

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES
SEPTEMBER 15, 2014 WORK STUDY MEETING, TENTATIVE AGENDA**

PLEDGE OF ALLEGIANCE:

ROLL CALL:

| | | | |
|------------------|-------|----------------------|-------|
| Supervisor Combs | _____ | Trustee McClanahan | _____ |
| Clerk Wright | _____ | Trustee Miller | _____ |
| Treasurer Budd | _____ | Engineer Nummer | _____ |
| Trustee Hart | _____ | Attorney McCauley | _____ |
| Trustee Jahr | _____ | Secretary Montgomery | _____ |

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Discussion on Resolution 2014-26 CDBG Urban Cooperative Agreement and authorize the Supervisor to execute the agreement.
2. Discussion on a change order for the Township Parking Lot Replacement Program (Phase III).
3. Discussion on the Parking Lot Restoration Project Administration & Engineering Services (Phase III).

ADJOURNMENT:

CLOSED SESSION:

ADJOURNMENT:

Charter Township of Van Buren

Agenda Item _____

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE:
SEPTEMBER 15, 2014

BOARD MEETING DATE:
SEPTEMBER 16, 2014

Consent Agenda _____

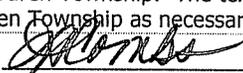
New Business _____

Unfinished Business _____

Public Hearing _____

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|---|-----------------------------------|
| ITEM (SUBJECT) | CDBG |
| DEPARTMENT | Planning |
| PRESENTER | Patrick Sloan, McKenna Associates |
| PHONE NUMBER | 734-699-8913 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | |

Agenda topic

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| ACTION REQUESTED | |
| Recommend to the Township Board to approve resolution #2014-26 authorizing Supervisor Combs to execute the Amended and Restated Urban County Cooperative Agreement for the Federal Community Development Block Grant (CDBG) Program. | |
| BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS) | |
| The purpose of the enclosed resolution is to continue Van Buren Township's enrollment in the CDBG Program. The U.S. Department of Housing and Urban Development (HUD) requires that the Amended and Restated Urban County Cooperative Agreement (enclosed) be approved by resolution of the governing body. In previous years, it is my understanding that the Cooperative Agreement was signed by the Supervisor without a required resolution of the Township Board, with the thought being that the Board of Trustees previously approved the annual application earlier in the year by resolution. However, subrecipient communities are now required to adopt resolutions of approval of the Cooperative Agreement. | |
| BUDGET IMPLICATION | None |
| IMPLEMENTATION NEXT STEP | Execute document |
| DEPARTMENT RECOMMENDATION | Approval of resolution |
| COMMITTEE/COMMISSION RECOMMENDATION | N/A |
| ATTORNEY RECOMMENDATION | N/A |
| ADDITIONAL REMARKS | |
| The text of the proposed Amended and Restated Urban County Cooperative Agreement is required by Wayne County and cannot be changed by Van Buren Township. The text of the enclosed resolution is recommended by Wayne County, and can be modified by Van Buren Township as necessary. | |
| APPROVAL OF SUPERVISOR |  |

**CHARTER TOWNSHIP OF VAN BUREN
COUNTY OF WAYNE, MICHIGAN
RESOLUTION 2014-16
ADOPTING THE AMENDED AND RESTATED URBAN COUNTY COOPERATIVE AGREEMENT
WITH THE CHARTER COUNTY OF WAYNE**

WHEREAS, the Charter Township of Van Buren and the Charter County of Wayne have previously been parties to Cooperative Agreements to satisfy the requirements of the Urban County Act as same relates to the Federal Housing and Community Development Act of 1974, as amended; and

WHEREAS, this contractual relationship satisfies the Acts, which cover both the Community Development Block Grant Program and, where applicable, the HOME Investment Partnership Program; and

WHEREAS, the Charter Township of Van Buren wishes to continue participating in these programs and wishes to enter into an Amended and Restated Agreement with Wayne County;

NOW, THEREFORE, be it resolved that the Charter Township of Van Buren does accept the Amended and Restated Urban County Cooperative Agreement for the Federal Community Development Block Grant Program with Wayne County, as presented, and directs the Township Supervisor to sign and deliver same on behalf of the Board of Trustees

Ayes:

Nays:

Absent:

Resolution declared adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Charter Township of Van Buren Board of Trustees, County of Wayne, State of Michigan, at a meeting held on September 16, 2014.

Leon Wright, Clerk

Charter Township of Van Buren

**AMENDMED AND RESTATED URBAN COUNTY
COOPERATIVE AGREEMENT
FOR THE
FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

THIS AMENDED AND RESTATED AGREEMENT is made and entered upon execution by and between Van Buren Township, State of Michigan, hereinafter referred to as the "Community", and the County of Wayne, Charter County of the State of Michigan, hereinafter referred to as the "County".

MUTUAL UNDERSTANDINGS

- A. The Federal Housing and Community Development Act of 1974, as amended (the "Act"), provides to certain "urban counties" (as that term is defined in the Act) of funds for community development purposes.
- B. The County has been designated as an "urban county" within the meaning of the Act, and is authorized to make funds available to certain communities within it boundaries, provided that it first obtains cooperative agreements with such communities.
- C. In 2000 the County and Community entered into a cooperative agreement ("Agreement") to satisfy the requirements of The Urban County Act and the Act which covered both the Community Development Block Grant Entitlement Program and ,where applicable, the HOME Investment Partnership program; and
- D. The community wishes to continue participating in the programs and wishes to enter into this Amendment to update the Agreement to be in accord with the changes in the law and re-affirm its commitment to the cooperative agreement. This Amended and Restated Urban County Cooperative Agreement amends and replaces the original Agreement.

NOW THEREFORE, the Community and County do hereby promise and agree:

- 1. The Community may not apply for grants from appropriations under Small Cities or State CDBG programs for fiscal years during the period in which it is participating in the urban county's CDBG program.
- 2. The Community may not participate in HOME consortium except through the urban county, regardless of whether the urban county receives a HOME formula allocation.
- 3. The County shall have final responsibility for selecting Community Development Block Grant (and HOME, where applicable) activities and annually filing a Consolidated Plan with HUD.

4. The County will, on behalf of the community, execute essential Community Development and Housing Assistance applications, plans, programs and projects eligible under the Housing and Development Act of 1974 as amended.
5. The Community and County will cooperate to undertake, or assist in undertaking, community renewal and lower housing assistance activities, specifically urban renewal and publicly assisted housing.
6. The Community and the County will take all actions necessary to assure compliance with the County's certification required by Section ~104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, and other applicable laws; that the County is prohibited from funding activities in or in support of any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction, or that impedes the County's actions to comply with the county's fair housing certification; and that funding by the County is contingent upon the Community's compliance with the above
7. The Community has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstration; and a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction.
8. The qualification period of this agreement as defined in the HUD regulations and guidelines shall be Federal Fiscal Years 2015, 2016 and 2017, and such additional period of time for purpose of carrying out activities funded by Community Development Block Grants from Federal Fiscal Years 2015, 2016 and 2017 appropriations and from any program income generated from the expenditure of such funds; further that the period of time of this Agreement shall be automatically renewed in successive three-year qualification periods, unless the County or the Community provides a written notice it elects not to participate in a new qualification period. A copy of this notice must be sent to the HUD State Office by the date specified in HUD's Urban County Qualification Notice for the next qualification period; further the County will notify the Community in writing of its rights to make such election by the date specified in HUD's Urban County Qualification Notice.
9. The automatic renewal periods elected by the parties shall commence from the qualification period defined above.
10. Failure by either party to adopt an amendment to this Agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three-year urban county

qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice, will void the automatic renewal of such qualification period.

11. This Agreement remains in effect until the CDBG (and HOME where applicable) funds and income received with respect to activities carried out during the three-year qualification period (and any successive qualification periods under this automatic renewal provision) are expended and the funded activities completed, and that the County and Community may not terminate or withdraw from this agreement while this agreement remains in effect.
12. The Community shall inform the County of any income generated by the expenditure of CDBG funds received by the Community.
13. Any such program income generated by the Community must be paid to the County, unless at the County's discretion, and the Community may retain the program income as set forth in 24 CFR 570.503.
14. Any program income the Community is authorized by the County to retain may only be used for eligible activities approved by the County in accordance with all CDBG requirements as may then apply.
15. The County has the responsibility for monitoring and reporting to HUD on the use of any such program income, thereby requiring appropriate record keeping and reporting by the Community as may be needed for this purpose.
16. In the event of close-out or change in status of the community, and program income that is on hand or received subsequent to the close-out or change in status shall be paid to the County.
17. The Community shall provide timely notification to the County of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition.
18. The Community shall reimburse the County in the amount equal to the current fair market value (less any portion of the value attributable to expenditures of non-CDBG funds) or real property acquired or improved with Community Development Block Grant funds that is sold or transferred for the use which does not qualify under the CDBG regulations.
19. The community shall return to the County program income generated from the disposition or transfer or real property prior to subsequent to the close-out, change of status or termination of the cooperation agreement between the County and the Community.

20. The terms and provisions of this Agreement are fully authorized under State and local law, and that the Agreement provides full legal authority for the County to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing.
21. Pursuant to 24 CFR 570.501 (b), the Community is subject to the same requirements applicable to sub-recipients, including the requirement for a written agreement set forth in 24 CFR 570.503.
22. The Community will remain in Wayne County's Urban County programs for an indefinite period of time or until such time it is in the best interest of this Community to terminate the Cooperation Agreement.
23. Community may not sell, trade, or otherwise transfer all or any portion of such funds to another metropolitan city, urban county, unit of local government, or Indian tribe.

EXECUTION

IN WITNESS WHEREOF, the Community and County have by resolutions authorized this agreement to be executed by their respective officer's thereunto as of the day and year first above written.

COUNTY OF WAYNE

Van Buren Township

By: _____
 Robert A. Ficano
 County Executive

By: _____
 Linda Combs
 Township Supervisor

By: _____

WITNESS

CERTIFICATION BY COUNTY CORPORATION COUNSEL

As Corporation Counsel for the County of Wayne, I hereby certify that the terms and provisions of the foregoing agreement are fully authorized under existing State and local law and that the agreement provides full legal authority for the County to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and public-assisted housing in cooperation with local units of government.

Dated: _____, 2014

By: _____
 Zenna El-Hassan
 Wayne County Corporation Counsel

Charter Township of Van Buren

Agenda Item _____

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE:
2014-09-15

BOARD MEETING DATE:
2014-09-16

Consent Agenda _____ New Business X Unfinished Business _____ Public Hearing _____

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| ITEM (SUBJECT) | Parking Lot Replacement Program (Phase III) |
| DEPARTMENT | Public Works |
| PRESENTER | Director James T. Taylor |
| PHONE NUMBER | 734-699-8947 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | Dave Nummer – Township Engineer |

Agenda topic

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| ACTION REQUESTED | |
| Recommend to the Township Board to a change order for Asphalt Specialists, Inc. in the amount of \$122,820.00. I also recommend that a 10% contingency amount be approved for use at the direction and discretion of the Public Works Director to address changes and unforeseen conditions that may arise during construction. | |
| BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS) | |
| This is Phase III of the parking lot project that began in 2013. This year's goal is to complete the employee parking area of the lot including the dumpster area and the rear driveway beginning behind the gymnasium and extending to Quirk Road. | |
| BUDGET IMPLICATION | This proposal is for a total amount of \$135,102.00. This includes a 10% contingency amount be approved for use at the direction and discretion of the Public Works Director to address changes and unforeseen conditions that may arise during construction. The project is being funded from Building & Grounds Capital Outlay Account 101-265-970-000 |
| IMPLEMENTATION NEXT STEP | Approval by Township Board, approve change order. |
| DEPARTMENT RECOMMENDATION | Approval of change order with Asphalt Specialists, Inc. and authorize Supervisor and Clerk to execute. |
| COMMITTEE/COMMISSION RECOMMENDATION | NA |
| ATTORNEY RECOMMENDATION | |
| (May be subject to Attorney/Client Privilege and not available under FOIA) | |
| ADDITIONAL REMARKS | The Director of Public Works requests that the Board of Trustees approve this contract as an agenda item at the September 16, 2014 Board meeting. |
| APPROVAL OF SUPERVISOR _____ | |



CHARTER TOWNSHIP OF VAN BUREN
DEPARTMENT OF PUBLIC WORKS

DATE: September 15, 2014
TO: Township Board of Trustees
FROM: James T. Taylor, Director of Public Works
RE: Request for Board Action

For the Work Study Session of September 15, 2014 I will be presenting the following item for your approval at the September 16th Board meeting:

I would like to request that the Board review and approve a change order to complete the employee parking and dumpster area of Phase III of the Parking Lot Restoration Project. Due to the expected increase in costs for next year in asphalt and concrete materials, I am recommending that the largest and most expensive portion of Phase III, identified as Area 1 in the attached diagram, be completed this year.

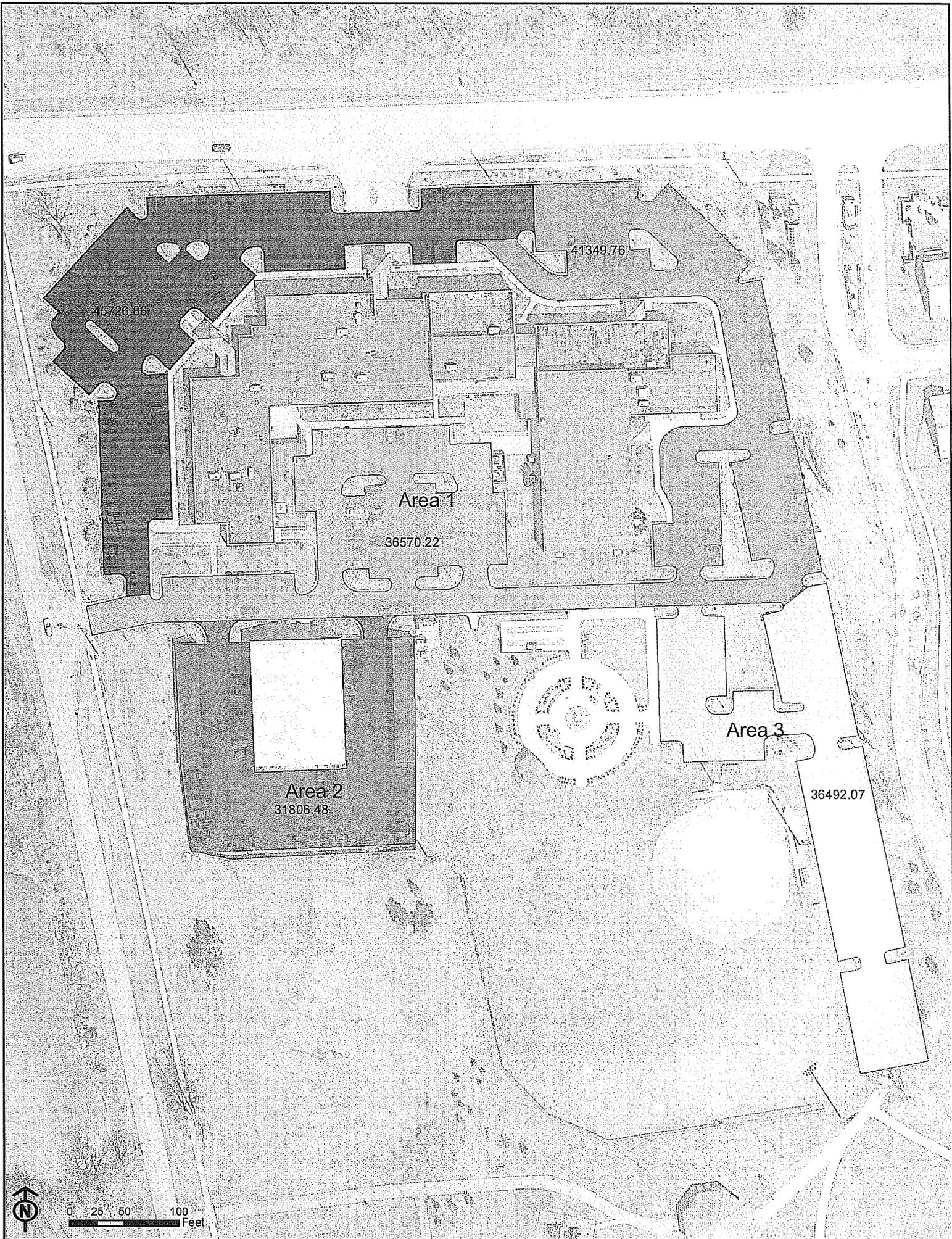
This would include the employee parking lot, driveway from where the contractor left off earlier this summer to Quirk Road, including the apron to the street. I will be making some changes to the employee lot such as; the elimination of the concrete parking blocks, expansion of turning radius for large township and contractor vehicles, and relocation of two ADA parking spaces. With the ADA spaces, I anticipate a modification to the rear employee entrance to occur sometime in 2015. The estimated cost for the work outlined above is \$122,820.00. I would also recommend a 10% contingency, for a total of \$135,102.00, all of which is presently available in the Building & Grounds CIP account 101-265-970-000.

I apologize for the late inclusion of this item; however, I have spoken with the three full-time elected officials and have received their support to bring this to the Board for consideration. As stated earlier, I believe this is an opportunity to complete a significant and critical portion of the final phase of this project and receive some cost savings based on the expected increases for 2015.

Let me know if you have any questions or concerns.

MISSION STATEMENT

"The Van Buren Public Works Department is committed to a clean and safe environment, enhanced service delivery to its customers and protection of the significant public investment in the township's buildings and grounds, and water distribution and sanitary collection systems."



45726.86

41349.76

Area 1

36570.22

Area 2

31806.48

Area 3

36492.07



0 25 50 100 Feet

Charter Township of Van Buren

Agenda Item _____

REQUEST FOR BOARD ACTION

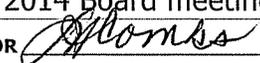
WORK STUDY MEETING DATE:
2014-09-15

BOARD MEETING DATE:
2014-09-16

Consent Agenda _____ New Business X Unfinished Business _____ Public Hearing _____

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|---|---|
| ITEM (SUBJECT) | Parking Lot Restoration Project Administration & Engineering Services (Phase III) |
| DEPARTMENT | Public Works |
| PRESENTER | Director James T. Taylor |
| PHONE NUMBER | 734-699-8947 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | Dave Nummer – Township Engineer |

Agenda topic

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| ACTION REQUESTED | |
| Recommend to the Township Board to approve an amount not to exceed \$6,000.00 for professional services to be performed by Wade Trim. | |
| BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS) | |
| This proposed amount covers normal scope of services including contract administration, inspection, post construction quality documents, as-builts and close out activities. | |
| BUDGET IMPLICATION | This proposal is for an amount not to exceed \$6,000.00 which will be funded from the Building & Grounds Capital Outlay Account 101-265-970-000 |
| IMPLEMENTATION NEXT STEP | Approval by Township Board. |
| DEPARTMENT RECOMMENDATION | Approval of amount for services to be performed and authorize the Supervisor and Clerk to execute. |
| COMMITTEE/COMMISSION RECOMMENDATION | |
| ATTORNEY RECOMMENDATION | |
| (May be subject to Attorney/Client Privilege and not available under FOIA) | |
| ADDITIONAL REMARKS | The Director of Public Works requests that the Board of Trustees approve this proposed amount as an agenda item at the September 16, 2014 Board meeting. |
| APPROVAL OF SUPERVISOR |  |



CHARTER TOWNSHIP OF VAN BUREN
DEPARTMENT OF PUBLIC WORKS

DATE: September 15, 2014
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In addition, I am requesting that the Board approve a request for engineering services with Wade Trim for services related to the project. This request is for an amount not to exceed \$6,000.00 and will also be paid from the Building & Grounds CIP account 101-265-970-000. I apologize for the late inclusion of this item; however, I have spoken with the three full-time elected officials and have received their support to bring this to the Board for consideration. As stated earlier, I believe this is an opportunity to complete a significant and critical portion of the final phase of this project and receive some cost savings based on the expected increases for 2015.

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