



## COUNTY ADMINISTRATOR

220 NORTH MAIN STREET, P.O. BOX 8645  
ANN ARBOR, MICHIGAN 48107-8645

Roger Fraser, Administrator  
City of Ann Arbor  
100 N. Fifth Avenue  
Ann Arbor, MI 48104

April 17, 2008

Dear Roger:

Over the last several days, I have received several inquiries – and I've heard several second-hand interpretations – relative to the County's position regarding the potential for the 15<sup>th</sup> District Court to extend its current term of occupancy in the County Courthouse (101 E. Huron).

The County Board of Commissioners is the body responsible for establishing County positions, and the Board speaks through its resolutions. The last time the County Board spoke on this issue was February 15, 2006 (cover memo and resolution enclosed). As that resolution indicates, the amended sublease with the City expires on December 31, 2009 and the County expects "...once the amended sublease term expires, the City will immediately vacate the premises." If the City wishes for the Board to modify this position, the City should submit a written statement to the Board of Commissioners requesting reconsideration.

I have also been asked my opinion on the matter. As Administrator, I believe the County needs the space in the Courthouse upon the 15<sup>th</sup> District Court's departure. My recommendation to the Board of Commissioners would be to relocate the Juvenile Court from Platt Road into the space now occupied by the 15<sup>th</sup> District Court. While this arrangement may not prove suitable in perpetuity, it would nonetheless consolidate the Court's functions, and enable the County to divest of underutilized property. I find these two outcomes worthwhile. In fact, even if the Commissioners do not wish to bring Juvenile Court downtown, I will still recommend that we consolidate other County functions in the Courthouse so we could sell other excess real property.

Again, however, these decisions are not mine, but rather belong to the Board of Commissioners – and while the Board has not formally considered the issue, I am sure that you know there is no clear consensus at present as to their position.

For these reasons, I would not recommend any short or long term extension to the 15<sup>th</sup> District Court sublease. The only exception would be if the City were nearing completion of the new building. If requested to do so, I would recommend a short extension to allow the 15<sup>th</sup> District Court to move into the new facility. Even then, the ultimate decision would reside with the Board of Commissioners. If it appeared that the Board were likely to take action on a more long-term extension, I would recommend a substantial increase to the City's lease cost in order to reflect the opportunity cost to the County for this accommodation.

With that said, I have always believed that if the City wished to build a new facility to accommodate the operations of the 15<sup>th</sup> District Court on the parking lot site adjacent to the existing Courthouse, the County would welcome the opportunity to work together on such a project. Of course, the City would be responsible for its costs.

I trust this letter helps to clarify both the County's position, and my opinions on the matter. Please contact me if you have any further questions.

Sincerely,



Robert E. Guenzel

cc: Board of Commissioners  
David Swartz, Chief Judge of the Circuit Court  
Dan Dwyer, Circuit Court Administrator  
County Clerk's Office