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November 15, 2024

**HONORABLE BUDGET FINANCE AND AUDIT STANDING COMMITTEE**

**RE: Proposed Timeline for consideration of the Proposed Capital Agenda FY 2026 - 2030  
(DEPARTMENTAL REPORT)**

Mayor Mike Duggan, consistent with the provisions of Article 6, Chapter 1 and Article 8, Chapter 2 of the Detroit City Charter, has submitted for your consideration the Proposed Capital Agenda for FY 2026 - 2030. We submit this communication, providing a suggested timeline by which to conduct your review as well as a resolution to set the Charter required public hearing on the document.

In the past your Honorable Body commenced its formal review of the Proposed Capital Agenda in the new year, upon your return from recess. Typically, LPD provides a preliminary fiscal analysis report of the document prior to the new year, and the CPC receives a presentation of the document and the preliminary analysis at its last meeting of the year. We will follow that course of action again but suggest the changes below to better utilize the available time and to enhance your review and the public's access to the document.

The Legislative Policy Division (LPD) and City Planning Commission (CPC) staff suggest City Council receive an overview presentation from the Administration prior to recess in order for Council to begin its review of the Proposed Capital Agenda, compile questions and identify desired alterations. Again, the Charter also requires that the Council hold a public hearing on the matter (resolution attached). That hearing could be authorized prior to your recess so that we can utilize the recess period to set up the hearing, distribute the document to the community, and meet the public notice requirement. The public hearing could be held at the first meeting of the Budget Finance and Audit (BFA) Standing Committee on January 8th, when the Council returns from recess. This would provide the Council with public feedback, with which to finalize your initial review and the assembly of your questions, concerns and desired changes.

In order for City Council to edit or add to the Proposed Capital Agenda, the Charter requires that Council first request recommendations of the Planning Director (the Administration). Otherwise, Council can only delete items from the document. The past practice of the Council has been to submit that request for recommendations along with your questions, concerns and potential alterations to the document via a resolution. We urge the Council to act on the resolution at the Formal Session of January 14<sup>th</sup> and submit its request to the Administration. This will start the 30-day clock that the Charter provides for the Administrations review and response to the City

Council. This will also allow ample time, once they have submitted that response, for Council to deliberate before taking final action on February 25th or by March 1st as required by the Charter. If the Council does not act by March 1<sup>st</sup>, the Capital Agenda is consider approved as submitted.

Attached you will find a PDF of a table charting the proposed timeline for your information and consideration. Also, attached for your information is a second PDF with the applicable excerpts from the City Charter.

Please let us know if you have any questions.

Respectfully submitted,

A handwritten signature in blue ink that reads "Marcell R. Todd, Jr." in a cursive script.

Marcell R. Todd, Jr., Director

Cc: Donnie Johnson, Deputy Budget Director  
Antoine Bryant, Director, PDD  
Dara O'Byrne, Deputy Director, PDD

**RESOLUTION OF THE DETROIT CITY COUNCIL**

**SETTING THE PUBLIC HEARING  
FOR THE PROPOSED CAPITAL AGENDA  
2026-2030**

**Resolution by:** \_\_\_\_\_

**WHEREAS** Article 6, Chapter 1 and Article 8, Chapter 2 of the City of Detroit Charter of 2012 set forth provisions for the preparation, submission, review and approval of a five-year Capital Agenda; and

**WHEREAS** Consistent with those Charter provisions Mayor Mike Duggan and the Administration prepared and submitted to the City Council on November 1, 2024 the Proposed Capital Agenda FY 2026-2030; and

**WHEREAS** The Charter also requires the City Council to hold a public hearing on the Proposed Capital Agenda, **NOW THEREFORE BE IT**

**RESOLVED** That the Detroit City Council hereby sets a public hearing on the Proposed Capital Agenda FY 2026-2030 for January \_\_\_\_, 2025 at \_\_\_\_:\_\_\_\_\_

## PROPOSED 2026 – 2030 CAPITAL AGENDA REVIEW SCHEDULE

| DATE   | MEETING | EVENT/ACTION  | COMMENTS   | NOTES  |
|--------|---------|---|--|--|
| Nov 1  |         | Administration submits the Proposed Capital Agenda to the City Clerk  | Charter required submission of the Proposed Capital Agenda by Nov 1 <sup>st</sup> .    |  |
| Nov 6  | BFA     | <i>(To be determined as needed)</i>   |  |  |
| Nov 13 | BFA     | Introduction/Preview  | Council begins review  | Assembly of additions, questions and concerns.               |
| Nov 20 | BFA     | Presentation (or Jan 8 <sup>th</sup> )  | Admin presentation   |  |
| Nov 26 | Formal  | Set public hearing  | No less than two weeks public notice shall be provided per Charter                     |  |
| Dec 5  | CPC     | Presentation  | Admin, LPD and CPC present.  | Need staff preliminary review                                |
|        |         |   |  |  |
| RECESS |         | Distribute copies of Capital Agenda in community, distribute public notice, continue review, assembly of additions, questions and concerns. |  |  |
|        |         |   |  |  |
| Jan 8  | BFA     | Hold public hearing (Include Admin presentation if not on Nov 20, 2024)   | Assemble any additional questions and concerns and <u>submit to LPD/CPC by Jan 9th</u> |  |
| Jan 9  | CPC     | Continued review of Capital Agenda  |  |  |
| Jan 14 | Formal  | Submit questions to and request recommendations of the Planning Director  | 30 day response period needed  | Send Questions by January 14 via reso that day at Formal     |
| Jan 15 | BFA     | <i>(To be determined as needed)</i>   |  |  |
| Jan 22 | BFA     | <i>(To be determined as needed)</i>   |  |  |
| Jan 29 | BFA     | <i>(To be determined as needed)</i>   |  |  |
| Jan 30 | CPC     | Prepare recommendation to City Council  |  |  |
| Feb 5  | BFA     | <i>(To be determined as needed)</i>   |  |  |
| Feb 6  | CPC     | <i>(To be determined as needed)</i>   |  |  |
| Feb 12 | BFA     | <i>(To be determined as needed)</i>   |  |  |
| Feb 13 |         | Administration submits responses to City Council's Request for recommendations  | End of 30 day response period  |  |
| Feb 19 | BFA     | Review and act upon the Administration's response to Council's Request  |  |  |
| Feb 25 | Formal  | Approval  |  |  |
| Mar 1  |         | Must be approved by this date.  | This is a Saturday   | The City Council may have until Monday Mar 3 <sup>rd</sup> , |

Flexible dates
  Fixed dates (more or less)

REVISED NOV 12, 2024

## CITY CHARTER PROVISIONS RELATIVE TO THE CAPITAL AGENDA

### **ARTICLE 6 THE EXECUTIVE BRANCH: STAFF DEPARTMENTS**

#### **CHAPTER 1. BUDGET DEPARTMENT**

##### **Sec. 6-101. Budget Department.**

The Budget Department is headed by the Budget Director.

##### **Sec. 6-102. Powers and Duties.**

The Budget Department shall assist other city agencies in the development of program and service objectives and in the conduct of financial planning to achieve those objectives.

The Budget Department shall obtain from city agencies all information required by the Mayor for the preparation of the capital agenda and the capital and annual budgets. That information shall be furnished in the manner prescribed by the Budget Director.

The Budget Director, with the assistance of the Planning and Development Director, shall assist the Mayor in the preparation of the capital agenda and the capital budget.

##### **Sec. 6-103. Management Audits.**

The Budget Department shall conduct management audits which analyze and evaluate the operations of all agencies.

### **PLANNING and FINANCIAL PROCEDURES**

#### **CHAPTER 2. BUDGETS**

##### **Sec. 8-201. Fiscal Year.**

Except as otherwise provided by ordinance, the City's fiscal year is July 1 through June 30. If the fiscal year is changed, related dates specified in the Charter shall change accordingly.

##### **Sec. 8-202. Capital Agenda.**

1. On or before November 1 of each even numbered year, the Mayor shall submit a proposed Capital Agenda for the next five (5) fiscal years to the City Council.
2. The Capital Agenda shall state:

- a. All physical improvements and related studies and surveys, all property of a permanent nature, and all equipment for any improvement when first erected or acquired, to be financed during the next five (5) fiscal years in whole or in part from funds subject to control or appropriation by the city, along with information as to the necessity for these facilities;
- b. Capital expenditures which are planned for each of the next five (5) fiscal years;
- c. The estimated annual cost of operating the facilities to be constructed or acquired; and
- d. Other information pertinent to the evaluation of the capital agenda.

For each separate purpose, project, facility, or other property there shall be shown the amount and the source of any money that has been spent or encumbered, or is intended to be spent or encumbered before the beginning of the next fiscal year and also the amount and the source of any money that is intended to be spent during each of the next five (5) years. This information may be revised and extended each year for capital improvements still pending or in process of construction or acquisition.

The City Council may delete projects from the capital agenda as submitted but it may not otherwise amend the capital agenda until it has requested the recommendations of the Planning and Development Director. The City Council shall not be bound by those recommendations and may act without them if they are not received within thirty (30) days from the date requested.

3. The City Council shall publish in one (1) or more daily newspapers of general circulation in the city a general summary of the capital agenda and a notice stating:
  - a. The time and places where copies of the proposed capital agenda are available for public inspection; and
  - b. The time and places, not less than two (2) weeks after the publication, for a public hearing on the proposed capital agenda.

The head of any agency has the right, and it shall be a duty when requested by the City Council, to appear and be heard.

4. At the conclusion of its deliberation, but not later than March 1 of the following year, the City Council shall approve a five (5) year capital agenda for the City. If the City Council fails to take action by March 1, the proposed Capital Agenda shall be deemed approved.