

JULY 21, 2014 STUDY SESSION



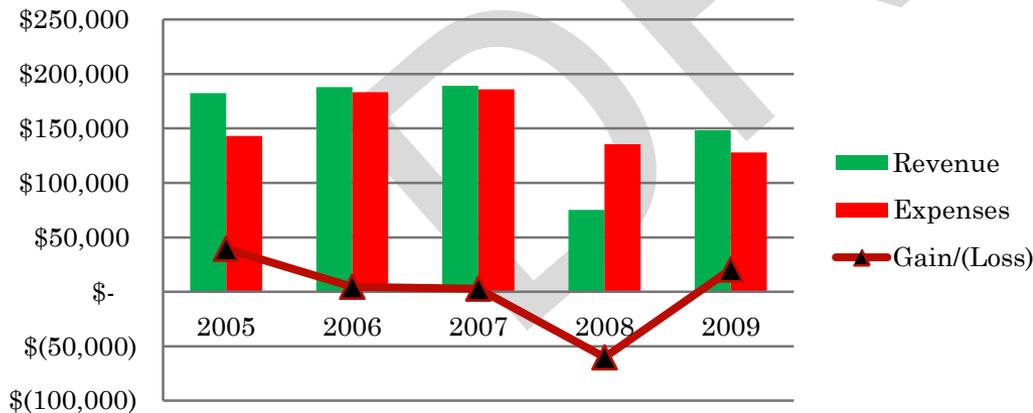
NON-PROFIT USE OF PUBLIC LAND FOR A COMMUNITY FESTIVAL

AN EVALUATION OF THE POTENTIAL FOR TROY FAMILY DAZE USING CITY PROPERTY

BRIEF HISTORY OF TROY DAZE

- City Event from 1968-2009
- During 80's Troy Daze Advisory Board was formed
- Private event from 2011-Current
- Up until 2006 City contributed minimum of \$10,000 from General Fund

**Last 5 Years as City Event
Revenue/Expenses 2005-09**



FACTORS TO CONSIDER-PROCESS

○ Request for Proposal

- RFP describes the City's goals on what we expect from the festival and what we will allow
 - To provide a family orientated festival to the community.
 - To provide non-profits avenues to fund raise.
- Provides a process that indicates a timeline
- Provides opportunity for a long-term lease
- Secures as great a return for public property as is reasonably possible
- Prevents allegations of fraud, collusion, favoritism, and improvidence in administration of public business



SALE/ENCUMBRANCE OF PARK LAND

- Scrutinized under City Charter and State Law
 - Parks are treated differently under the Home Rule City Act and City Charter (MCL 117.5 and Charter-12.1)
 - City Charter requires at least four Council votes to “purchase, sell or lease any real estate or any interest herein.” (Charter- 12.1)
 - If long term lease- City Council is obligated to determine that the lease is for “**fair consideration**” (Charter- 12.3)



ESTABLISHING “FAIR CONSIDERATION” FOR LONG-TERM LEASE

- For sales exceeding \$10,000, competitive bids are required- and must be sealed or through a process that preserves the integrity of the competitive process (Charter- 12.1)
 - Exception- Sealed bid not required if Council establishes “the public interest will be best served without obtaining sealed bids.” (Charter- 12.1)
- Sales shall be made to the bidder whose bid is most advantageous to the City. (Charter- Section 12.1)



ESTABLISHING “FAIR CONSIDERATION” FOR LONG-TERM LEASE

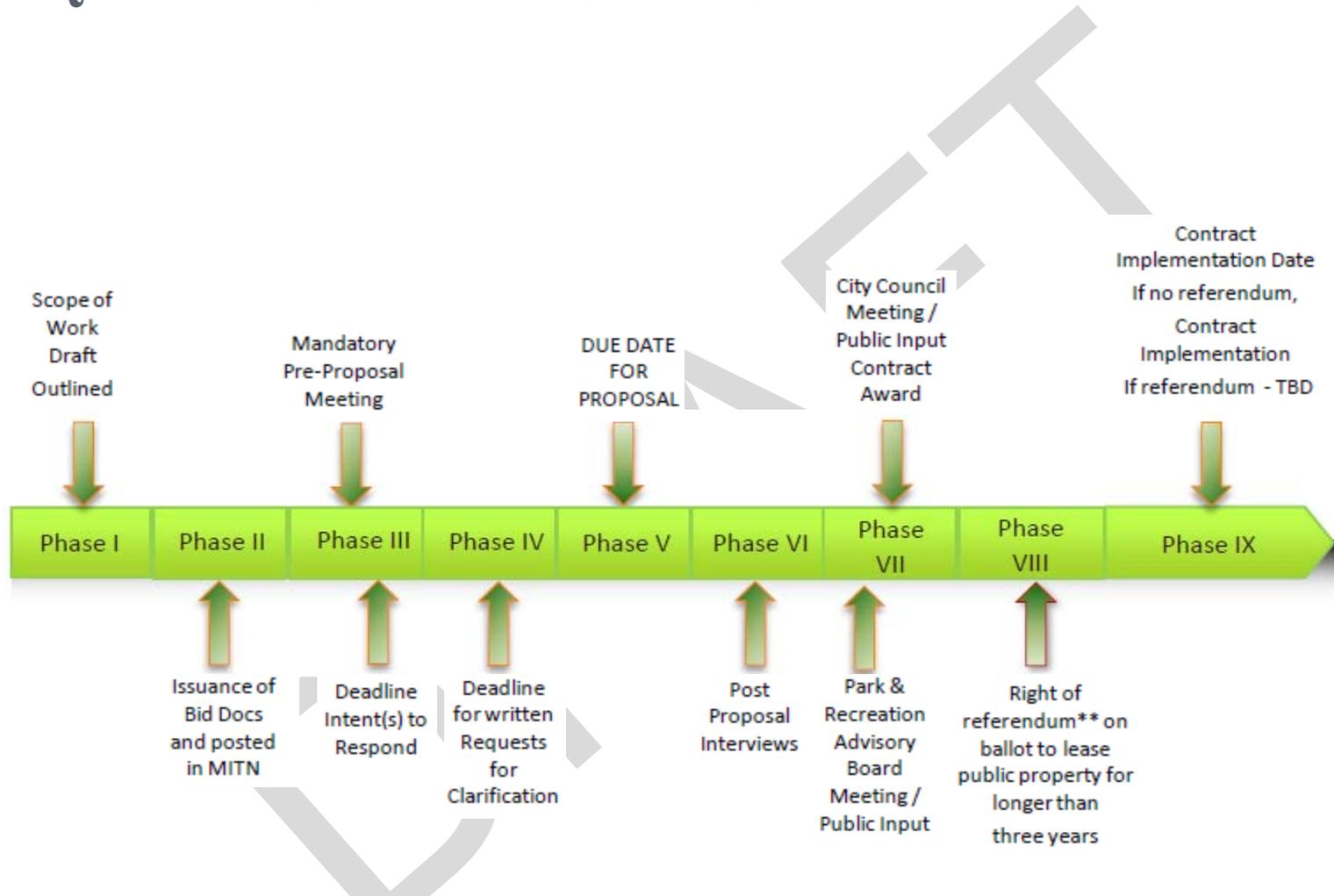
- Detailed sale and contract procedures for purchase and sale of property shall be established by ordinance (Charter-Section 12.1)
- Troy City Ordinance- Chapter 7- *Purchases, Contracts and Sales*, Section 8-*Sale of Property*
 - Ok to sell City owned property when no longer needed for corporate or public purposes
 - Competitive bid process specified for sales of property exceeding \$1,000. Exception- when City Council determines public interest is best served without obtaining bids.

RIGHT TO REFERENDUM

- City of Troy Charter Chapter 12.1 and 12.3
 - The long-term solution request illustrates the lease would exceed 3 years, which would be subject to a referendum.
 - Any citizen petition (petition requires 2,000 signatures) for a referendum must be filed 30 days after City Council votes.



REQUEST FOR PROPOSAL SELECTION TIMELINE



* Time periods between phases vary depending upon complexity of project and response from bidders.

** Any citizen petition (petition requires 2,000 signatures) for a referendum must be filed 30 days after City Council votes.

We, at the North Woodward Community Foundation, have dedicated our efforts to investing in citizen driven initiatives to enhance the quality of life in the communities we serve, through philanthropy. Our “hands-on” philosophy is concentrated on, but not limited to, three specific areas: Children and childhood hunger, the promotion of programs to aid our Senior Citizen population and Human Services. We actively seek and initiate partnerships that promote our mission and vision.

- Founded in 1998 as the “Troy Community Foundation”
- Established by 5 local leaders as a result of the need identified by the Troy Futures Study done in 1994.
- Name was changed in 2008 to reflect a wider scope of operation
- Currently operating in 22 Michigan communities:
 - Auburn Hills, Bloomfield Township, Clarkston, Clawson, Detroit, Keego Harbor, Leelanau, Livonia, Madison Heights, Ortonville, Oxford, Redford, Rochester Hills, Royal Oak, Traverse City, Troy, Utica, Walled Lake, Warren, Waterford, West Bloomfield, Wyandotte
- Recognized State-wide as the only Community Foundation producing a community festival

Executive Director
Tom Kaszubski

President
Alexander Ballios
General Motors Corporation

Secretary
Jim Cyrulewski
JDRJC Associates

Vickie Bellinger
Human Resources Consultant

Hon. Kirsten Nielsen Hartig
52-4 District Court

Sheila Muldoon
Information Security Consultant

Doug Tietz
Great Dane Marketing

Chairman
Cheryl A. Whitton
Architect

Treasurer
Joseph Semany
Accenture.

Arthur D. Abbott
Retired

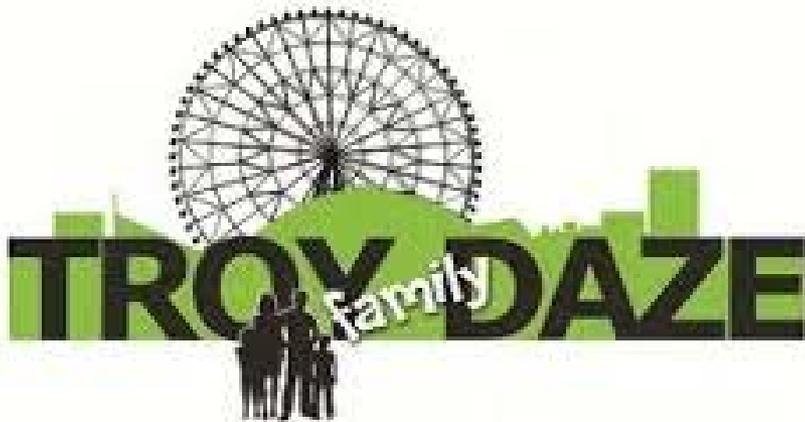
Jeffrey Coval
Attorney

Gregory A. Merritt
Concorde Financial Group
Chair Emeritus

Mary Nichols
PNC Wealth Management

WHY DID WE STOP AND WHO TOOK OVER

- Costs and reduction in staff- 2009
- North Woodward Community Foundation (NWCF)
 - Held at Zion Christian Church from 2011 to Current
 - 2014 is the last year Zion Christian Church will be hosting the festival
 - Titled festival Troy Family Daze



LONG-TERM SOLUTION

- NWCF is looking for a permanent location
 - Requires a long-term lease agreement with City of Troy
 - All public property was considered
 - Boulan Park is the only location to meet NWCF's current requirements- 7-8 total acres, 3 acres of it paved
 - Parking for up to 2,000 cars
 - Boulan Park grass- 1,650 spaces
 - Boulan Park paved lots- 144 spaces
 - Boulan and Bemis School- 183 spaces
 - Has water and electrical infrastructure
 - Has large paved lot for amusements
- Continuing a family orientated festival for the City of Troy
- Providing an opportunity for Public/Private relationships



NWCF'S PROPOSED FESTIVAL LAYOUT FOR BOULAN PARK

DRAFT

FACTORS TO CONSIDER- BOULAN PARK AS HOSTING LOCATION

- Liability
 - Additional liability created with hosting the event
- Insurance
 - Facility and Grounds Bond
- Political Signs/Booths
 - Right to petition or advertise
- Private Security or TPD
 - TPD must be responsible for traffic control on public roads, which is the same currently at Zion Christian Church
 - More points of access at Boulan Park
 - Northfield Parkway, McManus, Stone Haven Subdivision

FACTORS TO CONSIDER- BOULAN PARK AS HOSTING LOCATION

○ Perimeter Control

- Impact on Shir Tikvah (Rosh Hashanah Sept. 13-15, 2015) and adjacent neighborhoods
 - Proposed 2015 festival- September 17-20

○ Hours of Operation

- Operating outside the normal park hours of 10pm

○ Reimbursement of staff hours in addition to current practices at Zion Christian Church

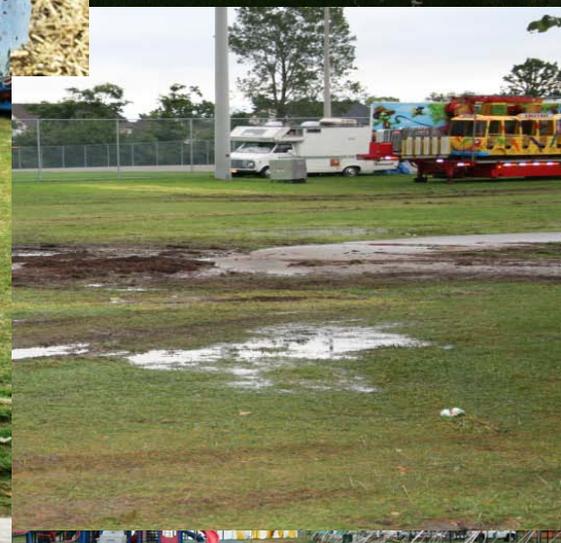
- Employee hours and Administrative time

○ Fireworks

- Fireworks. No person shall discharge, ignite, use, possess, activate or throw consumer fireworks or display fireworks in a public park, unless the Troy Fire Chief or his/her designee issues a permit to the person in advance and in accordance with the fire department's permit policy and the person is in compliance with the permit conditions.

○ Displacement of Activities

- Soccer, baseball, shelter reservations, and normal activities



LOCATION OPTIONS- CIVIC CENTER

9.5 ACRES- INCLUDES 2.5 ACRES OF PAVED AREA



COUNCIL DIRECTIVE TOPICS

- Should the City of Troy allow the use of public land for a community festival?
- Should the City issue a Request for Proposal (RFP) or provide a waiver to North Woodward Community Foundation?
 - If city issues an RFP-
 - Should the City indicate for non-profit, for-profit, Troy based organizations only, or any other credentials?
 - What should the scope of activities allow or limit?
 - If City Council issues a waiver-
 - What should the contract terms be?

COUNCIL DIRECTIVE TOPICS- CONTINUED

○ Fireworks

- Fireworks. No person shall discharge, ignite, use, possess, activate or throw consumer fireworks or display fireworks in a public park, unless the Troy Fire Chief or his/her designee issues a permit to the person in advance and in accordance with the fire department's permit policy and the person is in compliance with the permit conditions.

○ Consideration

- How should the City benefit from the community festival?

○ Where should the event be hosted at?

- What are some of the impacts and benefits to proposed location?