

**CITY OF ANN ARBOR, MICHIGAN**

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**INCOME TAX FEASIBILITY STUDY**

**JULY 2009**

# CITY OF ANN ARBOR, MICHIGAN

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# **CITY OF ANN ARBOR, MICHIGAN**

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## **Income Tax Feasibility Study Executive Summary July 2009**

### **Project Objective**

The City of Ann Arbor, Michigan (“City”) is conducting a study of the potential effects of instituting a city income tax in lieu of an operating property tax millage. The purpose of this study is to estimate whether an income tax is a feasible option for the City and to assess the potential burden shift between the different classes of taxpayers: residents, non-residents, and businesses.

The City’s charter requires that the general operating property tax millage be eliminated if an income tax is implemented. Therefore, it is important to ensure that an income tax would generate enough revenue to offset the loss in general operating property tax revenue.

### **Project Methodology**

To meet our objective, statistical information about the City’s population, worker demographics, residential household income and business income from various sources was gathered. Sources included the City, United States Census Bureau, Michigan Department of Treasury, U.S. Bureau of Labor Statistics, employer surveys, surveys of other cities which assess income tax, and market research companies. Once the source data was obtained, certain assumptions were made in order to estimate the revenue that would be generated under an income tax system and to project revenues over the next five years.

Historical data about the current property tax system was compiled by the City. Using growth rate assumptions made by City personnel, we projected revenue that would be generated from the current property tax system over the next five years.

After preparing the income tax and the property tax models as described above, the results of each were compared. Not only the total revenue which would be generated from each system, but the percentage of each revenue type that would be paid by the different classes of taxpayers (residents, non-residents, and businesses) were compared.

The analysis has been developed using the best available information concerning financial and demographic trends and conditions. As mentioned above, each model was developed using certain key assumptions and should not be evaluated without a thorough understanding of those assumptions. The assumptions and the accompanying rationale are documented in later sections of this report.

All assumptions are the responsibility of the City of Ann Arbor’s management based on their best judgment at the time of the study. It is possible that the forecasted results may not be achieved because events and circumstances frequently do not occur as expected.

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## **Income Tax Feasibility Study Executive Summary July 2009**

### **Findings**

Based on the assumptions outlined in this report, an income tax using maximum tax rates allowed by Michigan law and a \$600 exemption allowance would generate approximately \$42 million, net of estimated administrative costs in fiscal year 2011. The City's operating property tax millage is estimated to generate approximately \$28 million of revenue in fiscal year 2011. Therefore, an income tax could generate sufficient revenue to replace the City's operating property tax millage as a revenue source.

For comparison purposes, we have calculated income tax revenue using alternative exemption levels of \$ 1,000 and \$3,000. See Appendix A for the results of these calculations.

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## Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009

### Property Tax System – Current State

#### Property Taxes and Millage Rates

The City currently has a property tax system which generates revenue from property owners in the City limits. The revenue is calculated by multiplying the taxable value of property by the millage rates. The following millage rates have been approved by the City for the 2009 tax year:

Operating	6.1682
Benefits	2.0560
Refuse	2.4670
Debt service	0.4643
Street repair	1.9944
Parks development	1.0969
Parks acquisition	0.4779
AATA	2.0560
Total	<u>16.7807</u>

Under the City charter, if the City implements an income tax, it must eliminate the operating property tax millage (6.1682 mills). The City may continue to levy special-purpose millages; however, the operating millage must be reduced to zero. Since the special-purpose millage rates can only generate revenue to be used for specific expenditures, we have not included them in any aspect of this study. All discussion and reference to “property tax revenue” in the remainder of this report will refer only to the operating millage.

#### Significant Factors Affecting the Property Tax Model

The following factors have an affect on how the property tax is calculated and projected:

- Headlee Amendment
- Proposal A
- Tax Increment Financing District
- Administration Fee

Under State law, the Headlee Amendment and Proposal A have a significant impact on the rate of revenue growth that can be achieved through property taxes.

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## **Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009**

### The Headlee Amendment

The Headlee Amendment limits the growth of property tax revenue by controlling how the City's maximum authorized millage rate is calculated. The maximum authorized millage rate is rolled back when growth on existing City property is greater than inflation, hence limiting the increase in revenue to the rate of inflation.

### Proposal A

Proposal A limits the increase in taxable value of property to the lesser of inflation or five percent annually. While the state equalized value (SEV) continues to grow with the market, the taxable value is limited by Proposal A. When property is sold or transferred, the taxable value is reset to SEV in a process referred to as "uncapping." This process results in an increase in the taxable value base for the City, however, the uncapped values are factored into the Headlee calculation and can cause a rollback.

### Tax Increment Financing District

Another matter which affects property tax revenue is the existence of a tax increment financing (TIF) plan for the City's Downtown Development Authority (DDA). Under the TIF plan, the DDA district is able to "capture" a portion of property taxes levied by the City. In other words, of the total property tax revenue collected by the City, the DDA will receive a portion of the revenue for its own use. The taxes captured by the DDA have been factored into the model.

### Administration Fee

An additional source of revenue generated under the property tax system is an administration fee of 1% of the total taxes levied on every tax bill. Property taxes are charged not only by the City, but by other units of government, including Washtenaw County, Ann Arbor Public Schools, Washtenaw Community College, Ann Arbor Public Library and the Intermediate School District. The City acts as an agent for the other units of government by billing and collecting the property taxes on their behalf. This administrative fee is charged by the City to cover its costs of administering property taxes on behalf of the other units of government. In the event that the City's operating millage is eliminated, the related administrative fee on the operating millage would be eliminated as well.

### Assumptions – Property Tax System

With assistance from personnel in the City's Assessing Department, we made certain assumptions about the growth of existing property, growth of new property, the rate of transfers of existing property, and the factors affecting the DDA capture. These assumptions

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## Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009

were necessary in order to estimate future revenues that would be generated if the current property tax system remains in effect.

The assumptions used in the property tax model relating to the ad valorem roll are summarized as follows:

Factor	Growth Rate Assumption by Tax Year
Existing real property	(8)% in 2010, (3)% in 2011 and 2% each year thereafter
Existing personal property	(13%) in 2010 and (2)% each year thereafter
New property, net of losses	1% per year
Rate of transfers of existing property	2% in 2010 & 2011, 3% each year thereafter
DDA capture	It is assumed the DDA taxable values will grow at the same rate as the existing real property of the city as a whole, discussed above.

We assumed no additions to, and no significant growth of, the industrial facilities tax roll (IFT).

The model begins with actual taxable values and state equalized values for the 2009 tax year and uses the assumptions to project revenue over the next five years. Effects of the Headlee Amendment and Proposal A are factored into the model.

### Classes of Taxpayers

In order to calculate the portion of property taxes which are paid by residents vs. businesses (non-residents do not pay property taxes), we looked at the makeup of the 2009 taxable values between homestead and non-homestead properties. Since a taxpayer must use property as a principal residence in order to qualify for a homestead exemption, we considered the homestead totals to represent the residents of the City. Homestead properties represented approximately 54% of the total taxable value, while non-homestead properties made up the remaining 46%. We assumed this same breakdown for each year of the model.

### Revenue Projections

Based on the above assumptions, we estimate that property taxes will generate the following revenues over the next several years, including the 1% administration fee on the operating millage:

2011	\$28,008,000
2012	28,654,000
2013	29,316,000
2014	29,996,000
2015	30,694,000

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## **Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009**

### Affect on Downtown Development Authority

According to the current model, the DDA is projected to receive between \$674,000 and \$744,000 per year over the next several years from the City's operating property tax levy. In the event that the levy is eliminated in favor of an income tax system, the DDA would lose this revenue.



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## **Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009**

### **Income Tax System – Proposed/Future State**

An income tax would be assessed on the taxable income of residents and corporations in the City, as well as the salaries and wages earned in the City of Ann Arbor by individuals who do not live in the City.

Under the State’s Uniform City Income Tax Act (UCITA) (Public Act 284 of 1964, as amended) the voters must approve the imposition of an income tax. The maximum tax rates that can be assessed are 1% on residents and corporations and 1/2% on nonresident individuals. The rates can be lower; however, the nonresident rate cannot exceed 1/2 of the resident rate. This model was prepared using the maximum allowable rates, which are the most common rates among other cities which impose an income tax.

UCITA provides that a taxpayer is allowed a minimum deduction from income of \$600 for each personal and dependency exemption (as determined under the federal internal revenue code). Additional exemptions are allowed for taxpayers who meet certain qualifications, such as being 65 years of age or older, blind, deaf, or totally and permanently disabled. For comparison purposes, we have prepared three models using different exemption rates: \$600, \$1,000, and \$3,000

Another provision of UCITA specifies that residents who pay income tax to another city be allowed a credit for the amount paid to that city. Given the City’s location compared to other cities that impose an income tax, the model gives consideration to residents who work and pay income taxes in the City of Detroit.

In preparing the income tax model, taxpayers were segregated into the following categories:

- Individuals who live and work in the City of Ann Arbor
- Individuals who live in Ann Arbor, but work elsewhere (non-taxing City)
- Individuals who live in Ann Arbor, but work in Detroit (taxing City)
- Individuals who work in Ann Arbor, but live elsewhere (“commuters”)
- Corporations

Since the City is the home of a large university, it is appropriate to point out that in other income tax cities, students are generally treated as non-residents. Their residency is where their permanent home is (the place they will return to whenever they go away). An exception to this treatment is if a student registers to vote in the City, in which case they would be treated as a resident for income tax purposes.

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## Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009

Data was gathered from the U.S. Census Bureau (2000 Census) in order to determine how many people were in each of the “individual” categories above. Once the number of individuals in each category was known, we estimated the amount of taxable income for each category.

### Estimate of Taxable Income:

**Individuals who live in Ann Arbor:** Residents of the City are taxed on their taxable income, regardless of where it was earned. We obtained the amount of income subject to tax from the State of Michigan Department of Treasury. By multiplying the ratio of residents in each of the categories above by the income subject to tax for the entire City, we calculated the taxable income for each category of residents.

In addition, for the residents who work in the City of Detroit, an estimate of the credit for taxes paid to another city was made. The average salary for jobs in the Detroit area, based on data from the U.S. Bureau of Labor Statistics, was multiplied by the Detroit non-resident tax rate to calculate the average credit per worker. The average credit per worker was then multiplied by the number of residents who work in Detroit to determine the total credit for all residents who work in Detroit.

**Commuters:** Commuters are taxed on their salaries earned in the City. To estimate income subject to tax for commuters, the number of commuters was multiplied by estimated average salaries for jobs in the Ann Arbor area. Since the University of Michigan (U of M) is the largest employer in the City, the actual number of non-resident employees and estimated average salary earned was segmented for U of M based upon the midpoint of each salary range times the number of employees in each salary range and calculated separately. The remainder of estimated commuters (Total commuters minus U of M non-resident employees) was calculated and multiplied by the average salary for jobs in the Ann Arbor area, based on data from the U.S. Bureau of Labor Statistics.

**Businesses:** To assist in the estimation of income from corporations, we surveyed seven cities that impose an income tax. We requested statistical data about tax collections, the number of returns filed annually, the cost of administration, and the timing of collections. Four of the seven cities responded to our request. Using the data obtained from the surveys, combined with corporate sales data obtained from the marketing research company Claritas, Inc., we calculated the average tax collections as a percentage of sales. We then applied the ratio to corporate sales of the City of Ann Arbor to estimate income tax from corporations.

Note: Taxable Income Data was estimated based upon actual 2006 income subject to tax from the Michigan Department of Treasury. This information was escalated forward to 2009 based upon the actual annual increase in taxable income from 2002 to 2006 (2%) for 2007 and based

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## Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009

upon the U.S. Department of Commerce, Bureau of Economic Analysis – Ann Arbor region Metropolitan Statistical Area, and both State and National trends for 2008 (estimated at 2.5%).

### Estimate of Exemption Deductions:

For each of the categories of individuals, an estimate was made about personal and dependency exemptions to be claimed. The number of individuals in each category was multiplied by the average family size, based on the 2000 census; the result was multiplied by exemption rate used in each model (\$600, \$1,000, and \$3,000).

An estimate of additional exemptions for individuals over 65 was also made. The percentage of senior residents who work was calculated using data from the 2000 Census and the Current Population Survey; this percentage was multiplied by the exemption rate used in each model (\$600, \$1,000, and \$3,000).

### Growth/Projection Assumptions

In building the income tax model, the following assumptions were used in projecting income tax revenue over the next several years:

<b>Data</b>	<b>Growth Rate Assumption</b>	<b>Source of Assumption</b>
Population	1.18% over next 5 years	Claritas, Inc.
# jobs in Ann Arbor	1.0% per year	U.S. Bureau of Labor Statistics
Average annual salary	1.18% per year	Claritas, Inc.
Taxable income for residents	(1%) for 2009 0% for 2010-2011 1.18% for 2012-2015	U.S. Dept of Commerce Management Estimate Claritas, Inc.
Worker ratio (resident workers, commuters, etc.)	Assumed stable ratio throughout the model	N/A

### Administration Costs

As with any revenue-generating program, a variety of costs are associated with having an income tax. There are costs related to the start-up of the program, such as putting the issue out to vote, establishing an ordinance, and creating forms and instructions for each class of taxpayers. Ongoing administration costs include processing the annual returns and related payments/refunds, processing quarterly estimated tax payments, registering employers for withholding, and processing the related quarterly withholding returns. Additional costs should be considered for enforcing the income tax as well. The average administration cost for the cities that replied to our survey was 7.68% of collections.

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## **Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009**

### Revenue Projections

Based on the above assumptions, we estimate that an income tax would generate the following revenues, net of administration costs, over the next several years (assuming a 1% resident/corporate tax rate, 0.5% non-resident and \$600 exemption level):

2011	42,250,000
2012	42,964,000
2013	43,690,000
2014	44,431,000
2015	45,184,000

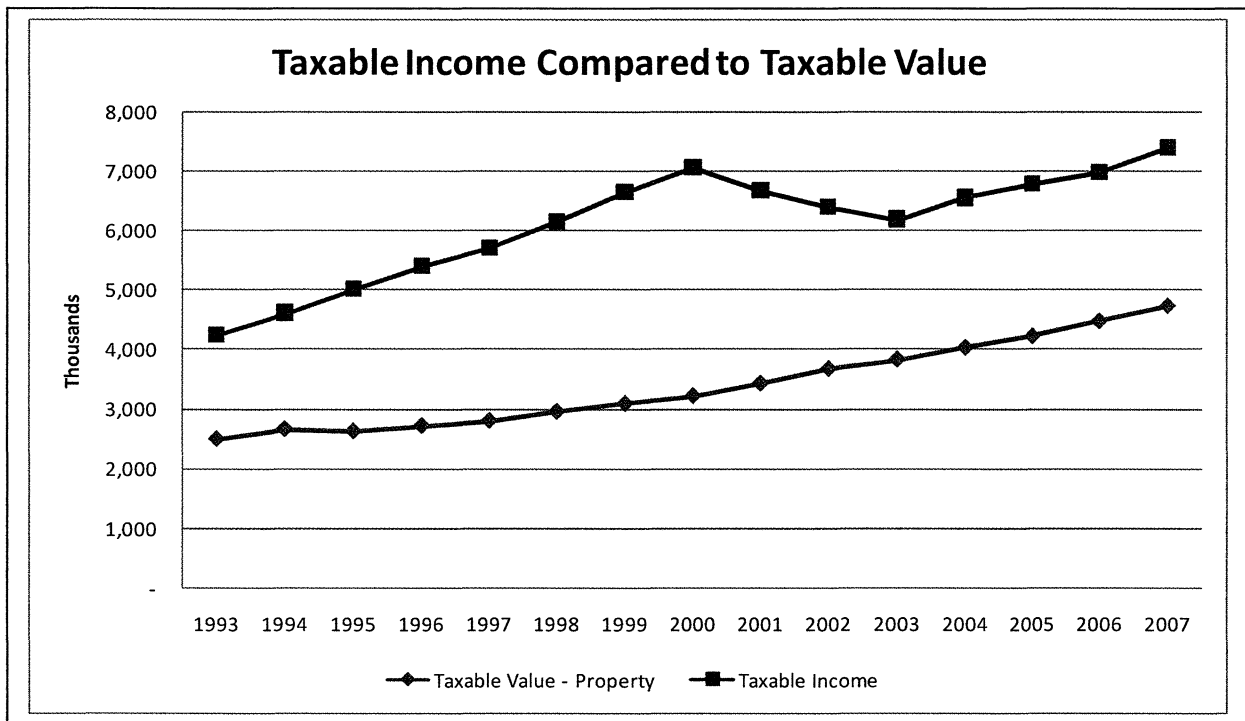
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## Income Tax Feasibility Study Revenue Summary – Property Tax System July 2009

### Historical Comparison: Tax Base

Moving to an income tax increases a community's dependence upon the health of the general economy. The chart on the following page compares the taxable value of property versus the taxable income of residents and non residents for the City of Ann Arbor. It is important to note that the business income is not included in the taxable income estimate.

Property taxable value was obtained from the City for years 1993-2002 and from Washtenaw County Equalization for 2003 - 2007. Taxable income was based on taking 2.99% of the State of Michigan AGI for the years of 1993 through 2007. State of Michigan AGI was provided by the Michigan Department of Treasury for years 1993 to 2002 and taken from the Tax Policy Center at the Urban Institute and Brookings Institution for years 2003 to 2007. The 2.99% value was determined by comparing the taxable value developed in the model to the State 2007 AGI.



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## Income Tax Feasibility Study Revenue Summary – Cash Flow July 2009

Under the current property tax system, the City receives its operating millage once per year. However, under an income tax system, the City would receive its revenue stream throughout the year via payroll withholdings, estimated tax payments, and with income tax returns.

Based on information obtained from other cities, the average cash flow for collection of income taxes would approximate the schedule on page 13 for years 2013 through 2015. Dollar amounts are based upon the \$600 exemption level.

Due to the conversion from a property tax to an income tax for the current operating millage, there will be a “ramp up” period for collecting the majority of income taxes due over the first few years. Following are our assumptions for the first two years of cash flow for the conversion to an income tax:

- Last levy of property tax operating millage – July 2010 (full amount)
- Beginning of income tax – January 2011
- Year 2011 revenue:
  - 70% of total projected revenue
  - Only withholdings revenue
  - Monthly withholdings revenue 70% of total
  - Quarterly withholdings revenue 30% of total
  - Initial monthly withholdings received February 28, evenly distributed throughout the year
  - Initial quarterly withholdings received April 30, 33% received April 30, July 31, and October 30
- Year 2012 revenue:
  - 85% of total projected revenue
  - Withholding, estimated tax and return revenues
    - Withholding – 80%
    - Estimated tax – 10%
    - Returns – 10%
  - Monthly withholdings revenue 70% of total withholding
  - Quarterly withholdings revenue 30% of total withholding
  - Initial monthly withholdings received January 31, evenly distributed throughout the year
  - Initial quarterly withholdings received January 31, 25% received January 31, April 30, July 31, and October 30
  - Timing of estimated tax revenue – 33% received April 30, June 30, September 30 (2012).
  - Timing of return revenue – 30% received in March and 70% received in April

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## Income Tax Feasibility Study Revenue Summary – Cash Flow July 2009

	Year 2011			Year 2012		
	Property tax	Income Tax	Difference	Property tax	Income Tax	Difference
January	\$ 173,300	\$ -	\$ (173,300)	\$ 177,293	\$ 4,219,264	\$ 4,041,971
February	152,322	2,038,534	1,886,212	155,832	\$ 1,845,928	1,690,096
March	-	2,038,534	2,038,534	-	\$ 3,032,596	3,032,596
April	-	5,241,944	5,241,944	-	\$ 8,306,676	8,306,676
May	-	2,038,534	2,038,534	-	\$ 1,845,928	1,845,928
June	518,299	2,038,534	1,520,235	530,242	\$ 3,164,448	2,634,206
July	15,443,372	5,241,944	(10,201,428)	15,799,230	\$ 4,219,264	(11,579,966)
August	10,471,575	2,038,534	(8,433,041)	10,712,870	\$ 1,845,928	(8,866,942)
September	452,494	2,038,534	1,586,039	462,921	\$ 3,164,448	2,701,527
October	182,360	5,241,944	5,059,584	186,562	\$ 4,219,264	4,032,702
November	124,547	2,038,534	1,913,987	127,417	\$ 1,845,928	1,718,511
December	212,732	2,038,534	1,825,802	217,634	\$ 1,845,928	1,628,294
<b>Total</b>	<b>\$ 27,731,000</b>	<b>\$ 32,034,100</b>	<b>\$ 4,303,100</b>	<b>\$ 28,370,000</b>	<b>\$ 39,555,600</b>	<b>\$ 11,185,600</b>

	Percent of Collections	2013			2014			2015		
January	9.22%	\$ 4,360,814	\$ 4,434,719	\$ 4,509,913						
February	7.26%	3,433,284	3,491,469	3,550,670						
March	7.11%	3,364,665	3,421,688	3,479,705						
April	13.67%	6,466,688	6,576,281	6,687,788						
May	7.48%	3,539,760	3,599,750	3,660,787						
June	8.46%	4,001,160	4,068,969	4,137,962						
July	7.55%	3,572,887	3,633,438	3,695,046						
August	7.26%	3,433,284	3,491,469	3,550,670						
September	8.69%	4,110,003	4,179,656	4,250,526						
October	7.97%	3,769,277	3,833,156	3,898,151						
November	7.08%	3,348,102	3,404,844	3,462,576						
December	8.29%	3,923,076	3,989,561	4,057,206						
<b>Total</b>	<b>100.00%</b>	<b>\$ 47,323,000</b>	<b>\$ 48,125,000</b>	<b>\$ 48,941,000</b>						

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## **Income Tax Feasibility Study Burden Shift & Effect on Individuals July 2009**

### **Burden Shift**

By segregating the population of taxpayers into categories, we can estimate the change in the share of tax burden if the City switched from a property tax system to an income tax system. Under the current property tax system, non-residents do not have a share of the burden, while individuals and corporations share the burden at 54% (\$15,124,000) and 46% (\$12,884,000), respectively.

Under an income tax system, the burden would be shifted to approximately 60.3% (\$27,605,000), 32.4% (\$14,818,000), and 7.3% (\$3,340,000) for residents, non-residents, and corporations, respectively.

Appendix A includes graphs to illustrate this comparison at the various exemption levels included in this analysis.

### **Effect on Individuals**

Since the City's charter indicates that they may have either an income tax or an operating millage, we have prepared three tables that compare various property tax levels to income tax levels at the \$600, \$1,000, and \$3,000 exemption levels.

To use the chart, an individual would first identify the taxable value that best represents their property. The number below the taxable value is the amount of property tax that is paid for the operating millage currently at 6.1682 mills. To determine the estimated income tax that would be paid, an individual would review the taxable income column and select the row that best estimates their taxable income level. Moving to the right the amount of income tax is provided.

These charts can be found in Appendix B.



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## Income Tax Feasibility Study Listing of Michigan Income Tax Cities and Rates July 2009

City	Year Adopted	2008 Tax Rates			2008 Exemption Amount
		Resident	Corporate	Non-Resident	
Albion	1972	1.00	1.00	0.500	\$ 600
Battle Creek	1967	1.00	1.00	0.500	\$ 750
Big Rapids	1970	1.00	1.00	0.500	\$ 600
Detroit	1962	2.05	0.20	1.025	\$ 600
Flint	1965	1.00	1.00	0.500	\$ 600
Grand Rapids	1967	1.30	1.30	0.650	\$ 750
Grayling	1972	1.00	1.00	0.500	\$ 3,000
Hamtramck	1962	1.00	1.00	0.500	\$ 600
Highland Park	1966	2.00	2.00	1.000	\$ 600
Hudson	1971	1.00	1.00	0.500	\$ 1,000
Ionia	1994	1.00	1.00	0.500	\$ 700
Jackson	1970	1.00	1.00	0.500	\$ 600
Lansing	1968	1.00	1.00	0.500	\$ 600
Lapeer	1967	1.00	1.00	0.500	\$ 600
Muskegon	1993	1.00	1.00	0.500	\$ 600
Muskegon Heights	1990	1.00	1.00	0.500	\$ 600
Pontiac	1968	1.00	1.00	0.500	\$ 600
Port Huron	1969	1.00	1.00	0.500	\$ 1,200
Portland	1969	1.00	1.00	0.500	\$ 1,000
Saginaw	1965	1.50	1.50	0.750	\$ 750
Springfield	1989	1.00	1.00	0.500	\$ 1,500
Walker	1988	1.00	1.00	0.500	\$ 750