

PONTIAC CITY COUNCIL

Kermit Williams, District 7
President
Randy Carter, District 4
President Pro Tem



Patrice Waterman, District 1
Don Woodward, District 2
Mary Pietila, District 3
Gloria Miller, District 5
Dr. Doris Taylor Burks, District 6

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."

Garland S. Doyle, M.P.A.
Interim City Clerk

FORMAL MEETING (AMENDED AGENDA)

May 28, 2019

6:00 P.M.

88th Session of the 10th Council

Call to order

Invocation

Pledge of Allegiance

Roll Call

Authorization to Excuse Councilmembers

Amendments to the Agenda (Add Special Presentation from Bill Massey, Wesson Lawn Tennis Club; Remove Agenda Item 10 for 4 weeks; Remove Agenda Item 13 for 2 weeks; Remove Agenda Item 11 and 12 for 2 weeks)

Approval of the Amended Agenda

Approval of the Minutes

1. May 21, 2019

Subcommittee Reports

2. DPW – May 15, 2019
3. Community Development – May 21, 2019
4. Cable – May 23, 2019

Recognition of Elected Officials

Agenda Address

Special Presentations (Each presentation is limited to 10 minutes.)

Wesson Lawn Tennis Club
Presentation Presenter: Bill Massey

5. Update on Pontiac Public Schools
Presentation Presenter: Superintendent Kelley Williams.
6. Portia Fields-Anderson – Michigan Recreation and Parks Association for Minister Kathalee James.
7. Report from Building Safety concerning 406 Irwin Residential Explosion
Presentation Presenter: Mike Wilson (Wade Trim), Building Safety Director.

8. Consultation Report on Options for Financing Phoenix Center repairs, renovations and maintenance, by terms of Settlement Agreement Approved by City Council on October 30, 2018;
Presentation Presenters: Ronald C. Liscombe, Miller Canfield; Robert Baird and John Clark, City Attorney

Agenda Items

Ordinance

9. An Ordinance to repeal Ordinance No. 2288 the Executive Balance Budget Ordinance.

Resolutions

10. Resolution to schedule a Public Hearing for the City of Pontiac's Proposed Annual Budget for FY 2019-2020 and City Tax Rate, for Tuesday, June 4, 2019.

Controller

11. Resolution to Authorize the City Clerk to Publish a Notice of Intent to Issue Capital Improvement Bonds and Authorize the Issuance of Capital Improvement Bonds, Series 2019A the Purpose of Paying all or Part of the Costs of Acquiring, Constructing, Furnishing and Equipping Improvements to the Parking Deck, Plaza and Related Improvements to the Facility Commonly Known as the Phoenix Center and Designate the Mayor and Finance Director as Authorized Officers to Take Such Other Actions and Make Such Other Determinations as may be Necessary to Accomplish the Sale and Delivery of the Bonds and the Transactions Contemplated by the Resolution.
12. Resolution to Authorize the Issuance of Bond Anticipation Notes, and Designate the Mayor And Finance Director to Take All Other Actions Necessary or Advisable to Enable the Sale and Delivery of the Notes as Contemplated by the Resolution.

Community and Economic Development

13. Resolution to approve the reprogramming of Program Year Community Development Block Grant Funds in the amount of \$9,225.58 from the Senior Center HVAC project to the replacement of the existing deck/pavilion at the Robert Bowens Center located at 52 Bagley, Pontiac, MI.
14. Resolution to approve the Development Agreement for 50 Wayne Street, Pontiac, MI commonly known as tax parcel number 14-29-433-003.
15. Resolution to approve an Application for an Obsolete Property Rehabilitation Exemption Certificate for JBD Indian Hill Ventures, LLC for 50 Wayne Street, Pontiac, MI, 48342 commonly known as tax parcel #14-29-433-003; for a period of 12 years, beginning December 31, 2019, subject to review of compliance with the jobs requirement found in Section 6B of the development agreement following the first six years; and as pursuant to the provisions of PA 146 of 2000, as amended.
16. Resolution requesting the Oakland County Brownfield Redevelopment Authority to Review 50 Wayne Street.
17. Resolution concurring with the provisions of a Brownfield Plan adopted by the Oakland County Brownfield Redevelopment Authority for the property known as 50 Wayne Street, Pontiac, MI, commonly known as tax parcel number 14-29-433-003.

Planning

18. Resolution to approve Planning Commission's recommendation to vacate a sewer plant easement submitted by The Hamilton LP on Parcel ID No. #14-29-408-020; Lot 10, Assessor Plat 119; Lot 8, Assessor Plat 42.

City Council

19. Resolution honoring Young Heroes of 2019 Parrish A. Bush, Ian J. Chambers, Christian L. Grant, Myles R. Harris, Raymond W. Johnson III and Quinton V. M. Keyes.
20. **NEW** Resolution Celebrating the 100th Anniversary of the Ratification of the 19th Amendment of the US Constitution, Giving Woman the Right to Vote. **(Time sensitive item from Oakland County)**

Monthly Mayoral Reports

21. City Credit Card Statement
(The City Council adopted a resolution that the Mayor will provide the monthly credit card statements for the prior month to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of each month, commencing with the March 5, 2019 Agenda. **The City Clerk did not receive the March 2019 or April 2019 statements.** The Mayor distributed an internal statement at the Council Meeting on May 14, 2019. **The City Council informed the Mayor that the resolution states the Mayor is to provide statements issued by the credit card company (PNC). The Council is awaiting the PNC statements for March 2019 and April 2019.** This item was brought back from the April 9, April 23, April 30, May 7, May 14, and May 21, 2019 Council Meetings.)

Public Comment

Mayor, Clerk and Council Closing Comments

Adjournment

#1

MINUTES

May 21, 2019

**Official Proceedings
Pontiac City Council
87th Session of the Tenth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, May 21, 2019 at 6:02 p.m. by Council President Kermit Williams.

Call to Order

Roll Call

Members Present: Carter, Miller, Pietila, Taylor-Burks and Williams.

Members Absent: Waterman and Woodward.

Mayor Waterman was present.

Clerk announced a quorum.

19-193 **Excuse Councilperson Patrice Waterman and Don Woodward for personal reasons.**
Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Miller, Pietila, Taylor-Burks, Williams and Carter

No: None

Motion Carried.

19-194 **Amendments to the Agenda: remove item #2 (presentation from Pontiac Public Schools), item # 6 (resolution to schedule public hearing on proposed budget), add on resolution for City to have a line by line Budget and add an Ordinance to repeal Ordinance #2288.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Ayes: Pietila, Taylor-Burks, Williams, Carter and Miller

No: None

Motion Carried.

19-195 **Approval of the Agenda with amendments.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Taylor-Burks, Williams, Carter, Miller and Pietila

No: None

Motion Carried.

19-196 **Approval of meeting minutes for May 14, 2019.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Ayes: Williams, Carter, Miller, Pietila and Taylor-Burks

No: None

May 21, 2019

Motion Carried.

Council President opened up public hearing on the approval of an Obsolete Property Rehabilitation (OPRA) Application for parcel: 50 Wayne Street, Pontiac, MI 48342, tax parcel #14-29-433-003 for JDB Indian Hill Ventures, LLC at 6:24 p.m. Two individuals addressed the body during the public hearing.

1. Robert Karuson, 35 N. Saginaw, Pontiac, MI. He is in support of 50 Wayne, There are neighbors and the building is going through repairs. It is filled with graffiti and people are living inside the building. Anything we can do to support it is on my list.
2. Karen Jorgenson, 35 N. Saginaw, Pontiac, MI. I have known him for years. He is a downtown resident and is committed to our City. He is a huge supporter of the downtown area. I know this is a huge undertaking for him and I believe this building is a great cornerstone for downtown. We need housing and retail places downtown that will be designed very beautifully. We thank JB for considering Pontiac. We consider him to be one of the downtown brothers.

Council President closed public hearing at 6:27 p.m.

Council President opened up a public hearing on the Reprogramming of Community Development Block Grant (CDBG) for Program Year 2016 from Senior Center. Replace air conditioning systems at Ruth Peterson Senior Center and replace the deck at Robert Bowen Center at 6:28 p.m. Three individuals addressed the body during public hearing.

1. Dwayne Lyons, 995 N. Cass Lake Rd., Keego Harbor, MI. It is for a great cause. To me, it does not make sense to throw away \$9,000 dollars. They can enjoy themselves while they are at the center. I hope we can get beyond this pettiness of politics and understand this will be great for our seniors. I understand you Mrs. Miller when you said it would be fair if we split the money between both centers but with the CDBG funds, it has to be a project in order to do that and if we do not spend it; then the money goes back. We say let us be responsible but you are not being responsible to throw away \$9,000 dollars. This is not for me or for you it is for our seniors and I hope you vote in the right direction. Thank you.
2. Melanie Rutherford, 1018 Argyle Ave., Pontiac, MI. The reason why I got up is that what we are trying to do with the senior citizen center is important. It is important to me on a personal note because of who it represents which is Ms. Mickie Howard. She loved, bleed and lead that community center to be something different. It was a beacon on a hill. It needs to be built because she deserves it in memory of her because every event she had was for the seniors. I do understand that there are some people who want to split the money both ways. I do think everybody should win but at the end of the day, this woman gave her life to the senior citizens of this community. This is a person who showed me how to lead not from emotions but from facts, not from fear but from faith. So I am employing you guys to do the right thing and actually let this thing go through. Thank you.

May 21, 2019

3. Chuck Johnson, 375 S. Blvd., East, Pontiac, MI. I agree with Mr. Lyons as it relates to the money that is available. I visit the Ruth Peterson building last fall or early spring. I looked at the condition of the place, the seating and various rooms they named and the same lady that ran the Bowen Center asked me would I go and see if there is anything I can do to help and I did. They was remodeling the building at the mortgage place on South Blvd. and they were throwing out brand new chairs. I got about 15-20 of them and took them over to the center myself, personally and they was so happy to get them. Spend the money on the project that needs it. Also, I notice as you go in the entry door the lentil over the top of the door fell and almost hit a woman the day after I was there. So there is a lot of things project wise can be done at the Ruth Peterson building. Spend the money, do not let it go back and let us move forward. Thank you very much.

Council President closed public hearing at 6:33 p.m.

Presentation

The Medical Marihuana Zoning Ordinance (#2363) conflicting provision with the City of Pontiac Medical Marihuana Facilities Ordinance (#2357B), Presentation requested by Councilwoman Gloria Miller. Presentation Presenter: Marcelus Brice.

Fourteen (14) individuals address the body during public comment.

19-197 **Suspend the Rules.** Moved by Councilperson Pietila and second by Councilperson Carter.

Ayes: Williams, Carter, Miller, Pietila and Taylor-Burks

No: None

Motion Carried.

19-198 **Resolution to authorize the Mayor to enter into a one-year contract with Auch for Owners Representative services for a not –to-exceed cost of \$283,482.37.** Moved by Councilperson Pietila and second by Councilperson Carter. Legislative Counsel Sharpe noticed the contractual managers signed proposal was not included in the packet nor mention in the resolution. Councilperson Pietila withdrew her motion and Councilperson Carter withdrew his second. Council will have the Clerk add that said language above in the resolution then vote on the item.

19-198 (b) **Resolution to authorize the Mayor to enter into a one-year contract with Auch for Owners Representative services for a not –to-exceed cost of \$283,482.37.** Moved by Councilperson Pietila and second by Councilperson Carter.

WHEREAS, The City of Pontiac has advertised and received responses to a request for qualifications for Owners Representative Services on April 1, 2019 and publically opened bids, and;

WHEREAS, a review panel has scored the responses, and;

WHEREAS, after scoring, the most qualified consultant was Auch.

May 21, 2019

WHEREAS, at the May 7th City Council Study Session, the request was made to revise the scope. This revised scope changes the cost to a Not-To-Exceed cost of \$283,482.37

WHEREAS, all the RFP original documents, also the April 1, 2019 construction Manager's signed proposal (to be included).

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to enter a one-year contract with Auch for Owners Representative services for a Not-To-Exceed amount of \$283,482.37.

Ayes: Carter, Miller, Pietila, Taylor-Burks and Williams

No: None

Resolution Passed.

19-199 **Suspend the Rules.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Miller, Pietila, Taylor-Burks, Williams and Carter

No: None

Motion Carried.

19-200 **Resolution to authorize the Mayor to exercise option to purchase 825 Golf Drive for the purpose of a Youth Recreation and Empowerment Center and to allow necessary actions to consummate transaction.** Moved by Councilperson Miller and second by Councilperson Pietila.

Whereas, the Pontiac City Council authorized the execution of a Lease Agreement (with Purchase option) by and between the City of Pontiac (the "City") and Creative Schools Management, LLC dated July 1, 2018 (the "Lease"); and

Whereas, the Lease concerns the property located at 825 Golf Drive (the "Property"), which is currently operated by the City as a youth recreation and education center; and

Whereas, the Lease contains an option to purchase the Property, which option must be exercised on or before June 10, 2019 (the "Option"); and

Whereas, the Pontiac City Council previously set aside \$3.2 million for the purchase of the Property.

Now Therefore, Be It Resolved as follows:

1. The attorneys for the City of Pontiac are hereby authorized to exercise the Option and take all other action reasonably necessary and prudent in connection therewith.
2. The attorneys for the City are hereby authorized to fully and finally negotiate the attached Purchase Agreement for the Property (but in no event shall the purchase price for the Property exceed \$3,150,000.00).
3. The Mayor for the City of Pontiac is hereby authorized to execute the Purchase Agreement for the Property, and to take any and all other action reasonably necessary and prudent to consummate the purchase of the Property, including a due diligence investigation of the Property.

May 21, 2019

Ayes: None

No: Pietila, Taylor-Burks, Williams, Carter and Miller

Resolution Failed.

Monthly Mayoral Reports

City Credit Card Statement

(The City Council adopted a resolution that the Mayor will provide the monthly credit card statements for the prior month to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of each month. **The City Clerk did not receive the March 2019 or April 2019 statements. This item was brought back from the April 9, April 23, April 30, May 7, 2019, May 14, 2019 and May 21, 2019 Council Meetings.**)

No reports received; the Credit Card Statement will be back on the agenda next week.

19-201 **Suspend the Rules.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Ayes: Taylor-Burks, Williams, Carter, Miller and Pietila

No: None

Motion Carried.

19-202 **Resolution for Line Item Budget and Proposed Ordinance. (Agenda Ad-On)**
Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Whereas, the Pontiac Municipal Code and Pontiac Ordinance No. 2288, sec 4, dated June 27, 2013 provides that the budget shall be adopted on a functional basis for expenditures, rather than on a department or line item basis; and,

Whereas, it is in the best interest of the City of Pontiac to amend the current ordinance to allow the budget to be adopted on a line item basis for expenditures rather than on a functional basis; and,

Whereas, money shall not be moved within departments without the Pontiac City Council's approval; and,

Whereas, pursuant to the Pontiac City Charter more specifically, section 4.202, the City Attorney is hereby instructed to amend the ordinance pursuant to the resolution passed by the Pontiac City Council by May 28, 2019.

Now, Therefore Be It Resolved that no more than Ten Thousand **(\$10,000.00)** Dollars shall be allocated and changed to a different function within a department without the Pontiac City Council's approval and the current 2019-2020 budget shall be adopted by line item for expenditures.

Ayes: Williams, Carter, Miller, Pietila and Taylor-Burks

No: None

Resolution Passed.

May 21, 2019

19-203 **Suspend the Rules.** Moved by Councilperson Pietila and second by Councilperson Carter.

Ayes: Williams, Carter, Miller, Pietila and Taylor-Burks

No: None

Motion Carried.

19-204 **First Reading of an Ordinance to Repeal Ordinance #2288. (Agenda Ad-On)** Moved by Councilperson Miller and second by Council Pietila.

AN ORDINANCE TO REPEAL ORDINANCE NO. 2288 AN ORDINANCE TO PROVIDE FOR THE MAYOR TO SUBMIT A PROPOSED TWO YEAR BALANCED BUDGET TO THE CITY COUNCIL FOR CONSIDERATION, TO ESTABLISH MINIMUM REQUIREMENTS FOR THE PROPOSED BUDGET DOCUMENT, AND TO REQUIRE THE CITY COUNCIL TO ADOPT A BUDGET BY JUNE 9 OF EACH YEAR.

THE CITY OF PONTIAC ORDAINS:

Section 1. Amendments

Chapter 2, Article VI, Division 3, Sections 2-531 through 2-536 of the Code of Ordinances, concerning the Executive Balanced Budget Ordinance shall be deleted in its entirety.

Section 2. Repealer

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

Ayes: Carter, Miller, Pietila, Taylor-Burks and Williams

No: None

Motion Carried.

Point of Privilege – Councilwoman Gloria Miller

Deputy Mayor Responded

President Kermit Williams stepped out

President Pro-Tem Randy Carter assumed Chair and adjourned the meeting at 8:00 p.m.

SHEILA R. GRANDISON, CMMC
DEPUTY CITY CLERK

#2

**SUBCOMMITTEE
REPORTS**

DPW
May 15,2019

Doris TaylorBurks.Kermit Williams, John Balit

University Drive Update

Construction begins in May closing begins on May 27.

Pot Hole Patching List

Granada, Edison, Tasmania, Rose lawn, Sanford, Auburn and Pike

Mr. Balit would like for a Duping to considered by , to get better control of the dumping in the parks. Also, he would like to purchase lease one more camera . One camera is on its' way. Dumping has become a big problem in our city. He would also like for them be fined and picture would be placed in the Oakland Press.

Meeting adjourned at 5PM

Doris TaylorBurks Chair

#3

**SUBCOMMITTEE
REPORTS**

COMMUNITY DEVELOPMENT SUB-COMMITTEE MINUTES
May 21, 2019

In attendance:

Council members: Chairperson Don Woodward and Gloria Miller

Mayor: Deirdre Waterman

Deputy Mayor: Jane Bais- Disessa

Economic Development Director: Rachel J. Loughrin

Community Relations Specialist: James Johnson and Dwayne Lyons

Start: 12:04

I. Discussion

a. Update on Landscape/Compost Facility- Featherstone – per Council Woman Miller

The compost facility has no business license and a site plan has to be provided.

The City attempts to work with business owners, so a letter was sent to the company regarding compliance. However, the letter was just received on Monday, so Friday, May 24, 2019 is the date for compliance.

Citations are \$100.

The business was approved in 2000 and the current owner has been there for 10 years.

The compost has a smell and there were at least five or six piles.

b. Redevelopment Ready Program-per Council action 5-14-19

What is the role of Council in the process?

The goal is to be better administrators and to help the businesses.

The City has been working on this for three years and One-Step-Ready assists with Redevelopment communities.

The City has completed 68% of the required RRC evaluation criteria and it is projected that the remaining 32% of RRC criteria will be completed by City staff by Spring 2020. During this time the city will engage in the following improvements:

1. **Phase1** (ending April 2019)-Internal Process and Document review and Developers Guide to Development
2. **Phase 2** (ending July 2019)- Redevelopment Sites (Part1) & Public Participation Strategy Development. Identify potential redevelopment sites for visioning and desired development outcomes. Review and Affirm or revise fee schedule.
3. **Phase 3** (ending October 2019) – Redevelopment Sites (Part 2) & Masterplan Update and Board reviews. Review and affirm or revise adopted masterplan (include updating zoning text).
4. **Phase 4** (ending 2019) Redevelopment Ready Community Planning & Economic Development. Adopt capital improvements plan. Review and adopt Downtown plan.

(All Council members provided a copy)

c. Re-allocation of 2016 CDBG Fund -\$9,225.18

Any savings has to be re-programmed to a new program.

Talked to the seniors at both Ruth Peterson and the Bowen Center and they wanted the deck.

In 2017, the Mayor's campaign was to improve both centers and \$23,000 was spent on both. The Ruth Peterson received cameras, a refrigerator and a pool table.

The Ruth Peterson Center has an increase in involvement of 30%-45%

II. Proposed Ordinance Review

a. Fencing Ordinance Update

Is under review. However, a draft was provided of a Zoning Text Amendment addressing temporary construction fencing regulations. The ordinance addresses both commercial and residential construction sites (all Council members provided a copy).

b. Rental Ordinance Update

The fees are included in the budget for Council to review and determine.

III. Old Business

a. Blight Court

Orientation of attorneys is coming up, but will not be discussed until after budget season.

*The sale of University Place apartments is pending.

*Redevelopment of Liquor Licenses next month.

Adjourned 12:41 pm.

#4

**SUBCOMMITTEE
REPORTS**

CABLE SUBCOMMITTEE

May 23, 2019

In attendance:

Council members: Chairperson Gloria Miller and Kermit Williams

Deputy Mayor: Jane Bais-DiSessa

Cable Director: Phil Brown

Start time: 10:00 am

Summit Engineering Group

- Summit has been in business since 2006 and is based in Keego Harbor, Michigan.
- Summit has two main components, the technology group and engineering group.
- Summit would act as a project manager and would assist in implementing an automated switching system and with architecture and design.
- Summit emphasized their ability to provide the following:
 1. Broadcasting technology
 2. Assistance with Compliance filings
 3. Assistance with Regulator filings
- Summit stressed the importance of assisting with compliance and providing new technology including closed-captioning and additional systems for the hearing impaired.
- Frequency coordination was emphasized and intermodulation.
- Summit has done work for Southfield Public Schools (the cable and broadcasting components are ongoing) and Bloomfield Schools.
- Summit has never done implementation work like what the City is asking for.
- Summit provided a project proposal totaling \$29,900.00
- If you fast track the project, the RFP's if awarded, would take 3-4 months.
- There would need to be an assessment of the needs of the City and the evolving technology.
- How would the back-up system be addressed would have to be determined.
- Summit does not submit bids on projects where there is already specifications that are required.
- There was notice taken to the infrastructure that has to be replaced, the switching room, and the age of the cameras in the Council Chambers.
- Transforming the Council Chambers is challenging and the biggest ticket item is the furniture.
- Designing of furniture and technical systems would be done.
- What is the future of design? IP Network which reduces the cost of ownership of lighting, cameras and microphones and provides greater flexibility.
- Wireless lapels are not so great, as there is greater wear and tear, possible interruptions and distortions.
- Summit is not project management certified.

Adjourned 12:58 pm

#8

**SPECIAL
PRESENTATION**



City of Pontiac, Michigan

Phoenix Center

Settlement & Improvements



Settlement Agreement

(negotiated by Mayor Waterman & approved by City Council on October 30, 2018)

- Financial Terms:
 - Cash Payments to Plaintiffs
 - Phoenix Center Improvements



Cash Payments

\$7,350,000 Gross Settlement, consisting of:

- \$3,500,000 Initial Payment
- \$3,500,000 in five installments of \$700,000 each without interest, with first payment due at time of execution
- \$350,000 attorney fees and costs due upon execution
- Alternative: Pay with proceeds of a judgment bond and or levy



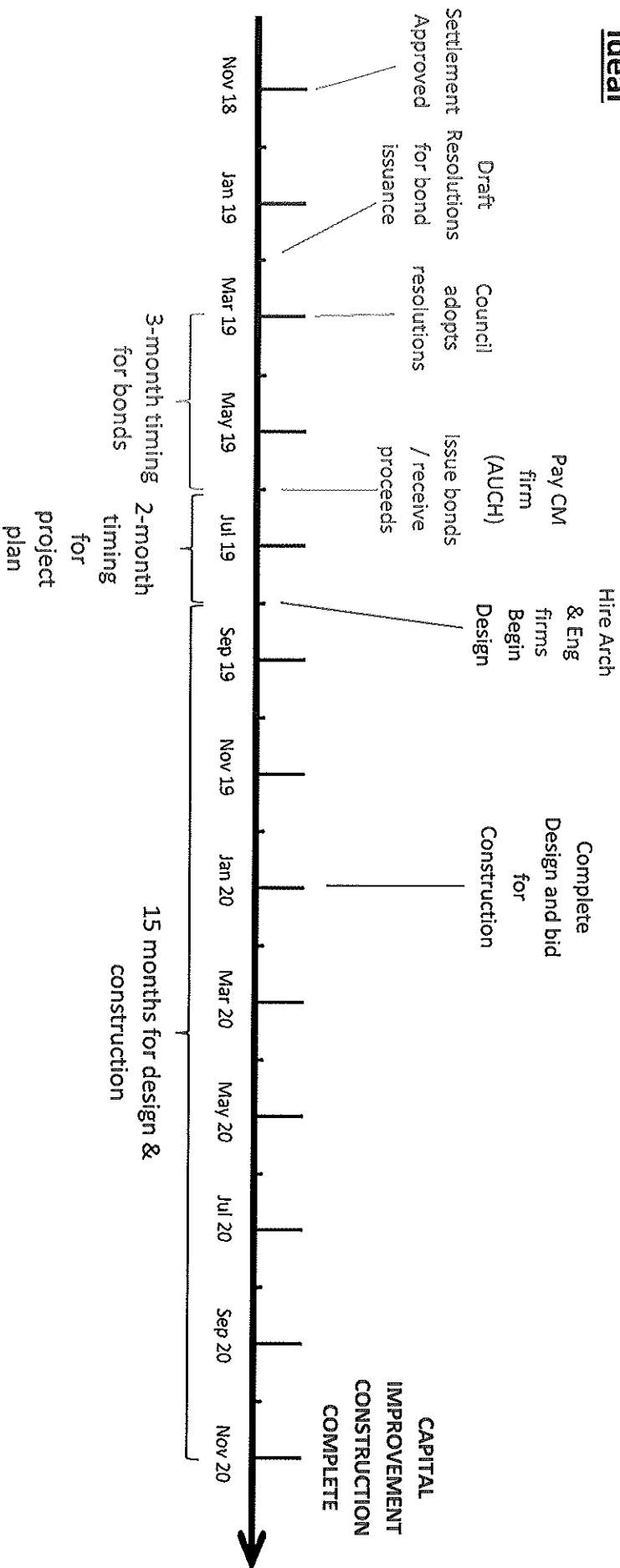
Phoenix Center Improvements

- Improvements to the Phoenix Center must be in compliance with the Michigan Building Code
- Requires \$6 million over ten years for maintenance and improvements, BUT, that is not enough to bring the parking structure into compliance with the Michigan Building Code
- Facility Condition Assessment estimates a project cost of \$14,616,785 for the parking deck and \$1,968,253 for the amphitheater (total of over **\$16M**)
- Certain improvements must be made by November 1, 2020



Timeline

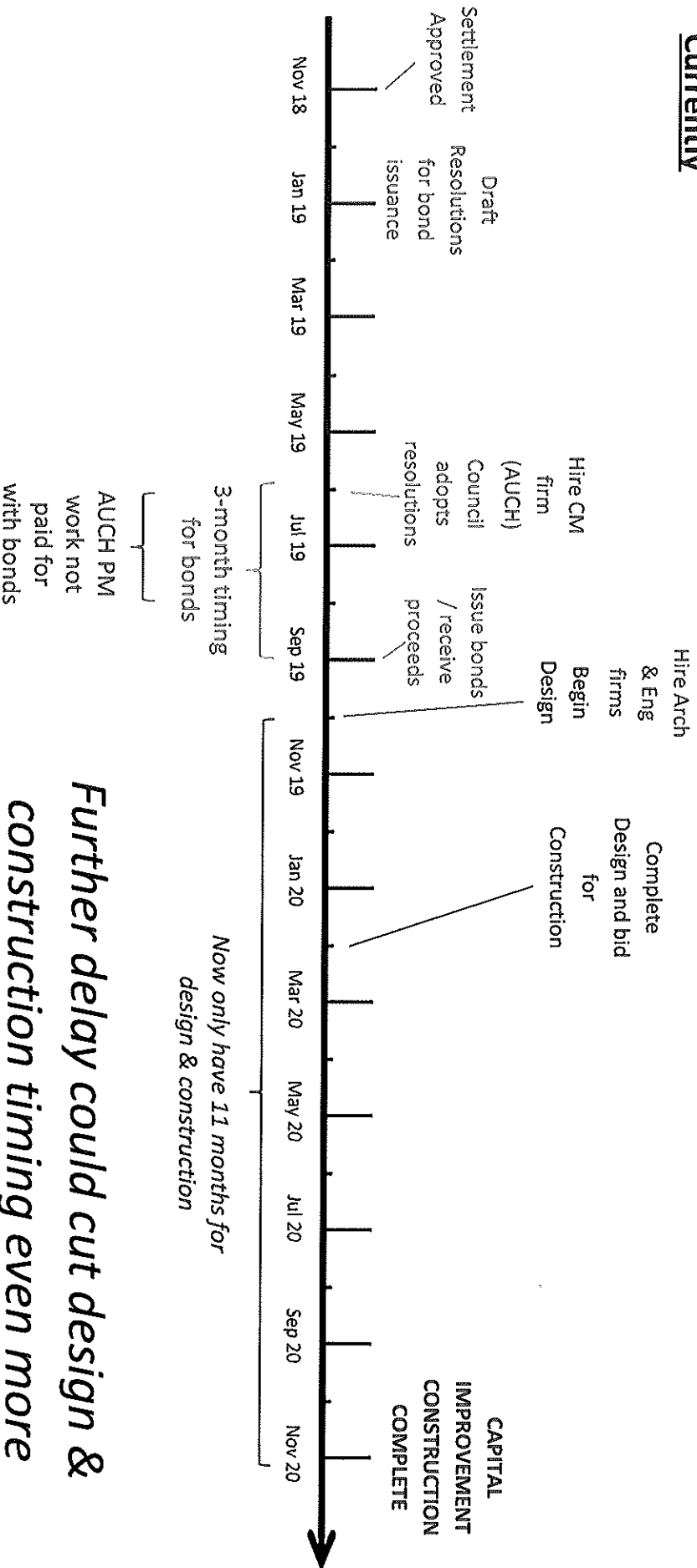
Ideal





Timeline

Currently



Further delay could cut design & construction timing even more



Phoenix Center Improvements

- City cannot afford to pay for the maintenance and improvements out of general fund (GF) revenues and fund balance
 - GF fund balance as of 6/30/18 = \$17,359,202
 - Of that, \$6,765,278 is either committed, non-spendable or assigned, leaving \$10,593,924 of GF Fund Balance
 - Still owe \$2,800,000 under the Cash Payments
 - GF Fund Balance projected to have additional \$1,173,935 of fund balance as of 6/30/19, resulting in **\$9M** available to spend on settlement-required capital improvements
- Settlement obligations exceed GF fund balance
- Usage of GF fund balance will cause City to go into deficit, which is an early warning of financial distress under PA 436 of 2012
- Usage of GF fund balance would also cause a breach of fund balance policy (15% of expenditures means roughly \$6.15M of unreserved fund balance)

#9

ORDINANCE

ORDINANCE NO.

AN ORDINANCE TO REPEAL ORDINANCE NO. 2288 AN ORDINANCE TO PROVIDE FOR THE MAYOR TO SUBMIT A PROPOSED TWO YEAR BALANCED BUDGET TO THE CITY COUNCIL FOR CONSIDERATION, TO ESTABLISH MINIMUM REQUIREMENTS FOR THE PROPOSED BUDGET DOCUMENT, AND TO REQUIRE THE CITY COUNCIL TO ADOPT A BUDGET BY JUNE 9 OF EACH YEAR.

THE CITY OF PONTIAC ORDAINS:

Section 1. Amendments

Chapter 2, Article VI, Division 3, Sections 2-531 through 2-536 of the Code of Ordinances, concerning the Executive Balanced Budget Ordinance shall be deleted in its entirety.

Section 2. 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.

The City of Pontiac ORDAINS:

The City of Pontiac City Council will be considering the following proposed ordinance to repeal Ordinance No. 2288 on Tuesday, May 28, 2019 at 6:00 pm, in Pontiac City Council Chambers located on the 2nd Floor at 47450 Woodward Avenue Pontiac, Michigan 48342.

AN ORDINANCE TO REPEAL ORDINANCE NO. 2288 AN ORDINANCE TO PROVIDE FOR THE MAYOR TO SUBMIT A PROPOSED TWO-YEAR BALANCED BUDGET TO THE CITY COUNCIL FOR CONSIDERATION, TO ESTABLISH MINIMUM REQUIREMENTS FOR THE PROPOSED BUDGET DOCUMENT, AND TO REQUIRE THE CITY COUNCIL TO ADOPT A BUDGET BY JUNE 9 OF EACH YEAR.

THE CITY OF PONTIAC ORDAINS:

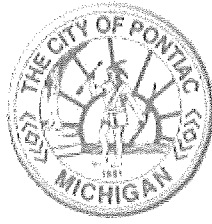
Section 1. Amendments

Chapter 2, Article VI, Division 3, Sections 2-531 through 2-536 of the Code of Ordinances, concerning the Executive Balanced Budget Ordinance shall be deleted in its entirety.

I, Sheila R. Grandison, Pontiac City Deputy Clerk do hereby certify that this proposed ordinance summary was published in the Oakland Press on Saturday, May 25, 2019.

#10

RESOLUTION



Be it further resolved that the Pontiac City Council schedules a Public Hearing for the City of Pontiac's Proposed Annual Budget for FY 2019-2020 and City Tax Rate for Tuesday, June 4, 2019 in the Pontiac City Council Chambers at 6 p.m.

#11

RESOLUTION

Founded in 1852
by Sidney Davy Miller

MILLER CANFIELD

RONALD C. LISCOMBE
TEL (313) 496-7906
FAX (313) 496-8451
E-MAIL liscombe@millercanfield.com

Miller, Canfield, Paddock and Stone, P.L.C.
150 West Jefferson, Suite 2500
Detroit, Michigan 48226
TEL (313) 963-6420
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MEXICO: Monterrey
POLAND: Gdynia
Warsaw • Wroclaw

March 21, 2019

VIA EMAIL

Dr. Deirdre Waterman, Mayor
City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342

Re: City of Pontiac Capital Improvement Bonds, Series 2019 (Limited Tax General
Obligation)

Dear Mayor Waterman:

I have enclosed with this letter the following resolutions related to the City of Pontiac (the "City") Capital Improvement Bonds, Series 2019 (Limited Tax General Obligation) (the "Bonds"): a Notice of Intent and Bond Authorizing Resolution (the "Bond Resolution") and a Resolution Authorizing Issuance of Bond Anticipation Notes (the "BAN Resolution"), each to be considered by the City Council (the "Council") at its regular meeting on April 2, 2019. Each resolution authorizes securities which may be issued to pay the costs of certain capital improvements to the Phoenix Center facility (the "Project").

The Bond Resolution authorizes the publication of a Notice of Intent to the electors of the City of the City's intent to issue its capital improvement bonds. Upon approval, the Notice of Intent will need to be published in the *Oakland Press* as a display advertisement not less than one-quarter (1/4) page in size. Upon its publication, please request five tear sheets and five affidavits of publication from the publisher for inclusion in the final Bond transcripts.

The Bond Resolution also authorizes the issuance of the Bonds, in one or more series, in an aggregate principal amount not-to-exceed nineteen million five hundred thousand dollars. We provide broad authority for the Bonds to be sold either at a competitive or negotiated sale to any of the Michigan Finance Authority (the "MFA"), an underwriter or a private purchaser. The Bonds will be limited tax, full faith and credit obligations of the City, payable as a first budget obligation of the City. The Bond Resolution also authorizes the City to pledge its receipts of distributable state aid (a/k/a revenue sharing) as security for the Bonds if they are sold to the MFA. The Bond Resolution delegates authority to certain authorized officers of the City to make certain determinations and take certain actions to effectuate the sale of the Bonds without further action of the Council.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Mayor Deirdre Waterman

-2-

March 21, 2019

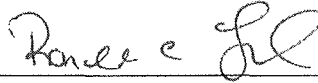
The BAN Resolution authorizes the City to issue its bond anticipation notes, which are short-term securities typically used to pay preliminary costs of capital improvement projects. The BAN Resolution pledges the City's limited tax, full faith and credit for repayment of the notes, however, we fully expect bond anticipation notes, if issued, to be repaid from the proceeds of the Bonds. We anticipate issuing the bond anticipation notes only in the event the City has preliminary Project costs that need to be paid before the full scope and timing of the Project is finalized.

After adoption of the Bond Resolution and the BAN Resolution, we would appreciate receiving five original copies of each, certified by the City Clerk.

If you have any questions, please do not hesitate to contact me or Harold Bulger.

Very truly yours,

Miller, Canfield, Paddock and Stone, P.L.C.

By: 
Ronald C. Liscombe

Cc w/encl: Jane Bais-DiSessa
John Clark, Esq.
Brian Camiller
Danielle Kelley
Brian Lefler
Alyson Hayden
Harold Bulger, Esq.

**NOTICE OF INTENT AND BOND AUTHORIZING RESOLUTION
CAPITAL IMPROVEMENT BONDS, SERIES 2019
(LIMITED TAX GENERAL OBLIGATION)**

City of Pontiac
County of Oakland, State of Michigan

Minutes of a regular meeting of the City Council of the City of Pontiac, County of Oakland, State of Michigan, held on April 2, 2019, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the City of Pontiac, County of Oakland, State of Michigan (the "City"), intends to issue and sell its limited tax general obligation bonds in one or more series pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in the aggregate principal amount of not-to-exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) (the "Bonds") for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping improvements to the parking deck, plaza and related improvements to the facility commonly known as the Phoenix Center, together with all appurtenances and attachments thereto (the "Project"); and

WHEREAS, a notice of intent (the "Notice") to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the Notice will be published in accordance with Act 34, which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and no petition was filed within said time; and

WHEREAS, the City determines that it is necessary and appropriate at this time to issue capital improvement bonds pursuant to Act 34 in an amount not to exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000); and

WHEREAS, the City Council desires to authorize the sale of the Bonds pursuant to either a competitive or negotiated sale to the Michigan Finance Authority (the "MFA"), an underwriter (the "Underwriter") or a qualified financial institution or other purchaser pursuant to a private placement.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Notice of Intent; Publication. The City Clerk is authorized and directed to publish a notice of intent to issue bonds in the *Oakland Press*, a newspaper of general circulation in the City.

2. Notice of Intent; Form. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.

3. Notice of Intent; Determinations. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the City's electors and taxpayers residing in the boundaries of the City of the City's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. Reimbursement. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) The City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from funds of the City subsequent to sixty (60) days prior to today.
- (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$19,500,000.
- (c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.

5. Authorization of Bonds; Bond Terms. Bonds of the City designated Capital Improvement Bonds, Series 2019 (Limited Tax General Obligation) (Taxable/Tax-Exempt) (the "Bonds") are authorized to be issued, in one or more series, in the aggregate principal sum of not to exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) for the purpose of paying the costs of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds of each series shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration. The Bonds of each series will be dated as of the date of delivery (or such other date as determined at the time of sale thereof), be payable in the years and in the amounts and be subject to redemption in the manner and at the times and prices to be determined by determined by the Mayor, the Deputy

Mayor or the Finance Director (each, an "Authorized Officer") in a sale order (the "Sale Order") at the time of sale. The Bonds shall be issued as serial bonds, term bonds, a combination thereof, or as single instrument bond, as determined by an Authorized Officer in the Sale Order at the time of sale thereof. If the Bonds are sold to an Underwriter, the underwriter's discount shall not exceed 1% of the par amount of the Bonds.

The Bonds shall bear interest at such rates on a fixed and/or variable and tax-exempt or taxable basis not in excess of the legal limit, and be payable on such dates, all as shall be provided in the Sale Order. Interest shall be payable by check or draft mailed by the Transfer Agent (as hereinafter defined) to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at a bank or trust company as a registrar and transfer agent for the Bonds to be selected by an Authorized Officer, and shall include the trustee if any of the Bonds shall be sold through the MFA (the "Transfer Agent").

Each Authorized Officer may determine to issue the Bonds as draw-down bonds. In such event, the aggregate principal amount of the Bonds shall correspond to the amount actually drawn down by the City periodically. Interest in such principal amounts drawn by the City shall accrue from the date each such principal amount is drawn down by the City. The Transfer Agent shall record on the registration books draws of principal and payment by the City of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the City Treasurer.

6. Execution of Bonds; Book-Entry-Only Form. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond executed with facsimile signatures shall be valid until authenticated by an authorized officer or representative of the Transfer Agent.

The Bonds may be issued in book-entry-only form through the Depository Trust Company in New York, New York ("DTC") and any Authorized Officer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form and to make such changes in the Bond form within the parameters of this resolution as may be required to accomplish the foregoing.

7. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

8. Security for the Bonds; Pledge; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the principal and interest on the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

In the event the City sells the Bonds to the MFA, as additional security for the payment of principal of and interest on the Bonds, the City may pledge, pursuant to the authorization provided in Act 227, Public Acts of Michigan, 1985, as amended, money received or to be received by the City whether derived from imposition of taxes by the State of Michigan (the "State") or from other sources and returned or to be returned to the City as provided by the Constitution of the State or the Glenn Steil State Revenue Sharing Act, Act 170, Public Acts of Michigan, 1971, as amended ("Distributable State Aid), with such priority of lien and pursuant to such terms as shall be determined by an Authorized Officer.

In connection with a sale of the Bonds to the MFA and pledge of Distributable State Aid, each Authorized Officer is hereby authorized to negotiate and enter into: (i) an amendment and restatement of that certain Amended and Restated Trust Agreement between itself, the City of Pontiac Tax Increment Finance Authority, the MFA and U.S. Bank National Association, as trustee, dated December 1, 2007, (ii) one or more agreements for the pledge and intercept of Distributable State Aid and (iii) such other agreements as shall be deemed necessary by an Authorized Officer, all of which shall be confirmed in a Sale Order at the time of the sale of the Bonds.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

9. Establishment of Accounts and Funds. The City hereby establishes and creates the following special, separate and segregated accounts and funds which shall be held for and on behalf of the City by a bank or banks or other financial institution which an Authorized Officer designates as depository or trustee of the City:

- A. 2019 Capital Improvement Bonds Debt Retirement Fund;
- B. 2019 Capital Improvement Bonds Bond Issuance Fund; and
- C. 2019 Capital Improvement Bonds Construction Fund.

Each Authorized Officer is hereby authorized to establish such accounts, subaccounts or funds as shall be required for the Bonds, if any, to accommodate the requirements of such series

of Bonds, including, but not limited to, such accounts, subaccounts or funds necessary to facilitate the allocation and use of bond proceeds to finance the Project or the purchase and payment of variable rate bonds. Each Authorized Officer is hereby authorized to allocate any net original issue premium, if any, received upon the sale of the Bonds to such accounts and in such amounts as permitted by applicable law and the Code in the case of Bonds issued on a tax-exempt basis (the "Tax-Exempt Bonds").

10. 2019 Capital Improvement Bonds Debt Retirement Fund. From the proceeds of the sale of the Bonds there shall be set aside in the 2019 Capital Improvement Bonds Debt Retirement Fund the accrued interest, if any, received from the purchasers of the Bonds at the time of delivery of the Bonds, together with any capitalized interest thereon. Proceeds of all taxes levied pursuant to Section 4 shall be used to pay the principal of and interest on the Bonds when due. The foregoing amounts shall be placed in the 2019 Capital Improvement Bonds Debt Retirement Fund, and so long as the principal of or interest on the Bonds shall remain unpaid, no moneys shall be withdrawn from the Debt Retirement Fund except to pay such principal and interest. Any amounts remaining in the Debt Retirement Fund after payment in full of the Bonds shall be retained by the City to be used for any lawful purpose.

11. 2019 Capital Improvement Bonds Bond Issuance Fund. From the proceeds of the Bonds there shall be set aside in the Bond Issuance Fund a sum sufficient to pay the costs of issuance of the Bonds. Moneys in the Bond Issuance Fund shall be used solely to pay expenses of issuance of the related series of Bonds. Any amounts remaining in the Bond Issuance Fund after payment of issuance expenses shall be transferred to the Construction Fund.

12. 2019 Capital Improvement Bonds Construction Fund. After making the deposits required by Sections 6 and 7, the proceeds of the Bonds shall be deposited into the Construction Fund. Except for investment pending disbursement and as hereinafter provided, moneys in the Construction Fund shall be used by the City solely and only to pay the costs of the Project as such costs become due and payable and to pay capitalized interest, if necessary. Each Authorized Officer is hereby authorized to expend money from the Construction Fund and the accounts thereof established hereunder, for costs of the Project, including reimbursement to the City for moneys previously expended on the Project, to the extent reimbursement for such expenditures has been properly induced by resolution of the City Council in accordance with the Code, if required for the Tax-Exempt Bonds.

Upon payment of all costs of the Project, any balance in the Construction Fund shall be transferred to the 2019 Capital Improvement Bonds Debt Retirement Fund or used in any other manner which in the opinion of nationally recognized bond counsel is permitted by law and which in the case of such balance allocable to Tax-Exempt Bonds (as defined herein) will not cause the interest on any Tax-Exempt Bonds to become includible in gross income for federal income tax purposes.

13. Investment of Monies in the Bonds Funds and Accounts. An Authorized Officer shall direct the investment of monies on deposit in the Funds and Accounts established hereunder. Monies on deposit in the funds and accounts established under this Resolution may be invested in such investments and to the extent permitted by applicable law.

14. Sale to the MFA. In connection with the sale of any series of the Bonds to the MFA, the following additional provisions shall apply:

(a) Each series of Bonds shall be in the form of a single fully-registered, nonconvertible bond in the denomination of the full principal amount thereof (or be in such other form as agreed to by the City and the MFA), dated as of the date of delivery of the Bonds, payable in principal installments serially as finally determined at the time of sale of the Bonds and approved by the MFA and an Authorized Officer. Final determination of the principal amount of a series and the payment dates and amounts of principal installments of a series of Bonds shall be evidenced by execution of a Purchase Contract between the City and the MFA providing for sale of the Bonds, and each Authorized Officer is authorized to negotiate the terms of, approve the form of and execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above. An Authorized Officer shall approve of a series designation with respect to each series of Bonds.

(b) The Bonds or principal installments thereof will be subject to prepayment prior to maturity in the manner and at the prices and times as provided in the form of the Bonds contained in this Resolution or as may be approved by an Authorized Officer at the time of sale of the Bonds or by the MFA at the time of prepayment.

(c) The Bonds shall bear interest at the rates specified in the Purchase Contract and approved as evidenced by execution of the Purchase Contract, and an Authorized Officer shall deliver the Bonds in accordance with the delivery instructions of the MFA.

(d) The Bonds shall not be convertible or exchangeable into more than one fully-registered bond unless otherwise agreed to by the City and the MFA. Principal of and interest on the Bonds shall be payable as provided in the Bond form in this Resolution as the same may be amended to conform to MFA requirements.

(e) The Trustee shall record on the registration books payment by the City of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the City Treasurer.

(f) Upon payment by the City of all outstanding principal of and interest on a Bond, the MFA shall deliver the respective Bond to the City for cancellation.

15. The MFA's Depository. Notwithstanding any other provision herein to the contrary, in connection with a sale of any series of the Bonds to the MFA and so long as the MFA is the owner of the Bonds, the Bonds will be payable as to principal, premium, if any, and interest at the corporate trust office of U.S. Bank National Association, Detroit, Michigan, or

such other qualified bank or financial institution as shall be designated in writing to the City by the MFA (the "MFA's Depository"). The City will deposit or cause the Trustee to deposit with the MFA's Depository payments of the principal of, premium, if any, and interest on the Bonds in immediately available funds at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. Written notice of any redemption of the Bonds shall be given by the City and received by the MFA's Depository at least 40 days prior to the date on which such redemption is to be made.

16. Bond Form. The Bonds shall be in substantially the following form with such changes as may be required to conform the Bond to the final terms of the Bonds established by the Sale Order; *provided*, however, that each Authorized Officer is hereby authorized to adjust the form of the Bond to meet the requirements of the transaction within the parameters established in this Resolution:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF PONTIAC
CAPITAL IMPROVEMENT BOND, SERIES 2019
(LIMITED TAX GENERAL OBLIGATION)
(TAXABLE/TAX-EXEMPT)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
Registered Owner:	[] 1, 20__	_____, 2019	
Principal Amount:		Dollars	

The City of Pontiac, County of Oakland, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on [] 1, 2019] and semiannually thereafter. Principal of this bond is payable at the corporate trust office of _____, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the 15th day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address.

[Modify to MFA requirements if sold to the MFA]

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$_____, issued pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended and pursuant to a resolution of the City Council of the City adopted on [March 19, 2019] for the purpose of paying the cost of various capital improvements for the City.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

Bonds of this issue maturing in the years 20__ to 20__, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 20__ and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after [] 1, 20__, at par and accrued interest to the date fixed for redemption.

[Insert Term Bond Provisions, if applicable.]

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the

registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its City Council, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF PONTIAC
County of Oakland
State of Michigan

By: _____
Its: Mayor

(SEAL)

By: _____
Its: City Clerk

(Form of Transfer Agent's Certificate of Authentication)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

Transfer Agent

By: _____

Authorized: _____

DATE OF REGISTRATION:

[Bond printer to insert form of assignment]

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

17. Useful Life of Projects. The estimated period of usefulness of the Project is hereby declared to be not less than thirty (30) years.

18. Negotiated Sale; Sale of Bonds to Underwriters or Direct Purchaser. The City Council has considered the option of selling the Bonds through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, determines that a negotiated sale of the Bonds will allow more flexibility in accessing the municipal bond market, and to price and sell the Bonds at the time that is expected to best achieve the most advantageous interest rates and costs to the City, and will provide the City with greater flexibility in structuring bond maturities and adjusting terms for the Bonds.

Upon the recommendation of the City's municipal advisor, each Authorized Officer is hereby authorized to: (i) negotiate the sale of the Bonds to an Underwriter selected by an Authorized Officer upon the recommendation of the Municipal Advisor, negotiate and execute a bond purchase agreement with the Underwriter, and execute a Sale Order specifying the final terms of the Bonds; (ii) negotiate the sale of the Bonds pursuant to a private placement to an authorized purchaser selected by an Authorized Officer upon the recommendation of the Municipal Advisor, negotiate and execute a bond purchase agreement with the purchaser, and execute a Sale Order specifying the final terms of the Bonds, in which case (A) such purchaser shall deliver an investor letter in a form acceptable to an Authorized Officer and (B) the City's obligations hereunder relating to the Preliminary Official Statement, Official Statement and Undertaking (as such terms are hereinafter defined) shall not apply; or (iii) negotiate the sale of the Bonds to the MFA pursuant to a purchase contract and execute a Sale Order specifying the final terms of the Bonds

Each Authorized Officer is hereby authorized to take all other necessary actions required to effectuate the sale, issuance and delivery of the Bonds within the parameters authorized in this resolution.

19. Competitive Sale Alternative; Award of Sale of Bonds. As an alternative to a negotiated sale, the City may sell the Bonds pursuant to a competitive sale if, upon the advice of the City's Municipal Advisor, it is determined that a competitive sale would be more advantageous to the City. In such event, each Authorized Officer is hereby authorized to fix a date for competitive sale of the Bonds, to approve the form of the Notice of Sale and to arrange for its publication in *The Bond Buyer*, New York, New York, in substantially the form attached hereto as Exhibit B, with such revisions and completions as may be recommended by the Municipal Advisor and Bond Counsel, and to execute a Sale Order specifying the final terms of the Bonds.

The Authorized Officer is hereby authorized, on behalf of the City, subject to the provisions and limitations of this Resolution, to award sale of the Bonds to the bidder whose bid produces the lowest interest cost computed in compliance with the terms of the Notice of Sale, which bid shall comply with the requirements for bids specified in the Notice of Sale and shall be within the limitations contained in this Resolution.

Each Authorized Officer is hereby authorized to take all other necessary actions required to effectuate the sale, issuance and delivery of the Bonds within the parameters authorized in this

resolution.

20. Adjustment of Bond Terms; Authorization of Other Actions. Each Authorized Officer is hereby authorized to adjust the final bond details to the extent necessary or convenient to complete the transaction authorized in this Resolution, and in pursuance of the foregoing are each authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to, determinations regarding the principal amounts of the Bonds to be issued on a fixed or variable interest rate basis and tax exempt or taxable basis, interest rates, including the tender and other requirements for Bonds issued on a variable rate basis, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, draw down features, and other matters, all subject to the parameters established in this Resolution

Each Authorized Officer is hereby authorized to take the following actions with respect to each series of the Bonds: (i) to enter into one or more dealer-manager agreements, remarketing agreements, indentures, letters of credit and reimbursement agreements; (ii) to negotiate the terms for the sale of the Bonds to the Underwriters, a purchaser or the MFA; (iii) approve the circulation of a preliminary official statement describing the Bonds (or the MFA Bonds) and to deem the preliminary official statement "final" for purposes of Rule 15c2-12 of the SEC; (iv) to approve the circulation of a final official statement describing the Bonds (or the MFA Bonds) and to execute the same on behalf of the City; (v) to file an application or applications to the Department for prior approval to issue the Bonds, to file an application with the Department for a waiver of the ratings requirement and to make such other applications and filings with and to pay any other fees or post issuance fees to the Department as required by Act 34; (vi) to solicit bids for and approve the purchase of a municipal bond insurance policy for the Bonds, if deemed economically advantageous to the City; and (vii) to take such other actions and make such other determinations as may be necessary to accomplish the sale and delivery of the Bonds and the transactions contemplated by this Resolution, as shall be confirmed in the Sale Order.

21. Continuing Disclosure Undertaking. If required under Rule 15c2-12 promulgated by the Securities and Exchange Commission (the "Rule") based on the method of sale of the Bonds, the City shall enter into a continuing disclosure undertaking (the "Undertaking") for the benefit of the holders and beneficial owners of the Bonds (or the holders and beneficial owners of the MFA Bonds, if applicable) as to which the Rule is applicable.

22. Tax Exemption Covenant for Tax-Exempt Bonds; Qualified Tax-Exempt Obligations. The City covenants that it will not take any action, or fail to take any action required to be taken, if taking such action or failing to take such action would adversely affect the general exclusion from gross income of interest on any Tax-Exempt Bonds, from federal income taxation under the Code. The City Council hereby delegates the authority to an Authorized Officer to designate any series of the Bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to Section 265(b) of the Code.

23. Arbitrage Covenant. (a) The City will not directly or indirectly (1) use or permit the use of any proceeds of any Tax-Exempt Bonds or other funds of the City or (2) take or omit

to take any action required by Section 148(a) of the Code in order to maintain the exclusion from gross income of the interest on any Tax-Exempt Bonds for federal income tax purposes. To that end, the City will comply with all requirements of Section 148 of the Code to the extent applicable to the Bonds and the requirements set forth in the Non-Arbitrage and Tax Compliance Certificate of the City.

(b) Without limiting the generality of subsection (a), above, the City agrees that there shall be paid by the City from time to time all amounts, if any, required to be rebated to the United States pursuant to Section 148(f) of the Code. This covenant shall survive payment in full or defeasance of the Tax-Exempt Bonds.

(c) Notwithstanding any provision of this Section, if the City obtains an opinion of nationally recognized bond counsel to the effect that any action required under this Section is no longer required, or that some further action is required, to maintain the exclusion from gross income of the interest of any Tax-Exempt Bonds for federal income tax purposes pursuant to Section 103 of the Code, the City may conclusively rely on such opinion in complying with the provisions hereof.

24. Municipal Advisor. Robert W. Baird & Co. is hereby approved as the municipal advisor to the City with respect to the Bonds (the "Municipal Advisor"). The fees and expenses of the Municipal Advisor shall be payable as a cost of issuance from proceeds of the Bonds or other available funds of the City.

25. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby approved as bond counsel for the Bonds, notwithstanding periodic representation in unrelated matters of other parties or potential parties to the transaction contemplated by this resolution. The fees and expenses of Miller, Canfield, Paddock and Stone, P.L.C. as Bond Counsel and other accumulated bond related fees and expenses shall be payable as a cost of issuance from proceeds of the Bonds or other available funds of the City.

26. Severability. If any one or more sections, clauses or provisions of this Resolution shall be determined by a court of competent jurisdiction to be invalid or ineffective for any reason, such determination shall in no way affect the validity and effectiveness of the remaining sections, clauses and provisions hereof.

(Balance of this page intentionally left blank)

27. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Pontiac, County of Oakland, State of Michigan, at a regular meeting held on April 2, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

City Clerk

EXHIBIT A

NOTICE TO ELECTORS
OF THE CITY OF PONTIAC
OF INTENT TO ISSUE A BOND SECURED BY THE TAXING
POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City of Pontiac, County of Oakland, State of Michigan (the "City"), intends to issue and sell its general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an aggregate principal amount of not to exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000), in one or more series, for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping improvements to the parking deck, plaza and related improvements to the facility commonly known as the Phoenix Center, together with all appurtenances and attachments thereto (the "Project").

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL OF AND INTEREST ON SAID BONDS SHALL BE PAYABLE from the general funds of the City lawfully available for such purposes including property taxes levied within applicable constitutional, statutory and charter tax rate limitations.

THE CITY MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE OF MICHIGAN AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed thirty (30) in number and will bear interest at the rate or rates to be determined at a public or private sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OR 15,000 OF THE REGISTERED ELECTORS OF THE CITY, WHICHEVER IS LESS, IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

[_____]
City Clerk

EXHIBIT B
FORM OF NOTICE OF SALE

OFFICIAL NOTICE OF SALE

\$19,500,000*

*(Subject to adjustment as described below)

CITY OF PONTIAC
COUNTY OF OAKLAND
STATE OF MICHIGAN

CAPITAL IMPROVEMENT BONDS, SERIES 2019
(LIMITED TAX GENERAL OBLIGATION)
(TAX-EXEMPT/TAXABLE)

BID OPENING: Bids for the purchase of the above bonds will be publicly opened and read by an agent of the undersigned at the offices of the City of Pontiac (the "City") on _____, the __th day of _____, 2019 until __:__ a.m., prevailing Eastern Time. The award or rejection of bids will occur on the same day as the sale.

SEALED BIDS for the purchase of the Bonds will be received at the offices of the Municipal Advisory Council of Michigan (the "MAC"), 535 Griswold, Suite 1850, Detroit, Michigan 48226.

FAXED BIDS, signed by the bidder, may be submitted by members of the MAC to fax number (313) 963-0943; provided that faxed bids must arrive before the time of sale and the bidder bears all risks of transmission failure.

ELECTRONIC BIDS: Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or CLIENT SERVICES, 1359 Broadway, Second Floor, New York, New York 10018, (212) 849-5021. IF ANY PROVISIONS OF THIS NOTICE OF SALE SHALL CONFLICT WITH THE INFORMATION PROVIDED BY BIDCOMP/PARITY, AS THE APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE OF SALE SHALL CONTROL.

Bidders may choose any means or location to present bids but a bidder may not present a bid in more than one location or by more than one means.

BOND DETAILS: The bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, originally dated as of the date of delivery, numbered in order of registration, and will bear interest from their date payable on [November] 1, 20[19] and semiannually thereafter.

The bonds will mature on the 1st day of [May] in each of the years and in the amounts, as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2020	\$	2035	\$
2021		2036	
2022		2037	
2023		2038	
2024		2039	
2025		2040	
2026		2041	
2027		2042	
2028		2043	
2029		2044	
2030		2045	
2031		2046	
2032		2047	
2033		2048	
2034		2049	

*ADJUSTMENT OF TOTAL PAR AMOUNT OF BONDS AND PRINCIPAL MATURITIES: The City reserves the right to adjust the aggregate principal amount of the bonds after receipt of the bids and prior to final award, if necessary, so that the purchase price of the bonds will provide an amount determined by the City to be sufficient to pay the cost of the project and to pay costs of issuance of the bonds. The adjustments, if necessary, will be in increments of \$5,000 per maturity. The purchase price will be adjusted proportionately to the increase or decrease in issue size, but the interest rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

TERM BOND OPTION: The initial purchaser of the Bonds may designate any one or more maturities as term bonds and the consecutive maturities which shall be aggregated in the term bonds.

[*ADJUSTMENT TO PURCHASE PRICE: Should any adjustment to the aggregate principal amount of the bonds be made by the City, the purchase price of the bonds will be adjusted by the City proportionally to the adjustment in principal amount of the bonds. The adjusted purchase price will reflect changes in the dollar amount of the underwriter's discount and original issue discount/premium, if any, but will not change the per-bond underwriter's discount as calculated from the bid and initial reoffering prices.]

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at rate or rates not exceeding six percent (6%) per annum [if issued on a tax-exempt basis and eight percent (8%) per annum if issued on a taxable basis], to be fixed by the bids therefor, expressed in multiples of 1/8, [or 1/20] [or 1/100] of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. THE INTEREST BORNE BY BONDS MATURING IN ANY ONE YEAR SHALL NOT BE LESS THAN THE INTEREST RATE BORNE BY BONDS MATURING IN THE PRECEDING YEAR. No proposal for the purchase of less than all of the bonds or at a price less than [99]% or more than [109]% of their par value will be considered.

OPTIONAL PRIOR REDEMPTION: Bonds of this issue maturing or subject to mandatory redemption in the years 20[0] to 20[27], inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of Bonds in multiples of \$5,000 of this issue maturing or subject to mandatory redemption in the year 20[28] and thereafter shall be subject to redemption prior to maturity, at the option of the Authority,

in such order of maturity as the Authority shall determine and within any maturity by lot, on any date on or after [May] 1, 20[27], at par and accrued interest to the date fixed for redemption.

TERM BOND OPTION: The initial purchaser of the bonds may designate any one or more maturities as term bonds and the consecutive maturities to be aggregated in the term bonds. The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on April 1 of the years and in the amounts set forth in the above maturity schedule at a redemption price of par, plus accrued interest to the date of mandatory redemption. Term bonds or portions thereof mandatorily redeemed shall be selected by lot. Any such designation must be made within one hour after the deadline for the submission of bids.

BOOK-ENTRY OPTION: Upon the request of the successful bidder, the bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in bonds purchased. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the bonds.

TRANSFER AGENT AND REGISTRATION: Principal shall be payable at the principal corporate trust office of U.S. Bank National Association, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check mailed to the registered owner of record as shown on the registration books of the City as of the 15th day of the month preceding an interest payment date. The bonds will be transferred only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The Bonds are being issued to acquire and construct various capital improvements pursuant to the provisions of Act 34 of Public Acts of Michigan of 2001, as amended. The Bonds constitute full faith and credit limited tax general obligations of the City and are a first budget obligation of the City. The City has pledged its limited tax full faith and credit for payment of the principal of and interest on the bonds and the City is obligated to provide, as a first budget obligation, sufficient general funds moneys in its annual budget and, if necessary, to levy sufficient ad valorem taxes upon all taxable property within its boundaries subject to applicable constitutional, statutory and charter tax rate limitations. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally, now existing or hereafter enacted, and by the application of general principles of equity, including those relating to equitable subordination. [ADD IN DSA SECURITY DESCRIPTION, IF APPLICABLE]

AWARD OF BONDS-TRUE INTEREST COST: The bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on _____ 1, 2019 and semiannually thereafter) necessary to discount the debt service payments from their respective payment date to [_____] 2019, in an amount equal to the price bid, excluding accrued interest, if any.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review

and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials. In submitting a bid for the bonds, the bidder agrees to the representation of the City by Miller, Canfield, Paddock and Stone, P.L.C., as bond counsel.

[TAX MATTERS: In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants, interest on the bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation by the State of Michigan or any taxing authority within the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.]

[ISSUE PRICE: The winning bidder shall assist the City in establishing the issue price of the bonds and shall execute and deliver to the City at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached either as Appendix []-1 or Appendix []-2 of the preliminary Official Statement, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the City and Bond Counsel.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the bonds) will apply to the initial sale of the bonds (the "Competitive Sale Requirements") because:

- a. the City is disseminating this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- b. all bidders shall have an equal opportunity to bid;
- c. the City anticipates receiving bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- d. the City anticipates awarding the sale of the bonds to the bidder who submits a firm offer to purchase the bonds at the lowest true interest cost, as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the bonds, as specified in the bid.

In the event that all of the Competitive Sale Requirements are not satisfied, the City shall so advise the winning bidder. The City will not require bidders to comply with the "hold-the-offering price rule," and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the bonds as the issue price of that maturity, though the winning bidder, in consultation with the City, may elect to apply the "hold-the-offering price rule" (as described below). Bids will not be subject to cancellation in the event the Competitive Sale Requirements are not satisfied. Unless a bidder intends to apply the "hold-the-offering price rule" (as described below), bidders should prepare their bids on the assumption that all of the maturities of the bonds will be subject to the 10% Test (as described below). The winning bidder must notify the City of its intention to apply either the "hold-the-price rule" or the 10% Test at or prior to the time the bonds are awarded.

If the winning bidder does not request that the "hold-the-offering price rule" apply to determine

the issue price of the bonds, the following two paragraphs shall apply:

- a. The City shall treat the first price at which 10% of a maturity of the bonds (the "10% Test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis. The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% Test as of the date and time of the award of the bonds; and
- b. Until the 10% Test has been satisfied as to each maturity of the bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until the 10% Test has been satisfied as to the bonds of that maturity or until all bonds of that maturity have been sold.

If the winning bidder does request that the "hold-the-offering price rule" apply to determine the issue price of the bonds, then following three paragraphs shall apply:

- a. The winning bidder, in consultation with the City, may determine to treat (i) pursuant to the 10% Test, the first price at which 10% of a maturity of the bonds is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the bonds as the issue price of that maturity (the "hold-the-offering price rule"), in each case applied on a maturity-by-maturity basis. The winning bidder shall advise the City if any maturity of the bonds satisfies the 10% Test as of the date and time of the award of the bonds. The winning bidder shall promptly advise the City, at or before the time of award of the bonds, which maturities of the bonds shall be subject to the 10% Test or shall be subject to the hold-the-offering price rule or both.
- b. By submitting a bid, the winning bidder shall (i) confirm that the underwriters have offered or will offer the bonds to the public on or before the date of the award at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in the bid submitted by the winning bidder, and (ii) if the hold-the-offering-price rule applies, agree, on behalf of the underwriters participating in the purchase of the bonds, that the underwriters will neither offer nor sell unsold bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:
 - i. the close of the fifth (5th) business day after the sale date; or
 - ii. the date on which the underwriters have sold at least 10% of that maturity of the bonds to the public at a price that is no higher than the initial offering price to the public;

The winning bidder shall promptly advise the City when the underwriters have sold 10% of that maturity of the bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

- c. The City acknowledges that, in making the representation set forth above, the winning bidder will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the

hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the bonds.

By submitting a bid, each bidder confirms that:

- a. any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (i) report the prices at which it sells to the public the unsold bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the bonds of that maturity or all bonds of that maturity have been sold to the public and (ii) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the winning bidder and as set forth in the related pricing wires; and
- b. any agreement among underwriters relating to the initial sale of the bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the bonds to the public to require each broker-dealer that is a party to such retail distribution agreement, as applicable, to (i) report the prices at which it sells to the public the unsold bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the bonds of that maturity or all bonds of that maturity have been sold to the public and (ii) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- a. "public" means any person other than an underwriter or a related party,
- b. "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the bonds to the public);
- c. a purchaser of any of the bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct

ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other); and

d. "sale date" means the date that the bonds are awarded by the City to the winning bidder.]

[QUALIFIED TAX-EXEMPT OBLIGATIONS: The City has designated the bonds as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions.]

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through DTC in New York, New York, or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by Noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Payment for the bonds shall be made in immediately available funds.

CONTINUING DISCLOSURE: As described in greater detail in the Official Statement, the City will agree to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12, as may be amended, promulgated by the Securities and Exchange Commission, (i) on or prior to the first day of the sixth month following the end of the fiscal year of the City, commencing with the fiscal year ending June 30, [2019], certain annual financial information and operating data or data of substantially the same nature, including audited financial statements for the preceding fiscal year, (or if audited financial statements are not available, unaudited financial statements) generally consistent with the information contained or cross-referenced in the Official Statement relating to the bonds, (ii) timely notice of the occurrence of certain material events with respect to the bonds and (iii) timely notice of a failure by the City to provide the required annual financial information on or before the date specified in (i) above.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the Bonds. Any increased costs of issuance of the bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the City has requested and received a rating on the bonds from a rating agency, the City will pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser. **FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.**

CUSIP NUMBERS: CUSIP numbers will be printed on the Bonds at the City's expense, but neither the failure to print CUSIP numbers nor any improperly printed CUSIP numbers shall be cause for the purchaser to refuse to take delivery of and pay the purchase price for the Bonds.

OFFICIAL STATEMENT: The City will provide the winning bidder with a reasonable number of final Official Statements within 7 business days from the date of sale so as to permit the underwriter to comply with the Securities and Exchange Commission Rule 15c2-12. Additional copies of the Official Statement

will be supplied by Robert W. Baird & Co., Lansing, Michigan, municipal advisor to the City, upon request and agreement by the underwriter to pay the cost of additional copies. Requests for additional copies should be made to the municipal advisor within 24 hours of the date of sale.

BIDDER CERTIFICATION: NOT "IRAN-LINKED BUSINESS" By submitting a bid, the bidder shall be deemed to have certified that it is not an "Iran-Linked Business" as defined in Act 517 Michigan Public Acts of 2012, being MCL 129.311 et. seq.

REGISTERED MUNICIPAL ADVISOR: Further information relating to the bonds may be obtained from Robert W. Baird & Co., 124 Allegan Street, Suite 2200, Lansing, Michigan, 48933. Telephone: (517) 371-2607.

ENVELOPES: containing the bids should be plainly marked "PROPOSAL FOR CITY OF PONTIAC CAPITAL IMPROVEMENT BONDS, SERIES 2019 (LIMITED TAX GENERAL OBLIGATION)."

[_____]
[Title]
City of Pontiac

32935609.5\071371-00076

**NOTICE OF INTENT RESOLUTION
CAPITAL IMPROVEMENT BONDS, SERIES 2019
(LIMITED TAX GENERAL OBLIGATION)**

City of Pontiac
County of Oakland, State of Michigan

Minutes of a regular meeting of the City Council of the City of Pontiac, County of Oakland, State of Michigan, held on May 21, 2019, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the City of Pontiac, County of Oakland, State of Michigan (the "City"), intends to issue and sell its limited tax general obligation bonds in one or more series pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in the aggregate principal amount of not-to-exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) (the "Bonds") for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping improvements to the parking deck, plaza and related improvements to the facility commonly known as the Phoenix Center, together with all appurtenances and attachments thereto (the "Project"); and

WHEREAS, a notice of intent (the "Notice") to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the Notice will be published in accordance with Act 34, which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and no petition was filed within said time.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Notice of Intent; Publication. The City Clerk is authorized and directed to publish a notice of intent to issue bonds in the *Oakland Press*, a newspaper of general circulation in the City.

2. Notice of Intent; Form. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.

3. Notice of Intent; Determinations. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the City's electors and taxpayers residing in the boundaries of the City of the City's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. Reimbursement. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) The City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from funds of the City subsequent to sixty (60) days prior to today.
- (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$19,500,000.
- (c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.

5. Authorization to Apply for Rating. Each of the Mayor and the Deputy Mayor may apply and pay the fees for bond ratings from such municipal bond rating agencies as is deemed appropriate in consultation with the Municipal Advisor of the City.

6. Municipal Advisor. Robert W. Baird & Co. is hereby confirmed as the municipal advisor to the City with respect to the Bonds (the "Municipal Advisor"). The fees and expenses of the Municipal Advisor shall be payable as a cost of issuance from proceeds of the Bonds or other available funds of the City.

7. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby confirmed as bond counsel for the Bonds, notwithstanding periodic representation in unrelated matters of other parties or potential parties to the transaction contemplated by this resolution. The fees and expenses of Miller, Canfield, Paddock and Stone, P.L.C. as Bond Counsel and other accumulated bond related fees and expenses shall be payable as a cost of issuance from proceeds of the Bonds or other available funds of the City.

8. Severability. If any one or more sections, clauses or provisions of this Resolution shall be determined by a court of competent jurisdiction to be invalid or ineffective for any reason, such determination shall in no way affect the validity and effectiveness of the remaining sections, clauses and provisions hereof.

9. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Pontiac, County of Oakland, State of Michigan, at a regular meeting held on May 21, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

City Clerk

EXHIBIT A

NOTICE TO ELECTORS
OF THE CITY OF PONTIAC
OF INTENT TO ISSUE A BOND SECURED BY THE TAXING
POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City of Pontiac, County of Oakland, State of Michigan (the "City"), intends to issue and sell its general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an aggregate principal amount of not to exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000), in one or more series, for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping improvements to the parking deck, plaza and related improvements to the facility commonly known as the Phoenix Center, together with all appurtenances and attachments thereto (the "Project").

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL OF AND INTEREST ON SAID BONDS SHALL BE PAYABLE from the general funds of the City lawfully available for such purposes including property taxes levied within applicable constitutional, statutory and charter tax rate limitations.

THE CITY MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE OF MICHIGAN AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed thirty (30) in number and will bear interest at the rate or rates to be determined at a public or private sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OR 15,000 OF THE REGISTERED ELECTORS OF THE CITY, WHICHEVER IS LESS, IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

[_____]

City Clerk

33624580.1\071371-00076

NEW RESOLUTION

**NOTICE OF INTENT RESOLUTION
CAPITAL IMPROVEMENT BONDS, SERIES 2019
(LIMITED TAX GENERAL OBLIGATION)**

City of Pontiac
County of Oakland, State of Michigan

Minutes of a regular meeting of the City Council of the City of Pontiac, County of Oakland, State of Michigan, held on May 21, 2019, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the City of Pontiac, County of Oakland, State of Michigan (the "City"), intends to issue and sell its limited tax general obligation bonds in one or more series pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in the aggregate principal amount of not-to-exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) (the "Bonds") for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping improvements to the parking deck, plaza and related improvements to the facility commonly known as the Phoenix Center, together with all appurtenances and attachments thereto (the "Project"); and

WHEREAS, a notice of intent (the "Notice") to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the Notice will be published in accordance with Act 34, which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and no petition was filed within said time.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Notice of Intent; Publication. The City Clerk is authorized and directed to publish a notice of intent to issue bonds in the *Oakland Press*, a newspaper of general circulation in the City.
2. Notice of Intent; Form. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.

3. Notice of Intent; Determinations. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the City's electors and taxpayers residing in the boundaries of the City of the City's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. Reimbursement. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) The City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from funds of the City subsequent to sixty (60) days prior to today.
- (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$19,500,000.
- (c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.

5. Authorization to Apply for Rating. Each of the Mayor and the Deputy Mayor may apply and pay the fees for bond ratings from such municipal bond rating agencies as is deemed appropriate in consultation with the Municipal Advisor of the City.

6. Municipal Advisor. Robert W. Baird & Co. is hereby confirmed as the municipal advisor to the City with respect to the Bonds (the "Municipal Advisor"). The fees and expenses of the Municipal Advisor shall be payable as a cost of issuance from proceeds of the Bonds or other available funds of the City.

7. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby confirmed as bond counsel for the Bonds, notwithstanding periodic representation in unrelated matters of other parties or potential parties to the transaction contemplated by this resolution. The fees and expenses of Miller, Canfield, Paddock and Stone, P.L.C. as Bond Counsel and other accumulated bond related fees and expenses shall be payable as a cost of issuance from proceeds of the Bonds or other available funds of the City.

8. Severability. If any one or more sections, clauses or provisions of this Resolution shall be determined by a court of competent jurisdiction to be invalid or ineffective for any reason, such determination shall in no way affect the validity and effectiveness of the remaining sections, clauses and provisions hereof.

9. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Pontiac, County of Oakland, State of Michigan, at a regular meeting held on May 21, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

City Clerk

EXHIBIT A

NOTICE TO ELECTORS OF THE CITY OF PONTIAC OF INTENT TO ISSUE A BOND SECURED BY THE TAXING POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City of Pontiac, County of Oakland, State of Michigan (the "City"), intends to issue and sell its general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an aggregate principal amount of not to exceed Nineteen Million Five Hundred Thousand Dollars (\$19,500,000), in one or more series, for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping improvements to the parking deck, plaza and related improvements to the facility commonly known as the Phoenix Center, together with all appurtenances and attachments thereto (the "Project").

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL OF AND INTEREST ON SAID BONDS SHALL BE PAYABLE from the general funds of the City lawfully available for such purposes including property taxes levied within applicable constitutional, statutory and charter tax rate limitations.

THE CITY MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE OF MICHIGAN AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed thirty (30) in number and will bear interest at the rate or rates to be determined at a public or private sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OR 15,000 OF THE REGISTERED ELECTORS OF THE CITY, WHICHEVER IS LESS, IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

City Clerk

33624580.1\071371-00076

#12

RESOLUTION

RESOLUTION AUTHORIZING ISSUANCE
OF BOND ANTICIPATION NOTES

CITY OF PONTIAC
COUNTY OF OAKLAND
STATE OF MICHIGAN

Minutes of a regular meeting of the City Council of the City of Pontiac, State of Michigan,
held on the 2nd day of April, 2019, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and resolution were offered by Member _____
and supported by Member _____:

WHEREAS, the City of Pontiac, State of Michigan (the "City"), intends to issue and sell capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), for the purpose of paying all or part of the costs of acquiring, constructing, furnishing and equipping improvements to the parking deck, plaza and related improvements to the facility commonly known as the Phoenix Center, together with all appurtenances and attachments thereto (the "Project"); and

WHEREAS, the cost of the Project to the City is estimated to be not more than Nineteen Million Five Hundred Thousand Dollars (\$19,500,000)]; and

WHEREAS, in order to pay part of the cost of the Project, the City intends to issue its Capital Improvement Bonds, Series 2019 (Limited Tax General Obligation) in one or more series pursuant to Act 34 in the principal sum of not more than [_____ Million Dollars (\$_____,000,000)] (the "Bonds"); and

WHEREAS, the City Council of the City determines that it may be necessary to borrow the principal amount of not to exceed [_____ Dollars (\$_____,000)] and issue a bond anticipation note therefor pursuant to the provisions of Section 413 of Act 34 in anticipation of the issuance of the Bonds, in order to pay certain costs of the Project coming due prior to the issuance of the Bonds by the City; and

WHEREAS, a notice of intent to issue the Bonds will be published in accordance with the provisions of Act 34, and the City will not issue the note until a period of forty-five (45) days from the date of publication has passed and no petitions for an election on the question of the issuance of the Bonds have been filed with the City Clerk; and

WHEREAS, the City expects to receive an offer from a bank or other qualified purchaser (the "Purchaser") to purchase the bond anticipation note and the City desires to authorize the sale of the bond anticipation note to the Purchaser.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Necessity For Note; Authorization of Note; Note Terms. The City Council declares that it is necessary for the City to issue a bond anticipation note pursuant to the provisions of Section 413 of Act 34, in anticipation of the issuance of the Bonds by the City, in order to pay for professional design and engineering services, legal services, municipal advisory services, preliminary site acquisition and preparation, construction costs of the Project, and to reimburse the City for expenditures made with respect to the Project prior to issuance of the bond anticipation note.

A note of the City designated 2019 GENERAL OBLIGATION LIMITED TAX NOTE (the "Note"), is authorized to be issued in the aggregate principal sum of not to exceed Nine Million Seven Hundred Fifty-Thousand Dollars (\$9,750,000) in anticipation of the issuance of the Bonds, in order to pay certain costs of the Project as described above in this Section 1, and to pay the costs incidental to the issuance, sale and delivery of the Note. The Note shall be dated as of the date of initial delivery thereof and shall be issued in fully-registered form in the denomination of the full principal amount of the Note. The Note shall not be convertible or exchangeable into more than one fully-registered note. The Note shall bear interest at a fixed or variable rate or rates of interest not to exceed six percent (6%) per annum if issued on a tax-exempt basis and eight percent (8%) per annum if issued on a taxable basis, in each case as finally determined by the Mayor or the Finance Director (each an "Authorized Officer") at the time of sale of the Note. Principal of and interest on the Note shall be payable in full on such maturity date as determined by an Authorized Officer at the time of sale of the Note (which date shall not be later than permitted under Section 413 of Act 34).

The Note shall be subject to redemption prior to maturity, in whole or from time to time in part, as determined by an Authorized Officer at the time of sale of the Note.

Unless waived by any registered owner of Notes to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Notes called for redemption are to be surrendered for payment; and that interest on the Notes or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

Interest on the Note shall be payable to the registered owner of record as of the fifteenth (15th) day of the month prior to the interest payment date of the Note. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by an Authorized Officer to conform to market practice in the future. The principal of the Note shall be payable upon presentation and surrender thereof to the Transfer Agent (as defined below).

A bank or trust company qualified to serve as registrar, paying agent and transfer agent (the "Transfer Agent"), for the Note shall be appointed by an Authorized Officer at the time of sale of the Note. The City reserves the right to replace the Transfer Agent at any time upon written notice to the registered owner of record of the Note not less than sixty (60) days prior to the interest payment date of the Note.

2. Execution of Note. The Note shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and the City Clerk and shall have the seal of the City, or a facsimile thereof, impressed or printed on the Note. The Note shall be delivered to the Transfer Agent for authentication, if necessary, and be delivered by the Transfer Agent to the Purchaser in accordance with instructions from an Authorized Officer upon payment by the Purchaser of the purchase price for the Note.

3. Transfer of Note. The Transfer Agent shall keep the books of registration for the Note on behalf of the City. The Note may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Note for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever the Note shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Note for like aggregate principal amount. The Transfer Agent shall require the payment by the registered owner requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

4. Security for the Note; Limited Tax Pledge; Debt Retirement Fund; Defeasance of Note. The City hereby pledges the proceeds of the Bonds for the prompt payment of the principal of and interest on the Note. As additional security for the payment of the Note, both principal and interest, the City hereby pledges its limited tax full faith and credit for the prompt payment of the Note, and the City shall budget each year the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Note and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the City in the amount necessary to pay such debt service in said fiscal year, subject to applicable constitutional, statutory and charter tax rate limitations.

The City Treasurer or designee is authorized and directed to open a depository account with a bank or trust company or to create an account on the books of the City to be designated 2019 GENERAL OBLIGATION LIMITED TAX NOTE DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Note at maturity.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Note, shall be deposited in trust, this resolution shall be defeased and the registered owner of the Note shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Note from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange the Note as provided herein.

5. Construction Account; Proceeds of Note Sale. The City Treasurer or designee is authorized and directed to open a separate depository account with a bank or trust company or to create an account on the books of the City to be designated 2019 GENERAL OBLIGATION LIMITED TAX CONSTRUCTION ACCOUNT (the "Construction Account") and deposit into the Construction Account the proceeds of the Note. The moneys in the Construction Account shall be used solely to pay the costs of the Project and the costs of issuance of the Note.

6. Note Form. The Note shall be in substantially the following form, with such changes as are necessary to conform the Note to the terms established at the time of sale of the Note:

UNITED STATES OF AMERICA
STATE OF MICHIGAN

CITY OF PONTIAC

2019 GENERAL OBLIGATION LIMITED TAX NOTE

Interest Rate
____%

Maturity Date
[____] 1, 20__

Date of Original Issue
____, 2019

Registered Owner:

Principal Amount:

Dollars

The City of Pontiac, County of Oakland, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assign, the Principal Amount specified, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, payable on [____], 20__. Principal of this note is payable at the designated office of _____, _____, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to the interest payment date (the "Transfer Agent"). Interest on this note is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this note, both principal and interest, the limited tax full faith, credit and resources of the City are hereby irrevocably pledged.

This note constitutes an issue in the principal amount of \$[____,____,000], issued under the provisions of Act 34, Public Acts of Michigan 2001, as amended, and pursuant to a resolution duly adopted by the City Council of the City on _____, 2014 (the "Resolution"). This note is issued for the purpose of paying part of the cost of acquiring, constructing, furnishing and equipping improvements to the parking deck, plaza and related improvements to the facility commonly known as the Phoenix Center, as more particularly described in the Resolution (the "Project").

This note shall be subject to redemption prior to maturity, in whole or from time to time in part, on any date on or after [____] 1, 20__, at a redemption price equal to par plus accrued interest to the date fixed for redemption.

Unless waived by the registered owner of record, notice of redemption of this note shall be given at least 14 days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Transfer Agent. The note or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the Transfer Agent to redeem said note or portion thereof.

In case less than the full amount of the outstanding note is called for redemption, the Transfer Agent, upon presentation of the note called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new note in the principal amount of the portion of the original note not called for redemption.

This note is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this note together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered note in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Resolution and upon the payment of the charges, if any, therein prescribed.

This note, including the interest hereon, is payable from the proceeds of bonds to be issued by the City to pay the costs of the Project and to redeem this note. This note, including the interest hereon, is also payable as a first budget obligation from the general funds of the City, including, if necessary, the levy of ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this note exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this note, does not exceed any constitutional, statutory or charter debt limitation.

This note is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this note has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its City Council, has caused this note to be signed in its name City with the manual or facsimile signature of the Mayor of the City and to be countersigned with the manual or facsimile signature of the City Clerk and the corporate seal of said City to be impressed or printed hereon, all as of the Date of Original Issue.

CITY OF PONTIAC

By _____
Its Mayor

[SEAL]

By _____
Its City Clerk

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

Certificate of Authentication

This note is the note described in the within-mentioned Resolution.

Transfer Agent

By _____
Authorized Signature

Date of Authentication _____

7. Negotiated Sale; Sale to Purchaser. The City has considered the option of selling the Note through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, and based on the advice of the City's financial advisor, determines that a negotiated sale of the Note to the Purchaser will enable the City to obtain a flexible payment schedule and favorable redemption provisions not generally available in the municipal market, and will avoid the potential delay resulting from the trial and error offering of the Note using a conventional notice of sale.

The Note shall be sold to the Purchaser at a price not less than 99% of the principal amount thereof. Each Authorized Officer is hereby individually authorized to negotiate and approve the final terms of the Note, to accept the offer of the Purchaser to purchase the Note, and to award the sale of the Note to the Purchaser without further authorization or approval of this City Council; *provided, however*, that the final terms of the Note shall be within the parameters stated in this resolution.

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than forty (40) years.

9. Tax Covenant; Qualified Tax Exempt Obligation. If the Note is issued on a tax-exempt basis, the City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Note from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Note proceeds and moneys deemed to be Note proceeds. The City hereby authorizes an Authorized Officer to designate the Note as a "qualified tax-exempt obligation" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

10. Authorization of Other Actions. Each Authorized Officer is authorized to file such applications or other documents with the Michigan Department of Treasury or other parties as may be necessary or advisable to effectuate the sale and delivery of the Note and to take all other actions necessary or advisable to enable the sale and delivery of the Note as contemplated herein.

11. Adjustment of Note Terms. Each Authorized Officer is authorized to adjust the final Note details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including, but not limited to, determinations regarding interest rates, prices, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters, provided that the principal amount of the Note issued shall not exceed the principal amount authorized in this resolution, the interest rate per annum on the Note shall not exceed six percent (6%) if issued on a tax-exempt basis and eight percent (8%) per annum if issued on a taxable basis, and the Note shall mature not later than as permitted under Section 417 of Act 34.

12. Municipal Advisor. Robert W. Baird & Co. is hereby approved as the municipal advisor to the City with respect to the Note (the "Municipal Advisor"). The fees and expenses of

the Municipal Advisor shall be payable as a cost of issuance from proceeds of the Note or other available funds of the City.

13. Note Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby approved as note counsel for the Note, notwithstanding periodic representation in unrelated matters of other parties or potential parties to the transaction contemplated by this resolution. The fees and expenses of Miller, Canfield, Paddock and Stone, P.L.C. as Note Counsel and other accumulated bond related fees and expenses shall be payable as a cost of issuance from proceeds of the Note or other available funds of the City.

14. Authorization to Issue the Note. Notwithstanding anything on this Resolution to the contrary, based on the final schedule for the construction of the Project and the timing required for the issuance of the Bonds to finance the Project, the City Council delegates the authority to an Authorized Officer to determine, in consultation with the Municipal Advisor, whether it is in the best interests of the City to issue the Note or the Bonds and proceed to finance the Project with proceeds of the Bonds. If an Authorized Officer so determines not to issue the Note, the provisions of this Resolution shall be of no further force and effect.

15. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Pontiac, State of Michigan, at a regular meeting held on April 2, 2019, and that said meeting was conducted and public notice of said meeting was given to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

#13

RESOLUTION



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Jane Bais DiSessa, Office of the Deputy Mayor

Cc: Garland Doyle, Interim City Clerk; Hughey Newsome, Interim Finance Director; and Rachel Loughrin, Director of Economic & Community Development

DATE: May 24, 2019

RE: **Reprograming of PY 2016 CDBG Senior Funds.**

In accordance with the Federal Office of Housing and Urban Development's (HUD) regulations for Community Development Block Grant (CDBG) funds, we are requesting that the City Council approve the reprogramming as shown below:

From: Senior Center replacement of air conditioning systems at Ruth Peterson Senior Center and Robert Bowens Senior Center.

TO: Senior Center replacement of the existing deck/pavilion at the Bowens Senior Center.

This project qualifies as one of the three National objectives of the CDBG federal funding. As such, it is respectfully requested that the following resolution be approved:

Whereas, in accordance with HUD/CDBG regulations, the City of Pontiac held a public hearing on May 21, 2019 for the reprograming of the PY 2016 CDBG Senior Center, replacement of air conditioning systems at Ruth Peterson Senior Center and Robert Bowen Senior Center, to the Senior Center, replacement of deck at Robert Bowens Senior center; and

Whereas, a total of \$9,255.58 is left remaining in the PY 2016 Senior Center for the replacement of air conditioning systems at Ruth Peterson Senior Center and Robert Bowens Senior Center.

Now therefore, it is hereby approved that the remaining sum of \$9,255.58 be reprogramed to PY 2016 Senior Center, for the replacement of the deck at the Robert Bowens Senior Center.



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Jane Bais DiSessa, Deputy Mayor

DATE: May 23, 2019

RE: Summary Report: PY 2016 CDBG Senior Center Project for Ruth Peterson & Bowen Senior Centers

In PY 2016, a total of \$75,000 from CDBG funding, had been appropriated for the replacement of HVAC and Heating Systems for both the Ruth Peterson and Robert Bowen Senior Centers. A total of \$9,225.58 is left remaining in this account. The following is a breakdown of the amount spent on both Centers:

Ruth Peterson:

- \$12,011.21 (15 HVAC - Provided and installed (1) Carrier 48TCED08A2A5-0A0A0 Std. Eff. Med Gas Heat Single Pkg Rooftop 7.5 Tons Cooling 208/230-3-60)
- \$15,452.00 (15 HVAC - Provided and installed (1) Carrier 48TCED16a245-0A0A0 Std Eff Med Gas Heat Single Pkg Rooftop 15 Tons Cooling 208/230-3-60)
- \$27,463.21 Total Amount Spent**

Robert Bowen Center:

- \$13,761.21 (15 HVAC - Provided and installed (1) Carrier 48TCED14A2A5-0A0A0 Std Eff Med Gas Heat Single Pkg Rooftop 15 Ton Cooling 208/230-3-60)
- \$22,900.00 (Removed defective equipment and installed 2 new 150 BTU furnaces, two 5 Ton Air Conditioners and 1 new two stage thermostat to the existing duct system, fuel line, and electrical circuit.)
- 1,650.00 (Removed existing membrane under 2 condensers, removed existing flashing from two support post, and installed new 60 MIL EPDM membrane over existing insulation and installed new EFDM flashing at support posts.)
- \$38,311.21 Total Amount Spent**
- \$65,774.42 Grand Total Spent**

Please let me know if any questions arise.

JBD



City of Pontiac
Senior Centers Improvements
2017-2018

BOWENS CENTER

As Requested by Decorating Committee:

- 1. Yamaha StagePas Sound System 3 Additional Mics (Sweetwater.com) \$1,797.65**
- 2. 3 Sewing Machines + Sergers (Viking) \$629.96**
- 3. New Lectern with Wireless Mic (SchoolOutfitters.com) \$667.31**
- 4. Samsung 65 inch Smart TV (ABC Warehouse) \$1079.99**
- 5. Dell 15 inch Laptop (Staples) \$359.99**

Total: \$4,534.09

Additional Improvements:

100 Flash Hercules Stack Chairs / Heavy Duty Black Vinyl: \$5,600.00

Freight Charge: \$225.00

Total: \$5,825.00

Combined Total: \$10,364.09

RUTH PETERSON

As Requested by Decorating Committee:

- 1. 3 Sewing Machines + Sergers (Viking) \$629.96**
- 2. 1 Samsung 65 inch Smart TV (ABC Warehouse) \$1079.99**
- 3. Dell 15 inch Laptop (Staples) \$359.99**
- 4. HP OfficeJet Pro 8710 All-in-One Inkjet Printer (Staples) \$129.99**
- 5. 9 ft. Pool Table (Viscount Pools Spas & Billiards) \$3,600.07**

Total: \$5,800

Additional Improvements:

(2) Lifetime White 4-Pack Stacking Folding Tables

\$984.62

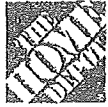
Sales Tax: \$59.08

Total: \$6,843.7

Combined Total: 12,643.07

Combined totals for both centers: \$23,007.16

Report prepared by: Dwayne A. Lyons



Order #WD19616069

Placed on: May 21 (2018)

*Tables for
Don Peters*

Billing Information

Larry Robinson
47450 Woodward Ave
PONTIAC MI 48342

Payment Method: HDCOM ***9150

Item	Price/Item	Qty	Line Total
------	------------	-----	------------

Store Pickup (1 item)

545 S Telegraph #2701, Pontiac, MI 48341

Items picked up from store #2701

Lifetime White 4-Pack Stacking Folding Table	\$492.31	2	\$984.62
--	----------	---	----------

Available: MAY 30 - JUN 04

8 Tables

Subtotal
Pick Up In Store
Sales Tax

\$984.62

FREE

- \$50.08

Total

\$1,043.70

\$984.62

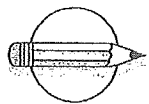
Need help?

Online Customer Support:
1-800-430-3376

Custom Blinds:
1-800-658-7320

Call 7 days a week:
6 a.m. to 2 a.m. EST

JGH



Detroit Pencil Company

Everything For Your Workplace
1940 Northwood Dr. Troy, MI 48084
Phone 248-577-0740 Fax 248-577-0739

Independent Stationers
member #754
GSA MAS 75 GS-14F-0043M

PREMIER
PP-MM-476

Invoice 0563178-001

Invoice Date: 08/02/18
Customer PO: Q071818-4
Account Number: F7583120-01
Salesperson: STEVE BONNER

Page 1 of 1

2018 AUG -8 A 11:20

Bill To: PONTIAC, CITY OF
47450 WOODWARD AVE
ACCOUNTS PAYABLE
PONTIAC, MI 48342

RECEIVED
ACCOUNTS PAYABLE

Ship To:

PONTIAC, CITY OF
RUTH PETERSON SENIOR CTR
990 JOSLYN
PONTIAC, MI 48342

Buyer Phone: (248) 758-3120
Fax:

Line	Item Number	Description	UOM	Qty Ordered	Qty Shipped	Qty to Follow	Unit Price	Extended Total
1	XU-60154	FLASH HERCULES STACK CHAIR HEAVY DUTY BLACK VINYL	EA	65	65	0	56.00	3640.00
2	FLSH FREIGHT	INBOUND FREIGHT	EA	1	1	0	325.00	325.00

2 New Canals
Magazine Rack
Microwave
Refrigerator

ORDER NOTES:

Invoices over 30 days past due are subject to a 1.5% late charge per month.

Subtotal	3,965.00
Shipping	0.00
Sales Tax	0.00

Invoice Total: 3,965.00
Amount Due: 3,965.00
Payment Due Date: 09/01/18
Terms Net 30. Thank you.

Received By:

Date:

Carrier: OUR TRUCK

FOB Point: YOUR OFFICE

Route/Seq: FLASH/0

Order Taker: Jkenedy

#14

RESOLUTION

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is effective as of _____, 2019, between the City of Pontiac ("City"), a Michigan municipal corporation, and JBD Indian Hill Ventures, LLC ("Owner"), a Michigan limited liability company.

Recitals:

WHEREAS, the Owner has acquired title to real property commonly known as 50 Wayne, Pontiac, in Oakland County, Michigan ("Property");

WHEREAS, the Owner desires to make substantial improvements to and redevelop the Property for future use ("Project");

WHEREAS, the City is executing this Agreement, to induce the Owner to redevelop a significant building in its downtown, and the parties acknowledge that redevelopment of the Project will contribute significantly to the economy of the City of Pontiac;

WHEREAS, the City's Mayor and City Council have determined that this Agreement is appropriate for the proposed redevelopment of the Project, is consistent with the public health, safety and welfare of the City's residents and businesses, and will result in positive impacts and benefits for the City and its residents and businesses;

WHEREAS, the Owner has submitted an Application for Obsolete Property Rehabilitation Exemption Certificate ("Application") for the Property;

WHEREAS, the City has previously approved an obsolete property rehabilitation district pursuant to Public Act 146 of 2000 as amended ("Act") and the Property is located in such district;

WHEREAS, the City has approved the Application by adopting a resolution granting the Obsolete Property Rehabilitation Exemption Certificate ("OPREC") for a period of twelve (12) years (the "Term"), pending approval also by the Michigan State Tax Commission; and

WHEREAS, the Owner's good faith estimate of the completion date for the Project is September 30, 2020, providing that all necessary permits have been issued by the City's Building Safety Division or its designee and the Owner has received the Economic Development Incentives outlined in Section 9 below on or before October 1, 2019, or extended as outlined in Section 7 (the "Project Completion Date").

NOW THEREFORE, for good and valuable consideration, the adequacy, sufficiency and receipt of which is hereby acknowledged, the City and the Owner agree as follows:

1. **Recitals.** The Recitals as set forth herein are represented to be true and accurate and are hereby incorporated as material terms of this Agreement.

2. **No Preemption.** Unless otherwise expressly provided herein, this Agreement shall not be deemed to waive, preempt, supersede, or render ineffective any applicable municipal or governmental laws, ordinances, codes, regulations or processes, including but not limited to

zoning, economic incentives, taxes, assessments or fees, and Owner shall be subject to all review and approval processes required under the City's ordinances, regulations and rules.

3. Owner's Additional Requirements. Owner Agrees as follows:

A. In order for Owner to proceed with the Project, Owner, in its own discretion, shall have received the Economic Development Incentives outlined in Section 9 below, and shall prepare and submit to the City plans and specifications (the "Plans") for the improvements (each an "Improvement", and collectively, the "Improvements"); provided that no physical Improvements shall be commenced until all necessary permits have been issued by the City's Building Safety Division or its designee.

B. To construct all improvements in accordance with the City's building code as approved by the City's Building Inspection Division.

C. Failure to comply with any of this Agreement's terms and conditions shall constitute a material breach of the Agreement and each of the parties shall have all remedies in law and/or in equity necessary to ensure compliance by the other party.

4. Contracts. Owner shall provide City with letters from a licensed architect and licensed general contractor confirming that they have been retained to assist with the redevelopment of the Project.

5. Community Benefits.

A. In connection with the redevelopment and construction of each component of the Project, Owner shall implement, or require its general contractor to implement, a local hiring practice which provides a preference for such general contractor, to the extent possible, their subcontractors and suppliers, to hire City residents to perform jobs relating to the redevelopment and construction of the Project. Further, the Owner may retain Pontiac Based Businesses to provide architectural, engineering, environmental and other professional and consulting firms services relating to the redevelopment and construction of the Project. For purposes of this Agreement, a "Pontiac Based Business" shall mean a business that is either (i) headquartered in the City, or (ii) has an office, store or other facility within the City. Owner shall require its general contractor to advertise available on-site jobs in local media and electronically on a City-sponsored website and social media, if such resources exist. In addition, Owner shall consult with and provide written notice to at least two (2) local hiring organizations, which may include non-profit organizations involved in referring eligible applicants for job opportunities, including through the Pontiac Jobs Pipeline which is operated through the City's Economic Development Department. Owner shall require its general contractor to consider in good faith all applications submitted by City residents and businesses and maintain a preference for hiring City residents and businesses that are qualified to perform the on-site jobs relating to the Project and construction of each component of the Project. Owner shall, in its agreements with its general contractor, include a requirement for this local hiring practice, and, in connection therewith, Owner will introduce such contractors to, and encourage such contractors to participate in, the "Community Ventures" program offered by the Michigan Economic Development Corporation. On or before the 10th of each month after the commencement of the Improvements to the Project, Owner shall submit to the City a report ("Report") signed by the Owner's managing member setting forth the results of the

Owner's or its general contractor's implementation of its local hiring practices to hire City residents to perform jobs related to the Project.

B. Owner shall make all efforts to notify residents of the City, discuss the open positions and help City residents find work on the Project and within the organization.

C. Owner shall during its construction process, fix all broken, uneven, sinking sidewalk per the Plan at an estimated cost of Twenty-Two Thousand and 00/100 Dollars (\$22,000.00).

D. Owner agrees to spend not less than Four Million Three Hundred Thousand and 00/100 Dollars (\$4,300,000.00) on the Project (includes hard and soft costs) by the time it is fully complete and occupied.

E. Owner shall have created an economic benefit to the City taxpayers by redeveloping the Project, which will have residents and tenants who will pay income taxes to the City.

6. Revocation of OPREC.

A. Pursuant to Section 12. (1) of the Act, the City may, in its sole discretion and by resolution of Pontiac City Council, revoke the OPREC if the City finds that the completion of rehabilitation of the Property has not occurred within the time authorized by the City as set forth in this Agreement or within a duly authorized extension of that time, or that the Owner has not proceeded in good faith with the operation of the rehabilitated Property in a manner consistent with the purposes of the Act and in the absence of circumstances that are beyond the control of the Owner.

B. Following completion of the rehabilitation of the Property and receipt of a Certificate of Occupancy ("CofO"), Owner agrees that its first floor tenant(s) shall have an average of ten (10) or more full-time employees for the period beginning on the date the CofO is issued and ending on the last day of the sixth (6th) year of the OPREC ("Employment Requirement"). Within thirty (30) days after the end of the sixth year of the OPREC, Applicant will send a written report to the City regarding the Employment Requirement ("Employment Requirement Report").

C. The City agrees that it shall not revoke or terminate the OPREC by resolution at any time during the first six (6) years of the Term; provided, however, if the Employment Requirement is not satisfied, the City may revoke or terminate the OPREC by resolution at the end of the sixth year and after review of the Employment Requirement Report.

7. Application for Building Permit. Owner shall devote all of the time, effort, resources and skill necessary for the redevelopment of the Project and further agrees to complete the following requirements (all of which shall occur as soon as reasonably practicable but in no event later than six (6) months after the receipt of all necessary City, County, National Park Service, MEDC and State approvals for the approval of the OPRA and Brownfield). Owner shall submit all required documentation for the receipt of building permits to the City's Building Safety Division as follows:

A. Providing the City is timely in granting of permits and completing all inspections, Owner shall substantially complete repairs to the building enclosure located on the Property, including but not limited to, roof repair or replacement and compromised enclosure and asset preservation as well as commence core and shell reconstruction so that the Property is ready for tenant improvements within three hundred sixty (360) days after issuance of all applicable building permits by the City's Building Safety Division; provided, however, that any time delays caused by the City's Building Safety Division shall be added to the three hundred and sixty (360) days in equal amounts of the days delayed.

8. **Additional Requirements of City and Owner.** Both the City and Owner further agree as follows:

A. This Agreement is not intended to create a contractual right for third parties.

B. This Agreement and any of its terms, conditions, or provisions cannot be modified, amended, or waived unless in writing and unless executed by both parties to this Agreement. Any representations or statements, whether oral or in writing, not contained in this Agreement shall not be binding on either party.

C. This Agreement and any of its terms or conditions shall not be assigned or transferred to any other individual or entity unless prior written consent to such an assignment is received from City, which consent shall not be unreasonably withheld, conditioned or delayed. The City's failure to consent to a proposed assignment because the proposed assignee lacks the creditworthiness or development experience of the Owner shall not be deemed to be unreasonable.

D. This Agreement shall be interpreted, enforced and governed under the laws of the State of Michigan and all applicable City ordinances. The venue for any action arising under this Agreement shall be a court of appropriate jurisdiction in Oakland County.

9. **City Support.** The City shall, to the extent reasonably appropriate, support and reasonably cooperate with the Owner in connection with its redevelopment of the Project. This support includes, without limitation and as soon as reasonably practical: (i) cooperate with the Owner, wherever practical, in applying for Economic Development Incentives (defined below), other grants, benefits, awards, entitlements, licenses, consents, permits, approvals sought by the Owner in connection with the Project; (ii) submit to City Council, a resolution for the approval of the OPRA and Brownfield. For purposes of this Agreement, the term "Economic Development Incentives" specifically includes, but is not limited to, the following incentives: (i) Michigan Department of Environmental Quality Grant and Loan Programs; (iii) Michigan Economic Development Corporation/Michigan Strategic Fund Grant and Loan Programs, including the Community Revitalization Program ("CRP"); (iv) OPRA tax freeze; (v) Tenant Recruitment support to the downtown District and this Project; (vi) Property Assessed Clean Energy ("PACE") through Oakland County, and (vii) Historic Investment Tax Credit ("HITC").

10. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors or assigns.

11. **Notice.** All notices, requests, consents and other communications under this Agreement must be in writing, shall be addressed to the receiving party's address set forth below or to any other address a party may designate by notice under this Agreement, and shall be either

(i) delivered by hand, (ii) sent by nationally recognized overnight courier, or (iii) sent by certified mail, postage prepaid:

If to City:

City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342
Attention: Finance Department
Telephone: 248-758-3000

If to Owner:

JBD Indian Hill Ventures, LLC
300 E. Long Lake Rd., Ste. 280
Bloomfield Hills, MI 48304
Attention: J. B. Davies, Manager
Telephone: 248-646-4030

SIGNATURE PAGE FOLLOWS:

The undersigned have executed this Agreement to be effective as of the date first written above.

CITY:

CITY OF PONTIAC, a Michigan
municipal corporation

By: _____

Deirdre Waterman

Its: Mayor

Date: April ____, 2019

OWNER:

JBD INDIAN HILL VENTURES, LLC,
a Michigan limited liability company

By: _____

J. B. Davies

Its: Manager

Date: April ____, 2019

#15

RESOLUTION

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

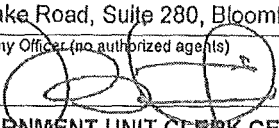
Applicant (Company) Name (applicant must be the OWNER of the facility) JBD Indian Hill Ventures, LLC		
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 300 E Long Lake Road, Suite 280, Bloomfield Hills, MI 48304		
Location of obsolete facility (No. and street, City, State, ZIP Code) 50 Wayne Street, Pontiac, MI 48342		
City, Township, Village (Indicate which) Pontiac		County Oakland County
Date of Commencement of Rehabilitation (mm/dd/yyyy) 9/1/2019	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 12/1/2020	School District where facility is located (include school code)
Estimated Cost of Rehabilitation \$3,500,000.00	Number of years exemption requested 12	Attach Legal description of Obsolete Property on separate sheet
Expected project likelihood (check all that apply): <input checked="" type="checkbox"/> Increase Commercial activity <input checked="" type="checkbox"/> Create employment <input type="checkbox"/> Retain employment <input type="checkbox"/> Prevent a loss of employment <input checked="" type="checkbox"/> Revitalize urban areas <input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment 55-65		
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion. <input type="checkbox"/>		

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) JB Davies	Telephone Number (248) 646-4030	Fax Number (248) 646-4598
Mailing Address 300 E Long Lake Road, Suite 280, Bloomfield Hills, MI 48304		Email Address left6jb@gmail.com
Signature of Company Officer (no authorized agents) 		Title Managing Member

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature 	Date application received 4/3/19
--	-------------------------------------

FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and Instruction Items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date: _____		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)		
<input type="checkbox"/> Denied		
Date District Established	LUCL Code	School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(i) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>
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PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

Building(s)	Taxable Value	State Equalized Value (SEV)
Name of Governmental Unit	Date of Action on application	Date of Statement of Obsolescence

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature	Date
Clerk's Mailing Address	City	State
	Telephone Number	Fax Number
		Email Address

Mail completed application and attachments to: Michigan Department of Treasury
State Tax Commission
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, call (517) 373-2408.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

April 1, 2019

Pontiac City Council
City Hall
47450 Woodward Avenue
Pontiac, MI 48342

RE: Request for the Establishment of an Obsolete Property Rehabilitation Act (OPRA)
Certificate at 50 Wayne Street, Pontiac, Michigan 48342
for JBD Indian Hill Ventures, LLC

Honorable City Council:

Please accept this letter as a request to establish an Obsolete Property Rehabilitation Act (OPRA) Certificate for the property located at 50 Wayne Street, Michigan 48342, which is referred to herein as the "Property" and described on Attachment A. The Property will be rehabilitated by the petitioner and current owner, JBD Indian Hill Ventures, LLC. The property is located in an existing OPRA District.

Company and Project Synopsis

JBD Indian Hill Ventures, LLC (the "Developer") is a partnership between JB Davies and Fred Blechman. JBD Indian Hill Ventures, LLC was founded in 2018 and is managed by both JB Davies and Fred Blechman. JB Davies has spent his entire career in real estate, beginning as a Tax Specialist in 1983. From humble beginnings, in 1993 JB Davies was named in the "40 Under 40" issue of Crain's Detroit Business and recognized by Detroit Monthly Magazine among 75 individuals who have or will have an influence on the future of the City of Detroit. His work since 1996 has consisted of acquiring and developing commercial properties. Fred Blechman had a vision in 1974 while working in his father's hardware store. He followed that vision which led to the creation of Management Supply Company (MSC), an apartment supply company he founded in Michigan. After years of success, MSC was sold to a company seeking to create a national distribution network. Entering real estate for himself following the sale of MSC, Fred Blechman began purchasing and redeveloping real estate throughout metro-Detroit. In 2003, Creative Urbane was formed for the purpose of purchasing, renovating, and marketing the properties under the Urbane Apartments brand. They have completed 15 properties to-date and are currently redeveloping a building in midtown-Detroit.

The project, which is in an approved Obsolete Property Rehabilitation District (OPRD) contains a single approximately 0.29 acre parcel at 50 Wayne Street and is bounded by West Lawrence Street to the south, Wayne Street to the west, the property line to the north, and the alley between North Saginaw Street and Wayne Street to the east. The project is located in the heart of downtown Pontiac with access to the Amtrak railway and Greyhound bus station just over one-quarter mile southwest at Pontiac Station, as well as many fixed SMART Bus routes within walking distance. The property is occupied by a vacant 4-story office building totaling approximately 26,880 square feet including the basement level. The building has been vacant since 2014 and currently remains uninhabitable.

The 50 Wayne project will entail the rehabilitation of the current building into first floor office/retail space with 25 edgy loft-style apartments on floors two through four. Historical

*Request for Establishment of an Obsolete Property Rehabilitation Certificate at
50 Wayne Street, Pontiac MI 48342
for JBD Indian Hill Ventures, LLC*

features such as the granite floors and mold-work ceilings will be preserved where possible, and abstract expressionism artwork will be portrayed throughout the hallways.

As part of the rehabilitation, the building will receive new utilities including electrical and plumbing, new energy efficient heating, cooling and ventilation systems, new energy efficient windows and doors, construction of balconies or patios for certain units, kitchen and bathroom cabinetry, appliances and fixtures, elevator upgrades, a new access stairwell for the upper and lower units, and repairs to the building structure as needed. The structure will also be brought up to code per ADA and Fire requirements, which may include an ADA lift and fire suppression/alarm system if deemed required.

Additionally, the Developer intends to make improvements to the west adjoining surface parking lot for resident and tenant parking, however, those parcels are not included within this request.

The Necessity for Tax Relief

Substantial investment is necessary to rehabilitate the area into a viable, long-term development. Additionally, the property currently contains a dilapidated and damaged building that will require repair and selective demolition with the property rehabilitation. The overall internal rate of return for the proposed development will be extremely low without the receipt of the Obsolete Property Rehabilitation Certificate, and therefore, the development would not be possible without it.

The costs associated with the rehabilitation require multiple capital sources including equity contributed by JBD Indian Hill Ventures, LLC Members as well as an interim construction loan, and upon completion, a long-term loan product. In order to secure this financing and future tenants, the operating costs of the proposed renovations and redevelopment of the project need to be kept as low as possible (including property taxes).

The proposed Development included within the request will result in approximately 30-40 construction jobs and approximately 25 full-time equivalent (FTE) job associated with the office space and property maintenance.

PA 146 Request

A 12-year abatement is being requested.

Economic Advantages of the Rehabilitation

Upon completion, the Development will return an obsolete property to productive use and will increase residential density in an area characterized by vacant buildings and disinvestment. Activation of this property will spur further growth and act as a catalyst for further redevelopment of numerous vacant and blighted properties along the West Lawrence, Wayne, and North Saginaw corridors and the surrounding neighborhoods, providing spinoff consumer spending in an area of downtown that is currently trying to reestablish itself.

The granting of the OPRA tax abatement will not result in any fewer taxes to the City of Pontiac in the short-term or long-term. On a short-term basis, approximately 30-40 construction jobs will be created. The general contractor (GC), Urbane Management and Creative Urbane Development, will perform the contracting work for this project. Metro-Detroit based, the GC

*Request for Establishment of an Obsolete Property Rehabilitation Certificate at
50 Wayne Street, Pontiac MI 48342
for JBD Indian Hill Ventures, LLC*

insures locally sourced contractors and workers benefit from the redevelopment. The GC has also reached out to local contractors to inquire about providing references for other Pontiac based trades that could provide services for this development.

Upon successful redevelopment, the Development will create approximately 25 FTE jobs related to the management and maintenance and from the first floor office/retail space expected. These new jobs, along with any new residents living at the development, will generate increased income taxes for the City of Pontiac.

Following expiration of the 12-year abatement, the building will deliver a significant increase in tax revenue. Over time, the successful redevelopment and cultural growth will serve as a catalyst for additional investment within this downtown neighborhood.

Closing

JBD Indian Hill Ventures, LLC is a partnership between seasoned real estate professionals with extensive experience in multi-family investments and redevelopments throughout metro-Detroit.

Members of the Development team have reached out to City Council members, local businesses and local contractors in Pontiac regarding the project and have received extremely positive feedback.

The team is looking forward to pursuing this redevelopment and creating a community space in the heart of Pontiac's downtown neighborhood.

Respectfully Submitted,

JB Davies
Managing Partner
JBD Indian Hill Ventures, LLC

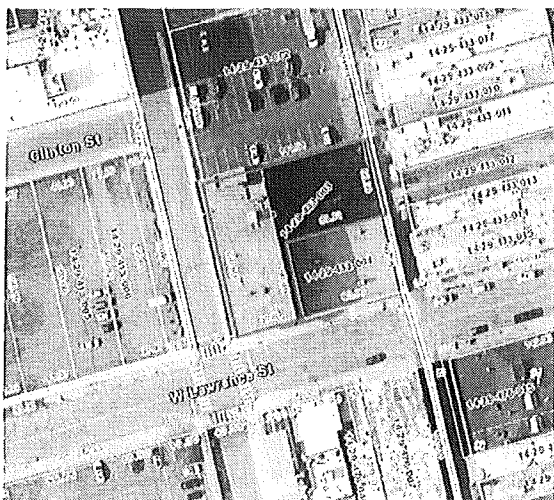
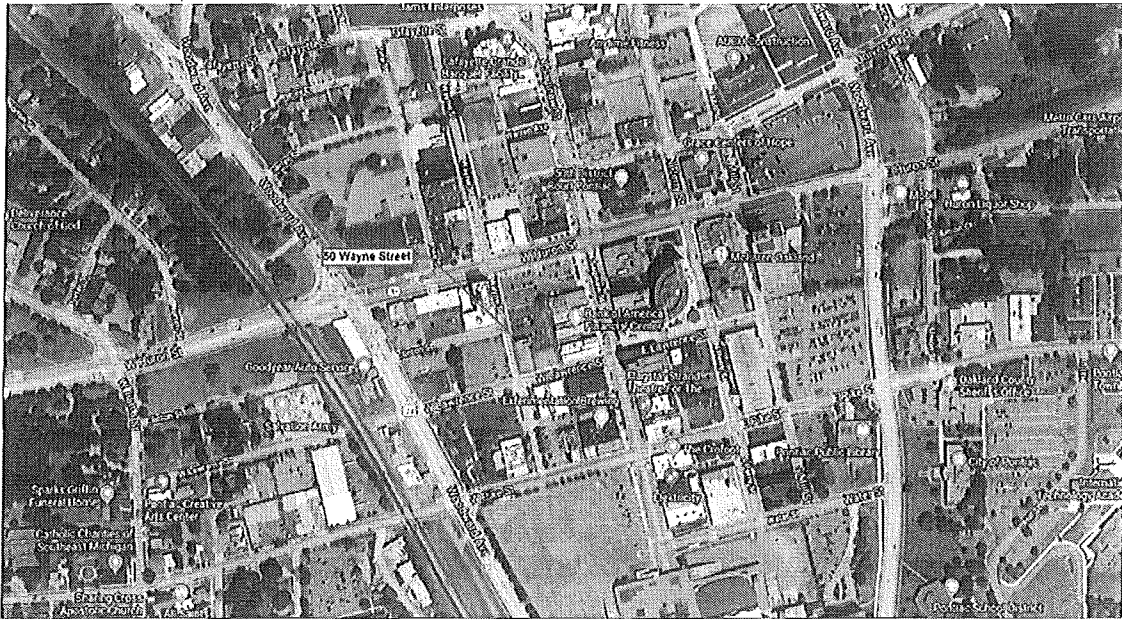
Attachment A: Detailed Project Description

Attachment A

Detailed Project Description

General Description

The proposed Development is located at the intersection of Wayne Street and West Lawrence Street in downtown Pontiac. The property is loosely bounded by West Lawrence Street to the south, Wayne Street to the west, the property line to the north, and the alley between North Saginaw Street and Wayne Street to the east. The property consists of one parcel, which is outlined in the map below.



The property is occupied by a 4-story office building totaling approximately 26,880 square feet including the basement level. The building has been vacant since 2014 and currently remains uninhabitable. The proposed project currently consists of a complete building rehabilitation to create 25 residential apartment units. The Developer intends to make improvements on the west adjoining surface parking lot for resident and tenant parking, however, those parcels are not included within this request.

The associated address and parcel identification number can be found below and a copy of the corresponding legal description can

be found at the end of this attachment.

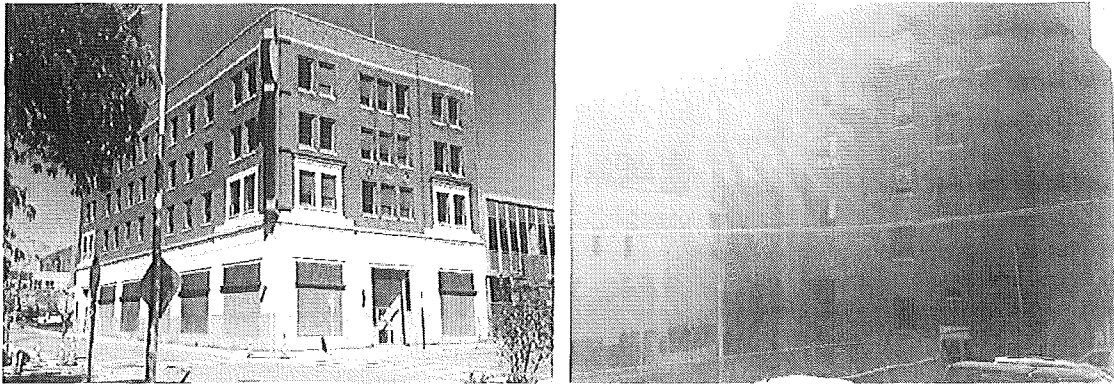
Description of Proposed Use

The proposed redevelopment will create additional housing and increased residential density in the heart of downtown Pontiac that has been behind the curve for investment and redevelopment, and will entail the rehabilitation of the current building into first floor office/retail space with 25 edgy loft-style apartment units on the second through fourth floor. Each unit will include modern, open floor plans with custom cabinetry for cozy living and restored historical features where applicable. The proposed redevelopment will include approximately 5,000 square feet of office space on the first floor.

The developers will seek to install landscape per city requirements for surface lots. The developer will also seek to provide some common gym and laundry amenities within the building.

Nature and Extent of the Rehabilitation

As part of the rehabilitation, the building will receive new utilities including electrical and plumbing, new energy efficient heating, cooling and ventilation systems, new energy efficient windows and doors, construction of balconies or patios for certain units, new kitchen and bathroom cabinetry, appliances, and fixtures, elevator upgrades, a new access stairwell for the upper and lower units, and repairs to the building structure as needed, and may include stabilization efforts, brick repair, and other activities to honor the building's historic appearance. The structure will also be brought up to code per ADA and Fire requirements, which may include an ADA lift and fire suppression/alarm system if deemed required.



Existing building located at 50 Wayne Street



Current interior conditions of 50 Wayne Street

The Development will create residential tenant spaces which are both historic and modern, with abstract expressionism artwork throughout. These developments are necessary components crucial to attracting resident and visitor interest along with investment in this blighted area of Pontiac.

JBD Indian Hill Ventures, LLC intends to apply for a 12-year real property tax abatement under the provisions of an Obsolete Property Rehabilitation Act tax abatement.

Descriptive List of the Fixed Building Equipment/Renovations

Renovations and new fixed building equipment and materials for the project include;

- Masonry; restoration activities associated with the existing building
- Carpentry; including framing, kitchen cabinetry, vanities, trim work
- Thermal and Moisture Protection; roofing system, caulking and sealing, waterproofing
- Doors and Windows; exterior doors, interior doors/frames/hardware
- Fire alarm/suppression system if required per City code. Developers are working with City/Fire Marshal to identify requirements currently.
- Mechanical; plumbing and HVAC
- Electrical; electrical work, security system, and communications
- Finishes; drywall and steel studs/insulation, hard tile, hardwood/LVT flooring, painting
- Specialties; ADA Lift (If required), fire extinguishers, toilet accessories, and stainless steel appliances.

Total construction hard cost investment is estimated at \$3.5 million.

Time Schedule

Construction activities are anticipated to commence in the fall of 2019. Construction completion is anticipated for late in the fourth quarter of 2020.

Statement of Economic Advantages

The proposed Development will bring needed investment into an area of downtown Pontiac characterized by vacant buildings and disinvestment. The Development will increase residential density in the blocks of downtown that are characterized by vacancy and have the perception of being unsafe. Activation of this property will spur further growth and act as a catalyst for future redevelopment of numerous vacant and blighted properties along the West Lawrence, Wayne, and North Saginaw corridors and the surrounding neighborhoods, providing spinoff consumer spending in an area of downtown that is currently trying to reestablish itself.

Upon successful redevelopment, the Development will generate increased income taxes, through the new jobs and residents that the project will create.

On a short-term basis approximately 30-40 construction jobs will be created. The general contractor (GC) has several metro-Detroit based contractors that they have used in the past and that they have requested bids from to ensure Pontiac-based contractors and workers benefit from the redevelopment. The GC has also reached out to Pontiac contractors with to inquire about providing references for other Detroit based trades that could provide services for this development.

On a long-term basis the proposed redevelopment associated with the Development will create approximately 25 FTE jobs one full-time equivalent (FTE) jobs associated with property maintenance and within the office space. The apartments are anticipated to house an estimated 39 residents. Based on the targeted end uses it is anticipated that two-thirds will be new residents to Pontiac. It is anticipated the City of Pontiac will collect income taxes from these residents at a value greater than the value of this tax abatement request.

Additionally, there will be other indirect benefits such as spin off spending in the City that will contribute to the economic benefits produced by this investment. It will further help meet the demand for housing in Pontiac, with a reported 2.6% vacancy rate across metro-Detroit (Crain's, 5/13/17) and a desperate need for investment into the City. Indeed, investments in the community such as this that will have long-term effects and provide sustainable principals will retain and foster local talent that is vital to securing the City's economic future.

Following expiration of the 12 year abatement the building will deliver a significant increase in tax revenue. Over time, the successful redevelopment and cultural growth will have a catalyst effect within this downtown neighborhood.

Legal Description

Parcel Number: 64-14-29-433-003
Address: 50 Wayne Street
Acres: 0.29

Legal Description:
T3N, R10E, SEC 29 ASSESSOR'S PLAT NO. 113 LOT 3

AFFIDAVIT

STATE OF MICHIGAN)
CITY OF PONTIAC)
COUNTY OF OAKLAND)

NOW COME David M. Hieber and Jane Walsh, of Oakland County Equalization, both being first duly sworn, depose and state as follows:

I, David M. Hieber, MMAO (4), am the Assessor for the City of Pontiac, Oakland County, Michigan and make this affidavit in conjunction with an application under the Obsolete Property Rehabilitation Act (OPRA), PA 146 of 2000, as amended, for a commercial building and land improvements located at 50 Wayne Street, City of Pontiac, Oakland County, Michigan. The related parcel identified as follows: Parcel No. 64-14-29-433-003.

I, Jane Walsh MAAO (3), did on March 20, 2019 inspect the above referenced parcel in the City of Pontiac and issue the following opinion:


It is my expert opinion that the commercial office building found on the above referenced property is functionally obsolete as defined in MCL 125.2652 of the Brownfield Redevelopment Financing Act. Based on the functional inutility, which is defined as an impairment of the functional utility of a property or building according to market tastes and standards; equivalent to functional obsolescence because ongoing change makes the plan, form, style, design, layouts, or features obsolete. (Appraisal Institute's Dictionary of Real Estate Appraisal *Fifth Edition*).

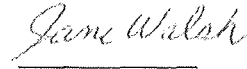
The current building is a four-story, 26,880 square foot office building with basement foundation. The entire building has suffered from extensive deferred maintenance over the last ten years. All interior floors are in extremely poor condition. Prior owner left many areas unfinished and in post-demolition condition. Piles of construction debris including insulation, ceiling tiles, and plaster are left exposed throughout the building. The entire structure will require repair or replacement of interior walls, flooring, ceiling tiles, lighting and windows. All mechanicals, including heating and cooling, fire suppression, elevator and electrical system, require upgrading and/or replacement. Some of the building contains asbestos which will require assessment and removal. The basement foundation has sustained water damage and as a result currently has areas of mold which will require remediation. All parking areas require resurfacing and remarking.

In the opinion of the Assessor, because of the many building deficiencies including overall condition, mechanical systems and parking repair, combined with possible asbestos and mold remediation, the property suffers more than 50% functional obsolescence.

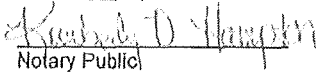
I, David M. Hieber, after inquiry and review of the findings of Jane Walsh, as well as, review of records of the City of Pontiac related to this property find the above property functionally obsolete.

Further deponents sayeth not.


David M. Hieber


Jane Walsh

Subscribed and sworn to before me
This 22nd day of March 2019


Notary Public

Oakland County, Michigan
My Commission Expires: 9-14-25
Acting in the County of Oakland



**Resolution Approving Application for Certificate for JBD Indian Hill Ventures, LLC
For An Obsolete Properties Rehabilitation Act (OPRA) Application**

WHEREAS, pursuant to PA 146 of 2000, as amended, the City of Pontiac is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the City of Pontiac legally established the Obsolete Property Rehabilitation District on December 19, 2002; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 does not exceed 5% of the total taxable value of the City of Pontiac; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on May 21, 2019; and

WHEREAS, the applicant is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant JBD Indian Hill Ventures, LLC has provided answers to all required questions under the application instructions to the City of Pontiac; and

WHEREAS, the City of Pontiac requires that rehabilitation of the facility shall be completed by December 01, 2020; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Pontiac eligible under Public Act 146 of 2000 to establish such a district, and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment in which the facility is situated; and

WHEREAS, the use of this property shall be restricted to non-marihuana related uses during the effective period of the OPRA Certificate. Shall use of the property become marihuana related, the OPRA Certificate shall be immediately revoked by the City; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(1) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pontiac

Be and hereby is granted an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in the Obsolete Property Rehabilitation District at 50 Wayne Street, Pontiac, MI 48342 for 12 years, beginning December 31, 2019, (subject to review of compliance with the jobs requirement found in Section 6.B of the development agreement following the first six years) pursuant to the provisions of PA146 of 2000, as amended.

Tax Parcel Number: 14-29-433-003



City of Pontiac

City Council Memo

Economic Development

To: Honorable Mayor Waterman, Council President and City Council
From: Rachel Loughrin, Director of Economic Development
Through: Office of the Deputy Mayor, Jane Bais-DiSessa
Date: 5-01-19

RE: Application for Brownfield and Obsolete Property Rehabilitation
Certificate Approvals - 50 Wayne Street
Request for public hearing to be for scheduled 5/21/19

Dear Mayor, Council President and City Council Members,

JBD Indian Hill Ventures, LLC has formally requested the approval of a Brownfield and Obsolete Property Rehabilitation Certificate for their Four Million, Three Hundred Thousand Dollar renovation of 50 Wayne Street into a mixed use development. The Brownfield will run for 26 years and the Certificate approval will be granted for a total of 12 years with the option for a claw back of the final six years following the first six, should the developer not meet the conditions for job creation as stated in Section 6.B of the development agreement (attached and further explained below).

The request is that the City Council set a public hearing for May 21, 2019 to vote upon the OPRA Certificate request as well as vote to concur with the two Oakland County resolutions for the Brownfield request.

The parcel is currently zoned C-2 Downtown, the property is commercially developed with a 26,880 square foot vacant office building in an area

characterized by commercial and warehouse uses. The zoning will remain the same and permits the proposed future use. Standard and other historical sources were able to document that the property was developed prior to 1888 with a portion of the current building in the southwestern portion and a stable in the northeastern portion. Several additions were constructed to the original portion of the building between the late 1800s and 1940. Additionally, the former eastern portion of the building was demolished between 1924 and 1940 and the eastern portion was converted to a parking lot. However, a basement under the northeastern portion of the property/parking lot remains. The property was occupied by Pontiac Electric Light and Power Co. and/or Pontiac Lighting Co. from prior to 1888 until between 1915 and 1919, and operations included power generation utilizing four dynamos and two engines. Fuel sources included coal and fuel oil (stored in a former shed located in the northern portion between at least 1909 and 1919), and the dynamos and engines were historically located in the western and central portions of the building. By 1919, power generation operations had ceased on the property and the building was converted to office use. The building was occupied by Consumers Power Company and utilized as an office and sales building from at least 1919 until 1970. The building was utilized as a multi-tenant office space for various non-profit, County, and medical organizations as well as by Michigan Bell Telephone from at least 1975 until 2014. The building has been vacant since 2014.

The project will entail a rehabilitation of the current building. Office/retail space will be provided on the first floor and on the three floors above, 25 loft-style, market rate apartments will be constructed.

The building will be brought up to code and will receive new utilities including electrical and plumbing. A new access stairwell will be installed and the elevator will be upgraded. A new heating and cooling system will also be installed, along with energy efficient windows and doors. All apartment units will receive new kitchen and bathroom cabinetry along with appliances and fixtures.

Exterior improvements will include balconies or patios for some of the units, parking lot improvements to the west adjoining surface lot, and as part of the community benefits section of the development agreement the developer will also fix all broken, uneven or sinking sidewalk that surrounds the building.

Section 6.B of the development agreement requires that the developer create 10 or more full time jobs and report the job creation back to the City at the six year anniversary of the OPRA .

Approximately 30 - 40 temporary construction jobs and approximately 25 full-time equivalent jobs associated with the office space and property maintenance will be created in connection with this development.

Upon completion, the redevelopment of this historic building will bring new activity and life to a vacant corner of our downtown. The addition of 25 new apartments means 25 City of Pontiac residents living in and frequenting the establishments in the downtown.

#16

RESOLUTION



**Resolution Requesting the Oakland County Brownfield Redevelopment Authority to
Review the 50 Wayne Street**

WHEREAS the City of Pontiac has a Brownfield project known as 50 Wayne Street that it would like to have reviewed and processed by the Oakland County Brownfield Redevelopment Authority;

WHEREAS the City of Pontiac has a Brownfield Authority but desires to have the Oakland County Brownfield Redevelopment Authority handle the 50 Wayne Street;

WHEREAS the Oakland County Brownfield Redevelopment Authority was created by Oakland County pursuant to MCL 125.2651 et seq. to assist jurisdictions like the City of Pontiac;

WHEREAS the Oakland County Brownfield Redevelopment Authority is prepared to assist the City of Pontiac by reviewing the proposed 50 Wayne Street, provided that the City of Pontiac acknowledges certain rights that the Oakland County Brownfield Redevelopment Authority has, to wit:

- OCBRA intends to collect an administrative fee of \$2,000.00 per year for the length of the Brownfield plan; and

WHEREAS the City of Pontiac will have the opportunity to provide public comment on any Brownfield plan (including the amount of the administrative fee to be collected) before it is finally adopted by the OCBRA and/or the Oakland County Board of Commissioners;

NOW BE IT THEREFORE RESOLVED that the City of Pontiac requests that the OCBRA undertake review of the 50 Wayne Street.

**OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY**

BROWNFIELD PLAN

**URBANE INDIAN HILLS
LOCATED AT 50 WAYNE STREET
PONTIAC, MICHIGAN**

April 3, 2019

Approved by BRA:

Approved by Board of Commissioners:

Prepared on Behalf of:

JBD Indian Hill Ventures, LLC
300 East Long Lake Road, Suite 280
Bloomfield Hills, MI 48304
Contact Person: Mr. JB Davies
Telephone: (248)515-3947

Prepared By:

PM Environmental, Inc.
4080 West Eleven Mile Road
Berkley, Michigan 48072
Contact Person: Elizabeth Masserang
Telephone: (248) 414-1441



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APPENDICIES

Appendix A	Legal Description
Appendix B	Property Location Boundary
Appendix C	Preliminary Site Plans and Renderings
Appendix D	Documentation of Eligibility

TABLES

Table 1: Estimated Costs of Eligible Activities
Table 2: Tax Increment Revenue Capture Estimates
Table 3: Tax Increment Reimbursement Estimates

PROJECT SUMMARY

Project Name:	Urbane Indian Hill
Project Location:	The property is located at 50 Wayne Street in Township three north (T.3N), Range ten east (R.10E), Section 29, Pontiac, Oakland County Michigan 48342 (the "Property").
Type of Eligible Property:	The property is determined to be "Functionally Obsolete"
Eligible Activities:	Pre-Approved Activities, Demolition, Asbestos Containing Materials (ACM) and Mold Abatement, Infrastructure Improvements, and Preparation of a Brownfield Plan and Act 381 Work Plan.
Developer Reimbursable Costs:	\$386,260 (includes eligible activities and 15% contingency)
Years to Complete Reimbursement:	Approximately 26 Years from start of capture
Estimated Capital Investment:	Approximately \$4.5 million (including Hard and Soft Costs)
Project Overview:	This project includes selective building demolition and complete rehabilitation, including but not limited to new electrical and plumbing, new heating, cooling and ventilation systems, new energy efficient windows and doors, construction of balconies or patios for certain units, kitchen and bathroom cabinetry, appliances and fixtures, elevator upgrades, a new access stairwell for the upper and lower units, and repairs to the building structure as needed. It is estimated that 30-40 construction jobs will be created, and that property maintenance and the the first floor office/retail space will provide an additional 25 jobs. Floors two through four will house 25 loft-style apartment units consisting of micro, studio, and one-bedroom sized spaces. The increase in jobs and addition of residents living within the development will result in an increase of City tax income revenue

I. INTRODUCTION AND PURPOSE

In order to promote the revitalization of environmentally distressed, historic, functionally obsolete and blighted areas within the boundaries of Oakland County ("the County"), the County has established the Oakland County Brownfield Redevelopment Authority (OCBRA) the "Authority" pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended ("Act 381").

The purpose of this Brownfield Plan (the "Plan") is to promote the redevelopment of and investment in the eligible "Brownfield" Property within the City and to facilitate financing of eligible activities at the Brownfield Property. Inclusion of Brownfield Property within any Plan in the City will facilitate financing of eligible activities at eligible properties, and will provide tax incentives to eligible taxpayers willing to invest in revitalization of eligible sites, commonly referred to as "Brownfields." By facilitating redevelopment of the Brownfield Property, this Plan is intended to promote economic growth for the benefit of the residents of the City and all taxing units located within and benefited by the Authority.

The identification or designation of a developer or proposed use for the Brownfield Property that is subject to this Plan shall not be integral to the effectiveness or validity of this Plan. This Plan is intended to apply to the eligible property identified in this Plan and, to identify and authorize the eligible activities to be funded. Any change in the proposed developer or proposed use of the eligible property shall not necessitate an amendment to this Plan, affect the application of this Plan to the eligible property, or impair the rights available to the Authority under this Plan.

This Plan is intended to be a living document, which may be modified or amended in accordance with and as necessary to achieve the purposes of Act 381. The applicable sections of Act 381 are noted throughout the Plan for reference purposes.

This Brownfield Plan contains information required by Section 13(2) of Act 381, as amended.

II. GENERAL PROVISIONS

A. Description of the Eligible Property (Section 13 (2)(h)) and Project

The Eligible Property consists of one (1) legal parcel totaling approximately 0.29 acres with a street address of 50 Wayne Street, Pontiac, Oakland County, Michigan. The parcel and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the "Property."

The Property is located on the West Lawrence Street corridor, bounded by Wayne Street to the west, the property line to the north, the alley between North Saginaw Street and Wayne Street to the east, and West Lawrence Street to the south. Individual parcel information is outlined below.

JBD Indian Hill Ventures, LLC, or any affiliate, or such other developer as approved by the Authority, are collectively the project developer ("Developer").

JBD Indian Hill Ventures, LLC was founded in 2018 and is managed jointly by JB Davies and Fred Blechman. JB Davies has spent his entire career in real estate, beginning as a Tax Specialist in 1983. From his humble beginnings, JB Davies was named in the 1993 "40 Under 40" issue of Crain's Detroit Business and recognized that same year by Detroit Monthly Magazine

among 75 individuals who have or will have an influence on the future of the City of Detroit. His work since 1996 has consisted of acquiring and developing commercial properties. Fred Blechman had a vision in 1974 while working in his father's hardware store. He followed that vision which led to the creation of Management Supply Company (MSC), an apartment supply company he founded in Michigan. After years of success, MSC was sold to a company seeking to create a national distribution network. Entering real estate for himself following the sale of MSC, Fred Blechman began purchasing and redeveloping real estate throughout metro-Detroit. In 2003, Creative Urbane was formed for the purpose of purchasing, renovating, and marketing the properties under the Urbane Apartments brand. They have completed 15 properties to-date and are currently redeveloping a building in midtown-Detroit. The proposed project outlined within this plan is part of continued efforts by JB Davies and Fred Blechman to invest within the City of Pontiac.

The parcel is currently zoned C-2 Downtown, the Property is commercially developed with a 26,880 square foot vacant office building in an area characterized by commercial and warehouse uses. The zoning is anticipated to remain the same and permits the proposed future use.

Standard and other historical sources were able to document that the property was developed prior to 1888 with a portion of the current building in the southwestern portion and a stable in the northeastern portion. Several additions were constructed to the original portion of the building between the late 1800s and 1940. Additionally, the former eastern portion of the building was demolished between 1924 and 1940 and the eastern portion was converted to a parking lot. However, a basement under the northeastern portion of the property/parking lot remains.

The property was occupied by Pontiac Electric Light and Power Co. and/or Pontiac Lighting Co. from prior to 1888 until between 1915 and 1919, and operations included power generation utilizing four dynamos and two engines. Fuel sources included coal and fuel oil (stored in a former shed located in the northern portion between at least 1909 and 1919), and the dynamos and engines were historically located in the western and central portions of the building. By 1919, power generation operations had ceased on the property and the building was converted to office use.

The building was occupied by Consumers Power Company and utilized as an office and sales building from at least 1919 until 1970. The building was utilized as a multi-tenant office space for various non-profit, County, and medical organizations as well as by Michigan Bell Telephone from at least 1975 until 2014. The building has been vacant since 2014.

The Property's legal description is included in Appendix A. Property location maps are included in Appendix B.

The proposed redevelopment includes selective building demolition, keeping as close to the original floor plan as possible, to prepare for new electrical and plumbing, new heating, cooling and ventilation systems, new energy efficient windows and doors, construction of balconies or patios for certain units, kitchen and bathroom cabinetry, appliances and fixtures, elevator upgrades, a new access stairwell for the upper and lower units, and repairs to the building structure as needed. The project is anticipated to bring much-needed residential space to Pontiac's downtown and will serve as a catalyst for further redevelopment of numerous vacant and blighted properties along the West Lawrence Street, Wayne Street, and North Saginaw Street corridors and in surrounding neighborhoods. Additionally, the Developer intends to make improvements on the west adjoining surface parking lot for resident and tenant parking, however, those parcels are not included within this plan.

Demolition activities are anticipated to begin in Fall 2019 with new construction and renovations to take place in 2019 and into 2020. Project completion is anticipated by the end of 2020. The private developer will invest an estimated \$4.5 million in the development and create approximately 30-40 construction jobs and create space for future permanent office and/or retail jobs.

Preliminary site plans and renderings are included in Appendix C.

B. Basis of Eligibility (Section 13 (2)(h) and Section 2(u))

The Property is considered "Eligible Property" as defined by Act 381, Section 2 because: (a) it was previously utilized or is currently utilized for a commercial purpose; and, (b) the parcel comprising the Property has been determined to be a "functionally obsolete" by a Michigan Master Assessing Officer (MMAO) (formerly Level IV) as described below.

The Property was determined to be obsolete due to the following conditions:

- Extensive deferred maintenance
- All interior floors are in extremely poor condition
- Presence and piles of construction debris
- Repair and replacement of interior walls, flooring, ceiling tiles, lighting and windows is necessary
- All mechanical, including heating and cooling, fire suppression, elevator and electrical system, require upgrading and/or replacement
- Basement foundation has sustained water damage

The functional obsolescence determination is provided in Appendix D.

C. Summary of Eligible Activities and Description of Costs (Sec. 13 (2)(a-b))

Tax Increment Financing revenues will be used to reimburse the costs of "eligible activities" (as defined by Section 2 of Act 381) as permitted under the Brownfield Redevelopment Financing Act that include: Pre-Approved Activities, Demolition, Asbestos and Lead Activities, Infrastructure Improvements, and preparation of a Brownfield Plan and Act 381 Work Plan. A complete itemization of these activities and associated expenses is included in Table 1.

The following eligible activities and budgeted costs are intended as part of the development of the property and are to be financed solely by the developer. All activities are intended to be "Eligible Activities" under the Brownfield Redevelopment Financing Act. The Authority is not responsible for any cost of eligible activities and will incur no debt.

1. Pre-Approved Activities include a Phase I Environmental Site Assessment (ESA), Phase II ESA/Baseline Environmental Assessment (BEA)/Documentation of Due Care Compliance (DDCC) as required as part of the pre-purchase due diligence conducted on the property at a total cost of \$11,830.
2. Demolition Activities includes selective demolition within the building and fees related to demolition engineering and design at an estimated of \$152,640.

3. Asbestos and Lead Activities includes asbestos containing materials (ACM) and lead-based paint (LBP) abatement, oversight, air monitoring and associated reporting at an estimated cost of \$133,560.
4. Infrastructure Improvements include side walk improvements and related professional fees at an estimated cost of \$22,000.
5. Preparation and implementation of the Brownfield Plan and Act 381 Work Plan (if necessary) and associated activities (e.g. meetings with BRA, review by City Attorney etc.) at a cost of approximately \$20,000.
6. A 15% contingency of \$46,230 is established to address unanticipated environmental and/or other conditions that may be discovered through the implementation of site activities. This excludes the cost of Baseline Environmental Assessment Activities and preparation of the Brownfield Plan and Act 381 Work Plan.

All activities are intended to be “Eligible Activities” under the Brownfield Redevelopment Financing Act. The total estimated cost of Eligible Activities subject to reimbursement from tax increment revenues is \$340,030 with a potential \$46,230 contingency, resulting in a total cost of \$386,260.

Therefore, the total cost for reimbursement to the applicant is a not-to-exceed amount of \$386,260 (including contingency), unless the Plan is amended and approved by the OCBRA and the Board of Commissioners.

D. Estimate of Captured Taxable Value and Tax Increment Revenues (Sec. 13 (2)(c))

Incremental taxes on real and personal property included in the redevelopment project will be captured under this Plan to reimburse eligible activity expenses. The base taxable value of the Property shall be determined by the use of the 2018 tax year tax value, which is \$143,470. Tax increment revenue capture will begin when tax increment is generated by redevelopment of the Property, which is expected to begin in 2020 or when full redevelopment is completed, whichever occurs first. The estimated taxable value of the completed development is \$553,010. This assumes a two-year phase-in for completion of the redevelopment, which has been incorporated into the tax increment financing assumptions for this Plan. An annual increase in taxable value of 1% has been used for calculation of future tax increments in this Plan. Table 2 details the estimate of captured tax increment revenues for each year of the Plan from the eligible property.

The OCBRA has established a Local Brownfield Revolving Fund (LBRF). Capture for the LBRF is included in this plan for one year following developer reimbursement, currently estimated at \$10,409. The funds deposited into the LBRF as part of this Plan will be used in accordance with the requirements of Act 381, as amended.

Payment of Brownfield Redevelopment Authority Administrative Fees will occur prior to reimbursement of the Developer.

E. Method of Brownfield Plan Financing and Description of Advances by the Municipality (Sec. 13 (2)(d))

Eligible activities will be financed by the Developer. The Developer will be reimbursed for eligible costs as described in Section C and outlined in Table 1. Costs for Eligible Activities funded by

the Developer will be repaid under the Michigan Brownfield Redevelopment Financing Program (Michigan Public Act 381, as amended) with incremental taxes generated by future development of the property. The estimated amount of tax increment revenue capture that will be used to reimburse the State Brownfield Fund, Developer and Brownfield Redevelopment Authority is not to exceed \$473,832. This includes Brownfield Redevelopment Authority Administrative fees.

No advances will be made by the Authority for this project. All reimbursements authorized under this Plan shall be governed by the Reimbursement Agreement.

F. Maximum Amount of Note or Bonded Indebtedness (Sec. 13 (2)(e))

No note or bonded indebtedness will be incurred by any local unit of government for this project.

G. Duration of Brownfield Plan (Sec. 13 (2)(f))

In no event shall the duration of the Plan, exceed 35 years following the date of the resolution approving the Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (5) of Section 13 of Act 381 or 30 years. Further, in no event shall the beginning date of the capture of tax increment revenues be later than five years after the date of the resolution approving the Plan. The Property will become part of this Plan on the date this Plan is approved by the Oakland County Board of Commissioners.

H. Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions (Sec. 13 (2)(g))

Taxes will continue to be generated for taxing jurisdictions on local and school captured millages at the base taxable value of the Ad Valorem parcel throughout the duration of this Plan totaling approximately \$121,248.99

Non-capturable millages; including the zoo authority, art institute, and MESSA judgement will provide new tax revenue of approximately \$2,110 throughout the duration of this Plan following the expiration of the proposed Obsolete Property Rehabilitation Act (OPRA) tax abatement being sought.

See Table 2 for a complete breakdown of available tax increment revenue and Table 3 for the estimated annual reimbursement.

I. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property (Sec. 13 (2)(h))

The legal description of the Property included in this Plan is attached in Appendix A.

Property location maps are included in Appendix B.

Documentation of characteristics that qualify the property as eligible property is provided in Appendix D.

Personal property is included in this plan.

J. Displacement/Relocation of Individuals on Eligible Property (Sec. 13 (2)(i-l))

The property is currently unoccupied. No displacement of residents or families is expected as part of this project.

K. Other Material that the Authority or Governing Body Considers Pertinent (Sec. 13 (2)(m))

The Brownfield Redevelopment Authority and the Board of Commissioners as the Governing Body, in accordance with the Act, may amend this Plan in order to fund additional eligible activities associated with the Project described herein.

Appendix A

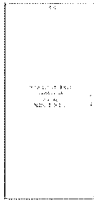


Legal Description: 50 Wayne Street
Parcel Number: 64-14-29-433-003

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO. 113 LOT 3

50 WAYNE ST PONTIAC, MI 48342-2159 (Property Address)

Parcel Number: 64-14-29-433-003



Item 1 of 1

0 Images / 1 Sketch

Property Owner: JBD INDIAN HILL VENTURES**Summary Information**

- > Commercial/Industrial Building Summary
 - Yr Built: 1920
 - # of Buildings: 1
 - Total Sq.Ft.: 26,880
- > Property Tax information found
- > Assessed Value: \$146,060 | Taxable Value: \$140,520
- > 9 Building Department records found

Owner and Taxpayer Information

Owner	JBD INDIAN HILL VENTURES 300 E LONG LAKE RD STE 380 BLOOMFIELD HILLS, MI 48304-2374	Taxpayer	SEE OWNER INFORMATION
--------------	---	-----------------	-----------------------

General Information for Tax Year 2017

Property Class	201 Bus Imp	Unit	64 City of Pontiac
School District	210 Pontiac City Schools	Assessed Value	\$146,060
ITOnly	POST	Taxable Value	\$140,520
PPBusCode	0	State Equalized Value	\$146,060
User Alpha 1	Not Available	Date of Last Name Change	03/05/2018
User Alpha 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
User Alpha 2	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information**Homestead Date** No Data to Display

Principal Residence Exemption	June 1st	Final
2018	0.0000 %	-
2017	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2016	\$139,270	\$139,270	\$139,270
2015	\$134,650	\$134,650	\$133,430
2014	\$131,330	\$131,330	\$131,330

Land Information

Zoning Code	BV	Total Acres	0.294
Land Value	\$27,540	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	E.C.F. Table COF office 100 parcels	Mortgage Code	01129
Lot Dimensions/Comments	Not Available	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	90.72 ft	141.23 ft
Total Frontage: 90.72 ft		Average Depth: 141.23 ft

Legal Description

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO. 113 LOT 3

Land Division Act Information

Date of Last Split/Combine	<i>No Data to Display</i>	Number of Splits Left	0
Date Form Filed	<i>No Data to Display</i>	Unallocated Div.s of Parent	0
Date Created	<i>No Data to Display</i>	Unallocated Div.s Transferred	0
Acreage of Parent	0.00	Rights Were Transferred	<i>Not Available</i>
Split Number	0	Courtesy Split	<i>Not Available</i>
Parent Parcel	<i>No Data to Display</i>		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
02/27/2015	\$1.00	WD	RE FUND UNITED	SCHAFFER DEVELOPMENT	2-\$1orNoConsideratn	47960:042
10/30/2012	\$210,000.00	D	UNITED WAY FOR SOUTHEASTERN MI	RE FUND UNITED	1-ValidSale	44969:631

Building Information - 26880.00 sq ft Office Buildings (Commercial)

Floor Area	26,880 sq ft	Estimated TCV	<i>Not Available</i>
Occupancy	Office Buildings	Class	C
Stories Above Ground	4	Average Story Height	12 ft
Basement Wall Height	0 ft	Identical Units	<i>Not Available</i>
Year Built	1920	Year Remodeled	<i>Not Available</i>
Percent Complete	100%	Heat	No Heating or Cooling
Physical Percent Good	40%	Functional Percent Good	50%
Economic Percent Good	100%	Effective Age	50 yrs

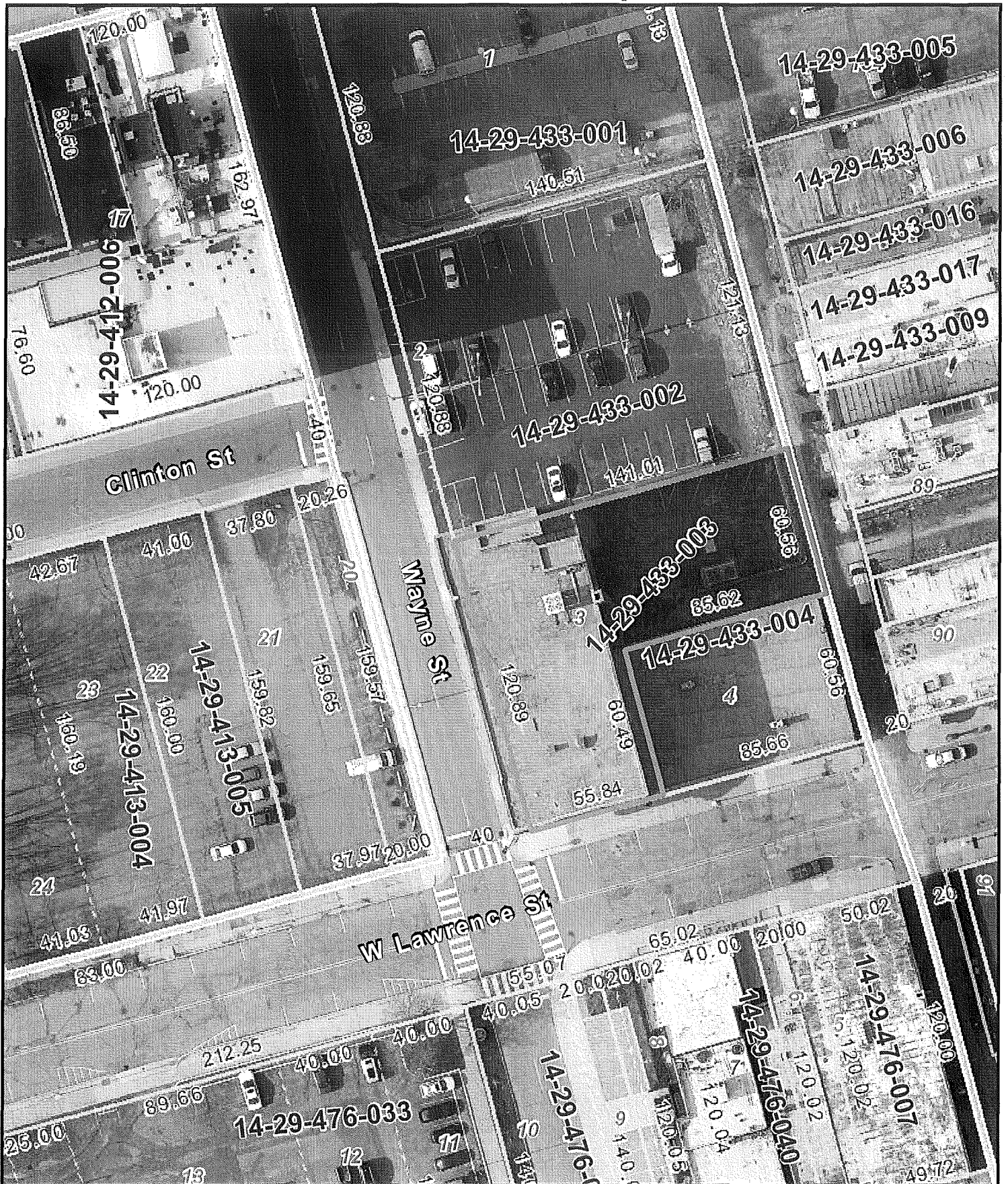
****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

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Appendix B



Assessors Map



2 Foot Contours
 5 Foot Contours
 FEMA Base Flood Elevations
 FEMA Cross Sections

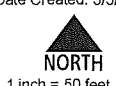
100 yr - FEMA Floodplain
 100 yr (detailed) - FEMA Floodplain
 500 yr - FEMA Floodplain
 FLOODWAY - FEMA Floodplain

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.



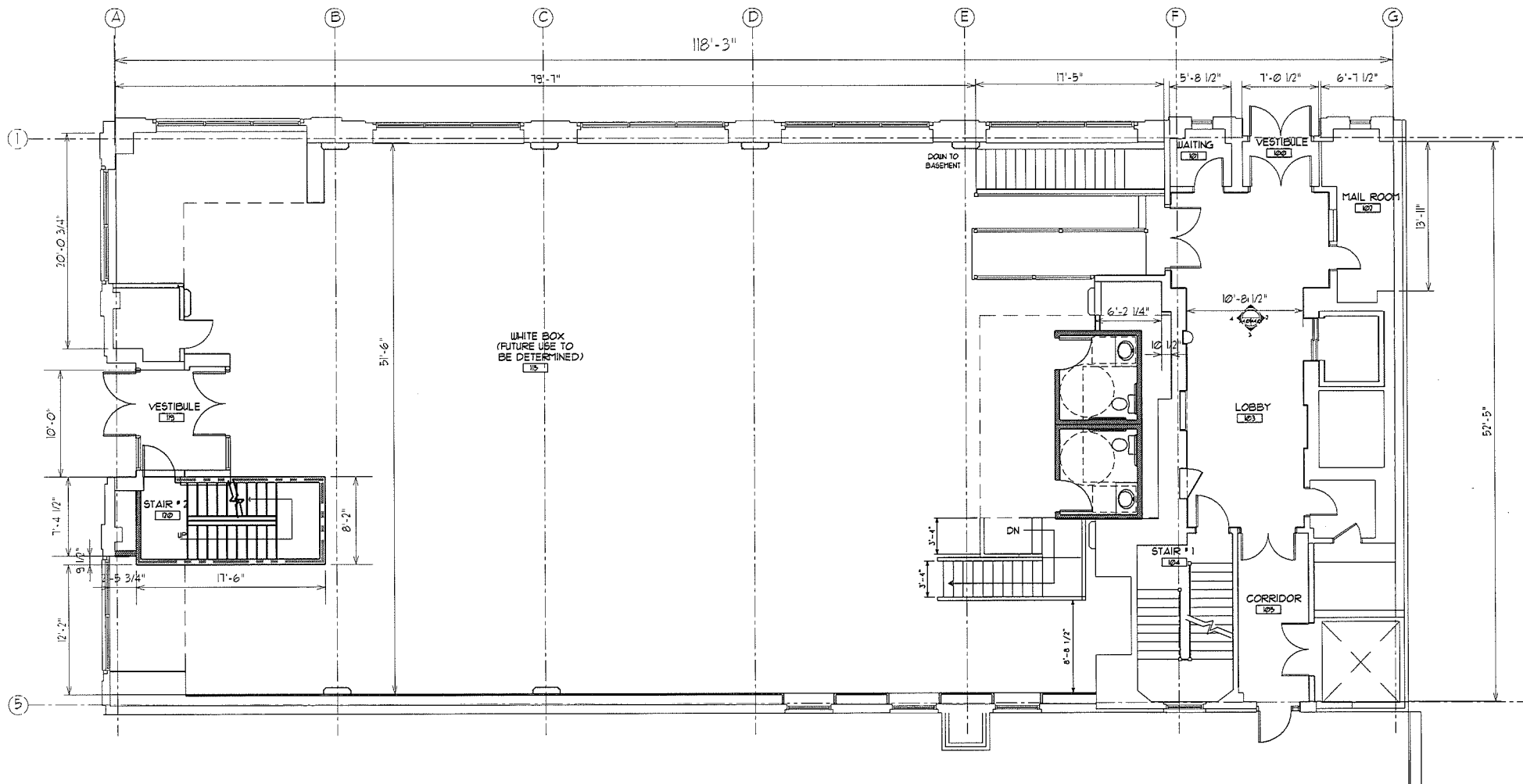
L. Brooks Patterson
 Oakland County Executive

Date Created: 3/5/2018



Appendix C






ARCHITECTS
PLANNERS
 INTERIOR DESIGN
SCOTT MONCHNIK
& ASSOCIATES, INC.

1700 STUTZ DRIVE
 SUITE 104-B
 TROY, MICHIGAN 48064
 TEL: 248-654-1010
 FAX: 248-654-3002
 SCOTT@SMAARCH.COM



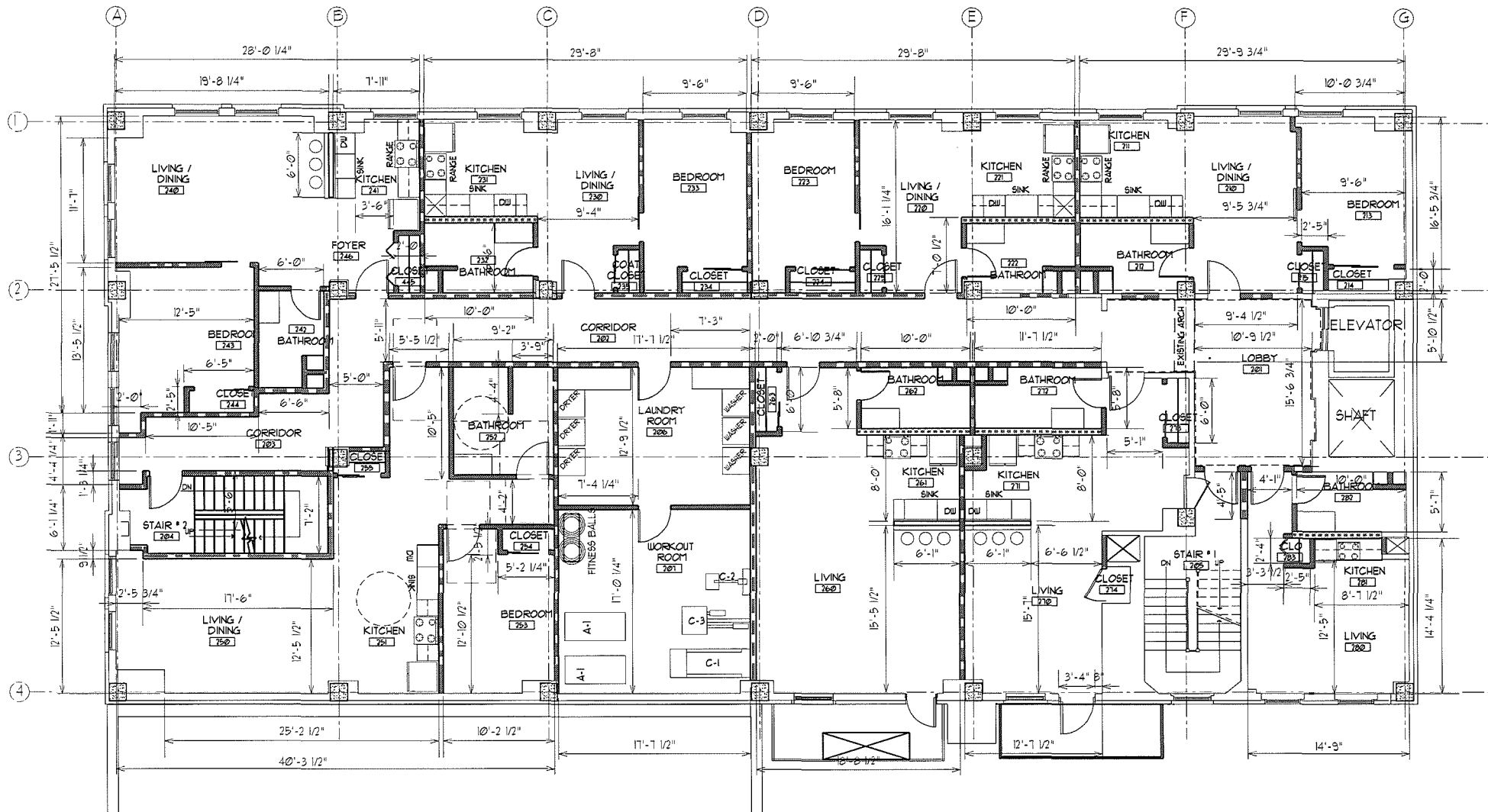
FIRST FLOOR PLAN

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 13

PONTIAC, MICHIGAN



ARCHITECTS
PLANNERS
INTERIOR DESIGN
**SCOTT MONCHNIK
& ASSOCIATES, INC.**

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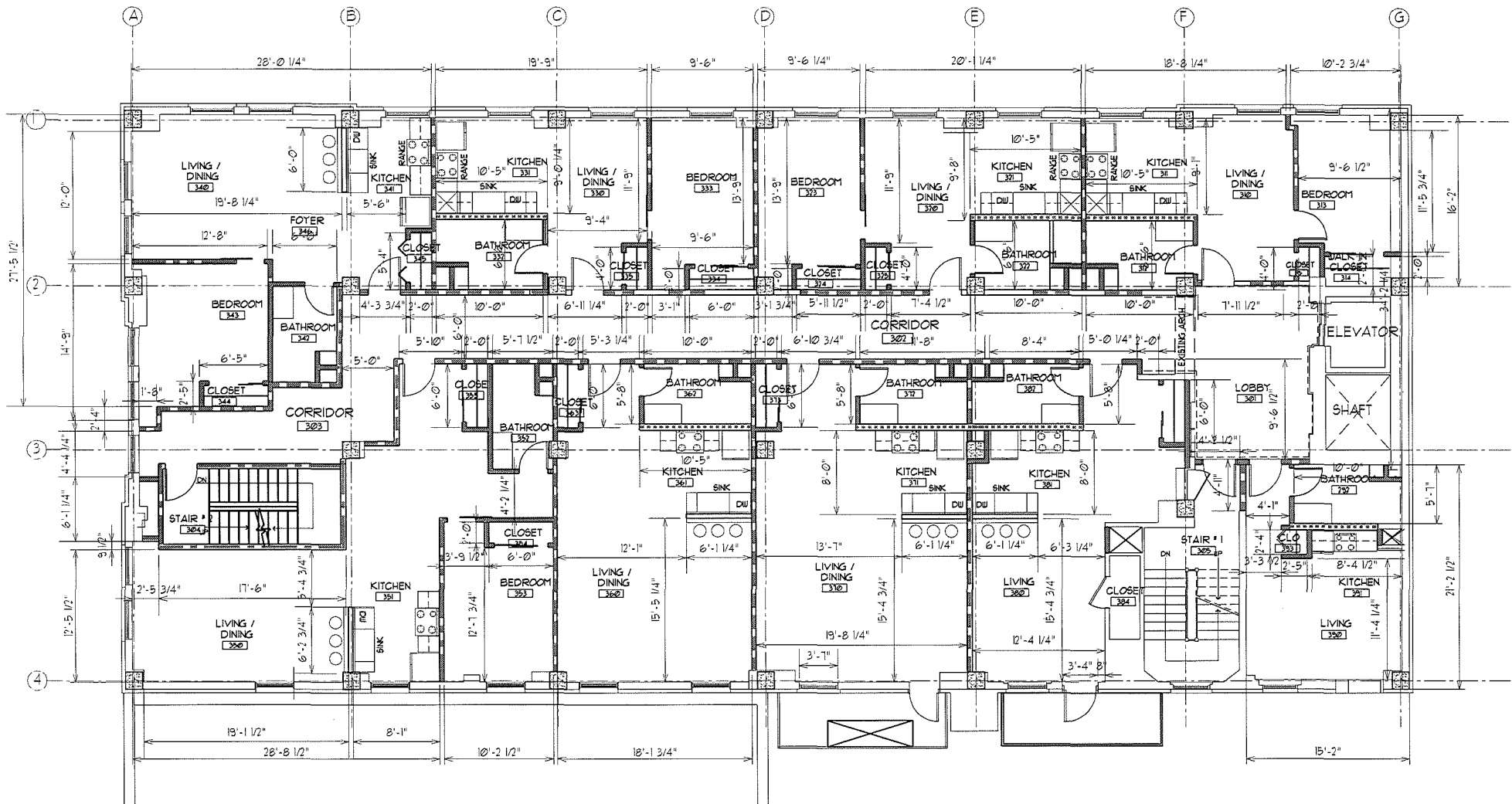
SECOND FLOOR PLAN


NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

PONTIAC, MICHIGAN




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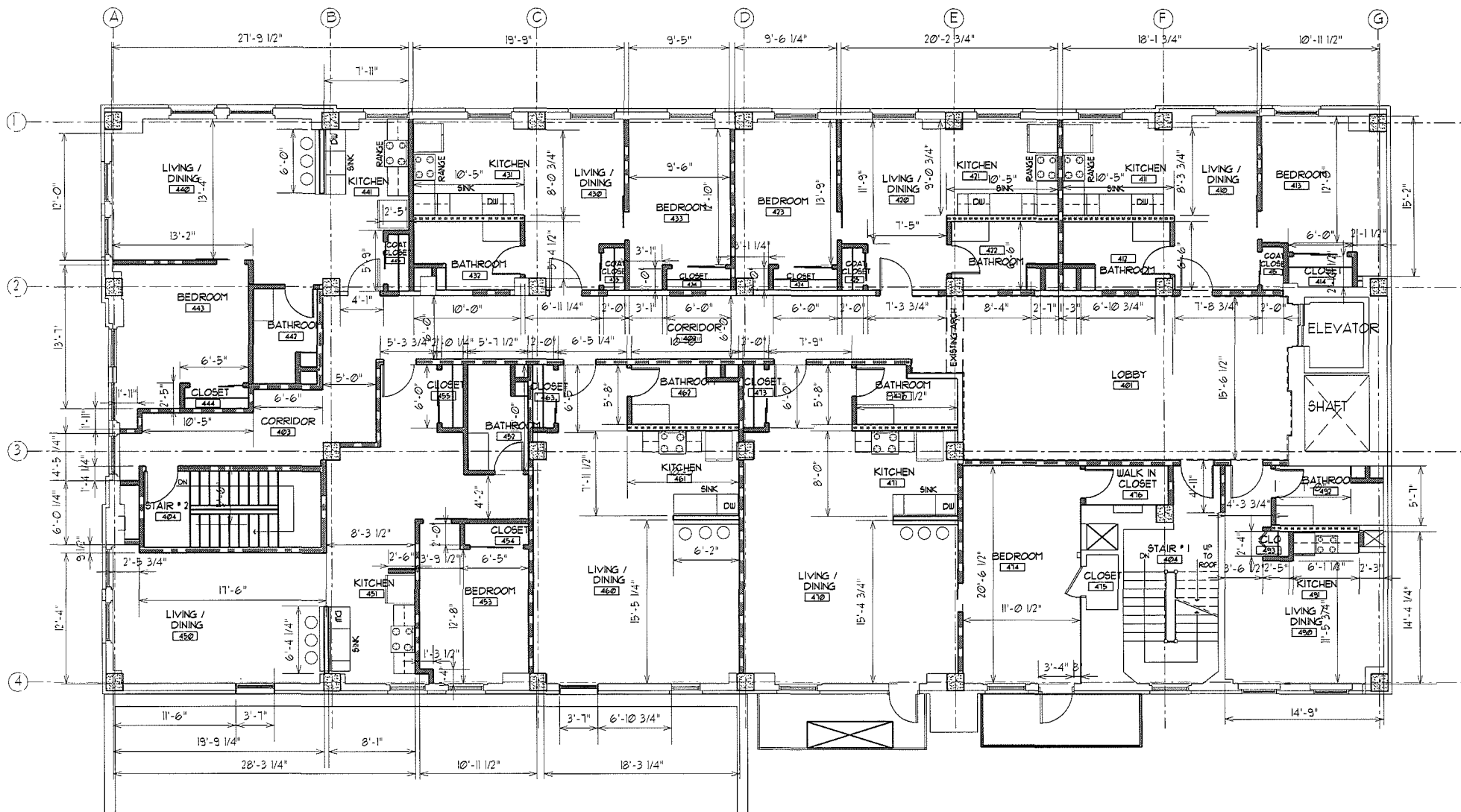
THIRD FLOOR PLAN

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

PONTIAC, MICHIGAN



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INTERIOR DESIGN

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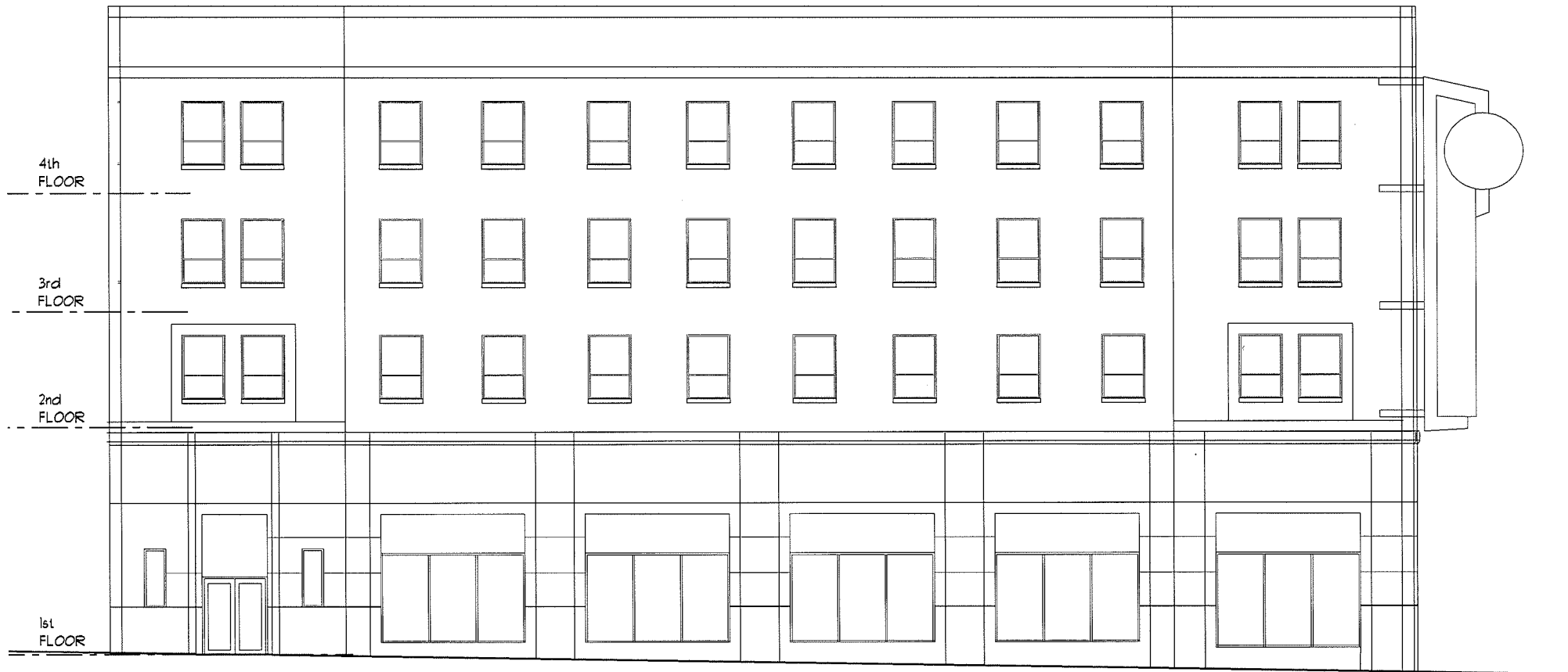
FOURTH FLOOR PLAN

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

PONTIAC, MICHIGAN



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INTERIOR DESIGN

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& ASSOCIATES, INC.

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SCOTT@SMAARCH.COM

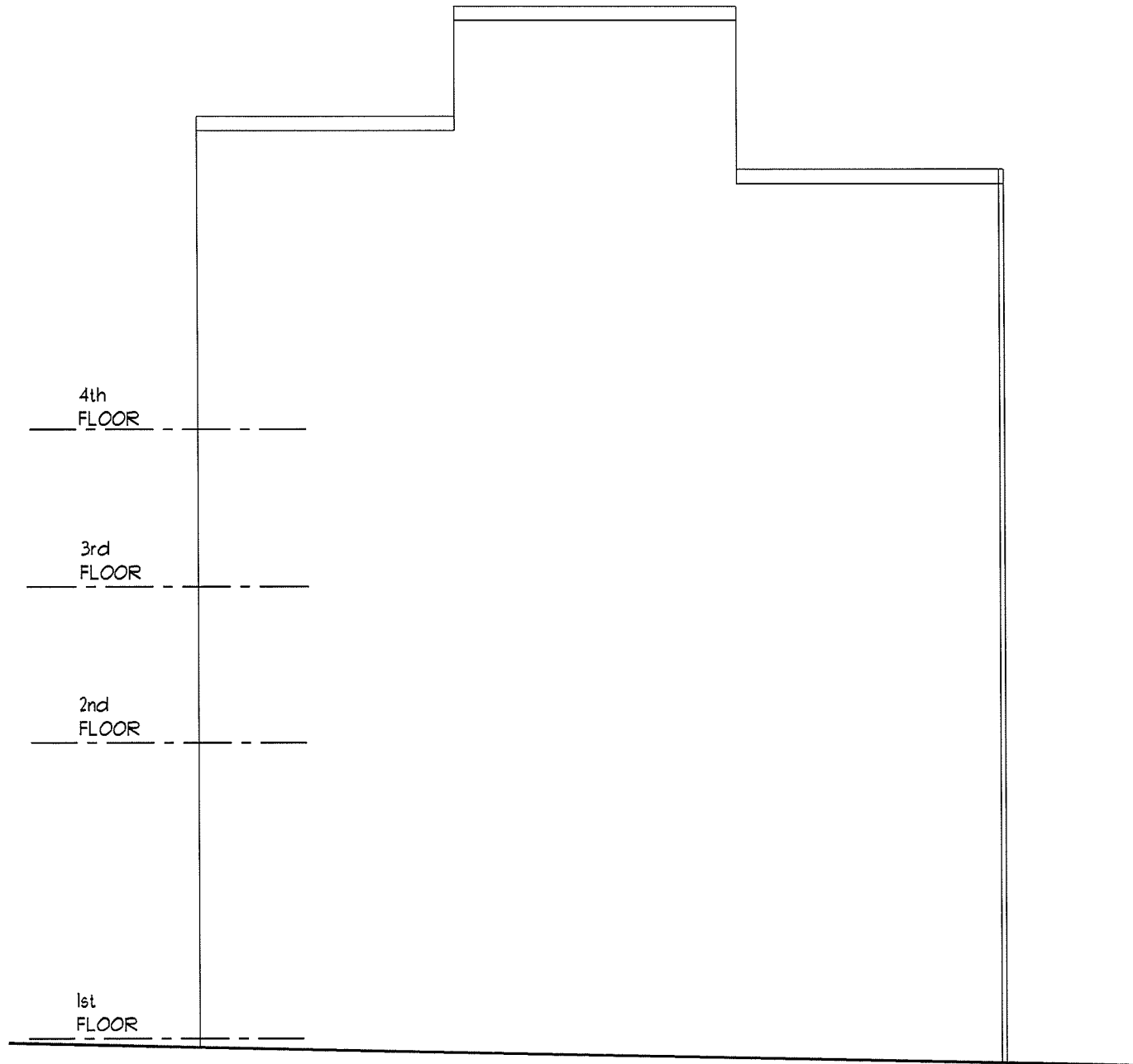
FRONT (WEST) ELEVATION

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

PONTIAC, MICHIGAN



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& ASSOCIATES, INC.

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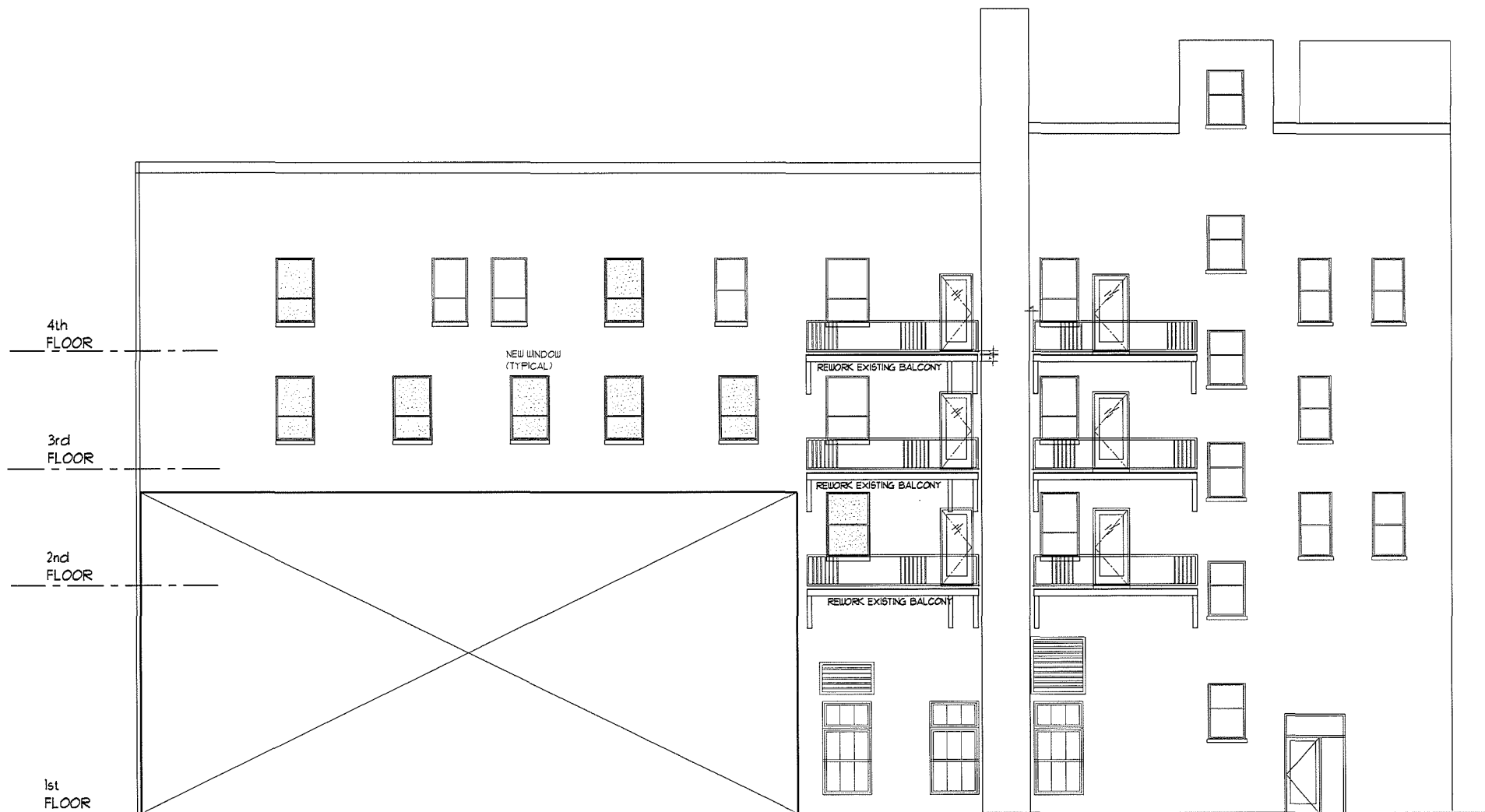
LEFT SIDE (NORTH) ELEVATION

NO SCALE

50 WAYNE ROAD

PONTIAC, MICHIGAN

17080 15 MARCH 19



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INTERIOR DESIGN
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SCOTT@SMAARCH.COM

REAR (EAST) ELEVATION

NO SCALE

50 WAYNE ROAD

PONTIAC, MICHIGAN



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FAX: 248-654-3002
SCOTT@SMAARCH.COM

RIGHT SIDE (SOUTH) ELEVATION

17080 15 MARCH 19

NO SCALE

50 WAYNE ROAD

PONTIAC, MICHIGAN

Appendix D



AFFIDAVIT

STATE OF MICHIGAN)
CITY OF PONTIAC)
COUNTY OF OAKLAND)

NOW COME David M. Hieber and Jane Walsh, of Oakland County Equalization, both being first duly sworn, depose and state as follows:

I, David M. Hieber, MMAO (4), am the Assessor for the City of Pontiac, Oakland County, Michigan and make this affidavit in conjunction with an application under the Obsolete Property Rehabilitation Act (OPRA), PA 146 of 2000, as amended, for a commercial building and land improvements located at 50 Wayne Street, City of Pontiac, Oakland County, Michigan. The related parcel identified as follows: Parcel No. 64-14-29-433-003.

I, Jane Walsh MAAO (3), did on March 20, 2019 inspect the above referenced parcel in the City of Pontiac and issue the following opinion:


It is my expert opinion that the commercial office building found on the above referenced property is functionally obsolete as defined in MCL 125.2652 of the Brownfield Redevelopment Financing Act. Based on the functional inutility, which is defined as an impairment of the functional utility of a property or building according to market tastes and standards; equivalent to functional obsolescence because ongoing change makes the plan, form, style, design, layouts, or features obsolete. (Appraisal Institute's Dictionary of Real Estate Appraisal *Fifth Edition*).

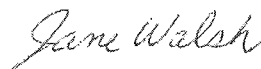
The current building is a four-story, 26,880 square foot office building with basement foundation. The entire building has suffered from extensive deferred maintenance over the last ten years. All interior floors are in extremely poor condition. Prior owner left many areas unfinished and in post-demolition condition. Piles of construction debris including insulation, ceiling tiles, and plaster are left exposed throughout the building. The entire structure will require repair or replacement of interior walls, flooring, ceiling tiles, lighting and windows. All mechanicals, including heating and cooling, fire suppression, elevator and electrical system, require upgrading and/or replacement. Some of the building contains asbestos which will require assessment and removal. The basement foundation has sustained water damage and as a result currently has areas of mold which will require remediation. All parking areas require resurfacing and remarking.

In the opinion of the Assessor, because of the many building deficiencies including overall condition, mechanical systems and parking repair, combined with possible asbestos and mold remediation, the property suffers more than 50% functional obsolescence.

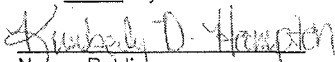
I, David M. Hieber, after inquiry and review of the findings of Jane Walsh, as well as, review of records of the City of Pontiac related to this property find the above property functionally obsolete.

Further deponents sayeth not.


David M. Hieber


Jane Walsh

Subscribed and sworn to before me
This 22nd day of March 2019


Notary Public

Oakland County, Michigan
My Commission Expires: 9-14-25
Acting in the County of Oakland

Tables

Table 1: Eligible Activities Cost Estimates			
Item/Activity	Total Request	MSF Act 381 Eligible Activities	MDEQ Act 381 Eligible Activities
Pre-Approved Activities			
Phase I ESA	\$ 4,000		\$ 4,000
Phase II ESA/BEA/DDCC	\$ 7,830		\$ 7,830
Pre-Approved Activities Sub-Total	\$ 11,830	\$ -	\$ 11,830
Demolition			
Building Demolition Activities	\$ 144,000	\$ 144,000	
Related Professional Fees	\$ 8,640	\$ 8,640	
Demolition Sub-Total	\$ 152,640	\$ 152,640	\$ -
Asbestos, Lead, and/or Mold Abatement			
Asbestos and Mold Abatement	\$ 126,000	\$ 126,000	
Related Professional Fees	\$ 7,560	\$ 7,560	
Asbestos and Lead Activities Sub-Total	\$ 133,560	\$ 133,560	\$ -
Infrastructure Improvements			
Side Walk Improvements	\$ 21,000	\$ 21,000	
Related Professional Fees	\$ 1,000	\$ 1,000	
Infrastructure Sub-Total	\$ 22,000	\$ 22,000	\$ -
Preparation of Brownfield Plan and Act 381 Workplan			
Brownfield Plan/381 Work Plan	\$ 15,000	\$ 15,000	
Brownfield Plan /381 Work Plan Implementation	\$ 5,000	\$ 5,000	
Brownfield Plan and Act 381 Workplan Sub-Total	\$ 20,000	\$ 20,000	\$ -
Eligible Activities Sub-Total	\$ 340,030	\$ 328,200	\$ 11,830
15% Contingency*	\$ 46,230	\$ 46,230	\$ -
Developer Eligible Reimbursement Total	\$ 386,260	\$ 374,430	\$ 11,830
TIF Capture for Local Brownfield Revolving Fund	\$ 10,409	\$ -	\$ -
Administrative Fee	\$ 52,000	\$ -	\$ -
State Brownfield Fund	\$ 25,163	\$ -	\$ -
Total	\$ 473,832	\$ 374,430	\$ 11,830

*15% Contingency excludes preparation of Brownfield Plan/381 Work Plan and Pre-Approved Activities

Tax Increment Revenue Capture Estimates - Table 2
50 Wayne Street, Pontiac;
Oakland County, Michigan
April 9, 2019

Estimated Taxable Value (TV) Increase Rate: 1% per year																		
Calendar Year	Plan Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
		2018	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Ad Valorem Parcel Base Value		\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470
Ad Valorem		\$ -	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470
OPRA Frozen (all millages)			\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630
OPRA Rehab (school millages only)				\$ 411,380	\$ 415,494	\$ 419,649	\$ 423,845	\$ 428,084	\$ 432,365	\$ 436,688	\$ 441,055	\$ 445,466	\$ 449,920	\$ 454,419				
Brownfield																		
Ad Valorem Increment Growth															\$ 473,155	\$ 479,321	\$ 485,549	\$ 491,839
OPRA Frozen Incremental Growth (All Millages)			\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630			
OPRA Rehab Incremental Growth (School Millage Only)				\$ 411,380	\$ 415,494	\$ 419,649	\$ 423,845	\$ 428,084	\$ 432,365	\$ 436,688	\$ 441,055	\$ 445,466	\$ 449,920	\$ 454,419				
School Capture																		
State Education Tax (SET)	Millage Rate	6.0000	\$ 850	\$ 3,318	\$ 3,343	\$ 3,368	\$ 3,393	\$ 3,418	\$ 3,444	\$ 3,470	\$ 3,496	\$ 3,523	\$ 3,549	\$ 3,576	\$ 2,839	\$ 2,876	\$ 2,913	\$ 2,951
School Operating Tax	18.0000		\$ 2,549	\$ 9,954	\$ 10,028	\$ 10,103	\$ 10,179	\$ 10,255	\$ 10,332	\$ 10,410	\$ 10,488	\$ 10,568	\$ 10,648	\$ 10,729	\$ 8,517	\$ 8,628	\$ 8,740	\$ 8,853
School Total	24.0000		\$ 3,399	\$ 13,272	\$ 13,371	\$ 13,471	\$ 13,571	\$ 13,673	\$ 13,776	\$ 13,880	\$ 13,984	\$ 14,090	\$ 14,197	\$ 14,305	\$ 11,356	\$ 11,504	\$ 11,653	\$ 11,804
Local Capture																		
County Operating	4.0400		\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 1,912	\$ 1,936	\$ 1,962	\$ 1,987
OIS Allocated	0.1950		\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 92	\$ 93	\$ 95	\$ 96
OIS Voted	3.0863		\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 1,460	\$ 1,479	\$ 1,499	\$ 1,518
OCC Voted	1.5431		\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 730	\$ 740	\$ 749	\$ 759
City Operating	11.2691		\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 5,332	\$ 5,402	\$ 5,472	\$ 5,543
Cup Imp	1.4085		\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 666	\$ 675	\$ 684	\$ 693
Sanitation	2.8171		\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 1,333	\$ 1,350	\$ 1,368	\$ 1,386
Library	0.9996		\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 473	\$ 479	\$ 485	\$ 492
Seniors Services	0.4998		\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 236	\$ 240	\$ 243	\$ 246
County Pk & Rec	0.2349		\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 111	\$ 113	\$ 114	\$ 116
HCMA	0.2129		\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 101	\$ 102	\$ 103	\$ 105
Sinking Fund	2.8700		\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 1,358	\$ 1,376	\$ 1,394	\$ 1,412
OCPTA	1.0000		\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 473	\$ 479	\$ 486	\$ 492
Youth Center	1.4994		\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 709	\$ 719	\$ 728	\$ 737
Local Total	31.6757		\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 14,988	\$ 15,183	\$ 15,380	\$ 15,579
Non-Capturable Millages																		
Zoo Authority (County)	0.0982		\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 46	\$ 47	\$ 48	\$ 48
Art Institute (County)	0.1945		\$ 26	\$ 26	\$ 26	\$ 26	\$ 26	\$ 26	\$ 26	\$ 26	\$ 26	\$ 26	\$ 26	\$ 26	\$ 92	\$ 94	\$ 94	\$ 96
MESSA Judgment*	0.4000		\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ -	\$ -	\$ -	\$ -
Total Non-Capturable Taxes	0.6927		\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 98	\$ 138	\$ 140	\$ 142	\$ 144
Total Capturable Millages	55.6757																	
Total Tax Increment Revenue (TIR) Available for Capture		\$	7,885	\$ 17,758	\$ 17,857	\$ 17,957	\$ 18,058	\$ 18,159	\$ 18,262	\$ 18,366	\$ 18,471	\$ 18,577	\$ 18,683	\$ 18,791	\$ 26,343	\$ 26,687	\$ 27,033	\$ 27,383
															OPRA Expiration			

Tax Increment Revenue Capture Estimates - Table 2
50 Wayne Street, Pontiac;
Oakland County, Michigan
April 9, 2019

Estimated Taxable Value (TV) Increase Rate:													TOTAL
Plan Year	17	18	19	20	21	22	23	24	25	26			
Calendar Year	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045			
Ad Valorem Parcel Base Value	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470		
Ad Valorem	\$ 641,662	\$ 648,079	\$ 654,559	\$ 661,105	\$ 667,716	\$ 674,393	\$ 681,137	\$ 687,949	\$ 694,828	\$ 701,776			
OPRA Frozen (all millages)													
OPRA Rehab (school millages only)													
Brownfield													
Ad Valorem Increment Growth	\$ 498,192	\$ 504,609	\$ 511,089	\$ 517,635	\$ 524,246	\$ 530,923	\$ 537,667	\$ 544,479	\$ 551,358	\$ 558,306			
OPRA Frozen Incremental Growth (All Millages)													
OPRA Rehab Incremental Growth (School Millage Only)													
School Capture													
Millage Rate	6.0000												
State Education Tax (SET)	\$ 2,124	\$ 4,026	\$ 5,187	\$ 6,116	\$ 6,141	\$ 6,166	\$ 6,220	\$ 6,267	\$ 6,308	\$ 6,350	\$ 6,350	\$ 81,958	
School Operating Tax	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 245,911	
School Total	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 327,991	
Local Capture													
Millage Rate	4.0400												
County Operating	\$ 2,013	\$ 2,039	\$ 2,065	\$ 2,091	\$ 2,118	\$ 2,145	\$ 2,172	\$ 2,200	\$ 2,227	\$ 2,256	\$ 2,256	\$ 35,988	
OIS Allocated	\$ 0.1950	\$ 97	\$ 98	\$ 100	\$ 101	\$ 102	\$ 104	\$ 105	\$ 106	\$ 108	\$ 109	\$ 1,737	
OIS Voted	\$ 3.0863	\$ 1,538	\$ 1,557	\$ 1,577	\$ 1,598	\$ 1,618	\$ 1,639	\$ 1,659	\$ 1,680	\$ 1,702	\$ 1,723	\$ 27,493	
OCC Voted	\$ 1.5431	\$ 769	\$ 779	\$ 789	\$ 799	\$ 809	\$ 819	\$ 830	\$ 840	\$ 851	\$ 862	\$ 13,746	
City Operating	\$ 11.2691	\$ 5,614	\$ 5,686	\$ 5,760	\$ 5,833	\$ 5,908	\$ 5,983	\$ 6,059	\$ 6,136	\$ 6,213	\$ 6,292	\$ 100,384	
Cap Imp	\$ 1.4085	\$ 702	\$ 711	\$ 720	\$ 729	\$ 738	\$ 748	\$ 757	\$ 767	\$ 777	\$ 786	\$ 12,547	
Sanitation	\$ 2.8171	\$ 1,403	\$ 1,422	\$ 1,440	\$ 1,458	\$ 1,477	\$ 1,496	\$ 1,515	\$ 1,534	\$ 1,553	\$ 1,573	\$ 25,095	
Library	\$ 0.9996	\$ 498	\$ 504	\$ 511	\$ 517	\$ 524	\$ 531	\$ 537	\$ 544	\$ 551	\$ 558	\$ 8,904	
Seniors Services	\$ 0.4998	\$ 249	\$ 252	\$ 255	\$ 259	\$ 262	\$ 265	\$ 269	\$ 272	\$ 276	\$ 279	\$ 4,452	
County Pk & Rec	\$ 0.2349	\$ 117	\$ 119	\$ 120	\$ 122	\$ 123	\$ 125	\$ 126	\$ 128	\$ 130	\$ 131	\$ 2,092	
HCMA	\$ 0.2129	\$ 106	\$ 107	\$ 109	\$ 110	\$ 112	\$ 113	\$ 114	\$ 116	\$ 117	\$ 119	\$ 1,896	
Sinking Fund	\$ 2.8700	\$ 1,430	\$ 1,448	\$ 1,467	\$ 1,486	\$ 1,505	\$ 1,524	\$ 1,543	\$ 1,563	\$ 1,582	\$ 1,602	\$ 25,566	
OCPTA	\$ 1.0000	\$ 498	\$ 505	\$ 511	\$ 518	\$ 524	\$ 531	\$ 538	\$ 544	\$ 551	\$ 558	\$ 8,908	
Youth Center	\$ 1.4994	\$ 747	\$ 757	\$ 766	\$ 776	\$ 786	\$ 796	\$ 806	\$ 816	\$ 827	\$ 837	\$ 13,357	
Local Total	\$ 31.6757	\$ 15,781	\$ 15,984	\$ 16,189	\$ 16,396	\$ 16,606	\$ 16,817	\$ 17,031	\$ 17,247	\$ 17,465	\$ 17,685	\$ 282,165	
Non-Capturable Millages													
Millage Rate	0.0982												
Zoo Authority (County)	\$ 0.0982	\$ 49	\$ 50	\$ 50	\$ 51	\$ 51	\$ 52	\$ 53	\$ 53	\$ 54	\$ 55	\$ 706	
Art Institute (County)	\$ 0.1945	\$ 97	\$ 98	\$ 99	\$ 101	\$ 102	\$ 103	\$ 105	\$ 106	\$ 107	\$ 109	\$ 1,402	
MESSA Judgment*	\$ 0.4000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Non-Capturable Taxes	\$ 0.6927	\$ 146	\$ 148	\$ 150	\$ 152	\$ 153	\$ 155	\$ 157	\$ 159	\$ 161	\$ 163	\$ 2,110	
Total Capturable Millages	\$ 55.6757												
Total Tax Increment Revenue (TIR) Available for Capture	\$ 27,737	\$ 28,094	\$ 28,455	\$ 28,820	\$ 29,188	\$ 29,560	\$ 29,935	\$ 30,314	\$ 30,697	\$ 31,084	\$ -		

Tax Increment Revenue Capture Estimates - Table 3
50 Wayne Street, Pontiac;
Oakland County, Michigan
April 9, 2019

Developer Maximum Reimbursement	Total Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	43.11%	\$ 166,504	\$ -	\$ 166,504
Local	56.89%	\$ 219,756	\$ -	\$ 219,756
TOTAL				
MDEQ	3.06%	\$ 11,830	\$ -	\$ 11,830
MSF	96.94%	\$ 374,430	\$ -	\$ 374,430

Estimated Total Years of Plan: 26

Estimated Capture	
Administrative Fees	\$ 52,000
State Revolving Fund	\$ 25,163
LBRF	\$ 10,409

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Total State Incremental Revenue	\$ 3,399	\$ 13,272	\$ 13,371	\$ 13,471	\$ 13,571	\$ 13,673	\$ 13,776	\$ 13,880	\$ 13,984	\$ 14,090	\$ 14,197	\$ 14,305	\$ 11,356	\$ 11,504	\$ 11,653
State Brownfield Revolving Fund (50% of SET)	\$ 425	\$ 1,659	\$ 1,671	\$ 1,684	\$ 1,696	\$ 1,709	\$ 1,722	\$ 1,735	\$ 1,748	\$ 1,761	\$ 1,775	\$ 1,788	\$ 1,419	\$ 1,438	\$ 1,457
State TIR Available for Reimbursement	\$ 2,974	\$ 11,613	\$ 11,700	\$ 11,787	\$ 11,875	\$ 11,964	\$ 12,054	\$ 12,145	\$ 12,236	\$ 12,329	\$ 12,423	\$ 12,517	\$ 9,936	\$ 10,066	\$ 10,197
Total Local Incremental Revenue	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 14,988	\$ 15,183	\$ 15,380
BRA Administrative Fee (\$2,000/year)	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Local TIR Available for Reimbursement	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 12,988	\$ 13,183	\$ 13,380
Total State & Local TIR Available	\$ 5,460	\$ 14,099	\$ 14,186	\$ 14,273	\$ 14,361	\$ 14,450	\$ 14,540	\$ 14,631	\$ 14,723	\$ 14,815	\$ 14,909	\$ 15,003	\$ 22,924	\$ 23,249	\$ 23,577
DEVELOPER	Beginning Balance														
DEVELOPER Reimbursement Balance	\$ 386,260	\$ 380,800	\$ 366,700	\$ 352,514	\$ 338,241	\$ 323,880	\$ 309,430	\$ 294,890	\$ 280,259	\$ 265,536	\$ 250,721	\$ 235,812	\$ 220,809	\$ 197,885	\$ 151,060
OPRA Abatement															
MSF Non-Environmental Costs	\$ 374,430														
State Tax Reimbursement	\$ 2,883	\$ 11,258	\$ 11,341	\$ 11,426	\$ 11,511	\$ 11,598	\$ 11,685	\$ 11,773	\$ 11,862	\$ 11,951	\$ 12,042	\$ 12,134	\$ 9,632	\$ 9,757	\$ 9,884
Local Tax Reimbursement	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 12,590	\$ 12,779	\$ 12,970
Total MSF Reimbursement Balance	\$ 369,137	\$ 355,469	\$ 341,718	\$ 327,882	\$ 313,960	\$ 299,953	\$ 285,858	\$ 271,675	\$ 257,404	\$ 243,042	\$ 228,590	\$ 214,046	\$ 191,824	\$ 169,288	\$ 146,433
MDEQ Environmental Costs	\$ 11,830														
State Tax Reimbursement	\$ 91	\$ 356	\$ 358	\$ 361	\$ 364	\$ 366	\$ 369	\$ 372	\$ 375	\$ 378	\$ 380	\$ 383	\$ 304	\$ 308	\$ 312
Local Tax Reimbursement	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 398	\$ 404	\$ 410
Total MDEQ Reimbursement Balance	\$ 11,663	\$ 11,231	\$ 10,796	\$ 10,359	\$ 9,919	\$ 9,477	\$ 9,032	\$ 8,583	\$ 8,133	\$ 7,679	\$ 7,222	\$ 6,763	\$ 6,061	\$ 5,349	\$ 4,627
Local Only Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local Only Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Annual Developer Reimbursement	\$ 5,460	\$ 14,099	\$ 14,186	\$ 14,273	\$ 14,361	\$ 14,450	\$ 14,540	\$ 14,631	\$ 14,723	\$ 14,815	\$ 14,909	\$ 15,003	\$ 22,924	\$ 23,249	\$ 23,577
LOCAL BROWNFIELD REVOLVING FUND															
LBRF Deposits *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total LBRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

* Up to five years of capture for LBRF Deposits after eligible activities are reimbursed. May be taken from DEQ & Local TIR only.

Tax Increment Revenue Capture Estimates - Table 3
50 Wayne Street, Pontiac;
Oakland County, Michigan
April 9, 2019

	16	17	18	19	20	21	22	23	24	25	26	#	TOTAL
	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045		
Total State Incremental Revenue	\$ 11,804	\$ 11,957	\$ 12,111	\$ 12,266	\$ 12,423	\$ 12,582	\$ 12,742	\$ 12,904	\$ 13,067	\$ 13,233	\$ 13,399		\$ 201,307
State Brownfield Revolving Fund (50% of SET)	\$ 1,476	\$ 1,476	\$ 1,476	\$ 1,476	\$ 1,476	\$ 1,476	\$ 1,476	\$ 1,476	\$ 1,476	\$ 1,476	\$ 1,476		\$ 25,163
State TIR Available for Reimbursement	\$ 10,329	\$ 10,462	\$ 10,597	\$ 10,733	\$ 10,870	\$ 11,009	\$ 11,149	\$ 11,291	\$ 11,434	\$ 11,579	\$ 13,399		\$ 176,144
Total Local Incremental Revenue	\$ 15,579	\$ 15,781	\$ 15,984	\$ 16,189	\$ 16,396	\$ 16,606	\$ 16,817	\$ 17,031	\$ 17,247	\$ 17,465	\$ 17,685		\$ 282,165
BRA Administrative Fee (\$2,000/year)	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000		\$ 52,000
Local TIR Available for Reimbursement	\$ 13,579	\$ 13,781	\$ 13,984	\$ 14,189	\$ 14,396	\$ 14,606	\$ 14,817	\$ 15,031	\$ 15,247	\$ 15,465	\$ 15,685		\$ 230,165
Total State & Local TIR Available	\$ 23,908	\$ 24,243	\$ 24,581	\$ 24,922	\$ 25,267	\$ 25,615	\$ 25,967	\$ 26,322	\$ 26,681	\$ 27,043	\$ 29,084		\$ 639,115
DEVELOPER													
DEVELOPER Reimbursement Balance	\$ 136,791	\$ 123,011	\$ 109,027	\$ 94,838	\$ 80,441	\$ 65,835	\$ 51,018	\$ 35,987	\$ 20,740	\$ 5,276	\$ 0		
MSF Non-Environmental Costs													
State Tax Reimbursement	\$ 668												\$ 161,405
Local Tax Reimbursement	\$ 13,163	\$ 13,359	\$ 13,556	\$ 13,755	\$ 13,956	\$ 14,159	\$ 14,364	\$ 14,571	\$ 14,780	\$ 14,991	\$ 5,114		\$ 213,025
Total MSF Reimbursement Balance	\$ 132,602	\$ 119,243	\$ 105,688	\$ 91,933	\$ 77,978	\$ 63,819	\$ 49,455	\$ 34,885	\$ 20,105	\$ 5,114	\$ 0		
MDEQ Environmental Costs													
State Tax Reimbursement	\$ 21												\$ 5,100
Local Tax Reimbursement	\$ 416	\$ 422	\$ 428	\$ 435	\$ 441	\$ 447	\$ 454	\$ 460	\$ 467	\$ 474	\$ 162		\$ 6,730
Total MDEQ Reimbursement Balance	\$ 4,190	\$ 3,767	\$ 3,339	\$ 2,905	\$ 2,464	\$ 2,016	\$ 1,563	\$ 1,102	\$ 635	\$ 162	\$ (0)		
Local Only Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Total Local Only Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Total Annual Developer Reimbursement	\$ 14,269	\$ 13,781	\$ 13,984	\$ 14,189	\$ 14,396	\$ 14,606	\$ 14,817	\$ 15,031	\$ 15,247	\$ 15,465	\$ 5,276		\$ 386,260
LOCAL BROWNFIELD REVOLVING FUND													
LBRF Deposits *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 10,409
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,409		\$ 10,409
Total LBRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,409		\$ 10,409

* Up to five years of capture for LBRF Deposits

#17

RESOLUTION



STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF PONTIAC

**RESOLUTION CONCURRING WITH THE PROVISIONS OF
A BROWNFIELD PLAN ADOPTED BY THE OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE
50 WAYNE STREET**

RECITATIONS:

WHEREAS, the Oakland County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have established a Brownfield Redevelopment Authority and Board (OCBRA) to facilitate the clean-up and redevelopment of Brownfields within Oakland County's communities; and

WHEREAS, the property located at 50 Wayne Street (Property), a site in the City of Pontiac is an environmental hazard, a "facility" under state statute; and

WHEREAS, a Brownfield clean-up and redevelopment plan (the "Plan") has been prepared to restore the environmental and economic viability to this parcel which the OCBRA has reviewed and approved; and

WHEREAS, pursuant to OCBRA by-laws, a local committee has been appointed, participated in discussions regarding the proposed plan and project, reviewed the plan, and recommends its approval; and

WHEREAS, the OCBRA, pursuant to and in accordance with Section 13 of the Act, shall consider recommending that the Oakland County Board of Commissioners approve the Brownfield Plan to be carried out within the City of Pontiac, relating to the redevelopment of 50 Wayne Street; and

WHEREAS, the City has reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Sections 13(13) of the Act; and

NOW THEREFORE BE IT RESOLVED THAT, the City of Pontiac hereby concurs with the provisions of the Plan including approval of the Plan by the Oakland County Board of Commissioners and implementation of the Plan by the Oakland County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED THAT should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

BE IT FURTHER RESOLVED THAT all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

CERTIFICATION

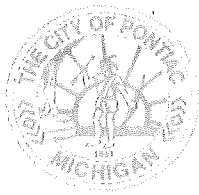
It is hereby certified that the foregoing Resolution is a true and accurate copy of the Resolution adopted by the City Council of the City of Pontiac at a meeting duly called and held on the ____ day of May, 2019.

CITY of PONTIAC

By: _____
Garland Doyle, INTERIM CLERK

#18

RESOLUTION



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

47450 Woodward Ave • Pontiac, Michigan 48342
Telephone: (248) 758-2800

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON – PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR, JANE BAIS-DISESSA

SUBJECT: VSA 19-01 SEWER EASEMENT VACATION – 5 CARTER STREET, DOWNTOWN PONTIAC
PARCEL ID NUMBER: 14-29-408-020

DATE: MAY 14, 2019

1. **APPLICANT:** THE HAMILTON LP
2. **REQUEST:** To vacate sewer easements that cross The Hamilton Limited Dividend Housing Association Limited Partnership property, which will be home to The Hamilton, a planned multiple family development in a four-story structure. At the Planning Commission meeting on May 1, 2019, the Commission recommended for approval to City Council.
3. **LEGAL DESCRIPTION:** Vacate the sewer easement on Parcel ID Number 14-29-408-020; Lot 10 Assessor Plat 42; Lot 35, Assessor Plat 119; Lot 8, Assessor Plat 42 [see attached Release of Easement, legal descriptions, support documents, and ALTA/NSPS Land Title Survey].
4. **RELATIONSHIP TO PONTIAC 2014 MASTER PLAN UPDATE:**
The City of Pontiac's 2014 Master Plan illustrates the property as Downtown future land use. Currently the site is underutilized and is positioned in the northwest section of Downtown Pontiac. Once completed The Hamilton will bring must needed residential development into the Downtown, which is a top priority for the City.

The Downtown is inherently mixed use, both vertically and by block. Must needed residential development helps to support the vibrancy and economics of the commercial, retail and entertainment uses and creates more energy in the Downtown. This development will reinvigorate this Downtown area and become a catalyst for other new investment and development.

5. ADMINISTRATIVE REVIEW COMMITTEE COMMENTS:

The Oakland County Water Resources Commission office has reviewed this request to release the sanitary sewer easement, found no indication of an existing sanitary sewer, and has no objection to releasing the sanitary easement [see attached email]. Also, City of Pontiac DPW did not have an objection to release the sewer easement.

6. PLANNING STAFF FINDINGS:

- a) The sewer easements are not necessary for the proposed development and adjacent properties.
- b) The vacation of sewer easements will not be a detriment to the utility of adjacent or nearby properties.
- c) All adjacent property owners have signed the sewer vacation petition.

7. RESOLUTIONS FOR APPROVAL:

We suggest the City Council consider approval of the sewer easement vacation resolution as noted below.

**REQUEST FOR SEWER EASEMENT VACATION
RESOLUTION OF APPROVAL**

WHEREAS, The City is in receipt to release sewer easements vacation request submitted by The Hamilton LP on Parcel ID Number: 14-29-408-020; Lot 10, Assessor Plat 42; Lot 35, Assessor Plat 119; Lot 8, Assessor Plat 42, and;

WHEREAS, The Pontiac Planning Commission held a Public Hearing on Wednesday, May 1, 2019 in regards to the sewer easement vacation request, and;

WHEREAS, The Pontiac Planning Commission finds that the subject sewer easement is not required to remain on the subject property and the proposed sewer vacation will not have an adverse effect on the surrounding properties; and

NOW, THEREFORE BE IT RESOLVED that the vacation of a sewer easement submitted by The Hamilton LP on Parcel ID Number: 14-29-408-020; Lot 10, Assessor Plat 42; Lot 35, Assessor Plat 119; Lot 8, Assessor Plat 42, is hereby approved by the City Council on May 21, 2019.



Application for Vacation or Closure of Street, Alley or Easement

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address:

5 Carter St.

Sidwell Number: 14-29-408-020

Office Use Only

PF Number:

Date: 3/20/19

Instructions: Applications for vacation or closure of street, alley, easement or Public right-of-way shall be filed with the Office of Land Use and Strategic Planning along with a \$1,500.00 fee and a map of the area requested for vacation at least 30 days before the regularly scheduled Planning Commission Meeting. Applications shall be signed by property owners abutting the street or alley requested for vacation where possible. Incomplete applications will delay the review process. Recommendation of the Planning Commission will be forwarded to the City Council for final action.

Applicant (please print or type)

Name	The Hamilton LP		
Address	500 S. Front St. 10th Floor		
City	Columbus		
State	OH		
ZIP Code	43215		
Telephone	Main: 614-396-3200	Cell:	Fax:
E-Mail	ffugale@wodagroup.com		

The subject property is legally described as follows (include sidwell numbers):

see attached. 14-29-408-020

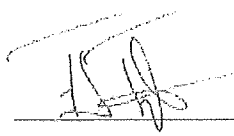
I (We) the undersigned, do hereby respectfully petition the City of Pontiac for vacation of the Right-of-Way or Easement described above (attach additional sheet if necessary):

Name	Street & Number	Lot No. & Subdivision	Signature
sewer easement 12/12/1956		Lot 10, Assessor Plat 42	[Signature]
sewer easement 12/29/1916		Lot 35, Assessor Plat 119	[Signature]
sewer easement 4/26/1957		Lot 8, Assessor Plat 42	[Signature]

Reason for Vacation of Right of Way or Easement:

The easements are not necessary. The Hamilton Limited Dividend Housing Association Limited Partnership, the purchaser of the property, requests that the easements be released in order that The Hamilton LDHA LP may develop the property.

☒ Attached is a map indicating the area for which vacation is requested and the location of the applicants property.




Signature of Applicant

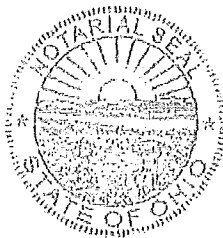
State of Michigan

County of Oakland

On this 22nd day of December, A.D., 2011, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.


Notary Public, Oakland County, Michigan

My Commission Expires: 12/31/2012



Lisa G. Stephens
Notary Public, State of Ohio
My Commission Expires: 12/31/2012

RELEASE OF EASEMENTS

WHEREAS, the City of Pontiac, Oakland County, Michigan (the "City") received certain easements for sewer line purposes as to certain real property, which easements are described as follows: an easement for sewer purposes dated December 12, 1956, recorded on April 26, 1957 in Liber 3685, Page 479 and an easement for sewer purposes dated December 28, 1956, recorded on April 26, 1957 in Liber 3685, Page 475 and an easement for sewer purposes dated December 7, 1956, recorded April 26, 1957, in Liber 3685, Page 477, in the Register of Deeds of Oakland County, Michigan (copies of which easement documents are attached hereto as Attachment A (individually and together, the "Easements"); and

WHEREAS, the City acknowledges that certain real property described in Exhibit A attached hereto and made a part hereof (the "Property") has determined that the Easements is not necessary and has decided that the Property may be and should be released from the operation of the Easements, as has been requested by the purchaser of the Property, The Hamilton Limited Dividend Housing Association Limited Partnership, a Michigan limited partnership ("The Hamilton") who is purchasing the property from the current Property owner, 48 W Huron Street, LLC, a Delaware limited liability company (the "Seller"), who is the successor in interest to the Property.

NOW, THEREFORE, in consideration of the need for The Hamilton to have the Property released from the Easements because of The Hamilton's planned development of the Property, the City does hereby release and relinquish forever from the operation of the Easements.

Sources of Title of 48 W Huron Street, LLC are as follows: Liber 47291, Page 235 and Liber 51640, Page 342 and Liber 52520, Page 155, of the Register of Deeds of Oakland County, Michigan.

(See the signatory on the next separate page.)

(Continuation of Release of Easements as to easements of record in Liber 3685, Page 479 and in Liber 3685, Page 475 and in Liber 3685, Page 477, in the Register of Deeds of Oakland County, Michigan - Page 2)

IN WITNESS WHEREOF, the City has hereto caused this instrument to be executed on this _____ day of _____, 2019.

CITY OF PONTIAC,
OAKLAND COUNTY, MICHIGAN

By: _____
Name: _____
Title: _____

State of Michigan,
County of Oakland, to wit:

Personally, came before me this _____ day of _____, 2019, the above named _____, of the City of Pontiac, Oakland County, Michigan, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public - _____, Michigan
My Commission Expires: _____

(SEAL)

This instrument was prepared by:
James A. Saad, Esq.
Saad & Saad LLP
500 South Front Street, Suite 250
Columbus, Ohio 43215
Phone: 614-396-3296

ATTACHMENT A

Easements Being Released

[Attached]

3/19
29

THIS INSTRUMENT, Made the 17th day of February
in the year of our Lord one thousand nine hundred fifty 5
between Frederick R. and Mable J. Roenatie, his wife
Pontiac Federal Savings & Loan Association, Mortgagees
of the City of Pontiac, Oakland County, Michigan, parties of the
first part, and the City of Pontiac, a Municipal Corporation of Oak-
land County, State of Michigan, party of the second part.

WITNESSETH, that the said parties of the first part, for and in con-
sideration of the sum of one dollar and other valuable consideration
to them in hand paid by the said party of the second
part, the receipt whereof is hereby confessed and acknowledged, and
on the conditions and agreements hereinafter contained to be per-
formed by said party of the second part, which the said party of the
second part, by acceptance hereof, agrees to perform and comply with,
do here by these presents grant and convey unto the said party of
the second part and to its successors and assigns forever, the right
to construct and maintain permanently sewers or drains on that cer-
tain piece or parcel of land situated and being in the City of
Pontiac, County of Oakland, and the State of Michigan, known and de-
scribed as follows, to-wit:

Description:

That part of Lot 10, Assessor's Plat No. 42, Oakland County, City of Pontiac,
Michigan, Described as follows:

Beginning at the most northeasterly corner of said lot known as 75.43 ft.,
along the northerly line of said lot 4.67 ft; thence S. 10° 43' 23" W., 74.15 ft.
to the southerly line of said lot; thence S. 75° 09' 30" W., along the southerly
line of said lot 7.37 ft. to the southeasterly corner of said lot known as 10°
08' 50" E., along the westerly line of said lot 57.43 ft. to the point of beginning.

RECORDED
ONLINE COUNTY RECORDS
SECTION OFFICE RECORDS
MAR 1 1955

2282
2282

12345678 901234

THIS INSTRUMENT, made the 28th day of February
in the year of our Lord one thousand nine hundred fifty five
BETWEEN Robt F. Lucy and Laura E. Lucy, his wife
19 Carrier Street
Pontiac, Michigan
of the City of Pontiac, Oakland County, Michigan, parties of the
first part, and the City of Pontiac, a Municipal Corporation of Oak-
land County, State of Michigan, party of the second part.

WITNESSETH, That the said parties of the first part, for and in con-
sideration of the sum of one dollar and other valuable consideration
to them in hand paid by the said party of the second
part, the receipt whereof is hereby confessed and acknowledged, and
on the conditions and agreements hereinafter contained to be per-
formed by said party of the second part, which the said party of the
second part, by acceptance hereof, agrees to perform and comply with,
do here by these presents grant and convey unto the said party of
the second part and to its successors and assigns forever, the right
to construct and maintain permanently sewers or drains on that cer-
tain place or parcel of land situated and being in the City of
Pontiac, County of Oakland, and the State of Michigan, known and de-
scribed as follows, to-wit:

That part of Lot 35, Auscassor's Plat 119, Oakland County, City of Pontiac,
Michigan, described as follows:

Beginning at the most northeasterly corner of said lot; thence S. 13° 08' 50" W.,
along the easterly line of said lot 57.43 ft; thence S. 75° 54' 39" W., along the
easterly line of said lot 11.92 ft; thence S. 10° 43' 59" W. along the easterly
line of said lot 66.31 ft. to the most southerly corner of said lot; thence
N. 21° 41' 14" W. along the westerly line of said lot 3.71 ft; thence N. 10°
43' 59" E., 117.14 ft. to the northerly line of said lot; thence N. 71° 12' 49" E.,
along the northerly line of said lot 17.50 ft. to the point of beginning.

RECORDED
OAKLAND COUNTY, MICHIGAN
FEBRUARY 28, 1955
1955

22280
122
City of Pontiac
City Clerk

The party of the second part is to have the right to go upon said premises at any time after sewers, drains, or ~~water mains~~ are constructed thereon, to repair same, when in its judgment they need repair, giving and granting unto said party of the second part, its successors and assigns, the right to use said premises permanently for the use and benefit of said party of the second part, its successors and assigns forever.

The parties of the first part grant this right-of-way for sewers, drains, or water mains on the following conditions: Whenever repairs to said sewers, drains, or ~~water mains~~ are found necessary, access thereto shall be obtained outside of said premises if possible, if it is not possible to obtain access outside of said premises, then access may be gained thereto on said premises, and the party of the second part shall reimburse said party of the first part for any damage resulting therefrom.

Said parties of the first part reserve the right to construct and maintain any lawful kind of buildings or improvements upon or over the above described premises, provided, that the construction of same will not be such to injure the aforementioned sewers, drains, or water main. Thirty days written notice of such anticipated construction shall be given to the party of the second part.

Witness my hand and seal this 28th day of December A.D. 1952
 Signed in Presence of: Ruby E. Lacy L.S.
Ruby E. Lacy L.S.
Laura B. Lacy L.S.
Laura B. Lacy L.S.

STATE OF MICHIGAN) ss.
 COUNTY OF OAKLAND)

On this 28th day of December A.D. 1952
 before me, a Notary Public in and for said County, personally appeared Ruby E. Lacy and Laura B. Lacy
 to be known to be the same person described in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their free act and deed.

John K. Harrison
 Notary Public, Oakland County, Michigan
 John K. Harrison

My Commission expires Oct 16 1959

3-10
2-9

3685 DEC 477

THIS INDENTURE, Made the 7th day of December
in the year of our Lord one thousand nine hundred fifty 57

BETWEEN Fessler
Harvey, and Josephine Fessler, his wife

of the City of Pontiac, Oakland County, Michigan, parties of the
first part, and the City of Pontiac, a Municipal Corporation of Oak-
land County, State of Michigan, party of the second part.

WITNESSETH, That the said parties of the first part, for and in con-
sideration of the sum of one dollar and other valuable considerations
to them in hand paid by the said party of the second
part, the receipt whereof is hereby confessed and acknowledged, and
on the conditions and agreements hereinafter contained to be per-
formed by said party of the second part, which the said party of the
second part, by acceptance hereof, agrees to perform and comply with,
do hereby these presents grant and convey unto the said party of the
second part and to its successors and assigns forever, the right
to construct and maintain permanently sewers or drains on that cer-
tain piece or parcel of land situated and being in the City of
Pontiac, County of Oakland, and the State of Michigan, known and de-
scribed as follows, to-wit:

Description # 6

Lot 8, A. P. 42

That part of Lot 8, Assessor's Plat 42, Oakland County, City of Pontiac,
described as follows:

Beginning at the most northwesterly corner of said lot; thence N. 70° 00' 00" W.
along the northerly line of said lot 14.25 ft.; thence S. 7° 02' 00" W. 32.73 ft.
the southerly line of said lot; thence S. 75° 09' 20" W. along the southerly line of
said lot 16.60 ft. to the southwesterly corner of said lot; thence N. 10° 43' 00" E.
along the westerly line of said lot 33.73 ft. to the point of beginning.

RECORDED
OAKLAND COUNTY RECORDS
REGISTER OF DEEDS
1957 DEC 25 PM 1 20
Fessler
Harvey & Josephine

The party of the second part is to have the right to go upon said premises at any time after sewers, drains, or ~~water~~ pipes are constructed thereon, to repair same, when in its judgment they need repair, giving first notice to said party of the second part, its successors and assigns, the right to use said premises permanently for this use and benefits of said party of the second part, its successors and assigns forever.

The parties of the first part grants this right-of-way for sewers, drains, or ~~water~~ pipes on the following conditions: Whenever repairs to said sewers, drains, or ~~water~~ pipes are found necessary, access thereto shall be obtained outside of said premises if possible. If it is not possible to obtain access outside of said premises, then access may be gained thereto on said premises, and the party of the second part shall reimburse said parties of the first part for any damage resulting therefrom.

Said parties of the first part reserve the right to construct and maintain any lawful kind of buildings or improvements upon or over the above described premises, provided that the construction of same will not be such to injure the aforementioned sewer, drain, or water main. Thirty days written notice of such anticipated construction shall be given to the party of the second part.

Witness this 14th day of December, A.D. 1958.
 Signed in presence of:
Harvey F. Fowler J.S.
Josephine Fowler J.S.
William A. DeBata J.S.
William A. DeBata J.S.

STATE OF MICHIGAN
 COUNTY OF OAKLAND

On this 14th day of December, A.D. 1958,
 we, a Notary Public in and for said County, personally appeared
Harvey F. Fowler and Josephine Fowler
 known to be the persons described in and who executed the
 within and foregoing instrument, and acknowledged that they
 executed the same as their free act and deed.

John K. Train
 Notary Public, Oakland County, Michigan
 John K. Train
 My Commission expires October 14th 1959

(Property of 48 W Huron Street, LLC)

EXHIBIT A

Property Legal Description

Parcel 1:

Situated in Oakland County, Michigan, more specifically described as:

Part of Lot 23, Assessor's Plat No. 119, as recorded in Liber 53, Page 39 of Plats, Oakland County Records, beginning at the Northeasterly corner of Lot 23, Assessor's Plat No. 119, and running thence South 88 degrees 54 minutes 20 seconds East 76.07 feet along the Easterly end of the said lot to the Southeasterly corner thereof, thence South 75 degrees 43 minutes 30 seconds West 39.02 feet along the Southerly line of the said lot, thence North 18 degrees 19 minutes 40 seconds West 66.63 feet to a point on the Northerly line of said lot, thence North 61 degrees 55 minutes 40 seconds East 12.31 feet to the point of beginning.

Also, Part of Lot 24, Assessor's Plat No. 119, as recorded in Liber 53, Page 39 of Plats, Oakland County Records, beginning at the Northeasterly corner of Lot 24, running thence South 38 degrees 54 minutes 20 seconds East 46.00 feet along the Easterly end of said lot to the Southeasterly corner thereof, thence South 61 degrees 55 minutes 40 seconds West 12.31 feet along the Southerly line of said lot, thence North 23 degrees 26 minutes 00 seconds West 45.33 feet to the point of beginning.

Also, Lot 26, except the Southwesterly 42 feet and part taken for road, Assessor's Plat No. 119, as recorded in Liber 53, Page 39 of Plats, Oakland County Records.

Also, Lots 30, 31, 32, 33, 34, 37, 38 & 39, also $\frac{1}{2}$ of Vacated Pine Street abutting Lot 37 and Lot 38, Assessor's Plat No. 119, as recorded in Liber 53, Page 39 of Plats, Oakland County Records.

Also, Lot 7, also $\frac{1}{2}$ of Vacated Pine Street, Assessor's Plat No. 42, as recorded in Liber 1A, page 42 of Plats, Oakland County Records.

Parcel 2:

Situated in Oakland County, Michigan, more specifically described as:

Lot 9, also $\frac{1}{2}$ of vacated Pine Street, Assessor's Plat No. 42, as recorded in Liber 1A, Page 42 of Plats, Oakland County Records.

Parcel 3:

Situated in Oakland County, Michigan, more specifically described as:

Lot 10, also $\frac{1}{2}$ of vacated Pine Street, Assessor's Plat No. 42, as recorded in Liber 1A, Page 42 of Plats, Oakland County Records.

Parcel 4:

Situated in the City of Pontiac, County of Oakland and State of Michigan, to-wit:

Lot 35, "Assessor's Plat No. 119, a Replat of Carter Addition; and Parts of Comstock and Paddock's Addition, Assessor's Plat No. 35, and Sanderson and Johnston's Subdivision", City of Pontiac, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 53 of Plats, Page 39, Oakland County Records.

Parcel 5:

Situated in Oakland County, Michigan, more specifically described as:

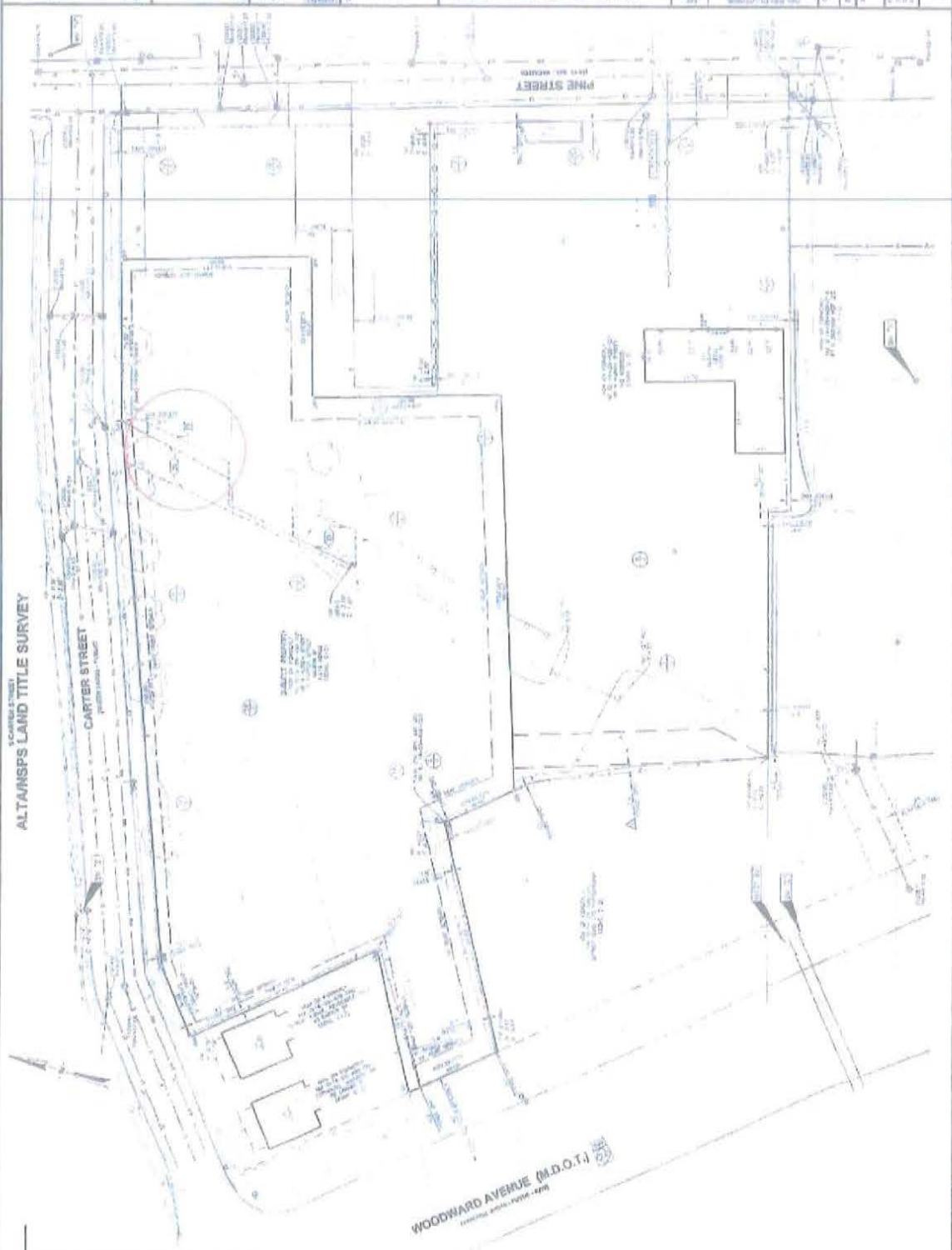
Lot 8, also $\frac{1}{2}$ of vacated Pine Street, Assessor's Plat No. 42, as recorded in Liber 1A, Page 42 of Plats, Oakland County Records.

END OF LEGAL DESCRIPTION

STRUCTURE SCHEDULE

NO.	STRUCTURE	DATE	BY	CHECKED
1	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
2	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
3	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
4	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
5	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
6	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
7	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
8	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
9	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
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11	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
12	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
13	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
14	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
15	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
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22	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
23	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
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97	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
98	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
99	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN
100	BRIDGE	10/1/12	J. L. BROWN	J. L. BROWN

ALTANSPS LAND TITLE SURVEY



WOODWARD AVENUE (M.D.O.T.)
 (REPLACING EXISTING ROADWAY - 1998)

MEGA
 MISSISSIPPI ENGINEERING & GEOTECHNICAL ASSOCIATION
 1000 N. GULF BLVD., SUITE 100
 P.O. BOX 1000
 JACKSON, MS 39202
 (601) 961-1000
 www.mega.ms.gov

ALTAIR
 1000 N. GULF BLVD., SUITE 100
 P.O. BOX 1000
 JACKSON, MS 39202
 (601) 961-1000
 www.altair.ms.gov

CITY OF JACKSON, MISSISSIPPI
 1000 N. GULF BLVD., SUITE 100
 P.O. BOX 1000
 JACKSON, MS 39202
 (601) 961-1000
 www.cityofjackson.ms.gov

ALTANSPS LAND TITLE SURVEY
 1000 N. GULF BLVD., SUITE 100
 P.O. BOX 1000
 JACKSON, MS 39202
 (601) 961-1000
 www.altair.ms.gov

PROJECT NO. 1000
 1000 N. GULF BLVD., SUITE 100
 P.O. BOX 1000
 JACKSON, MS 39202
 (601) 961-1000
 www.altair.ms.gov

DATE: 10/1/12
 1000 N. GULF BLVD., SUITE 100
 P.O. BOX 1000
 JACKSON, MS 39202
 (601) 961-1000
 www.altair.ms.gov



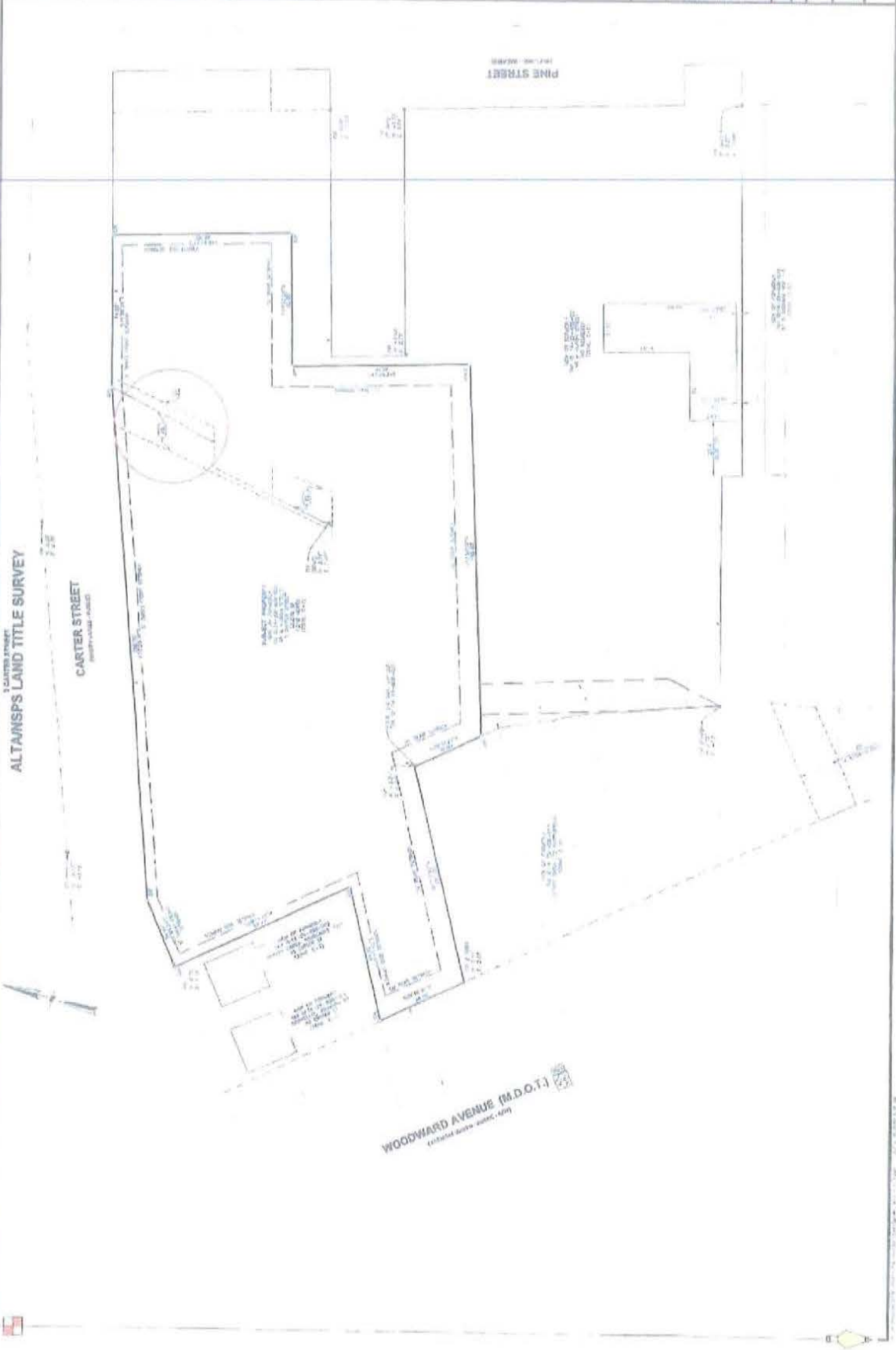


GA
OFFICE OF THE
CLERK OF SUPERIOR COURT

ALTA/MSPS LAND TITLE SURVEY
PART OF 3E 1/4, SECTION 29, T29N, R10E, S14W
COUNTY OF FORBES, OKLAHOMA COUNTY, MISSOURI

ALTA/MSPS LAND TITLE SURVEY
PART OF 3E 1/4, SECTION 29, T29N, R10E, S14W
COUNTY OF FORBES, OKLAHOMA COUNTY, MISSOURI

ALTA/MSPS LAND TITLE SURVEY
PART OF 3E 1/4, SECTION 29, T29N, R10E, S14W
COUNTY OF FORBES, OKLAHOMA COUNTY, MISSOURI



Donovan Smith

From: Davis, Mark W <davisma@oakgov.com>
Sent: Wednesday, April 24, 2019 11:12 AM
To: Parrott, Jeffrey S; Donovan Smith; Jack Cady
Cc: Vernon Gustafsson; John Balint; DeVisch, Ricky A; Coburn, Brian; Appel, Glenn R
Subject: RE: Release of sewer easement
Attachments: 25 Carter - Map.docx; The Hamilton ALTA 031319 (easements marked).pdf; Release, Easements, Sewer (The Hamilton and 48 W Huron Street, LLC).with....pdf

Jeff,

I found no records indicating any existing sanitary sewer located on the subject property. (see attached map)

- OCWRC Permitting Unit has no objection to releasing of the sanitary easements as indicated on the submittal.

Mark W. Davis
Senior Engineering Systems Coordinator
248-452-2172 (p)
248-858-1066 (f)
M-F 6:30am-3:00pm

From: Donovan Smith [mailto:DSmith@pontiac.mi.us]
Sent: Wednesday, April 24, 2019 10:58 AM
To: Jack Cady; Appel, Glenn R; Davis, Mark W; Parrott, Jeffrey S
Cc: Vernon Gustafsson; John Balint
Subject: RE: Release of sewer easement

Good Morning,

Attached in this email are the digital files of the request for sewer easement vacation at 5 Carter Street. In preparation of this request before the Planning Commission, can you respond to this email or in writing support or contest of the sewer vacation request.

Thank You,

Donovan Smith
City of Pontiac
City Planner
DSmith@Pontiac.Mi.Us
248.758.2815

From: Fugate, Frank <FFugate@wodagroup.com>
Sent: Friday, March 15, 2019 4:28 PM
To: Donovan Smith <DSmith@pontiac.mi.us>; Rachel J. Loughrin <RLoughrin@pontiac.mi.us>
Cc: Vernon Gustafsson <vgustafsson@pontiac.mi.us>; Donovan Smith <DSmith@pontiac.mi.us>; Miriam Cox

<MCOX@pontiac.mi.us>; Patterson, Craig <CPatterson@wodagroup.com>
Subject: Release of sewer easement

WARNING: This email originated from **outside** of City of Pontiac. **DO NOT** click on any links or open any attachments unless you recognize the sender and are expecting the message.

Donovan,

We are preparing to close with the seller late next week. We have found two sanitary sewer easements. We will would like these easements released since they are underneath our proposed building.

I have attached the release of easement prepared by our title attorney and it is ready for execution by the city. Also attached is the ALTA survey showing in the red circle the two dotted lines indicating the sewer easements. Note: the reference 25 and 26 on the survey are explained in Schedule B exceptions (sewer easements).

Please let me know what we will need to do to get this completed with the city.

Best regards

Frank

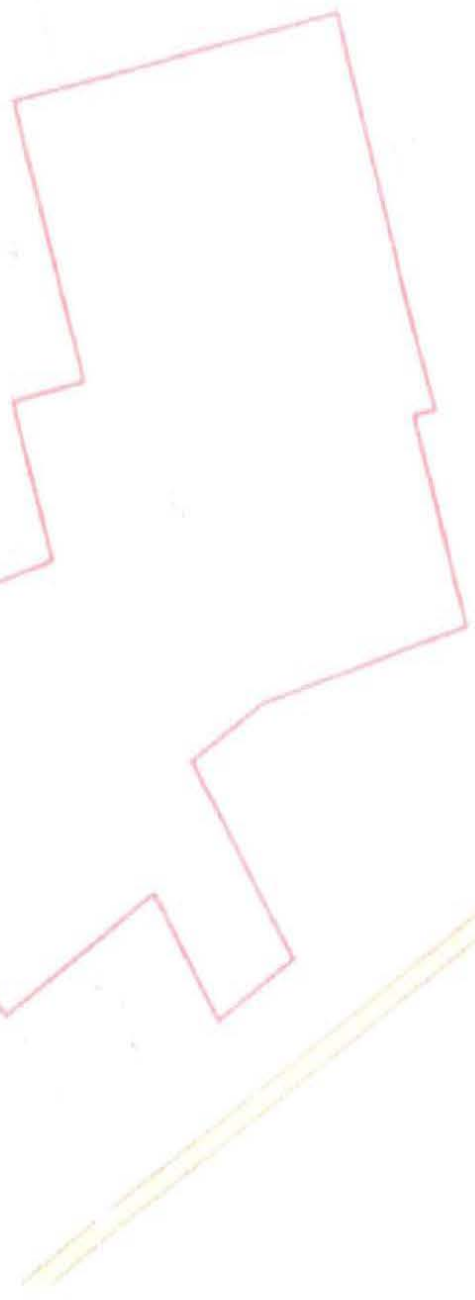
614-406-2931 Cell

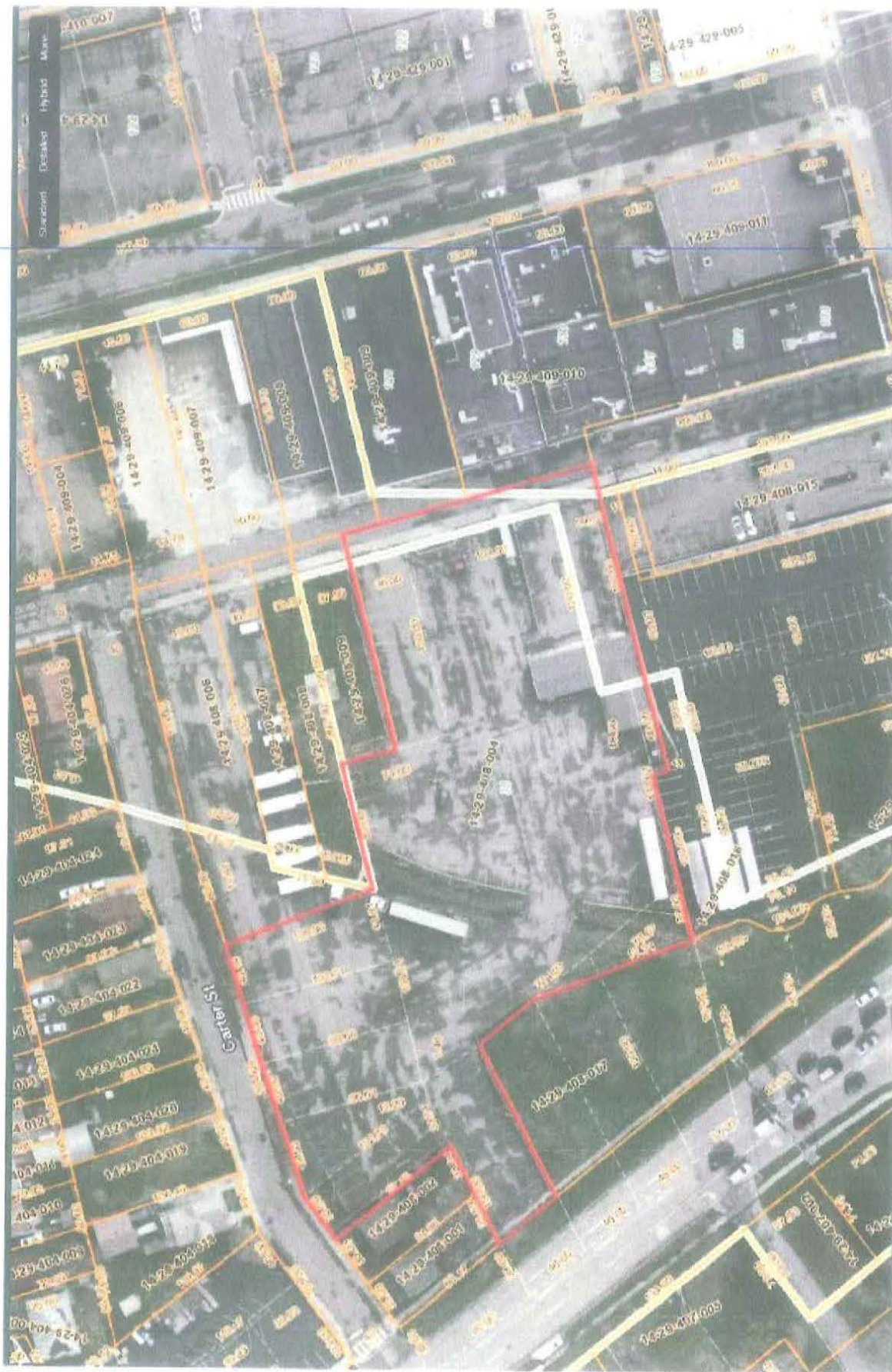


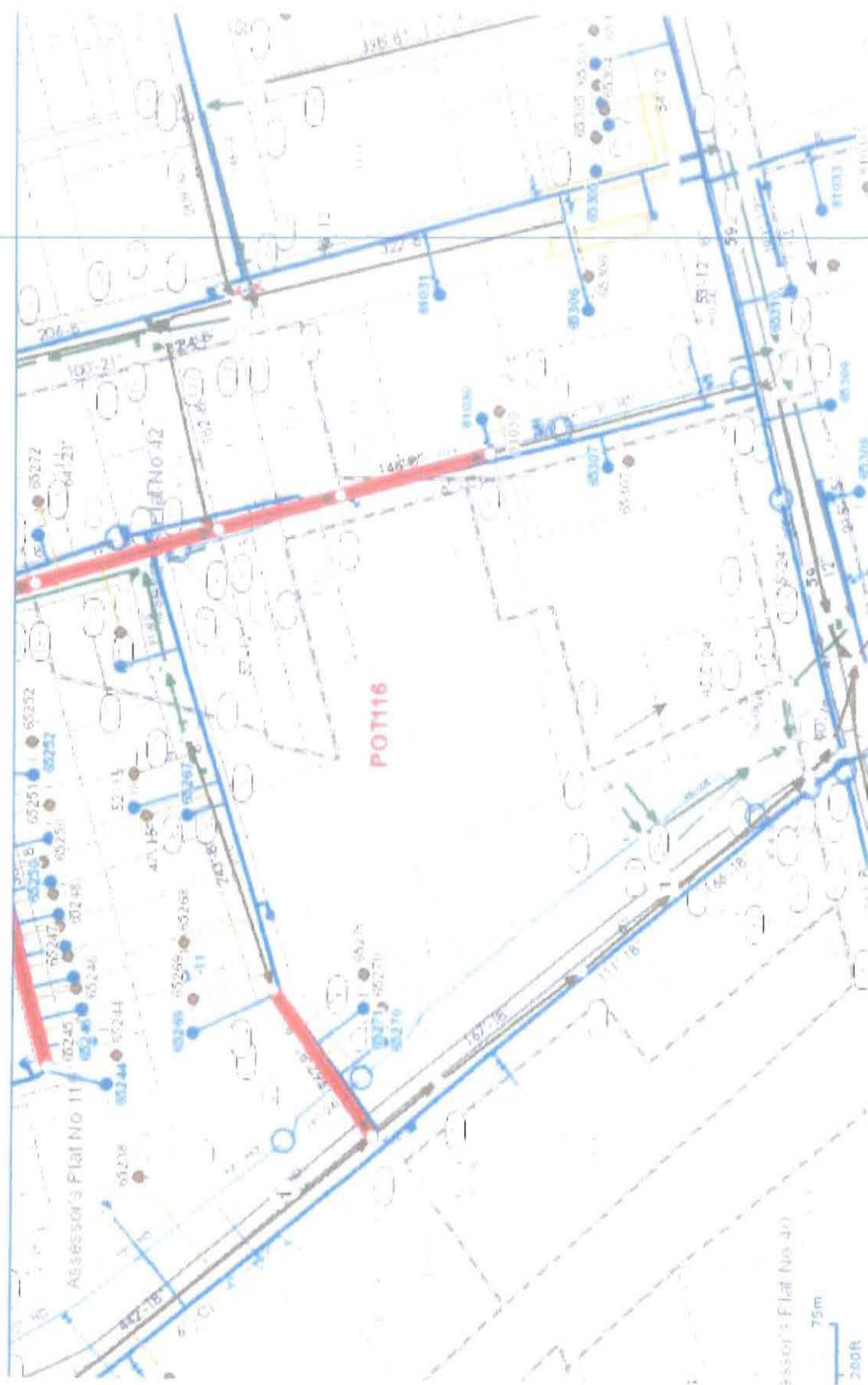
Frank Fugate
Woda Cooper Companies, Inc.
Mobile: 614.406.2931
Office: 614.396.3204
500 S. Front St., 10th Floor
Columbus, OH 43215

Carter St

pine







#19

RESOLUTION

**RESOLUTION OF THE PONTIAC CITY COUNCIL
HONORING OUR YOUNG HEROES**

WHEREAS, it is the desire of the City to endorse, recognize and support its young people for their academic, civic achievements, as well as those who contributed to their success; and,

WHEREAS, the Delta Fortitude Foundation (DFF) is a 501(C)3 non-profit organization established in 2001 in Pontiac, Michigan, the mission of the organization is to enhance the quality of life of the citizens and youth in the Pontiac metropolitan area, with emphasis on African American males; and,

WHEREAS, the Salute to Young Heroes is an eight-month program designed to address the crisis that our young African American males face today; and,

WHEREAS, the members of the Pontiac City Council salute the Young Heroes of 2019; **Parrish A. Bush, Ian J. Chambers, Christian L. Grant, Myles R. Harris, Raymond W. Johnson III and Quinton V. M. Keyes.**

NOW, THEREFORE, BE IT RESOLVED, on behalf of the citizens, members of the Pontiac City Council, we applaud and celebrate the achievements of these young men and give special thanks to the Delta Fortitude Foundation as they celebrate their Annual Gala Celebration honoring Our Young Heroes of 2019 at the Pontiac Marriott on Sunday, June 9, 2019.

Kermit Williams, President

Randy Carter, Pro-Tem

Patrice Waterman, Councilwoman

Don Woodward, Councilman

Mary Pietila, Councilwoman

Gloria Miller, Councilwoman

Doris Taylor-Burks, Councilwoman

#20

RESOLUTION

May 20, 2019

To Whom It May Concern:

On behalf of the Oakland County Board of Commissioners, we are requesting your assistance as we honor and celebrate an important milestone in our nation's history – the passage of the 19th Amendment, guaranteeing and protecting women's constitutional right to vote.

Women's right to vote was not easily won. Ratification was the result of decades of organized, grass-roots movements in communities throughout our country. It is in this spirit that we have determined that **the participation and support of local communities is a key component of this celebration.**

We hope you will join us in this campaign to raise awareness and celebrate this historic milestone. **You can do so by passing a resolution recognizing this historic centennial through your governing board.** A sample resolution is enclosed.

The Board of Commissioners will be kicking off the centennial commemoration in honor of Michigan's ratification of the 19th Amendment this June. All communities that have returned resolutions to the Board of Commissioners by June 3, 2019, will receive a 19th Amendment Suffragette Victory Flag. We ask that you fly the flag from June 10-14, 2019, in honor of the 100th anniversary of Michigan's ratification of the 19th Amendment. We will fly the flags again countywide from August 24-28, 2020, in honor of the 100th anniversary of the federal ratification.

Please send electronic copies of adopted resolutions to Salena Benavidez at benavidezs@oakgov.com. If you have any questions, please feel to contact Megan Sellers at (248) 858-0103 or by email to sellersm@oakgov.com. Details regarding upcoming celebration events are forthcoming.

Sincerely,



David T. Woodward
Board Chairman



Marcia Gershenson
Board Vice Chairwoman

Pontiac City Council Resolution



CELEBRATING THE 100TH ANNIVERSARY OF THE RATIFICATION OF THE 19TH AMENDMENT OF THE US CONSITTUTION, GIVING WOMEN THE RIGHT TO VOTE

WHEREAS women of every race, class, and ethnic background across America have made historic contributions to the growth and strength of the United States in countless recorded and unrecorded ways; and

WHEREAS the women of this nation initiated the most significant women's movement in history – the need for women's suffrage; and

WHEREAS despite the strong opposition, the inspiration and determination of women nationwide brought about the extraordinary accomplishment – the right for women to vote; and

WHEREAS the June 10, 1919, Michigan women cast their vote when Michigan voters ratified the 19th Amendment to the U.S. Constitution, and

WHEREAS the State of Michigan was the second state to ratify the 19th Amendment, giving women the right to vote; and

WHEREAS on August 26, 1920, voters across the nation secured the right for women to vote when the 19th Amendment to the Constitution of the United States was ratified, empowering American women and declaring for the first time that they, like men, deserve all the rights and responsibilities of citizenship stating, "...the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex"; and

WHEREAS August 26, 2020 will mark the 100th anniversary of the passage of the National Suffrage Amendment, the 19th Amendment to the U.S. Constitution, guaranteeing women the right to vote; and

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council remembers and celebrates the historic women who fought for their right to vote and recognizes the courage and inspiration of these bold women to change the course of history.

BE IT FURTHER RESOLVED that the Pontiac City Council will fly the 19th Amendment Victory Flag June 10, 2019 through June 14, 2019 to commemorate the State of Michigan ratifying the 19th Amendment and August 24, 2020 through August 28, 2020 to commemorate the ratification of the 19th Amendment to the Constitution of the United States.

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**MONTHLY
MAYORAL
REPORTS**