

CITY COUNCIL REPORT

April 15, 2010

TO: John Szerlag, City Manager

FROM: Mark Miller, Acting Assistant City Manager/Economic Development Services *MM*
Steven J. Vandette, City Engineer *SJV*

SUBJECT: Tri-Party Program – Oakland County Board of Commissioners Resolution #10045 Amending Miscellaneous Resolution #09221

Resolution #10045 has removed the requirement of Resolution #09221 that Tri-Party project funding requests go before the Oakland County Board of Commissioners as this was deemed redundant.

Funds will be released by the County after the Commissioner representing Troy submits to the Board of Commissioners Finance Committee a resolution authorizing the County's 1/3 share of the project. The resolution shall also be approved by the Finance Committee and the full Board before any County funds are released.

The foregoing procedure is consistent with the protocol that was in place prior to the passage of Resolution #09221.



Ruth Johnson
Oakland County Clerk/Register of Deeds
www.oakgov.com/clerkrod

April 6, 2010

To Whom It May Concern:

Enclosed please find a certified copy of Miscellaneous Resolution #10045 – Board of Commissioners – TRI PARTY ROAD IMPROVEMENT PROGRAM – AMENDMENT TO MISCELLANEOUS RESOLUTION #09221 AND COMMITTEE PROCESS was adopted by the Oakland County Board of Commissioners on March 25, 2010.

As the County Clerk/Register, I have been instructed to provide you with a certified copy of this adopted resolution. Please forward Miscellaneous Resolution #10045 to the appropriate person(s). Thank you for your cooperation.

Sincerely,

Ruth Johnson
Clerk/Register of Deeds
County of Oakland

Enclosure (1)

Administrative Offices
1200 N Telegraph, Dept 415
Pontiac MI 48341-0415
(248) 858-0560
clerk@oakgov.com

Elections Division
1200 N Telegraph, Dept 417
Pontiac MI 48341-0417
(248) 858-0564
elections@oakgov.com

Legal & Vital Records
1200 N Telegraph, Dept 413
Pontiac MI 48341-0413
(248) 858-0581
clerklegal@oakgov.com

Register of Deeds Office
1200 N Telegraph, Dept 480
Pontiac MI 48341-0480
(248) 858-0605
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REPORT (MISC. #10045)

December 9, 2009

BY: GENERAL GOVERNMENT COMMITTEE – Christine Long, Chairperson

RE: MR #10045 – BOARD OF COMMISSIONERS – TRI-PARTY ROAD IMPROVEMENT PROGRAM – AMENDMENT TO MISCELLANEOUS RESOLUTION #09221 AND COMMITTEE PROCESS

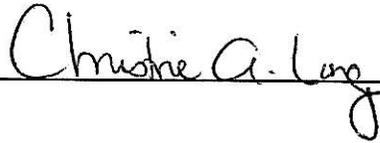
To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having considered the above titled resolution on March 15, 2010, hereby recommends that the resolution be adopted.

Chairperson, on behalf of the General Government Committee, I move the acceptance of the foregoing report.

GENERAL GOVERNMENT COMMITTEE



GENERAL GOVERNMENT COMMITTEE

Motion carried on a roll call vote with Schwartz voting no.

RECEIVED

APR 12 2010

**CITY OF TROY
CITY MANAGER'S OFFICE**

Miscellaneous Resolution #10045

BY: Commissioner Michael J. Gingell

RE: **Board of Commissioners – Tri-Party Road Improvement Program – Amendment to Miscellaneous Resolution #09221 and Committee Process**

TO: Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners adopted Miscellaneous Resolution #09221 which established the revised “Tri-Party Road Improvement Program – Funding and Project Approval Process; and

WHEREAS Miscellaneous Resolution #09221 provides that any discretionary Oakland County appropriation in support of the Tri-Party Road Improvement Program shall be distributed only from the designated General Fund Tri-Party Program fund balance and may be made only after completion of all of the following:

1. The Road Commission for Oakland County (RCOC) and an individual city, village, or township (CVT) have identified a specific project and said project is ready to be undertaken immediately; and
2. The RCOC has appropriated its 1/3 share of the funding for the project and transferred said appropriation to a specific project account; and
3. The CVT has authorized its 1/3 share of the funding for the project and has executed a written contract for payment with the RCOC; and
4. The Commissioner(s) representing the CVT requesting the project submits to the Board of Commissioners General Government Committee and Finance Committee a resolution authorizing the appropriation of the County's 1/3 share of the project from the General Fund Designated Fund Balance for Tri-Party Program. The resolution shall be approved by both Committees and the full Board before any funds may be released from the Tri-Party Program designation account; and

WHEREAS the full Board of Commissioners acts to adopt the annual budget, including the designations for the Tri-Party Program, therefore it is only necessary for resolutions to come before the Finance Committee and the Board of Commissioners to authorize the appropriation of the County's 1/3 share of the project from the General Fund Designated Fund Balance for Tri-Party Program; and

WHEREAS the language in Miscellaneous Resolution #09221, which references Tri-Party authorizations for individual communities to go before the General Government Committee are redundant and should be stricken from the process to release funds from the Tri-Party Program designation account.

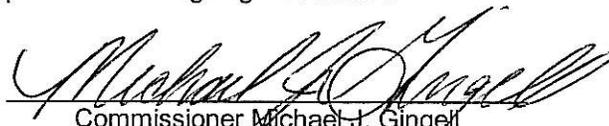
NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby amends Miscellaneous Resolution #09221 and the Tri-Party Road Improvement Program authorization process to remove any references that require authorization of funding for individual projects to go before the General Government Committee.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners amends the 5th Be It Further Resolve Paragraph of Miscellaneous Resolution #09221 to state as follows:

4. The Commissioner(s) representing the CVT requesting the project submits to the Board of Commissioners Finance Committee a resolution authorizing the appropriation of the County's 1/3 share of the project from the General Fund Designated Fund Balance for Tri-Party Program. The resolution shall be approved by the Finance Committee and the full Board before any funds may be released from the Tri-Party Program designation account; and

BE IT FURTHER RESOLVED that the Oakland County Clerk is requested to forward copies of this adopted resolution to the Road Commission for Oakland County, Oakland County Fiscal Services and the Clerks of the cities, villages and townships in Oakland County.

Chairperson, we move the adoption of the foregoing Resolution.


Commissioner Michael J. Gingell
District # 3

Shelley S. Taeb

Commissioner
District # 16

[Signature]

Commissioner
District # 1

[Signature]

Commissioner
District # 13

Christie Along

Commissioner
District # 7

[Signature]

Commissioner
District #

Bill Bullard

Commissioner
District #

[Signature]

Commissioner
District #

[Signature]

Commissioner
District #

Thomas F. Mudd

Commissioner
District # 4

[Signature]

Commissioner
District # 5

Sue Ann Douglas

Commissioner
District # 12

[Signature]

Commissioner
District # 7

Mollie Hatchell

Commissioner
District # 10

Commissioner
District #

Resolution #10045

March 3, 2010

The Chairperson referred the resolution to the General Government Committee. There were no objections.

Moved by Long supported by Gingell the resolution be adopted.

Moved by Long supported by Gingell the General Government Committee Report be accepted.

A sufficient majority having voted in favor, the report was accepted.

Discussion followed.

Moved by Greimel supported by Schwartz the resolution be amended as follows:

Add the Following Paragraphs:

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby adopts a policy of appropriating its share of Tri-Party Road Improvement Program funding only to the repair, repaving, and resurfacing of roads and to the limited reconfiguration of roads for safety purposes.

BE IT FURTHER RESOLVED that this new policy of the Oakland County Board of Commissioners expressly prohibits the use of its share of Tri-Party Road Improvement Program dollars to be used for: (a) the widening of roads by adding through lanes in both directions; (b) the extension of roads into areas where the roads did not previously go; and/or (c) the construction of entirely new roads.

BE IT FURTHER RESOLVED that this new policy will continue to permit the use of Tri-Party Road Improvement Program dollars for the construction of middle turn lanes, right turn lanes, and left turn lanes (even if doing so means that a road will be expanded from two lanes to three lanes or from four lanes to five lanes), will continue to permit the use of Tri-Party Road Improvement Program dollars for the construction of boulevards, so long as such projects do not involve the construction of additional through lanes, and will continue to permit the use of Tri-Party Road Improvement Program dollars for the paving of gravel roads so long as such newly paved roads are only two lanes or three lanes (two lanes with a middle turn lane).

BE IT FURTHER RESOLVED that the restrictions on the use of the Tri-Party Road Improvement Program Funds provided by the above three paragraphs do not apply to projects for which design work and/or right-of-way acquisition began prior to March 25, 2010.

Chairperson Bill Bullard, Jr. ruled that the amendment was not germane to the resolution.

Commissioner Greimel asked for Corporation Council's opinion regarding the ruling.

Discussion followed.

Chairperson Bill Bullard, Jr. stated that he is maintaining his position that the amendment is not germane to the resolution.

Discussion followed.

Moved by Greimel supported by Schwartz the resolution be amended as follows:

Add the Following Paragraphs:

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby encourages cities, townships, and villages to only submit requests for Tri-Party Road Improvement Program funding for projects that relate to the repair, repaving, and resurfacing of roads and to the limited reconfiguration of roads for safety purposes.

BE IT FURTHER RESOLVED the Oakland County Board of Commissioners hereby discourages cities, townships, and villages to submit requests for Tri-Party Road Improvement Program funding for projects that will: (a) widen roads by adding through lanes in both directions; (b) extend roads into areas where the roads did not previously go; and/or (c) construct entirely new roads.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners continues to encourage cities, townships, and villages to submit requests for Tri-Party Road Improvement Program funding for projects involving the construction of middle turn lanes, right turn lanes, and left turn lanes (even if doing so means that a road will be expanded from two lanes to three lanes or from four lanes to five lanes), the construction of boulevards, so long as such projects do not involve the construction of additional through lanes, and the paving of gravel roads so long as such newly paved roads are only two lanes or three lanes (two lanes with a middle turn lane).

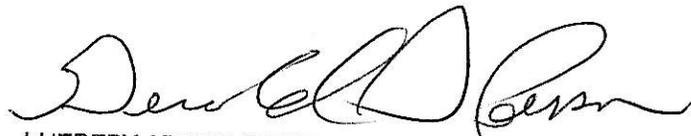
Chairperson Bill Bullard, Jr. ruled that the amendment was not germane to the resolution.

Vote on resolution:

AYES: Gershenson, Gingell, Gosselin, Greimel, Hatchett, Jackson, Jacobsen, Long, McGillivray, Middleton, Nash, Potter, Potts, Runestad, Scott, Taub, Zack, Bullard, Burns, Capello, Coleman, Coulter, Douglas. (23)

NAYS: Schwartz. (1)

A sufficient majority having voted in favor, the resolution was adopted.

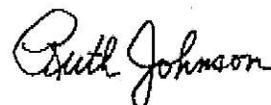


I HEREBY APPROVE THE FOREGOING RESOLUTION
ACTING PURSUANT TO 1973 PA 139

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, Ruth Johnson, Clerk of the County of Oakland, do hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Oakland County Board of Commissioners on March 25, 2010, with the original record thereof now remaining in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the County of Oakland at Pontiac, Michigan this 25th day of March, 2010.



Ruth Johnson, County Clerk