



**PONTIAC CITY COUNCIL
STUDY SESSION**

August 31, 2017

Noon

204th Session of the 9th Council

It is this Council's mission "To serve the citizens of Pontiac by committing to help provide an enhanced quality of life for its residents, fostering the vision of a family-friendly community that is a great place to live, work and play."

Call to order

Roll Call

Authorization to excuse councilmembers

Amendments to and Approve the Agenda

Approval of the minutes

1. August 24, 2017

Public Comment

Agenda Items

2. Request for a reading of the proposed ordinance an ordinance to amend appendix B of the Municipal Code of the City of Pontiac to amend article 2, Zoning Districts and permitted uses, section 2.103 Zoning Map, to change the zoning district classifications for a specific parcel ID number 19-04-126-013 at the southwest corner of Woodward Avenue and South Boulevard for rezoning on Thursday, September 7, 2017.
3. Resolution for the Sale of Real Property-500 W. Huron Street.

Adjournment

August 24, 2017

**Official Proceedings
Pontiac City Council
203rd Session of the Ninth Council**

A Formal Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, August 24, 2017 at 6:00 p.m. by the President Pro-Tem Mary Pietila.

Call to Order at 6:00 p.m.

Roll Call

Members Present: Pietila, Taylor-Burks, Woodward and Williams.

Members Absent: Carter, Holland and Waterman.

Mayor Waterman was present.

Clerk announced a quorum.

17-279 **Excuse Councilperson Randy Carter, Mark Holland and Patrice Waterman for personal reasons.** Moved by Councilperson Williams and supported by Councilperson Taylor-Burks.

Ayes: Pietila, Taylor-Burks, Williams and Woodward.

No: None

Motion Carried.

17-280 **Approval of the agenda.** Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

Ayes: Pietila, Taylor-Burks, Williams and Woodward.

No: None

Motion Carried.

17-281 **Journal of August 17, 2017.** Moved by Councilperson Taylor-Burks and supported by Councilperson Williams.

Ayes: Taylor-Burks, Williams, Woodward and Pietila.

No: None

Motion Carried.

Deputy Mayor Jane Bais-DiSessa Reported.

Councilman Randy Carter arrived at 6:10 p.m.

Councilman Mark Holland arrived at 6:12 p.m.

17-282 **Resolution for Doris J. Mack.** Moved by Councilperson Williams and supported by Councilperson Woodward.

Whereas, the Pontiac City Council celebrates the gift of life and those who live life abundantly and whose lives exemplify the highest ideals of humanity; and,

Whereas, Doris J. Mack was born Doris Jean Martin on September 7, 1937 in Haynesville, Louisiana to the union of Willie Martin and Emma Lou Brown; and,

August 24, 2017

Whereas, Doris J. Mack graduated from Woodson High in Haynesville, Louisiana in 1956, where she was a basketball legend and a notable team member that went to the state championship; and,
Whereas, Doris J. Mack briefly attended Southern University in Baton Rouge; and,
Whereas, Doris J. Mack married Elroy Mack in 1960 and together the Lord blessed the couple with two children, Karen and Jeffrey; and,
Whereas, Doris J. Mack raised her children under the watchful eye of the Lord in St. Stephen Missionary Baptist Church in Pontiac; and,
Whereas, Doris J. Mack has been a loyal and devoted member of St. Stephen Missionary Baptist Church for 48 years, active for several years with the Altar's Guild Committee and previously served on the Food Distribution Committee; and,
Whereas, Doris J. Mack faithfully worked for Pontiac General Hospital for over 30 years until retirement; and,
Whereas, Doris J. Mack selflessly volunteered as a polling site worker for Pontiac Elections for over 15 years; and,
Whereas, Doris J. Mack celebrated 43 wonderful years with her husband and truly embraced her martial vows as she cared for her husband throughout his long term illness and until his transition; and,
Whereas, Doris J. Mack embodies faith, humility and service to others and her legacy of unconditional love has been imparted to her children, grandchildren Andre' and Gary, extended family, friends and the Pontiac community; and,
Now, Therefore, Be It Resolved, that the members of the City Council express their deepest gratitude an appreciation to Doris Jean Mack, for her service to the community.
Be It Therefore Resolved, that we the members of the Pontiac City Council on behalf of the citizens of Pontiac, recognize with great pride and dignity and salute a radiant and rare gem, Doris Jean Mack as she is honored on her birthday, September 7, 2017 for the blessing that she has been to her family and friends for 80 years of life, "Happy Birthday Ms. Doris Jean Mack".

Ayes: Williams, Woodward, Carter, Holland, Pietila and Taylor-Burks

No: None

Resolution Passed.

17-283 **Resolution for the Holiday Extravaganza.** Moved by Councilperson Woodward and supported by Councilperson Williams.

Whereas, the City of Pontiac has been a co-sponsor for the Holiday Extravaganza for over 35 years; and,
Whereas, the Holiday Extravaganza Advisory Board has requested that the City of Pontiac co-sponsor the event in 2017 and appoint a representative to serve on the Holiday Extravaganza Advisory Board of Directors; and,
Now, Be It Resolved, that the Pontiac City Council names the City of Pontiac as a co-sponsor of the Holiday Extravaganza ; and,
Be It Further Resolved, that the City designates John Balint to serve on the Holiday Extravaganza Board of Directors; and,
Be It Further Resolved that the City Council waives the Special Event Permit fee and the Right-of-Way permit fee.

Ayes: Williams, Woodward, Carter, Holland, Pietila and Taylor-Burks

No: None

Resolution Passed.

There were 9 individuals who addressed the body during public comment.

August 24, 2017

Honorable Mayor Deirdre Waterman Reported.

City Clerk Sherikia Hawkins, Councilman Randy Carter, Councilwoman Doris Taylor-Burks, Councilman Don Woodward, Councilman Mark Holland, Councilman Kermit Williams and President Pro-Tem Mary Pietila made closing comments.

President Pro-Tem Mary Pietila adjourned at 8:02 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

City of Pontiac

Department of Planning

Date: May 30, 2017

To: Pontiac City Planning Commission

From: C. James Sabo, AICP
Professional Planner

Re: PF 17-18 (ZMA 17-18) 44911 Woodward Avenue

Applicant: Motor City Burgers, Nick Luigjuras
44911 Woodward
Pontiac, MI 48342

Property Addresses: 44911 Woodward Avenue

Request: Zoning Map Amendment request to change the zoning classification from R-1, One Family Dwelling district to C-3, Corridor Commercial district to accommodate future parking lot expansion development project

Legal Description: Parcel # 19-04-126-013

Zoning: R-1, One Family Dwelling district

Intent The regulations of the R-1, R-1A, and R-1B one family residential districts are intended to encourage a suitable environment for families typically with children. Uses are limited to one family dwelling unit structures and certain compatible uses that create a neighborhood environment. Commercial and other uses that tend to be incompatible with the intent of the one family residential district are prohibited

Existing Land Use: Residentially zoned vacant, directly adjacent to the restaurant

Proposed Land Use: Parking area and new lot for Motor City Burgers. The applicant has presented a proposed concept plan for the proposed rezoning.

Relationship to Pontiac Master Plan (Future Land Use Map):

Subject Parcel: Traditional Neighborhood Residential

Adjacent: Entrepreneurial: Industrial Commercial Green, Residential

Surrounding Existing Use and Zoning:

North side: C-3, Corridor Commercial

South side: R-1, One-Family Dwelling

West side: R-1, One-Family Dwelling

East side: C-3, Corridor Commercial

2014 Master Plan Update

The Future Land Use Map designation for the proposed rezoning site is Traditional Neighborhood Residential and the provisions are listed here:

Traditional Neighborhood Residential

This land use category is intended to plan for traditional patterns of urban neighborhoods.

These areas allow a range of building styles and guidelines seek to replicate Pontiac's traditional neighborhood development pattern. Buildings within this category include two and three-story duplexes and tri-plexes, row houses (attached townhouses), two-story Quad-Plex apartments and detached single-family homes on a wide range of lot sizes. This designation includes most of the City's traditionally single-family neighborhoods. These neighborhoods are meant to be built to a human scale and to prioritize people (pedestrians and bicycles). Historically, these neighborhoods were anchored by a school or a park. A range of community uses have replaced the traditional anchors and flexibility is encouraged to allow for community-generated development to create new anchors or anchor institutions.

GENERAL DEVELOPMENT STANDARDS:

Maximum Building Height: 36 feet

Parking: Garages should not protrude beyond the front façade of the building, and should be located in rear or side yards or as detached buildings in the rear of the main dwelling. Garages may be accessible from a service alley. The building form and setbacks should reflect the surrounding block. Lawn areas are unsuitable for parking.

Front Porches: Unenclosed front porches should be allowed to encroach into the front yard setback area.

Uses: Only residential and civic uses are permitted in the TNR areas. Attached Single family residential buildings (up to 3 attached units) will be permitted where such use does not adversely impact the established character of the neighborhood.

Appearance and Materials: Roof forms and building materials should be compatible with the existing architectural character of the neighborhood.

In summary, the 2014 Master Plan Future Land Use designation for Traditional Residential is reasonably restrictive to single family use. The proposed zoning is commercial. Importantly, the proposed rezoning is specifically not consistent with the approved master plan. In the current

Master Plan, commercial zoning in this area is not appropriate or supported. The Planning Commission may wish to consider the 2014 Master Plan update when rendering a decision.

Department Comments:

Engineering Department: *No comments received for rezoning. Will be reviewed as part of Development Review Committee at Final Site Plan.*

Water Resources Comm: *No comments received. Will be reviewed as part of Development Review Committee at Final Site Plan*

Fire Department: *No comments received. See above*

Building Department: *No comments received. See above*

Section 6.804—Criteria for Amendment:

Proposed zoning map amendments are reviewed against the following criteria for amendment. The Planning Commission and City Council shall consider any of the listed criteria that apply to an application in making recommendations and decisions. The Planning Commission and City Council may take other factors into consideration that are applicable, but not listed here.

- A. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered. **The proposed amendment is not specifically consistent with the goals and objectives of the 2014 master plan. The future land use map designates the area as residential. It should be noted that recent development trends in this area include the M-1 Concourse project, which is a significant change from previous vacant industrial land.***
- B. *Compatibility of the site's physical, geological, and hydrological and other environmental features with the uses permitted in the proposed zoning district. **Proposed amendment does not maintain compatibility with physical and environmental features. It is a vacant residential lot. However, there has been recent non-residential development in the area, including the St. Joseph hospital expansion and the M-1 Concourse project.***
- C. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning. **Does not meet the technical standard, the property could be developed and a single family residence could be built on the property. It is difficult to determine return on investment for a new house adjacent to two hamburger restaurants.***
- D. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values. **Does not meet this standard. Most all the C-3 permitted uses would not be compatible with the residential zone***

district. However, it should be noted the proposed zone district would be compatible with surrounding C-3 Commercial zone districts.

- E. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City. **Meets this criterion.***
- F. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district. **Meets this standard, but the Planning Commission may wish to request a traffic impact review from Engineering.***
- G. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district. **Meets this criterion; however, Final Site Plan review will be required to determine bulk and area standards.***
- H. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district. **Does not meet this standard. The C-3 is not identified as a desired or designated future land use for the parcel.***
- I. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use. **Meets this criterion. Amending the list of permitted uses is not appropriate in this case.***
- J. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood. **Meets this criterion. The proposed rezoning does not create an isolated or incompatible zone per se. However, the requested zoning is not consistent with the master plan.***

Planning Department Analysis:

The proposed zoning map amendment site is located along a secondary street Earlmoo, directly adjacent to and behind both Motor City Burgers and McDonald's restaurants. As stated, the request for rezoning does not comply with the future land use designation detailed in the City of Pontiac Master Plan – Future Land Use Map. The Master Plan identifies this parcel as residential, Traditional Neighborhood.

This land use category limits uses to residential buildings or schools. Traditional Neighborhood Residential in the 2014 update states that it's limiting development to predominantly single family detached housing. It's clear the site is surrounded by residential zoning uses and some commercial uses along Woodward Avenue. The future use designation is for residential low density. Additionally, it's clear that the proposed zoning amendment is not consistent with the future land use plan in the 2014 master plan update. It should be noted that there are other similar parcel sites in the City with some parking lot areas located behind commercial businesses along major routes. 45556 Woodward, Cole's Market and 268 N. Perry, Moon Funeral Home are some recent examples.

Additionally, the parcel is uniquely shaped and unique as it's the only parcel along Earlmoo that abuts both restaurants. From the perspective of strict adherence to the Master Plan, the proposed rezoning does not comply. However, with the continued development of the M-1

Concourse area, this area of Woodward will likely experience increasing traffic volumes as the future commercial area of the M-1 project is constructed. The Planning Commission may wish to consider current development trends in the area. Also, they may wish to consider the proposed rezoning location, the residential lot site, and its proximity to the surrounding existing uses (commercial and residential) as they consider action on the request.

Recommendation:

To deny the Zoning Map Amendment request for PF-17-18, 44911 Woodward Avenue as the proposed zoning amendment does not meet the approval criteria from Section 6.804.

Or,

To approve the Zoning Map Amendment request for PF-17-18, 44911 Woodward Avenue as the proposed zoning amendment meets the approval criteria from Section 6.804 for the reasons detailed_____, and to recommend approval for the Zoning Map Amendment to the City Council for their consideration.

City of Pontiac

Department of Planning

Date: July 14, 2017

To: Honorable Mayor and Honorable City Council

From: Charles Smith, AICP
Professional Planner

Re: 44911 Woodward Avenue, Motor City Burgers Parking Lot Project
Planning Commission Rezoning Recommendation

Background:

At their June 7, meeting, the Planning Commission held a public hearing and reviewed an application for a Rezoning request, case number PF-17-18, 44911 Woodward Avenue, Motor City Burgers Parking Lot project. During the public hearing, there was one comment from Terry Hill in support of the project. The comments centered on the space being adjacent to commercial uses and buildings. Following the public hearing, the Planning Commission moved to recommend approval of the Rezoning application for PF-17-18 to the Mayor and City Council based on Section 6.804 of the Zoning Ordinance and that the parcel is directly adjacent to another fast food restaurant to the north of the proposed site. The Planning Department recommendation from the May 30, 2017 report was to deny with an option for approval conditions.

City Council Action Requested

In accordance with Section 6.802 of the Zoning Ordinance, the standard procedure for Rezoning is a public hearing and review by the Planning Commission with a recommendation for action to the City Council. As stated, the recommendation from the Planning Commission is approval of the rezoning request. The motion was approved on June 7, 2017.

The recommended Rezoning for the property is from R-1 One-Family Dwelling district to C-3 Corridor Commercial district. The property is located at the southwest corner of Woodward Avenue and South Boulevard.

The applicant proposes to construct an expanded parking area and trash enclosure on the existing vacant residential lot, which is west of and directly adjacent to the existing Motor City Burgers restaurant space. If approved by the City Council, the proposed parking lot project will require final site plan approval by the Planning Commission following action by the Council. A map detailing the proposed zoning map amendment parcel is attached for review. The Planning Commission department report for the rezoning application is attached as well.

The purpose of this correspondence is to introduce the proposed ordinance, which has been reviewed and approved by the Executive Office and Deputy Mayor. Upon introduction, the Clerk shall distribute a copy to each Council member and to the Mayor, and shall file a

reasonable number of copies in the office of the Clerk and such other public places as the Council may designate, and shall publish a summary of the proposed ordinance in a newspaper of general circulation in the City together with a notice of the time and place for consideration by the Council.

At the first meeting, the Council should pass a resolution setting a time and place for consideration of this proposed ordinance.

At the meeting where the proposed ordinance is considered, City Council is requested to adopt the following resolution:

Whereas, on June 7, 2017, the Planning Commission held a public hearing and reviewed an application for rezoning of the former One-Family Dwelling district property located along Earlmoor Street and directly adjacent to the commercial property at 44911 Woodward Avenue near the intersection of Woodward Avenue and South Boulevard; and,

Whereas, on June 7, 2017, the Pontiac Planning Commission recommended that the existing lot zoned R-1 One-Family Dwelling on Earlmoor Street with parcel ID number 19-04-126-013 be rezoned; and,

Whereas, the Planning Commission finds that the proposed rezoning application meets the approval criteria from Section 6.804 of the Zoning Ordinance; and

Now, therefore, be it resolved, that the Pontiac City Council accepts the recommendation of the Pontiac Planning Commission and adopts:

AN ORDINANCE TO AMEND APPENDIX B, OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC TO AMEND ARTICLE 2, ZONING DISTRICTS AND PERMITTED USES, SECTION 2.103, ZONING MAP, TO CHANGE THE ZONING DISTRICT CLASSIFICATIONS FOR A SPECIFIC PARCEL ID NUMBER 19-04-126-013 AT THE SOUTHWEST CORNER OF WOODWARD AVENUE AND SOUTH BOULEVARD FOR REZONING.

**CITY OF PONTIAC
ORDINANCE NO. xxxx**

AN ORDINANCE TO AMEND APPENDIX B, OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC TO AMEND ARTICLE 2, ZONING DISTRICTS AND PERMITTED USES, SECTION 2.103, ZONING MAP, TO CHANGE THE ZONING DISTRICT CLASSIFICATIONS FOR A SPECIFIC PARCEL ID NUMBER 19-04-126-013 AT THE SOUTHWEST CORNER OF WOODWARD AVENUE AND SOUTH BOULEVARD FOR REZONING.

THE CITY OF PONTIAC ORDAINS:

Section 1. Amendments.

Appendix B of the Code of Ordinances, Article 2, Zoning Districts and Permitted Uses, Section 2.103, the Zoning Map of the City of Pontiac, is amended to CHANGE THE ZONING DISTRICT CLASSIFICATION FROM R-1 ONE FAMILY DWELLING DISTRICT TO C-3 CORRIDOR COMMERCIAL DISTRICT AND ALLOW THE USES PERMITTED IN THAT ZONE DISTRICT FOR PARCEL IDENTIFICATION NUMBER 19-04-126-013 LEGALLY DESCRIBED AS:

A PARCEL OF LAND LOCATED ON THE WESTERLY SIDE OF WOODWARD AVENUE, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, TOWNSHIP 2 NORTH, RANGE 10 EAST, SECTION 04 RESUBDIVISION OF THE WOODWARD ESTATES SUBDIVISION, LOT 47, ALSO 1/2 VAC ALLEY, ADJACENT TO SAME 9-8-89 CORR

Section 2. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 3. Saving Clause.

A prosecution which is pending on the effective date of this ordinance and which arose from a violation of an ordinance repealed by this ordinance, or a prosecution which is started within one (1) year after the effective date of this ordinance arising from a violation of an ordinance repealed by this ordinance and which was committed prior to the effective date of this ordinance, shall be tried and determined exactly as if the ordinance had not been repealed.

Section 4. Repealer.

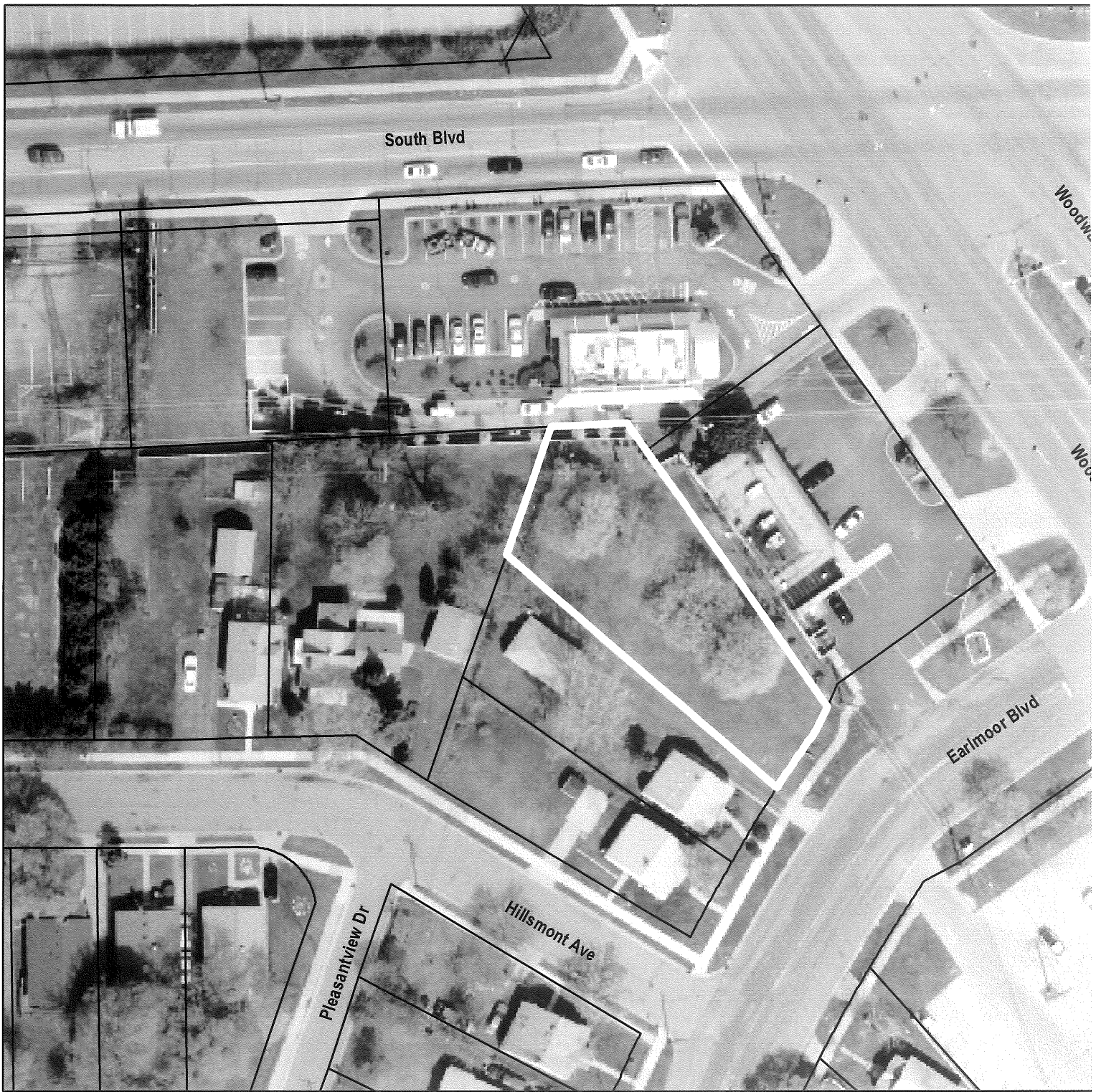
All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Publication.

The Clerk shall publish this Ordinance in a newspaper of general circulation.

Section 6. Effective Date.

This Ordinance shall be effective ten days after date of adoption by the City Council.



Memorandum

To: Honorable Mayor, Council President and City Council Members

From: Michelle L. McKenzie, Purchasing Agent

Through: Jane Bais-DiSessa, Deputy Mayor

Date: August 29, 2017

Re: Sale of Real Property – 500 W. Huron St.

The City advertised for bids for the Sale of Real Property - 500 W. Huron St. The Bid stated that any proposal would be accepted on or before August 28, 2017 at 2:00 pm in the office of the City Clerk. At 2:00 pm any bids that were accepted were publically opened at that time.

There was one respondent to the RFP.

- Dr. Muhammad Awaisi \$ 24,000
US Healthcare MI, P.C.
461 W. Huron St.
Pontiac, MI 48341

The Recommendation is based on the submission of one bid with the required business plan and certified check(s). The bidder did provide two (2) checks and they have been received by the Treasurer's Office.

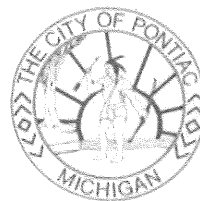
As such, it is recommended that the City authorizes the Mayor or Deputy Mayor to enter into a purchase agreement with the above mentioned bidder, Dr. Muhammad Awaisi:

WHEREAS, the City of Pontiac advertised and received a response to the request for proposals for the Sale of Real Property – 500 W. Huron St., Pontiac, MI on August 28, 2017 and publically opened the bid; and,

WHEREAS, the only bidder is being recommended for the sale of property; and,

WHEREAS, the sale of property will be granted to Dr. Muhammad Awaisi. The amount of \$ 24,000 is more than the required minimum bid price;

NOW, THEREFORE, BE IT RESOLVED that the Pontiac City Council authorize the Mayor or Deputy Mayor to enter into a purchase agreement with; Dr. Muhammad Awaisi, for the Sale of Real Property – 500 W. Huron St., Pontiac, MI in the amount of \$ 24,000 as bid.



REQUEST FOR PROPOSALS SALE OF REAL PROPERTY 500 W. Huron Street, Pontiac, MI

NOTICE TO BIDDERS

The City of Pontiac ("City") will open sealed bids on **Monday, August 28, 2017 at 2:00 p.m.** prevailing local time in the City Hall Lion's Den conference room at 47450 Woodward Ave for:

500 W. Huron Street

You are invited to submit a bid for this property. Sealed bids may be mailed or delivered to the CITY OF PONTIAC, CITY CLERK, 47450 Woodward Ave., Pontiac, MI 48342 by **2:00 PM, Monday, August 28, 2017**. Envelopes should include the name and mailing address of the bidder on the outside and be plainly marked:

500 W. Huron Street

No proposal submitted may be withdrawn for at least ninety (90) days after the actual opening of the proposal.

No pre-bid meeting will be held.

General specifications, description and conditions upon which the bid proposal is to be based are available at the City of Pontiac website:

Purchasing: <http://www.pontiac.mi.us/departments/finance/purchasing.php>

And at Michigan Intergovernmental Trade Network (MITN): <https://www.bidnetdirect.com/mitn>

Please refer to the website/MITN for any addenda that may be issued. Bidders who submit bids before the deadline are advised to continue to monitor the website for any addenda that may be issued. Bid packages will also be mailed upon request.

The City reserves the right to reject any or all bids, to waive any irregularities, and further reserves the right to accept any bid or parts of bids that it deems to best serve the interest of the City.

If you have any questions regarding this RFP, please contact the Purchasing Agent at (248) 758-3120 or send an email to MMcKenzie@pontiac.mi.us

INSTRUCTIONS TO BIDDERS

1.1 Bids to be Received

Sealed bids for the 500 W. Huron Street will be received at the Office of the City Clerk of the City of Pontiac, Michigan until 2:00 PM, Monday, August 28, 2017, and immediately thereafter will be publicly opened and read.

An original and four (4) copies of the bid proposal must be submitted in a sealed envelope and addressed to the City Clerk of the City of Pontiac. Each sealed envelope containing a bid must be plainly marked on the outside as:

"500 W. Huron Street"

and the envelope should bear on the outside the name of the bidder, his address, and the name of the property for which the bid is submitted. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope marked "Proposal inside" addressed to the City Clerk, City of Pontiac at 47450 Woodward Avenue Pontiac, MI 48342.

Bids will be received during regular business hours at the place and up to the time stated in the advertisement. Any extension in time will be by official notification. Bids may be delivered in person or mailed, but their delivery is the bidder's entire responsibility. Any bid received after the stated hour, even through the mail, will be returned unopened to the bidder.

1.2 Examination of Bid Documents

Before submitting a proposal, bidders shall carefully examine the description of the property and shall fully inform themselves as to all existing conditions and limitations of the property and shall indicate in the proposal the total bid price in their bid proposal.

1.3 Withdrawal of Bids

Any bidder may withdraw his proposal, in writing, at any time prior to the scheduled closing time for receipt of proposals. No bidder may withdraw a bid within ninety (90) days after the actual date of the opening thereof. Should there be a reason why a contract cannot be awarded within the specified period; the time may be extended by mutual agreement between the City of Pontiac, herein after also referred to as the City, and the bidder.

1.4 Bid Form

Each bid proposal shall be made according to the requirements provided (see page 8) and shall be submitted in a sealed envelope bearing the title of bid and the name of the bidder, and shall be signed by an individual authorized to execute the proposal on behalf of the bidder (see page 9). Alternate written proposals will not be accepted.

1.5 Basis of Award

The intention of the City is to award a contract for the sale of real property commonly known as: 500 W. Huron St., situated in the City of Pontiac, County of Oakland and State of Michigan, described as follows:

Parcel ID: 64-14-30-478-054, 64-14-30-478-021, 64-14-30-478-022
64-14-30-478-037, 64-14-30-478-038

A supplementary map is provided to bidders in Appendix A and is intended to provide location of property only. A property description will be provided by a Title Company.

The successful proposal shall be the proposal that is deemed by the City to offer best value to the City for this property, and shall be the proposal that most closely meets the specifications, restrictions, terms and conditions set forth in this request for proposals. The City of Pontiac reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy the City that such Proposer is properly qualified to carry out the obligations of the contract. Conditional Proposals will not be accepted.

Property is sold “as-is”, subject to zoning ordinances, covenants, easements and restrictions of record, and to existing tenancies, if any.

1.6 Contract and Minimum Price

The minimum acceptable price for the property known as 500 W. Huron Street will be set at **\$20,000.00** (US Dollars) not including taxes and other associated costs.

The City of Pontiac will not consider selling the property in smaller parcels or other configurations.

The successful purchaser also will be responsible for the City’s reasonable costs and expenses of this request for proposals and the City’s usual and reasonable closing costs and expenses, including but not limited to deed and transfer taxes and recording fees.

1.7 Proposal Submission

An original and four (4) copies of the bid proposal and other required documents must be submitted sealed in an opaque envelope clearly marked with the name of the Proposal and the name and address of the person or company submitting the proposal. Proposals will remain valid until the execution of a contract by the City of Pontiac, unless otherwise rejected or withdrawn consistent with this RFP.

The Bid Proposals submitted will be the document upon which the City will make its selection.

Those submitting Proposals do so entirely at their sole cost and expense. There is no express or implied obligation by the City to reimburse any firm or individual for any costs incurred in preparing or submitting Proposals, preparing or submitting additional information requested by the City, or for participating in any selection interviews.

Submission of any Proposal indicates acceptance of the conditions contained in the RFP, unless clearly and specifically noted otherwise in the Proposal.

The City of Pontiac reserves the right to waive any and all informalities and to disregard all nonconforming, non-responsive or conditional Proposals. The City reserves the right to reject any and all Proposals, in whole or in part, submitted in response to the RFP and to withdraw this RFP at any time prior to acceptance. The City may, at any time by written notification to all proposal holders, change any portion of the RFP described and detailed herein.

The bidder must submit a proposed development plan for the property in their bid proposal.

Proposals will be examined and evaluated by an Advisory Committee of the City of Pontiac. The members of the Advisory Committee are the Deputy Mayor, Economic Development Director, Finance Director, Deputy Community Development Director and Purchasing Agent. The members of the Advisory Committee shall review the proposals and make a recommendation to the Mayor. The Mayor will present the recommendation for final consideration to the City Council. The Pontiac City Council will grant final approval and offer acceptance. It is anticipated that such final approval and offer acceptance shall be made by resolution at a City Council meeting at a date to be determined.

During the evaluation of proposals, the City may require clarification of information or may invite the proposers to an oral presentation to amplify and/or validate proposal contents.

All questions concerning this RFP shall be submitted to the Purchasing Agent at (248) 758-3120 or send an email to MMcKenzie@pontiac.mi.us. Replies will be issued by Addenda mailed or delivered to all parties recorded as having received the RFP. Questions received less than four (4) days prior to the date of the submission of proposals will not be answered. Only questions answered by formal written Addenda will be binding. Oral or other interpretations will be without legal effect.

All material submitted in response to this RFP shall become the property of the City.

1.8 Qualification of Purchaser

Material submitted in response to this RFP must:

Provide a statement of Purchasers qualifications including:

Name and title of person(s) authorized to bind the Proposer, together with the main address, and telephone number (including area code).

The City is seeking Proposal from persons financially able to complete the transaction in a timely manner.

The City may reject multiple proposals from an individual, firm, or corporation under the same or different name, or where one proposer has a financial interest in another that has submitted a proposal.

In addition, the City may make such investigations it deems necessary to determine the ability of the Proposer to meet the financial obligations of this purchase. The Proposer shall furnish to the City, within five (5) days of a request, all such information and data for this purpose as may be requested.

The City reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy the City that such Proposer is properly qualified to carry out the obligations of the contract. Conditional Proposals will not be accepted.

The prospective purchaser must be able to obtain a certificate of occupancy within six months of the sale. If the bidder fails to obtain a certificate of occupancy, their bid amount can be forfeited.

1.9 Proposal Submission Requirements

In order for the City to conduct a uniform review process of all proposals, the proposals must be submitted in the format set forth below. Failure to follow this format may be cause for rejection of a proposal because adherence to this format is critical for the City's evaluation process:

SECTION I:

Title Page – The title page should reflect the Request for Proposal, Sale of Real Property – Community Center property, name of the Proposer, address, telephone number and contact person.

SECTION II:

Qualification – This section must address Proposer's qualifications and provide details to demonstrate the ability to successfully enter into this contract.

SECTION III:

Proposal – This section should include the following:

1. An offer in the amount of at least **\$20,000.00** (US Dollars) and any restrictions and conditions. This offer is binding.
2. A Certified Check in the amount of your bid needs to be included in your bid proposal.
3. A business and management plan for the property. Please give a detailed plan and a broad picture of the proposed use of the property by your organization. Please indicate any changes and improvements you envision. We realize that this is a short time frame to come up with this kind of information, but the more information you can provide, the better.
4. A description of your qualifications to successfully execute your plan.
5. Any other relevant information that would support the proposal.

1.10 Bid Proposal Evaluation

Proposals will remain valid until the execution of a contract by the City of Pontiac, unless otherwise rejected or withdrawn consistent with this RFP.

Proposals shall be examined and evaluated by the Advisory Committee from the City of Pontiac. As noted above, the Advisory Committee shall including the following: The Deputy Mayor, the Economic Development Director, the Finance Director, the Deputy Community Development Director and the Purchasing Agent.

The Advisory Committee will review/evaluate proposals from buyers with a focus on the following criteria:

Price: (a) Willingness of the buyer to meet and pay at least the asking price. Although price will be an important consideration, it will not be the deciding factor.

Proposed Use: The prospective purchaser must submit, as a part of the proposal to purchase, a plan describing the intended use of the property. Priority will be given to those proposals where the proposed use of the property is best suited to accomplish the goals set forth in the City of Pontiac Master Plan and Zoning Ordinance; and which best addresses the needs of the said property.

1.11 Bid Award

The Advisory Committee will review all proposals received. If a satisfactory proposal is determined, the Advisory Committee will make a recommendation through the Purchasing Agent. The recommendation will be presented to the City of Pontiac City Council. The City Council will review the proposal and recommendation. The City Council will need to take

formal action to accept/deny the bid. If the bid is found acceptable, City Council will finalize the offer. If there are two or more proposals with the same bid amount, the City will notify the parties and a lottery will be held of only those similar proposals.

1.12 Indemnification

To the fullest extent permitted by laws and regulations, the Bidder shall indemnify and hold harmless the City and its officers, directors, employees, agents, and consultants from and against all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) caused by, arising out of, or resulting from the performance of the work or from the failure to comply with any covenant or term of the contract, provided that any such claim, cost, loss, or damage: (i) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the work itself), including the loss of use resulting there from; or, (ii) is caused in whole or in part by any act or omission of the Bidder, any subcontractor, any supplier, any person or organization directly or indirectly employed by any of them to perform or furnish any of the work or anyone for whose acts any of them may be liable, regardless of whether or not caused in part by any act or omission of a person or entity indemnified hereunder or whether liability is imposed upon such indemnified party by laws and regulations regardless of the negligence of any such person or entity.

In any and all claims against the City or any consultants, agents, officers, directors, or employees of the City by any employee (or the survivor or personal representative of such employee) of the Bidder, any subcontractor, any supplier, any person or organization directly or indirectly employed by any of them to perform or furnish any of the Work, or anyone for whose acts any of them may be liable, the indemnification obligation above shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for the Bidder or any such subcontractor, supplier or other person or organization under workers' compensation acts, disability benefit acts, or other employee benefit acts.

Insurance coverage required of the Bidder constitutes the minimum requirements and those requirements shall in no way lessen or limit the liability of the Bidder under the terms of the contract. The Bidder shall procure and maintain at Bidder's own cost and expense any additional claims or amounts of insurance that, in the judgment of the City, may be necessary for Bidder's proper protection in the prosecution of the work.

FORM OF PROPOSAL

To: City of Pontiac, Michigan _____, 2017
To All Here Present:

Having carefully examined the bid for the sale of real property, and being fully informed in regard to the conditions to be met in the prosecution and completion of the sale, and having read and examined the Instructions to Bidders pertaining to this purchase and agreeing to be bound accordingly, the undersigned proposes to furnish a bid proposal and in full accordance with and conformity to the specifications for this purchase.

NOTE: This proposal is solicited on a lump sum price for the sale of real property.

THIS BID PROPOSAL MUST BE SUBMITTED BACK TO THE CITY OF PONTIAC IN ITS ENTIRETY AS PART OF THE BID SUBMISSION. MAKE SURE THAT ALL PAGES ARE COMPLETELY FILLED OUT AND THAT ALL INFORMATION REQUESTED IS COMPLETE. FAILURE TO DO SO MAY BE CAUSE TO REJECT YOUR BID PROPOSAL.

SECTION I: Title Page – The title page should reflect the Request for Proposal, Sale of Real Property – 500 W. Huron St., name of the Proposer, address, telephone number and contact person.

SECTION II: Qualification – This section must address Proposer's qualifications and provide details to demonstrate the ability to successfully enter into this contract.

SECTION III: Proposal – This section should include the following:

1. An offer in the amount of at least **\$20,000.00** (US Dollars) and any restrictions and conditions. This offer is binding.
2. A Certified Check in the amount of your bid needs to be included in your bid proposal.
3. A business and management plan for the property. Please give a detailed plan and a broad picture of the proposed use of the property by your organization. Please indicate any changes and improvements you envision. We realize that this is a short time frame to come up with this kind of information, but the more information you can provide, the better.
4. A description of your qualifications to successfully execute your plan.
5. Any other relevant information that would support the proposal.

NOTE TO REMEMBER: The prospective purchaser must be able to obtain a certificate of occupancy within six months of the sale. If the bidder fails to obtain a certificate of occupancy, their bid amount can be forfeited.

The Undersigned hereby declares that he/she or they are the only person(s), firm or corporation interested in this bid as principal, and that it is made without any connection with any other person(s), firm or corporation submitting a bid for the same.

The Undersigned hereby declares that they have read and understand all conditions are outlined in the Request for Proposals and that the bid is made in accordance with same.

The Undersigned hereby declares that any person(s) employed by the City of Pontiac Michigan who has direct or indirect personal or financial interest in this bid or in any portion of the profits that may be derived therefrom has been identified and the interest disclosed by separate attachment. (Please include in your disclosure any interest which you know of. An example of a direct interest would be a City employee who would be paid to perform services under this bid. An example of an indirect interest would be a City employee who is related to any officers, employees, principal or shareholders of your firm or to you. If in doubt as to status or interest, please disclose to the extent known).

BIDDER ACKNOWLEDGES RECEIPT OF ANY ADDENDUM: (if issued) ADDENDUM NO: _____ Dated: _____

Note: Bids must bear the handwritten signature of a duly authorized representative, member or employee of the entity submitting a bid.

BIDDERS NAME, ADDRESS AND PHONE NUMBER:

Dated and signed at _____, MI on _____
(City) (Date)

Name of Respondent: _____

Signature of Respondent: _____

Address of Respondent: _____

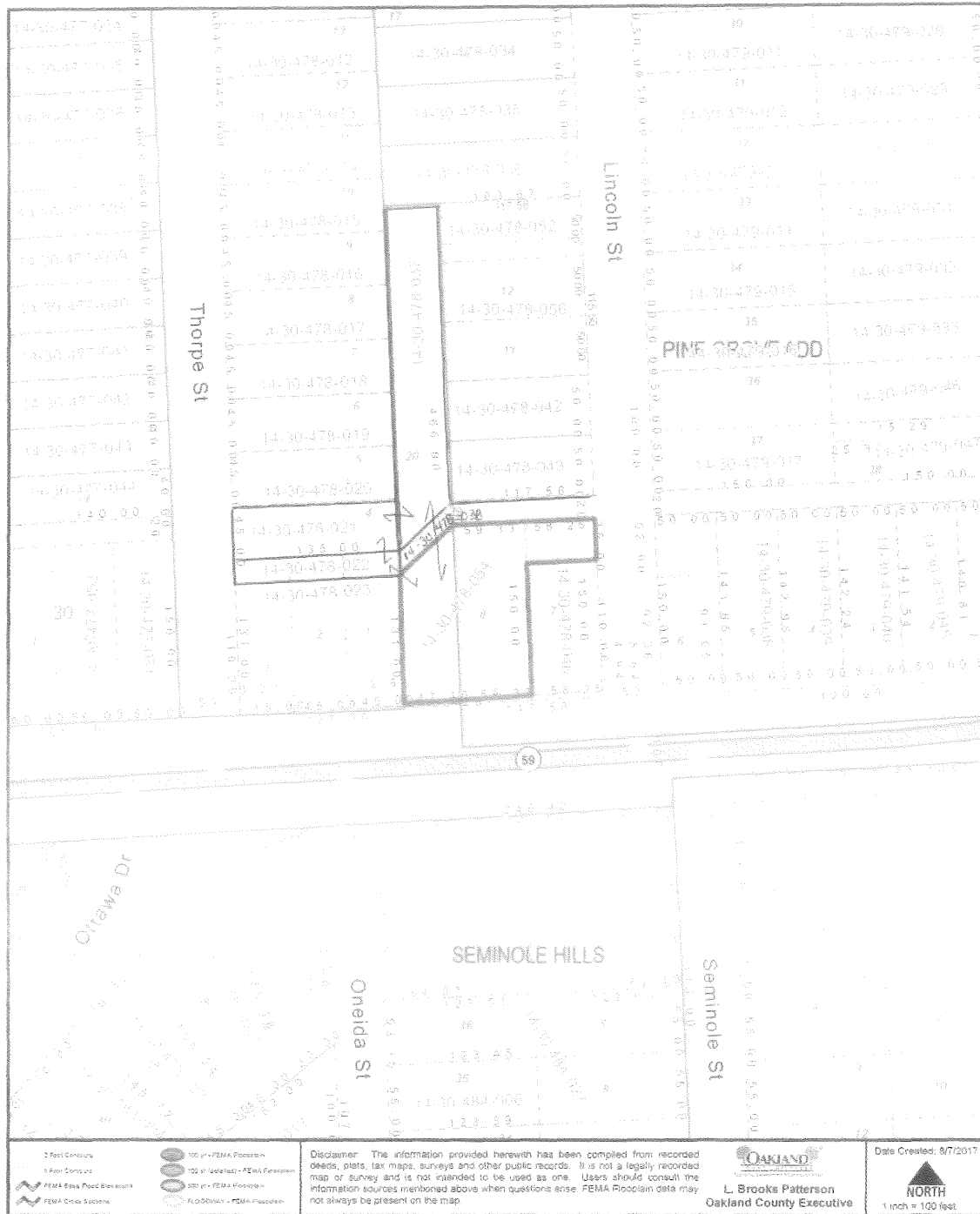
By: _____ Title: _____

Office # _____ Cell # _____

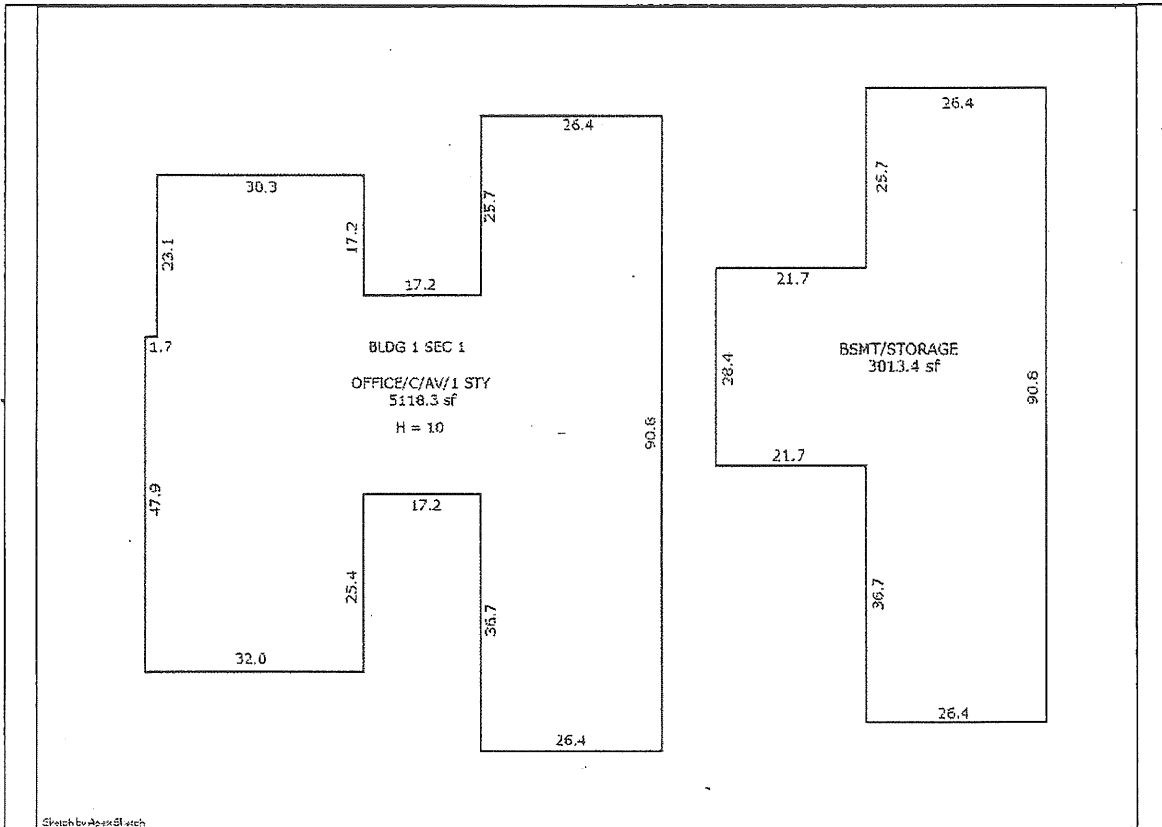
FAX# _____ FEDERAL TAX I.D. NUMBER (_____)
(If applicable)

Appendix A

500 W Huron Street



Parcel Sketch View
City of Pontiac (64)
Page Print Layout: 2 per page
PIN: 14-30-478-054
PRINT DATE: 8/7/2017



Request for Proposal

500 W. Huron Street, Pontiac, MI 48341

Contact: Dr. Muhammad S. Awaisi

Address: 461 W. Huron Street, Pontiac, MI 48341

Phone: (313) 463-8676

Email: msawaisi786@gmail.com

To whom this may concern,

Hello, my name is Dr. Muhammad Awaisi and I would like to place a bid for the 500 W. Huron st. building. I currently own a Pain Management & Orthopedic Clinic located inside the Pontiac General Hospital, 461 W. Huron St. Pontiac, MI 48341, and have plenty of staff working for me. I am very interested in the 500 W. Huron St. building because it is right across the street from the hospital and I will be able to use the space for office use and for my staff to work in. I have been trying to gain ownership of this building for about six months now, and followed every step the city has given me. I paid the \$300 for the full inspection of the building and got the opportunity to look inside of the building myself. The building is in somewhat horrible condition and I understand there is a lot of work to do. The asking price for the building was set up to be about \$52,561.86, and I negotiated the price and placed a bid for \$22,000.00. I am also fully aware that it is going to cost me more to fix up and clean the building within six months, and can buy three more months if needed to do so.

After placing my bid for the building and going in for countless of meetings, a vote was taken for whether I may purchase the building. By just one vote I was refused, which is why the building has been set up for open sealed bids.

I would now like to offer \$24,000.00 for the 500 W. Huron Street, Pontiac, MI 48341. If I gain ownership of the building, I will have my team ready to work and fix the building. When the

building is all cleaned up, I will make great use of the building for billing office purposes and possibly, in the future, an Adult Day Care.

Thank you very much for your time and consideration.

A handwritten signature in black ink, appearing to read 'MSAwaisi', with a long, sweeping horizontal stroke extending to the right.

Dr. Muhammad Awaisi

Contact Information:

Dr. Muhammad S. Awaisi

Address: 461 W. Huron Street, Pontiac, MI 48341

Phone: (313) 463-8676

Email: msawaisi786@gmail.com

Alia S. Shkoukani

Phone: (586) 709-3700

Email: alia.shkoukani11@gmail.com

The Undersigned hereby declares that he/she or they are the only person(s), firm or corporation interested in this bid as principal, and that it is made without any connection with any other person(s), firm or corporation submitting a bid for the same.

The Undersigned hereby declares that they have read and understand all conditions are outlined in the Request for Proposals and that the bid is made in accordance with same.

The Undersigned hereby declares that any person(s) employed by the City of Pontiac Michigan who has direct or indirect personal or financial interest in this bid or in any portion of the profits that may be derived therefrom has been identified and the interest disclosed by separate attachment. (Please include in your disclosure any interest which you know of. An example of a direct interest would be a City employee who would be paid to perform services under this bid. An example of an indirect interest would be a City employee who is related to any officers, employees, principal or shareholders of your firm or to you. If in doubt as to status or interest, please disclose to the extent known).

BIDDER ACKNOWLEDGES RECEIPT OF ANY ADDENDUM: (if issued) ADDENDUM NO: _____ Dated: _____

Note: Bids must bear the handwritten signature of a duly authorized representative, member or employee of the entity submitting a bid.

BIDDERS NAME, ADDRESS AND PHONE NUMBER:

Dr. Muhammad Anlaisi, 461 W. Huron St.,
Pontiac, MI 48341. (313) 463-8676

Dated and signed at Pontiac, MI on 8/25/2017
(City) (Date)

Name of Respondent: _____

Signature of Respondent: _____

Address of Respondent: _____

By: _____ Title: _____

Office # _____ Cell # _____

FAX# _____ FEDERAL TAX I.D. NUMBER (_____)
(If applicable)