MINUTES
Downtown Development Authority Meeting
Thursday, April 08, 1999

Place: DDA Office
301 E. Liberty, Suite 690
Ann Arbor, MI 48104

Time: The Chair, Ed Shaffran, called the meeting to order at 12:05 p.m.

1. Roll Call

Present: Neal Berlin, Ron Dankert, Dave DeVarti, David Fritz, Leah Gunn, Deanna Relyea, Ed Shaffran

Absent: Bob Gillett, Maria Harshe, Lorri Sipes, Skip Ungrodt, Karl Pohrt

Staff: Susan Pollay, Executive Director

Present: Joseph Morehouse, Fiscal and Administrative Manager

Audience: Sarah Armstrong, DDA
Jerry Billiter, National Garages
Johanna Broughton, Performance Network
Ray Detter, Citizens Advisory Council
Bob Frazier, National Garages
Kurt Genova, Washtenaw News
Nick Genova, Washtenaw News
Bob Henderson, Citizens Advisory Council
Adrian Iraola, City Engineering
Donna Johnson, City Planning Department
Cathy O’Donnell, Ann Arbor News
Andrew Wright, Citizens Advisory Council

2. Approval of Minutes

Ms. Gunn moved, and Mr. Dankert seconded, that the minutes of the March 3 and 11, 1999 meetings be approved.

A vote on the motion showed:

AYES: Berlin, Dankert, DeVarti, Fritz, Gunn, Relyea, Shaffran
NAYS: None
Absent: Gillett, Harshe, Ungrodt, Pohrt, Sipes

The motion carried.

3. Audience Participation

As an update to her previous presentation before the DDA, Performance Network Director Johanna Broughton reported that they now have an architect on board for their proposed move to the Courthouse Square apartment building. Joe O’Neal is doing a construction cost analysis for them, and they have a lawyer negotiating with First Centrum on the lease. She asked to meet with the DDA Housing Committee to outline her request to the DDA in greater detail.

Mr. Nick Genova of the Washtenaw News addressed the board regarding the newspaper vending machines on the street. He explained that not all of the machines belong to Washtenaw News – only the paying machines and wants to work with the DDA to make sure they are kept in good repair. He asked that if there were problems with any of them, he would like to know about it so he can alleviate it. He reported that the type of multi-box
news boxes at the Michigan Union is an example of what they propose to use throughout the downtown. They will be working in the short term on improving the dispensers in the William/Main area.

### 4. Citizen Advisory Council

The Citizens Advisory Council and all the supporters of the Downtown Ann Arbor Historical Street Exhibit Program wish to thank the DDA for their continued support of this important downtown pedestrian project. We are moving ahead on final details. We hope all DDA members will plan to attend the installation ceremony and celebration scheduled for Friday, June 18, 4:30 p.m., starting in front of the courthouse and moving to apartments in 101 N. Main. This is not only a celebration of the installation of the Courthouse Square Exhibit. It is the opening event in the process of completion of the entire walking tour over the course of the next few years.

Citizens Council members also asked me to express our support for City Administrator, Neal Berlin’s attempt, in a recent letter to Anne Percy Knott, Special Counsel to University President Lee Bollinger, to establish a process for greater City participation in University development of its Master Plan by Venturi, Scott Brown and Associates. The idea of the City appointing “a staff person and/or member of the Planning Commission who will work within the framework of the University process” is a step in the right direction. As you now, we have also written to President Bollinger expressing our concern at the lack of community involvement in the University Master Planning process. We have encouraged him to involve the Venturi group in current community planning efforts as a first step toward easing community apprehension. We believe the Venturi group should be actively involved in the State Street Study, in plans for a series of downtown discussions of urban issues scheduled for this year, and in current meetings on the future of the Allen Creek waterway and its relationship to the Huron River as far as the hospitals and the Arboretum. However, a recent telephone conversation that I had with Robert Kasdin, Executive Vice President and Chief Financial Officer of the University, was not too encouraging. Although they still express a commitment to involving the broader community in the discussion of issues that concern them, their recent efforts have dealt with internal matters. As they become involved in broader issues, they will seek the views of county, city, township and community leaders. That position does not lessen our apprehension. We believe that City Master Plans, City planners, community leaders, and the public should be actively involved in the process, and we will continue to encourage that direction.

Members of the Citizens Advisory Council have been attending all the recent meetings, discussions and bus rides organized to create a greater awareness of the issues relating to the Allen Creek watershed. We are opposed to the imposition of a moratorium on development within the waterway, unless Ann Arbor fails to produce an integrated public policy and process for dealing with the many downtown and waterway issues that confront us. We support the City Council in its decision to authorize Neal Berlin to begin discussions with GT Products on the possible parking, mixed-use development of the city parking lot at S. First and W. William. However, we want to express our continued opposition to the construction of any more monolithic aboveground parking structures in the downtown area. We support the GT Products dialogue for the reason that it is a sure way in which we will all become more familiar with the complex issues relating to the Allen Creek waterway. There are problems and there are opportunities that will become apparent in these discussions. Nothing that we do must be permitted to make water management problems worse. Everything that we do must conform to City, County and State plans. Within those limitations, the GT Product discussions may lead to better waterway management solutions, possible mixed use parking/office/housing development, and long-range planning for an Allen Creek Greenway that might include pedestrian and bike paths as well as a connected system of parklands. While these discussions are progressing, we should continue to plan the future of the Klines Lot, the parking structure at Washington and First, Main and Packard, and even the Brown Block, so that wise development can continue to progress as we sensibly deal with the necessity of providing solutions to waterway management problems.
Subcommittee Reports

Finance Committee
Mr. Morehouse reported that the City Finance Department had not posted the DDA’s December revenue for property taxes as of the end of March 1999. He reported that the Finance Department would correct this within the next month. On the Income Statement, Mr. Morehouse noted that interest received is ahead of budget and is posted up to date. Mr. Shaffran noticed a decrease in the number of parking tickets, which was made up by an increase in revenues. Mr. Morehouse said that the Parking Operations Committee was looking at how much revenue was collected divided by how many tickets we have to come up with for an average ticket. Mr. DeVarti asked for a copy of the report when it was ready.

Parking Construction
Ms. Gunn moved and Mr. Fritz seconded the following resolution:

RESOLUTION TO APPROVE A PROJECT BUDGET FOR THE MAYARD PARKING STRUCTURE REPAIRS

Whereas, In August 1997 the Downtown Development Authority (DDA) approved a multi-year repair and replacement plan, including repairs to the Maynard Street Parking Structure;

Whereas, In 1997 the anticipated project budget for the Maynard repairs had been $7,500,000.00;

Whereas, The extent of the repair work needed proved to be greater than initially anticipated;

Whereas, On March 3, 1999 the DDA approved a contract with Western Waterproofing, in the amount of $6,601,366.00 for construction of repairs to the Maynard Street Parking structure, representing a majority of the cost associated with the project;

Resolved, That the DDA shall establish a construction project budget for the Maynard Repairs in the amount not to exceed $8,900,000.00

Mr. Shaffran explained the budget increase of $1,400,000 was due to a new elevator, extensive alterations on the exterior, and new lighting inside the structure. Discussion followed on the overhead being charged by the City for engineering services. Ms. Pollay explained the proposed project budget did not show City fees for sidewalk occupancy, lane closures, etc. Once all the fees are established, Ms. Pollay explained that based on an earlier DDA resolution, she would go before Council to ask their approval to waive those fees and the overhead costs.

AYES: Berlin, Dankert, DeVarti, Fritz, Gunn, Relyea, Shaffran
NAYS: None
Absent: Gillett, Harshe, Ungrodt, Pohrt, Sipes

The motion carried.

Discussion followed about the electrical transformer for the structure. After much discussion it was proposed to pass a resolution authorizing the DDA Chair, the Executive Director, and the City Administrator to negotiate with the adjacent property owner in a reasonable manner, to install the necessary transformer for the Maynard Structure and, if necessary, ask Council to initiate eminent domain action for the necessary property.

Ms. Gunn moved and Mr. Fritz seconded the above-mentioned resolution.
AYES: Berlin, Dankert, DeVarti, Fritz, Gunn, Relyea, Shaffran
NAYS: None
Absent: Gillett, Harshe, Ungrodt, Pohrt, Sipes

The motion carried

Mr. Shaffran presented the following resolution explaining that the building code requires emergency lights for parking structures, unless other options are available.

Resolution to Apply for a Variance to the Building Board of Appeals

Whereas, The Agreement between the City and DDA for the management of the downtown parking system states that “The DDA is authorized to make such further repairs, alterations, additions, and enhancements of the Facilities as are deemed reasonable and necessary by the DDA to operate the Facilities for the purposes set forth in this Agreement”;

Whereas, The DDA has committed itself to upgrading, repairing, and in some instances replacing the parking structures under its management;

Whereas, Pursuant to the extensive renovation of the Maynard parking structure and the construction of the new Forest Avenue and Fourth and Washington parking structures, the 1993 BOCA National Building Code adopted by the City requires emergency lighting along an egress path in the open areas of the structure;

Whereas, The cost to provide emergency lighting in the open areas for the three (3) parking structures exceeds $400,000.00;

Whereas, BOCA provides for variation and modification of the Code by applying for a variance to the City of Ann Arbor Building Board of Appeals. The requested variance must show that “the spirit and intent of the law (CODE) is observed and that the public, health, safety and welfare is assured”;

Whereas, The proposed alternative to the emergency lighting within the open areas of the three (3) parking structures is a low profile quick response fire vehicle equipped with special lighting and emergency equipment;

Whereas, The City Fire Department is recommending and supporting the use of the low profile quick response vehicle as an acceptable alternative to the emergency lighting requirement;

Whereas, This alternative would cost approximately $100,000.00, or $300,000.00 less than the cost to provide emergency lighting in the open areas of the three (3) parking structures, not including the maintenance and repair costs for this lighting over the life of the structures;

Whereas, This vehicle would provide fire protection in all DDA-managed structures, including the other four structures currently exempt from emergency egress lighting requirements; and

Whereas, This vehicle would only be used within the DDA district, and could be used during downtown special events such as the Art Fair, as well as in any emergency situation the Fire Department is called upon to respond to;

Resolved, The DDA will support the submittal of an application to the Building Board of Appeals for the emergency lighting variance;
Resolved, The DDA requests that the City also appeal this requirement; and

Resolved, In the event the variance is granted, the DDA hereby resolves to support the purchase of the low profile, quick response vehicle.

After some discussion, it was resolved not to take action on the proposed resolution.

**Status of Fourth/Washington**
The construction crane will be on site on Monday, April 12. Mr. Shaffran announced his thanks to Bill Martin for offering the use of the old Colonial Brickyard as a staging area for the trucks hauling the pre-cast concrete. He said that DDA staff had coordinated with Mr. Jim Stein of the transportation division to work out the logistics of bringing the pre-cast pieces to the job site. He also reported that Fourth Avenue from Huron to Washington will be closed to through traffic at the end of the project for about 4-5 weeks.

**Forest Parking Structure**
The proposed agreement between the UM and City was under development by the City Attorney and University Attorney. There was no word on progress.

**Maynard Parking Structure**
Mr. Shaffran reported that the DDA has received some complaints from Border’s and its tenants about the noise and dust being created by the current renovations. Efforts to address these concerns were being made.

Mr. Shaffran announced that he asked the Mayor to remove his name from any consideration for a second term with the DDA. His term expires on July 31st. He asked the DDA to consider how his parking operations responsibility might be transferred to other DDA members.

**Parking Operations**
Ms. Gunn stated that she is working on a 5-year plan to upgrade parking and revenue collection equipment. The details will be presented at the May meeting.

**Maintenance Storage Facility and Maintenance**
Mr. Fritz said they are waiting to see the final plans for the Maynard Structure.

**Downtown Shuttles**
Mr. DeVarti moved and Ms. Gunn seconded the following resolution:

**RESOLUTION PROVIDING FUNDING FOR A TWO-YEAR ALTERNATIVE TRANSPORATION PROGRAM, INCLUDING FREE BUS PASSES FOR DOWNTOWN EMPLOYEES**

Whereas, The 1982 Ann Arbor Downtown Development Authority Plan provides that the DDA shall undertake improvements to pedestrian/bicycle linkages and transit system to serve the non-motorist needs of existing and new developments in the Development District;

Whereas, The DDA’s parking structure repair and replacement program sparked interest in providing a menu of transit options for downtown employees, including bus service;

Whereas, The DDA took a leadership role with its Ann Ashley and Liberty Square repair projects, providing free bus passes and shuttle service to many hundred downtown employees displaced by repairs, most of whom had never ridden an AATA bus previously;
Whereas, The majority of these employees responded favorably to surveys about their experience with these shuttles;

Whereas, The DDA has been invited to partner with AATA, the City of Ann Arbor, and the Chamber of Commerce on a new two-year program aimed at introducing downtown employees to alternative transportation options;

Whereas, The program would provide for a full-time alternative transportation coordinator who would distribute transit information to downtown employees and employers, and who would work under the direction of a committee including a DDA-representative, as well as free bus passes for downtown employees;

Whereas, AATA has applied for a Congestion Mitigation/Air Quality grant which will provide the majority of funding for these programs for two years;

Whereas, AATA has offered to provide funding and promotional materials for this project, in addition to a commitment to its “Guaranteed Ride Home” program;

Whereas, The Chamber of Commerce has offered to provide office space, clerical support, and use of its office equipment as an in-kind contribution to this project;

Whereas, The City has been asked to contribute $28,000.00 toward the cost of this project over two years;

Whereas, The DDA has been asked to contribute $28,000.00 toward the cost of this project over two years;

RESOLVED, The DDA supports funding support for this two-year project providing free downtown employee bus passes and the full-time attention of an alternative transportation coordinator in the amount of $28,000.00.

Ms. Pollay reported that they are trying to create a menu of transportation options for downtown employees in partnership with AATA, the Chamber of Commerce, the UM, and the City. AATA applied for a grant for this project and has received unofficial confirmation that the grant is secured. The project is an approach to provide alternatives to single occupancy vehicles coming downtown. The project will consist of a full-time transportation coordinator to provide and encourage the use of free bus passes for all downtown employees. The program should begin July 1, 1999 and run for two years. The total cost for the two-year project to the DDA is $28,000.

A vote on the motion showed.

AYES: Berlin, Dankert, DeVarti, Fritz, Gunn, Relyea, Shaffran
NAYS: None
Absent: Gillett, Harshe, Ungrodt, Pohrt, Sipes

The motion carried.

Housing Funding Issues
Mr. DeVarti reported that the Dawn Farms request was being explored and a resolution was likely to be presented at the May Board Meeting.
**Allen Creek**
Ms. Pollay reported that there have been two tours of Allen Creek following the community meeting on March 11. She reported that Peter Allen had provided the DDA, City, UM, and County with a proposal to hire his students to study the Allen Creek and have a report by the end of August. No action was taken on this proposal.

**Fourth Avenue**
Mr. Fritz reported there was a meeting and a request for pedestrian improvements by the Embassy Hotel. He said that the Committee elected to look at the whole street from William to Kingsley, as opposed to the individual request.

**State St. Study Project**
Ms. Gunn reported that County people were asked to bring exhibits to the National Town Meeting on the State St. Area Study Project.

**GT Products/First & Washington Recommendation**
Mr. Shaffran reported that he and Mr. DeVarti met with Council Members Chris Kolb and Jean Carlberg to discuss planning ideas related to this question. Ms. Pollay shared copies of a resolution recently approved by Council asking the City Administrator to create a public process by which decisions could be made about properties west of Main Street in the Allen Creek corridor.

**Other DDA business matters**
Ms. Pollay said the proposed agenda for the retreat on May 21 has been mailed. All committee chairs have been asked to speak for a few minutes about committee accomplishments over the past six months and the goals for the next six-month period.

Ms. Pollay reported that DDA Attorney Jerry Lax had drafted proposed language for an amendment to the DDA bylaws relating to emergency expenditures which had been distributed. She asked that DDA members consider what spending levels should be indicated, and this decision could be made at the next DDA meeting.

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**Adjournment**
As there was no further discussion, upon motion, the meeting was adjourned at 2:00 p.m.

Respectfully submitted,

Susan Pollay, Executive Director
Secretary