150k for both theaters. The city will contemplate a short term debt obligation (5 year) to cover the cost. He stated this will not be a bid situation.

Responding to a question from Buck, Pastue advised the city would consider vendor financing.

Pastue confirmed as part of an effort to cover the cost of the equipment, theater ticket prices would be increased .50 to \$4.00.

Cowley suggested raising the ticket price to \$5.00.

Pastue confirmed the sound system would be part of the purchase package.

Liquor Licenses and Special Land Uses

Pastue advised the Liquor Control Commission (LCC) has changed its requirements for approval of licenses by local governments. As a result, he stated communities have contemplated going to special land use. He discussed the conditions under which the City of Birmingham approves liquor licenses. He stated tying liquor license to land use makes a lot of sense.

Schultz advised what is driving this need to make a change to license approval is a change by LCC in how they handle transfers. He stated LCC no longer requires local approval on liquor license transfers.

Discussion followed regarding the merits of tightening control over licenses through special land use and what is happening in other communities.

Christiansen spoke about how other communities regulate liquor licenses through special land use.

Schultz explained the City's options in how to regulate the transfer of liquor licenses.

Council supported addressing applying special land use to liquor license transfers.

Multi-Family Unit Rental Inspections

Pastue advised the City is looking to put together a multi-family residential inspection program. He discussed development of the program. The City will do an analysis regarding fire runs to determine the need. He discussed aging buildings with deficient wiring that are becoming fire hazards.

Responding to a question from McShane, Pastue stated the focus of the program would be apartment rentals. The program could be expanded if it becomes necessary.

Responding to a question from Kuiken, Pastue confirmed this program is for fire safety purposes.

7. PUBLIC COMMENT

No public comment was heard.

8. COUNCIL COMMENT

Galvin read the following comments:

Over the last several years we have heard about the challenges our community faces. At the Farmington City Council Meeting on February 4th I discussed some of those challenges. I talked about finding funding sources for new ideas that come from our Visioning Plan ideas; the inability to replenish our capital improvements fund and the increasing pace of costs to provide city services.

I concluded with a notion I dubbed "Re-Farmington" which was my way of explaining that we need to seek modern ways to increase taxable values and property tax revenue without increasing our millage rate. Re-Farmington is the repurposing, redevelopment and redeployment of publically owned property to increase the tax base. Economists refer to this as sustainability. It is nothing more than an efficient use of our resources.

Tonight, March 4, 2013, we have continued discussing that same nagging theme - expenses continue to rise at a faster rate than property tax revenue. The issue of sustainability emphasizes the importance of taking significant and innovative action.

As a result, "Re-Farmington" needs to be stepped up and discussed as a part of our community wide Visioning Plan.

I have met with Project Innovations, our Visioning Plan facilitator. I shared ideas about repurposing, redeveloping and redeploying the public parcels such as: Farmington City Hall, the Farmington Community Library, the Maxfield Training Center, the Farmington Department of Public Works facility on Nine Mile Road, the previous Flanders School property, the Farmington Public Schools facilities on Raphael and lastly the previous 47th District Courthouse on Ten Mile Road.

At my request city administration prepared a taxable equivalency analysis. As contributors to the property tax base these properties could generate an estimated \$250,000 or more and increase every year thereafter. To put that in perspective, one millage generates about \$300,000.

I believe this innovative strategy is well timed for several reasons.

- As leaders in our community we need to provide innovative solutions that will help permanently solve the financial challenges in the present and future. Redeploying these assets to the tax base will generate ongoing and increasing property tax revenue forever.
- Economic development opportunities and interests have restarted.
- Our public schools are going through their own Facilities Study.
- Most importantly we in Farmington are going through our own Visioning Plan and community wide civic engagement of idea sharing for the betterment of Farmington's future.

These innovative solutions will also provide other valuable benefits. New housing brings new citizens and students for our school district. More people spend more money in our local economy. We would see job growth and the

benefits associated with employing new workers and new business' on main street. And lastly, returning City Hall and the Public Library to the private market would literally expand the size and scope of our Downtown and result in more TIF revenue for the DDA.

Where would we relocate City Hall, the Public Safety Dept. And our Public Library? We can look at several locations such as the property next to Cloverdale school on Freedom Rd. That site is large enough for a new City Hall, Public Safety Dept. and Library, if configured properly. It is not far from the current City Hall and is centrally located within the City boundaries. We could also look at consolidating any of these properties or potentially look to private partnerships within the city. The funding to build new facilities would come from the sale of these municipal assets and have a positive or zero impact on the City's budget.

There is no doubt our future vision will be great. The ideas I have put on the table need to be vetted, discussed, shaped and refined within our Visioning Plan to position Farmington for long term success.

Discussion followed regarding the next visioning session.

Buck, referring to Galvin's comments, stated the city has worked on the sale of the courthouse property for years. The city has urged the schools to move forward on the disposition of their properties. The city has great hope for redeployment of the Maxfield Training Center and Flanders properties. He stated all of these things have been on the drawing board for quite some time. He noted there have been discussions about city hall and the library properties as well. He stated Council always needs be mindful of opportunities with public properties. He thanked Galvin for his energy in addressing this issue. He noted Galvin, as a member of the joint taskforce, is in an ideal position to motivate progress on these properties.

9. CLOSED SESSION

Motion to enter closed session to discuss land acquisition and labor negotiations.

| | |
|------------------|---------------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | William Galvin, Mayor Pro Tem |
| SECONDER: | Greg Cowley, Councilmember |
| AYES: | Buck, Cowley, Galvin, Kuiken, McShane |

The votes were taken in the following order: Galvin, Kuiken, McShane, Buck, Cowley.

Council entered closed session at 10:00 PM.

Motion to exit closed session.

Minutes Acceptance: Minutes of Mar 4, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Kristin Kuiken, Councilmember
SECONDER: JoAnne McShane, Councilmember
AYES: Buck, Cowley, Galvin, Kuiken, McShane

Council exited closed session at 10:42 PM.

10. ADJOURNMENT

Motion to adjourn the meeting.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: JoAnne McShane, Councilmember
SECONDER: Kristin Kuiken, Councilmember
AYES: Buck, Cowley, Galvin, Kuiken, McShane

Meeting adjourned at 10:42 pm

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Approval Date: _____

Minutes Acceptance: Minutes of Mar 4, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

**Farmington City Council
Staff Report****Council Meeting Date:**
March 18, 2013**Reference
Number
(ID # 1186)****Submitted by:** Vincent Pastue, City Manager**Description:** Approve Farmington Monthly Payments Report January 2013**Requested Action:****Background:****Agenda Review****Review:**

Vincent Pastue Pending

City Manager Pending

City Council Pending

CITY OF FARMINGTON - MONTHLY PAYMENTS REPORT**MONTH OF JANUARY 2013**

| FUND # | FUND NAME | AMOUNT: |
|---------------|--|------------------------|
| 101 | GENERAL FUND | \$ 377,038.53 |
| 202 | MAJOR STREET FUND | \$ 42,773.49 |
| 203 | LOCAL STREET FUND | \$ 39,729.60 |
| 204 | MUNICIPAL STREET FUND | \$ 498.40 |
| 351 | GENERAL DEBT SERVICE FUND | \$ 21.08 |
| 409 | DRAKESHIRE CP FUND | \$ 83,543.30 |
| 592 | WATER & SEWER FUND | \$ 453,641.49 |
| 595 | FARMINGTON COMMUNITY THEATER FUND | \$ 59,922.97 |
| 601 | EMPLOYEE ACCRUED BENEFITS FUND | \$ 7,295.73 |
| 701 | AGENCY FUND | \$ 77,406.04 |
| 736 | PUBLIC EMPLOYEE HEALTH CARE FUND | \$ 55,058.84 |
| | TOTAL CITY PAYMENTS ISSUED: | \$ 1,196,929.47 |
| 136 | 47TH DISTRICT COURT FUND | \$ 353,005.79 |
| 248 | DOWNTOWN DEVELOPMENT AUTHORITY FUND | \$ 54,150.13 |
| 296 | SWOCC FUND | \$ 16,444.12 |
| | TOTAL OTHER ENTITIES PAYMENTS ISSUED: | \$ 423,600.04 |
| | TOTAL PAYMENTS ISSUED | \$ 1,620,529.51 |

A detailed Monthly Payments Report is
on file in the Treasurer's Office.

CITY OF FARMINGTON - ACH PAYMENTS REPORT**MONTH OF JANUARY 2013**

| TRANSFER FROM: | TRANSFER TO: | DESCRIPTION: | AMOUNT: |
|-----------------------|---|---------------------------|---------------------|
| Agency Tax | Farmington Public Schools | Tax Payment #12 | 498,477.17 |
| Agency Tax | Oakland County | Tax Payment #12 | 92,558.65 |
| Agency Tax | Farmington Comm. Library | Tax Payment #12 | 36,414.48 |
| Agency Tax | Farmington Public Schools | Tax Payment #13 | 504,180.82 |
| Agency Tax | Oakland County | Tax Payment #13 | 99,550.43 |
| Agency Tax | Farmington Comm. Library | Tax Payment #13 | 41,256.10 |
| Agency Tax | Farmington Public Schools | Tax Payment #14 | 251,930.95 |
| Agency Tax | Oakland County | Tax Payment #14 | 48,581.91 |
| Agency Tax | Farmington Comm. Library | Tax Payment #14 | 19,388.67 |
| Agency Tax | Farmington Public Schools | Tax Payment #15 | 59,193.13 |
| Agency Tax | Oakland County | Tax Payment #15 | 10,683.72 |
| Agency Tax | Farmington Comm. Library | Tax Payment #15 | 4,052.02 |
| Agency Tax | Farmington Public Schools | Tax Payment #16 | 78,324.12 |
| Agency Tax | Oakland County | Tax Payment #16 | 16,019.91 |
| Agency Tax | Farmington Comm. Library | Tax Payment #16 | 4,777.54 |
| General Fund | Chase (Payroll Acct) | Direct Deposit Payroll | 282,830.68 |
| General Fund | Federal Gov't | W/H & FICA Payroll | 70,483.83 |
| General Fund | MERS | December Transfer | 30,801.63 |
| | TOTAL CITY ACH TRANSFERS | | 2,149,505.76 |
| Court Fund | Chase (Payroll Acct) | Direct Deposit Payroll | 128,419.63 |
| Court Fund | Federal Gov't | W/H & FICA Payroll | 30,265.45 |
| SWOCC Fund | Chase (Disbursing Acct) | Dir.Dep. Pay & W/H & FICA | 32,524.49 |
| DDA Fund | Included in General Fund Transfers | | |
| | TOTAL OTHER ENTITIES ACH TRANSFERS | | 191,209.57 |

**Farmington City Council
Staff Report****Council Meeting Date:**
March 18, 2013**Reference
Number
(ID # 1187)****Submitted by:** Vincent Pastue, City Manager**Description:** Approve Farmington Public Safety Monthly Report, February 2013**Requested Action:****Background:****Agenda Review****Review:**

Vincent Pastue Pending

City Manager Pending

City Council Pending



City of
FARMINGTON Michigan

www.farmingtonpublicsafety.com

MONTHLY REPORT FEBRUARY 2013

DRIVING WHILE LICENSE SUSPENDED

On February 1st an officer on patrol stopped a vehicle for traffic violation (turning right on red) at Grand River and Halsted Road. Subsequent to the traffic stop it was found that the driver did not have a valid driver's license. The driver was arrested and subsequently arrested for Driving While License Suspended.

COUNTERFEIT MONEY

On February 1st, at approximately 6:49 p.m., an officer was dispatched to a report of a counterfeit five dollar bill discovered at the Subway Restaurant at Nine Mile and Farmington Road. Upon arrival the investigating officer learned that when staff was counting the money in the cash register, they discovered that one of the employee's had inadvertently taken a counterfeit five dollar bill from a customer. The employees do not know which customer committed the crime. The officer took custody of the bill for evidence.

ASSIST OTHER LAW ENFORCEMENT AGENCY

On February 1st, at approximately 8:21 p.m., officers assisted Farmington Hills police in locating a suicidal subject at the American Legion Hall.

OPERATING WHILE INTOXICATED/ MINOR IN POSSESSION OF ALCOHOL

On February 2nd, at approximately 3:00 a.m., an officer stopped a vehicle near Farmington Road and Nine Mile for improper lane use. Upon speaking to the occupants, the officer detected the odor of alcohol coming from the vehicles interior. The driver stated that he had drunk three or four beers earlier. The driver was requested to perform field sobriety test which he did and failed along with a PBT (Preliminary Breath Test), 10(6). The driver was arrested for Operating While Intoxicated.

The two passengers were both under the age of twenty-one and showed signs of having consumed alcohol. They agreed to take a PBT and both failed. They were both cited for Minor in Possession of Alcohol by Consumption.

The driver was transported to the station where he submitted two breath samples (.11 and .11). The driver was held at the station awaiting sobriety/ arraignment or bond.

Monthly Report
February 2013
Page 2

OPERATING WHILE INTOXICATED

On February 2nd, at approximately 3:55 a.m., an officer stopped a vehicle near Grand River and Hawthorne for an equipment violation. Upon speaking to the driver, the officer detected the odor of alcohol coming from the driver who admitted to drinking a couple of beers. The driver performed field sobriety tests at the officer's request and failed same. The driver submitted to a PBT with a result of .08(1). The driver was arrested for Operating While Intoxicated.

The driver was transported back to the station and she submitted two breath samples (.07 and .08). The driver was held at the station awaiting sobriety/ arraignment or bond.

CITIZEN ASSIST/WELFARE CHECK

On February 3rd, at approximately 7 p.m., an officer was dispatched to the area of Grand River Avenue and Orchard Lake for a report of a disabled vehicle. Upon arrival the officer located the vehicle parked in the curb lane of Grand River Avenue with its ignition switch on but not running. The officer noted that the vehicle was empty and did not immediately see its owner. After several minutes an elderly male came walking up to the officer advising that the vehicle was his. The man thought that he was in Monroe, Michigan, and just a few blocks away from his home. Officers contacted his family and learned that the man suffers from severe dementia and had been missing for several hours. The man's vehicle had apparently run out of gasoline and was impounded by the officer. The man was transported to the police department where he was turned over to his family.

DRIVING WHILE LICENSE SUSPENDED

On February 4th, at 1:10 a.m., an officer spotted a vehicle on Grand River near Orchard Lake Road stopped in the roadway with its hazards on. The officer pulled up to the vehicle and the vehicle sped away with its hazards still on. The officer stopped the vehicle and learned that the driver had stopped to send a text message. A check of the driver's driving status showed him to be suspended. The driver was arrested and transported to the public safety department. At the station the driver was processed, issued a violation, and released.

ASSIST OTHER POLICE DEPARTMENT

On February 4th a resident came into the station to turn in two guns that he stated he found while garbage picking in the Kendal Wood Subdivision in Farmington Hills. The resident stated that the residence he found the guns in front of appeared to have been a foreclosure. Farmington Hills police was called to the station to meet with the reporting party and the guns were turned over to them.

HIT AND RUN ACCIDENT

On February 4th, at approximately 4:05 p.m., an officer was dispatched to a report of a hit and run accident at the Jamestown Apartment complex. Upon arrival the officer spoke with a tow-truck driver who advised that he was loading a disabled car onto his tow-truck when a SMART bus side swiped his tow-truck and kept driving. The tow-truck driver was able to obtain the bus number and provide it to the investigating officer. The

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officer contacted SMART and was able to identify the driver. The driver advised that she takes special needs and disabled adults to their doctor visits and was unable to stop after the accident because she had no one to watch after her riders. The driver was cited for the accident.

LARCENY FROM AUTOMOBILE

On February 5th, at approximately 10:15 p.m., officers were dispatched to Chatham Hills Apartments for a report of a larceny from an automobile. Upon arrival officers learned from the complainant that she had discovered a black male rummaging through her unlocked vehicle when she went to take her garbage out to the dumpster from her apartment. The complainant also observed a second black male near her car who appeared to be a "look out" for the first black male. The woman confronted the two males who took off running. The two had stolen a book bag containing the woman's school text books. Officers searched the area with the help of a Livonia police canine unit and were able to develop several suspects. The suspects involved are believed to be responsible for five (5) other larcenies that occurred that night. The incident has been turned over to the detective bureau for further investigation.

VEHICLE FIRE

On February 6th, at 4:38 a.m., officers were dispatched to the Farmington Public Schools bus garage at 32500 Shiawassee for a bus fire. The fire was called in by a school maintenance worker who was salting the parking lot. Upon arrival, officers discovered it was a bus being warmed up for the morning commute that was emitted large amounts of exhaust.

LARCENY FROM AUTOMOBILE

An officer was dispatched to Chatham Hills Apartments on a delayed Larceny From Automobile report. Upon arrival, the vehicle owner stated that sometime the night prior he parked his vehicle in the parking garage and locked it. When he got up to go out later the next day, he noticed the radio face plate missing from the vehicle along with coins from the center console. There were no signs of forced entry to the vehicle. A detective was called to the scene and processed the vehicle for possible latent prints/evidence.

ATTEMPT LARCENY FROM AUTOMOBILE

On February 6th an officer was dispatched to Chatham Hills Apartments on an Attempt Larceny From Automobile report. Upon arrival, the vehicle owner stated that sometime the night prior she parked her vehicle in the parking garage and locked it. When she got up to go out later the next day, she noticed her vehicle had been rummaged through and the trunk along with one of the doors was open. The owner stated she did not notice anything missing from the vehicle. A detective was called to the scene and processed the vehicle for possible latent prints/evidence. There were no signs of forced entry to the vehicle.

LARCENY FROM AUTOMOBILE

On February 6th an officer was dispatched to Chatham Hills Apartments on a delayed

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Larceny From Automobile report. Upon arrival, the vehicle owner stated that sometime the night prior he parked his vehicle in the parking garage and locked it. When he went out to get in his vehicle, he noticed it had been rummaged through and \$30.00 in cash was missing from the dashboard compartment. The vehicle owner stated he had already washed and cleaned the vehicle, so there was no evidence to process. There were no signs of forced entry to the vehicle.

SUSPICIOUS VEHICLE

On February 8th an officer was dispatched to the Village Commons mall parking lot on a report of a suspicious vehicle with damage parked in the lot. Upon arrival, the vehicle was found with heavy front end damage and both front seat air-bags deployed. The vehicle was leaking fluids from the front end. The vehicle owner was contacted and stated he loaned the vehicle to a friend the night prior and he never told him he crashed it. The vehicle was impounded due to it leaking fluids. The vehicle owner came into the station the next day and admitted he was driving the vehicle the night prior, but could not remember where the accident occurred. A teletype was sent out to surrounding agencies for possible matches to open hit and run accidents.

FRAUDULENT USE OF A CREDIT CARD

On February 8th a resident came into the station to report that on February 7th, in Gurnee Illinois, an unknown person made two purchases with her husband's card at a Toys R Us and Wal-Mart for a total of \$1353.97. The resident stated that both she and her husband are on the account and both still were in possession of their credit cards. The reporting party filed a report with her bank and also with the Gurnee Police Department in Illinois.

RESIDENTIAL FIRE

On February 8th, at approximately 8:22 p.m., officers were dispatched to a house fire at a residence in the Lark Harbour Condominium complex. Approximately one minute after being dispatched to the call, officers arrived on scene with Engine #3. Officers noted that the fire had vented itself out the front window and a full department call back was initiated. Officers were able to extinguish the fire quickly and contain it to the kitchen area. The resident was able to escape the fire with minor injuries and seek help from a neighbor who called 9-1-1.

POSSESSION OF MARIJUANA

On February 8th, at approximately 10:54 p.m., an officer stopped a vehicle in the area of Farmington Road and Alta Loma for having illegal window tint. Upon interviewing the occupants of the vehicle the officer noted a strong odor of marijuana emitting from inside. A search was conducted on the vehicle and 2.9 grams of marijuana was located underneath the front seat. The driver admitted to owning the marijuana and advised that he had forgotten that he had it inside his car. The man was arrested and held at the Farmington jail until he could post bond.

OPERATING WHILE INTOXICATED

On February 8th, at approximately 11:00 p.m., an officer stopped a truck in the area of

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Grand River and Brittany Hill for driving without a front tire. The officer confronted the driver who advised that he was coming from work and was heading to Berkley. The officer noted that the man was heading in the wrong direction if he was going to Berkley and also noted that the man had a strong odor of intoxicants on his breath; bloodshot eyes, flushed face, slurred speech and had urinated on himself. The man admitted to drinking "a lot" and advised that he was unaware that he was driving on the wheel rim. The man failed several sobriety exams and was arrested for Operating While Intoxicated. The man submitted to a Datamaster breath test at the Farmington jail with a result of a .20 BAC. The man was held until sober and until he was able to post bond.

WARRANT ARREST OTHER POLICE DEPARTMENT

On February 9th, at 2:30 a.m., an officer stopped and spoke to a male subject who was walking down the center of Freedom Road near Farmington Road. The subject requested a ride from the officer to the Nine Mile and Middlebelt Road area. Enroute to that location, the officer discovered that the subject had a "no bond" warrant out of Farmington Hills Police Department. The warrant was confirmed and the subject was dropped off at the Farmington Hills Police Department at their request.

CITIZEN ASSIST

On February 10th, at approximately 4:07 p.m., officers responded to a home on Gill Road for a report of a burst pipe. A passerby had called dispatch because an outside faucet was spraying water everywhere and that it appeared that no one was home. Upon arrival officers noted that the outside faucet was fed by a thin copper pipe that ran on the outside of the home. The pipe had burst spraying water and was filling a window well. Officers were able to make contact with the eighty year old resident who was unaware that the pipe had burst. Officers shut off the water supply to the pipe and cleaned up the water in her basement. Family of the resident was contacted who advised that they would come over to the resident's home and have the pipe repaired.

FIRE/SMOKE INVESTIGATION (13-820)

On February 11th officers responded to Brookdale Condominiums on a smoke investigation. Upon arrival officers found light smoke coming from inside one of the second floor units. Upon entering the unit, it was found that the resident had left for work and left a container of nachos cooking in the kitchen stove which were smoldering. The burning food was extinguished and the condo units along with the common hallway were ventilated. There was no further damage to the building or condominium unit involved.

FELONY WARRANT ARREST OTHER POLICE DEPARTMENT (13-828)

On February 11th an officer on patrol stopped a vehicle for a traffic violation that occurred at Nine Mile and Farmington Road. Subsequent to the traffic stop, it was found that the passenger in the vehicle had an outstanding felony warrant with Michigan Department of Corrections (MDOC) for being a parole absconder, along with a misdemeanor traffic warrant. The passenger was arrested and transported to the station to be held pending his being picked up by MDOC.

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OPERATING WHILE INTOXICATED (13-838)

On February 12th, at 2:30 a.m., an officer observed a vehicle on Grand River Avenue, near Liberty Street, traveling at a high rate of speed (45/25). The officer stopped the vehicle and learned that the female driver and female passenger had been drinking at a bar in Farmington Hills. In addition, both occupants were only twenty years of age. The driver failed field sobriety evaluations and was arrested for Operating While Intoxicated (OWI). The passenger took a preliminary breath test which showed a .14 breath alcohol content. The passenger was issued a citation for Minor Consuming Alcohol and transported to the station where she was turned over to a sober adult. The driver was arrested and taken to the station where she took a Datamaster Breath test showing .18 breath alcohol content. The driver was issued a violation for OWI, processed, and lodged until sober.

FRAUDULENT USE OF A CREDIT CARD (13-847)

On February 12th an employee of Rainbow Rehabilitation on Grand River came to the front desk to file a credit card fraud report regarding charges made by an employee using a company gas card. The reporting party stated that one of the employees made a total of eight (8) fraudulent charges with the company gas card.

DRIVING WHILE LICENSE SUSPENDED (13-854)

On February 12th, at approximately 9:43 p.m., an officer stopped a vehicle in the area of Grand River and Halsted for speeding. Upon interviewing the driver of the vehicle, the officer learned that the driver has a suspended license out of California. The driver was arrested for driving on a suspended license and was housed at the Farmington jail.

DRIVING WHILE LICENSE SUSPENDED (13-856)

On February 13th, at 2:20 a.m., an officer observed a vehicle on Grand River Avenue, near Liberty Street, traveling at a high rate of speed (43/25). The officer stopped the vehicle. A check of the driver's driving status showed him to be suspended with numerous warrants for his arrest. The driver was arrested and transported to the public safety department. At the station the driver was issued a citation for Driving While License Suspended, processed and lodged pending arraignment with the 47th District Court.

UNLAWFUL DRIVING AWAY OF AN AUTOMOBILE (13-862)

On February 13th an officer responded to Farmington Oaks Apartments on a report of a stolen vehicle. Upon arrival, the owner stated that her 1996 Honda Civic was stolen sometime between February 11th and February 13th. The owner stated she had all of her keys for the vehicle and there were no signs of forced entry near the parking spot where it was parked.

WARRANT ARREST OTHER AGENCY (13-881)

On February 13th, at approximately 7:30 p.m., officers responded to an apartment complex for a medical report. While attending to the patient, one of the officers recognized the patient's son as an individual that Wexford County has a Friend of the Court warrant for. The officer detained the individual and verified the warrant for his

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arrest after tending to the patient. The man was arrested on the warrant and housed at the Farmington jail pending pick up by Wexford County Sheriff's Office.

ASSIST MOTORIST (13-885)

On February 13th, at 4:05 a.m., a man called this department and advised that his tire had fallen off of his car while he was driving. An officer responded to the area of Shiawassee Road near Power Street and located the vehicle disabled in the roadway. The officer assisted the driver in obtaining a tow truck and stood by for safety until the vehicle was towed away.

DRIVING WHILE LICENSE SUSPENDED (13-909)

On February 15th, subsequent to a traffic stop at Grand River and Orchard Lake Road on a vehicle for an expired plate, it was found that the driver had a suspended driver's license and no insurance on her vehicle. The driver was arrested and taken to the station where she was processed and held for bond.

DRIVING WHILE LICENSE SUSPENDED (13-922)

On February 15th, at approximately 9:51 p.m., an officer stopped a vehicle in the Orchard Lake and Ten Mile Road area for having a broken taillight. Further investigation revealed that the driver has a suspended license and several warrants out for his arrest. The man was arrested for driving on the suspended license and housed at the Farmington jail.

OPERATING WHILE INTOXICATED (13-929)

On February 16th, at 3:19 a.m., an officer was patrolling in the area of Grand River and Drake Road when he noted a vehicle leaving westbound on Grand River from Drakeshire Apartments. Due to erratic driving, the vehicle was stopped at Grand River and Halstead. The female driver admitted that she had been drinking. Sobriety task evaluations and a PBT reading of .09(8) resulted in the arrest of the driver who was then lodged at this department to get sober and await the arrival of bond.

DRIVING WHILE LICENSE SUSPENDED

On February 18th, at approximately 1:54 a.m., an officer stopped a vehicle in the area of M-5 and Farmington Road for a vision obstruction. Further investigation revealed that the driver had a suspended license and several warrants out for his arrest. The man was arrested for Driving While License Suspended and housed at the Farmington Public Safety jail.

FIRE ALARM

On February 18th officers were dispatched to Rainbow Rehabilitation on Gill Road on a report of a fire alarm. While still en route, the alarm company called back attempting to cancel. Officers made the scene and found that the fire alarm went off due to a careless cook who left food cooking unattended.

DRIVING WHILE LICENSE SUSPENDED

On February 18th, at approximately 8:46 p.m., a sergeant on patrol stopped a vehicle in

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the area of Grand River Avenue and Hawthorne Street for failing to dim its bright lights to oncoming traffic. A subsequent investigation of the driver revealed that she had fourteen suspensions on her driver's license and eight warrants for her arrest. The woman was arrested and housed at the Farmington jail.

ARMED ROBBERY

On February 20th, at approximately 8:47 p.m., officers were dispatched to Radio Shack on Grand River Avenue for a report of an armed robbery that just occurred. Upon arrival officers learned from one of the employees that she was vacuuming the carpet of the business in preparation for the store to close when all of a sudden she felt the barrel of a handgun in her back. The employee was forced into the back storeroom at gun point by a tall black male suspect where another employee was working. The suspect proceeded to take cell phones from the store. The two employees were forced into a bathroom and told not to leave until the suspect had left the business. One of the employees left as the suspect left and saw him get into a black or dark blue Honda. Neither employee was hurt. The investigation was turned over to the detective bureau.

HOLD UP ALARM

On February 21st officers were dispatched to Credit Union One on Grand River Avenue on a report of a hold up alarm. Upon arrival, officers found that it was business as usual. Officers met with credit union personnel who stated the alarm was accidental by an employee.

OPERATING WHILE INTOXICATED

On February 22nd, at approximately 2:27 a.m., an officer observed a running vehicle improperly parked in the Chatham Hills apartment complex. Upon speaking to the driver, the officer detected the odor of alcohol coming from the driver who admitted to drinking a beer earlier at a bar in Detroit. The driver of the vehicle did not live in the complex or explain why she was there. The driver performed field sobriety tests at the officer's request and failed same. The driver submitted to a preliminary breath test with a result of .13(7). A search of the vehicle located narcotic paraphernalia in the center console. The officer also learned the driver had a suspended driver's license. The driver was arrested for Operating While Intoxicated, Driving While License Suspended and Narcotic Paraphernalia.

The driver was transported back to the station and she submitted two breath samples (.13 and .13). The driver was held at the station awaiting sobriety/ arraignment or bond.

WIRES DOWN

On February 22nd an officer was dispatched to the intersection of Power Road and Ten Mile to assist Farmington Hills police and fire units who were already out with a downed wire in the intersection. Upon arrival Farmington Hills fire personnel stated they were standing by for DTE to arrive on the scene to remove an arcing wire that was down from the intersection. This department assisted with traffic control until DTE arrived on the scene. The scene was turned over to DTE.

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SMOKE INVESTIGATION

On February 22nd officers were dispatched to Our Lady of Sorrows school on a report from a passing motorist that she had just picked up her child from the school and that staff was evacuating the students because there was smoke inside the building. Upon arrival officers met with staff who stated that they were evacuating the building due to a power outage caused by a downed power line at Power Road and Ten Mile. Staff stated there were no problems inside the building and that staff had reported seeing smoke coming from the downed/arcing wire that had already been reported. Officers walked the building with staff and did not find any problems inside.

DRIVING WHILE LICENSE SUSPENDED

On February 23rd, at approximately 2:27 a.m., an officer stopped a vehicle in the area of Farmington Road and State Street for speeding. Further investigation revealed that the driver had a suspended license. The man was arrested for driving on the suspended license. He was then transported to the Farmington Public Safety Department where he was fingerprinted and released with a court appearance citation.

MINOR IN POSSESSION OF ALCOHOL

On February 23rd, at approximately 2:48 a.m., an officer stopped a vehicle in the area of Grand River Avenue and Drake Road for driving without its headlights turned on. Upon speaking to the driver and two twenty year old passengers, the officer detected the odor of alcohol coming from the vehicle. The officer also spotted a bottle of alcohol in the vehicle. The underage passengers submitted to a preliminary breath test which showed a .05(0) and a .07(8) breath alcohol level. The passengers were cited for consuming alcohol underage and released at the scene.

HOMICIDE

On February 23rd, at approximately 10:00 p.m., an officer responded to a report of a missing twenty-nine year old female from the 23800 block of Colchester. Upon arrival, the officer spoke with the female's live in boyfriend who reported that he was dropped off at home by the woman at approximately 12:30 a.m. on February 23rd. The boyfriend then reported that the woman left the home to return to a party.

Officers contacted the friends of the woman who all reported that they had not heard from her since she left the party in order to pick up her boyfriend from his work. As part of the investigation, officers checked the home for any signs of foul play. While doing so, what appeared to be bloody plastic was found. At that point the boyfriend was detained pending further investigation.

Farmington Public Safety detectives interviewed the boyfriend and he confessed to having a verbal argument with the woman that escalated to violence. Officers executed a search warrant with the assistance of the Oakland County Sheriff's Office's Crime Lab and the woman was found deceased at the home. The boyfriend is in police custody and the case will be submitted to the Oakland County Prosecutor's Office for formal charges.

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FOUND PROPERTY

On February 24th a customer of Farmington Auto Wash came to the front desk of the station to turn in a Glock 45 caliber gun magazine with six rounds of ammunition that he found in one of the self serve car wash stalls. The magazine and ammunition were placed into a property locker pending a possible owner coming forward to claim it.

BREAKING AND ENTERING

On February 25th, at approximately 1:10 a.m., an officer on patrol noticed the front door glass broken out from We Buy and Sell It (30930 Grand River Ave). Further investigation revealed the business had just been burglarized. Our officers reviewed surveillance footage and relayed this information to neighboring police departments. Shortly after this information was relayed, the Livonia Police Department arrested three subjects for burglary. These subjects matched the description of the individuals seen in the surveillance footage. Officers made contact with the Livonia Police Department and the information was forwarded to our Detective Bureau for follow-up.

SUSPICIOUS CIRCUMSTANCE/MISDEMEANOR WARRANT OTHER POLICE DEPARTMENT

On February 27th, at approximately 1:30 a.m., officers were dispatched to the area of 23360 Farmington Road (Luigi's Restaurant) on a report of a man sleeping on the sidewalk. Officers located the man who stated he was homeless. A computer check of the individual revealed he had a warrant out of the West Bloomfield Police Department. West Bloomfield police were contacted and the man was turned over to them.

WIRE DOWN

On February 27th an officer was dispatched to the rear of the Village Shoe Inn on Grand River on a report of a wire down in the alley. Upon arrival, the area was checked and the wire was found to be an AT&T phone line that was hanging down and found not to be a hazard. AT&T was advised.

OPERATING WHILE INTOXICATED

On February 27th, at approximately 10:02 p.m., an officer stopped a vehicle in the area of Orchard Lake Road and Astor for disobeying a red light. A subsequent investigation of the driver revealed that he was intoxicated and was arrested for Operating While Intoxicated. In addition, the driver had a concealed Glock 26 handgun concealed on his person. Although the man had a license to carry a concealed pistol, state law prohibits the carrying of a firearm when intoxicated. The man's breath alcohol content was a .15 and he was held at the Farmington jail. The man's weapon was confiscated and the Oakland County Gun Board was advised of the violation.

DRIVING WHILE LICENSE SUSPENDED

On February 28th, at approximately 1:50 a.m., an officer stopped a vehicle for speeding on Grand River near Liberty Street. A check of the driver's driving status showed her to have suspended license. The driver was arrested and transported to the public safety department. At the station the driver was issued a citation for Driving While License Suspended, processed and released.

For the Month of February

| Classification | Feb/2012 | Feb/2013 | %Change |
|---|----------|----------|---------|
| 09001 MURDER/NONNEGLIGENT MANSLAUGHTER (VOLUNTARY) | 0 | 1 | - |
| 09002 NEGLIGENT HOMICIDE/MANSLAUGHTER (INVOLUNTARY) | 0 | 0 | - |
| 09004 JUSTIFIABLE HOMICIDE | 0 | 0 | - |
| 10001 KIDNAPPING/ABDUCTION | 0 | 0 | - |
| 10002 PARENTAL KIDNAPPING | 0 | 0 | - |
| 11001 SEXUAL PENETRATION PENIS/VAGINA -CSC 1ST DEGREE | 0 | 0 | - |
| 11002 SEXUAL PENETRATION PENIS/VAGINA -CSC 3RD DEGREE | 0 | 0 | - |
| 11003 SEXUAL PENETRATION ORAL/ANAL -CSC 1ST DEGREE | 0 | 0 | - |
| 11004 SEXUAL PENETRATION ORAL/ANAL -CSC 3RD DEGREE | 0 | 0 | - |
| 11005 SEXUAL PENETRATION OBJECT -CSC 1ST DEGREE | 0 | 0 | - |
| 11006 SEXUAL PENETRATION OBJECT -CSC 3RD DEGREE | 0 | 0 | - |
| 11007 SEXUAL CONTACT FORCIBLE -CSC 2ND DEGREE | 0 | 0 | - |
| 11008 SEXUAL CONTACT FORCIBLE -CSC 4TH DEGREE | 0 | 0 | - |
| 12000 ROBBERY | 0 | 1 | - |
| 13001 NONAGGRAVATED ASSAULT | 4 | 3 | -25.0% |
| 13002 AGGRAVATED/FELONIOUS ASSAULT | 1 | 1 | 0% |
| 13003 INTIMIDATION/STALKING | 2 | 0 | -100.0% |
| 20000 ARSON | 0 | 0 | - |
| 21000 EXTORTION | 0 | 0 | - |
| 22001 BURGLARY -FORCED ENTRY | 0 | 1 | - |
| 22002 BURGLARY -ENTRY WITHOUT FORCE (Intent to Commit) | 0 | 0 | - |
| 23001 LARCENY -POCKETPICKING | 0 | 0 | - |
| 23002 LARCENY -PURSESNAATCHING | 0 | 0 | - |
| 23003 LARCENY -THEFT FROM BUILDING | 3 | 0 | -100.0% |
| 23004 LARCENY -THEFT FROM COIN-OPERATED MACHINE/DEVICE | 0 | 0 | - |
| 23005 LARCENY -THEFT FROM MOTOR VEHICLE | 0 | 6 | - |
| 23006 LARCENY -THEFT OF MOTOR VEHICLE PARTS/ACCESSORIES | 1 | 0 | -100.0% |
| 23007 LARCENY -OTHER | 2 | 1 | -50.0% |
| 24001 MOTOR VEHICLE THEFT | 0 | 1 | - |
| 24002 MOTOR VEHICLE, AS STOLEN PROPERTY | 0 | 0 | - |
| 24003 MOTOR VEHICLE FRAUD | 0 | 0 | - |
| 25000 FORGERY/COUNTERFEITING | 0 | 1 | - |
| 26001 FRAUD -FALSE PRETENSE/SWINDLE/CONFIDENCE GAME | 0 | 0 | - |
| 26002 FRAUD -CREDIT CARD/AUTOMATIC TELLER MACHINE | 0 | 2 | - |
| 26003 FRAUD -IMPERSONATION | 0 | 2 | - |
| 26004 FRAUD -WELFARE FRAUD | 0 | 0 | - |
| 26005 FRAUD -WIRE FRAUD | 0 | 0 | - |
| 27000 EMBEZZLEMENT | 0 | 0 | - |
| 28000 STOLEN PROPERTY | 1 | 0 | -100.0% |
| 29000 DAMAGE TO PROPERTY | 4 | 0 | -100.0% |
| 30001 RETAIL FRAUD -MISREPRESENTATION | 0 | 0 | - |
| 30002 RETAIL FRAUD -THEFT | 0 | 0 | - |

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| Classification | Feb/2012 | Feb/2013 | %Change |
|--|-----------|-----------|---------------|
| 30003 RETAIL FRAUD -REFUND/EXCHANGE | 0 | 0 | - |
| 35001 VIOLATION OF CONTROLLED SUBSTANCE ACT | 7 | 2 | -71.4% |
| 35002 NARCOTIC EQUIPMENT VIOLATIONS | 4 | 2 | -50.0% |
| 36001 SEXUAL PENETRATION NONFORCIBLE -BLOOD/AFFINITY | 0 | 0 | - |
| 36002 SEXUAL PENETRATION NONFORCIBLE -OTHER | 0 | 0 | - |
| 37000 OBSCENITY | 0 | 0 | - |
| 39001 GAMBLING- BETTING/WAGERING | 0 | 0 | - |
| 39002 GAMBLING- OPERATING/PROMOTING/ASSISTING | 0 | 0 | - |
| 39003 GAMBLING -EQUIPMENT VIOLATIONS | 0 | 0 | - |
| 39004 GAMBLING -SPORTS TAMPERING | 0 | 0 | - |
| 40001 COMMERCIALIZED SEX -PROSTITUTION | 0 | 0 | - |
| 40002 COMMERCIALIZED SEX -ASSISTING/PROMOTING PROSTITUTION | 0 | 0 | - |
| 51000 BRIBERY | 0 | 0 | - |
| 52001 WEAPONS OFFENSE- CONCEALED | 0 | 1 | - |
| 52002 WEAPONS OFFENSE -EXPLOSIVES | 0 | 0 | - |
| 52003 WEAPONS OFFENSE -OTHER | 0 | 0 | - |
| Total for Group A | 29 | 25 | -13.8% |
| 01000 SOVEREIGNTY | 0 | 0 | - |
| 02000 MILITARY | 0 | 0 | - |
| 03000 IMMIGRATION | 0 | 0 | - |
| 09003 NEGLIGENT HOMICIDE -VEHICLE/BOAT | 0 | 0 | - |
| 14000 ABORTION | 0 | 0 | - |
| 22003 BURGLARY - UNLAWFUL ENTRY (NO INTENT) | 0 | 0 | - |
| 22004 POSSESSION OF BURGLARY TOOLS | 0 | 0 | - |
| 26006 FRAUD -BAD CHECKS | 1 | 0 | -100.0% |
| 36003 PEEPING TOM | 0 | 0 | - |
| 36004 SEX OFFENSE -OTHER | 0 | 0 | - |
| 38001 FAMILY -ABUSE/NEGLECT NONVIOLENT | 0 | 0 | - |
| 38002 FAMILY -NONSUPPORT | 0 | 0 | - |
| 38003 FAMILY -OTHER | 0 | 0 | - |
| 41001 LIQUOR LICENSE -ESTABLISHMENT | 0 | 0 | - |
| 41002 LIQUOR VIOLATIONS -OTHER | 3 | 4 | 33.3% |
| 42000 DRUNKENNESS | 0 | 0 | - |
| 48000 OBSTRUCTING POLICE | 0 | 0 | - |
| 49000 ESCAPE/FLIGHT | 0 | 0 | - |
| 50000 OBSTRUCTING JUSTICE | 5 | 1 | -80.0% |
| 53001 DISORDERLY CONDUCT | 1 | 0 | -100.0% |
| 53002 PUBLIC PEACE -OTHER | 4 | 1 | -75.0% |
| 54001 HIT and RUN MOTOR VEHICLE ACCIDENT | 1 | 0 | -100.0% |
| 54002 OPERATING UNDER THE INFLUENCE OF LIQUOR OR DRUGS | 8 | 7 | -12.5% |
| 55000 HEALTH AND SAFETY | 0 | 0 | - |
| 56000 CIVIL RIGHTS | 0 | 0 | - |

For the Month of February

| Classification | Feb/2012 | Feb/2013 | %Change |
|---|------------|------------|---------------|
| 57001 TRESPASS | 0 | 1 | - |
| 57002 INVASION OF PRIVACY -OTHER | 0 | 0 | - |
| 58000 SMUGGLING | 0 | 0 | - |
| 59000 ELECTION LAWS | 0 | 0 | - |
| 60000 ANTITRUST | 0 | 0 | - |
| 61000 TAX/REVENUE | 0 | 0 | - |
| 62000 CONSERVATION | 0 | 0 | - |
| 63000 VAGRANCY | 0 | 0 | - |
| 70000 JUVENILE RUNAWAY | 0 | 3 | - |
| 73000 MISCELLANEOUS CRIMINAL OFFENSE | 4 | 0 | -100.0% |
| 75000 SOLICITATION | 0 | 0 | - |
| 77000 CONSPIRACY (ALL CRIMES) | 0 | 0 | - |
| Total for Group B | 27 | 17 | -37.0% |
| 2800 JUVENILE OFFENSES AND COMPLAINTS | 5 | 3 | -40.0% |
| 2900 TRAFFIC OFFENSES | 23 | 23 | 0% |
| 3000 WARRANTS | 22 | 22 | 0% |
| 3100 TRAFFIC CRASHES | 23 | 29 | 26.1% |
| 3200 SICK / INJURY COMPLAINT | 53 | 60 | 13.2% |
| 3300 MISCELLANEOUS COMPLAINTS | 116 | 109 | -6.0% |
| 3400 WATERCRAFT COMPLAINTS / ACCIDENTS | 0 | 0 | - |
| 3500 NON-CRIMINAL COMPLAINTS | 72 | 179 | 148.6% |
| 3600 SNOWMOBILE COMPLAINTS / ACCIDENTS | 0 | 0 | - |
| 3700 MISCELLANEOUS TRAFFIC COMPLAINTS | 27 | 34 | 25.9% |
| 3800 ANIMAL COMPLAINTS | 5 | 9 | 80.0% |
| 3900 ALARMS | 19 | 18 | -5.3% |
| Total for Group C | 365 | 486 | 33.2% |
| 2700 LOCAL ORDINANCES - GENERIC | 0 | 0 | - |
| 4000 HAZARDOUS TRAFFIC CITATIONS / WARNINGS | 0 | 0 | - |
| 4100 NON-HAZARDOUS TRAFFIC CITATIONS / WARNINGS | 0 | 0 | - |
| 4200 PARKING CITATIONS | 0 | 1 | - |
| 4300 LICENSE / TITLE / REGISTRATION CITATIONS | 0 | 0 | - |
| 4400 WATERCRAFT CITATIONS | 0 | 0 | - |
| 4500 MISCELLANEOUS A THROUGH UUUU | 65 | 56 | -13.8% |
| 4600 LIQUOR CITATIONS / SUMMONS | 0 | 0 | - |
| 4700 COMMERCIAL VEHICLE CITATIONS | 0 | 0 | - |
| 4800 LOCAL ORDINANCE WARNINGS | 0 | 0 | - |
| 4900 TRAFFIC WARNINGS | 0 | 0 | - |
| Total for Group D | 65 | 57 | -12.3% |
| 5000 FIRE CLASSIFICATIONS | 6 | 10 | 66.7% |
| 5100 18A STATE CODE FIRE CLASSIFICATIONS | 0 | 0 | - |
| Total for Group E | 6 | 10 | 66.7% |
| 6000 MISCELLANEOUS ACTIVITIES (6000) | 0 | 0 | - |

| Classification | | Feb/2012 | Feb/2013 | %Change |
|-----------------------------|---------------------------------|------------|------------|--------------|
| 6100 | MISCELLANEOUS ACTIVITIES (6100) | 0 | 0 | - |
| 6200 | ARREST ASSIST | 0 | 0 | - |
| 6300 | CANINE ACTIVITIES | 0 | 0 | - |
| 6500 | CRIME PREVENTION ACTIVITIES | 0 | 0 | - |
| 6600 | COURT / WARRANT ACTIVITIES | 0 | 0 | - |
| 6700 | INVESTIGATIVE ACTIVITIES | 0 | 0 | - |
| Total for Group F | | 0 | 0 | - |
| Total for All Groups | | 492 | 595 | 20.9% |

**Farmington City Council
Staff Report****Council Meeting Date:**
March 18, 2013**Reference
Number
(ID # 1188)****Submitted by:** Vincent Pastue, City Manager**Description:** Approve Farmington Financial Report Quarter Ended December 31, 2012**Requested Action:****Background:****Agenda Review****Review:**

| | |
|----------------|---------|
| Vincent Pastue | Pending |
| City Manager | Pending |
| City Council | Pending |

**Farmington City Council
Staff Report****Council Meeting Date:**
March 18, 2013**Reference
Number
(ID # 1189)****Submitted by:** Vincent Pastue, City Manager**Description:** Approve Farmington Investment Report Quarter Ended December 31, 2012**Requested Action:****Background:****Agenda Review****Review:****Vincent Pastue Pending**
City Manager Pending
City Council Pending

INVESTMENT REPORT
CITY OF FARMINGTON
QUARTER ENDED DECEMBER 31, 2012

Submitted by:
Christopher M. Weber, Treasurer/Finance Director

CITY OF FARMINGTON
QUARTER ENDING DECEMBER 31, 2012

| | BALANCE | BALANCE | BALANCE | RATE OF RETURN | | | MATURITY | RATING | RATING AGENCY |
|---------------------------------------|----------------------|----------------------|----------------------|-----------------------------|----------|----------|------------|-----------|------------------|
| | 10/31/12 | 11/30/12 | 12/31/12 | 10/31/12 | 11/30/12 | 12/31/12 | | | |
| Pooled Mutual Funds: | | | | | | | | | |
| Chase | \$ 5,361,435 | \$ 4,329,827 | \$ 5,561,937 | 0.060% | 0.060% | 0.020% | Daily | Aaa | Moody's |
| Comerica | 251,177 | 251,190 | 251,202 | 0.100% | 0.070% | 0.050% | Daily | Not rated | N/A |
| Oakland County Investment Pool | 5,071,273 | 4,573,141 | 4,074,184 | 1.857% | 0.500% | 0.324% | Daily | Not rated | N/A |
| MBIA Class | 251,540 | 251,569 | 251,598 | 0.150% | 0.140% | 0.130% | Daily | AAA | S&P |
| Total Pooled Funds: | 10,935,425 | 9,405,727 | 10,138,921 | | | | | | |
| Certificates of Deposit: | | | | | | | | | |
| Bank of Michigan | 101,127 | 101,127 | - | 0.400% | 0.400% | | 12/27/2012 | 3.5 | Bauer |
| Bank of Michigan | - | - | 101,231 | | | 0.350% | 2/28/2013 | 3.5 | Bauer |
| Bank of Michigan | - | 500,000 | 500,000 | | 0.750% | 0.750% | 11/14/2013 | 3.5 | Bauer |
| Flagstar Bank FSB | - | 500,000 | 500,000 | | 0.550% | 0.550% | 5/9/2013 | 3 | Bauer |
| Mercantile Bank | 250,000 | 250,000 | 250,000 | 0.840% | 0.840% | 0.840% | 6/27/2013 | 3.5 | Bauer |
| Talmer Bank | - | 203,200 | 203,200 | | 0.250% | 0.250% | 11/21/2013 | 5 | Bauer |
| Total Certificates of Deposit: | 351,127 | 1,554,327 | 1,554,431 | | | | | | |
| Uninvested: | \$ 474,651 | \$ 299,641 | \$ 410,585 | Bank Analysis Credit Earned | | | N/A | | |
| TOTAL: | \$ 11,761,203 | \$ 11,259,696 | \$ 12,103,937 | | | | | | |

** Investment Balances do not include the investments of the 47th District Court, the Farmington Brownfield Redevelopment Authority, the Farmington Downtown Development Authority, the Southwestern Oakland Cable Commission, or the Public Employee Health Care Funds invested with Morgan Stanley Smith Barney.

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1190)**

Submitted by: Vincent Pastue, City Manager

Description: Approve 47Th District Court Financial Report Quarter December 31, 2012

Requested Action:

Background:

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

FINANCIAL REPORT

47TH DISTRICT COURT

QUARTER ENDED DECEMBER 31, 2012

Distribution:

District Judges
Court Administrator
City Manager, Farmington Hills
Finance Director, Farmington Hills
City Council, Farmington
City Manager, Farmington

Submitted by:
Christopher M. Weber, Treasurer/Finance Director

PERIOD ENDING 12/31/2012

| GL NUMBER | DESCRIPTION | 2012-13 AMENDED BUDGET | BEG. BALANCE 07/01/2012 | ACTIVITY FOR MONTH 12/31/2012 | YEAR-TO-DATE THRU 12/31/12 | END BALANCE 12/31/2012 | AVAILABLE BALANCE | % BD US |
|-------------------------------------|-------------------------------|------------------------------|----------------------------|-------------------------------------|-------------------------------|---------------------------|----------------------|------------|
| Fund 136 - 47TH DISTRICT COURT FUND | | | | | | | | |
| Assets | | | | | | | | |
| Dept 000.00 | | | | | | | | |
| 136-000.00-001.000 | CASH-GENERAL RECEIVING | | 0.00 | (1,921.97) | 38,878.17 | 38,878.17 | | |
| 136-000.00-004.000 | IMPREST CASH | | 1,950.00 | 0.00 | 0.00 | 1,950.00 | | |
| 136-000.00-005.101 | INVESTMENTS, CHASE POOL | | 341,724.73 | 132,350.81 | 83,930.29 | 425,655.02 | | |
| 136-000.00-040.000 | A/R MISCELLANEOUS | | 17,230.27 | 0.00 | (17,230.27) | 0.00 | | |
| 136-000.00-102.000 | PREPAID EXPENSES | | 485.00 | 0.00 | (485.00) | 0.00 | | |
| Total Dept 000.00 | | | 361,390.00 | 130,428.84 | 105,093.19 | 466,483.19 | | |
| TOTAL Assets | | | 361,390.00 | 130,428.84 | 105,093.19 | 466,483.19 | | |
| Liabilities | | | | | | | | |
| Dept 000.00 | | | | | | | | |
| 136-000.00-202.000 | ACCOUNTS PAYABLE, P O | | 66,611.49 | 0.00 | (66,611.49) | 0.00 | | |
| 136-000.00-202.002 | ACCOUNTS PAYABLE, ACCRUED | | 17,340.94 | 0.00 | (17,340.94) | 0.00 | | |
| 136-000.00-214.101 | DUE TO GENERAL FUND | | 762.85 | 29.45 | (690.05) | 72.80 | | |
| 136-000.00-221.000 | DUE TO CITY OF FARMINGTON | | 17,797.12 | 0.00 | (17,797.12) | 0.00 | | |
| 136-000.00-221.001 | DUE TO FARMINGTON HILLS | | 101,330.34 | 0.00 | (101,330.34) | 0.00 | | |
| 136-000.00-231.011 | PAYROLL, LINCOLN NATIONAL | | (8.00) | 322.80 | 8.00 | 0.00 | | |
| 136-000.00-257.000 | ACCRUED WAGES | | 63,969.35 | 0.00 | (63,969.35) | 0.00 | | |
| 136-000.00-285.600 | FLEX ACCOUNT 2012, COURT | | 4,525.53 | (137.12) | 76.45 | 4,601.98 | | |
| Total Dept 000.00 | | | 272,329.62 | 215.13 | (267,654.84) | 4,674.78 | | |
| TOTAL Liabilities | | | 272,329.62 | 215.13 | (267,654.84) | 4,674.78 | | |
| Fund Equity | | | | | | | | |
| Dept 000.00 | | | | | | | | |
| 136-000.00-368.000 | NONSPENDABLE, INVENTORIES, PR | | 485.00 | 0.00 | 0.00 | 485.00 | | |
| 136-000.00-390.000 | FUND BALANCE | | 38,967.24 | 0.00 | 0.00 | 38,967.24 | | |
| 136-000.00-393.000 | DESIGNATED FUND BALANCE | | 49,608.14 | 0.00 | 0.00 | 49,608.14 | | |
| Total Dept 000.00 | | | 89,060.38 | 0.00 | 0.00 | 89,060.38 | | |
| TOTAL Fund Equity | | | 89,060.38 | 0.00 | 0.00 | 89,060.38 | | |
| Revenues | | | | | | | | |
| Dept 000.00 | | | | | | | | |
| 136-000.00-539.901 | STATE GRANT, DRUNK DRIVING | 15,000.00 | | 0.00 | 0.00 | 0.00 | 15,000.00 | 0.00 |
| 136-000.00-539.902 | DRUG CASE MANAGEMENT | 900.00 | | 0.00 | 0.00 | 0.00 | 900.00 | 0.00 |
| 136-000.00-539.903 | JUDGES, SALARY STD | 91,448.00 | | 22,862.00 | 45,724.00 | 45,724.00 | 45,724.00 | 50.00 |
| 136-000.00-664.000 | INVESTMENT INCOME | 1,000.00 | | 13.80 | 57.10 | 57.10 | 942.90 | 5.71 |
| 136-000.00-671.000 | REVENUES, OTHER | 7,500.00 | | 123.40 | 2,433.88 | 2,433.88 | 5,066.12 | 32.45 |
| 136-000.00-674.400 | COMMUNITY WORK PROGRAM | 20,585.00 | | 0.00 | 1,318.19 | 1,318.19 | 19,266.81 | 6.40 |
| 136-000.00-678.001 | CONTRIBUTIONS, FARMINGTON | 474,970.00 | | 38,878.17 | 233,269.02 | 233,269.02 | 241,700.98 | 49.11 |
| 136-000.00-678.002 | CONTRIBUTIONS FARMINGTON HILL | 2,623,331.00 | | 218,610.91 | 1,311,665.46 | 1,311,665.46 | 1,311,665.54 | 50.00 |
| 136-000.00-679.000 | HEALTH INSURANCE CONTRIBUTION | 10,068.00 | | 636.50 | 3,819.00 | 3,819.00 | 6,249.00 | 37.93 |

PERIOD ENDING 12/31/2012

| GL NUMBER | DESCRIPTION | 2012-13 AMENDED BUDGET | BEG. BALANCE 07/01/2012 | ACTIVITY FOR MONTH 12/31/2012 | YEAR-TO-DATE THRU 12/31/12 | END BALANCE 12/31/2012 | AVAILABLE BALANCE | % BD US |
|-------------------------------------|-------------------------------|------------------------------|----------------------------|-------------------------------------|-------------------------------|---------------------------|----------------------|------------|
| Fund 136 - 47TH DISTRICT COURT FUND | | | | | | | | |
| Revenues | | | | | | | | |
| Total Dept 000.00 | | 3,244,802.00 | | 281,124.78 | 1,598,286.65 | 1,598,286.65 | 1,646,515.35 | 49.26 |
| TOTAL Revenues | | | | | | | | |
| | | 3,244,802.00 | | 281,124.78 | 1,598,286.65 | 1,598,286.65 | 1,646,515.35 | 49.26 |
| Expenditures | | | | | | | | |
| Dept 000.00 | | | | | | | | |
| 136-000.00-703.001 | SALARIES, JUDGES | 91,448.00 | | 7,034.72 | 42,206.92 | 42,206.92 | 49,241.08 | 46.15 |
| 136-000.00-703.002 | SALARIES, COURT ADMINISTRATOR | 178,783.00 | | 13,752.53 | 82,515.22 | 82,515.22 | 96,267.78 | 46.15 |
| 136-000.00-704.000 | SALARIES, COURT REPORTERS | 110,328.00 | | 8,486.79 | 50,920.74 | 50,920.74 | 59,407.26 | 46.15 |
| 136-000.00-704.001 | SALARIES, DEPUTY COURT CLERKS | 676,481.00 | | 47,944.80 | 286,550.99 | 286,550.99 | 389,930.01 | 42.36 |
| 136-000.00-704.002 | SALARIES, COURT OFFICERS | 93,958.00 | | 7,227.56 | 43,365.36 | 43,365.36 | 50,592.64 | 46.15 |
| 136-000.00-704.003 | SALARIES, PROBATION OFFICER | 285,246.00 | | 21,942.05 | 131,652.29 | 131,652.29 | 153,593.71 | 46.15 |
| 136-000.00-707.000 | SALARIES, PART-TIME/TEMP | 76,497.00 | | 4,910.64 | 29,688.55 | 29,688.55 | 46,808.45 | 38.81 |
| 136-000.00-707.001 | SALARIES, BLDG MAINT CWP | 3,500.00 | | 0.00 | 1,748.24 | 1,748.24 | 1,751.76 | 49.95 |
| 136-000.00-707.002 | SALARIES, BLDG MAINT, PT | 51,996.00 | | 3,751.18 | 24,019.83 | 24,019.83 | 27,976.17 | 46.20 |
| 136-000.00-707.003 | SALARIES, MAGISTRATE, PT | 54,000.00 | | 3,600.00 | 22,220.00 | 22,220.00 | 31,780.00 | 41.15 |
| 136-000.00-709.000 | SALARIES, OVERTIME | 3,000.00 | | 7.44 | 237.73 | 237.73 | 2,762.27 | 7.92 |
| 136-000.00-715.000 | LONGEVITY PAY | 60,871.00 | | 0.00 | 59,451.78 | 59,451.78 | 1,419.22 | 97.67 |
| 136-000.00-719.000 | FRINGE BENEFITS | 0.00 | | 42.50 | 297.50 | 297.50 | (297.50) | 100.00 |
| 136-000.00-719.004 | INSURANCE ALLOWANCE | 840.00 | | 70.00 | 420.00 | 420.00 | 420.00 | 50.00 |
| 136-000.00-719.005 | VEHICLE ALLOWANCE | 3,600.00 | | 300.00 | 1,800.00 | 1,800.00 | 1,800.00 | 50.00 |
| 136-000.00-720.007 | PYMT IN LIEU OF HOSP INS | 30,240.00 | | 2,658.40 | 17,279.60 | 17,279.60 | 12,960.40 | 57.14 |
| 136-000.00-720.100 | SOC SEC, EMPLOYER'S SHARE | 129,102.00 | | 8,100.96 | 55,264.26 | 55,264.26 | 73,837.74 | 42.81 |
| 136-000.00-720.200 | COMPREHENSIVE MEDICAL INS | 256,835.00 | | 0.00 | 92,440.56 | 92,440.56 | 164,394.44 | 35.99 |
| 136-000.00-720.300 | LIFE INSURANCE | 16,250.00 | | 0.00 | 7,244.88 | 7,244.88 | 9,005.12 | 44.58 |
| 136-000.00-720.400 | RETIREMENT CONTRIBUTION | 245,802.00 | | 248.98 | 1,618.37 | 1,618.37 | 244,183.63 | 0.66 |
| 136-000.00-720.450 | RETIREE HEALTHCARE CONTRIBUT | 166,492.00 | | 0.00 | 0.00 | 0.00 | 166,492.00 | 0.00 |
| 136-000.00-720.500 | WORKMEN'S COMPENSATION INS | 11,283.00 | | 0.00 | 9,757.00 | 9,757.00 | 1,526.00 | 86.48 |
| 136-000.00-720.550 | UNEMPLOYMENT COMPENSATION | 10,000.00 | | 0.00 | 103.80 | 103.80 | 9,896.20 | 1.04 |
| 136-000.00-720.700 | DENTAL | 44,500.00 | | 0.00 | 21,195.24 | 21,195.24 | 23,304.76 | 47.63 |
| 136-000.00-727.000 | OFFICE SUPPLIES | 36,000.00 | | 1,663.11 | 8,786.61 | 8,786.61 | 27,213.39 | 24.41 |
| 136-000.00-728.000 | POSTAGE, METER | 15,000.00 | | 29.45 | 5,265.85 | 5,265.85 | 9,734.15 | 35.11 |
| 136-000.00-733.000 | RECORDS MANAGEMENT | 2,000.00 | | 66.30 | 413.40 | 413.40 | 1,586.60 | 20.67 |
| 136-000.00-735.000 | LAW LIBRARY | 5,201.00 | | 433.64 | 1,947.87 | 1,947.87 | 3,253.13 | 37.45 |
| 136-000.00-740.500 | NON-CAPITALIZED ASSETS | 5,000.00 | | 0.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 136-000.00-801.000 | PROFESSIONAL SERVICES | 10,000.00 | | 0.00 | 2,847.50 | 2,847.50 | 7,152.50 | 28.48 |
| 136-000.00-801.002 | PRO SERVICES, LABOR RELATIONS | 5,000.00 | | 0.00 | 400.00 | 400.00 | 4,600.00 | 8.00 |
| 136-000.00-802.101 | WITNESS FEES | 7,500.00 | | 0.00 | 2,148.40 | 2,148.40 | 5,351.60 | 28.65 |
| 136-000.00-802.102 | JURY FEES | 5,000.00 | | 350.20 | 1,921.24 | 1,921.24 | 3,078.76 | 38.42 |
| 136-000.00-802.104 | INTERPRETER FEES | 7,000.00 | | 341.55 | 1,265.72 | 1,265.72 | 5,734.28 | 18.08 |
| 136-000.00-802.105 | SUBSTITUTE COURT REPORTER | 5,000.00 | | 130.00 | 1,040.00 | 1,040.00 | 3,960.00 | 20.80 |
| 136-000.00-802.107 | ACCOUNTING FEES | 30,821.00 | | 0.00 | 15,410.50 | 15,410.50 | 15,410.50 | 50.00 |
| 136-000.00-802.109 | APPOINTED COUNSEL-C, R, 2 | 35,000.00 | | 1,050.00 | 13,650.00 | 13,650.00 | 21,350.00 | 39.00 |
| 136-000.00-802.110 | APPOINTED COUNSEL-C. R. 1 | 45,000.00 | | 1,850.00 | 17,600.00 | 17,600.00 | 27,400.00 | 39.11 |
| 136-000.00-806.101 | AUDIT & ACCOUNTING FEES | 17,000.00 | | 0.00 | 17,200.00 | 17,200.00 | (200.00) | 101.18 |
| 136-000.00-818.000 | CONTRACTUAL SERVICES | 97,929.00 | | 0.00 | 37,401.32 | 37,401.32 | 60,527.68 | 38.19 |
| 136-000.00-853.000 | TELECOMMUNICATIONS | 15,500.00 | | 1,019.09 | 5,748.71 | 5,748.71 | 9,751.29 | 37.09 |
| 136-000.00-860.000 | TRANSPORTATION | 5,900.00 | | 347.83 | 2,714.40 | 2,714.40 | 3,185.60 | 46.01 |
| 136-000.00-861.000 | MILEAGE | 2,000.00 | | 604.90 | 604.90 | 604.90 | 1,395.10 | 30.25 |
| 136-000.00-920.000 | PUBLIC UTILITIES | 120,000.00 | | 5,814.59 | 41,177.96 | 41,177.96 | 78,822.04 | 34.31 |
| 136-000.00-934.000 | MAINTENANCE, OFFICE EQUIPMENT | 12,441.00 | | 0.00 | 2,116.80 | 2,116.80 | 10,324.20 | 17.01 |
| 136-000.00-935.000 | MAINT, BUILDINGS & GROUNDS | 50,314.00 | | 691.04 | 26,673.43 | 26,673.43 | 23,640.57 | 53.01 |
| 136-000.00-936.000 | CLEANING & UNIFORMS | 3,000.00 | | 200.50 | 1,148.72 | 1,148.72 | 1,851.28 | 38.29 |

PERIOD ENDING 12/31/2012

| GL NUMBER | DESCRIPTION | 2012-13 AMENDED BUDGET | BEG. BALANCE 07/01/2012 | ACTIVITY FOR MONTH 12/31/2012 | YEAR-TO-DATE THRU 12/31/12 | END BALANCE 12/31/2012 | AVAILABLE BALANCE | % BDC USE |
|---|-----------------------------|------------------------------|----------------------------|-------------------------------------|-------------------------------|---------------------------|----------------------|--------------|
| Fund 136 - 47TH DISTRICT COURT FUND | | | | | | | | |
| Expenditures | | | | | | | | |
| 136-000.00-943.000 | EQUIPMENT RENTAL | 13,700.00 | | 6,020.32 | 14,073.14 | 14,073.14 | (373.14) | 102.72 |
| 136-000.00-955.000 | MEMBERSHIPS | 5,105.00 | | 220.00 | 3,415.00 | 3,415.00 | 1,690.00 | 66.90 |
| 136-000.00-956.000 | MISCELLANEOUS EXPENSE | 8,000.00 | | 0.00 | 1,367.26 | 1,367.26 | 6,632.74 | 17.09 |
| 136-000.00-959.500 | BANKING CHARGES | 1,000.00 | | 0.00 | 0.00 | 0.00 | 1,000.00 | 0.00 |
| 136-000.00-963.000 | INSURANCE & BONDS | 35,725.00 | | 0.00 | 16,912.00 | 16,912.00 | 18,813.00 | 47.34 |
| 136-000.00-977.000 | CAPITAL OUTLAY, EQUIPMENT | 63,500.00 | | 0.00 | 0.00 | 0.00 | 63,500.00 | 0.00 |
| Total Dept 000.00 | | 3,265,688.00 | | 150,911.07 | 1,225,249.59 | 1,225,249.59 | 2,040,438.41 | 37.52 |
| Dept 000.01-DRUG COURT | | | | | | | | |
| 136-000.01-740.701 | OPER.SUPPLIES MI DRUG 06-07 | 3,000.00 | | 0.00 | 0.00 | 0.00 | 3,000.00 | 0.00 |
| 136-000.01-801.702 | MI DRUG COURT | 0.00 | | 0.00 | 289.03 | 289.03 | (289.03) | 100.00 |
| Total Dept 000.01-DRUG COURT | | 3,000.00 | | 0.00 | 289.03 | 289.03 | 2,710.97 | 9.63 |
| TOTAL Expenditures | | 3,268,688.00 | | 150,911.07 | 1,225,538.62 | 1,225,538.62 | 2,043,149.38 | 37.49 |
| Total Fund 136 - 47TH DISTRICT COURT FUND | | | | | | | | |
| TOTAL ASSETS | | | 361,390.00 | 130,428.84 | 105,093.19 | 466,483.19 | | 0.00 |
| BEG. FUND BALANCE | | | 89,060.38 | | | 89,060.38 | | 0.00 |
| + NET OF REVENUES & EXPENDITURES | | | (23,886.00) | 130,213.71 | 372,748.03 | 372,748.03 | (396,634.03) | 0.00 |
| = ENDING FUND BALANCE | | | 89,060.38 | 130,213.71 | 372,748.03 | 461,808.41 | | 0.00 |
| + LIABILITIES | | | 272,329.62 | 215.13 | (267,654.84) | 4,674.78 | | 0.00 |
| = TOTAL LIABILITIES AND FUND BALANCE | | | 361,390.00 | 130,428.84 | 105,093.19 | 466,483.19 | | 0.00 |

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1191)**

Submitted by: Vincent Pastue, City Manager

Description: Special Event Request - American Cancer Society Relay for Life

Requested Action:

Move to approve American Cancer Society Relay for Life special event request to begin Saturday, May 18, 2013 and conclude Sunday, May 19, 013

Background:

The American Cancer Society petitioned the City of Farmington to hold a fundraising event in Shiawassee Park, beginning Saturday May 18, 013 and ending the following day. The *Relay for Life* is the national signature event for the American Cancer Society and a number of events have been held in communities throughout Oakland County.

They will utilize the entire park except the baseball fields. The event will include registration tents, a hospitality tent, and tents for the teams to rest or sleep. In addition, the participants will walk around the parameter as part of the fundraising activity. They anticipate over 500 participants. There will also be portable restrooms within the site. While the event would officially begin at 10:00 a.m. on Saturday morning but the event organizers would need to begin mobilizing Friday, May 17 at 12:00 p.m.

The 2013 event would be the eight year at the Shiawassee Park location. In this time, event organizers and City staff have a good understanding of the operation needs that include: waste collection, restrooms, noise limitations, lighting, and proper supervision.

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1192)**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Approve Road Race Request - August 17, 2013

Requested Action:

Move to approve Special Event Request to Hold "Run for the Hills" Road Race to be held on Saturday, August 17, 2013 beginning at 8:30 a.m. in Shiawassee Park

Background:

The City received a request from Mr. Ed Anderson to conduct their annual road race that would begin and end at Shiawassee Park. This is a fund raising event for the Special Olympics of Oakland County and will be the fourth year that it is held in Shiawassee Park. The event is scheduled to have a one mile, 5K, and 10K route. It is scheduled to begin at 8:30 a.m. Saturday, August 17, 2013 and conclude by 10:00 a.m. The route is the same as in previous years. Most of the route is in Farmington Hills but will have an area that starts and ends within the City of Farmington.

The request has been reviewed by the Public Safety Department. They will work with event organizers to address concerns pertaining to the route and road crossings. City Administration does not anticipate any objections from the Farmington Hills Public Safety Department since the event has not created any problems or incidents in the past. Farmington Hills approval will be considered at a later date.

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1193)**

Submitted by: Vincent Pastue, City Manager

Description: Special Event Request - Our Lady of Sorrows Annual Church Picnic

Requested Action:

Move to approve special event request for Our Lady of Sorrows to hold their annual church picnic in Shiawassee Park on Sunday, June 9, 2013.

Background:

The City received a special event request from Our Lady of Sorrows to hold their annual church picnic in Shiawassee Park on Sunday, June 9 from 1:00 -5:00 p.m. Most of the activity will take place in the northeast corner of the park in which they have reserved the pavilion and ball fields. At 6:30 a.m. they will have a 40' X 120' tent set up for a 1:00 pm. church service. They will also have four 10' x 10' pop-up tents in different areas of the park, and set up various games and activities. This is an annual picnic that has been held for the past 9 years with no problems. City Administration is recommending approval of the special event request

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

**Farmington City Council
Staff Report**
Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1194)**
Submitted by: Vincent Pastue, City Manager

Description: Special Event Request - South Farmington Baseball Movie Night

Requested Action:

Move to approve special event permit application to hold South Farmington Baseball Movie Night on Saturday, June 1.

Background:

The South Farmington Baseball League has requested authorization to hold a movie night for friends and families of the league on Saturday, June 1, 2013 in Shiawassee Park from 7:30 p.m. - midnight. Last year approximately 100 people attended the movie night, however, this year with greater advertising they expect a much larger crowd. Therefore, marketing director Matthew Trevarthen is ordering a viewing screen for 500 people. The viewing screen will be installed next to the walking track between diamonds 3 and 4. Folks will bring their own chairs and blankets for seating as well as their own refreshments. There will be no need for concessions or vendors.

Mr. Trevarthen will be in attendance at the council meeting to answer any additional questions.

Agenda Review
Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

**Farmington City Council
Staff Report****Council Meeting Date:**
March 18, 2013**Reference
Number
(ID # 1195)****Submitted by:** Vincent Pastue, City Manager**Description:** Farmington Area Commission on Aging/Project Living Susan Lightner**Requested Action:****Background:****Agenda Review****Review:****Vincent Pastue Pending**
City Manager Pending
City Council Pending

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Approve Resolution Accepting Bids and Issuance of 2013 Capital Improvement Bonds Laura Bassett - Miller, Canfield, Paddock and Stone

Requested Action:

Resolution will be presented at the meeting.

Background:

Bids for the sale of the City's \$1,300,000 2013 Capital Improvement Bonds is scheduled for Monday, March 18 at 3:00 p.m. The bids will be presented at the City Council meeting for approval/ratification. Attached is the bond awarding resolution. The details associated with resolution will be added after the bids have been received. Laura Bassett from Miller Canfield Paddock and Stone will be at the council meeting. It should be noted that the City retained its "AA" bond rating based on a review by Standard & Poors.

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1196)
AWARDING RESOLUTION
2013 CAPITAL IMPROVEMENT BONDS
(LIMITED TAX GENERAL OBLIGATION)

City of Farmington
County of Oakland, State of Michigan

Minutes of a regular meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan (the "City"), held on the 18th day of March, 2013, at 7:00 o'clock p.m., prevailing Eastern Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, Monday, March 18, 2013, at 3:00 o'clock p.m., prevailing Eastern Time, has been set as the date and time for opening bids for the purchase of the City's \$1,300,000 2013 Capital Improvement Bonds (Limited Tax General Obligation) (the "Bonds"); and

WHEREAS, said bids have been publicly opened and read; and

WHEREAS, the bids attached hereto as Exhibit A have been received; and

WHEREAS, it is appropriate for the City to award the sale of the Bonds to the bidder whose bid meets the requirements of law and which has been determined to produce the lowest true interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Award. The bid of _____, as attached hereto as part of Exhibit A, is determined to produce the lowest true interest cost to the City, and the bid is hereby approved and accepted.

2. Designation of Transfer Agent. The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan, is hereby designated to serve as transfer agent, paying agent and registrar for the Bonds.

3. Terms of the Bonds. The Bonds shall be named, dated, shall be in the principal amounts, and shall mature, bear interest and otherwise conform in all respects to the terms set forth in the Official Notice of Sale published with respect to the Bonds.

Resolution (ID # 1196)

Meeting of March 18, 2013

4. Tax Covenant. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds.

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

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

Susan K. Halberstadt, Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington, County of Oakland, State of Michigan, at a regular meeting held on march 18, 2013 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Susan K. Halberstadt, Clerk

Resolution (ID # 1196)

Meeting of March 18, 2013

EXHIBIT A

BIDS

[attached]

20,987,853.1\027756-00031

**Farmington City Council
Staff Report**
Council Meeting Date:
March 18, 2013

**Reference
Number**
Submitted by: Vincent Pastue, City Manager

Description: Consideration of Resolution to Support the Commission on Children, Youth and Families Providing Oversight and Administration to the Call to Action Coalition Programs Ed Cherkinsky

Requested Action:

Move to adopt resolution supporting the Commission on Children, Youth and Families providing oversight to the Call to Action Coalition programs.

Background:

The Call to Action Coalition has been an active private non-profit organization in the community addressing drug and alcohol abuse, and domestic violence. Long-time members that served as the organization's support since the 1980's have retired: Betty Nickolay and Estralee Michaelson. It has been recommended that the organization receive its oversight from the Children Youth and Families Committee. A subgroup of the Children Youth and Families committee will serve as the non-profit board of directors and continue the organization's programming. This makes sense since they share a similar mission. Farmington Hills City Attorney Steve Joppich has been working to structure this transition. At their recent meeting, the Farmington School Board provided its support for this transaction. The Farmington Hills City Council will take action at their March 18 meeting. Mr. Ed Cherkinsky will attend the meeting to answer any questions Council may have.

Agenda Review
Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1197)

STATE OF MICHIGAN
 COUNTY OF OAKLAND
 CITY OF FARMINGTON

**RESOLUTION REGARDING PROPOSED PROGRAMS AND ACTIVITIES OF THE
 COMMISSION ON CHILDREN, YOUTH, AND FAMILIES**

RESOLUTION NO. _____

At a regular meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan, held on the 18th day of March, 2013, at 7:00 p.m., with those present and absent being,

PRESENT:

ABSENT:

the following resolution was offered by Councilperson _____ and supported by Councilperson _____:

WHEREAS, the Commission on Children, Youth, and Families (the "Commission") is established and derives its authority and duties from City Council under Sections 2-251 and 2-252 of the Farmington City Code; and

WHEREAS, the Call to Action Coalition is a long-standing community based non-profit organization dedicated to raising funds and supporting programs that "break the silence" and address the pain and chaos in children, youth, and families caused by the abuse and addiction of alcohol and other drugs as well as domestic violence; and

WHEREAS, the Call to Action Coalition has requested and the Commission on Children, Youth, and Families has decided to consolidate their efforts by mutually agreeing to have the Commission undertake programs and activities similar to those previously undertaken or supported by the Coalition, and to have the Coalition provide the Commission with the funds that it receives from donations and other sources for purposes of undertaking and supporting such programs and activities; and

WHEREAS, it is understood that certain members of the Commission intend to serve on the board of directors of the Call to Action Coalition and will act as liaison between the Coalition and the Commission to help facilitate the transition and ongoing coordination and communications between the two groups; and

WHEREAS, pursuant to Section 2-252 of the City Code, the Commission is authorized to promote and encourage the implementation of any program consistent with the purpose for which the Commission is established, provided all programs and activities of the Commission are sent to Council for approval.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Farmington City Council hereby affirms that the purpose of the Call to Action Coalition is consistent with the purposes purpose for which the Commission on Children, Youth, and Families is established, and approves the

Resolution (ID # 1197)

Meeting of March 18, 2013

Commission undertaking programs and activities similar to those previously undertaken or supported by the Coalition, on the condition that the Coalition provides the Commission with the funds that it receives from donations and other sources for purposes of undertaking and supporting such programs and activities.

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting City Clerk of the City of Farmington, County of Oakland, State of Michigan, do hereby certified that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington at a regular meeting held on the 18th day of March, 2013, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature, this 18th day of March, 2013.

SUSAN K. HALBERSTADT, City Clerk

**Farmington City Council
Staff Report****Council Meeting Date:**
March 18, 2013**Reference
Number
(ID # 1198)****Submitted by:** Vincent Pastue, City Manager**Description:** Recognition of Donald Munter/Historical Commission**Requested Action:****Background:****Agenda Review****Review:****Vincent Pastue Pending**
City Manager Pending
City Council Pending



The Mayor and City Council herewith recognize

Donald Munter

For outstanding community service, including thirty-two years, since 1981, of participation on the Farmington Historical Commission.

Tom Buck, Mayor
March 18, 2013

**Farmington City Council
Staff Report****Council Meeting Date:**
March 18, 2013**Reference
Number
(ID # 1199)****Submitted by:** Vincent Pastue, City Manager**Description:** Proclamation - Christiane Lenz**Requested Action:****Background:****Agenda Review****Review:**

Vincent Pastue Pending
City Manager Pending
City Council Pending



PROCLAMATION

CHRISTIANE LENZ

- WHEREAS, Christiane Lenz devoted more than 10 years of service to the Governor Warner Mansion, and
- WHEREAS, Christiane contributed to the development and growth of Mansion events and activities; and helped to manage day-to-day operations, and
- WHEREAS, Christiane earned the title of Mansion Coordinator by giving countless hours to coordinating volunteers and events, supervising interns and responding to ongoing needs of the Mansion, and
- WHEREAS, Christiane implemented and managed a very successful Mansion fashion show, a significant fundraising event, now in its fifth consecutive year, and
- WHEREAS, Christiane curated, catalogued, and managed the Mansion collection, ensuring complete and up-to-date records, and
- WHEREAS, Christiane has earned the admiration and high regard of her fellow volunteers and that of the community, and
- WHEREAS, Christiane demonstrated her commitment to the Mansion through her dedicated service and many accomplishments.
- NOW, THEREFORE, BE IT RESOLVED that I, Tom Buck, Mayor of the City of Farmington, on behalf of the City Council, express our sincere appreciation and thanks to Christiane Lenz for her distinguished service to the Governor Warner Mansion and to our community.

Tom Buck, Mayor

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1200)**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Conditionally Accept Bids for Grove Street and Warner/Thomas Construction Project and Award Contract to Warren Construction

Requested Action:

Move to conditionally accept bids for the Grove Street and Warner/Thomas Construction Project and Award Contract to Warren Construction in the amount of \$1,988,168.20 based on a Qualifications Based Selection Process and with the negotiated reduction in the scope of work and re-engineering of elements of the project as agreed to by the bidder, and authorize the City Manager and City Clerk to sign the construction contract conditioned upon and only to become effective to the extent of (1) signature by all parties of the agreements approved by the City Council relating to the Grove Street Project on February 4, 2013, including the Agreement for Conveyance of Land relating to the acquisition of property owned by the Groves LLC needed for public right-of-way, and by the Farmington Downtown Development Authority on February 18, 2013; and (2) the City closing on and securing title to the property described in the Agreement for Conveyance of Land as approved by the City Council. The City Manager and City Clerk shall not sign the contract with Warren Construction until the City has closed on and secured title to property described in the Agreement for Conveyance of Land needed for public right-of-way.

Background:

Four bids were received and opened on Thursday, February 21 for the Grove Street and Warner/Oakland Street projects. All bids received were over what was budgeted for both projects. The bid opening was only part of the process. This is a qualified based selection (QBS) process that looks at a number of factors such as experience with streetscape projects, subcontractors, and references; the bid price is factored into the QBS process. Based on a QBS review, Orchard Hiltz and McCliment (OHM) is recommending that the City award the construction contract to Warren Construction.

At the March 4 Study Session, Council and City Administration discussed financing and scope of work alternatives to have the project fit within the available financial resources. The Council authorized Administration to negotiate and re-engineer elements of the project to make it fit within the available resources. Working with OHM, our focus was with Warren Construction although the second QBS contractor was willing to work with the City as well. As a result of the meetings with the Warren Construction, the contract amount was reduced based on a reduction in the scope of work and by re-engineering elements of the project. As noted in the attached letter from OHM, the reduction in the scope of work is the elimination of the Oakland Street work between Farmington and Grand River along with the dumpster enclosure and knee-wall in the Dimitri's municipal lot. There were other changes in the work and materials that further reduced the project cost.

The recommendation is to award the contract to Warren Construction in the amount of \$1,988,168.20 and authorize the City Manager and City Clerk to sign the construction documents only after the City has closed on the right-of-way transaction with the Groves LLC. The project will be within the financial resources for the Fiscal Year 2013-14 budget and the work will be completed during the 2013

construction season.

Agenda Review

Review:

Vincent Pastue Pending

City Manager Pending

City Council Pending



ARCHITECTS. ENGINEERS. PLANNERS.

March 15, 2013

Mr. Vince Pastue
City Manager
City of Farmington
23600 Liberty Street
Farmington, MI 48335

RE: 2013 Streetscape & Utility Improvements
 Recommendation of Award - Modified Contract

Dear Mr. Pastue:

As you know, bids were received and opened on Thursday February 21st, 2013 for the above-referenced project. Warren Contracting and Development, Inc scored an average of 87 points out of a possible 100 points in the quality based award analysis. Our office recommended that the City award the contract to Warren Contracting and Development, Inc. in the amount of \$2,197,293.58. Following a City Council Work Session where the budgets were discussed City Staff and OHM Advisors worked with two of the prospective bidders to evaluate modifications to the contract in order to meet the established budgets. Below is a brief summary of the modifications and the terms that Warren Contracting and Development, Inc. has agreed to in principle.

Changes to the Contract:

Changes were made to the contract milestone dates, phasing, and scope. The two major scope changes are the elimination of the western most portion of Oakland Ave. and the elimination of the dumpster enclosure and a portion of the wall/piers proposed at the former Dmitri's site. The elimination of these items contributed to approximately a \$175,000 reduction to the contract.

Reduction in Costs:

Several items in the contract were analyzed and additional value engineering was conducted to reduce the overall cost without compromising design. The use of alternative methods and materials and negotiation of those unit prices has reduced the contract cost by approximately \$35,000.

Warren Contracting, Inc. has been very good to work with throughout this process and helped contribute to the value engineering analysis to make this project possible. Based on the above information, **our office recommends that the City award the contract to Warren Contracting and Development, Inc. in the revised amount not to exceed \$1,988,168.20.**

Should you have any questions regarding this matter, please contact me at (734) 522-6711.

Sincerely,

ORCHARD, HILTZ & McCLIMENT, INC.

 A handwritten signature in black ink, appearing to read "Matthew D. Parks", is written over a horizontal line.

Matthew D. Parks, P.E., OHM

cc: Mr. Chuck Eudy, DPS Superintendent, City of Farmington
 Mr. Jonathan W. Kramer, P.E., OHM

OHM Advisors
 34000 PLYMOUTH ROAD
 LIVONIA, MICHIGAN 48150

T 734.522.6711
 F 734.522.6427

OHM-Advisors.com

Attachment: OHM Recommendation Letter (1200 : Consideration to Conditionally Accept Bids for Grove Street & Warner Thomas)

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Adopt Resolution to Allocate Remaining Proceeds from the 2011 Capital Improvements Bond Issue to the Grove Street and Warner/Oakland Water Main Replacement Project

Requested Action:

Move to adopt resolution authorizing allocation of remaining proceeds from the 2011 Capital Improvements Bond Issue to cover capital expenditures associated with the water main replacement along Grove Street and Warner/Oakland.

Background:

In June 2011, the City issued \$2,215,000 in bonds for water main replacement projects and to cover the costs associated with the Floral Park Subdivision Sewer Lining project. The cost for the Floral Park sewer lining project was substantially less than the engineer's estimate which left approximately \$520,000 remaining in proceeds from the 2011 bond issue. Since the 2011 bond issue is being repaid exclusively from the Water and Sewer Fund revenues, City Administration feels it is appropriate to utilize the remaining funds for water and sewer projects. The combined water main replacement work for Grove Street and the water main and sewer work with the Warner/Oakland Street project will utilize the remaining funds from the 2011 bond issue.

As a result, City Administration is recommending that City Council adopt a resolution formally allocating the remaining proceeds from the 2011 Bond issue toward the Grove Street and Warner/Oakland water and sewer work.

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1201)**A RESOLUTION OF THE FARMINGTON CITY COUNCIL ALLOCATING THE REMAINING PROCEEDS FROM THE 2011 CAPITAL IMPROVEMENTS BOND ISSUE FOR WATER AND SEWER WORK AS PART OF THE GROVE STREET AND WARNER/OAKLAND PROJECTS.**

WHEREAS, the City of Farmington issued \$2,215,000 in bonds to finance the Hawthorne Street water main replacement project, to finance the Floral Park Subdivision Sewer Lining Project, to finance the Thomas Street water main replacement, to reimburse the Water and Sewer Fund for work associated with the Slocum Street water main replacement, water system control improvements, and 2009 Streetscape sewer and water work; and

WHEREAS, \$1,315,000 of the bond proceeds were allocated for the Floral Park Subdivision Sewer Lining Project; and

WHEREAS, the total cost of the Floral Park project was substantially less than the engineer's estimate; and

WHEREAS, \$520,000 remains in the 2011 Capital Improvements construction fund that is available to be allocated for other capital improvement projects; and

WHEREAS, debt service payments for the 2011 Capital Improvements bonds is provided by the Water and Sewer Fund revenues; and

WHEREAS, City Administration feels it is appropriate to allocate the remaining funds from the 2011 bond issue for current water and sewer projects; and

WHEREAS, based on the bids received for the water main replacement work associated with the 2013 Grove Street project, and the water main replacement and sewer lining work for the Warner/Oakland project will exhaust the remaining bond proceeds.

NOW, THEREFORE BE IT RESOLVED that the Farmington City Council hereby allocates the remaining bond proceeds from the 2011 Capital Improvements Bond Issue to the water main replacement for work Grove Street project, and the water main replacement and sewer lining work associated with the Warner/Oakland Street project.

**Farmington City Council
Staff Report**
Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1202)**
Submitted by: Vincent Pastue, City Manager

Description: Consideration to Approve Lot Split - 33200 Grand River Avenue, Former Dimitri's Restaurant

Requested Action:

Move to approve lot split request involving parcel located at 33200 Grand River Avenue as presented

Background:

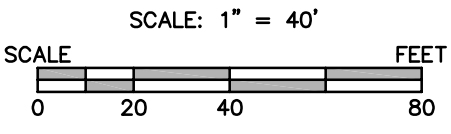
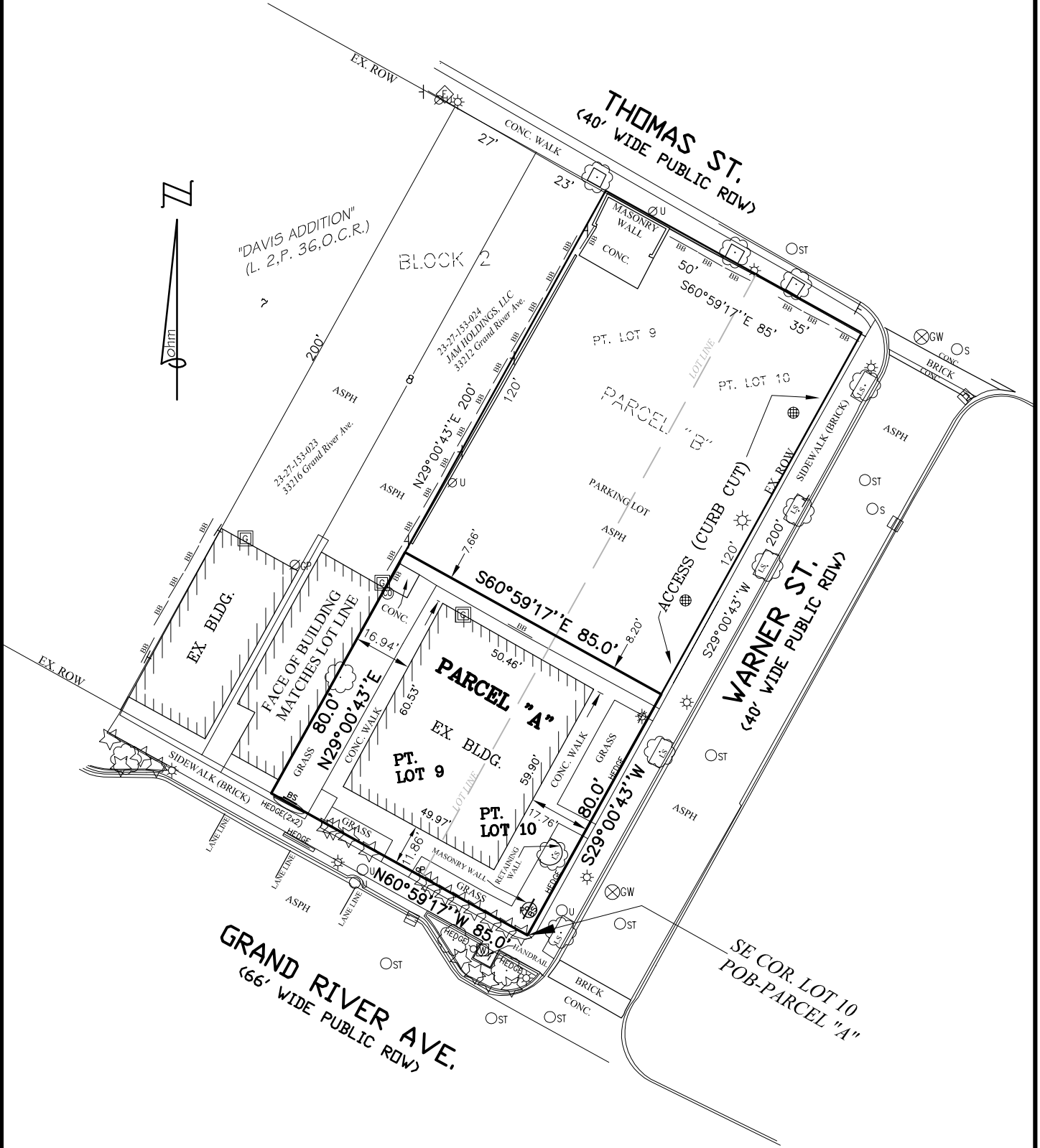
City Administration received an application from the Downtown Development Authority, property owners at 33200 Grand River Avenue, to split an existing developed commercial parcel into two (2) separate parcels. The subject property is the former Dimitri's Restaurant that was acquired by the DDA in July, 2012. The existing parcel includes the existing restaurant building and parking lot. The DDA intends to split the existing parcel into two (2) separate parcels in order to lease the existing building to Los Tres Amigos with an option to purchase. The existing parking lot is intended to remain and will be owned and maintained by the DDA for use as a municipal parking lot. The lot will be improved as part of the 2013 streetscape work.

The lot split request has been reviewed by City Administration and it has been determined that it will not create any non-conformity issues as it pertains to the City Code. The lot split was presented to the Planning Commission at their February 11, 2013 meeting and recommended approval to the City Council.

Agenda Review
Review:

Vincent Pastue **Pending**
City Manager **Pending**
City Council **Pending**

LOT SPLIT SKETCH



LEGEND

| | |
|-----|--------------------|
| BS | BILLBOARD SIGN |
| POB | POINT OF BEGINNING |
| ROW | RIGHT OF WAY |
| BB | BUMPER BLOCK |

Attachment: Dimitris - Parcel-A[1] (1202 : Consideration to Approve Lot Split - 33200 Grand River Avenue)

LOT SPLIT

PART OF THE NW 1/4 OF SECTION 27
 T. 1 N., R. 9 E., CITY OF FARMINGTON, OAKLAND COUNTY
TAX ID NO.: PT. OF 23-27-153-020

CLIENT: CITY OF FARMINGTON



34000 Plymouth Road | Livonia, MI 48150
 p (734) 522-6711 | f (734) 522-6427

Advancing Communities

DATE: 01-25-13
 DRAWN BY: SH
 DWG: LOT SPLIT

SHEET
1 OF 2

JOB NO.
0111-12-0051

LOT SPLIT DESCRIPTION

PARENT PARCEL DESCRIPTION (23-27-153-020)

A parcel of land being a part of the NW 1/4 of Section 27, Town 1 North, Range 9 East, City of Farmington, Oakland County, Michigan, more particularly described as follows:

Lots 9 and 10, Block 2, Davis Addition to the Village (now City of) Farmington Subdivision, according to the plat thereof as recorded in Liber 2, Page 36 of Plats, Oakland County Records. Contains 17,000 square feet or 0.390 acres of land. Subject to all easements and restrictions of record, if any.

PARCEL "A" DESCRIPTION

A parcel of land being a part of the NW 1/4 of Section 27, Town 1 North, Range 9 East, City of Farmington, Oakland County, Michigan, described as:

Part of Lots 9 and 10, Block 2, Davis Addition to the Village (now City of) Farmington Subdivision, according to the plat thereof as recorded in Liber 2, Page 36 of Plats, Oakland County Records, more particularly described as follows:

Beginning at the SE corner of said Lot 10; thence N 60°59'17" W 85.0 feet along the South lines of said Lots 9 and 10 also being the Northerly right of way line of Grand River Ave. (66 ft. wide); thence N 29°00'43" E 80.0 feet along the West line of said Lot 9; thence S 60°59'17" E 85.0 feet; thence S 29°00'43" W 80.0 feet along the East line of said Lot 10 also being the Westerly right of way line of Warner St. (40 ft. wide) to the Point of Beginning. Contains 6,800 square feet or 0.156 acres of land. Subject to all easements and restrictions of record, if any.

Attachment: Dimitris - Parcel-A[1] (1202 : Consideration to Approve Lot Split - 33200 Grand River Avenue)

LOT SPLIT

PART OF THE NW 1/4 OF SECTION 27
T. 1 N., R. 9 E., CITY OF FARMINGTON, OAKLAND COUNTY
TAX ID NO.: PT. OF 23-27-153-020

CLIENT: CITY OF FARMINGTON



34000 Plymouth Road | Livonia, MI 48150
p (734) 522-6711 | f (734) 522-6427

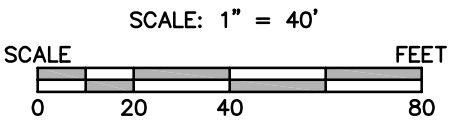
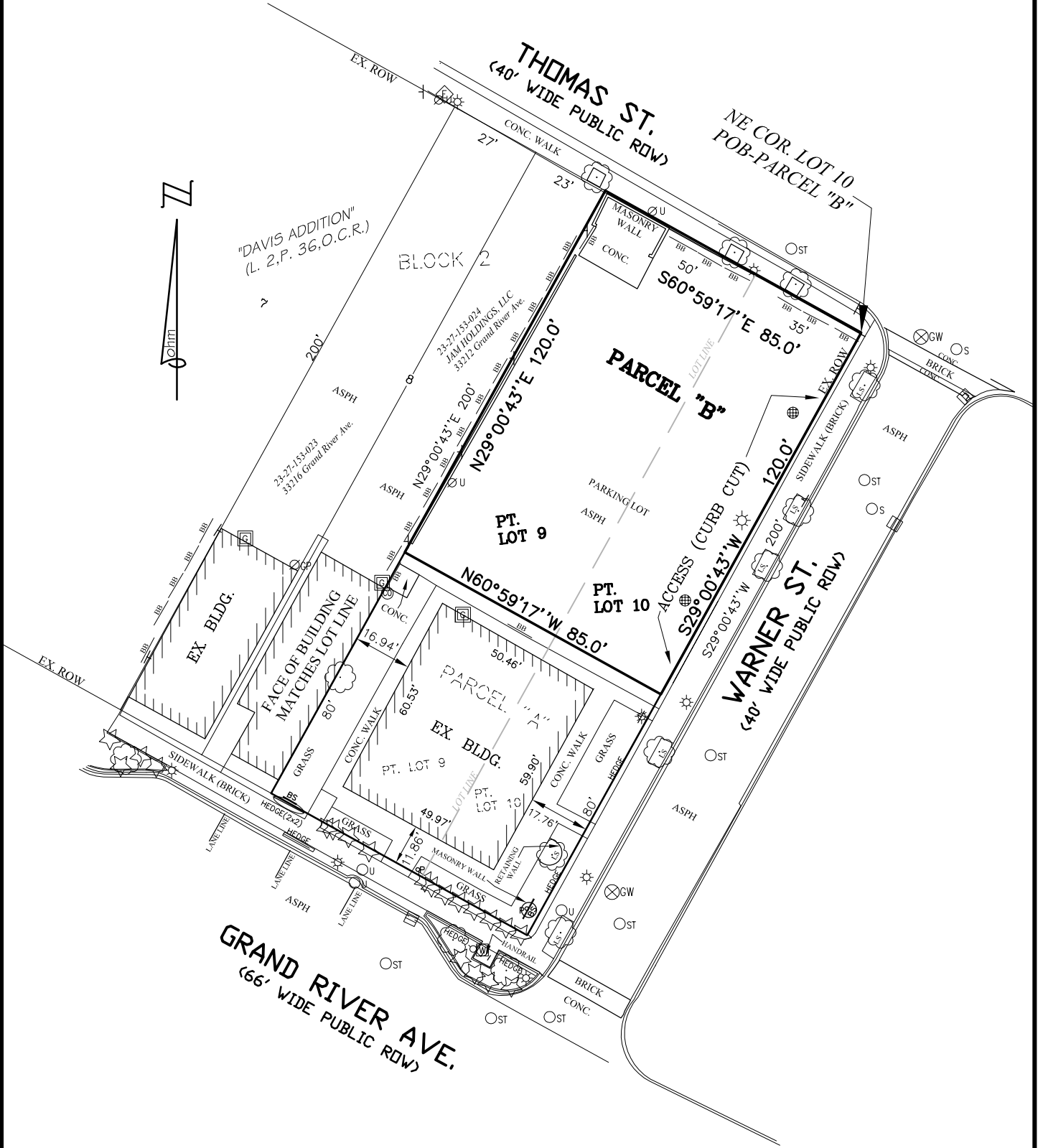
Advancing Communities

DATE: 01-25-13
DRAWN BY: SH
DWG: LOT SPLIT

SHEET
2 OF 2

JOB NO.
0111-12-0051

LOT SPLIT SKETCH



LEGEND

| | |
|-----|--------------------|
| BS | BILLBOARD SIGN |
| POB | POINT OF BEGINNING |
| ROW | RIGHT OF WAY |
| BB | BUMPER BLOCK |

Attachment: Dimitris - Parcel-B[1] (1202 : Consideration to Approve Lot Split - 33200 Grand River Avenue)

LOT SPLIT

PART OF THE NW 1/4 OF SECTION 27
 T. 1 N., R. 9 E., CITY OF FARMINGTON, OAKLAND COUNTY
TAX ID NO.: PT. OF 23-27-153-020

CLIENT: CITY OF FARMINGTON



34000 Plymouth Road | Livonia, MI 48150
 p (734) 522-6711 | f (734) 522-6427

Advancing Communities

DATE: 01-25-13
 DRAWN BY: SH
 DWG: LOT SPLIT

SHEET
1 OF 2

JOB NO.
0111-12-0051

LOT SPLIT DESCRIPTION

PARENT PARCEL DESCRIPTION (23-27-153-020)

A parcel of land being a part of the NW 1/4 of Section 27, Town 1 North, Range 9 East, City of Farmington, Oakland County, Michigan, more particularly described as follows:

Lots 9 and 10, Block 2, Davis Addition to the Village (now City of) Farmington Subdivision, according to the plat thereof as recorded in Liber 2, Page 36 of Plats, Oakland County Records. Contains 17,000 square feet or 0.390 acres of land. Subject to all easements and restrictions of record, if any.

PARCEL "B" DESCRIPTION

A parcel of land being a part of the NW 1/4 of Section 27, Town 1 North, Range 9 East, City of Farmington, Oakland County, Michigan, described as:

Part of Lots 9 and 10, Block 2, Davis Addition to the Village (now City of) Farmington Subdivision, according to the plat thereof as recorded in Liber 2, Page 36 of Plats, Oakland County Records, more particularly described as follows:

Beginning at the NE corner of said Lot 10; thence S 29°00'43" W 120.0 feet along the East line of said Lot 10 also being the Westerly right of way line of Warner St. (40 ft. wide); thence N 60°59'17" W 85.0 feet; thence N 29°00'43" E 120.0 feet along the West line of said Lot 9; thence S 60°59'17" E 85.0 feet along the North lines of said Lots 9 and 10 also being the Southerly right of way line of Thomas St. (40 ft. wide) to the Point of Beginning.
Contains 10,200 square feet or 0.234 acres of land. Subject to all easements and restrictions of record, if any.

Attachment: Dimitris - Parcel-B[1] (1202 : Consideration to Approve Lot Split - 33200 Grand River Avenue)

LOT SPLIT

PART OF THE NW 1/4 OF SECTION 27
T. 1 N., R. 9 E., CITY OF FARMINGTON, OAKLAND COUNTY
TAX ID NO.: PT. OF 23-27-153-020

CLIENT: CITY OF FARMINGTON



34000 Plymouth Road | Livonia, MI 48150
p (734) 522-6711 | f (734) 522-6427

Advancing Communities

DATE: 01-25-13
DRAWN BY: SH
DWG: LOT SPLIT

SHEET
2 OF 2

JOB NO.
0111-12-0051

Farmington City Council Staff Report

Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1203)**

Submitted by: Robert Schulz,

Description: Consideration to Authorize the Purchase of Two Patrol Vehicles

Requested Action:

Move to approve the purchase of two police patrol vehicles from Gorno Ford, Woodhaven MI, in the amount of \$51,130.

Background:

Request the purchase of two 2013 Ford Police Interceptor Utility Vehicles for the replacement of two police patrol vehicles. The budget request is for the 2013/2014 budget and the vehicles would not be purchased until after July 1, 2013. The purchase is part of the on-going replacement program for public safety vehicles. The two vehicles being replaced both have over 115,000 miles. If purchasing (order) now, Gorno Ford has provided us with a price of \$25,565 per vehicle if ordered prior to April 1 with delivery after July 1. The price after April 1, per vehicle will increase an estimated \$600-800 per vehicle. I am requesting the purchase of two (2) 2013 Ford Police Interceptor Utility Vehicles with similar options as the 2013 Utility vehicles we purchased in 2012.

The Ford Interceptor Utility Vehicle was selected because of both cost and effectiveness. The Ford Interceptor Utility Vehicles we are currently using have worked very well for the department. The Chevrolet Tahoe was much too large of a vehicle for routine patrol, not fuel efficient and more expensive. The Ford Sedan does not have the trunk space needed for the additional public safety equipment to be carried in the patrol vehicles.

The bid price from Signature Ford was \$26,936(+1,371) per vehicle. Jorgensen Ford was \$28,716(+3,151) per vehicle.

Financial Impact

Each vehicle, including options, is \$25,565. The total purchase for two vehicles is \$51,130.

The purchase of these utility vehicles over the next year will allow us to eliminate our current SUV which would be due for replacement in FY 2014/15. This will allow us to reduce our fleet by one vehicle (10%) in the next year. Eliminating the need to purchase a new SUV will be a \$40,000 savings. The special response and tactical equipment currently carried in the department SUV can be moved into the new utility vehicles being purchased. This will allow for better officer safety and faster tactical responses to incidents involving weapons or serious crimes.

Attachments

Farmington Public Safety Department, 2013/2014, patrol vehicle purchase request.

Purchasing Requisition.

Agenda Review

Review:

Robert Schulz **Pending**
City Manager **Pending**
City Council Pending

PURCHASING REQUISITION

The city's purchasing policy requires that (1) any purchase over \$4,000 be approved by Council; (2) any purchase over \$1,000 be by competitive bid, and (3) other purchases be based on three comparative quotations.

Vendor: Gorno Ford

Date: March 18, 2013

Address: 22025 Allen Road
Woodhaven, MI 48183

Delivery required by: *After* July 1, 2013

Attn: Eddie Williams

Delivery to: Farmington Public Safety Dept.
Director Robert Schulz

Phone: 313-319-3131

Fax P.O. to: 734-671-4375

Purchase Order No.

| Budget Account | Quantity | Description | Unit Price | Amount |
|----------------|----------|---------------------------------------|------------|----------|
| 345-977 | 2 | 2013 Ford Interceptor Utility Vehicle | \$25,565 | \$51,130 |

NOTE: Exterior color; white
Interior color; black (see attached, 2013 Farmington Public Safety Department, Patrol Vehicle Purchase Request)

Shipping: Total: \$51,130

Material safety data sheet required:

Approved by: _____
Department Purchasing City Manager

.....
COMPARATIVE QUOTATIONS
.....

Name: Signature Ford
Bill Campbell

Name: Jorgensen Ford
Bill McCarthy

Name:

Phone: 888-923-5338

Phone: 313-584-2250

Phone:

Signature Ford per vehicle
price is \$26,936

Jorgensen Ford per vehicle
price is \$28,716

If comparative prices were not sought,
indicate why.

If the lowest quotation was not accepted,
indicate why.

- unique item
- state / county bid
- other, explain: City vendor
- time value

- quality
- service
- other, explain:
- delivery time

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Adopt Resolution for Continued Membership with the Alliance for Alliance for Rouge Communities (ARC) and Adoption of Amended Bylaws

Requested Action:

Move to adopt resolution for the City of Farmington's continued membership with the Alliance for Rouge Communities and adoption of amended bylaws

Background:

The City of Farmington has been a member of the Alliance for Rouge Communities (ARC) since 2005 when the organization was formed. ARC represents a number of communities from Wayne, Oakland, and Washtenaw counties within the Rouge River watershed to coordinate efforts at managing water quality within the watershed. ARC is significantly involved in the permitting process with member communities providing a comprehensive approach storm water management within the Rouge watershed.

The ARC has recently recommended a number of bylaw changes to help clarify original language and to reflect the duties and responsibilities of the organization and staff now that it is fully functioning. Attached is the resolution in which the City Council affirms its continued membership, appoints the City Manager as the ARC delegate and Public Works Superintendent as the alternate, and approves the amended bylaws. City Administration recommends approval of the resolution.

Financial Impact - The City of Farmington's membership is approximately \$2,635 each year

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1204)**State of Michigan
County of Oakland
City of Farmington****RESOLUTION****Acceptance of Membership and Adoption of Bylaws****ALLIANCE OF ROUGE COMMUNITIES**

WHEREAS, Watershed Alliance legislation passed the Michigan House of Representatives and the Michigan Senate and was signed into law by the Governor on January 3, 2005, as Act No. 517, Public Acts of 2004, based upon a draft provided and supported by the Rouge River watershed communities; and

WHEREAS, the formation of the Alliance of Rouge Communities under this new state law provided the public agencies within the watershed the authority to directly seek grants, enter into contracts, and manage its own resources that have been provided in the past by and through Wayne County with federal funds as part of the Rouge River National Wet Weather Demonstration; and

WHEREAS, at its meeting on November 7, 2012, the Alliance of Rouge Communities completed the revised attached Alliance of Rouge Communities bylaws, and recommended adoption by the appropriate governing bodies of those public agencies within the Rouge River watershed eligible for membership.

THEREFORE BE IT RESOLVED, that the City Council of the City of Farmington, *an ARC member community in good standing*, formally adopts the amended bylaws for the Alliance of Rouge Communities.

FURTHER BE IT RESOLVED, that consistent with the terms of the Alliance of Rouge Communities bylaws, the Farmington City Council formally appoints City Manager Vincent Pastue as its designated representative to the Alliance of Rouge Communities, Public Works Superintendent Chuck Eudy as the alternate representative, and authorizes City Manager Vincent Pastue to designate additional persons to represent the City of Farmington, if needed, as an alternate to assure voting representation on the Alliance of Rouge Communities.

FINALLY, BE IT RESOLVED that the City of Farmington continuing membership will be evidenced by payment of its voluntary assessment on an annual basis to the Alliance of Rouge Communities.

Resolution (ID # 1204)
Adopted: March 18, 2013

Meeting of March 18, 2013

Susan K. Halberstadt, City Clerk



Alliance
of Rouge
Communities

Working together, restoring the river

*James W. Ridgway, P.E.
Executive Director*

Auburn Hills
Beverly Hills
Bingham Farms
Birmingham
Bloomfield Hills
Bloomfield Twp.
Canton Twp.
Commerce Twp.
Dearborn
Dearborn Heights
Farmington
Farmington Hills
Franklin
Garden City
Henry Ford Community
College
Lathrup Village
Livonia
Melvindale
Northville
Northville Twp.
Novi
Oak Park
Oakland County
Orchard Lake
Plymouth
Plymouth Twp.
Pontiac
Redford Twp.
Rochester Hills
Romulus
Southfield
Troy
Van Buren Twp.
Walled Lake
Washtenaw County
Wayne
Wayne County
Wayne County Airport
Authority
Westland
Wixom

TO: Alliance of Rouge Communities (ARC) Members
FROM: ARC Staff
DATE: November 16, 2012
RE: Proposed Revised ARC Bylaws

On November 7, 2012 the Alliance of Rouge Communities (ARC) approved revisions to the ARC Bylaws as proposed by the ARC Organization Committee. The ARC Bylaws were adopted in July 2005, and revisions are needed for the bylaws to be consistent with current ARC policies and to reflect items that are necessary as the ARC matures as an organization. No changes to the assessment methodology are proposed.

The current ARC Bylaws require that revisions to the Bylaws must be approved by ARC members' legislative bodies five (5) months following the date of the ARC action to approve the amended Bylaws. Therefore, please forward the amended ARC Bylaws to your legislative body for review and approval. The deadline for approval of the revised ARC Bylaws is April 7, 2013.

The following documents are attached for your use and information:

1. Summary of Proposed Revisions to Bylaws;
2. Proposed Revised ARC Bylaws (approved by the ARC on November 7, 2012);
3. Marked-up version of the original (July 2005) ARC Bylaws indicating major edits and/or revisions included in the proposed revised Bylaws, and
4. Model resolution (word version) for possible use to obtain approval of the revised ARC Bylaws by your community/agency legislative body.

If you have any questions about this matter, please contact Kelly Cave, Organization Committee Chair (kcave@co.wayne.mi.us or 313-224-8282) or Zachare Ball, ARC staff (zball@ectinc.com or 734-769-3004).

Thank you in advance for your prompt attention to this matter.

Cooperating Partners:

*Cranbrook Institute of Science
Friends of the Rouge
Rouge RAP Advisory Council
Southeastern Oakland
County Water Authority
Wayne State University*



ALLIANCE OF ROUGE COMMUNITIES
SUMMARY OF PROPOSED REVISIONS TO BYLAWS
5 October 2012

General

- Reorganized document considerably; see hand mark up of July 2005 ARC Bylaws showing new location of existing sections
- Revised to be consistent with current ARC policies. There are currently 19 ARC policies and written procedures which have been implemented since the July 2005 adoption of the current bylaws (see <http://www.allianceofrougecommunities.com/documents.html>)
- Necessary revisions for ARC compliance with requirements for 501(c)(3) status

Preamble

- Deleted

Article I. Purposes

- Expanded to include 501(c)(3) designation and prohibited activities

Article II. Description and Structure

- Revised provisions for associate members and cooperating partners

Article III. Roles and Responsibilities

- Clarification of roles and responsibilities of ARC, officers, and committees
- Added roles and responsibilities of Executive Director and staff
- Organization Committee renamed as a Special Committee.
- Nominating Committee added as Special Committee.

Article IV. Governance

- No change to voting shares
- Election of Officers and Officer Vacancy revised/added to include provisions of ARC Officer Appointment Policy

Article V. Budget and Assessments

- No change to assessment methodology
- Revised to be consistent with current ARC policies

Article VI. Resolution

- Revised to be consistent with current ARC policies

Article VII. Indemnification

- Revised to be consistent with current ARC policies

Summary of Proposed Revisions to ARC Bylaws (Continued)
5 October 2012

Article VIII. Expenditure Controls and Auditing

- Interim and Long Term Fiduciary Services (former Article VI.A and B) deleted
- Revised to be consistent with current ARC policies

Article IX. Dissolution of the ARC

- Revised such that ARC is in compliance with requirements for 501(c)(3) status

Article X. Amendments to Bylaws.

- Revised such that all amendments except Article V (Budget and Assessments) can be approved by ARC.
- Amendments to Article V require approval by community governing bodies.

Appendices

Deleted Appendix C, 2005 Budget. There are now three:

- A: Geographic Boundaries (Article II, A)
- B: Voting Shares (Article V, A)
- C: Model Resolution (Article VII)

BYLAWS

ALLIANCE OF ROUGE COMMUNITIES

*Adopted pursuant to
Part 312, Watershed Alliances,
Michigan Natural Resources and Environmental Protection Act
as amended by Public Act 517 of 2004*

Adopted by the Full ARC on November 7, 2012

ARTICLE I. STATEMENT OF PURPOSES

A. Purpose

It is the purpose of these Bylaws to set forth the composition, duties, and responsibilities of the Alliance of Rouge Communities (hereinafter the ARC), a 501(c)(3) organization, formed under the provisions of Part 312 Watershed Alliances, Natural Resources and Environmental Protection Act as amended by Public Act 517, 2004. Local public agencies and communities within the Rouge River Watershed believe there are substantial benefits that can be derived under this Watershed Alliance through cooperative management of the Rouge River and in providing mutual assistance in meeting state water discharge permit requirements to the Rouge River. The purpose of the ARC is to provide an institutional mechanism to encourage watershed-wide cooperation and mutual support to meet water quality permit requirements and to restore beneficial uses of the river to the area residents. The Appendices attached and referred to in these Bylaws are provided for informational purposes only and are not a part of the Bylaws. The Appendices will be periodically updated to reflect the actual boundaries of the ARC based upon number of eligible public entities who formally accept membership, as well as allocation of assessments, and voting shares in subsequent years

B. 501(c)(3) Designation

The ARC is organized exclusively for educational, scientific and charitable purposes including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Sections 501(c)(3) of the Internal Revenue Code of 1954, as amended and which support the mission of the ARC.

C. Prohibited Activities

No part of the net earnings of the ARC shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article I.A hereof.

No substantial part of the activities of the ARC shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in, (including the publishing or distribution of statements), any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of these articles, the ARC shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE II. DESCRIPTION AND STRUCTURE

A. Geographic Boundaries

The geographic boundaries encompass the land area within the Rouge River watershed located in portions of Wayne, Oakland and Washtenaw counties in southeastern Michigan shown in the informational map attached as Appendix A (Geographic Boundaries) to these Bylaws. Under state law the boundaries of the ARC are limited to the jurisdictional boundaries of its members. Appendix A will be updated periodically to show the jurisdictional boundaries of those cities, townships, and villages that have adopted the Bylaws and formally accepted membership. In the event that some eligible Rouge River watershed communities (cities, townships, or villages) do not become members or elect to not maintain ARC membership, county members may: 1) include all of their county political boundary within the Rouge River watershed where they intend to exercise their independent water management responsibilities; or 2) include only that portion of the county within the Rouge River watershed where communities have accepted membership in the ARC.

B. Membership of the ARC

1. *Types of Membership*

a. Primary Members

The Primary Members of the ARC shall consist of a representative, or designated alternate of each township, city, village and county (or county agency) whose legal jurisdiction incorporates areas wholly or partially within geographic boundaries identified in Appendix A and whose governing body by resolution, voluntarily adopts these Bylaws.

b. Associate Members

The Associate Members of the ARC shall consist of a representative, or designated alternate of a public school district, public college or university, or any other local or regional public agency that has been issued a state permit for a water discharge into the Rouge River and who submits a

written acceptance of the bylaws from a representative authorized to oversee these activities. .

- 2. *Cooperating Partners*
The ARC encourages the involvement of non-profit organizations, other public agencies or entities, businesses, and residents who share a common interest in protection and restoration of the Rouge River. Those who a) provide their time, services, expertise or other resources toward the common goal of protection and restoration of the river, and b) comply with the ARC policy for Cooperating Partners, will be recognized as non-voting, *Cooperating Partners*.
- 3. *Termination*
A member may terminate its membership in writing at any time, however; there shall be no refund of any assessment already paid to the ARC. Other financial impacts of termination are described in the ARC Dues Policy

C. Organization Structure

- 1. *Full ARC*
The ARC, a 501(c)(3) organization, is a voluntary public watershed entity currently comprised of municipal governments (i.e. cities, townships and villages), three counties (Wayne, Oakland and Washtenaw), associate members and cooperating partners (i.e. other organizations) as authorized by Part 312 (Watershed Alliances) of the Michigan Natural Resources and Environmental Protection Act (MCL 324.101 to 324.90106) as amended by Act No. 517, Public Acts of 2004.
- 2. *Officers*
The officers of the ARC are the Chair, Vice-Chair and Treasurer.
- 3. *Executive Committee*
The ARC Executive Committee shall have 14 voting members consisting of:
 - a. (3) The elected Chair, Vice-Chair, Treasurer of the ARC,
 - b. (3) One representative or alternate from each member county,
 - c. (7) One representative or alternate from each of the seven Subwatershed Advisory Groups.
 - d. (1) The immediate Past Chair, Past Vice-Chair, or Past Treasurer of the ARC shall serve as a member or alternate member with preference given first to the Past Chair, then the Past Vice-Chair, and then the Past-Treasurer.

The three counties shall appoint their respective representatives and alternates to the Executive Committee. Representatives and alternates serving on the Executive Committee shall be limited to those individuals representing a member public agency that has adopted these Bylaws and has paid its membership assessment. In an effort to assure the broadest

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

participation by ARC members, reasonable efforts should be made to assure representation throughout the watershed.

4. *Standing Committees*

The ARC has established standing committees on technical issues (Technical Committee), financial management (Finance Committee) and public involvement and education (PIE Committee). The Treasurer shall Chair the Finance Committee and the officers shall appoint the Chairs of the Technical and PIE committees from members of the Executive Committee. The standing committee Chairs may appoint Vice-Chairs of their respective committees provided such Vice-Chairs represent members. Participation on standing committees is open to ARC members, Cooperating Partners and other interested parties.

5. *Special Committees*

From time to time, the ARC may choose to establish special committees to consider specific issues or questions.

a. Organization Committee

The ARC shall appoint members and the Chair or Co-Chairs of the Organization Committee that reflect the broad diversity of the ARC membership with respect to geographic location, land area and population within the watershed, and type of public agency. Current officers shall not be members of the Organization Committee

b. Nominating Committee

The ARC Chair shall appoint an ARC member to Chair a Nominating Committee in advance of ARC elections to oversee nominations for officer positions.

6. *Support Services*

The ARC may choose to appoint or hire an Executive Director and/or support staff. A recommendation for Executive Director and/or any contracted support services will be made by the Executive Committee and forwarded to the Full ARC for approval.

ARTICLE III: ROLES AND RESPONSIBILITIES

A. Full ARC

The Full ARC meetings are chaired by the ARC Chair. All official actions of the ARC including the election of officers, adoption of budgets, assessment of costs to members, and all other matters not otherwise specifically delegated to the elected officers, committees or Executive Director shall be made by the Full ARC at a regular meeting consistent with the voting procedures in Article IV.C. of these Bylaws. The Full ARC shall:

1. Maintain official written record of meetings that includes attendance, issues discussed, and official actions taken;

2. Recommend to members any subsequent changes needed to these bylaws;
3. Take other actions required, including delegation of responsibilities to the elected Chair or Executive Committee to carry out the purpose and conduct the business of the ARC including, but not limited to, directing the activities of any committees established under the Bylaws;
4. Encourage and promote public involvement in actions and activities of the ARC, and assure compliance with the ARC Open Meetings and Freedom of Information Policy.
5. Develop policies and procedures related to official actions of the ARC, including but not limited to contracting for services, disbursement of funds and related fiduciary responsibilities, and
6. Prepare an annual report on the goals and accomplishments of the ARC together with a comprehensive audit report on the expenditures and revenues.

B. Officers

1. Chair

The Chair serves a two-year term and sets the vision for the ARC. The Chair presides over the Full ARC and the Executive Committee and appoints Committee Chairs.

2. Vice-Chair

The Vice-Chair serves in the absence of the Chair, and assists the Chair with general operation of the ARC.

3. Treasurer

The Treasurer Chairs the Finance Committee and oversees the ARC's annual audit. The Treasurer is responsible to the ARC for all financial operations as outlined in the ARC Accounting Procedures Manual.

C. Executive Committee

The meetings of the Executive Committee shall be Chaired by one of the three elected officers. The elected Chair of the ARC shall Chair the Executive Committee, with the responsibility succeeding to the elected Vice-Chair if the elected Chair is unavailable. If neither the elected Chair nor the elected Vice-Chair is present at an Executive Committee meeting, the elected Treasurer shall serve as Chair for the meeting.

The Executive Committee shall, with the advice of the standing committees:

1. Provide oversight of the expenditure of ARC monies consistent with the approved annual budget by reviewing financial status reports prepared by the Finance Committee;
2. Provide a forum for discussion and, if appropriate, make recommendations to the Full ARC to resolve issues related to the management of the ARC brought to its attention by any member of the ARC;
3. Assist the standing committees and any other special committees of the ARC in meeting their respective responsibilities;
4. Maintain a written record of each Executive Committee meeting including, as a minimum, attendance, list of issues, and a record of decisions and recommendations, and
5. Take other actions that are consistent with the provisions of these Bylaws and direction provided by the ARC.

D. Standing Committees

The ARC shall establish and outline a purpose for the three standing committees on technical issues (Technical Committee), financial management (Finance Committee) and public involvement and education (PIE Committee). The Treasurer shall Chair the Finance Committee, and the officers shall appoint the Chairs of the Technical and PIE Committees from members of the Executive Committee. The standing committee Chairs may appoint Vice-Chairs of their respective committees provided such Vice-Chairs represent members. Any member, designated alternate or other representative of a member may serve on any standing committee. Cooperating partners or other members of the public may be invited to participate in a standing committee, but all official actions of a standing committee shall be limited to participation by those on the committee representing ARC members. Committee duties and responsibilities are defined in ARC Committee Responsibilities document. In addition, the Executive Committee may define other responsibilities for any standing committee.

1. Finance Committee

The Finance Committee shall be chaired by the ARC Treasurer and its membership made up of members of the ARC.

2. Technical Committee

The Technical Committee shall be chaired by an ARC member who sits on the Executive Committee. The committee Chair may appoint a vice-Chair provided the Vice-Chair is an ARC member. Participation in the Technical Committee is open to ARC members and other interested parties.

3. *Public Involvement and Education (PIE) Committee*

The PIE Committee shall be chaired by an ARC member who sits on the Executive Committee. The committee Chair may appoint a Vice-Chair provided the Vice-Chair is an ARC member. Participation in the PIE Committee is open to ARC members and interested parties.

Special Committees

From time to time, the ARC may choose to establish special committees to consider specific issues or questions. Any special committee shall be established by the ARC, the ARC Chair or the Executive Committee. The Special Committee Chair(s) and Co-Chair(s) appointed shall be representatives of members of the ARC. The duties and responsibilities of Special Committees shall be defined by the Executive Committee.

1. *Organization Committee*

The ARC shall establish the Organization Committee to consider changes to its Bylaws; develop and/or review policies and procedures; consider membership requests and make recommendations to the Full ARC. The ARC shall appoint members and the Chair or Co-Chairs of the Organization Committee that reflect the broad diversity of the ARC membership with respect to geographic location, land area and population within the watershed and type of public agency.

2. *Nominating Committee*

The ARC Chair shall appoint an ARC member to Chair a Nominating Committee in advance of ARC elections to oversee nominations for officer positions. The ARC shall consider the recommendations of the nominating committee.

F. Executive Director

Any Executive Director selected by the Executive Committee shall exercise his or her duties and responsibilities under the direction of the ARC Chair or other ARC officer designated by the Chair. The Executive Director shall serve as an ex-officio member without vote for all committees and special committees and provide supporting information and recommendations.

G. Contracted Services

Duties and responsibilities will be defined by contract.

ARTICLE IV: GOVERNANCE

A. Election of Officers

The ARC shall consider recommendations from the Nominating Committee and may elect for a two-year term, from among its members, a Chair, Vice-Chair and Treasurer. The three ARC officers shall be limited to an elected or appointed official, or employee of a *Primary Member* of the ARC as defined in these

Bylaws. Officers shall be elected to two-year terms at a regularly scheduled ARC meeting through a formal action as described under Article IV. C. of these Bylaws. The Chair, Vice-Chair and Treasurer of the ARC shall serve until replaced by a majority vote of the members. The elected Vice-Chair, or the elected Treasurer in the event the Vice-Chair is unavailable, shall assume the duties of the Chair if the Chair is unavailable. Newly elected officers will assume their duties at the conclusion of business of the meeting at which those officers were elected.

B. Officer Vacancy

In the event of an officer vacancy the Chair shall appoint an interim representative from the ARC members until such time that an election of the vacant officer position can be held. If the Chair position becomes vacant, the position shall be filled by the elected Vice-Chair, or the elected Treasurer shall assume the duties of Chair, in the event the Vice-Chair is unavailable.

C. Decision Making

1. Full ARC

The ARC shall take all formal actions, by a simple majority vote of all eligible *Primary* and *Associate Members* at a meeting at which a quorum is present. A quorum shall consist of one more than fifty percent (50%) of all members, eligible to vote and present. Voting shall be limited to members or their designated alternates who are physically present at an ARC meeting. Eligible members are those appointed by an appropriate governing authority that has adopted these Bylaws by resolution and that has paid its assessment. Provided, however, any eligible *Primary Member* may request that formal actions on a specific action item be subject to a voting of shares, and, if supported by at least four other *Primary Members*, the formal decision of the ARC will be based on voting shares. The elected officers may not vote on any issue before the ARC unless they are also serving as the designated ARC representative of their respective public agency.

2. Executive Committee

The Executive Committee will seek consensus on all issues brought before it. In the absence of consensus, the Executive Committee will adopt motions only when a majority of its members (8) vote in favor of a motion. Each member will have one vote including the elected officers of the ARC. A county or SWAG may designate an alternate to serve and vote on behalf of their appointed representative to the Executive Committee.

3. ARC Standing and Special Committees

The ARC Standing and Special Committees will seek consensus on all issues brought before them. Failure to reach consensus will result in no recommendation.

D. Voting Shares

If a voting of shares is requested and supported by a total of five members, adoption of formal actions shall require a simple majority of the voting shares of a quorum based upon the following allocation:

1. Primary Members

The voting shares for city, township and village members shall be based upon the financial contribution of each based upon the approved ARC annual budget and assessment of costs to members. The specific voting shares will be proportional to the annual assessments to each city, township and village as determined under Article V. of these Bylaws with one voting share based upon the annual assessment for each divided by \$750 rounded to the nearest whole number. If an assessment is less than \$750, one voting share shall be provided.

The combined voting shares of the three counties and county agencies combined shall be limited to twelve percent (12%) of total voting shares and the allocation of voting shares between the three counties shall be determined by the proportional amount of land in each county within the Rouge River watershed. For the purposes of these Bylaws, counties are defined as the appointed/elected Road Commission, the elected County Water Resources Commissioners, the elected County Executive, or the elected County Commission. Provided, however, only one member or designated alternative shall represent each county.

2. Associate Members

The specific voting shares will be proportional to the annual assessments to each with one voting share based upon the annual assessment for each divided by \$750 rounded to the nearest whole number. If an assessment is less than \$750, one voting share shall be provided.

3. Cooperating Partners

Cooperating Partners shall not have voting privileges, but shall be invited to participate in meetings of standing committees and noticed of all meetings of the ARC and its Executive Committee.

E. Meetings

An effort shall be made to schedule meetings at locations throughout the Rouge River Watershed, allowing any member community or agency to host a meeting. All meetings of the Full ARC and Executive Committee shall operate under the Robert's Rules of Order unless modified by a majority vote of the ARC members.

1. Alliance of Rouge Communities

The Full ARC shall meet at least twice each calendar year at a designated time and location established by the Executive Committee. Agendas for ARC meetings will be distributed and circulated to all members in advance of all meetings. All official actions of the Full ARC including the election of officers, adoption of budgets, assessment of costs to members, and all other matters

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

not otherwise specifically delegated to the elected officers, committees or Executive Director shall be by the Full ARC at a regular meeting consistent with the voting procedures in Article IV. D. of these Bylaws.

2. *Executive Committee*

The ARC Executive Committee will meet at least four times each year at the call of the Chair.

3. *Other Committees*

Other committees shall meet as needed.

ARTICLE V. BUDGET AND ASSESSMENTS

The ARC shall adopt an annual, fiscal year budget for the period from January 1 through December 31 on or before December 15, of each year for the following calendar year. Assessments for members will be set at the time each budget is adopted. Modifications to the budget may be adopted at any regularly scheduled ARC meeting, provided however, that assessments once established for any member, shall not be increased during the calendar year for which they were established. Notwithstanding this provision restricting mid-year changes in assessments, members may voluntarily agree to increase their payments for special services provided by the ARC.

A. Primary Members

1. *City, Village and Township Members*

The assessments to cities, villages and townships will be determined by subtracting the amount of dollar contributions from the approved budget to be provided by counties, Associate Members, and from grants, money gifts, and other income including any balances from prior year ARC budgets. The amount remaining after subtracting these other sources of revenue will be prorated and assessed to each city, village and township primary members based upon equal weight to the population of the unit of government within the watershed according to the most recent United States census, and the land area within the watershed as shown as a part of Appendix B (Voting Shares). Provided, however, that maximum assessment to any member shall be limited to no more than 15% of the total assessments for all other Primary Members in any fiscal year.

2. *County Members*

Based upon the in-kind contributions currently provided by Oakland, Washtenaw and Wayne counties, the three counties will not be assessed to support the budget of the ARC as determined by the Policy for County In-kind Contributions.

B. Associate Members

The ARC shall assess *Associate Members* at the time they become a member based upon a dollar amount approved by the ARC and agreed upon by the *Associate Member*. The assessment shall reflect the ARC membership benefits provided each *Associate Member*, and any other contributions made by the *Associate Member* to the ARC. The annual assessment to an *Associate Member*, however, shall not be less than the lowest amount assessed any *Primary Member* or \$750 whichever is greater, nor more than \$30,000 or the highest amount assessed any *Primary Member* whichever is greater.

C. Adjustment of Assessments

Once adopted as part of a given fiscal year budget, the annual assessments to primary members shall not be lowered based upon the addition of new members or any other additions to income not considered as part of the approved annual budget for that year. *Primary and Associate Members* joining after the adoption of the fiscal year budget shall be assessed shall be assessed proportionately based on the quarter of the year they join using the same formula as was applied to other members. Primary and Associate members terminating membership after the start of the fiscal year budget and after paying their assessments shall not be given a refund of dues.

ARTICLE VI. RESOLUTION

The eligible members adopting these Bylaws shall do so by the passage of a formal resolution, an example of which is attached as Appendix C (Model Resolution), and exercise of existing authority that includes the ability to commit to the annual payment of assessments for support of ARC as identified in the annual ARC budget. Once a resolution is passed and a certified copy forwarded to the ARC, the public entity will remain a member so long as its assessments are paid in a timely manner. Services provided through the ARC and any grant funding it receives shall be, to the extent practical, limited to Primary and Associate Members that have adopted the Bylaws and met their respective assessed financial obligations established consistent with the Bylaws.

ARTICLE VII. INDEMNIFICATION

To the extent permitted by law, the ARC may hold any officer, committee Chair, Executive Director, agent or employee and their respective designees harmless from personal liability for claims made or civil actions commenced against the officer, committee Chair, Executive Director, agent, employee or designee; when acting in good faith within the scope of his/her authority; while discharging his/her official duties on behalf of the ARC; for acts in or not opposed to the best interest of the ARC; or on account of liability of the ARC; only if their actions do not amount to gross negligence

and are not contrary to the law. The ARC, pursuant to bylaw or resolution of its board, may obligate itself in advance to defend and hold harmless persons.

The ARC shall purchase and maintain Director and Officers Liability insurance on behalf of any officer, committee Chair, Executive Director, agent or employee and their designees against any liability asserted against the person and incurred by the person in any capacity or arising out of the status of the person as an officer, committee Chair, Executive Director, agent or employee of the ARC.

The amount of fees and costs which the ARC shall pay for on behalf of any officer, committee Chair, Executive Director, agent, employee or designee's defense shall be limited to and shall not exceed insurance limits of the policy, if any, covering the claim or action.

The decision to defend and represent any individual officer, committee Chair, Executive Director, agent, employee or designee will be made in the sole discretion of the ARC; acting on advice from its legal counsel as to whether said individual, officer, committee Chair, Executive Director, agent, employee or designee was acting while in the scope of his/her authority was discharging his/her official duties on behalf of the ARC and if the acts were in or not opposed to the best interest of the ARC.

ARTICLE VIII. EXPENDITURE CONTROLS AND AUDITING

The Executive Committee will have full and complete access to records concerning the use of the funds collected from the members. The expenditures of monies collected through assessments to members will be audited through a process determined to be appropriate by the Finance Committee. The Finance Committee will provide oversight of all expenditures of member assessments and report the status of income and expenditures at each meeting of the Executive Committee.

ARTICLE IX. DISSOLUTION OF THE ARC

In the event of the dissolution of this Corporation, all assets, real and personal, shall be distributed to one or more organizations which qualify as tax exempt and publicly supported under Sections 501(c)(3) and 509(a)(1), respectively of the Code, or the corresponding provisions of any subsequent Federal tax laws, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

ARTICLE X. AMENDMENTS TO BYLAWS

- A. Except as provided in Section X.B for select amendments to Article V of these bylaws, any amendments proposed to these bylaws shall be first reviewed by the Organization Committee who shall, after consideration of proposed amendments, make recommendations to the Executive Committee and the Full ARC. Any

amendment(s) to the Bylaws shall be: 1) formally noticed to all members at least 30 days prior to the Full ARC meeting at which they are to be voted upon; and, 2) approved by at least two thirds of all members (or two thirds of all member shares if a voting of shares is requested) at a meeting at which a quorum is present. A quorum shall consist of one more than fifty percent (50%) of all members, eligible to vote and present.

- B. Proposed amendments to Article V of these bylaws, which will change the way that assessments to members are determined, shall be approved by the ARC as provided in Section X.A. In addition, after approval by the Full ARC of proposed amendments to Article V, the proposed amendments to Article V shall also be sent to all members for review and approval by the member's respective governing bodies. The members' governing boards shall have five (5) months following the date of the ARC action formally recommending amendments to Article V to approve the amendment. The amended Bylaws shall become effective when at least half of the governing bodies of members approve the amended Bylaws within the specified time limit.

INFORMATIONAL APPENDICES TO THE BYLAWS

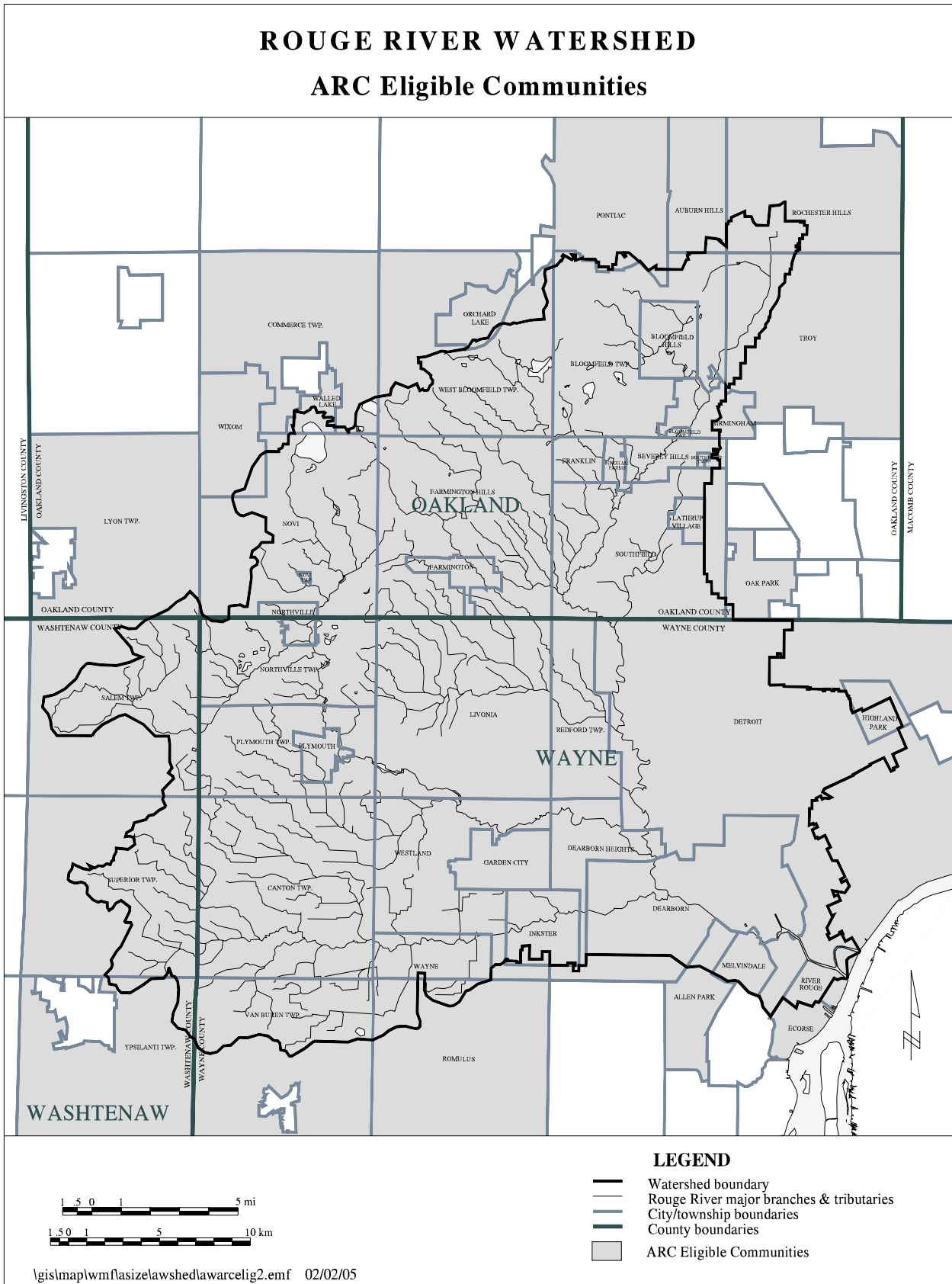
Appendix A Proposed Geographic Boundaries of the Rouge River Watershed

Appendix 6 Allocation of Costs and Voting Shares

Appendix 7 Example Resolution

APPENDIX A

ROUGE RIVER WATERSHED ARC Eligible Communities



Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

APPENDIX D (Page 1 of 2)

Eligible Primary Members of Proposed Alliance of Rouge Communities

| Current Assembly Eligible Members -- Watershed Acres/Population, and Allocation of Costs and Voting Shares for 2005 Fiscal Year | | | | | | | | | |
|--|-----------------------------|-------------------------------|-----------------------------|-------------------------|-------------------------------|---|--------------------------------|-----------------------------|-----------------------------------|
| | Community/County | Watershed Area (Acres) | Watershed Population | % Watershed Area | % Watershed Population | Weighted % Area & % Population | Cost/\$297,503 Weighted | Member Voting Shares | Co. Watershed Area (Acres) |
| | [1] | [2] | [3] | [4] | [5] | [6] | [7] | [8] [9] | [12] |
| 1 | Allen Park* | 892 | 1,490 | 0.36% | 0.15% | 0.26% | \$768 | 1 | |
| 2 | Canton Twp. | 23,123 | 76,366 | 9.39% | 7.90% | 8.65% | \$25,722 | 34 | |
| 3 | Dearborn | 15,659 | 97,627 | 6.36% | 10.11% | 8.23% | \$24,488 | 33 | |
| 4 | Dearborn Heights* | 5,301 | 37,740 | 2.15% | 3.91% | 3.03% | \$9,012 | 12 | |
| 5 | Garden City | 3,752 | 30,047 | 1.52% | 3.11% | 2.32% | \$6,892 | 9 | |
| 6 | Inkster* | 3,696 | 27,987 | 1.50% | 2.90% | 2.20% | \$6,541 | 9 | |
| 7 | Livonia | 22,952 | 100,545 | 9.32% | 10.41% | 9.86% | \$29,342 | 39 | |
| 8 | Melvindale* | 1,726 | 10,541 | 0.70% | 1.09% | 0.90% | \$2,665 | 4 | |
| 9 | Northville | 1,298 | 6,458 | 0.53% | 0.67% | 0.60% | \$1,778 | 2 | |
| 10 | Northville Twp.* | 10,603 | 20,990 | 4.30% | 2.17% | 3.24% | \$9,635 | 13 | |
| 11 | Plymouth | 1,410 | 8,987 | 0.57% | 0.93% | 0.75% | \$2,235 | 3 | |
| 12 | Plymouth Twp. | 10,251 | 27,833 | 4.16% | 2.88% | 3.52% | \$10,476 | 14 | |
| 13 | Redford Twp. | 7,215 | 51,622 | 2.93% | 5.34% | 4.14% | \$12,306 | 16 | |
| 14 | Romulus* | 2,458 | 3,994 | 1.00% | 0.41% | 0.71% | \$2,099 | 3 | |
| 15 | Van Buren Twp.* | 8,421 | 8,535 | 3.42% | 0.88% | 2.15% | \$6,399 | 9 | |
| 16 | Wayne* | 3,829 | 18,830 | 1.55% | 1.95% | 1.75% | \$5,212 | 7 | |
| 17 | Westland* | 12,457 | 84,177 | 5.06% | 8.71% | 6.89% | \$20,484 | 27 | |
| 18 | Wayne County | | | | | | | 32 | 176,099 |
| 19 | Auburn Hills* | 191 | 935 | 0.08% | 0.10% | 0.09% | \$260 | 1 | |
| 20 | Beverly Hills* | 2,382 | 9,488 | 0.97% | 0.98% | 0.97% | \$2,899 | 4 | |
| 21 | Bingham Farms | 783 | 1,030 | 0.32% | 0.11% | 0.21% | \$632 | 1 | |
| 22 | Birmingham* | 1,978 | 12,243 | 0.80% | 1.27% | 1.04% | \$3,080 | 4 | |
| 23 | Bloomfield Hills | 3,219 | 3,940 | 1.31% | 0.41% | 0.86% | \$2,551 | 3 | |
| 24 | Bloomfield Twp.* | 16,303 | 41,204 | 6.62% | 4.27% | 5.44% | \$16,190 | 22 | |
| 25 | Commerce Twp.* | 606 | 1,054 | 0.25% | 0.11% | 0.18% | \$528 | 1 | |
| 26 | Farmington | 1,706 | 10,423 | 0.69% | 1.08% | 0.89% | \$2,635 | 4 | |
| 27 | Farmington Hills | 21,311 | 82,112 | 8.65% | 8.50% | 8.58% | \$25,513 | 34 | |
| 28 | Franklin | 1,680 | 2,958 | 0.68% | 0.31% | 0.49% | \$1,470 | 2 | |
| 29 | Lathrup Village | 963 | 4,236 | 0.39% | 0.44% | 0.41% | \$1,234 | 2 | |
| 30 | Novi* | 15,231 | 42,927 | 6.18% | 4.44% | 5.31% | \$15,807 | 21 | |
| 31 | Pontiac* | 450 | 1,576 | 0.18% | 0.16% | 0.17% | \$514 | 1 | |
| 32 | Rochester Hills* | 1,977 | 4,562 | 0.80% | 0.47% | 0.64% | \$1,896 | 3 | |
| 33 | Southfield* | 14,982 | 64,683 | 6.08% | 6.70% | 6.39% | \$19,007 | 25 | |
| 34 | Troy* | 3,835 | 13,826 | 1.56% | 1.43% | 1.49% | \$4,445 | 6 | |
| 35 | West Bloomfield Twp.* | 11,081 | 40,956 | 4.50% | 4.24% | 4.37% | \$12,998 | 17 | |
| 36 | Walled Lake* | 585 | 2,547 | 0.24% | 0.26% | 0.25% | \$745 | 1 | |
| 37 | Wixom* | 548 | 1,319 | 0.22% | 0.14% | 0.18% | \$534 | 1 | |
| 38 | Oakland County | | | | | | | 18 | 100,052 |
| 39 | Superior Twp.* | 10,371 | 7,668 | 4.21% | 0.79% | 2.50% | \$7,444 | 10 | |
| 40 | Ypsilanti Twp.* | 1,097 | 2,624 | 0.45% | 0.27% | 0.36% | \$1,066 | 1 | |
| 41 | Washtenaw County | | | | | | | 4 | 22,275 |
| | All Assembly Members | 246,321 | 966,080 | 100% | 100% | 100% | \$297,503 | 451 | 298,426 |

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

APPENDIX D'(Page 2 of 2)

Eligible Primary Members of Proposed Alliance of Rouge Communities

| Non-Assembly, Eligible Members -- Watershed Acres/Population, and Projected Allocation of Costs and Voting Shares for 2005 Fiscal Year | | | | | | | | | |
|---|----------------------------------|---|---|-------------------------------------|---|---|--|------------------------------------|---|
| | Community/County [10] | Watershed Area (Acres) [2] | Watershed Population [3] | % Watershed Area [4] | % Watershed Population [5] | Weighted % Area & % Population [6] | Cost/\$297,503 Weighted [7] | Adjusted Limit [11] | Member Voting Shares [8] |
| 42 | Detroit* | 38,779 | 444,102 | 13.60% | 31.49% | 22.55% | \$67,079 | \$44,625 | 60 |
| 43 | Ecorse* | 5 | 51 | 0.002% | 0.01% | 0.004% | \$11 | \$11 | 1 |
| 44 | Highland Park* | 902 | 9,201 | 0.36% | 0.94% | 0.65% | \$1,946 | \$1,946 | 3 |
| 45 | Lyon Twp.* | 468 | 243 | 0.19% | 0.03% | 0.11% | \$319 | \$319 | 1 |
| 46 | Oak Park* | 82 | 689 | 0.03% | 0.07% | 0.05% | \$155 | \$155 | 1 |
| 47 | Orchard Lake* | 159 | 125 | 0.06% | 0.01% | 0.04% | \$115 | \$115 | 1 |
| 48 | River Rouge* | 1,370 | 9,731 | 0.55% | 1.00% | 0.78% | \$2,306 | \$2,306 | 3 |
| 49 | Salem Twp.* | 10,339 | 2,389 | 4.03% | 0.25% | 2.14% | \$6,359 | \$6,359 | 8 |
| Potential Total Additions | | 52,103 | 466,531 | | | | | \$55,837 | 78 |

Key to Notations for APPENDIX B Tables

- [1] Communities/Counties that Signed August 2003 Memorandum of Agreement forming the Rouge River Watershed Local Management Assembly (Rouge Assembly)
 - [2] Community Acres within Rouge River Watershed, RPO Data Base
 - [3] Community Population within Rouge River Watershed, 2000 Census Data (SEMCOG/RPO)
 - [4] Percent Land Area within Rouge River Watershed Compared to Total within Watershed
 - [5] Percent of Population within Watershed Compared to Total Population within Watershed
 - [6] Percent Land Area Plus Percent Population Divided by Two (i.e., equal weight to each factor)
 - [7] Total \$297,503 Assessed - Equal Weight Given to Population and Land Area Within Watershed
 - [8] Community Shares = Assessment Divided by \$750 Rounded to the Nearest Whole Number
 - [9] County Shares = 12% of Total Shares -- Allocated Based on % County Land Area in Watershed
 - [10] Rouge Watershed Communities Who Did Not Sign August 2003 Memorandum of Agreement forming the Rouge river Watershed Local Management Assembly Rouge Assembly)
 - [11] Limited to No More Than 15% of Total Assessment of All Other Primary Members
 - [12] Includes All County Land Area Within the Watershed - Community Total Membership Land Area in County May Be Less
- * Indicates Communities with Some Portion of Land Area Outside of the Rouge River Watershed

Informational attachment to July 2005, Alliance of Rouge Communities Bylaws submitted for adoption by member governing bodies.

Appendix C MODEL RESOLUTION

(The following is a model resolution – the essential elements are contained in the “Resolved” paragraphs which adopt the bylaws and designates the representative and alternate)

Acceptance of Membership and Adoption of Bylaws ALLIANCE OF ROUGE COMMUNITIES

WHEREAS, Watershed Alliance legislation passed the Michigan House of Representatives and the Michigan Senate and was signed into law by the Governor on January 3, 2005, as Act No. 517, Public Acts of 2004, based upon a draft provided and supported by the Rouge River watershed communities; and

WHEREAS, the formation of the Alliance of Rouge Communities under this new state law provided the public agencies within the watershed the authority to directly seek grants, enter into contracts, and manage its own resources that have been provided in the past by and through Wayne County with federal funds as part of the Rouge River National Wet Weather Demonstration; and

WHEREAS, at its meeting on November 7, 2012, the Alliance of Rouge Communities completed the revised attached Alliance of Rouge Communities bylaws, and recommended adoption by the appropriate governing bodies of those public agencies within the Rouge River watershed eligible for membership.

THEREFORE BE IT RESOLVED, that the *(Insert Name of Public Entity’s Governing Body or, if appropriate, elected public official)* formally adopts bylaws for, and accepts membership in the Alliance of Rouge Communities.

FURTHER BE IT RESOLVED, that consistent with the terms of the Alliance of Rouge Communities bylaws, the *(insert the name of the public entity’s governing body or, if appropriate, elected public official)* formally appoints *(insert name or title of representative)* as its designated representative to the Alliance of Rouge Communities, *(insert name or title of alternate)* as the alternate representative, and authorizes *(Insert name or title of person with authority to appoint)* to designate additional persons to represent the *(Insert Public Entity’s Name)*, if needed, as an alternate to assure voting representation on the Alliance of Rouge Communities.

FINALLY, BE IT RESOLVED that *(insert name of public entity)* continuing membership will be evidenced by payment of its voluntary assessment on an annual basis to the Alliance of Rouge Communities.

Adopted *(Date)* _____

(Certifying Official and Title)

To report the results of your community’s/county’s official action on the bylaws, please email James Ridgway, Alliance of Rouge Communities Executive Director at:

jridgway@allianceofrougecommunities.com

To formally confirm adoption of the bylaws and membership in the Alliance of Rouge Communities, please send a signed, official copy of the resolution to:

*Chris O’Meara, Staff
Alliance of Rouge Communities
c/o ECT, 719 Griswold St., Suite 820
Detroit, MI 48226*

PREAMBLE*Removed***ROUGE RIVER ASSEMBLY OF LOCAL GOVERNMENTS (ASSEMBLY)
TRANSITION TO THE ALLIANCE OF ROUGE COMMUNITIES (ARC)**

The Rouge River watershed, located in southeast Michigan, runs through the most densely populated and urbanized land area in the state. The watershed is approximately 438 square miles in size and includes all or part of 48 municipalities in three counties, with a population of over 1.4 million. The industrial growth of the lower Rouge River in the first half of the twentieth century and the rapid residential and commercial growth in the last half of the century in the upper portions of the watershed created serious pollution problems. Despite pollution control efforts as early as the 1940s, when the Detroit wastewater treatment facility was built to serve southeast Michigan including many of the Rouge River watershed communities, pollution problems have increased in the river. It has only been in the last decade that significant restoration of water quality has begun to be documented as a result of over one billion dollars of investments by area residents for pollution control.

In 1985, at the urging of local citizens and organizations the State of Michigan adopted the Rouge River Basin Strategy. In 1987, the International Joint Commission designated the Rouge River as one of the 43 most polluted areas in the Great Lakes. In 1989, the original Rouge River Remedial Action Plan (RAP) was completed and endorsed by a majority of the watershed communities. This original RAP called for an ambitious twenty-year plan to address pollution problems. The progress in achieving restoration has been documented in Rouge River RAP 2004 Revision (Available at <http://www.rougeriver.com/geninfo/remaction.html>). In the early 1990s, the United States District Court, at the urging of local communities, facilitated a phased process for correcting combined sewer overflows (CSOs) affecting the river. In 1992, with the bipartisan assistance of the Michigan congressional delegation representing the watershed, Wayne County received the first U.S. Environmental Protection Agency grant for the Rouge River National Wet Weather Demonstration Project (Rouge Project).

The U.S. District Court, as part of its oversight responsibilities for pollution control on the Detroit River stemming from a court case filed in the 1970's and its role in facilitating the CSO resolution (i.e., the "Bulkley Settlement"), has maintained a continuing interest in the results of the Rouge Project. In the mid-1990s, the U.S. District Court strongly urged the 48 local public agencies within the Rouge River watershed to adopt a more comprehensive approach to control pollution from sources other than CSOs. The U.S. District Court proposed a watershed-wide authority under the Michigan Drain Code to manage water issues within the Rouge River watershed. At the same time, the U.S. EPA was required by a

Federal Court consent judgment to adopt regulations to control storm water discharges under the Federal Clean Water Act.

As an alternative to the Drain Code authority proposed by the U.S. District Court, and to comply with the pending U.S. EPA storm water regulations, a group of local agencies and communities within the Rouge River watershed proposed a watershed-based approach to the control of pollution sources related to storm water discharges. In 1997, the MDEQ adopted this unique watershed approach developed by local agencies under the Rouge Project. Subsequently, 41 public agencies with storm water responsibilities within the Rouge River watershed entered into this voluntary general storm water permit which was later endorsed by the United States Environmental Protection Agency (U.S. EPA) as meeting Phase II federal storm water discharge regulation requirements that became mandatory for urbanized communities in 2003.

The watershed-based storm water permit approach, developed with assistance from the Rouge Project, has become a national model. There are now seven cooperatively developed subwatershed water management plans in place for the Rouge River. Each local agency has prepared and submitted a Storm Water Pollution Prevention Initiative Plan (SWPPI) to the MDEQ that identifies their commitments to implement their part of each of the plans. However, the federal funds from the Rouge Project that initially provided the basic monetary support for this joint effort were being substantially reduced and alternative means to continue this cooperative effort was needed as the federal funding was being phased down.

As an interim arrangement in 2003, 38 cities, townships and villages and 3 counties within the Rouge River watershed formed a partnership to address their storm water permit requirements. After successfully operating since August of 2003 under a Memorandum of Agreement establishing the Rouge River Watershed Assembly of Local Governments (hereinafter, Assembly), the Rouge River watershed communities supported the passage of state legislation that would authorize local governments to form watershed alliances. That legislation, Public Act 517 of the Public Laws of 2004, (herein after Watershed Alliance legislation), was signed by the governor on January 3, 2005 with immediate effect. The following outlines the process for transitioning from the informal Assembly to the adoption of the required bylaws to form the new Alliance of Rouge Communities (hereinafter ARC) under this new state law.

Transition from Assembly to ARC

Thirty eight cities, villages and townships and three counties signed an August 15, 2003, Memorandum of Agreement (herein after, MOA) establishing the Rouge River Watershed Assembly of Local Governments (hereinafter, Assembly). The 2005 Budget, the officers, policies, procedures and assessments to members adopted under the August 15, 2003 MOA will remain in effect until

Preamble for July 2005, Alliance of Rouge Communities Bylaws

the formal establishment of the ARC under the proposed attached Bylaws. The Officers elected for the 2005 calendar year under the August 15, 2003, MOA formally noticed all communities, counties and public agencies eligible for membership in the Alliance of Rouge Communities of an organizational meeting hosted by Canton Township on February 22, 2005. At this first meeting, the signatories to the August 15, 2003, MOA determined that there was broad interest in forming a permanent Rouge River watershed organization under the new Watershed Alliance legislation. A transition committee composed of members of the Assembly began drafting the bylaws to form an Alliance of Rouge Communities as required under the new statute. A draft set of bylaws was presented to and modified by the Executive Committee of the Assembly at its April 20, 2005, meeting in Farmington Hills and subsequently provided all prospective members of the proposed Alliance. The Assembly formally recommended that the Bylaws as presented at the June 9, 2005, meeting of the Assembly in Farmington Hills Library be presented to the respective governing bodies for adoption. All members present and voting at the meeting approved the Bylaws with one member abstaining. One additional article, indemnification of officers and certain other members for activities conducted on behalf of the Alliance, was added following the meeting with the approval of the three Assembly Officers and the co-chairs of the Organization Committee as authorized by the Assembly members.

Establishing Alliance of Rouge Communities (ARC)

The formal Alliance of Rouge Communities (hereinafter ARC) shall be established following the adoption of the attached Bylaws by the governing bodies of at least twenty (20) of the eligible cities, villages, townships or counties. A certified resolution of the governing body of the prospective member approving membership under the Bylaws, or the payment of the 2005 assessment will be used to establish those communities with voting privileges for actions taken by the ARC prior to September 30, 2005. After September 30, 2005, a certified resolution accepting membership by the appropriate governing body, designation of a voting representative and alternate representative, and payment of any assessment shall be required for continuing membership and the exercise of voting privileges. Once the ARC is established, the Rouge River Assembly of Local Governments (Assembly) established under the August 15, 2003, MOA shall be dissolved, and all its responsibilities including its oversight in the expenditure of assessments provided by Assembly members shall be transferred to the ARC.

BYLAWS ALLIANCE OF ROUGE COMMUNITIES

Adopted pursuant to
Part 312, Watershed Alliances,
Michigan Natural Resources and Environmental Protection Act
as amended by Public Act 517 of 2004

ARTICLE I. PURPOSE Statement of Purpose.

It is the purpose of these Bylaws to set forth the composition, duties, and responsibilities of the watershed Alliance of Rouge Communities (hereinafter the ARC) formed under the provisions of Part 312 Watershed Alliances, Natural Resources and Environmental Protection Act as amended by Public Act 517, 2004. Local public agencies and communities within the Rouge River watershed believe there are substantial benefits that can be derived under this Watershed Alliance through cooperative management of the Rouge River and in providing mutual assistance in meeting state water discharge permit requirements to the Rouge River. The Appendices attached and referred to in these Bylaws are provided for informational purposes only and are not a part of the Bylaws. The Appendices will be periodically updated to reflect the actual boundaries of the ARC based upon the number of eligible public entities which formally accept membership, as well as the annual budget, allocation of assessments, and voting shares in subsequent years.

rewritten

ARTICLE II. ~~Description, Structure, Decision Making and Operations~~ of ARC

Added C Prohibited Activities
Added B 501 (c) (3) designation

Description and Boundaries

A. Geographic Boundaries *boundaries*

The proposed geographic boundary encompasses the land area within the Rouge River watershed located in portions of Wayne, Oakland and Washtenaw counties in southeastern Michigan shown in the informational map attached as Appendix A to these Bylaws. Under state law the boundaries of the ARC are limited to the jurisdictional boundaries of its members. Appendix A will be updated periodically to show the jurisdictional boundaries of those cities, townships, and villages that have adopted the Bylaws and formally accepted membership. In the event that some eligible Rouge River watershed communities (cities, townships, or villages) do not become members, a county members may: 1) include all of their county political boundary within the Rouge River watershed where they intend to exercise their independent water management responsibilities; or 2) include only that portion of the county within the Rouge River watershed where communities have accepted membership in the ARC.

or elect to not maintain ARC membership

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

B. Membership of the ARC

1. Membership

Types of

a. Primary Members

The Primary Members of the ARC shall consist of a representative, or designated alternate of each township, city, village and county (or county agency) whose legal jurisdiction incorporates areas wholly or partially within geographic boundaries identified in Appendix A and whose governing body by resolution, voluntarily adopts these Bylaws. ~~The eligible Primary Members are listed in Appendix B.~~

b. Associate Members

The Associate Members of the ARC shall consist of a representative, or designated alternate of a public school district, public college or university, or any other local or regional public agency that has been issued a state permit for a water discharge into the Rouge River and whose governing body by resolution, voluntarily adopts these Bylaws. *who submits a written acceptance of the by laws from a representative authorized to oversee these activities.*

2. Cooperating Partners

The ARC encourages the involvement of non-profit organizations, other public agencies or entities, businesses, and residents who share a common interest in protection and restoration of the Rouge River. Those who provide their time, services, expertise or other resources toward the common goal of protection and restoration of the river will be recognized as non-voting Cooperating Partners.

and b) comply with the ARC Policy for cooperating partners.

C. Structure of the ARC

Organization Structure

1. Election of Officers

moved to Article IV Governance

The ARC shall elect for a two-year term, from among its members, a Chair, Vice-Chair and Treasurer. The three ARC officers shall be limited to an elected or appointed official, or employee of a *Full ARC* Primary Member of the ARC as defined in these Bylaws. Officers shall be elected to two year terms at a regularly scheduled ARC meeting through a formal action as described under Article II. D. of these Bylaws. The Chair, Vice Chair and Treasurer of the ARC shall serve until replaced by a majority vote of the members. The elected Vice Chair, or the elected Treasurer in the event the Vice Chair is unavailable, shall assume the duties of the Chair if the Chair is unavailable. Newly elected officers will assume their duties at the conclusion of business of the meeting at which those officers were elected.

2. Officers

3. Executive Committee

The ARC Executive Committee shall have 14 voting members consisting of

- (3) The elected Chair, Vice-Chair, Treasurer of the ARC,
- (3) One representative or alternate from each member county,
- (7) One representative or alternate from each of the seven Subwatershed Advisory Groups, herein after SWAGS, established under the State of

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

Added 4. Standing Committees
5. Special Committees
6. Support Services

Michigan, watershed-based, general storm water permit as implemented by communities within the Rouge River watershed, and

- (1) The immediate past Chair, past Vice Chair, or past Treasurer of the ARC shall serve as a member or alternate member with preference given first to the past Chair, then the past Vice Chair, and then the past Treasurer.

moved to Article III C

The meetings of the Executive Committee shall be chaired by one of the three elected officers. The elected Chair of the ARC shall chair the Executive Committee, with the responsibility succeeding to the elected Vice Chair if the elected Chair is unavailable. If neither the elected Chair nor the elected Vice Chair is present at an Executive Committee meeting, the elected Treasurer shall serve as chair for the meeting. The elected officers of the ARC shall not have alternates serve or vote on their behalf on the Executive Committee.

moved to 1st section under C3

The three counties and the seven SWAGs shall appoint their respective representatives and alternates to the Executive Committee. Representatives and alternates serving on the Executive Committee, including those appointed by a SWAG, shall be limited to those individuals representing a member public agency that HAS adopted these Bylaws and has paid its membership assessment. In an effort to assure the broadest participation by ARC members, a SWAG appointment to the Executive Committee shall be neither a county representative nor a representative from the same city, township or village as those represented by any current or past ARC officer serving on the Executive Committee. Every reasonable effort will be made to assure that no one community has more than one representative on the Executive Committee.

moved to Article IV C2

The Executive Committee will seek consensus on all issues brought before it. In the absence of consensus, the Executive Committee will adopt motions only when a majority of its members (8) vote in favor of a motion. Each member will have one vote including the elected officers of the ARC. A county or SWAG may designate an alternate to serve and vote on behalf of their appointed representative to the Executive Committee.

3. Meetings

moved to Article III A

The ARC shall meet at least twice each calendar year at a designated time and location established by its Executive Committee. Agendas for ARC meetings will be distributed and circulated to all members at least two weeks in advance of all meetings. All official actions of the ARC including the election of officers, adoption of budgets, assessment of costs to members, and all other matters not otherwise specifically delegated to the elected officers, committees or executive director shall be by the full ARC at a regular meeting consistent with the voting procedures in Article II. D. of these Bylaws. The ARC Executive Committee will meet at least four times each year at the call of the Chair. (All meetings of the ARC Executive Committee, standing

moved to Article III C

→ moved to Article IV E

committees or special committees established under the ARC shall operate under the Robert's Rules of Order unless modified by a majority vote of the ARC members. The meetings of the ARC shall be rotated to locations throughout the Rouge River watershed allowing any member community or agency to host a meeting.

D. ARC Decision Making

moved to
Article
IV C

The ARC shall take all formal actions, by a simple majority vote of all eligible *Primary* and *Associate Members* at a meeting at which a quorum is present. A quorum shall consist of one more than fifty percent (50%) of all members, eligible to vote and present. Voting shall be limited to members or their designated alternates who are physically present at an ARC meeting. Eligible members are those appointed by an appropriate governing authority that has adopted these Bylaws by resolution and that has paid its assessment. Provided, however, any eligible *Primary Member* may request that formal actions on a specific action item be subject to a voting of shares, and, if supported by at least four other *Primary Members*, the formal decision of the ARC will be based on voting shares. The elected officers may not vote on any issue before the ARC unless they are also serving as the designated ARC representative of their respective public agency. If a voting of shares is requested and supported by a total of five members, adoption of formal actions shall require a simple majority of the voting shares of a quorum based upon the following allocation:

1. *Primary Members*

moved to
Article
IV
D1-3

The voting shares for city, township and village members shall be based upon the financial contribution of each based upon the approved ARC annual budget and assessment of costs to members. The specific voting shares will be proportional to the annual assessments to each city, township and village as determined under Article III. A. of these Bylaws with one voting share based upon the annual assessment for each divided by \$750 rounded to the nearest whole number. If an assessment is less than \$750, one voting share shall be provided.

1,2,3

The combined voting shares the three counties and county agencies combined shall be limited to twelve percent (12%) of total voting shares and the allocation of voting shares between the three counties shall be determined by the proportional amount of land in each county within the Rouge River watershed. For the purposes of these Bylaws, counties are defined as the appointed/elected Road Commission, the elected County Drain Commissioner, the elected County Executive, or the elected County Commission. Provided, however, only one member or designated alternative shall represent each county.

2. *Associate Members*

The specific voting shares will be proportional to the annual assessments to each with one voting share based upon the annual assessment for each

divided by \$750 rounded to the nearest whole number. If an assessment is less than \$750, one voting share shall be provided.

3. *Cooperating Partners*

Cooperating Partners shall not have voting privileges, but shall be invited to participate in meetings of standing committees and noticed of all meetings of the ARC and its Executive Committee.

E. ARC Duties

1. *Budget and Assessments*

moved to Article v

After the first year, the ARC shall adopt an annual, fiscal year budget for the period from January 1 through December 31 on or before December 15, of each year for the following calendar year. In the first year, the 2005 fiscal year budget of the ARC is attached as Appendix C along with the assessment to members as Appendix B to these Bylaws. Assessments for members will be set at the time each budget is adopted. Modifications to the budget may be adopted at any regularly scheduled ARC meeting, provided however, that assessments, once established for any member, shall not be increased during the calendar year for which they were established. Notwithstanding this provision restricting mid-year changes in assessments, members may voluntarily agree to increase their payments for special services provided by the ARC.

2. *Standing Committees*

moved to Article III D

The ARC shall establish and outline a purpose for three standing committees on technical issues (Technical Committee), financial management (Finance Committee), and public involvement and education (PIE Committee). The Treasurer shall chair the Finance Committee, and the officers shall appoint the chairs of the Technical and PIE committees from members of the Executive Committee. The standing committee chairs may appoint vice chairs of their respective committees provided such vice chairs represent members. Any member, designated alternate or other representative of a member may serve on any standing committee. Cooperating partners, or other members of the public may be invited to participate in a standing committee, but all official actions of a standing committee shall be limited to participation by those on the committee representing ARC members.

3. *Special Committees*

moved to Article III F

From time to time, the ARC may choose to establish special committees to consider specific issues or questions. The Chair or Co-Chairs of any special committee established shall be appointed by the ARC, or, by delegation of the ARC, by the Chair. The special

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

committee Chair(s) and Co-Chair(s) appointed shall be representatives of members of the ARC.

4. *Organization Committee*

moved to Article III E
The ARC shall establish a committee (Organization Committee) to consider changes to its Bylaws and new members, and to make recommendations to the ARC. The ARC shall appoint members and the Chair or Co-chairs of the Organization Committee that reflect the broad diversity of the ARC membership with respect to geographic location, land area and population within the watershed, and type of public agency.

5. *Other Duties*

The ARC shall:

moved to Article III A

- Maintain official written record of meetings that includes attendance, issues discussed, and official actions taken.
- Recommend to members any subsequent changes needed to these Bylaws.
- Take other actions required, including delegation of responsibilities to the elected Chair or Executive Committee to carry out the purposes and conduct the business of the ARC including, but not limited to, directing the activities of any committees established under the Bylaws.
- Encourage and promote public involvement in actions and activities of the ARC and of committees established by the ARC, and assure compliance with Open Meetings and Freedom of Information state statutory requirements.
- Develop policies and procedures related to official actions of the ARC, including but not limited to contracting for services, disbursement of funds, and related fiduciary responsibilities.
- Prepare an annual report on the goals and accomplishments of the ARC together with a comprehensive audit report on the expenditures and revenues.

F. ARC Executive Committee

1. The Executive Committee shall:

moved to Article III C

- With the advice of the standing committees, provide oversight of the expenditure of ARC monies consistent with the approved annual budget by reviewing quarterly financial status reports prepared by the Finance Committee.
- Take those steps required to acquire the services of an ARC Executive Director, including approval of a compensation package consistent with annual budget of the ARC, other

specific terms of employment, and a description of duties and responsibilities.

- Make provisions for other ARC support services consistent with the annual budget.
- Provide fiduciary services for the ARC including preparation of financial reports required by state law.
- Provide a forum for discussion and, if appropriate, make recommendations to resolve issues related to the management of the ARC brought to its attention by any member of the ARC.
- Assist the standing committees, the Organization Committee and any other special committees of the ARC in meeting their respective responsibilities.
- Maintain a written record of each Executive Committee meeting including, as a minimum, attendance, list of issues, and a record of decisions and recommendations.
- Take other actions that are consistent with the provisions of these Bylaws and direction provided by the ARC.

removed

G. ARC Executive Director

1. Any Executive Director selected by the Executive Committee under the provisions of Article II. F. of these Bylaws shall:

Moved to Article III G

- Exercise his or her duties and responsibilities under the day-to-day direction of the ARC Chair or other ARC officer designated by the Chair.
- Not be a voting member of the ARC or any ARC committees, but will be encouraged to participate in meetings of the ARC, ARC officers or ARC committees, and to provide supporting information and recommendations.

ARTICLE III. ASSESSMENT OF COSTS TO MEMBERS

Roles and Responsibilities

A. Primary Members

1. City, Village and Township Members

Moved to Article A-C

The assessments to cities, villages and townships will be determined by subtracting the amount of dollar contributions from the approved budget to be provided by counties, Associate Members, and from grants, money gifts, and other income including any balances from prior year ARC budgets. The amount remaining after subtracting these other sources of revenue will be prorated and assessed to each city, village and township primary members based upon equal weight to the population of the unit of government within the watershed according to the most recent United States census, and the land area within the watershed as shown as a part of Appendix B. Provided, however, that maximum assessment to any member shall be limited to no

more than 15% of the total assessments for all other Primary Members in any fiscal year.

2. County Members

a). Based upon the in-kind contributions currently provided by Wayne, Washtenaw, and Oakland counties, the three counties will not be assessed to support the budget of the ARC for fiscal years 2006 and 2007. By August 15, 2007, the ARC will determine whether or not assessments will be made to the counties taking into consideration the level of contribution of in-kind services for ARC related activities each county will provide during 2008 ARC fiscal year. Assessments to counties, if any, for each ARC fiscal year after 2008 will be determined by August 15 of year preceding the fiscal year for which any such county assessment is included in the ARC annual budget using the same criteria.

Moved to Article V ARC

b.) The maximum assessment total in any year to all member counties shall not exceed 12% of the combined total assessment for the same fiscal year for all other Primary Members. The 12% assessment limitation will be determined based upon the total amount assessed other primary members in the adopted annual ARC budget for a given fiscal year and not the subsequent actual assessments paid. In the event that the total assessments to counties determined on or before August of any given year for the following fiscal year exceeds 12% of the total for all other primary members subsequently approved in the ARC budget for the same fiscal year, the total amount assessed to the counties will be reduced such that the total does not exceed 12% of that assessed all other primary members.

B. Associate Members

The ARC shall assess Associate Members at the time they become a member based upon a dollar amount approved by the ARC and agreed upon by the Associate Member. The assessment shall reflect the ARC membership benefits provided each Associate Member, and any other contributions made by the Associate Member to the ARC. The annual assessment to an Associate Member, however, shall not be less than the lowest amount assessed any Primary Member or \$750 whichever is greater, nor more than \$30,000 or the highest amount assessed any Primary Member whichever is greater

C. Adjustment of Assessments

Once adopted as part of a given fiscal year budget, the annual assessments to primary members shall not be lowered based upon the addition of new members or any other additions to income not considered as part of the approved annual budget for that year. Primary Members joining after the adoption of the fiscal

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

year budget shall be assessed as if they were members for the entire fiscal year using the same formula as was applied to other primary members.

ARTICLE IV. RESOLUTION *Governance*

moved to Article VI

The eligible members adopting these Bylaws shall do so by the passage of a formal resolution, an example of which is attached as Appendix E, and the exercise of existing authority that includes the ability to commit to the annual payment of assessments for support of ARC as identified in the annual ARC budget. Once a resolution is passed and a certified copy forwarded to the ARC, the public entity will remain a member so long as its assessments are paid in a timely manner. A member may terminate its membership at any time. Provided, however, there shall be no refund of any assessment already paid to the ARC. Services provided through the ARC and any grant funding it receives shall be, to the extent practical, limited to Primary and Associate Members that have adopted the Bylaws and met their respective assessed financial obligations established consistent with the Bylaws

ARTICLE V. INDEMNIFICATION *Budget and Assessments*

moved to Article VII

To the extent permitted by law, the ARC may hold any officer, committee chair, executive director, agent or employee and their respective designees harmless from personal liability for claims made or civil actions commenced against the officer, committee chair, executive director, agent, employee or designee; when acting in good faith within the scope of his/her authority; while discharging his/her official duties on behalf of the ARC; for acts in or not opposed to the best interest of the ARC; or on account of liability of the ARC; only if their actions do not amount to gross negligence and are not contrary to the law. The ARC, pursuant to bylaw or resolution of its board, may obligate itself in advance to defend and hold harmless persons.

The ARC may purchase and maintain insurance on behalf of any officer, committee chair, executive director, agent or employee and their designees against any liability asserted against the person and incurred by the person in any capacity or arising out of the status of the person as an officer, committee chair, executive director, agent or employee of the ARC.

The amount of fees and costs which the ARC shall pay for on behalf of the any officer, committee chair, executive director, agent, employee or designee's defense shall be limited to and shall not exceed insurance limits of the policy, if any, covering the claim or action.

The decision to defend and represent any individual, officer, committee chair, executive director, agent, employee or designee will be made in the sole discretion of the ARC; acting on advice from its legal counsel as to whether said individual, officer, committee chair, executive director, agent, employee or designee was acting while in the scope of

his/her authority, was discharging his/her official duties on behalf of the ARC and if the acts were in or not opposed to the best interest of the ARC.

ARTICLE VI. FIDUCIARY SERVICES *Resolution*

A. Interim Fiduciary Agreement

The Wayne County Department of Environment (hereinafter WCDOE) has agreed to provide fiduciary services for the collection and expenditure of member assessments paid for fiscal year 2005. Under the Fiduciary Agreement with Wayne County, the member assessments paid shall be used only for the services identified in the 2005 Budget attached as Appendix C. It is further understood under the terms of the Fiduciary Agreement with WCDOE that the assessments paid by members may be used to provide the required local match for grant dollars used to support the 2005 budget.

removed

B. Expenditure Controls and Auditing

WCDOE has agreed to provide the Executive Committee full and complete access to records concerning the use of the funds collected from the members so that all expenditures of monies collected through assessments to members can be audited through a process determined to be appropriate by the Finance Committee. WCDOE has further agreed to provide a financial accounting of all funds collected and expended to the Finance Committee by April 1, 2006. The Finance Committee will provide oversight of all expenditures of member assessments and report the status of income and expenditures at each meeting of the Executive Committee. It is understood that the existing provider arrangements for some of the services identified in the 2005 budget may be most efficiently and cost effectively managed in the transition period through the existing Rouge Project contracts administered by WCDOE, or by Wayne County staff currently assigned these responsibilities.

C. Long Term Fiduciary Services

Before December 1, 2005, the ARC will determine how fiduciary responsibilities will be managed beginning on January 1, 2006. It is envisioned that the ARC shall provide its own fiduciary services in the future either through its own staff or through contracted services.

ARTICLE VII. DISSOLUTION OF THE ARC *Indemnification*

In the event of the dissolution of ARC, all assets, real and personal, shall be distributed to one or more organizations which qualify as tax exempt and publicly supported under Sections 501(c)(3) and 509(a)(1), respectively, of the Code, or the corresponding provisions of any subsequent Federal tax laws, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

moved to Article IV

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

Article VIII Expenditure Controls and Auditing
(added)

Article IV

ARTICLE VIII. AMENDMENTS TO BYLAWS

Any amendments proposed to these Bylaws shall be first reviewed by the Organization Committee who shall, after consideration of proposed amendments, make recommendations to the ARC. The ARC shall not take an action to formally recommend any changes to the Bylaws except at its annual meeting at which the budget for the next fiscal year is presented for approval. To be formally recommended any amendment(s) to the Bylaws shall be: 1) formally noticed to all members at least 30 days prior to the ARC meeting at which they are to be voted upon; and, 2) approved by at least two thirds of all members (or two thirds of all member shares if a voting of shares is requested). Any amendments formally recommended by the ARC shall be sent to all members along with their annual ARC assessment for review and approval by the member's respective governing bodies as the basis for continuing membership. The members shall have five (5) months following the date of the ARC action formally recommending Bylaw amendment(s) to approve the amendment(s). The amended Bylaws shall become effective when at least half of the governing bodies of members approve the amended Bylaws within the specified time limitation.

Text changed.

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

INFORMATIONAL APPENDICES TO THE BYLAWS

APPENDIX A – Proposed Geographic Boundaries of the Rouge River Watershed including the identification of the political boundaries of eligible primary members

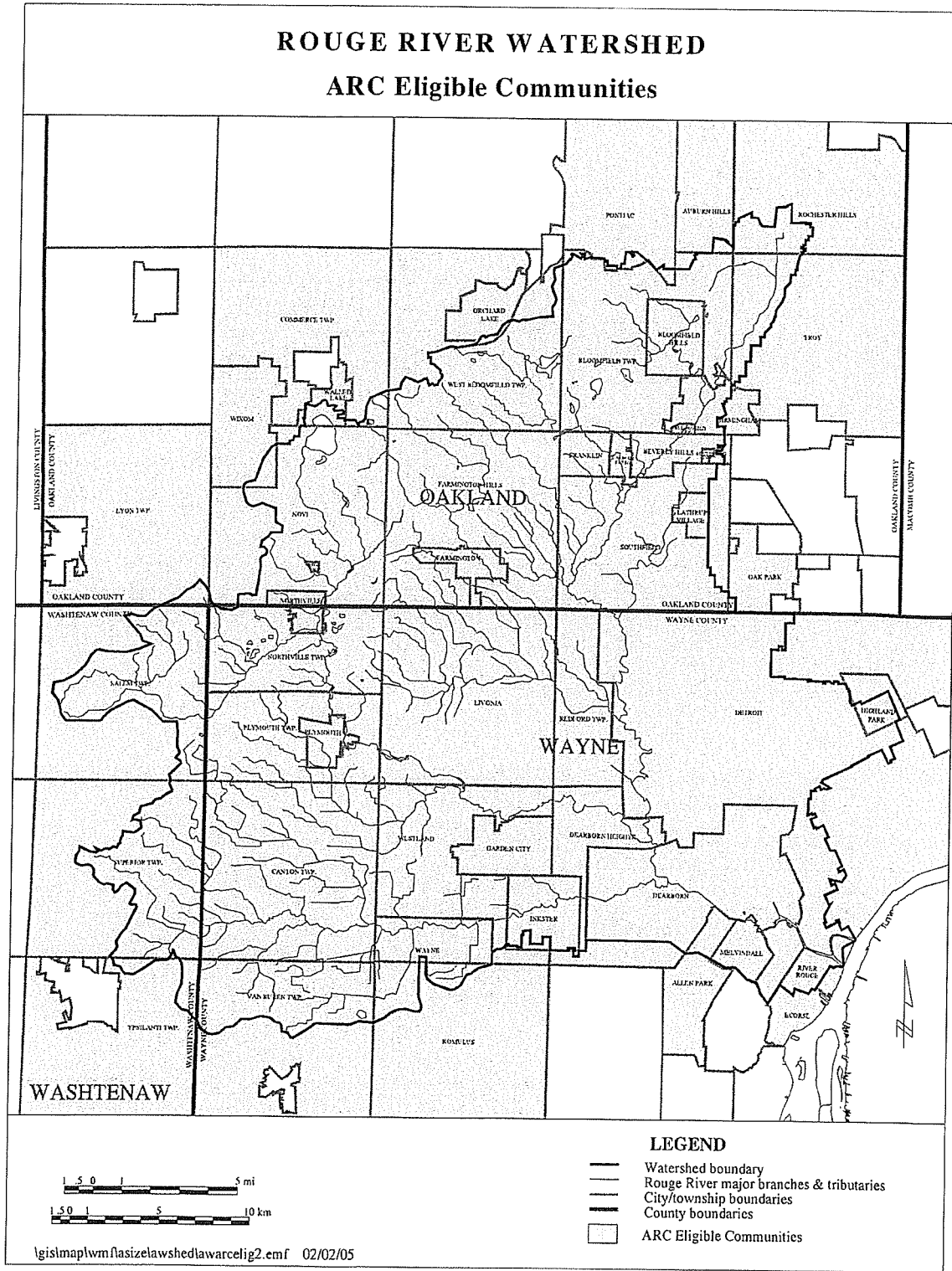
APPENDIX B – Allocation of Costs and Voting Shares that includes: a list of eligible members that are currently members of the Assembly; their respective land area and 2000-census population within the Rouge River watershed, their proportional allocation of costs for support of the 2005 ARC budget based upon equal weight given to land area and population within the watershed, and the voting shares of each. Eligible members that did not participate in the 2003 MOA are listed separately since they have not yet agreed to membership and were not considered in allocating the assessments and voting shares for 2005.

~~APPENDIX C – 2005 ARC Budget~~ that includes a list of storm water management services and costs, and sources of funding for calendar year 2005.

Appendix C

~~APPENDIX D – Model Resolution~~ adopting the Bylaws, accepting membership, and committing to payment of 2005 assessment. *(rewritten)*

APPENDIX A (Page 1 of 1)



Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

Informational attachment to July 2005, Alliance of Rouge Communities Bylaws submitted for adoption by member governing bodies.

APPENDIX B (Page 1 of 2)
Eligible Primary Members of Proposed Alliance of Rouge Communities

| Current Assembly Eligible Members -- Watershed Acres/Population, and Allocation of Costs and Voting Shares for 2005 Fiscal Year | | | | | | | | | | | |
|---|----------------------------|--------------------------|----------------------|----------------------------|------------------------------------|-----------------------------|------------------------------|-------------|---------------------------------|--|--|
| Community/County [1] | Watershed Area (Acres) [2] | Watershed Population [3] | % Watershed Area [4] | % Watershed Population [5] | Weighted % Area & % Population [6] | Cost/\$297,503 Weighted [7] | Member Voting Shares [8] [9] | Fiscal Year | Co. Watershed Area (Acres) [12] | | |
| 1 Allen Park* | 892 | 1,490 | 0.36% | 0.15% | 0.26% | \$768 | 1 | | | | |
| 2 Canton Twp. | 23,123 | 76,366 | 9.39% | 7.90% | 8.65% | \$25,722 | 34 | | | | |
| 3 Dearborn | 15,659 | 97,627 | 6.36% | 10.11% | 8.23% | \$24,488 | 33 | | | | |
| 4 Dearborn Heights* | 5,301 | 37,740 | 2.15% | 3.91% | 3.03% | \$9,012 | 12 | | | | |
| 5 Garden City | 3,752 | 30,047 | 1.52% | 3.11% | 2.32% | \$6,892 | 9 | | | | |
| 6 Inkster* | 3,696 | 27,987 | 1.50% | 2.90% | 2.20% | \$6,541 | 9 | | | | |
| 7 Livonia | 22,952 | 100,545 | 9.32% | 10.41% | 9.86% | \$29,342 | 39 | | | | |
| 8 Melvindale* | 1,726 | 10,541 | 0.70% | 1.09% | 0.90% | \$2,665 | 4 | | | | |
| 9 Northville | 1,298 | 6,458 | 0.53% | 0.67% | 0.60% | \$1,778 | 2 | | | | |
| 10 Northville Twp.* | 10,603 | 20,990 | 4.30% | 2.17% | 3.24% | \$9,635 | 13 | | | | |
| 11 Plymouth | 1,410 | 8,987 | 0.57% | 0.93% | 0.75% | \$2,235 | 3 | | | | |
| 12 Plymouth Twp. | 10,251 | 27,833 | 4.16% | 2.88% | 3.52% | \$10,476 | 14 | | | | |
| 13 Redford Twp. | 7,215 | 51,622 | 2.93% | 5.34% | 4.14% | \$12,306 | 16 | | | | |
| 14 Romulus* | 2,458 | 3,994 | 1.00% | 0.41% | 0.71% | \$2,099 | 3 | | | | |
| 15 Van Buren Twp.* | 8,421 | 8,535 | 3.42% | 0.88% | 2.15% | \$6,399 | 9 | | | | |
| 16 Wayne* | 3,829 | 18,830 | 1.55% | 1.95% | 1.75% | \$5,212 | 7 | | | | |
| 17 Westland* | 12,457 | 84,177 | 5.06% | 8.71% | 6.89% | \$20,484 | 27 | | | | |
| 18 Wayne County | | | | | | | 32 | | 176,099 | | |
| 19 Auburn Hills* | 191 | 935 | 0.08% | 0.10% | 0.09% | \$260 | 1 | | | | |
| 20 Beverly Hills* | 2,382 | 9,488 | 0.97% | 0.98% | 0.97% | \$2,899 | 4 | | | | |
| 21 Bingham Farms | 783 | 1,030 | 0.32% | 0.11% | 0.21% | \$632 | 1 | | | | |
| 22 Birmingham* | 1,978 | 12,243 | 0.80% | 1.27% | 1.04% | \$3,080 | 4 | | | | |
| 23 Bloomfield Hills | 3,219 | 3,940 | 1.31% | 0.41% | 0.86% | \$2,551 | 3 | | | | |
| 24 Bloomfield Twp.* | 16,303 | 41,204 | 6.62% | 4.27% | 5.44% | \$16,190 | 22 | | | | |
| 25 Commerce Twp.* | 606 | 1,054 | 0.25% | 0.11% | 0.18% | \$528 | 1 | | | | |
| 26 Farmington | 1,706 | 10,423 | 0.69% | 1.08% | 0.89% | \$2,635 | 4 | | | | |
| 27 Farmington Hills | 21,311 | 82,112 | 8.65% | 8.50% | 8.58% | \$25,513 | 34 | | | | |
| 28 Franklin | 1,680 | 2,958 | 0.68% | 0.31% | 0.49% | \$1,470 | 2 | | | | |
| 29 Lathrup Village | 963 | 4,236 | 0.39% | 0.44% | 0.41% | \$1,234 | 2 | | | | |
| 30 Novi* | 15,231 | 42,927 | 6.18% | 4.44% | 5.31% | \$15,807 | 21 | | | | |
| 31 Pontiac* | 450 | 1,576 | 0.18% | 0.16% | 0.17% | \$514 | 1 | | | | |
| 32 Rochester Hills* | 1,977 | 4,562 | 0.80% | 0.47% | 0.64% | \$1,896 | 3 | | | | |
| 33 Southfield* | 14,982 | 64,683 | 6.08% | 6.70% | 6.39% | \$19,007 | 25 | | | | |
| 34 Troy* | 3,835 | 13,826 | 1.56% | 1.43% | 1.49% | \$4,445 | 6 | | | | |
| 35 West Bloomfield Twp.* | 11,081 | 40,956 | 4.50% | 4.24% | 4.37% | \$12,998 | 17 | | | | |
| 36 Walled Lake* | 585 | 2,547 | 0.24% | 0.26% | 0.25% | \$745 | 1 | | | | |
| 37 Wixom* | 548 | 1,319 | 0.22% | 0.14% | 0.18% | \$534 | 1 | | | | |
| 38 Oakland County | | | | | | | 18 | | 100,052 | | |
| 39 Superior Twp.* | 10,371 | 7,668 | 4.21% | 0.79% | 2.50% | \$7,444 | 10 | | | | |
| 40 Ypsilanti Twp.* | 1,097 | 2,624 | 0.45% | 0.27% | 0.36% | \$1,066 | 1 | | | | |
| 41 Washtenaw County | | | | | | | 4 | | 22,275 | | |
| All Assembly Members | 246,321 | 956,080 | 100% | 100% | 100% | \$297,503 | 451 | | 298,426 | | |

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

APPENDIX B (Page 2 of 2)

Eligible Primary Members of Proposed Alliance of Rouge Communities

| Non-Assembly, Eligible Members -- Watershed Acres/Population, and Projected Allocation of Costs and Voting Shares for 2005 Fiscal Year | | | | | | | | | |
|--|----------------------------|--------------------------|----------------------|----------------------------|------------------------------------|-----------------------------|---------------------|--------------------------|--|
| Community/County [10] | Watershed Area (Acres) [2] | Watershed Population [3] | % Watershed Area [4] | % Watershed Population [5] | Weighted % Area & % Population [6] | Cost/\$297,503 Weighted [7] | Adjusted Limit [11] | Member Voting Shares [8] | |
| 42 Detroit* | 38,779 | 444,102 | 13.60% | 31.49% | 22.55% | \$67,079 | \$44,625 | 60 | |
| 43 Ecorse* | 5 | 51 | 0.002% | 0.01% | 0.004% | \$11 | \$11 | 1 | |
| 44 Highland Park* | 902 | 9,201 | 0.36% | 0.94% | 0.65% | \$1,946 | \$1,946 | 3 | |
| 45 Lyon Twp.* | 468 | 243 | 0.19% | 0.03% | 0.11% | \$319 | \$319 | 1 | |
| 46 Oak Park* | 82 | 689 | 0.03% | 0.07% | 0.05% | \$155 | \$155 | 1 | |
| 47 Orchard Lake* | 159 | 125 | 0.06% | 0.01% | 0.04% | \$115 | \$115 | 1 | |
| 48 River Rouge* | 1,370 | 9,731 | 0.55% | 1.00% | 0.78% | \$2,306 | \$2,306 | 3 | |
| 49 Salem Twp.* | 10,339 | 2,389 | 4.03% | 0.25% | 2.14% | \$6,359 | \$6,359 | 8 | |
| Rouge Total Additions | 52,103 | 466,931 | | | | | \$56,897 | 78 | |

Key to Notations for APPENDIX B Tables

- [1] Communities/Countries that Signed August 2003 Memorandum of Agreement forming the Rouge River Watershed Local Management Assembly (Rouge Assembly)
 - [2] Community Acres within Rouge River Watershed, RPO Data Base
 - [3] Community Population within Rouge River Watershed, 2000 Census Data (SEMCOG/RPO)
 - [4] Percent Land Area within Rouge River Watershed Compared to Total within Watershed
 - [5] Percent of Population within Watershed Compared to Total Population within Watershed
 - [6] Percent Land Area Plus Percent Population Divided by Two (i.e., equal weight to each factor)
 - [7] Total \$297,503 Assessed - Equal Weight Given to Population and Land Area Within Watershed
 - [8] Community Shares = Assessment Divided by \$750 Rounded to the Nearest Whole Number
 - [9] County Shares = 12% of Total Shares -- Allocated Based on % County Land Area in Watershed
 - [10] Rouge Watershed Communities Who Did Not Sign August 2003 Memorandum of Agreement forming the Rouge river Watershed Local Management Assembly (Rouge Assembly)
 - [11] Limited to No More Than 15% of Total Assessment of All Other Primary Members
 - [12] Includes All County Land Area Within the Watershed - Community Total Membership Land Area in County May Be Less
- * Indicates Communities with Some Portion of Land Area Outside of the Rouge River Watershed

Informational attachment to July 2005, Alliance of Rouge Communities Bylaws submitted for adoption by member governing bodies.

removed

APPENDIX C (Page 1 of 1)

Assembly of Rouge Communities Budget Adopted November 17, 2004, for 2005 Fiscal Year (January 1, 2005 through December 31, 2005)

| Alliance 2005 Budget Items | Recommended 2005 Budget | Source of Service |
|---|----------------------------|---------------------|
| Staff Support for Alliance and SWAGs | | |
| OC1 Administration Services (9 months) | \$ 62,000 | To be hired by ARC |
| OC2 Staff Support (3 months) | \$ 18,000 | RPO* |
| OC3 Subwatershed Advisory Group Facilitation | \$ 81,000 | RPO* |
| Staff Support Total | \$ 161,000 | |
| Public Involvement and Education | | |
| PIE1 Public Education Committee Support | \$ 30,000 | RPO* |
| PIE2 Assembly Newsletter | \$ 5,000 | RPO* |
| PIE3 Coordination with SEMCOG | \$ 8,000 | RPO or SEMCOG* |
| PIE4 Assembly PIE Subgrant | \$ 72,690 | Variable |
| Public Involvement and Education Total | \$ 115,690 | |
| Technical Support | | |
| TC1 Baseline Sampling Program | \$ 314,000 | RPO* |
| TC2 Rouge Data Dissemination | \$ 19,000 | RPO* |
| TC3 Lab Services | \$ 12,000 | Contracted Service* |
| TC5 Continuous Monitoring | \$ 136,840 | USGS* |
| Technical Support Total | \$ 481,840 | |
| Total Budget Approved | \$ 758,530 | |

* Firms or Agencies under contract with WCDOE

Required Change in Assessments Compared to 2004 0%

| Source of funds (assumed) for 2005 budget: | |
|--|----------------------|
| 2005 Alliance Assessments (Based on 2004 Assembly Members) | \$ 297,503.00 |
| Matching Rouge Project Federal Funds | \$ 297,503.00 |
| Carryover Funds from 2004 Assembly Member Assessments | \$ 163,524.00 |
| Total Budget | \$ 758,530.00 |

Informational attachment to July 2005, Alliance of Rouge Communities Bylaws submitted for adoption by member governing bodies.

Attachment: ARC By-laws (1204 : Consideration to Adopt Resolution for Continued Membership with the Alliance for ARC)

APPENDIX D (Page 1 of 2)

(The following is a model resolution – the essential elements are contained in the “Resolved” paragraphs which adopt the bylaws and designates the representative and alternate)

Acceptance of Membership and Adoption of Bylaws

ALLIANCE OF ROUGE COMMUNITIES

WHEREAS thirty-eight cities, villages and townships and three counties signed an August 15, 2003, Memorandum of Agreement as an interim step to establish a permanent mechanism for communities in the Rouge River watershed to cooperatively meet state storm water discharge permit requirements, satisfy the U.S. District Court’s concerns about the river, and encourage restoration of river benefits for residents of the watershed.

WHEREAS after two years of successful operation of the interim Assembly of Rouge Communities, the members recommended state legislation that would provide formal recognition to communities that chose to volunteer to join collaborative efforts to meet state and federal storm water discharge requirements, and cooperatively develop watershed plans to enhance the management of a river

WHEREAS Watershed Alliance legislation passed the Michigan House of Representatives and the Michigan Senate and was signed into law by the Governor on January 3, 2005, as Act No. 517, Public Acts of 2004, based upon a draft provided and supported by the Rouge River watershed communities

WHEREAS at its meeting on June 8, 2005, the Assembly of Rouge Communities completed drafting of the attached Alliance of Rouge Communities bylaws, and recommended adoption by the appropriate governing bodies of those public agencies within the Rouge River watershed eligible for membership

WHEREAS the formation of the Alliance of Rouge Communities under this new state law will provide the public agencies within the watershed the authority to directly seek grants, enter into contracts, and manage its own resources that have been provided in the past by and through Wayne County with federal funds as part of the Rouge River National Wet Weather Demonstration.

Informational attachment to July 2005, Alliance of Rouge Communities Bylaws submitted for adoption by member governing bodies.

APPENDIX D (Page 2 of 2)

THEREFORE BE IT RESOLVED that the *(Insert Name of Public Entity's Governing Body or, if appropriate, elected public official)* formally adopts bylaws for, and accepts membership in the Alliance of Rouge Communities.

FURTHER BE IT RESOLVED that consistent with the terms of the Alliance of Rouge Communities bylaws, the *(insert the name of the public entity's governing body or, if appropriate, elected public official)* formally appoints *(insert name or title of representative)* as its designated representative to the Alliance of Rouge Communities, *(insert name or title of alternate)* as the alternate representative, and authorizes *(Insert name or title of person with authority to appoint)* to designate additional persons to represent the *(Insert Public Entity's Name)*, if needed, as an alternate to assure voting representation.

FINALLY, BE IT RESOLVED that *(insert name of public entity)* continuing membership will be evidenced by payment of its voluntary assessment on an annual basis to the Alliance of Rouge Communities.

Adopted *(Date)*, 2005

(Certifying Official and Title)

To report the results of your community's/county's official action on the bylaws, please email Robert Beckley, Assembly of Rouge Communities Chair:

rebeckley@ci.livonia.mi.us

To formally confirm adoption of the bylaws and membership in the Alliance of Rouge Communities, please send a signed, official copy of the resolution to:

Colleen Hughes, Staff
Assembly of Rouge Communities
Camp Dresser & McKee (CDM)
3055 Miller Road
Ann Arbor, Michigan 48103

Informational attachment to July 2005, Alliance of Rouge Communities Bylaws submitted for adoption by member governing bodies.

**Farmington City Council
Staff Report**
Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1205)**
Submitted by: Vincent Pastue, City Manager

Description: Consideration to Authorize City Manager and City Treasurer to Solicit Proposals to Finance Purchase of Digital Projection Equipment for the Civic Theater

Requested Action:

Move to authorize the City Manager and City Treasurer to solicit proposals to finance the purchase of digital projection equipment for the Civic Theater.

Background:

The movie industry is quickly transitioning from 35 mm film to digital as the means for projecting movies at theaters. As a result, the Civic Theater will need to purchase digital projection equipment in order to be able to show recently released films. Civic Theater General Manager Scott Freeman has been researching the conversion process and the estimated cost for conversion to a digital format will be in the neighborhood of \$150,000 to \$180,000 depending on the quality of the equipment. Again, this is a necessary action to keep the theater economically viable; without digital equipment we could only show older movies and soon our attendance will dwindle.

City Administration is recommending that we finance the purchase of the digital equipment. I am looking at five year amortization of the debt which corresponds with the useful estimated life of the asset. We anticipate that this will add \$40,000 to the Civic Theater annual budget. As previously discussed, the admission price will be increasing from \$3.50 to \$4.00. With 80,000 admissions each year, this should be sufficient to cover the cost of the new equipment. There will be some savings in the cost of shipping and receiving the film along with staff time to prepare the reels for viewing.

City Administration is requesting authorization to solicit financing proposals for the digital equipment. Proposals would solicit financial institutions as well as vendors providing the equipment. We anticipate the purchase of the equipment and financing will be presented to the City Council for approval by the May 20 meeting.

Agenda Review
Review:

Vincent Pastue **Pending**
City Manager **Pending**
City Council **Pending**

**Farmington City Council
Staff Report**
Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1206)**
Submitted by: Vincent Pastue, City Manager

Description: Consideration to Approve Contract with the Michigan Department of Transportation for Improvements to Sewer Transmission Main Along M-102

Requested Action:

Move to approve a contract with the Michigan Department of Transportation for improvement to the sewer transmission main along M-102.

Background:

The Michigan Department of Transportation (MDOT) has approved construction work at the Telegraph Road/Eight Mile Road (M-102) interchange. The City of Farmington sewer interceptor that runs to the Detroit Water and Sewer sewage treatment plant will be impacted by this work. As a result, the sewer interceptor will be relocated. MDOT will incur the cost of the sewer interceptor relocation but the City will incur the cost for specific sewer covers that were specified. As a result, the City will need to enter into an agreement with MDOT for our share of the project cost which is \$500.

City Administration is recommending approval of the contract and authorizing the City Manager and City Clerk to sign on behalf of the City.

Agenda Review
Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

SPECIAL TRUNKLINE
NON-ACT-51
ADDED WORK

| | |
|-----------------|--------------|
| DA | |
| Control Section | NH 82141 |
| Job Number | 106937A |
| Fed Project | NH 1382(223) |
| Fed Item # | HH 8447 |
| Contract | 13-5065 |

THIS CONTRACT is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF FARMINGTON, a Michigan municipal corporation, hereinafter referred to as the "CITY"; for the purpose of fixing the rights and obligations of the parties in agreeing to construction improvements in conjunction with the DEPARTMENT'S construction on Highway M-102, within the City of Southfield, Michigan.

WITNESSETH:

WHEREAS, the DEPARTMENT is planning milling and resurfacing work on Highway M-102 (8 Mile Road) between the Rouge River and Highway M-39 (Southfield Road)

WHEREAS, the CITY has requested additional work in connection with the Highway M-102 construction, which additional work is hereinafter referred to as the "PROJECT" and is located and described as follows:

Replacement of special drainage structure covers as requested by the CITY in the vicinity of the new Structure B03-4 of 82141 which will carry westbound Highway M-102 (8 Mile Road) over Plum Creek; together with necessary related work, located within the City of Southfield; and

WHEREAS, the DEPARTMENT presently estimates the PROJECT COST as hereinafter defined in Section 1 to be: \$500; and

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 agreement.

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 shall undertake and complete the construction of the PROJECT in accordance with this contract. The term "PROJECT COST", as herein used, is hereby defined as the cost of the construction of the PROJECT including the costs of physical construction necessary for the completion of the PROJECT as determined by the DEPARTMENT; and construction engineering (CE), and any and all other expenses in connection with any of the above.

2. The cost of alteration, reconstruction and relocation, including plans thereof, of certain publicly owned facilities and utilities which may be required for the construction of the PROJECT, shall be included in the PROJECT COST; provided, however, that any part of such cost determined by the DEPARTMENT, prior to the commencement of the work, to constitute a betterment to such facility or utility, shall be borne wholly by the owner thereof.

3. The CITY will approve the design intent of the PROJECT and shall accept full responsibility for the constructed PROJECT functioning as a part of the CITY'S facilities. The CITY is solely responsible for any input which it provides as it relates to the design of the PROJECT functioning as part of the CITY'S facilities.

4. The DEPARTMENT will administer all phases of the PROJECT and will cause to be performed all the PROJECT work.

Any items of PROJECT COST incurred by the DEPARTMENT may be charged to the PROJECT.

5. The PROJECT COST shall be charged to the CITY 100 percent and paid in the manner and at the times hereinafter set forth. Such cost is estimated to be as follows:

PROJECT COST - \$500

The CE costs will be apportioned in the same ratio as the actual direct construction costs.

6. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT. The DEPARTMENT may submit progress billings to the CITY on a monthly basis for the CITY'S share of the cost of work performed to date, less all payments previously made by the CITY. No monthly billings of a lesser amount than \$1,000 shall be made unless it is a final or end of fiscal year billing. All billings will be labeled either "Progress Bill Number _____", or "Final Billing". Upon completion of the PROJECT, payment of all items of PROJECT COST and receipt of all Federal Aid, the DEPARTMENT shall make a final billing and accounting to the CITY.

7. Pursuant to the authority granted by law, the CITY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified herein. If the CITY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the CITY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the CITY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the CITY with payment thereof, and to notify the CITY in writing of such fact.

8. Upon completion of construction, the facilities being constructed as the PROJECT shall be operated and maintained by the CITY at no cost to the DEPARTMENT.

9. 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 CITY. Such approvals, reviews, inspections and recommendations by the DEPARTMENT shall not relieve the CITY of its ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT is assuming any liability, control or jurisdiction.

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; MSA 3.996(101), which is incidental to the completion of the PROJECT.

10. 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 2000a - 2000h-6 and the Regulations of the Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B" attached hereto and made a part hereof, and will require similar covenants on the part of contractor or subcontractor employed in the performance of this contract.

11. 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 CITY and for the DEPARTMENT; upon the adoption of a resolution approving said contract and authorizing the signatures thereto of the respective officials of the CITY, 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 the day and year first above written.

CITY OF FARMINGTON

MICHIGAN DEPARTMENT OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



APPROVED BY: _____
Date
Administrator
Real Estate

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

**APPENDIX B
TITLE VI ASSURANCE**

During the performance of this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

1. **Compliance with Regulations:** For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department or the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:
 - a. Withholding payments to the contractor until the contractor complies; and/or
 - b. Canceling, terminating, or suspending the contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Department to enter into such litigation to protect the interests of the state. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Revised June 2011

**Farmington City Council
Staff Report**
Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1207)**
Submitted by: Vincent Pastue, City Manager

Description: Consideration to Amend City Pay Plan Involving Assistant Public Works Superintendent & Building Official

Requested Action:

Move to amend City pay plan by establishing the Assistant Public Works Superintendent at Pay Grade 8 and the Building Inspector/Building Official at Pay Grade 9.

Background:

City Administration is recommending two pay grade changes as a result of the reorganization creating the Economic/Community Development Department. The Assistant Public Works Superintendent no longer has any responsibility for building or code enforcement. As a result, City Administration is recommending that the pay grade be reduced from 7 to 8. Previously, as Public Services Director, Kevin Gushman oversaw the building and code enforcement activities. Furthermore, he also served as the Building Official which has specific responsibilities in administering the Michigan Construction Code. Since his retirement, John Koncsol has served as the Building Official and will continue to do so in the future. As a result, City Administration is recommending that this position be classified pay grade 9. Attached is the non-union pay plan with the various pay grades.

Agenda Review
Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

CITY OF FARMINGTON
FISCAL YEAR 2012-13 PROPOSED BUDGET

NON-UNION PAY PLAN
EFFECTIVE JULY 1, 2012

| | Starting Range From | To | Maximum 1 Year | Maximum 2 Years | Maximum 3 Years | Maximum 4 Years |
|--|------------------------|--------|-------------------|--------------------|--------------------|--------------------|
| <u>Pay Grade 1</u> City Manager | | | By Contract | | | |
| <u>Pay Grade 2</u> Public Safety Director | 79,199 | 83,159 | 85,653 | 88,223 | 90,870 | 93,596 |
| <u>Pay Grade 3</u> Public Services Director | 73,785 | 77,475 | 79,799 | 82,193 | 84,659 | 87,198 |
| <u>Pay Grade 4</u> Finance Dir./Treasurer | 71,453 | 75,025 | 77,276 | 79,594 | 81,982 | 84,442 |
| <u>Pay Grade 5</u> Deputy Public Safety Dir. | 69,381 | 72,850 | 75,035 | 77,286 | 79,605 | 81,993 |
| <u>Pay Grade 6</u> City Clerk | 62,879 | 64,765 | 66,708 | 68,710 | 70,771 | 72,894 |
| <u>Pay Grade 7</u> Asst. Public Services Dir. | 56,766 | 59,604 | 61,392 | 63,234 | 65,131 | 67,085 |
| <u>Pay Grade 8</u> Controller | 53,578 | 56,257 | 57,944 | 59,683 | 61,473 | 63,317 |
| <u>Pay Grade 9</u> Deputy Treasurer | 47,313 | 49,679 | 51,169 | 52,705 | 54,286 | 55,914 |
| <u>Pay Grade 10</u> Code Enforcement Officer | 44,770 | 47,008 | 48,419 | 49,871 | 51,367 | 52,908 |
| <u>Pay Grade 11</u> Executive Assistant Deputy Clerk | 39,067 | 41,021 | 42,251 | 43,519 | 44,824 | 46,169 |
| <u>Pay Grade 12</u> Administrative Assistant III | 37,381 | 39,250 | 40,427 | 41,640 | 42,889 | 44,176 |
| <u>Pay Grade 13</u> Administrative Assistant II | 34,371 | 36,090 | 37,173 | 38,288 | 39,436 | 40,620 |
| <u>Pay Grade 14</u> Administrative Assistant I Administrative Specialist II | 31,253 | 32,816 | 33,800 | 34,814 | 35,859 | 36,934 |
| <u>Pay Grade 15</u> Administrative Specialist I | 25,788 | 27,078 | 27,890 | 28,727 | 29,588 | 30,476 |
| <u>Pay Grade - Part-Time, Permanent</u> Classified under the appropriate full-time classification with salary pro-rated | | | | | | |
| <u>Pay Grade - Part-Time, Temporary</u> Salary set by the appointing officer or body within budgetary appropriations | | | | | | |

**Farmington City Council
Staff Report****Council Meeting Date:**
March 18, 2013**Reference
Number
(ID # 1208)****Submitted by:** Vincent Pastue, City Manager**Description:** Recognition of John Anhut - 90Th Birthday**Requested Action:****Background:****Agenda Review****Review:****Vincent Pastue Pending**
City Manager Pending
City Council Pending



PROCLAMATION

WHEREAS, Mr. John W. Anhut has devoted a significant portion of his life to make Farmington/Farmington Hills the desirable community to live and work; and

WHEREAS, Along with being a successful business owner in the community, Mr. Anhut was involved with many community organizations including the following:

- Chairman, Farmington Hills Economic Development Corporation;
- Botsford General Hospital;
- Michigan National Bank (Farmington Division);
- Farmington Chamber of Commerce;
- Foundation for Children, Youth and Families;
- Farmington Exchange Club;
- Save the Warner Mansion Committee; and

WHEREAS, Mr. Anhut has been a long-time resident of the City of Farmington and was recognized in 1975 as the Farmington citizen of year.

NOW THEREFORE IN RECOGNITION OF HIS 90TH BIRTHDAY, the City of Farmington **PROCLAIMS** its sincere appreciation to John W. Anhut for his decades of service to Farmington/Farmington Hills community.

Tom Buck, Mayor
March 18, 2013

**Farmington City Council
Staff Report**
Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1209)**
Submitted by: Vincent Pastue, City Manager

Description: Board and Committee Appointment

Requested Action:

Appointment on the Brownfield Redevelopment Authority and the DDA

Background:

The Brownfield Redevelopment Authority has a vacancy as a result of the retirement of Kevin Gushman. City administration recommends appointing Kevin Christiansen to fill this vacancy as he brings years of experience in the public and private sector in community development and redevelopment projects in addition he serves as the Economic and Community Development Director for the city.

If City council has no objections, administration recommends Mr. Christiansen's serve a term of office from March 1, 2013 through February 28, 2016.

Valerie Greer's term of office on the DDA expired February 28, 2013. She is interested in reappointment however she is interested in filling a two-year term. Ms. Greer can complete the term of office of David Cornwell which expires February 28, 2015. If City Council has no objections, administration recommends Ms. Greer's reappointment effective immediately and expiring February 28, 2015.

Agenda Review
Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

**Farmington City Council
Staff Report**

Council Meeting Date:
March 18, 2013

**Reference
Number
(ID # 1210)**

Submitted by: Vincent Pastue, City Manager

Description: CLOSED SESSION, Land Acquisition

Requested Action:

Background:

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending