

EM SUBMISSION NO.: EME 5002014

PRESENTED: 9-3-14

ADOPTED: 9-10-14

RESOLUTION AUTHORIZING AN AMENDMENT TO THE MICHIGAN NATURAL RESOURCES TRUST FUND (MNRTF) PROJECT AGREEMENT, ACQUISITION GRANT # TF08-075, TO EXTEND THE END DATE OF THE PROJECT PERIOD TO FEBRUARY 28, 2015 FOR THE GRAND TRAVERSE GREENWAY TRAIL PROJECT

BY THE EMERGENCY MANAGER:

The extension of the regional trail network and trails connected to the Flint River Trail has been cited as a priority in the City of Flint Parks & Recreation Departments 2007-2013 Parks & Recreation Master Plan, and the Imagine Flint Master Plan.

The Grand Traverse Greenway Trail as been identified as a Top Priority Trail project for Genesee County and will become a three (3) mile non-motorized trail connection between the cities of Flint and Burton, with a future planned connection from Burton to Grand Blanc.

The City of Flint has entered into a land acquisition project agreement with the Michigan Department of Natural Resources (MDNR) for the Grand Traverse Greenway Property Acquisition Project Number TF08-075, for the acquisition of approximately three (3) miles of abandoned railroad property from CSX Transportation for the development of the Grand Traverse Greenway Trail.

The City of Flint has secured an environmental report, title work, and an appraisal for the railroad property and is in the process of following the Michigan Natural Resources Trust Fund Acquisition Project Procedures in accordance with the MDNR Grants Management Section to acquire the identified CSX rail property located within the City of Flint.

Collective efforts to create a PlacePlan with the support of the Michigan Municipal League and Michigan State University are underway that facilitate pedestrian connections to nearby assets and produce conceptual design recommendations in a manner that leverages the project's potential to be a catalyst for talent retention and attraction, job creation and overall revitalization of the City of Flint.

The City of Flint has been given an extension of the project period for the MDNR Grant Project TF08-075 with said end date of February 28, 2015.

IT IS RESOLVED, that the City of Flint enters into an amended Agreement with the Michigan Department of Natural Resources (MDNR) for the Michigan Natural Resources Trust Fund acquisition grant number TF08-075 for the purpose to extend the end date of the project period from April 30, 2014 to February 28, 2015 to complete acquisition of the entire project area for the future development of the Grand Traverse Greenway Trail.

APPROVED AS TO FORM:


Peter M. Bade, City Attorney

APPROVED AS TO FINANCE:


Gerald Ambrose, Finance Director

EFM DISPOSITION:

ENACT

REFER TO COUNCIL

FAIL


Darnell Earley, Emergency Manager

DATED: 9-10-14

RESOLUTION STAFF REVIEW

DATE: August 28, 2014

Agenda Item Title: AMENDMENT TO THE MICHIGAN NATURAL RESOURCES TRUST FUND (MNRTF) PROJECT AGREEMENT, ACQUISITION GRANT # TF08-075, TO EXTEND THE END DATE OF THE PROJECT PERIOD TO FEBRUARY 28, 2015 FOR THE GRAND TRAVERSE GREENWAY TRAIL PROJECT

Prepared By: Sheree Pierce, Dept. of Planning & Development

Background/Summary of Proposed Action: The City of Flint has been working on creating a three mile non-motorized trail connection between Flint and Burton, with a future planned connection from Burton to Grand Blanc. The Michigan Department of Natural Resources Trust Fund has provided the City of Flint a grant for property acquisition and qualified related acquisition activities. The previous end date of the project period grant was April 30, 2014 and is amended to February 28, 2015 to complete acquisition of the entire project area.

Financial Implications: The amended project period end date will allow the City of Flint to follow the Michigan Natural Resources Trust Fund Acquisition Project Procedures in accordance with the MDNR Grants Management Section to acquire the identified CSX rail property located within the City of Flint.

Budgeted Expenditure? Yes No **Please explain if no:** The City of Flint is agreeing to amend the end date of the project period to provide an extended time period.

Account No.:

Pre-encumbered? Yes No **Requisition #**

Other Implications (i.e., collective bargaining): None

Staff Recommendation: Recommend Approval

Staff Person:

 for

Megan Hunter, Director
Department of Planning & Development



**MICHIGAN NATURAL RESOURCES TRUST FUND
LAND ACQUISITION PROJECT AGREEMENT AMENDMENT**

Project Title: Grand Traverse Greenway Property Acquisition

Project Number: TF 08-075

Amendment Number: 8

This is an amendment to the Agreement entered into between the Michigan Department of Natural Resources ("DEPARTMENT") and the **CITY OF FLINT IN THE COUNTY OF GENESEE** ("GRANTEE") for the Michigan Natural Resources Trust Fund acquisition grant number **TF08-075**. The purpose of this amendment is to extend the end date of the project period from **APRIL 30, 2014** to **FEBRUARY 28, 2015**, as further explained in correspondence from the GRANTEE to the DEPARTMENT dated May 5, 2014.

A. The DEPARTMENT and the GRANTEE mutually agree to amend the Agreement as follows:
Paragraphs 2, 8(j) and 8(k) will be amended to read as follows:

2. The time period allowed for project completion is **JULY 1, 2009** through **FEBRUARY 28, 2015**, hereinafter referred to as the "project period." Requests by the GRANTEE to extend the project period shall be made in writing before the expiration of the project period. Extensions to the project period are at the discretion of the DEPARTMENT. The project period may be extended only by an amendment to the Agreement.
- 8(j) To complete acquisition of the entire project area before **FEBRUARY 28, 2015**. Failure to acquire the project area before **FEBRUARY 28, 2015** shall constitute a breach of the Agreement and subject the GRANTEE to the remedies provided by law and set forth in Section 23 of the Agreement.
- 8(k) To provide the DEPARTMENT all documents and information as specified in Paragraphs 6(c) and 7 of the Agreement within 90 days after the actual acquisition of land in the project area and no later than **MAY 31, 2015**. Failure to submit the required documents and information for review before **MAY 31, 2015** shall constitute a breach of the Agreement and subjects the GRANTEE to the remedies provided for by law and Section 22 of the Agreement.

- B. All other provisions of the Agreement shall be continued in full force and effect.
- C. The amendment may be executed separately by the parties and is not effective until both the GRANTEE and the DEPARTMENT have signed it.

D. This amendment modifies an Agreement that was approved by resolution of the GRANTEE'S governing body as evidenced by the resolution attached to the Agreement. It is the sole responsibility of the GRANTEE to determine if its laws, policies, or procedures require approval by its governing body before execution of this amendment by the GRANTEE. By signature of this amendment the GRANTEE certifies that:

1. Approval of the amendment by its governing body is not required, or
2. The amendment has been approved by resolution (true copy attached) of the

_____	,	_____	meeting of the _____
(date)		(special or regular)	(name of approving body)

GRANTEE	
SIGNED:	WITNESSED:
By: <u><i>Danna Ealey</i></u>	By: _____
Title: <u>Emergency Manager</u>	By: _____
Date: <u>9-10-14</u>	

MICHIGAN DEPARTMENT OF NATURAL RESOURCES	
SIGNED:	WITNESSED:
By: _____ Steven J. DeBrabander, Manager Grants Management	By: _____
EFFECTIVE DATE: _____	By: _____