

**Official Proceedings  
Pontiac City Council  
121<sup>st</sup> Session of the Tenth Council**

A Formal Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, October 29, 2019 at 6:00 p.m. by Council President Kermit Williams.

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Members Present: Carter, Miller, Pietila, Taylor-Burks, Waterman G. Williams and K. Williams.  
Mayor Waterman was present.  
Clerk announced a quorum.

19-524        **Motion to defer item #8 for one week, remove item #7 from the agenda and modify item #4 by adding a resolution for item #4a to authorize the settlement for Police & Fire Lawsuit.**  
Moved by Councilperson Pietila and second by Councilperson Waterman.

Ayes: Miller, Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams and Carter  
No: None  
**Motion Carried.**

19-525        **Approve the agenda as amended.** Moved by Councilperson Pietila and second by Councilperson Miller.

Ayes: Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams, Carter and Miller  
No: None  
**Motion Carried.**

19-526        **Approval of meeting minutes for October 22, 2019.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Waterman, G. Williams, Carter, Miller, Pietila and Taylor-Burks  
No: None  
Abstain: K. Williams  
**Motion Carried.**

**Subcommittee Reports**

Received Community Development – October 15, 2019

Received Law/50<sup>th</sup> District – October 22, 2019

19-527            **Resolution to go into Closed Session.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Be It Resolved, the City Attorney is requesting a Closed Session of the City Council pursuant to 15.268 (e) to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation. The specific pending litigation is Oakland County Circuit Court Case #12-128625-CV, Board of Trustees of Pontiac Police & Fire Retiree Prefunded Health and Insurance Trust v City of Pontiac.

Ayes: Waterman, G. Williams, K. Williams, Carter, Miller, Pietila and Taylor-Burks

No: None

**Motion Carried.**

19-528            **Motion to come out of Closed Session.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: G. Williams, K. Williams, Carter, Miller, Pietila, Taylor-Burks and Waterman

No: None

**Motion Carried.**

19-529            **Resolution authorizing settlement of Board of trustees of the City of Pontiac Police and Fire Retiree Prefunded Group Health and Insurance Trust v. City of Pontiac. (Agenda add-on)**  
Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Whereas, the City is the Defendant in the matter of the Board of Trustees of the City of Pontiac Police and Fire Retiree Prefunded Group Health and Insurance Trust v. City of Pontiac, Oakland County Circuit Court Case No. 12-128625-CZ; and

Whereas, an Order was entered against the City in that matter in the amount of \$4,073,974.61 on July 31, 2019; and,

Whereas, the Plaintiff subsequently filed the Judgement with the City on October 2, 2019, to be placed as a Judgement Levy on taxes of property within the City; and,

Whereas, the City has negotiated a resolution on the matter to avoid placement of the Judgement Levy on property within the City, as set forth in the Settlement Agreement for Satisfaction of judgement attached hereto;

Now, Therefore, Be It Resolved, that the City Council hereby authorizes the settlement of Board of Trustees of the City of Pontiac Police and Fire Retiree Prefunded Group Health and Insurance Trust v. City of Pontiac, Oakland County Circuit Court Case No. 12-128625-CZ in an amount not to exceed \$4,073,974.61 and as set forth in the attached Settlement Agreement for Satisfaction of Judgement, and further authorize the Mayor to execute the Agreement on behalf of the City.

Ayes: Carter, Miller, Pietila, Taylor-Burks, Waterman and G. Williams  
No: None  
**Resolution Passed.**

**\*\*See Attachment and Exhibits A- D after the minutes\*\***

**Special Presentations**

Phoenix Center Update – Request for Proposal (RFP) for Architectural Design  
Presentation Presenter: Vince Deleonardis and Mayor Waterman

Medical Marihuana Update

- a. Medical Marihuana Commission Rules & regulations  
Presentation Presenters: Mayor Waterman and City Attorney Anthony Chubb
- b. Status Update on Application Acceptance; Professional Experts to the City Clerk – Legal Advisor and Financial Advisor; and hearing Officer(s)  
Presentation Presenter: Garland Doyle, Interim City Clerk

19-530            **Suspend the rules.** Moved by Councilperson Waterman and second by Councilperson Pietila.

Ayes: Carter, Miller, Pietila, Taylor-Burks, Waterman, G. Williams and K. Williams  
No: None  
**Motion Carried.**

19-531            **Motion to extend Medical Marihuana Moratorium until January 6, 2020.** Moved by Councilperson Taylor-Burks and second by Councilperson Carter.

Ayes: Miller, Taylor-Burks, Waterman, G. Williams, K. Williams and Carter  
No: None  
**Motion Passed.**  
Councilwoman Mary Pietila was absent during the vote.

19-532            **Resolution in honor of Brandon Becks.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

WHEREAS, it is the sense of this legislative body to recognize that with every rising star, there is hope for a better tomorrow and the possibilities of producing exceptional leaders are endless; and,  
WHEREAS, Gibraltar Lodge #19, provides annual scholarships to outstanding higher achievers who are committed to pursuing excellence; and,  
WHEREAS, Brandon Becks attended West Bloomfield High School and is currently majoring in biology at the University of Toledo in Toledo, Ohio; and,

WHEREAS, Brandon Becks is dedicated to the community and volunteers his time assisting homeless shelters.

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council and members of this great community, honor and salute the personal accomplishments and achievements of Brandon Becks for a job well done. Congratulations.

Ayes: Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams, Carter and Miller

No: None

**Resolution Passed.**

19-533 **Resolution in honor of Dorian Long.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

WHEREAS, it is the sense of this legislative body to recognize that with every rising star, there is hope for a better tomorrow and the possibilities of producing exceptional leaders are endless; and,

WHEREAS, Queen of Sheba Chapter #15, Order of the Eastern Star, provides annual scholarships to outstanding higher achievers who are committed to pursuing excellence; and,

WHEREAS, Dorian Long attended West Bloomfield High School and is currently a psychology major at Oakland University in Rochester, Michigan; and,

WHEREAS, Dorian Long is dedicated to the community and volunteers at Camp Hosanna, Church summer camp, Habitat for Humanity and tutors at Herrington Elementary.

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council and members of this great community, honor and salute the personal accomplishments and achievements of Dorian Long for a job well done. Congratulations.

Ayes: Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams, Carter and Miller

No: None

**Resolution Passed.**

19-534 **Resolution in honor of Elisabeth Rose Semwile.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

WHEREAS, it is the sense of this legislative body to recognize that with every rising star, there is hope for a better tomorrow and the possibilities of producing exceptional leaders are endless; and,

WHEREAS, Queen of Sheba Chapter #15, Order of the Eastern Star, provides annual scholarships to outstanding higher achievers who are committed to pursuing excellence; and,

WHEREAS, Elisabeth Rose Semwile attended West Bloomfield High School and is currently a nursing student at Alabama A&M University in Huntsville, Alabama; and,

WHEREAS, Elisabeth Rose Semwile is dedicated to the community and volunteers at Gleaners, Habitat for Humanity, Angel Tree and is a Praise Dancer.

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council and members of this great community, honor and salute the personal accomplishments and achievements of Elisabeth Rose Semwile for a job well done. Congratulations.

Ayes: Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams, Carter and Miller

No: None

**Resolution Passed.**

19-535        **Resolution in honor of Jasmine Spurlin.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

WHEREAS, it is the sense of this legislative body to recognize that with every rising star, there is hope for a better tomorrow and the possibilities of producing exceptional leaders are endless; and,

WHEREAS, Queen of Sheba Chapter #15, Order of the Eastern Star, provides annual scholarships to outstanding higher achievers who are committed to pursuing excellence; and,

WHEREAS, Jasmine Spurlin attended Pontiac Academy for Excellence and is currently majoring in Game Art at Lawrence Technological University in Southfield, Michigan; and,

WHEREAS, Jasmine Spurlin is dedicated to the community and is a volunteer at a senior living facility.

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council and members of this great community, honor and salute the personal accomplishments and achievements of Jasmine Spurlin for a job well done. Congratulations.

Ayes: Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams, Carter and Miller

No: None

**Resolution Passed.**

19-536        **Resolution in honor of Kendall Wright.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

WHEREAS, it is the sense of this legislative body to recognize that with every rising star, there is hope for a better tomorrow and the possibilities of producing exceptional leaders are endless; and,

WHEREAS, the Taylor Scholarship provides annual scholarships to outstanding higher achievers who are committed to pursuing excellence; and,

WHEREAS, Kendall Wright was a former student of Pontiac High School International Technology Academy and is currently majoring in mechanical engineering at Grand Valley State University in Allendale, Michigan; and,

WHEREAS, Kendall Wright is dedicated to her church, Southside Church of God, where she serves as an usher, sings on the church's praise team, is a member of the mime ministry and volunteers in the church's community involvement activities.

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council and members of this great community, honor and salute the personal accomplishments and achievements of Kendall Wright for a job well done. Congratulations.

Ayes: Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams, Carter and Miller

No: None

**Resolution Passed.**

October 29, 2019 Approved Minutes

There was no move or second for the resolution to authorize the City Clerk to publish the notice in a newspaper of general circulation at least one week before consideration of the proposed budget amendment to increase account number 101-206-702-000 (Finance Administration Salaries & Wages)

There was no move or second for the resolution to approve budget amendment in the amount of \$90,000.00 to restore Finance Director's Salary as presented in the Mayor's 2019-2020 Proposed Budget.

19-537        **Defer items #16 & #17 for one week.** Moved by Councilperson Pietila and second by Councilperson Carter. Council President K. Williams request that the Youth Recreation Assistant Manager be present at the next Council meeting.

Ayes: Taylor-Burks, Waterman, G. Williams, K. Williams, Carter, Miller and Pietila

No: None

**Motion Carried.**

19-538        **Motion to receive items #19-21 the Communication from the Mayor as information only.** Moved by Councilperson Miller and second by Councilperson Carter.

Ayes: Waterman, G. Williams, K. Williams, Carter, Miller, Pietila and Taylor-Burks

No: None

**Motion Carried.**

Eight (8) individuals addressed the body during public comment.

Mayor Waterman, Interim City Clerk Doyle, Councilman George Williams, Councilwoman Pietila, Councilwoman Taylor-Burks, Councilwoman Miller, Council President Pro-Tem Carter and Council President Kermit Williams made closing comments.

Council President Williams adjourned the meeting at 9:19 p.m.

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GARLAND S. DOYLE  
INTERIM CITY CLERK

**SETTLEMENT AGREEMENT  
FOR SATISFACTION OF JUDGMENT**

THIS SETTLEMENT AGREEMENT FOR SATISFACTION OF JUDGMENT ("Agreement") is made by and between the City of Pontiac ("City") and the Board of Trustees of the City of Pontiac Police and Fire Retiree Prefunded Group Health and Insurance Trust ("PF VEBA"), collectively the "Parties," who hereby agree as follows:

**WHEREAS**, on August 8, 2012, the Board of Trustees of the Pontiac Police and Fire Retiree Prefunded Group Health and Insurance Trust ("PF VEBA") filed a Complaint against the City in Oakland County Circuit Court, Case No. 2012-128625-CZ, which was assigned to the Honorable Daniel P. O'Brien.

**WHEREAS**, as a result of that action, on July 31, 2019, Judge O'Brien signed a Judgment (the "Judgment") for the PF VEBA against the City in the amount of Four Million Seventy-Three Thousand Nine Hundred Seventy-Four and 61/100 (\$4,073,974.61) Dollars (*Exhibit A*, Judgment).

**NOW THEREFORE**, to satisfy that Judgment and settle this matter, the Parties agree as follows:

1. The Parties agree that the PF VEBA currently owes the City Two Million Six Hundred Sixty-Six Thousand Six Hundred Ninety-Six and 17/100 (\$2,666,696.17) Dollars representing monthly PF VEBA Reimbursements covering the period from February 1, 2019 through November 30, 2019, as set forth in *Exhibit B*, PF VEBA Reimbursement Schedule.
2. The City agrees to waive the amount set forth in Paragraph 1 as a payment toward this Settlement Agreement for Satisfaction of Judgment. The Parties agree to apply the amount set forth in Paragraph 1, above, to the Judgment amount. This reduces the Judgment balance to One Million Four Hundred Seven Thousand Two Hundred Seventy-Eight and 44/100 (\$1,407,278.44) Dollars.
3. The Parties agree that the City will waive the PF VEBA monthly reimbursement expenses due to the City, beginning December 1, 2019 and ending when the cumulative amount of monthly PF VEBA reimbursement totals One Million Four Hundred Seven Thousand Two Hundred Seventy-Eight and 44/100 (\$1,407,278.44) Dollars. The Parties agree that, once the monthly reimbursement expenses, beginning December 1, 2019 and on a going forward basis, total One Million Four Hundred Seven Thousand Two Hundred Seventy-Eight and 44/100 (\$1,407,278.44) Dollars, the PF VEBA will immediately resume reimbursement of the monthly claims expenses to the City. At that time, the Judgment shall be deemed satisfied. The City agrees that it will continue to pay, without reimbursement, all PF VEBA claims expenses during the period in which the Judgment is not fully satisfied. If the City fails to pay these PF VEBA expenses, it will be considered to be in default of this Agreement.
4. The PF VEBA agrees, upon receipt of an executed copy of this Agreement, to

immediately withdraw its request that the Judgment be placed upon the City of Pontiac Winter 2019 property tax rolls as a Judgment Levy. The Parties agree that the PF VEBA will deliver correspondence to the City withdrawing the Judgment Levy request (correspondence attached as *Exhibit C*) upon receipt of an executed copy of this Agreement. The PF VEBA agrees that it will not request that the Judgment be placed upon any future City of Pontiac property tax rolls as a Judgment Levy so long as the City complies with all terms of this Agreement. The PF VEBA further agrees to execute and enter the attached Order of Satisfaction of Judgment (*Exhibit D*) at the time that the Judgment amount has been fully satisfied, according to the terms set forth above.

5. In no way shall this Settlement impair the rights or obligations of either party under the CPREA v. Pontiac Settlement Agreement. The Parties agree that, pursuant to Paragraph 8 of that Agreement, the City's contribution to the "New VEBA" shall be no more than Four Million Two Hundred Fifty Thousand and 00/100 (\$4,250,000.00) Dollars, minus the Four Million Seventy-Three Thousand Nine Hundred Seventy-Four and 61/100 (\$4,073,974.61) Dollars to be paid under the terms of this Agreement. Subject to the terms of the CPREA v. Pontiac Settlement Agreement, the City's initial contribution to the New VEBA, in the event the City complies with all terms of this Agreement, will be One Hundred Seventy-Six Thousand Twenty-Five and 39/100 (\$176,025.39) Dollars. Further, the Honorable Daniel P. O'Brien shall retain jurisdiction regarding disputes in this matter.

**WHEREFORE**, the Parties have voluntarily signed this agreement on the dates set forth below.

**PLAINTIFF**

Board of Trustees of the City of Pontiac  
Police and Fire Retiree Prefunded Group  
Health and Insurance Trust

By: \_\_\_\_\_

Its: Chairman

Dated: \_\_\_\_\_

**DEFENDANT**

City of Pontiac

By: \_\_\_\_\_

Dr. Deirdre Waterman

Its: Mayor

Dated: \_\_\_\_\_



# EXHIBIT A

FILED Received for Filing Oakland County Clerk 7/31/2019 1:03 PM

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

BOARD OF TRUSTEES OF THE CITY OF PONTIAC  
POLICE AND FIRE RETIREE PREFUNDED  
GROUP HEALTH AND INSURANCE TRUST,

Plaintiff,

Case No. 12-128625-CZ  
Hon. Daniel P. O'Brien

vs.

CITY OF PONTIAC, MICHIGAN,

Defendant.

Matthew I. Henzi (P57334)  
SULLIVAN, WARD, ASHER & PATTON, P.C.  
Attorneys for Plaintiffs  
1000 Maccabees Center  
25800 Northwestern Highway  
Southfield, Michigan 48075-8412  
Telephone: 248.746.0700  
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John C. Clark (P51356)  
Stephen J. Hitchcock (P15005)  
GIAMARCO, MULLINS & HORTON, PC  
Attorneys for Defendant  
101 W. Big Beaver Road - 10<sup>th</sup> Floor  
Troy MI 48084  
Telephone: 248.457.7000  
Facsimile: 248.457.7001  
Email: [jelark@gmhlaw.com](mailto:jelark@gmhlaw.com)  
[sjh@gmhlaw.com](mailto:sjh@gmhlaw.com)

**JUDGMENT**

At a session of said Court, held in the City of Pontiac,  
County of Oakland, State of Michigan

on: 7/31/19

Present: Honorable DANIEL PATRICK O'BRIEN  
Circuit Court Judge

Upon Plaintiff having filed its Motion for Entry of Judgment on its Complaint to Compel Defendant's annual contribution for the fiscal year ending June 30, 2012, in the amount of \$3,473,923.28;

The Court of Appeals having delivered an opinion dated October 25, 2016, that reversed the Trial Court and ruled that Plaintiff is entitled to a judgment upon remand to the Oakland

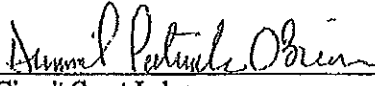
County Circuit Court, *Board of Trustees of the City of Pontiac Police & Fire Retiree Prefunded Group Health and Insurance Trust v. City of Pontiac*, COA: 316418.

The Michigan Supreme Court having entered an Order denying Defendant's application for leave to appeal, and affirming the October 25, 2016 Order of the Court of Appeals. *Board of Trustees of the City of Pontiac Police & Fire Retiree Prefunded Group Health and Insurance Trust v. City of Pontiac*, SC: 154745.

Pursuant to MCL 600.6013, interest calculated from the date the Complaint was filed, August 8, 2012 through January 31, 2019, totaling \$600,051.33 shall be added to the principal judgment amount making the total judgment entered in the amount of \$4,073,974.61, and

The Court being otherwise fully advised in the premises;

**IT IS HEREBY ORDERED** that Judgment is hereby entered in favor of Plaintiff Board of Trustees of the City of Pontiac Police and Fire Retiree Prefunded Group Health and Insurance Trust and against Defendant City of Pontiac, Michigan in the amount of \$4,073,974.61.

  
\_\_\_\_\_  
Circuit Court Judge

HNB

2251667

# EXHIBIT B

Pontiac Police & Fire VEBA Reimbursement 2013

|                                   | JANUARY             | FEBRUARY            | MARCH               | APRIL               | MAY                 | JUNE                | JULY                | AUGUST              | SEPTEMBER           | OCTOBER             | NOVEMBER            | DECEMBER      | TOTAL                 | %           |
|-----------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------|-----------------------|-------------|
| Medicare Advantage Premiums (600) | \$54,067.44         | \$52,523.07         | \$52,563.07         | \$53,040.60         | \$55,938.04         | \$54,990.72         | \$64,906.72         | \$55,453.25         | \$55,458.25         | \$58,323.42         | \$57,880.99         | \$0.00        | \$605,194.49          | 20.6%       |
| Medicare Advantage OPEB (801)     | \$14,286.99         | \$15,311.87         | \$14,286.39         | \$14,256.39         | \$14,011.75         | \$14,011.75         | \$14,494.28         | \$14,494.28         | \$14,978.81         | \$13,438.70         | \$13,433.70         | \$0.00        | \$158,947.41          | 5.4%        |
| Medical Claims                    | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| GlidePath                         | \$197,874.53        | \$198,053.87        | \$180,943.58        | \$206,783.45        | \$198,955.05        | \$198,055.05        | \$202,735.72        | \$200,937.32        | \$192,890.56        | \$192,510.83        | \$193,261.83        | \$0.00        | \$2,170,752.63        | 74.0%       |
| GlidePath OPEB                    | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| BCBS Admin Fee                    | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| Prescriptions                     | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| Stop Loss                         | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| Dental*                           | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| Optical*                          | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| Life Insurance                    | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| Medical Run Out 4th Quarter 2013  | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| Dental Run Out 4th Quarter 2013   | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00              | \$0.00        | \$0.00                | 0.0%        |
| <b>Total</b>                      | <b>\$266,198.26</b> | <b>\$286,528.81</b> | <b>\$253,793.05</b> | <b>\$274,689.45</b> | <b>\$288,074.85</b> | <b>\$287,037.53</b> | <b>\$272,186.72</b> | <b>\$270,204.35</b> | <b>\$283,325.62</b> | <b>\$284,272.96</b> | <b>\$264,561.23</b> | <b>\$0.00</b> | <b>\$2,932,894.53</b> | <b>100%</b> |

\$2,666,696.17

# EXHIBIT C

ROBERT B. SULLIVAN, SR. (1922-1998)  
DAVID M. TYLER (1930-2002)  
RICHARD G. WARD (RETIRED)

MATTHEW I. HENZI  
mhenzi@swappe.com  
(248) 746-2762

October \_\_, 2019

***VIA HAND DELIVERY***

Treasurer  
City of Pontiac  
47450 Woodward Avenue  
1<sup>st</sup> Floor  
Pontiac, MI 48342

Dear Treasurer:

The City of Pontiac Police and Fire Retiree Prefunded Group Health & Insurance Plan ("PF VEBA") writes this letter to withdraw its October 2, 2019 request to place its July 31, 2019 Judgment against the City as a Judgment Levy on the Winter 2019 Tax Rolls.

The PF VEBA has reached a settlement with the City regarding the July 31, 2019 Judgment. According to the terms of that Settlement Agreement, the PF VEBA withdraws its request for Judgment Levy on the Winter 2019 Tax Rolls.

Please contact me with any questions you may have about this letter.

Thank you for your cooperation.

Very truly yours,

**SULLIVAN, WARD,  
ASHER & PATTON, P.C.**

Matthew I. Henzi

cc: PF VEBA Trustees (via legal report)  
City Clerk w/encl. (hand delivery)  
Mayor Deirdre Waterman (via email only - [dwaterman@pontiac.mi.us](mailto:dwaterman@pontiac.mi.us))  
Anthony Chubb (via email only- [achubb@gmhlaw.com](mailto:achubb@gmhlaw.com))

# EXHIBIT D



**STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND**

BOARD OF TRUSTEES OF THE CITY OF PONTIAC  
POLICE AND FIRE RETIREE PREFUNDED  
GROUP HEALTH AND INSURANCE TRUST,

Plaintiff,

Case No. 12-128625-CZ  
Hon. Daniel P. O'Brien

vs.

CITY OF PONTIAC, MICHIGAN,

Defendant.

---

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[sjh@gmhlaw.com](mailto:sjh@gmhlaw.com)

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**SATISFACTION OF JUDGMENT**

NOW COMES the Plaintiff and Defendant, by and through their respective counsel, SULLIVAN, WARD, ASHER & PATTON, P.C and GIAMARCO, MULLINS & HORTON, P.C., and jointly state that the Judgment entered by this Court on July 31, 2019 in favor of Plaintiff and against the Defendant has been

satisfied in full. This matter is hereby dismissed as to Defendant.

Dated:

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Matthew I. Henzi (P57334)  
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8412  
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Facsimile: 248.746.2760  
Email: [mhenzi@swappc.com](mailto:mhenzi@swappc.com)

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John C. Clark (P51356)  
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Email: [jclark@gmhlaw.com](mailto:jclark@gmhlaw.com)

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