



**GRAND VALLEY
METROPOLITAN COUNCIL**

Board Meeting Agenda

December 3, 2009 • 8:30 a.m.

Kent County Commission Chambers • Grand Rapids, MI

- 1. Call to Order by Chair**
- 2. Public Comment**
 - a. Tribute to Sue Higgins, Executive Director, Macatawa Area Coordinating Council, in honor of her retirement**
 - b. Presentation on the Mutual Aid Box Alarm System by Chief James Carr, Kentwood Fire Department**
- 3. Approval of Minutes dated November, 2009**
- 4. Transportation Department: Amendments to the FY 2008-2011 Transportation Improvement Program**
- 5. Extension of Contract with Fishbeck, Thompson, Carr and Huber, Inc. to Administer GVMC's Regional Storm Water Phase II Compliance Program**
- 6. Legislative Advocacy – Report from the GVMC Legislative Committee**
 - a. Recommendation to support draft Municipal Partnership Act**
 - b. Issues Update**
- 7. Other items of business and comments from GVMC members**
- 8. Adjournment**



Memorandum

To: Grand Valley Metropolitan Council
From: Donald J. Stypula, Executive Director
Date: November 30, 2009
Re: Agenda Items for our December 3, 2009 Board meeting

Attached are the agenda and support documents for our next GVMC Board of Directors meeting, scheduled for **8:30 am Thursday December 3, 2009 at the Kent County Commission Chambers in downtown Grand Rapids.**

We have a full agenda this month, including a brief tribute to Sue Higgins retiring Executive Director of the Macatawa Area Coordinating Council and a presentation on the Mutual Aid Box Alarm System by Kentwood Fire Chief Jim Carr. Action items include several amendments to the GVMC Transportation Improvement Program, a proposed contract extension with FTCH, Inc., to administer GVMC's regional storm water permitting compliance program, and a recommendation from the GVMC Legislative Committee to support and champion a new legislative approach to multi-jurisdictional service sharing.

We'll start by reviewing and accepting the attached minutes from our November 5, 2009 GVMC Board meeting.

PRESENTATION ON MUTUAL AID BOX ALARM SYSTEM

Area fire chiefs have collaborated on the development of a new method for providing multi-jurisdictional assistance during fires and other emergencies. At our meeting on Thursday, Kentwood Fire Chief Jim Carr, joined by other area fire chiefs, will join us to give us a briefing on the new Mutual Aid Box Alarm System.

TRANSPORTATION DEPARTMENT: AMENDMENTS TO THE FY 2008-2011 TRANSPORTATION IMPROVEMENT PROGRAM

The City of Walker, Ottawa County Road Commission, City of Grand Rapids, the Kent County Road Commission, the Michigan Department of Transportation and the City of Lowell are requesting amendments to the FY 2008-2011 Transportation Improvement Program for numerous projects. These amendments have been reviewed and approved by both the GVMC Transportation Technical and Policy Committees. I have included in the attachments a briefing memorandum prepared by GVMC Transportation Planner Darrell Robinson, together with the

memorandum prepared by GVMC Transportation Planner Darrell Robinson, together with the materials submitted by the requesting communities and agencies, for your review and consideration.

Proposed Action: Review and approve the amendments to the FY 2008-2011 GVMC Transportation Improvement Program

EXTENSION OF CONTRACT WITH FISHBECK, THOMPSON, CARR AND HUBER, INC. TO ADMINISTER GVMC'S REGIONAL STORM WATER PHASE II COMPLIANCE PROGRAM

GVMC administers – via a contract with Fishbeck, Thompson, Carr and Huber, Inc. – a regional initiative to assist West Michigan counties and communities in complying with the U.S. EPA's Phase II Storm Water permitting requirements. The contract with FTCH is set to expire. To ensure continuity and consistency in providing compliance assistance to the 21 agencies and municipalities in Kent and Ottawa Counties that participate in the program, I am seeking your approval to extend the contract with FTCH for four years.

I have assembled a briefing memo, together with a scope of services document and participant cost allocation formulas, for your review and consideration.

Proposed Action: Review and approve the proposed contract extension with FTCH, Inc., to continue GVMC's regional Storm Water Phase II Regulatory Compliance Initiative.

LEGISLATIVE ADVOCACY – RECOMMENDATION FROM THE GVMC LEGISLATIVE COMMITTEE

The Legislative Committee met on November 11 to discuss a draft of legislation that would – if passed by the Legislature and signed into law by the Governor – establish the Municipal Partnership Act. Under the proposed legislation, two or more local units of government located in Kent County, or in collaboration with Kent County, could enter into a contract to provide public services currently provided by the individual local governments. Written by attorneys at Clark Hill, PLC, at the request of Wyoming City Manager Curtis Holt, the legislation as drafted would supersede existing state statutes, local ordinances and existing municipal charter provisions to enable partnering local governments to quickly establish a contract for the joint provision of services or to form an authority to coordinate the provision of those services.

The proposed Act also would allow each local unit or the county that enters into a contract for the joint provision of services to ask local voters to approve up to five mills to pay for the provision of that service. Contracts for the joint provision of services entered into under the terms of this Act would not be subject to referendum and the contract could not be the basis for recalling elected officials from office. In addition, neither the existence of the contract, nor its specific provisions, could be subject to collective bargaining. The provisions of 1969 Public Act 312 (compulsory binding arbitration for public safety employees) would be set aside for up to

four years under contracts entered into under the new Municipal Partnership Act.

Genesis of the Legislation

This draft emerged from months long discussions among the managers of the six “urban” cities in Kent County (Grand Rapids and the five surrounding cities), each of which is wrestling with varying degrees of fiscal stress. As noted in a recently-released study of collaborative municipal service sharing partnerships in the Grand Rapids area – conducted by the non-partisan Citizens Research Council of Michigan – West Michigan, more than any other region of the state, possesses the trust and collaborative spirit to ramp up the shared provision of public services.

Also sparking the desire for this fresh approach is our collective inability – through GVMC – to successfully convince lawmakers to move our suggested amendments to Act 312 and 1967 Public Acts 7 and 8 (the intergovernmental cooperation acts) that would remove barriers to cooperation and collaborative service sharing. If enacted into law, the Municipal Partnership Act would enable communities in Kent County to set aside language in the current intergovernmental cooperation acts that requires collaborating communities to pay the highest wages and benefits among the participants in a service and cost sharing agreement and give those communities an opportunity to prove that they can deliver vital services in a more efficient and cost effective manner while still protecting the rights and the jobs of public employees.

The Legislative Committee met last week to discuss the draft legislation and determined that the concept was both workable and achievable. Committee members agreed that our historic desire to amend the existing intergovernmental cooperation acts to remove barriers to service sharing is falling short, and that a new approach is needed. By unanimous vote, the Committee endorsed the concept of this draft legislation, and urges the Executive Committee and the Board to authorize me to pursue enactment of this draft bill in the 95th Michigan Legislature.

For your review, I have attached the draft bill, together with a summary of the legislation prepared by the attorneys at Clark Hill, PLC

Proposed Action: Review and approve the recommendation of the GVMC Legislative Committee to support the draft bill known as the Municipal Partnership Act.

LEGISLATIVE ADVOCACY – ISSUES UPDATE

Both the U.S. Congress and the Michigan Legislature are back in session at their respective Capitols. I will bring you the latest on their lawmaking endeavors at our meeting on Thursday.

As always, we’re looking forward to seeing you and having a fruitful discussion. If you have any thoughts, comments, questions or suggestions you can reach me anytime on my cell phone at 616-450-5217, in the office at 776-7604, at home at 257-3372 or via email at stypulad@gvmc.org.

GRAND VALLEY METRO COUNCIL

Board Meeting

November 5, 2009

8:30 a.m.

City of Wyoming Council Chambers

MINUTES

1. Call to Order

The meeting was called to order at 8:35 a.m. by Chairman Jim Buck.

Jim Buck thanked Curtis Holt and Carol Sheets for providing the location for today's meeting and explained the reasoning behind the venue change.

Carol Sheets introduced City of Wyoming mayor elect Jack Poll to the Committee.

Jim Buck introduced Phil Van Noord, a trustee from the Village of Middleville, and Andrea Faber and Leon Branderhorst from GVMC to the Committee, and welcomed Cy Moore back to the Committee after an absence.

Members Present:

Alex Arends	Alpine Township
Jim Buck	City of Grandville
Chris Burns	City of Cedar Springs
Dan Carlton	Georgetown Township
Tom Fehsenfeld	At-Large Member
Cindy Fox	Cascade Township
Don Hilton, Sr.	Gaines Township
Denny Hoemke	Algoma Township
Jim LaPeer	Cannon Township
Elias Lumpkins, Jr.	City of Grand Rapids
George Meek	Plainfield Township
Cy Moore	Treasurer
David Pasquale	City of Lowell
Steven Patrick	City of Coopersville
Rick Root	City of Kentwood
Carol Sheets	City of Wyoming
Phil Van Noord	Village of Middleville
Al Vanderberg	Ottawa County
Rob VerHeulen	City of Walker
Michael Young	City of Rockford

Members Absent:

Jerry Alkema	Allendale Township
Dale Bergman	Sparta Township
Dick Bulkowski	Kent County

Randy DeBruine	City of Belding
Daryl Delabbio	Kent County
Sharon DeLange	Village of Sparta
Mike DeVries	Grand Rapids Township
Brian Donovan	City of East Grand Rapids
Jason Eppler	City of Ionia
Brian Harrison	Caledonia Township
Doyle Hayes	At-Large Member
George Heartwell	City of Grand Rapids
John Helmholdt	City of Grand Rapids
Jim Holtrop	Ottawa County
Pauline Luben	City of Hudsonville
Robert May	City of Hastings
Mick McGraw	At-large Member
Jim Miedema	Jamestown Township
Roger Morgan	Kent County
Audrey Nevins	Byron Township
Chuck Porter	Courtland Township
Milt Rohwer	City of Grand Rapids
Ken Snow	City of Greenville
Toby VanEss	Tallmadge Township
Bill VerHulst	City of Wyoming
Chris Yonker	City of Wayland

Others Present:

Andy Bowman	Grand Valley Metro Council
Leon Branderhorst	Grand Valley Metro Council
Allie Bush	City of Rockford
Andrea Faber	Grand Valley Metro Council
Curtis Holt	City of Wyoming
Abed Itani	Grand Valley Metro Council
Jack Poll	City of Wyoming
Don Stypula	Grand Valley Metro Council
Peter Varga	ITP

2. Public Comment

None

3. Approval of Minutes

**MOTION – To Approve the Minutes of the October, 2009, GVMC Board Meeting.
MOVE – Sheets. SUPPORT – Root. MOTION CARRIED.**

4. Update on the GVMC Strategic Plan

Don Stypula reported that he is currently meeting with Michael Young on a monthly basis in order to make sure that GVMC stays on track in meeting the goals and objectives of the Strategic Plan. He added that there are a few areas in which GVMC has been falling short, such as in developing a model for providing planning services to the community. In the future, Don stated that it would be essential for GVMC and its

member organizations to share services and the costs of these services. This will be especially true in regard to planning, since every draft of the new transportation bill indicates that there will be a requirement for blueprint planning activities. He commented that GVMC is the only MPO in Michigan that will be able to fully comply with this legislation because there is currently a blueprint planning process in place.

Michael Young added that GVMC's Strategic Plan should be updated in the near future and suggested that this item be added to a future agenda. Vanderberg stated that the board should look at GVMC's Strategic Plan on a regular basis to make sure that it's on track.

Don stated that he had hoped to have some marketing materials in place by this date. However, the proposals that he had received from several marketing companies were beyond the scope of what he was looking for. Therefore, Don stated that he will develop a mock-up of several brochures himself and run them past professionals to look at the artwork, etc. Once a final draft is in place, he will bring it back to the Board for approval.

Lastly, Don reported that Grand Valley State University would like to formally join GVMC in an ex-officio capacity. While they wouldn't have a vote, they would be willing to pay full dues. Don stated Public Act 292 of 1989 would not allow for GVSU to have voting privileges. However, if the Board chose, they could pursue amendments to the act to allow for other classes of membership on a formal basis with voting privileges in the future. Don concluded that he has asked corporate counsel to look into the details of allowing GVSU to join the Metro Council on an ex-officio basis.

5. GVMC Regional Cooperation Committee

Don Stypula invited the Board to attend the Regional Cooperation Committee meeting on Friday, November 20. The topic of discussion will be economic development and steps we can take as individual counties and municipalities in the region to foster economic growth and job creation.

Furthermore, Don stated that he is working closely with The Right Place in terms of economic development and that he will participate in the Michigan Local Government Management Association's upcoming mentoring sessions. Don is also planning to bring a facilitator in to look at the dynamics of Metro Council to determine strengths and weaknesses.

6. Legislative Advocacy

a. Governor Warns on FY2011 Budget Cuts

Don Stypula stated that there will be a 20% across-the-board cut for state expenditures and that there is a strong possibility that statutory revenue sharing will be gone in a year. Don also stated that there is no guarantee that more cuts won't be made in the near future.

However, on a positive note, Don explained that Metro Council has been championing government reforms. This has resulted in a new bill, Act 312, which will likely be brought to a vote in the state senate in a few days.

Vanderberg stated that when the general fund is cut, there is less money available to provide a match for federal funds, which means that federal funds are lost as well.

Sheets added that now is the time to start a letter or e-mail campaign for a tax increase since many elected officials are nearing the end of their term limits. Stypula encouraged the Board to develop relationships with their senators and representatives so that they can convey to them how important this issue is.

b. GVMC Legislative Committee

Rick Root reported that the next GVMC Legislative Committee Meeting will be on Wednesday, November 11, 2009. He added that the group will need to be willing to look beyond their territorial boundaries and determine how to make the area a quality place without the help of the state.

7. Other

Alex Arends reported that new housing starts in Alpine Township quadrupled.

Jim Buck congratulated Rob VerHeulen on his successful reelection.

George Meek asked that there be a report on the pavement management van at the next meeting.

Phil Van Noord stated that he is a member of the West Michigan Trails and Greenways Coalition and that this group is working to not only connect trails, but to connect people on trails. As a new member of the Board, he stated the importance of reaching out to people within the community.

Andy Bowman announced that the fall forum for the Lower Grand Organization of Watersheds will be held on Friday, November 6.

Michael Young introduced Allie Bush, administrative assistant for the City of Rockford, to the Board.

8. Special Ceremony

Don Stypula presented Carol Sheets with a gift, congratulated her on her retirement, and thanked her for her service. Sheets stated that one of her greatest accomplishments as a member of Wyoming's City Council was getting Wyoming back into Metro Council. Several members of the Board and guests thanked Carol for her service as well.

Jim Buck welcomed Jack Poll, the newly-elected Mayor of Wyoming, to the Board.

9. Adjourn – 9:44 a.m.

MOTION – To Adjourn. MOVE – Sheets. SUPPORT – Fox. MOTION CARRIED.



GRAND VALLEY METROPOLITAN COUNCIL

ALGOMA TOWNSHIP • ALLENDALE TOWNSHIP • ALPINE TOWNSHIP • BELDING • BYRON TOWNSHIP • CALEDONIA TOWNSHIP • CANNON TOWNSHIP • CASCADE TOWNSHIP • CEDAR SPRINGS • COOPERSVILLE • COURTLAND TOWNSHIP • EAST GRAND RAPIDS • GAINES TOWNSHIP • GEORGETOWN TOWNSHIP • GRAND RAPIDS • GRAND RAPIDS TOWNSHIP • GRANDVILLE • GREENVILLE • HASTINGS • HUDSONVILLE • IONIA • JAMESTOWN TOWNSHIP • KENT COUNTY • KENTWOOD • LOWELL • MIDDLEVILLE • OTTAWA COUNTY • PLAINFIELD TOWNSHIP • ROCKFORD • SPARTA • SPARTA TOWNSHIP • TALLMADGE TOWNSHIP • WALKER • WAYLAND • WYOMING

MEMORANDUM

DATE: November 12, 2009

TO: Grand Valley Metro Council Board

FROM: Darrell T. Robinson, Transportation Planner

RE: FY2010 TIP Developments

Please find attached a letter from the City of Walker. The City is surrendering Federal funds for two projects one project currently programmed in the FY2008 – 2011 TIP and the other pending Federal approval. Both projects were located in FY2010 with one project funded with EDF Category C funds and the other project was to be funded with Congestion Mitigation Air Quality (CMAQ) funds. See the attached letter.

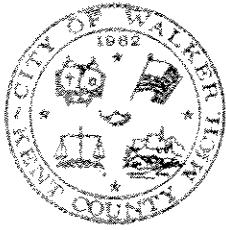
At the last Technical Committee meeting the following changes were recommended as a result of the City of Walker surrendering Federal Funds as well as other amendment requests:

- The Ottawa County Road Commission (OCRC) requested to fund a project on 20th Avenue at Baldwin Street, addition of dedicated left and right turn lanes on 20th Avenue at a cost of \$238,000 Federal utilizing a portion of the surrendered FY2010 Congestion Mitigation Air Quality (CMAQ) funds. This project was located in FY2009 and was not obligated before Obligational Authority ran out at the Michigan Department of Transportation (MDOT). See attached spreadsheet.
- The City of Grand Rapids requested to fund a project: ITS Traffic signal Communications, Traffic operations center upgrades at a cost of \$150,000 Federal utilizing a portion of the surrendered FY2010 CMAQ funds. This project was located in FY2009 and was not obligated before Obligational Authority ran out at MDOT. See attached spreadsheet.
- The Kent County Road Commission (KCRC) requested a project at the intersection of Cascade, Spaulding and Hall Street using CMAQ funds in the amount of \$126,458 Federal using a portion of the surrendered FY2010 CMAQ funds. The KCRC also requested to fund a project on Northland Drive from M-57 to Indian Lakes Road, reconstruct and widen to 3 lanes at a cost of \$2,072,000 Federal utilizing the surrendered FY2010 EDFC funds. Lastly the KCRC has received Conditional Commitment on a STP-Enhancement Project. The project is

located in Byron Center on 84th Street. The KCRC is requesting to have this project placed in the FY2008-2011 TIP specifically in FY2010. See attached spreadsheet.

- MDOT is requesting to add three trunkline bridge rehabilitation projects to the FY2008 – 2011 TIP specifically for FY2010. The first bridge is on US-131 under 32nd Street, the second is on I-96 over M-11 (28th Street) and the third bridge is on I-96 west bound over C & M railroad. The total estimated for all three bridges is \$2,102,000. MDOT is also requesting an amendment to the MPO TIP to include an AMTRAK Station Relocation project, planned for the GVMC MPO area in FY 2010. This project will include the use of federal funding. See attached memo. Lastly, MDOT is requesting to add General Program Accounts (GPA's) to the FY2008-2011 TIP, specifically FY2010 for local highway safety and local bridge. Please see the attached spreadsheets.
- The City of Lowell is requesting to amend the FY2008-2011 TIP specifically FY2010 to combine the Bowes Road projects and a change in scope of the micro seal portion. See attached memo.
- The City of Walker was awarded an STP-Enhancement project for the construction of 4 miles HMA trail, timber boardwalks and other trail amenities in the amount of \$850,000 Federal and \$850,000 local. See attached spreadsheet.

If you have any questions please do not hesitate to contact me at (616) 776-7609.



CITY of WALKER

4243 Remembrance Road, N.W.
Walker, Michigan 49544
(616) 453-6311

September 16, 2009

Grand Valley Metro Council
Attn: Abed Itani, Transportation Director
678 Front Ave NW, Suite 200
Grand Rapids, Michigan 49504

Dear Mr. Itani:

On Monday evening, September 14th, our City Commission directed city staff to pursue a scaled down version of the Three Mile Road over Indian Mill Creek project. The scaled down version of the improvement will include replacing the creek crossing with a new concrete arch structure spanning 42' over the creek. The bridge will be wide enough to allow for a fully improved 5 lane future road section.

The city of Walker has received a \$1,111,500 grant from the Regional Bridge Authority to aid in the replacement of the 89 year old structure. We still intend for this grant to be the primary source of funding for the project. Unfortunately, we will not be able to take full advantage of 2 other grants that have been dedicated to the project.

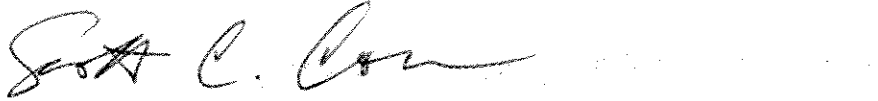
We regret that we must turn back a \$480,000 Congestion Mitigation Air Quality (CMAQ) grant that would have allowed for reconstruction of the Walker Avenue and Three Mile Road intersection to facilitate dual left turn lanes for eastbound Three Mile Road to Northbound Walker Avenue. The grant is for 2010 funding.

We also have an Economic Development Fund -- Category C (EDFC) grant that we will not be able to take full advantage of. That grant provides for \$1,967,000 in 2010. We are still exploring alternatives to take advantage of up to \$960,000 of this grant with qualifying improvements but we will be turning back at least \$1,007,000 for use on other local projects. We expect to determine the complete eligibility of the rest of this grant within the next 30 days. We will stay in close contact with your office in the event that any more of this funding could become available to the region.

The city of Walker will work diligently with GVMC and our partner communities to locate worthy local projects where we can apply these funds to improve the region's transportation system.

Thank you and your staff for all the support you have given us in our efforts to complete this improvement. Please feel free to contact me at 791-6792 or sconners@ci.walker.mi.us with any questions you have.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott C. Conners". The signature is fluid and cursive, with the first name "Scott" being the most prominent part.

Scott C. Conners, P.E.
City Engineer

cc: Cathy Vander Meulen, City Manager
City Commission
Mayor Robert VerHeulen

FY 2008 - 2011 STIP/TIP Project Data - GVMC Grand Rapids

10/13/09

Required Fields

Fiscal Year	County	Responsible Agency	Project Name	Limits	Length	Primary Work Type	Project Description	Phase	Advance Construct	Federal Cost (\$1000s)	Federal Fund Source	State Cost (\$1000s)	State Fund Source	Local Cost (\$1000s)	Local Fund Source	Total Cost (\$1000s)	MDOT Job No.	Local ID No.	MPO/Rural Approval Date	Amendment Type	Air Quality
2010	Ottawa	OCRC	20th Avenue	At Baldwin Street		Traffic operations	Addition of dedicated left and right turn lanes on 20th Avenue, NB & SB	CON		238	CM			112	CNTY	350				Year	Exempt
2010	Kent	City of Grand Rapids	ITS	Area-wide		Traffic operations	ITS Traffic Signal Communications, Traffic operations center upgrades	PE		150	CM			38	CITY	188	102431			Year	Exempt
2010	Kent	KCRC	Cascade Rd	At Hall/Spalding		Traffic operations	Right turn lane from Cascade to Hall Street	CON		126	CM			32	CNTY	158				Add	Exempt
2010	Kent	KCRC	Northland Dr.	M-57 to Indian Lakes Road	1.31	Widen - major (capacity increase)	Reconstruct and Widen to 3 lanes	CON		2,072	EDCF			518	CNTY	2,590				Add	Non-exempt

Conditional Commitment

Project Number: ENH200800041
Applicant: Kent CRC
Project Name: 84th Streetscape: Byron Center Beautification

TEA Amount Requested:	\$370,846.00
Original Match:	\$200,000.00
Total Project Cost Requested:	\$570,846.00

TEA Amount Recommended Pending Final Reviews and Approvals:	\$289,896.00	59.18 %
(Prorated) Applicant / Sponsor Match:	\$200,000.00	40.82 %
TEA Recommended + Prorated Match:	\$489,896.00	

Proposed (Participating) Work:

2010 CONDITIONAL COMMITMENT (7/20/09):

The Kent County Road Commission will streetscape 84th Street from Woodhaven Drive to Byron Center Avenue in Byron Center Township. In 2006 84th Street (the main street of Byron Center's central business district) underwent a resurfacing and "road diet" to reduce the number of through lanes from four to two, with a center turn lane. This configuration now provides an opportunity for on-street parallel parking with improved pedestrian access and safety. Curb "bump outs" and stamped concrete intersections and crosswalks will be used to clearly define parking and pedestrian areas, and reduce the crossing distance at intersections. Decorative post-top streetlights will be placed in the brick pavement area to improve pedestrian visibility and act as a defining element at the township center. Additionally, bicycle racks, trash receptacles, park benches, and decorative tree vault planters will be added to enhance and beautify pedestrian areas.

Construction is planned for the 2010 construction season. The total cost of construction is \$489,896, with \$289,896 in federal TE funds and matching funds of \$200,000 from Byron Center Township.

FUNDING CONDITION:

Transportation Enhancement funding is conditional upon the items mentioned in the letter from our office conveying the conditional commitment, supporting documentation, as well as Congress' reauthorization of Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) continuing TE program funding. SAFETEA-LU legislation is set to expire at the end of fiscal year 2009 (September 30, 2009).

Total Non-Participating Amount (Not Recommended) : \$4,800.00



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
GRAND REGION OFFICE
1420 FRONT AVENUE NW
GRAND RAPIDS, MICHIGAN 49504
PHONE: 616-451-3091 FAX: 616-451-0707

KIRK STEUDLE
DIRECTOR

October 27, 2009

TO: Abed Itani, Transportation Director
Grand Valley Metro Council

FROM: Dennis Kent, Region Transportation Planner
MDOT/Grand Region

SUBJECT: **FY 2010 TIP Amendment**

MDOT is requesting an amendment to the MPO TIP to include the following additional trunkline bridge rehabilitation projects, planned for the GVMC MPO area in FY 2010. These projects will include the use of federal funding.

FY	JN	Route	Location	Work Description	Total Cost Est.
10	102806	US-131	Under 32 nd Street	Replace concrete railing on bridge	\$202,000
10	106264	I-96	Over M-11 (28 th Street)	Bridge deck - deep overlay	\$1,616,000
10	106273	I-96WB	Over C & M RR	Superstructure repair	\$284,000

Please amend or modify the Grand Rapids FY 2008-011 MPO TIP to include these projects. Feel free to contact me at 616/451-3091 if you have any questions.

Thank you for your consideration.

cc GVMC MPO Committees
D. Robinson, GVMC
S. Cornell-Howe, MDOT
V. Weerstra, MDOT
E. Kind, MDOT



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
GRAND REGION OFFICE
1420 FRONT AVENUE NW
GRAND RAPIDS, MICHIGAN 49504
PHONE: 616-451-3091 FAX: 616-451-0707

KIRK STEUDLE
DIRECTOR

November 3, 2009

TO: Abed Itani, Transportation Director
Grand Valley Metro Council

FROM: Dennis Kent, Region Transportation Planner
MDOT/Grand Region

SUBJECT: **FY 2010 TIP Amendment-AMTRAK Station Relocation**

MDOT is requesting an amendment to the MPO TIP to include the following AMTRAK Station Relocation project, planned for the GVMC MPO area in FY 2010. This project will include the use of federal funding.

FY	JN	Route	Location	Work Description	Total Cost Est.
10	N/A	AMTRAK	City of Grand Rapids	Station and track relocation - to the ITP Central Station area. (PE, ROW & Construction)	\$5.0 Million

Please amend or modify the Grand Rapids FY 2008-011 MPO TIP to include this project. Feel free to contact me at 616/451-3091 if you have any questions.

Thank you for your consideration.

cc GVMC MPO Committees
D. Robinson, GVMC
S. Cornell-Howe, MDOT
V. Weerstra, MDOT
E. Kind, MDOT



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
GRAND REGION OFFICE
1420 FRONT AVENUE NW
GRAND RAPIDS, MICHIGAN 49504
PHONE: 616-451-3091 FAX: 616-451-0707

KIRK STEUDLE
DIRECTOR

November 16, 2009

TO: Abed Itani, Transportation Director
Grand Valley Metro Council

FROM: Dennis Kent, Region Transportation Planner
MDOT/Grand Region

SUBJECT: **FY 2010 TIP Amendment - GPA**

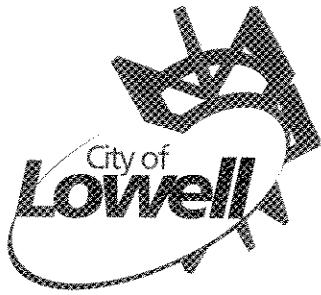
MDOT is requesting an amendment to the MPO TIP to include the following additional trunkline General Program Account (GPA), for the GVMC MPO area in FY 2010. This GPA will include the use of federal funding.

FY	JN	Route	Location	Work Description	Total Cost Est.
10	N/A	Various	Area-wide	GPA – State Trunkline Program Development/Scoping	\$320,000

Please amend or modify the Grand Rapids FY 2008-011 MPO TIP to include this GPA. Feel free to contact me at 616/451-3091 if you have any questions.

Thank you for your consideration.

cc GVMC MPO Committees
D. Robinson, GVMC
S. Cornell-Howe, MDOT
V. Weerstra, MDOT
E. Kind, MDOT



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
Fax (616) 897-4085

October 22, 2009

Mr. Abed Itani, Transportation Director
Grand Valley Metro Council
678 Front Avenue, Suite 200
Grand Rapids, Michigan 49504

SUBJECT: Amendment to the TIP

Dear Abed,

The City of Lowell wishes to modify the TIP to allow for a slight reconfiguration of the Bowes Road projects and the assignment of the ARRA funds.

Original Plan – The original arrangement involves two separate projects.

1. Project Number 89600 – Reconstruction of Bowes Road from Valley Vista Street to 1950 feet west. STP funds = \$ 341,600, Local funds = \$155,900, ARRA funds = \$42,000.
2. Project Number 107103 – Micro Seal of Bowes Road from South Hudson Street to Valley Vista Street. ARRA funds = \$ 78,000.

Proposed Plan – The proposed plan calls for the two projects to be combined and for a change in scope of the micro seal portion.

1. Project Number 89600 – (a) Reconstruction of Bowes Road from Valley Vista Street to 1950 feet west. (b) Mill and resurface from Valley Vista Street east to approximately West Street. STP funds = \$ 341,600, Local funds = \$155,900, ARRA funds = \$120,000 = (\$42,000+\$78,000)

Explanation – The original arrangement called for a micro seal treatment for of a portion of Bowes Road east of the new reconstruction project. This resulted in a gap of deteriorated pavement between the two projects that needed a mill and resurface treatment. In the proposed plan, the micro sealing portion is removed and the \$78,000 assigned to it is transferred to the reconstruction project to allow for the deteriorated section to receive a mill and resurface treatment. This allows for continuity between the two projects, eliminates the need to coordinate the construction of two projects in the same area, eliminates some of the disruption to the local businesses and residences and reduces the administration of the overall projects. The City will pursue the micro sealing of the remaining portion with other funds in the future.

This modification was reviewed with Brandon Wilcox of MDOT – Small Urban Program and found acceptable.

A February bid letter with MDOT is planned and as such final plans will be submitted to MDOT prior to the required date of November 16, 2009.

If there are any questions, let me know.

Sincerely,

A handwritten signature in cursive script that reads "David M. Pasquale".

David M. Pasquale
City Manager

/brm

Transportation Enhancement Program

Approved Grants - October 2009 Announcement

Project Number	Job #	MDOT Region	County	Applicant	Project Name	Type of Work	Federal TE Amount	Match Amount	Match %	Source of Match
Tri-county Regional Planning Commission										
ENH200700030	100539	University	Ingham	MDOT/East Lansing	I-69BL (Saginaw St) Nonmotorized Pathway	Nonmotorized pathway construction	\$1,153,666	\$568,417	33%	MDOT = \$280,000, East Lansing = \$224,000
Region 2 Planning Commission										
ENH200600111	101697	University	Jackson	Jackson	Grand River ArtsWalk Nonmotorized Path and Brick Street Restoration	Nonmotorized pathway and preservation of the historic brick Mechanic Street	\$986,202	\$595,415	38%	\$300,000 = DEQ Clean Michigan Initiative Waterfront Improvement Grant, \$295,415 = Jackson
Grand Valley Metropolitan Council										
ENH200700043	103407	Grand	Kent	City of Walker	Frederik Meijer Standale Trail	4 miles HMA trail, timber boardwalks and other trail amenities	\$850,000	\$850,000	50%	West Michigan Trails and Greenways Coalition
Saginaw County Metropolitan Planning Commission										
ENH200800056	104012	Bay	Saginaw	MDOT/Birch Run	I-75 at Birch Run Road Interchange	Beautification, "Welcome to the Saginaw Valley"	\$106,302	\$82,107	44%	\$37,081 = MDOT and \$44,425 = private sources
Statewide Transportation Improvement Program										
ENH200900089	108527	North	Benzie	MDOT/Village of Elberta	Village of Elberta M-168 Streetscape Enhancement	Streetscape in conjunction with road reconstruction project	\$362,350	\$90,588	20%	MDOT = \$137,229, Crystal Falls Twp. = \$41,649 and city of Crystal Falls = \$5,969
ENH20050081.02	105078	Superior	Iron	MDOT/Crystal Falls Twp.	US-2 Nonmotorized	Nonmotorized path	\$542,689	\$200,110	27%	
ENH200700115	105686	North	Leelanau	MDOT	M-22 Paved Shoulders	Construction of 5 foot wide Paved Shoulders	\$258,154	\$64,538	20%	MDOT
ENH200900009	106923	North	Manistee	Manistee CRC	Red Apple Road Paved Shoulders	Construction of 4' wide paved shoulders for nonmotorized use	\$136,928	\$50,000	27%	\$30,000 = Manistee County Road Commission and \$20,000 = Filer Charter Township.
ENH200800053	105609	Grand	Mecosta	Big Rapids	Michigan Avenue Streetscape	Streetscape in conjunction with road reconstruction and façade enhancement project	\$400,000	\$494,792	55%	MSHDA = \$494,792, City of Big Rapids = \$232,792
ENH200900132	108219	Bay	Sanilac	MDOT	M-25 Paved Shoulders - 0.5 miles north of Walker Road to the north village limits of Lexington	Widen paved shoulders for nonmotorized use from 5' to 8'	\$560,800	\$140,200	20%	MDOT



The Grand Valley Metropolitan Council

MEMORANDUM

TO: Grand Valley Metropolitan Council

FROM: Donald J. Stypula, Executive Director

DATE: November 15, 2009

RE: Extension of Contract with Fishbeck, Thompson, Carr and Huber, Inc. to Administer GVMC's Regional Storm Water Phase II Compliance Program

As you know, GVMC administers – via a contract with Fishbeck, Thompson, Carr and Huber, Inc. of Cascade Township – a regional initiative to assist West Michigan counties and communities in complying with the U.S. EPA's federal Phase II Storm Water permitting requirements. The federal permitting program, administered in Michigan through complex and circuitous rules developed by the Water Bureau of the Michigan Department of Environmental Quality (DEQ), requires some county agencies and municipalities located with federally-designated "urbanized" areas to either obtain individual storm water permits, or band together as a group of public corporations to obtain "certificates of coverage" and assure compliance with the rules. Participants in the GVMC regional collaborative program have chosen this later approach, which is administered on a daily basis by the engineers at FTCH, Inc.

The contract with FTCH, approved by the Metro Council in September, 2006, is set to expire. To ensure continuity and consistency in providing compliance assistance to the 21 agencies and municipalities in Kent and Ottawa Counties that participate in the program, I am seeking your approval to extend the contract with FTCH for four years.

As you can see from the attachments, some participants will see an increase in costs, others a decrease. Under a ruling from Kalamazoo County Circuit Court, townships are – with some exceptions – mostly exempt from Storm Water Phase II permitting requirements. Cities, villages, counties and county road commissions that are still under the permitting mandate are required to perform additional tasks under a revised permitting compliance regimen mandated by the DEQ. Those public corporations must comply with these new mandates regardless of whether they participate in a regional consortium like GVMC's or opt to obtain their own, individual jurisdiction-based permit.

GVMC, represented by FTCH at DEQ workgroups, has been proposing an alternative approach to

lessen the regulatory burden and reduce compliance costs. We will continue to do that.

Over the years that GVMC has offered this regional collaborative compliance approach to the federal/state storm water permitting mandate, participants have realized a number of benefits:

1. A collaborative, watershed based approach has provided economy while minimizing demands on the participating communities.
2. Over the past 10 years, we have worked with the communities and DEQ to assemble a workable and worthwhile program to comply with the poorly defined DEQ permit mandates and brought a unified West Michigan voice to the table in working with DEQ on improvements to this regulatory program.
3. Even though the departure of many of the original township participants has reduced the annual budget for this program significantly, we have developed greater efficiencies through inter-watershed cooperation. In addition, by using professionally supervised summer interns for required field activities, we have helped county agencies avoid sharp cost increases for permit compliance activities.
4. We have been able to leverage the investment in the Phase II program by obtaining more than \$1 million in grants for public education, watershed planning and implementation and the development of model ordinances for the public corporations that participate in the program.
5. The Phase II watershed concept has been instrumental in developing the Lower Grand River Organization of Watersheds (LGROW), GVMC's watershed agency, which is being recognized by EPA as a viable regional organization. This is critical in addressing the priorities of the Great Lakes Restoration Initiative and positioning this West Michigan to receive additional funding to assist communities in complying with the permit.
6. Fred Cowles, lead FTCH engineer for GVMC's Lower Grand River Phase II program, has both a statewide understanding of the program and extensive experience with development of the program and local compliance.
7. As the state moves toward consolidation of the Departments of Environmental Quality and Natural Resources into a new Department of Natural Resources and Environment (DNRE), we will need the experience and expertise that FTCH brings to the permit compliance process. Mr. Cowles is one of only a handful of professional engineers currently in consulting practices to have managed water quality regulatory programs at both the DNR and DEQ.
8. The DEQ's recently-revised permit compliance requirements have greatly increased the necessary effort, particularly during 2010 and 2011, in large part due to more ill-defined permit mandates. GVMC's proposed four year program – performed under contract by FTCH – will balance the cost for this work to maintain consistent funding levels.

Since its inception, GVMC's regional, watershed-based Storm Water Phase II Compliance Initiative has provided efficient, cost-effective service to participating counties and communities throughout West Michigan. To ensure continuity and consistency in providing compliance assistance to the agencies and municipalities that participate in the program, I am seeking your approval to extend the contract with FTCH, Inc. for another four years.

XXXXXXXX XX, 2009
Project No. F99511SW

Mr. Donald Stypula
Executive Director
Grand Valley Metropolitan Council
Suite 200
678 Front Avenue, NW
Grand Rapids, MI 49504-5319

Re: Proposal for Professional Services for Phase II NPDES Storm Water Regulations

Dear Mr. Stypula:

Fishbeck, Thompson, Carr & Huber, Inc. (FTC&H) is pleased to submit this proposal to continue to assist the Grand Valley Metropolitan Council (GVMC) and the participating communities in the Lower Grand River Watershed in implementation of the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Regulations. A cooperative effort by Kent and Ottawa County agencies and communities in the Lower Grand River Watershed has resulted in preparation of a Watershed Management Plan (WMP), a Public Education Plan (PEP), an Illicit Discharge Elimination Program (IDEP), and individual Storm Water Pollution Prevention Initiatives (SWPPIs) for each community. These were accomplished in conformance with the Michigan Department of Environmental Quality (MDEQ) General Permit No. MIG619000 for Storm Water Discharges from Municipal Separate Storm Sewer Systems (MS4s) Subject to Watershed Plan Requirements. In addition, Annual Reports were prepared on behalf of each participating community from 2004 through 2009, multiple municipal training opportunities were offered, and substantial assistance was provided to each community in preparation of their unique permit applications.

This proposal continues that effort through 2013. An annual cost allocation for continued participation in the regional effort in 2010-2013 is enclosed. The activities which will be coordinated by FTC&H for the GVMC include ongoing implementation of the PEP and IDEP. SWPPI revision and implementation assistance will be included. Minor modifications to the WMP are anticipated. Progress Report preparation will be coordinated. A number of storm water-related training opportunities will be offered. Various aspects of measuring progress will be coordinated with LGROW, while some watershed monitoring may be included. A detailed scope of work is attached.

Enclosed are two copies of Amendment 2 to the Professional Services Authorization form between GVMC and FTC&H. If you concur with our scope of work, please sign both originals, retain one for your files, and return the other to FTC&H to the attention of Ms. Tami Mis. This proposal is made subject to the enclosed Terms and Conditions for Professional Services. Invoices will be submitted every four weeks and payment is due upon receipt.

Should you have any questions, please call.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

James E. Smalligan, P.E.

tsm

Enclosures: Annual Cost Allocation, Scope of Work, 2 PSA forms, Terms and Conditions

GVMC Lower Grand River Watershed Annual Cost Allocation

	2009	2010-2013
Kent County Administration	\$15,607	\$18,689
Kent County Road Commission	\$12,212	\$14,955
Ottawa County Administration	\$12,244	\$14,990
Ottawa County Road Commission	\$880	\$968
Allendale Charter Township	\$5,549	\$2,391
Cascade Charter Township	\$5,644	\$2,495
East Grand Rapids	\$5,444	\$6,484
Ferrysburg	\$5,340	\$6,244
Georgetown Charter Township	\$6,862	\$3,835
Grand Haven	\$5,713	\$6,654
City of Grand Rapids	\$19,480	\$21,836
Grand Rapids Charter Township	\$5,595	\$2,442
Grandville	\$8,604	\$10,322
Hudsonville	\$5,279	\$6,302
Kentwood	\$12,057	\$14,261
Plainfield Charter Township	\$6,336	\$3,257
Rockford	\$5,163	\$6,174
Sparta Village	\$5,142	\$6,151
Spring Lake Village (PEP Only)	\$452	\$360
Walker	\$10,983	\$13,089
Wyoming	\$13,163	\$15,487
Total	\$167,749	\$177,386

GVMC Regional Cooperation for NPDES Storm Water Permit Compliance 2010-2013 Scope of Work

Lower Grand River Watershed

The following activities have been identified to allow ongoing regional cooperation by the participating cities, villages, townships, school districts, and county agencies (communities) in the Lower Grand River Watershed (LGRW) from January 1, 2010 to December 31, 2013. This period will include the 4th year progress report and permit reapplication in 2013. The work that will continue to be administered by the Grand Valley Metropolitan Council (GVMC) includes ongoing implementation of the Public Education Plan (PEP), Storm Water Pollution Prevention Initiative (SWPPI) implementation, and regulatory assistance. The SWPPI implementation requires additional Illicit Discharge Investigation and water quality monitoring during the upcoming period. The proposed work outlined below will be completed by Fishbeck, Thompson, Carr & Huber, Inc. (FTC&H) in cooperation with the participating communities.

PEP

The PEP was developed and will be updated to promote, publicize, and facilitate watershed education for the purpose of encouraging the public to reduce the discharge of pollutants in storm water to the maximum extent practicable. The PEP will be coordinated with other current programs and projects in the greater Grand Rapids area that involve public stewardship of water resources. The overall goal of the plan is to encourage pollution prevention.

The PEP is flexible in that the educational activities conducted may address any of a number of significant watershed issues, including:

- Encouragement of public reporting of the presence of illicit discharges or improper disposal of material into the separate storm water drainage system.
- Education of the public on the availability, location, and requirements of facilities for disposal or drop-off of household hazardous wastes, travel trailer sanitary wastes, chemicals, grass clippings, leaf litter, animal wastes, and motor vehicle fluids.
- Education of the public regarding acceptable application and disposal of pesticides, herbicides, and fertilizers.
- Education of the public concerning preferred cleaning materials and procedures for residential car washing, pavement cleaning, and power washing.
- Education of the public concerning the ultimate discharge point and potential impacts from pollutants from the separate storm water drainage system serving their place of residence.
- Education of the public about their responsibility for stewardship in their watershed.
- Education of the public concerning management of riparian lands to protect water quality.
- Education of the public on proper septic system care and maintenance and on how to recognize system failure.
- Education of the public about the benefits of using native vegetation instead of non-native vegetation.

Various materials will be produced such as brochures, newsletter and newspaper articles, local media, workshops, and demonstration materials, to assist the communities in meeting their public education commitments. Purchase of public education materials will be coordinated where economies can be achieved through bulk purchases.

The watershed-based Storm Water General Permit requires that the PEP be updated concurrent with the SWPPI revision.

Evaluation criteria used to assess the effectiveness of the public educational efforts will be examined and possibly revised. These criteria and associated data collection mechanisms will be based on measurable goals for determining the effectiveness of the plan.

Fishbeck, Thompson, Carr & Huber, Inc. (FTC&H) will continue to facilitate the Public Education Committee, comprised of representatives of the participating communities and local organizations, to prioritize and direct the PEP activities. The PEP will be implemented in conjunction with the revised Public Participation Plan (PPP).

Regulatory Assistance

Joint Public Participation Plan (PPP) - The watershed-based Storm Water General Permit requires the revision of the existing PPP. FTC&H will facilitate the process of revising the PPP on behalf of all participating communities. The PPP must focus on methods of educating the public on the needs and goals of the WMP and involve the public in updating the WMP. FTC&H will assist the watershed communities to implement the PPP.

SWPPI Development - The watershed-based Storm Water General Permit requires that SWPPIs be revised approximately one year after issuance of the Certificate of Coverage (CoC). FTC&H will facilitate the process of revising the SWPPIs and prepare the documents for Michigan Department of Environmental Quality (MDEQ) submittal. The SWPPIs are expected to need significantly more detail than the current SWPPIs to meet the new General Permit Requirements. FTC&H will propose a single SWPPI document for all communities that will standardize SWPPI commitments and deadlines while retaining flexibility with regard to which BMPs are selected by each community.

FTC&H is proposing alternative approaches to seek innovative watershed-based alternatives for meeting some SWPPI requirements, where allowed in the general permit. FTC&H will collaborate with the MDEQ on proposed alternative approaches prior to SWPPI submittal. The goal for the alternative approaches would be to provide more effective programs at less cost. The current budget allocation provides funding for MDEQ proposed efforts which meet the minimum requirements of the permit.

FTC&H will prepare a SWPPI Tracking Book for each community. The Tracking Book will serve as a convenient means for each community to keep track of actions taken throughout the Progress Report cycle to comply with the SWPPI commitments. The Tracking Book, after being completed by the communities, will become a significant element of the two year and four year Progress Reports.

Watershed Management Plan (WMP) – The watershed-based Storm Water General Permit requires that WMP elements, needing to be revised to comply with the new requirements, be identified in the Year Two Progress Report. The WMP revisions are due with the Year Four Progress Report. FTC&H will facilitate the process to include the affected public in identifying areas needing revision. FTC&H will then draft the revisions with direction provided by the WMP Committee for review and approval by the communities. When complete, the revised WMP would be finalized for MDEQ submittal.

Progress Reports – A Year Two and a Year Four Progress Report will be prepared for each community for submittal to MDEQ as required by the watershed-based Storm Water General Permit. Both Reports will include two parts: Joint Reporting Requirements and Permittee-Specific Reporting Requirements. Each community shall provide data on progress made in controlling storm water pollution to the maximum extent practicable for the

Permittee-Specific portion (SWPPI Tracking Book plus other appropriate information). FTC&H will collect available watershed monitoring data during the previous period for analysis and summary for the Joint portion of the report. FTC&H will draft progress reports on Watershed-Wide Activities for the Year Two and Year Four Progress Reports. FTC&H will compile and finalize the Progress Reports for submittal to MDEQ on behalf of the communities.

Illicit Discharge Elimination Plan (IDEP) – The watershed-based Storm Water General Permit requires that each community develop, implement, and enforce a program to detect and eliminate illicit connections and discharges to MS4s. The IDEP developed during the previous permit needs to be modified to comply with the new detailed requirements, however, the model IDEP ordinance that was prepared under the earlier permit is expected to be fully adequate.

The minimum IDEP program as required by the general permit consists of the following approach. FTC&H will work with the watershed communities to draft a program plan that will identify areas prioritized for field screening; have procedures for eliminating illicit discharges through enforcement action; provide a storm sewer system map; include a plan to perform dry-weather screening of each outfall during the upcoming 4 years. The general permit allows sampling only outfalls where agreements are reached with upstream discharge point owners which is the approach that the proposed program is based on. Also sampling discharge points would require an increase in the IDEP budget. The upcoming IDEP work will also include a program to train municipal staff; and establish a method for determining the effectiveness of the program. This approach for the IDEP program will be submitted to MDEQ with the SWPPI submittal unless an alternative approach is approved.

The General Permit provides an opportunity for an alternative approach to the standard requirements for the IDEP Implementation. Therefore, an alternative will be considered whereby commercial/industrial areas will be prioritized for inspection and dye-testing using the general permit Table 1 criteria. This Alternate Approach IDEP would include most of the current IDEP except for the dry weather outfall screening, and include detailed procedures for dye-testing including notification of property owners, public education, employee training, obtaining MDEQ approval for use of tracer dye, obtaining permission to enter private property (or obtaining a search warrant), and completion of dye-testing at selected locations.

FTC&H will utilize tech support provided by Kent County Administration and Drain Commissioner, Kent County Road Commission, and Ottawa County Administration and Drain Commissioner to complete the field work associated with the IDEP screening or dye-testing. FTC&H will provide training, equipment, and data collection equipment. The Cities of Grand Rapids, Grandville, Kentwood, Walker, and Wyoming will conduct their own screening or dye-testing with municipal staff.

Discharge Point Identification – The watershed-based Storm Water General Permit requires that each community's stormwater discharge points be identified with a unique identification number, a specific discharge location, and the receiving surface water of the state. FTC&H will work with each community to tabulate this information. FTC&H will provide GIS support for the discharge points identified by each community so the data is stored consistently and can be analyzed on a watershed-wide basis. We will also provide maps for the location of discharge points identified.

Permit Re-Applications - The watershed-based Storm Water General Permit expires on April 1, 2013. The process of MDEQ's permit reissuance will be tracked and the communities will be kept informed. FTC&H will assist the communities in preparation of permit re-applications in the format previously developed by the MDEQ. Re-applications are due on or before October 1, 2012.

SWPPI Implementation

Municipal Separate Storm Sewer System (MS4) Training - At least four training sessions will be conducted over the four years to comply with SWPPI requirements of conducting training and inspection procedures for staff and contractors employed by the permittees. Topics such as Storm Water Pollution Recognition for Municipal Employees, Soil Erosion Control and Sedimentation Practices on Construction Sites, Storm Water Pollution

Prevention Plans for Fleet Maintenance and Storage Yards, Practical Groundskeeping Practices to Protect the Environment, Department of Public Works Yard Pollution Prevention, or Road Salt/Sand Issues will be presented. FTC&H will work with a committee of community representatives to select, plan, and coordinate these training sessions, including presentation of some of the technical material.

Model Ordinances and Strategies - Model ordinances or strategies will be developed for up to three of the following subjects: post-construction stormwater controls for quality and quantity, low impact development incentives, small wetlands protection, stream corridor protection (buffers) for water quality enhancement and erosion control, floodplain protection for water quality, demolition waste and construction waste management, green space and open space preservation, pet waste management, goose and wildlife control, invasive species control, or dumpster management. FTC&H will coordinate the effort of a committee of community representatives from both small and large cities and townships to select appropriate subjects for which to develop model ordinances. The same committee assembled to develop model ordinances will draft model strategies for some issues that the committee feels do not warrant new ordinances.

Program Assessment - Environmental monitoring will be coordinated with the Data, Information, and Procedures Committee of the Lower Grand River Organization of Watersheds (LGROW), as well as the county drain commissioners and municipal departments of public works. FTC&H will work with the communities and local organizations to compile data from current ambient monitoring programs that integrate with MDEQ monitoring.

Ambient monitoring includes:

- Semi-annual or monthly lake sampling by lake or home owner associations participating in the Michigan Cooperative Lakes Monitoring Program through the Michigan Lake and Stream Associations. Analyses include Secchi Disk Transparencies, Chlorophyll a, Phosphorus, Dissolved Oxygen/Temperature Profiles, or Aquatic Plant Identification and Mapping. FTC&H will assemble the data provided by the program and summarize the information for the Progress Reports.
- FTC&H will assemble the data from additional sampling, conducted by agencies and organizations, such as:
 - Road/stream crossing surveys conducted by county or city road agencies to monitor soil erosion and sedimentation.
 - Monthly sampling by local wastewater treatment or water supply facility staff with analyses for E. coli, Total Phosphorus, Dissolved Phosphorus, and Suspended Solids.
 - Macroinvertebrate and frog and toad surveys, conducted by volunteers organized by a non-profit organization, to monitor aquatic habitat improvements.

A Program Assessment Committee will be established to review alternate approaches for ongoing assessment of the effectiveness of SWPPI Implementation. An allowance for possible program elements is included in the proposed budget. Examples of possible activities during the upcoming 4 years include the Activities and Results identified in the MDEQ Guidance for Storm Water Pollution Prevention Initiatives, 2005:

Activities

- Number of public education activities conducted
- Number of storm water outfalls examined for illicit discharges
- Ordinances completed and adopted
- Number of job-related public trainings

Results (Outcomes, benefits, improvements, consequences)

- Direct assessment of resource
 - Ambient Water Chemistry
 - Sediment Chemistry
 - Biological Integrity and Physical habitat
 - Bathing Beach Monitoring for Human Pathogens

- Inland Lake Quality and Eutrophication
- Stream Biosurvey
- Stream Crossing Watershed Survey
- Lake and Stream Chemical and Physical Parameters
- Track pollution removal and prevention
 - Log of truck loads of street sweeping or catch basin cleanings
 - Reduction in Phosphorus applied
 - Stream Clean-ups
 - Pounds of sediment not reaching stream due to actions taken
 - Before and after monitoring of BMP installation
 - Developer calculated flow volume reductions due to LID
- Social surveys
 - Formal surveys
 - Public involvement in storm water activities
 - Decreased sales of phosphorus fertilizers
 - Increased sales of storm water related products (e.g. rain barrels)
 - Public support for government spending on storm water programs
 - Increased recreational use of water bodies

Monitoring in TMDL Areas – The watershed-based Storm Water General Permit requires that at least one representative sample of a storm water discharge from at least 50 percent of the major discharge points discharging directly to surface waters of the state within the portion of a TMDL watershed in the urbanized area where the TMDL is for E. coli or Phosphorus.

A possible alternate approach would develop a collaborative elective option as allowed by the permit. The elective option would include an effective stream monitoring protocol to assist in determining priority areas for future implementation activities, in lieu of outfall monitoring. The design of the monitoring program would be based on such factors as:

- Applicable approved TMDLs listed in the COC
- 303(d) listed waters
- TMDL findings
- Priorities in the watershed plan
- Results from the IDEP
- The availability of existing monitoring data

The protocol would include mobilizing a sampling crew to collect E. coli samples at six locations along each TMDL reach before, during, and after a significant rainfall event.

The E. coli TMDL watersheds within the Lower Grand River Watershed are Bass River, Buck Creek, Coldwater River and Bear Creek (Tyler Creek), Grand River (Kent County), Lincoln Lake, Plaster Creek, and Rio Grande Creek. Only the Buck Creek, Plaster Creek and Grand River TMDL areas are within the Urbanized Area, thus subject to the monitoring requirements. Existing plans may be submitted as an alternative approach if applicable.

Public Participation - The SWPPI implementation efforts will be more effective with participation by the participating communities and the public. The LGROW has fostered partnerships with existing agencies and organizations, which will facilitate completion of the work outlined above. FTC&H will help facilitate and provide technical assistance to LGROW partnerships to integrate these efforts. PPP activities will be tracked and reported upon in the Progress Report.

Municipal Partnership Act
Issues Summary
November, 2009

The proposed Municipal Partnership Act (“MPA”) results from the desire to provide more efficient, less costly and improved municipal services and operations. It is an attempt to provide a mechanism to implement calls from our legislators and Governor increased regionalization and consolidation of municipal operations. However, we also know that some state statutes and local charter provisions can impede or even preclude such relationships.

The MPA is designed to be limited in scope and serve as a laboratory for proving the efficacy and vitality of such relationships. It also has been proposed with a limited time frame, in order to ensure the opportunity for reevaluation before either expanding or extending the life of this Act. Kent County has an extraordinary history of cooperative arrangements that have been well documented and in fact highlighted by the Citizens Research Council in a recent report.

Every local government has cut jobs, reduced compensation, shortened work hours and/or taken other steps to reduce costs in the face of cascading local tax, revenue sharing and other funding. The resulting impacts on the families of local governmental workers is huge. Public concerns about cuts in, for example, snow-plowing, parks and public safety operations are also significant. Local municipal employee unions are understandably concerned about the impacts upon their members.

Local government leaders in Kent County believe they can collaboratively and cooperatively address these challenges and concerns in ways that will make the best of present economic and fiscal situation. Doing so, is unlikely to restore services, employment, compensation and benefits to levels that existed prior to this crisis, but it will, local leaders fervently believe, improve on what will result as FY 2010-2011 arrives with revenues falling off even further.

The MPA would provide Kent County municipalities the authority to engage in the consolidation and regionalization of services that will be needed to survive the fiscal crises. It further temporarily sets aside certain structural impediments to that consolidation and regionalization. Our thought is that, if Kent County municipalities can demonstrate the efficacy of their efforts, not only in providing services, but also in addressing employee concerns, those employees and their union representatives will enthusiastically join in seeking not only the reauthorization but the extension of the Municipal Partnership Act upon its expiration.

The MPA would:

1. Allow one or more local governments to contract with one another or with a state or tribal agency to provide one or more local government services or operations.
2. Include a list of issues any such contract should include.
3. Allow, but not require, the local governments to form a separate authority for providing such services or operations.
4. Allow the levy of up to 2 mills for any such service providing it is approved by any electors who would be subject to that tax.
5. Provide that the powers granted under it would be unimpeded by conflicting state laws or local charter provisions.
6. Provide that any contract pursuant to the MPA would not be subject to any referendum and could not be the basis for any recall.
7. Suspend for 4 years the impact of 1969 PA 312 on any contract pursuant to the Act and provides that those contracts and related issues are prohibited subjects of bargaining. It does not eliminate collective bargaining or employee rights under existing contracts.
8. Provide that no new contracts can be made after December 31, 2014.
9. Apply only to Kent County municipalities.

_____ BILL No. _____

_____, 2009, Introduced by _____. _____ and referred to the Committee
on _____.

A bill to provide for coordination, consolidation, joint operation, or outsourcing to another governmental unit of state and local governmental services; to allow two or more local governments, or one or more local governments and a public agency to contract for any local government function or service; to allow the creation of separate authorities or other legal entities to acquire and operate local government functions or services and provide them to local governments by contract; to allow the exercise of such powers regardless of any existing statutory, regulatory, local charter or ordinance provisions to the contrary; to allow local property and other taxes collected to support such services now provided by any local governmental unit to instead be used to support such services provided to that local governmental unit by contract; to provide for funding from other sources; to provide for the conveyance, lease or license of

real and personal property currently used to support local government services to the government or governmental authority, agency or other entity that will provide such services pursuant to a contract; and to ensure the participating local governments and state agencies have the necessary incidental and implied powers to enter into and perform such contracts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "municipal partnership act."

3 Sec. 2. The legislature finds extraordinary economic
4 conditions affecting this state have resulted in significant
5 reductions in revenues available to pay for state and local
6 governments functions and services. Consequently, to better
7 ensure the continuance of such functions and services, it is
8 necessary and desirable for local governments to work
9 cooperatively with one another or with other public agencies to
10 provide such functions and services.

11 Sec. 3. As used in this act:

12 (a) "Authority" means an authority or other separate legal
13 or administrative entity formed pursuant to this act.

14 (b) "Governing body" means the board, council, commission
15 or other body in which the policy making powers of the local
16 government or authority are vested.

17 (c) "Joint endeavor" means the exercise or performance of a
18 function, service, power or privilege by one or more parties to
19 or authority created by a contract entered into pursuant to this
20 act.

21 (d) "Local government" means a county, city, village or
22 township. A local government must be a county described as
23 follows or located within a county described as follows: a
24 county having a population of at least 570,000 persons but less

1 than 650,000 persons, with a major city having a population of at
2 least 190,000 but fewer than 300,000 persons, that was organized
3 by territorial legislation prior to 1837, and that has at least 9
4 cities lying within it.

5 (e) "Public agency" means the State, any department or
6 agency of the State, a local government, or a single or multi-
7 purpose public body corporate formed pursuant to a law other than
8 this act, or an Indian tribe recognized by the United States
9 government before 2000 that exercises governmental authority over
10 land within the State.

11 (f) "State" means the state of Michigan.

12 Sec. 4. A local government may perform or exercise jointly
13 with any other local government or with any public agency any
14 function, service, power or privilege that the participating
15 local governments and public agencies generally could each
16 exercise separately within their jurisdictions. A local
17 government may enter into a contract with one or more other local
18 governments, public agencies, or an authority created pursuant to
19 this act to perform or exercise any function, service, power or
20 privilege that the local governments and public agencies
21 generally could each perform or exercise separately within their
22 jurisdictions. Any two or more local governments may enter into a
23 contract to consolidate within one of those local governments any
24 function, service, power or privilege that each of those local
25 governments could exercise separately.

26 Sec.5. A joint endeavor as provided in section 4 shall be
27 by written contract or contracts which may provide for:

28 (a) The purpose of the contract with reference to the
29 functions, services, powers or privileges to be performed or
30 exercised and the methods by which the purpose will be

1 accomplished or the manner in which the joint endeavor will be
2 exercised or performed.

3 (b) The duration of the contract and the method by which it
4 may be terminated by any participating local government or public
5 agency prior to the stated expiration date.

6 (c) If an authority is created by the contract, the precise
7 organization, composition, and nature of that authority and its
8 board with the functions, duties, obligations, powers and
9 privileges given to that authority and board. If no authority is
10 created by the contract, then the precise organization,
11 composition, and nature of any board or other body to oversee,
12 control, operate and make decisions regarding the joint endeavor
13 with the functions, duties, obligations, powers and privileges
14 given to that body.

15 (d) The manner in which the parties to the contract will
16 pay for the joint endeavor; the sources of such funds; any
17 advances of public funds that may be made; repayment of any
18 advance of funds; the schedule for any payments; conditions for
19 any payments; results of delays in or failures to make payments;
20 budgeting, expending and accounting for the uses of funds; and
21 any other issues related to the financial support of the joint
22 endeavor. Notwithstanding any local charter or ordinance
23 provision to the contrary, a party to a contract may use tax
24 revenues that are dedicated to pay for the exercise or
25 performance of any function, service, power or privilege by that
26 party individually before it enters into to the contract to fund
27 the exercise or performance of that function, service, power or
28 privilege under the contract.

29 (e) The acquisition by purchase, lease or other method,
30 operation, maintenance, repair, replacement, improvement, and the

1 sale, lease or other disposal of personal or real property, or
2 rights therein.

3 (f) The manner of employing, contracting for, engaging,
4 compensating, transferring, or discharging necessary personnel
5 and staffing.

6 (g) The making and promulgation of necessary rules and
7 regulations and their enforcement by or with the assistance of
8 the parties to the contract.

9 (h) The manner of allocating any risks and responding to
10 any claims of liability that may result from the joint endeavor
11 or being a party to the contract and for insuring against any
12 such liability.

13 (i) The methods for addressing and resolving disputes among
14 the parties.

15 (j) For the designation and selection of officers of any
16 governing body of any authority or other board of the joint
17 venture.

18 (k) Any other matters agreed upon by the parties to the
19 contract.

20 Sec. 6. A contract pursuant to section 5 may provide for
21 one or more parties to the contract to execute the contract or to
22 exercise or perform some or all of the functions, services,
23 powers or privileges to be exercised or performed in the joint
24 endeavor in the manner provided for by the contract.

25 Sec. 7. In order to pay some of all of its share of the
26 costs of joint venture undertaken pursuant to a contract formed
27 pursuant to this act, a party to a contract formed pursuant to
28 this act may, regardless of any local charter provision to the
29 contrary, with the approval of a majority of its electors voting
30 thereon, levy an ad valorem tax at a rate not to exceed \$5.00 for
31 each \$1,000 of taxable value against the taxable real and

1 personal property within that party's jurisdictional limits.
2 Alternatively, in order to pay some of all of the costs of joint
3 venture undertaken pursuant to a contract formed pursuant to this
4 act, an authority formed pursuant to this act may, with the
5 approval of a majority of the electors in the areas served by
6 that authority voting thereon, levy an ad valorem tax at a rate
7 not to exceed \$5.00 for each \$1,000 of taxable value against the
8 taxable real and personal property within the area served by that
9 authority.

10 Sec. 8. This act provides authority to enter into contracts
11 that is in addition to and may be exercised separately from any
12 authority to enter into such contracts under any other statute of
13 this state. In addition, the following shall apply to any
14 contract or relationship pursuant to this act.

15 (a) If any provision of this act conflicts with any other
16 statute of this state, any promulgated rule of any agency of this
17 state, any local charter provision, or any local ordinance, the
18 provisions of this statute shall control. The authority to enter
19 into a contract pursuant to this act shall not be affected by any
20 condition or limitation that may be imposed by any other state
21 statute, or in any state rule, local charter provision or local
22 ordinance.

23 (b) A contract entered into pursuant to this act shall not
24 be subject to referendum under any local charter provision or
25 ordinance and may not be a basis for any recall of any elected
26 official under 1954 PA 116, as amended, MCL 168.1 to 168.992.

27 (c) The parties to a contract entered into pursuant to this
28 act have the responsibility, authority, and right to manage and
29 direct on behalf of the public the functions or services
30 performed or exercised in connection with the contract.

31 Collective bargaining between a local government or authority and
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1 a bargaining representative of its employees shall not include
2 the decision of whether or not to contract pursuant to this act
3 with one or more other parties for or in connection with one or
4 more functions or services; or the procedures for obtaining the
5 contract; or the identities of the other parties to the contract;
6 or the impact of the contract on individual employees or the
7 bargaining unit. The matters described in this subsection are
8 prohibited subjects of bargaining between a local government or
9 authority and a bargaining representative of its employees, are
10 within the sole authority of the local government or authority to
11 decide, and shall not be subject to 1969 PA 312, as amended, MCL
12 423.231 *et seq.* Where a contract is entered into pursuant to this
13 act, employees of a local government or authority who are
14 performing functions or services in connection with the contract,
15 and any bargaining representative of such employees, shall not be
16 subject to 1969 PA 312, as amended, MCL 423.231 *et seq.*, until
17 the expiration of 4 years following the effective date of the
18 contract.

19 Sec. 9. No new contract may be made under this act after
20 December 31, 2014.