

CITY COUNCIL EMAIL SERIES

SENT DURING

16 APR 2007 MTG

3-8



CITY OF ANN ARBOR, MICHIGAN

100 North Fifth Avenue, P.O. Box 8647, Ann Arbor, Michigan 48107-8647

www.a2gov.org

Community Services Area

Administration (734) 794-6210
Community Development Services (734) 622-9025
Parks & Recreation Services (734) 794-6230
Planning & Development Services - Building (734) 794-6267
Planning & Development Services - Planning (734) 794-6265

October 22, 2009

Peggy Rabhi

Subject: Freedom of Information Act Request dated September 30, 2009
09-215 Rabhi

Dear Ms. Rabhi:

I am responding to your request under the Michigan Freedom of Information Act, dated September 30, 2009, received October 1, 2009, and extended to October 22, 2009. Your request for "all electronic communications, including but not limited to emails, sent to and from City Council members during the council meeting which began on April 16, 2007" is granted in part and denied in part. Your request is denied to the extent that the following redactions have occurred:

1. Information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy. MCL 15.243(1)(a)

The City does not warrant or guarantee the accuracy of the information provided. Rather, it provides the documents only to comply in good faith with the Michigan Freedom of Information Act, and not for any other purpose.

If you receive written notice that your request has been denied, in whole or in part, under Section 10 of the Act, you may, at your option either: (1) submit to the City Administrator a written appeal that specifically states the word "appeal" and identifies the reason(s) for reversal of the disclosure denial; or (2) file a lawsuit in the circuit court to compel the City's disclosure of the record. If after judicial review, the circuit court determines that the City has not complied with the Act, you may be awarded reasonable attorneys' fees and damages as specified under the Act.

If you have any questions concerning this response, please contact Carol King, City FOIA Coordinator, (734)794-6210, ext. 42198.

Sincerely,

Jayne S. Miller
Community Services Administrator

09-215
Prabhi

King, Carol

From: Prabhi@aol.com
Sent: Wednesday, September 30, 2009 2:55 PM
To: King, Carol
Subject: Request for e-mail

Carol King
FOIA Coordinator
City of Ann Arbor
100 N Fifth Avenue
Ann Arbor MI 48104

Dear Ms. King:

I am requesting all electronic communications, including but not limited to emails, sent to and from City Council members during the the council meeting which began on April 16, 2007 but may have continued past midnight into the next calendar day.

Please exclude from this request any electronic communication initiated by a staff member of the city attorney's office and any documents attached to the electronic communication.

If you determine that the contents of an electronic communication, in whole or in part, is subject to a disclosure exemption under the Michigan Freedom of Information Act, please provide the electronic communication, including the header information, with the exempt portions redacted.

If you decide to invoke a FOIA exemption as the basis for withholding any record responsive to this request, please include in your full or partial denial letter a description of the item and the statutory provision that exempts it from disclosure. If you determine that an item is exempt from disclosure under M.C.L. sec 15.243(1)(m) (communications and notes within a public body), please include an explanation of why the public interest in encouraging frank communication between officials and employees of public bodies clearly outweighs the public interest in disclosure.

Upon identifying the records that should be disclosed under this request, please notify me of the estimated cost of providing copies to me. I will accept the material in electronic machine readable format to reduce costs. If the costs will exceed \$25, I would like to exercise my section M.C.L. Sec. 15.233(3) right to inspect the public records prior to incurring any cost for duplication. Please contact me at prabhi@aol.com to discuss the estimated charges and to schedule a time when I can review the documents.

Sincerely,

Peggy Rabhi

=

rec'd 10/1/09

King, Carol

From: Andrea Van Houweling [REDACTED]
Sent: Monday, April 16, 2007 8:37 PM
To: Paulettbanks [REDACTED]; KatheWun [REDACTED]; Doug private; egmcleary [REDACTED]; Barb Nanzig; Caroline matterson; sheilalutton [REDACTED]; John Mansfield; Peter Nargourney; Susan Morris; Amy; Andrea; Ann; Barbara; Eppie; Gwen; Helen; Julie; Teall; Margie; Mona; Parma; Susan; Vivienne; Wendy; Ann Savageau; Cynthia Hamilton; cynoble [REDACTED]
Subject: Bush Impersonator

Better than awesome!!! Super!!

[Bush Impersonater This Kid Is Awesome - Other & Random Jokes - Funny Videos, Pictures & Jokes at JibJab](#)

See what's free at [AOL.com](#).

King, Carol

From: Crawford, Tom
Sent: Monday, April 16, 2007 9:42 PM
To: Teall, Margie
Subject: Taxis

That was fun. Are you ok with how it went?

Tom

King, Carol

From: Frank Porta [REDACTED]
Sent: Monday, April 16, 2007 8:29 PM
To: Cooper, Eli; Tom Zurburg
Cc: Higgins, Marcia; Teall, Margie; Gary Jones; ronsussman [REDACTED] claire zepeda; Richard Lampman; rebekahwarren@house.mi.gov; SenLBrater@senate.michigan.gov
Subject: Proposed Noise Abatement Wall Project I-94 between State Rd. and Platt Rd.
Attachments: CofAA 04-13-2007ltr.rtf

Dear Mr. Cooper and Mr. Zurburg:

Mr. Cooper, Thank you for your letter of April 13, 2007 attached, in response to my January 6th inquiry,. You indicate that a preliminary determination by Mr. Tom Zurburg of MDOT is that the homes in our neighborhood would be ineligible under Type 2 criteria for a grant to have noise abatement walls constructed along I-94.

Thank you, also Mr. Zurburg. I am curious to know whether the Noise Abatement walls just finishing construction along I-94 in Ypsilanti Charter Township met the criteria that you referenced. I believe that I-94 was likewise built in 1956 in that area. Is there a copy of the Ypsilanti Township Noise Walls project report available that shows how these criteria were met for that project?

If this is not the program, than who at the state level would know what program(s) is (are) may be available to construct a noise abate project in this area? When, if ever, has the MDOT performed a noise study of our area? I should think that a properly administered noise study would provide a factual basis to justify the need for the proposed project. When can that be scheduled to be performed?

I am sending copies of this e-mail to our state legislators to alert them of the situation and to follow-up with them to see if they may be of assistance.

Residents in our area deserve more peaceful neighborhoods, an improved quality of life from the dramatic elimination of the 24 x 7 flood of I-94 noise.

We look forward to your positive engagement in seeking a resolution to the highway noise in our area.

Sincerely,

Frank Porta
[REDACTED]



CITY OF ANN ARBOR, MICHIGAN

100 North Fifth Avenue, P.O. Box 8647, Ann Arbor, Michigan 48107-8647

www.a2gov.org

Public Services Area

April 13, 2007

Frank Porta
[REDACTED]

Dear Mr. Porta:

Your E-mail correspondence of January 6, 2007, was forwarded for my attention. I understand that you are concerned about the highway noise created by Interstate 94 as it exists in the city today. I followed up on your concern by contacting Tom Zurburg, Traffic Noise Technician, MDOT Construction and Technology. Tom is the MOOT staff person responsible for administering their noise abatement program. Tom and I discussed the MDOT Noise Abatement policy and programs in some detail. We explored both Type I and Type II Noise Mitigation Programs.

Although it is clear and agreed to that highway noise is an issue in your neighborhood, the program guidelines adopted for addressing noise related complaints governs the MDOT program. Of particular importance for you and your neighbors is the Michigan Department of Transportation Procedures and Rules for Implementation of State Transportation Commission Policy 10136, Noise Abatement, in the Definitions section of the Policy, available on the MDOT website, is the definition for Type II projects. It reads as follows:

"Type II Projects - A Type II project is a federal-aid project for noise abatement along existing highways at residential locations that were in existence prior to 1976.

The following conditions must exist:

- Eighty percent of the dwelling units within 500 feet of a limited access highway preceded the highway or the last pre-1976 major capacity improvement.
- Zoning and building regulations are in place to preclude future noise abatement needs.
- The majority of the residents are in favor of noise abatement.

Mr. Frank Porta
Page 2 of 2

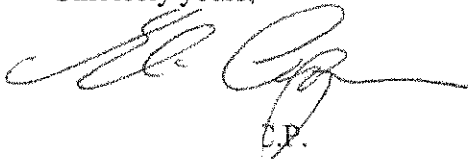
If noise abatement measures were previously determined to be unreasonable or unfeasible as part of a Part I project, the application will not be considered. Participation by MDOT is subject to State transportation commission Policy 10136, dated July 31, 2003."

I believe your writing refers to the city taking action under this program. Unfortunately, MDOT's opinion of the eligibility of the segment of I-94 that is in close proximity to your home as offered via e-mail by Tom Zurburg, is as follows:

".... The legend indicates that I-94 existed before the homes between State Rd and Platt Rd making them ineligible under Type 2 criteria. This would need to be confirmed by comparing the plat dates or building permit dates of the homes to the date of I-94's construction. My preliminary investigation shows that section of I-94 was built in 1956."

Therefore, it is unfortunate that although highway noise is of significant concern to you and your neighbors, it is not eligible for inclusion in the state's program. We will continue to monitor the state and federal programs to determine if they change the criteria for inclusion in their program. Thank you for identifying this opportunity for us, and I am very sorry to report that the program you have identified is not available to resolve this issue.

Sincerely yours,



E
C

Eric Cooper, A.I.C Transportation
Program Manager

CC: Marcia Higgins, Ann Arbor City Council Margie Teal,
Ann Arbor City Council Tom Zurberg, Traffic Noise
Technician, MDOT Sue F. McCormick, Public Services
Area Administrator Craig Hupy, P.E., Manager Systems
Planning Manager Matthew Naud, Environmental
Coordinator

King, Carol

From: Greden, Leigh
Sent: Monday, April 16, 2007 8:08 PM
To: Miller, Jayne; Klinke, Amy
Cc: Teall, Margie
Subject: William St Station AMI chart

Following our discussion, I looked at Jayne's materials. Here's a chart summarizing the 4 current scenarios, and then one I created that's between "mid" and "low." My proposed scenario -- in bold -- basically takes 15 of the 40% AMI units from the "Mid" category and moves them to 25% AMI. All else remains the same as "Mid." I don't have any costing for my proposal; you guys would need to run those \$. Thoughts?



4th & William AMI
breakdown.xls...

	<u>Current</u>	<u>High</u>	<u>Mid</u>	<u>Mid-Low</u>
50% AMI	30	0	0	0
40% AMI	0	45	30	15
35% AMI	25	0	0	0
30% AMI	25	37	47	47
25% AMI	20	0	0	15
15% AMI	0	18	23	23
TOTAL UNITS	100	100	100	100

Cost to endow	\$400,000.00	\$400,000.00	\$900,000.00
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Low

0
0
0
52
25
23
100

\$2,000,000.00

King, Carol

From: Greden, Leigh
Sent: Monday, April 16, 2007 8:00 PM
To: Teall, Margie
Subject: RE: Rental AMI chart

Yup, somewhere in the middle. Let's assume \$1.6m. We could break it down as follows:



4th & William \$2m
breakdown.xls...

From: Teall, Margie
Sent: Monday, April 16, 2007 7:45 PM
To: Greden, Leigh
Subject: RE: Rental AMI chart

I like it. Do we know what we'd have to put in the reserve fund? (somewhere between 900,000 and 2 million...)

From: Greden, Leigh
Sent: Monday, April 16, 2007 7:33 PM
To: Teall, Margie
Subject: Rental AMI chart

I made a spreadsheet. It summarizes the AMI breakdowns for Current, High, Medium, and Low. I prepared something between Medium and Low. It's in bold. What d'ya think?

<< File: 4th & William AMI breakdown.xls >>

EXPENSES

Itemized
(\$1,600,000.00)

Target Endowment for low rents
Total Expenses

REVENUES

Developer Contribution (reimbursement)	\$750,000.00
DDA Contribution	\$750,000.00
* Portion of 1st & Washington revenues	\$0.00
Public Services- Footing Drain Disconnect	\$30,000.00
Public Services- Fire hydrant	\$42,500.00
Public Services- Right of way contributions	\$12,000.00
Public Services- Scio Twp	\$15,400.00
Total Revenues	

SHORTFALL

* Allocation of 1st & Washington proceeds:

<i>Sale Price to Developer</i>	\$2,240,000.00
<i>Sale Price to Hodash for property exchange</i>	\$290,000.00
<i>Total Revenues to City</i>	\$2,530,000.00
<i>Allocation to 4th & William Project</i>	\$0.00
<i>Allocation to Capital Building Fund</i>	(\$2,430,000.00)
<i>Allocation to Affordable Housing Trust Fund</i>	(\$100,000.00)
<i>Remainder</i>	\$0.00

Total

(\$1,600,000.00)

\$1,599,900.00

(\$100.00)

King, Carol

Full Name: Jim Clare
Last Name: Clare
First Name: Jim

Mobile: 

King, Carol

From: John L King [REDACTED]
Sent: Monday, April 16, 2007 10:22 PM
To: Hieftje, John; Johnson, Robert; Suarez, Ron; Rapundalo, Stephen; Lowenstein, Joan; Kunselman, Stephen; Greden, Leigh; Higgins, Marcia; Teall, Margie; Easthope, Christopher; Woods, Wendy A
Subject: Closing of West Huron River Drive

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