NOTICE OF PONTIAC CITY COUNCIL MEETING
February 9, 2021
at 6:00 p.m.

THE MEETING WILL BE HELD ELECTRONICALLY

The City Council of the City of Pontiac will hold a Study Session on February 9, 2021 at 6:00 p.m. This meeting will be held electronically as allowed by the amended Open Meetings Act. The agenda for the Study Session is attached. The Pontiac City Council gives notice of the following:

1. **Procedures.** The public may view the meeting electronically through the following method.

   http://pontiac.mi.us/council/pontiactv/index.php

2. **Public Comment.** For individuals who desire to make a public comment, please submit your name and comment in writing to **publiccomments@pontiac.mi.us.** Additionally, you may submit your public comment in writing directly to the Office of the City Clerk during regular business hours. All public comments must be received no later than 5:30 p.m. on February 9, 2021. Public comments are limited to three (3) minutes. The City Clerk will read your comments during the public comment section of the meeting.

3. **Persons with Disabilities.** Persons with disabilities may participate in the meeting through the methods set forth in paragraph 2. Individuals with disabilities requiring auxiliary aids or services in order to attend electronically should notify the Interim City Clerk, Garland Doyle at (248) 758-3200 or clerk@pontiac.mi.us at least 24 hours in advance of the meeting.

Dated 2-5-2021, 5:00 p.m.
Garland S. Doyle, Interim City Clerk
City of Pontiac
47450 Woodward Ave. Pontiac, MI 48342 Phone: (248) 758-3200

PONTIAC CITY COUNCIL

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

Patrice Waterman, District 1
Megan Shramski, 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."

Website: http://pontiaccityclerk.com/city-council-meetings

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

STUDY SESSION
February 9, 2021
6:00 P.M.
214th Session of the 10th Council

Call to order

Roll Call

Authorization to Excuse Councilmembers

Amendments to and Approval of the Agenda

Approval of the Minutes

1. January 29, 2021 Special Meeting

2. February 2, 2021 Formal Meeting

Public Comment

Agenda Items

Resolutions
City Council

3. Resolution to approve the appointments of Linda D. Watson, Elizabeth Peete, Mattie Lasseigne and alternate Elick Shorter to the Board of Review

Department of Public Works (DPW)

4. Resolution to approve extending the METRO Act Permit Agreement between AT&T and the City of Pontiac

Economic Development

5. Resolution to establish an Industrial Development District (IDD) for 2100 Opdyke Road

6. Resolution to amend 50 Wayne Obsolete Property Rehabilitation Exemption Certificate (OPRA) for JBD Indian Hill Ventures LLC

Finance /Treasury

7. Resolution to approve the amended 2021 Poverty Exemption Guidelines

Oakland County Sheriff

8. Resolution to approve the 2021 High Intensity Drug Trafficking Area (HIDTA) Sub-Grant Agreement

Communication from the Mayor

9. Ottawa Towers / Phoenix Center Global Settlement Agreement

Adjournment

Upcoming Special Presentation

February 16, 2021
Office of the City Clerk Medical Marihuana Review Process Update

#1

MINUTES

1-29-21

Official Proceedings
Pontiac City Council
212th Session of the Tenth Council

Call to order
A Special Meeting of the City Council of Pontiac, Michigan was called to order electronically, on Friday, January 29, 2021 at 9:00 a.m. by Council President Kermit Williams.

Roll Call

Members Present	**Attendance**	**Location**
Miller	Remotely	Pontiac, Oakland County, MI
Pietila	Remotely	Pontiac, Oakland County, MI
Shramski	Remotely	Pontiac, Oakland County, MI
Waterman	Remotely	Pontiac, Oakland County, MI
Williams	Remotely	Pontiac, Oakland County, MI

Member Absent: Carter and Taylor-Burks
Mayor Waterman was present.
Clerk announced a quorum.

Agenda Items
21-13 **Motion to remove Hidden River Entertainment Space with instrumental playground equipment, Hidden River Entertainment, Hidden River Park and any reference from the 2021-2051 Parks & Recreation Master Plan.** Moved by Councilperson Pietila and second by Councilperson Waterman.

Ayes: Shramski, Waterman, Williams, Miller and Pietila
No: None
Motion Carried

Resolution
21-14 **Resolution to Approve the 2021-2025 Park & Recreation Master Plan.** Moved by Councilperson Waterman and second by Councilperson Pietila.

Whereas, the City of Pontiac has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents covering a five-year period for the years 2021 through 2025, and
Whereas, the City of Pontiac began the process of developing a citywide recreation plan in accordance with the most recent guidelines developed by the Department of Natural Resources that were made available to local communities, and
Whereas, residents of the City of Pontiac were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the Parks and Recreation Master Plan, and
Whereas, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and
Whereas, a public hearing was held on January 20, 2021 at a virtual Pontiac Planning Commission meeting to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the 2021-2025 City of Pontiac Parks and Recreation Master Plan, and

Whereas, the City of Pontiac has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the City of Pontiac, and
Whereas, on January 29, 2021, the Pontiac City Council exercised its authority and removed Hidden River Entertainment Space with instrumental playground equipment, Hidden River Entertainment, Hidden River Park and any reference from the plan, and
Whereas, the Pontiac City Council voted to adopt the 2021-2025 City of Pontiac Parks and Recreation Master Plan with the removal of Hidden River Entertainment Space with instrumental playground equipment, Hidden River Entertainment, Hidden River Park and any reference from the plan on January 29, 2021.
Now, Therefore, Be It Resolved the Pontiac City Council hereby adopt the 2021-2025 City of Pontiac Parks and Recreation Master Plan.

Ayes: Waterman, Williams, Miller, Pietila and Shramski
No: None
Resolution Passed

2021-2025 Parks and Recreation Master Plan attached as Exhibit A.

Excuse Councilmembers

21-15 **Excuse Councilmembers Randy Carter and Doris Taylor-Burks for personal reasons.** Moved by Councilperson Shramski and second by Councilperson Waterman.

Ayes: Waterman, Williams, Miller, Pietila and Shramski
No: None
Motion Carried

Public Comment

Two (2) individuals submitted a public comment read by the City Clerk

Adjournment

President Kermit Williams adjourned the meeting at 9:27 a.m.

GARLAND S DOYLE
INTERIM CITY CLERK

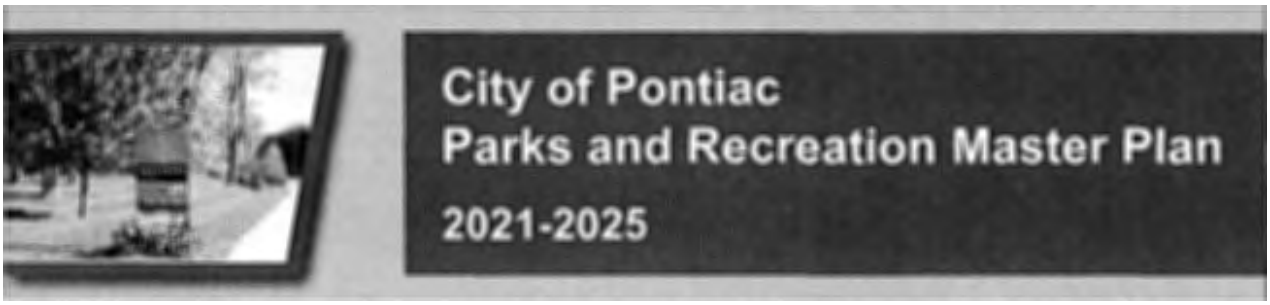
DRAFT

Exhibit A

Parks and Recreation Master Plan
2021-2025

City of Pontiac
Oakland County, Michigan

1925 McAlpine Plat Map of Pontiac illustrating locations of Beaudette Park, Wilson Park (now known as The Links at Crystal Lake) and Murphy Park highlighted in blue.



Honorable Dr. Deirdre Waterman, Mayor

City Council

Patrice Waterman - District 1
Megan Shramski - District 2
Mary Pietila - District 3
Council President Pro Tem Randy Carter - District 4
Gloria Miller - District 5
Doris Taylor-Burks - District 6
Council President Kermit Williams - District 7

Public Hearing

January 20, 2021

Plan Adopted

January 29, 2021

Plan Expires

December 31, 2025

Assistance Provided By:

Healthy Pontiac, We Can! Coalition
St. Joseph Mercy Oakland Hospital
Oakland University
Oakland County Economic Development & Community Affairs
City of Pontiac Planning Division
City of Pontiac Department of Public Works

Public Hearing

The draft 5-Year Parks & Recreation Master Plan was made available for public review on the City's website and at City Hall for a 30 day period starting on December 7, 2020. A notice of draft plan availability was published in *The Oakland Press* and on the City's website on December 1, 2020. The public hearing was held on January 20, 2021 at the Pontiac Planning Commission meeting. Several interested persons provided comments during the public hearing and several comments were received via email during the public comment period.

Adoption

After incorporating a variety of changes resulting from the public comment period and public hearing, the Pontiac Parks and Recreation Master Plan was adopted by the Pontiac City Council at a special meeting held on January 29, 2021.

Table of Contents

1. Introduction....1

Purpose of the Plan....1

History of Pontiac Parks....1

Community Description....2

2. Administrative Structure....5

Enabling Legislation....5

Organizational Structure....5

Partner & Volunteer Groups....7

Fiscal Analysis....9

3. Inventory of Existing Parks & Recreation Facilities....11

City-Owned Parks or Recreation Facilities....11

Park Barrier Free Accessibility Rating....13

Parks, Recreation & School Facility Map....14

City-Owned Recreation Facilities Inventory....15

Other Recreational Facilities....94

Regional Recreation Facilities....94

Educational Facilities....96

Non-Motorized Trails (Linear Parks)....98

Pontiac Linear Park Gap Analysis....106

Southeast Michigan Non-motorized Corridors & Gaps....110

Recreational Boating Facilities....112

Clinton River Water Trail & WaterTowns....116

Pontiac Grant History....117

4. Complete Streets Pontiac....121

Set Policies....127

Built Environment Recommendations....128

Promotional Recommendations....135

Evaluation Recommendations....136

5. Community Resource Inventory ***137***
Existing Land Use 137
Vegetation Circa 1800 140
Oakland County Green Infrastructure Vision 142
Oakland County Potential Natural Areas 144
Water Resources 146
Social Determinants of Health 148
Public Health 149
Transportation & Mobility 154
ESRI Tapestry Segmentation 156
6. Planning & Public Input Process ***159***
2018 Community Survey Results 161
Community Engagement Feedback 166
7. Basis for Action ***171***
Community Demographics 172
National Recreation Trends 182
National Planning Standards 184
Facility Standards 187
S.C.O.R.P. 188
8. Action Program ***189***
Goals and Objectives 189
Action Items 195
Potential Funding Sources 200
Appendices
A. 2018 Blank Pontiac Community Survey
B. 2018 Pontiac Community Survey Executive Report
C. Clinton River Trail Amenities
D. Draft Plan Availability and Public Hearing Notice
E. Public Hearing Minutes
F. Order of Adoption
G. Copy of Transmittal Letter to Oakland County
H. Copy of Transmittal Letter to SEMCOG
I. Post Completion Self Certification Reports
J. Community Park & Recreation Plan Certification Checklist

Introduction

SECTION 1

Purpose of the Plan

The purpose of the *2021-2025 Pontiac Parks and Recreation Master Plan* is to provide a new vision for future allocation of resources and create a vibrant and sustainable park system in the City of Pontiac, Michigan that:

- is well maintained and operated
- promotes inclusive programs and facilities
- provides equitable access to all residents

This plan builds on the *2012-2016 Pontiac Parks & Recreation Master Plan* and was created using the *Guidelines for the Development of Community Park, Recreation, Open Space and Greenway Plans* by the Michigan Department of Natural Resources (11/20/2018). It is also intended to enable the City to be eligible to apply for grant funding from various agencies and work toward implementing the documented recommendations. This plan provides for five years of grant eligibility with the Michigan Department of Natural Resources (DNR) and will expire on December 31, 2025.

The jurisdiction of this 5-year master plan includes the incorporated boundary limits of the City of Pontiac, approximately 20 square miles in the center of Oakland County.

History of Pontiac Parks

The Pontiac park system is celebrating its 100th anniversary. In 1919, voters approved funding to purchase property and establish a citywide park system. The first public parks in the City include:

- Beaudette Park
- Murphy Park
- Richardson Park
- Wilson Park (now Links at Crystal Lake)

These parks were named in honor of a notable Civil War General and local pioneers in the growing automobile and related parts manufacturing industries. It would take a number of years to develop and open the parks officially to the public. For example, the dedication ceremony for Beaudette Park was held on July 1, 1934. At that time, the main features included a baseball field, tennis courts and camping.[1]

Postcard of a natural setting and a bridge over the Clinton River in Pontiac ca. 1910.

Community Description

The City of Pontiac is located in southeastern Michigan and covers about 20 square miles of land. It was incorporated as a village in 1837 and later became a city in 1861. The 2016 American Community Survey estimates the total population to be 59,920 people.

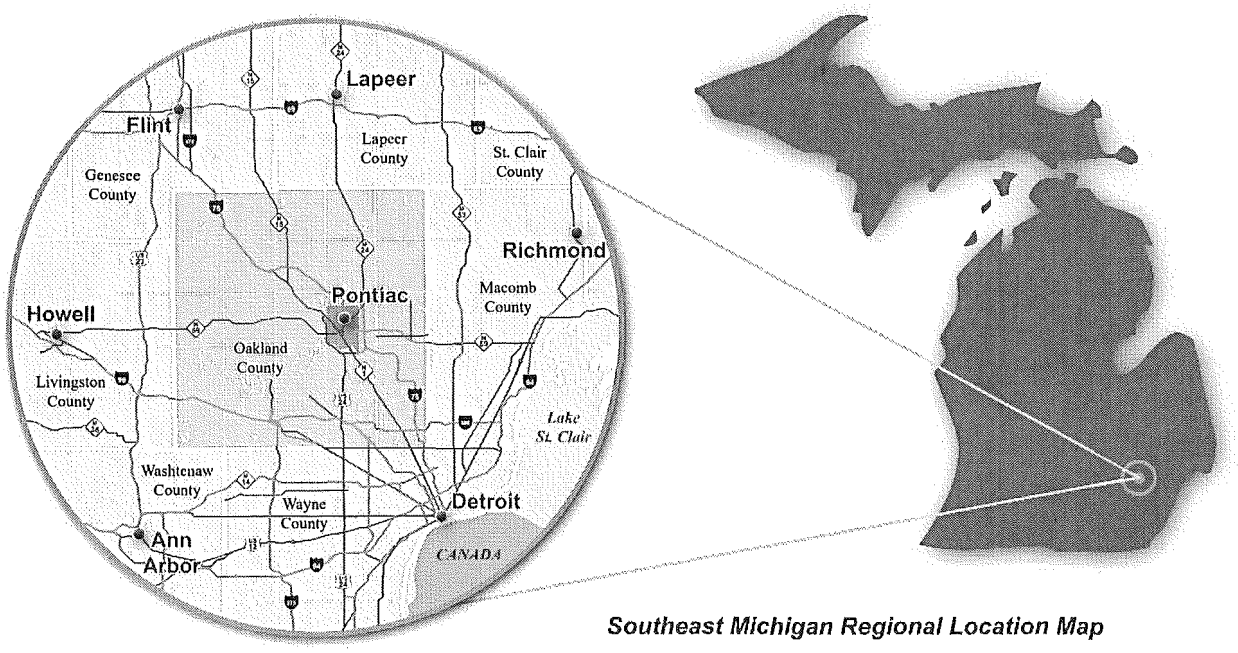
Pontiac is the County Seat and the main Oakland County government campus is located on the western boundary of the City. The 50th District Court is located in the downtown and other state, county and city offices are also located throughout Pontiac.

This region has an extensive past relating to the Indigenous peoples that inhabited the area and the City was named in honor of Chief Pontiac (c. 1720 – 1769), an Odawa tribal chief. Local Native American tribes often traveled through this area on a footpath called the Saginaw Trail, which linked Detroit to Saginaw and passed through Pontiac and Flint. Today, it is known as Woodward Avenue, Dixie Highway and Saginaw Street.

Pontiac's central location in Oakland County offers convenient access from all areas of the Detroit metropolitan region. Interstates 75 and 696, M-59, M-1 and M-24 connect Pontiac to Detroit, Flint and neighboring communities. Pontiac is the northern terminus of Woodward Avenue (M-1), a major northwest-southeast highway in Metro Detroit, while Telegraph Road (US-24) is a main north-south route through southeastern Michigan. Downtown Pontiac is approximately:

- 25 miles northwest of Downtown Detroit
- 37 miles southeast of Downtown Flint
- 70 miles east of Downtown Lansing

Fixed route bus service is available through the Suburban Mobility Authority for Regional Transportation (SMART). A major SMART hub is located at the Phoenix Center and the MDOT Transportation Center is on Woodward Avenue serviced by Amtrak Train, Greyhound Bus, Indian Trails Bus and SMART.



Southeast Michigan Regional Location Map

CITY OF PONTIAC GENERAL LOCATION MAP

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.

Classic cars and exhibits on display at the Pontiac Transportation Museum.

Pontiac also has deep roots in the transportation industry that stem from the wagon and carriage makers of the 19th century to being a General Motors "anchor" city in 20th century. This automotive heritage is celebrated by the annual Woodward Dream Cruise, M1 Concourse and the Pontiac Transportation Museum.

The City has been highly dependent on the automobile manufacturing industry, which resulted in lost jobs, high unemployment rates and very tight City budgets as the industry has declined over the last several decades. As a result, Pontiac has been working to diversify its employment base away from traditional assembly-line and automotive engineering jobs. Today, the major employment sectors in the City include healthcare providers, manufacturing, computer systems design and construction.[2] The success of this transformative effort will undoubtedly have a critical economic impact in the City and surrounding areas.

The Main Street Pontiac organization is working with local business owners and residents to promote and transform the downtown into a vibrant and successful district. The historic downtown offers a mix of small businesses, cafés, community services and local brewpubs. Erebus Haunted Attraction, the Crofoot and the newly renovated Strand Theatre are three unique entertainment venues that enhance the nightlife in the City. Various events happen throughout the year including the Holiday Extravaganza in early December and a month long celebration in the fall that transforms the downtown into "Hauntiac".

A number of special events are held in the downtown including the Pontiac Arts Crawl that showcases local artistic talent.[3]

Chapter Notes:

1. "Pontiac Will Open New Public Park Dedication Ceremony Set for Sunday." *Detroit Free Press*. June 30, 1934. Page 4.
2. EMSI (QCEW and non-QCEW employment estimates); employment figures at ZIP Code level (48340, 48341, 48342, 48343)
3. Photo credit: 2018 © david@dporathphoto.com

Administrative Structure

SECTION 2

The following describes how parks and recreation facilities are governed and administrated within the City of Pontiac. The function of the various entities with recreation responsibilities and the overall administrative hierarchy of the City is outlined. Additionally, City expenditure and revenue trends are summarized.

Enabling Legislation

The Michigan enabling legislation for providing public recreation and parks in the City of Pontiac is Public Act 156 of 1917 (Local Government, Operate System of Public Recreation), which authorizes cities, villages, counties, townships and school districts to operate local recreation facilities and recreation systems. The Act states that a city, village, county or township may:

- Operate a system of public recreation and playgrounds
- Acquire, equip and maintain land, buildings or other recreation facilities
- Employ a superintendent of recreation and assistants
- Vote and expend funds for the operation of systems

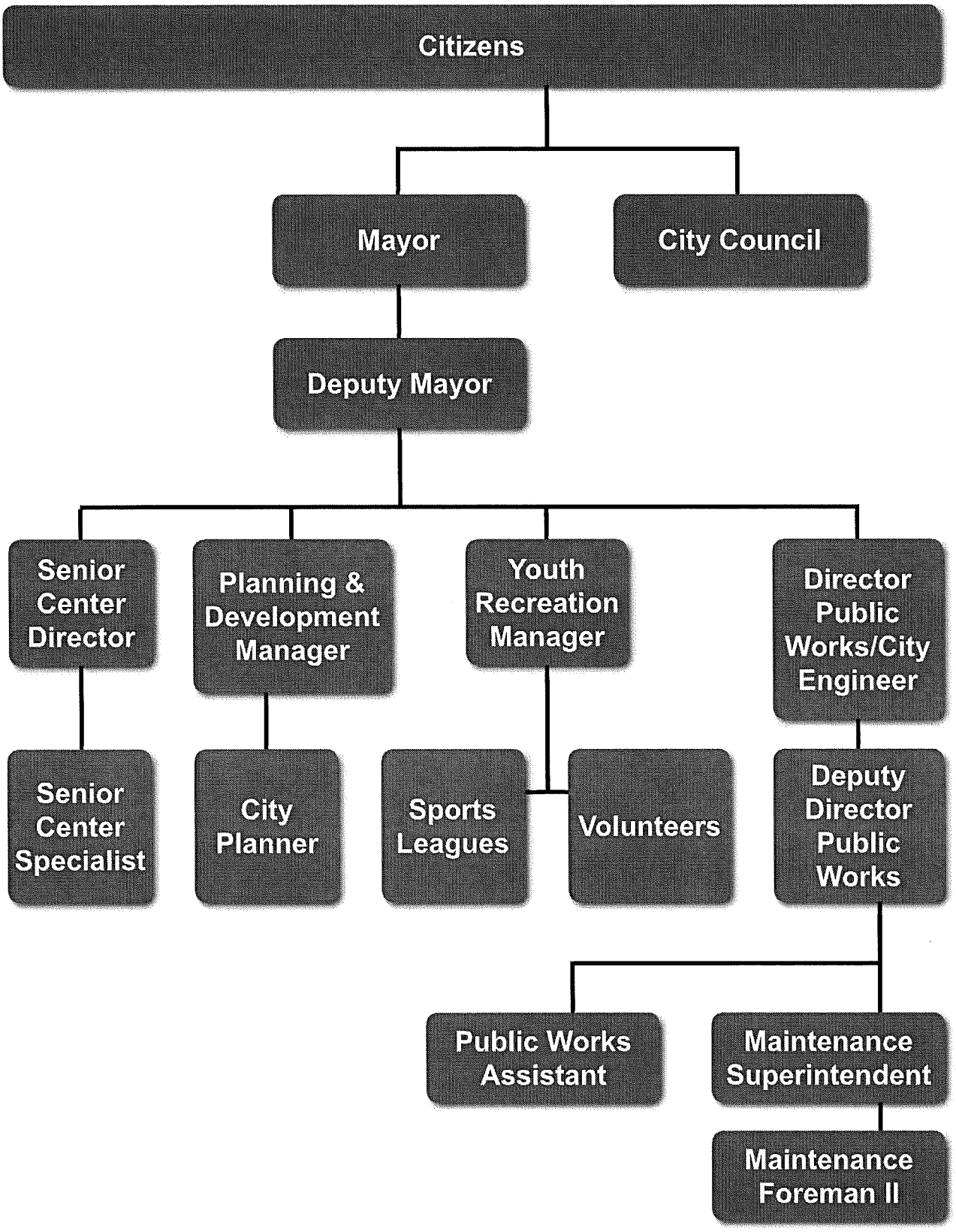
Organizational Structure

The City of Pontiac operates with a Strong Mayor form of government. The Mayor is directly elected by the citizens of Pontiac and appoints key administrative officials, which report directly to and assist the mayor. The Mayor has the authority to commit funds for parks and recreation, accept grants and purchase land on behalf of the City of Pontiac with the approval of City Council.

The Mayor appointed a Parks & Recreation Task Force, which provides Parks & Recreation oversight and recommendations from the Pontiac Planning Division.

Administrative functions related to the operation of the City's parks and recreation facilities have been delegated to the City's Parks Grounds Maintenance Division of the Department of Public Works (DPW). The DPW ensures that a wide array of outdoor recreation opportunities, both passive and active, are available to people of all age groups, interests and abilities, while protecting and conserving the integrity of the City's natural and historical resources. The DPW is currently led by the Director of Public Works/City Engineer, who has supervisory responsibility for public parks and infrastructure in the city such as roads, storm drains and public buildings.

RECREATION ORGANIZATIONAL CHART



The Maintenance Superintendent of the DPW has primary administrative responsibility for operation, maintenance, staffing, planning and development of all City parks. In overseeing these facilities, the Superintendent calls upon the experience and resources of other DPW staff, City Planning Division, private contractors and volunteer groups.

Community Centers

Both the Bowens Senior Center and the Ruth Peterson Community Center are operated by a Director and Senior Center Specialist. The Youth Recreation & Enrichment Center and programs are the responsibility of the Youth Recreation Manager and reports directly to the Mayor's Office.

Partner & Volunteer Groups

The City of Pontiac maintains relationships with the School District of the City of Pontiac and a variety of private recreation groups to coordinate the use and maintenance of recreational facilities and facilitate a broad array of recreational programs. A description of these partnerships is provided below.

Sports Leagues

Several private recreation leagues are active within the City of Pontiac. The City allows these leagues to utilize city parks and, in many cases, relies on the private leagues to maintain the facilities that they utilize during the course of the season.

The sports leagues include:

- Oakland County Sheriff PAL Program (PAL): soccer, basketball, baseball/ softball, tee-ball, flag football, cheerleading, dance, tumbling and fitness
- Azteca Youth Enrichment: amateur boxing, little league baseball and folkloric dancing
- Michigan Youth Football and Cheer Conference (MYFCC): youth football and cheerleading
- Pontiac Panthers: youth football and cheerleading
- Wild Dogs Futbol Club: U7 to U15 recreational and competitive soccer
- Diamonds of Jaycee Park operated by Martin Baseball: youth baseball
- Soccer for Success: after-school program teaching kids fundamentals of soccer and healthy lifestyles

Youth recreation event

Leaders of the Future
Founded in 2013, the Leaders of the Future is a teen-led nonprofit with a mission to transform the City of Pontiac through community service and positive action. The group has participated in park renovations and clean-up events.

Friends of the Pontiac Parks Association
Established in 2012, the Friends of the Pontiac Parks Association (FPPA) is a group of Pontiac residents that was organized to advocate and pursue funding to upgrade, maintain and promote the parks in Pontiac. FPPA also organizes a number of clean-up events in the parks during the year to remove litter, improve playgrounds and beautify the parks with landscaping. FPPA has designed and installed new entryway signs at most of the parks in the City.

Healthy Pontiac, We Can! Coalition
The Healthy Pontiac, We Can! (HPWC) coalition is a diverse group of human service agency specialists, educators, faith-based representatives, government leaders, healthcare professionals, mental health experts and local Pontiac residents. Each year the coalition looks at community data and determines priority projects that focus on creating a vibrant community that supports healthy lifestyles for all.

Walk with Leaders event in Downtown Pontiac

Healthy Pontiac, We Can coalition installed bike racks around the city.

Art Dunlap Park clean up event.

Fiscal Analysis

The table on the following page provides an overview of revenues and appropriations related to parks and recreation facilities within the City of Pontiac. Given the City's emergence from state control in 2016, modest expenditures for parks and recreation are designated in the City's budget for FY 2018/2019 and beyond. The General Fund Revenue is the source of funding for the Parks Grounds Maintenance Division of the Department of Public Works budget appropriations.

Pontiac voters approved the Youth Recreation Millage in 2016 to levy up to 1.5 mills for a period of 10 years. The millage is for centers open exclusively to youths under 21 years of age and aimed at curbing juvenile delinquency within the City of Pontiac. The Pontiac City Council decided to delay levying this millage until fiscal year 2019.

The Senior Activities Millage is levied specifically for the operation of facilities that primarily benefit senior citizens. The City funds operations at the Ruth Peterson and Robert Bowens Senior Centers. Voters approved a millage renewal in 2016 to levy up to 0.75 mills for a period of 10 years.

Park Entrance Fees

The City of Pontiac does not charge an entry fee for the public to access the parks. However, the following rental fees apply for special events held in the parks:

- $100.00 Deposits Refundable
- $35.00 Parks with Pavilion Rental
- $90.00 Portable Restrooms Per Event
- $50.00 Comfort Station (Beaudette Park Only)

PARKS AND RECREATION BUDGET TABLE

DIVISION DETAIL	2016-2017 ACTIVITY	2017-2018 AMENDED BUDGET	2017-2018 PROJECTED ACTIVITY	2018-2019 MAYOR REC. BUDGET	2019-2020 MAYOR REC. BUDGET	2020-2021 MAYOR REC. BUDGET
GENERAL FUND REVENUES						
Property Tax	$8,309,157	$7,761,884	$8,163,789	$7,912,643	$8,150,022	$8,394,523
Income Tax	$13,140,072	$13,009,008	$12,998,971	$13,450,000	$13,934,200	$14,435,832
Other Revenues	$13,337,612	$14,183,519	$13,652,562	$14,546,011	$14,356,351	$14,555,817
Total Revenues	**$34,786,841**	**$34,954,411**	**$34,815,322**	**$35,908,654**	**$36,440,573**	**$37,386,172**
OTHER RECREATION RELATED FUND REVENUE						
Senior Activities Millage	$318,739	$318,265	$344,484	$326,257	$336,432	$346,525
Youth Recreation Millage	------	$400,000	$400,000	$960,642	$989,461	$1,019,145
PARK & RECREATION RELATED BUDGET APPROPRIATIONS						
Neighborhood Projects	$101,069	$366,880	$154,659	$175,000	$180,250	$182,053
Parks Grounds Maintenance	$302,428	$539,979	$560,785	$441,963	$455,322	$460,553
Bowens Senior Center	$170,305	$315,368	$305,089	$232,915	$241,431	$243,256
Peterson Senior Center	$136,280	$415,247	$422,008	$181,125	$187,966	$189,272
Youth Recreation	---	$400,000	$383,061	$958,062	$991,117	$999,718

Source: Mayor's Proposed Budget for Fiscal Years 2019-2021

Inventory of Existing Parks & Recreation Facilities

SECTION 3

Developing a complete inventory of recreation facilities, programs and events is an essential component of a Parks and Recreation Master Plan. It provides a base of information to use in developing the Action Plan. Understanding which facilities, programs and events are available to the residents of the City of Pontiac will assist in the future decision-making process.

This section of the plan includes several components that include:

- Barrier free accessibility evaluation criteria and the recreation facility classification standards that are used throughout the Park Facility Inventory
- A citywide map of the recreation facilities that are owned and operated by the City of Pontiac, other recreation providers and educational facilities
- A table of the amenity inventory and recreation facilities that are owned and operated by the City of Pontiac
- Individual city-owned park maps and detailed information of each
- Information on the educational facilities, regional parks, recreational boating facilities, Clinton River Water Trail and non-motorized trails
- Previously funded grant project tables

In order to include the most up-to-date facility information, a field survey of parks and recreation facilities was conducted in the fall of 2017 and updated in 2018. After the field survey, recreation inventory tables were prepared and are provided on the following pages. The location of each recreation facility is shown on the Recreation Inventory Map.

City-Owned Parks or Recreation Facilities

In total, the City of Pontiac owns 36 public parks and/or recreational facilities, totaling 530.26 acres of land. A profile of each park and/or recreational facility is included on the following pages and are classified as:

- 8 community parks
- 10 neighborhood parks
- 13 mini parks
- 3 community centers**
- 2 linear parks

**Note: *The Youth Recreation & Enrichment Center is leased by the City and not included in the total number of parks/facilities or acreage.*

RECREATION FACILITY CLASSIFICATION STANDARDS

PARK CLASSIFICATION	GENERAL DESCRIPTION	LOCATION CRITERIA	SIZE CRITERIA	NRPA GUIDELINE MINIMUM ACRES/1,000 RESIDENTS[1]	RECOMMENDED ACREAGE FOR PONTIAC[2] / CITY PARK ACREAGE
Community Park	Serves broader purpose than neighborhood park. Focus is on meeting community-based recreation needs, as well as preserving unique landscapes and open spaces.	Determined by the quality and suitability of the site. Usually serves two or more neighborhoods and ½ to 3 mile distance.	As needed to accommodate desired uses. Usually between 30 and 50 acres.	5.0 to 8.0 Acres	300-479 acres[2] / 350.96 acres
Neighborhood Park	Neighborhood park remains the basic unit of the park system and serves as the recreational and social focus of the neighborhood. Focus is on informal active and passive recreation.	¼- to ½-mile distance and uninterrupted by non residential roads and other physical barriers.	5 acres is considered minimum size. 5 to 10 acres is optimal.	1.0 to 2.0 Acres	60-120 acres[2] / 61.06 acres
Mini Park	Used to address limited, isolated or unique recreational needs.	Less than ¼ mile distance in residential setting.	Between 2,500 sq. ft. and one acre in size.	0.25 to 0.5 Acres	15-30 acres[2] / 5.43 acres
Community Center	Public facilities where members of a community tend to gather for group activities, social support, public information and access other related services.	They may be open for the whole community or for a specialized group within the greater community (i.e. seniors or youth).	Varies	Varies	Varies / 4.15 acres
Linear Park	Multi-use trails that emphasize safe non-motorized travel to and from parks and around the community. Focus is as much on transportation as it is on recreation.	Developed for walking, biking, in-line skating and/ or cross-country skiing and located in natural corridors, utility easements or former railroad right-of-way and link key destinations.	Varies	Varies	Varies / 108.66 acres

Adapted from:

[1] *SOURCE: Lancaster, R. A., Ed. Recreation, Park and Open Space Standards and Guidelines. Alexandria, VA: National Recreation and Park Association, 1983.; Mertes, J. D. and J. R. Hall. Park, Recreation, Open Space and Greenway Guidelines. Alexandria, VA: National Recreation and Park Association, 1995.*

[2] *Based on American Community Survey 2016 5-Year Estimate; 59,920*

PARK BARRIER FREE ACCESSIBILITY RATING

RATING	GENERAL DESCRIPTION
0	The park is completely undeveloped and left in a natural state with no paved surfaces.
1	The park is not accessible to people with a broad rage of physical disabilities. This site includes little paved areas and the facilities such as play equipment or picnic areas are not easily accessible.
2	The park is somewhat accessible to people with a broad range of physical disabilities. Either the parking or pathways are paved, but not both. Many of the facilities such as play equipment and picnic areas are not easily accessible.
3	The park is mostly accessible to people with a broad range of physical disabilities. Most of the parking and pathways are paved, some of the facilities such as play equipment or picnic areas are accessible, but may not be completely barrier-free.
4	The park is completely accessible to people with a broad range of physical disabilities. Parking areas and pathways are paved and most of the facilities such as play equipment or picnic areas are easily accessible.
5	The entire park was designed using the principles of universal design, enabling all environments to be usable by everyone, regardless of age, ability or situation.

Park Barrier Free Accessibility Rating

The Americans with Disabilities Act of 1990 (ADA) requires all areas of public service to have barrier-free accessibility, including parks and recreation facilities. The City of Pontiac continues to make improvements and is working towards bringing all park facilities and community centers up to full compliance with ADA standards. The existing deficiencies are typically due to older playground equipment and amenities that predate ADA standards. Future park development projects will consider Universal Accessibility Standards when possible. Accessibility guidelines and standards can be found at: www.access-board.gov/guidelines-and-standards.

The evaluation of City of Pontiac parks was completed in the fall of 2018 as part of the Inventory and is based on the criteria above. The accessibility rating for each park can be found on the following pages.

Several parks in Pontiac have permanent restroom buildings that have fallen into disrepair, including Jaycee Park. Portable toilets, while a viable solution, provide limited accessibility in the current design configuration. This is one example of a barrier free accessibility improvement needed in the parks.

PARKS, RECREATION & SCHOOL FACILITY MAP

City Park or Facility

1. Aaron Perry Park
2. Art Dunlap Park
3. Art Heaton Park
4. Baldwin Park
5. Beaudette Park
6. Bowens Senior Center
7. Charlie Harrison Park
8. Cherrylawn Park
9. Clinton River Trail
10. Crystal Lake Park
11. Dawson Pond Park
12. Ewalt Center
13. Ferry Farms Park
14. Fisher Street Park
15. Galloway Lake Park
16. Hawthorne Park
17. Indian Village Park
18. Jaycee Park
19. Lakeside Park
20. Madge Burt Park
21. Mattie McKinney Hatchett Park
22. Motor & Montana Park
23. Murphy Park
24. North Kiwanis Park
25. North Spur Trail
26. Oakland Park
27. Oliver Playfield
28. Optimist Park
29. Richardson Park
30. Rotary Park
31. Ruth Peterson Community Center
32. Shirley & Willard Park
33. South Kiwanis Park
34. Steed Park
35. Trinity Missionary Baptist Church Park
36. Washington/Argyle Park
37. Youth Recreation & Enrichment Center

Civic Spaces/Plazas/Squares

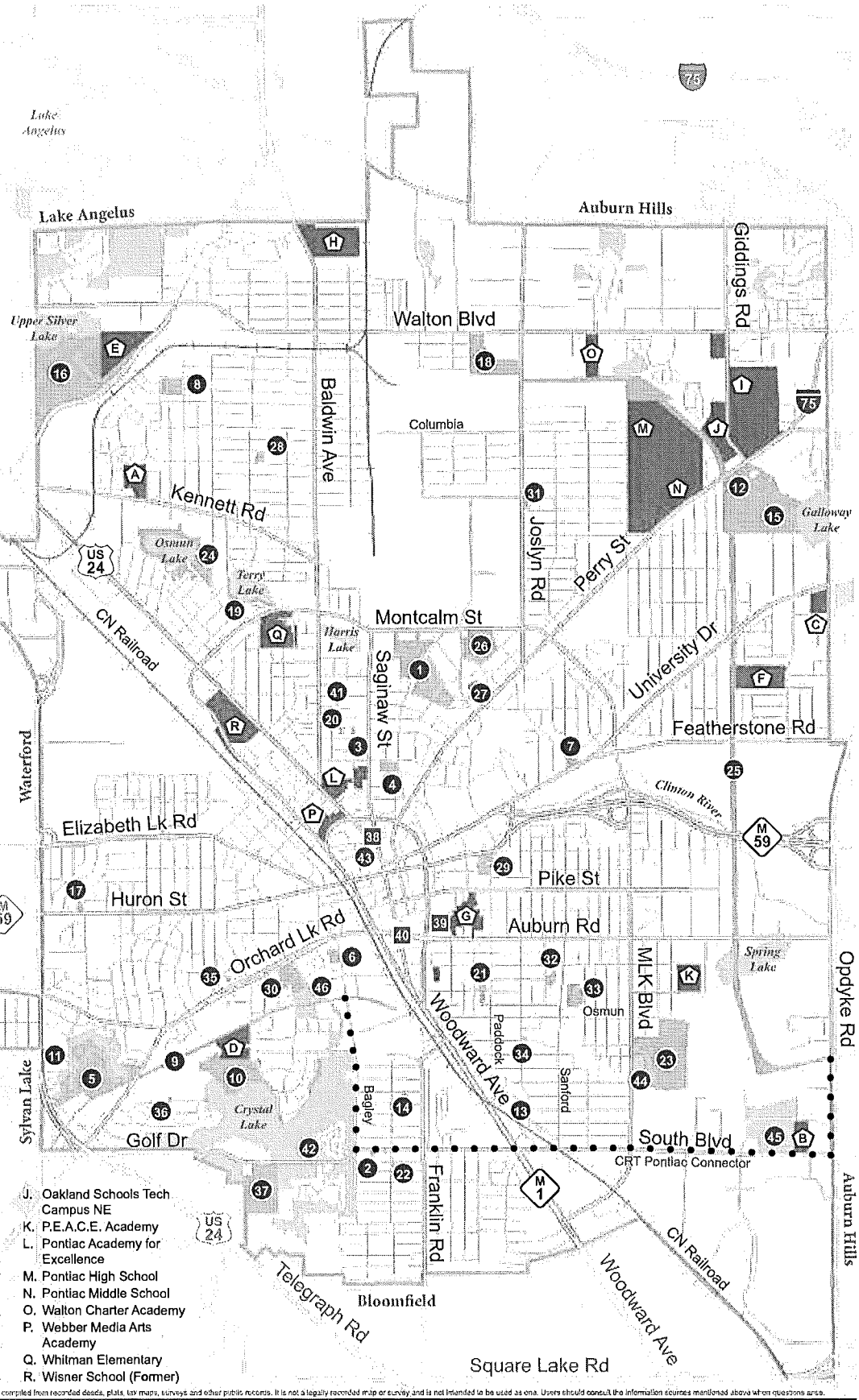
38. Buckley Fountain
39. Kusatsu Friendship Garden
40. Phoenix Center Amphitheater

Privately Owned Facility

41. Community Backyard on Home Street
42. Links at Crystal Lake
43. Saginaw Green
44. Salvation Army Pontiac Community Center
45. Ultimate Soccer Arenas
46. Wessen Tennis Club

Educational Facility

A. Alcott Elementary
B. Arts & Technology Academy of Pontiac
C. Baker College
D. Bethune Elementary (Former)
E. Hawthorne Elementary (Former)
F. Herrington Elementary
G. International Technology Academy/WHRC
H. Owen Elementary/ Kennedy Center
I. Notre Dame Prep Academy
J. Oakland Schools Tech Campus NE
K. P.E.A.C.E. Academy
L. Pontiac Academy for Excellence
M. Pontiac High School
N. Pontiac Middle School
O. Walton Charter Academy
P. Webber Media Arts Academy
Q. Whitman Elementary
R. Wisner School (Former)



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CITY-OWNED RECREATION FACILITIES INVENTORY

Map No.	Park Name	Received DNR Grant	Park Classification	Park Acreage	Accessibility Rating	City Council District	Baseball/Softball Field	Basketball Court	Bike Parking (Y/N)	Boat Access	Cricket Field	Fishing Pier	Fitness Equipment (Y/N)	Grill (Y/N)	Horseshoe Pits (Y/N)	Parking (Y/N)	Picnic Shelter/Pavilion	Picnic Tables (Y/N)	Playground Equipment	Restrooms	Skate Park	Sledding Hill	Soccer Field	Tennis Court	Volleyball Court	Walking Path (Y/N)
	Community Parks																									
1	Aaron Perry Park	L	CP	33.49	2	6	2	-	Y	-	-	-	-	-	-	Y	-	Y	1	1	-	-	3	-	-	-
5	Beaudette Park	L; C	CP	55.39	2	1;2	1	2	-	1	-	1	Y	Y	Y	Y	1	Y	1	1	-	-	-	1	-	-
10	Crystal Lake Park	-	CP	42.93	1	1	-	-	-	-	-	1	-	-	-	Y	-	-	-	-	-	-	-	-	-	-
15	Galloway Lake Park	L	CP	63.42	2	5	-	2	-	-	-	1	-	Y	-	Y	-	Y	1	1	-	-	1	4	-	-
16	Hawthorne Park	L; M	CP	77.33	2	4	-	-	Y	1	-	1	-	Y	Y	Y	1	Y	1	1	-	-	-	-	-	-
18	Jaycee Park	L	CP	18.22	2	4	5	-	Y	-	-	-	-	Y	Y	Y	-	Y	1	1	-	-	-	-	3	-
23	Murphy Park	L; B	CP	45.75	3	7	1	-	Y	-	1	-	-	Y	Y	Y	1	Y	1	1	-	1	-	-	1	-
26	Oakland Park	L	CP	14.43	3	6	1	2	Y	-	-	-	Y	-	-	Y	-	Y	1	1	1	-	-	2	-	Y
	Community Parks Subtotal			*350.96*	-	-	*10*	*6*	-	*2*	*1*	*4*	-	-	-	-	*3*	-	*7*	*7*	*1*	*1*	*4*	*7*	*4*	-
	Neighborhood Parks																									
4	Baldwin Park	-	NP	2.90	2	6	-	-	-	-	-	-	-	-	-	-	-	Y	1	-	-	-	1	-	-	-
7	Charlie Harrison Park	-	NP	1.37	2	6	-	1	-	-	-	-	-	-	-	-	-	Y	1	-	-	-	-	-	-	Y
8	Cherrylawn Park	L	NP	5.21	2	4	1	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1	-	Y
19	Lakeside Park	L	NP	4.35	2	3	-	-	-	-	-	-	-	-	-	-	-	Y	1	-	-	-	-	-	-	-
21	Mattie McKinney Hatchett Park	-	NP	1.93	3	1	-	1	Y	-	-	-	-	-	-	-	1	Y	1	-	-	-	-	-	-	Y
24	North Kiwanis Park	L	NP	26.95	2	3	1	-	-	-	-	1	-	-	-	-	-	-	1	-	-	-	-	-	-	-
29	Richardson Park	L	NP	4.15	2	7	-	1	Y	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
30	Rotary Park	L	CP	7.06	2	1	-	2	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	Y
32	Shirley & Willard Park	-	NP	1.78	2	7	-	1	-	-	-	-	-	-	-	-	1	Y	1	-	-	-	-	-	-	-
33	South Kiwanis Park	L	NP	5.36	2	7	-	1	-	-	-	-	-	Y	-	-	-	Y	1	-	-	-	1	-	-	-
	Neighborhood Parks			*61.06*	-	-	*2*	*8*	-	*0*	*0*	*1*	-	-	-	-	*2*	-	*10*	*0*	*0*	*0*	*2*	*1*	*0*	-
	Mini Parks																									
2	Art Dunlap Park	-	MP	0.43	2	1	-	2	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
3	Art Heaton Park	-	MP	0.31	2	6	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11	Dawson Pond Park	-	MP	0.19	2	2	-	-	-	-	-	1	-	Y	-	-	-	Y	-	-	-	-	-	-	-	-
13	Ferry Farms Park	-	MP	0.17	3	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
14	Fisher Street Park	L	MP	0.43	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
17	Indian Village Park	L	MP	0.67	2	2	-	-	-	-	-	-	-	-	-	-	-	Y	1	-	-	-	-	-	-	-
20	Madge Burt Park	-	MP	0.18	2	6	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
22	Motor & Montana Park	-	MP	0.19	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
27	Oliver Playfield	-	MP	0.80	0	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
28	Optimist Park	L	MP	1.26	2	3	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
34	Steed Park	-	MP	0.31	2	7	-	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
35	Trinity Missionary Baptist Church Park	-	MP	0.25	2	2	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
36	Washington/Argyle	-	MP	0.24	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
	Mini Parks Subtotal			*5.43*	-	-	*0*	*4*	-	*0*	*0*	*1*	-	-	-	-	*0*	-	*10*	*0*	*0*	*0*	*0*	*0*	*0*	-
	Community Center																									
6	Bowens Senior Center	-	CC	2.23	3	1	-	-	Y	-	-	1	-	-	Y	Y	-	-	-	-	-	-	-	-	-	Y
12	Ewalt Center	-	CC	1.26	3	5	-	-	-	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	-	-
31	Ruth Peterson Community Center	-	CC	0.66	3	6	-	-	Y	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	-	-
37	Youth Recreation & Enrichment Center	-	CC	11.95*	3	1	-	1	-	-	-	-	-	-	-	Y	-	Y	1	-	-	-	-	-	-	-
	Community Centers			*4.15*	-	-	*0*	*1*	-	*0*	*0*	*1*	-	-	-	-	*0*	-	*1*	*0*	*0*	*0*	*0*	*0*	*0*	-
	Linear Parks																									
9	Clinton River Trail	M	LP	15.03	2	1;7	-	-	-	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	-	Y
25	North Spur Trail	M	LP	93.63	2	5;7	-	-	-	-	-	-	-	-	-	Y	-	-	-	-	-	-	-	-	-	Y
	Linear Parks Subtotal			*108.66*	-	-	*0*	*0*	-	*0*	*0*	*0*	-	-	-	-	*0*	-	*0*	*0*	*0*	*0*	*0*	*0*	*0*	-
	All Parks Totals			***530.26***			***12***	***19***	-	***2***	***1***	***7***	-	-	-	-	***5***	-	***28***	***7***	***1***	***1***	***6***	***8***	***4***	-

Legend: CP = Community Park; NP = Neighborhood Park; MP = Mini-Park; CC = Community Center; LP = Linear Park; Y = Yes
L = Land & Water Conservation Fund; B = Bond Fund; M = Michigan Natural Resources Trust Fund; C = Clean Michigan Initiative
* The Youth Recreation & Enrichment Center is a leased facility and the acreage is not included

AARON PERRY PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**33.49**	**COMMUNITY PARK**	**ACTIVE RECREATION BASEBALL & SOCCER**	**6**

DESCRIPTION

Aaron Perry Park is a 33.49 acre community park bisected by Edison Street and Nelson Street in the north-central portion of the City. The Howard Dell Community Center was located at the corner of Whitfield and Edison Streets and was sold to a private owner in 2013. This park is named after Aaron Perry (1848-1920), a prominent attorney and distinguished resident of Pontiac.

RECENT PARK IMPROVEMENTS

- Repainted restrooms
- Removed graffiti
- Added mulch under playground equipment
- Installed decorative boulders
- Installed outdoor art

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Replace bleachers
- Install new backstops, dugouts and improve ball fields
- Upgrade soccer fields
- Improve parking lots along Edison St
- Access paths to amenities
- Walking path with mile/kilometer markers around southeast portion of the park
- Conduct Restroom Condition Assessment including Universal Accessibility improvement needs
- Provide space and programming for adults/parents to exercise while children are participating in sports at the park
- Install adult fitness equipment
- Consider offering flag football leagues and winter activities

NOTES

- Restrooms are closed
- Nelson Street was vacated between Rundell and Marquette in October 1975

AARON PERRY
PARK

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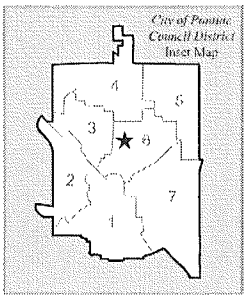
2017 Aerial Photo

1	Ball Field	5	Soccer Field
2	Ball Field	6	Soccer Field
3	Soccer Field	7	Playground Equipment
4	Restroom	P	Parking



ART DUNLAP PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**0.43**	**MINI PARK**	**ACTIVE RECREATION BASKETBALL**	**1**

DESCRIPTION

Art Dunlap Park is located in a residential area in the south-central portion of the City. This mini park provides space for two basketball courts and a small playground.

RECENT PARK IMPROVEMENTS

- Held major clean up day
- Painted basketball courts and playground equipment

GRANTS AWARDED

- None

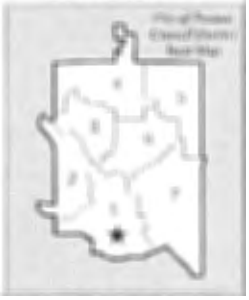
POTENTIAL PARK UPGRADES

- Parallel parking spaces along South Blvd
- Access path from existing sidewalk
- Resurface basketball courts
- Update/replace playground equipment
- New fence around park and basketball courts
- New basketball poles and hoops (lowered for youth basketball court)
- Prune mature vegetation
- New benches and picnic tables

ART DUNLAP
PARK

2017 Aerial Photo

1. Playground Equipment
2. Basketball Court
3. Basketball Court



ART HEATON PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**0.31**	**MINI PARK**	**ACTIVE RECREATION BASKETBALL**	**6**

DESCRIPTION

Art Heaton Park is a mini park centrally located in the City at the east end of Forest Street. Opportunities exist to make improvements at this park and transform it into a neighborhood amenity.

RECENT PARK IMPROVEMENTS

- None at this time

GRANTS AWARDED

- None

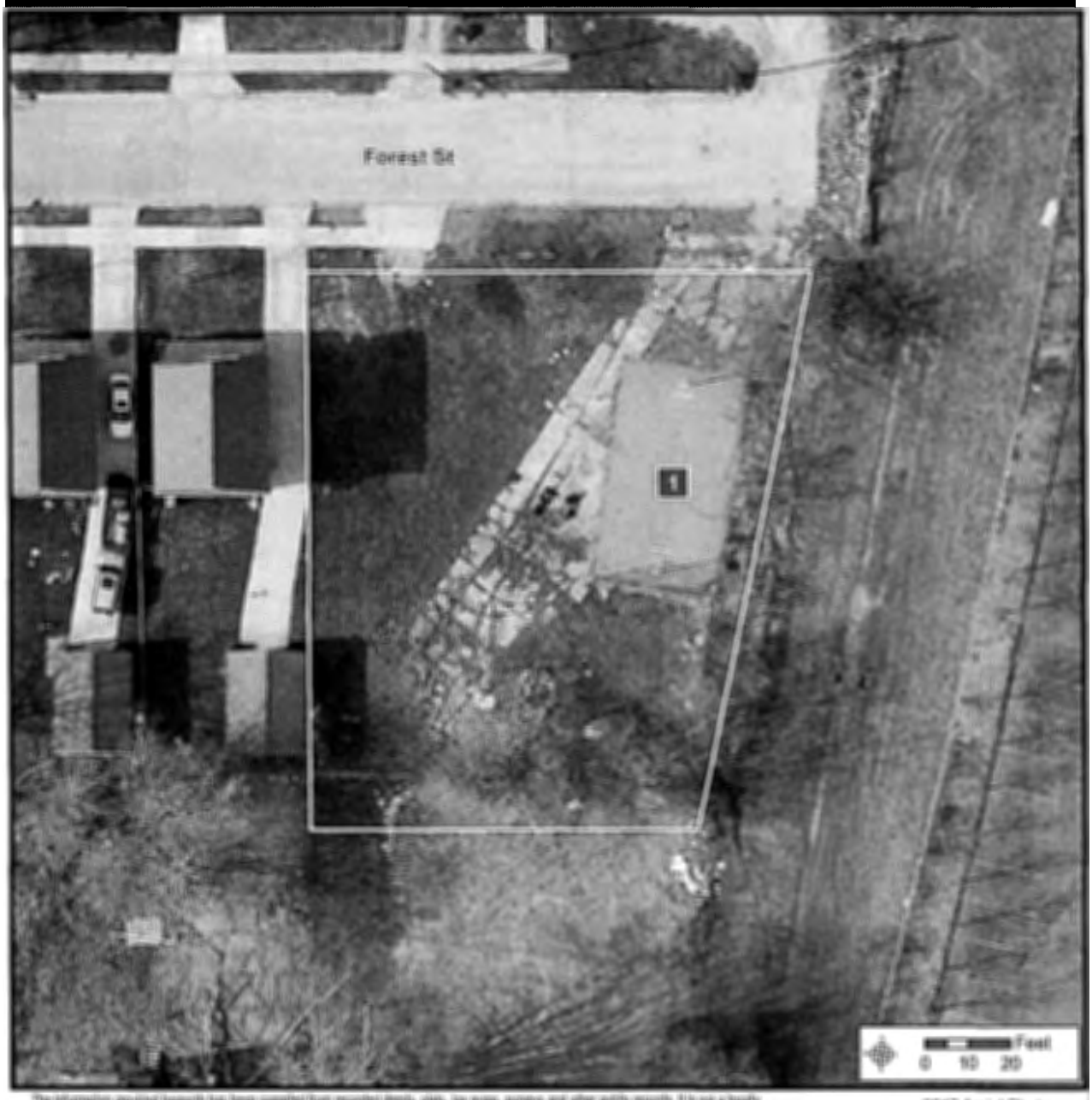
POTENTIAL PARK UPGRADES

- Access path from existing sidewalk
- Upgrade existing basketball court and expand to include youth hoops
- New fence around park and basketball court
- Remove broken concrete
- New benches and picnic tables
- Install new park entryway sign
- Install vegetation or fence to screen neighboring yards
- Consider neighborhood gardens
- Work with neighbors to rename the park and develop a new identity

NOTES

- Park is adjacent to former Pontiac Oxford & Northern Railroad parcel

ART HEATON
PARK



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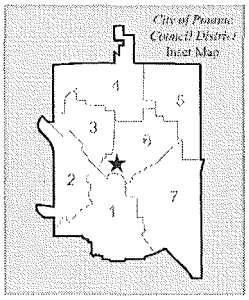
2017 Aerial Photo

1 Basketball Court



BALDWIN PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**2.9**	**NEIGHBORHOOD PARK**	**PASSIVE RECREATION SOCCER**	**6**

DESCRIPTION

Baldwin Park is located in a residential area that is centrally located in the City. This is the site of the former Baldwin School that was originally built in 1902 and named after Judge Augustus Carpenter Baldwin (1817-1903).

RECENT PARK IMPROVEMENTS

- Held clean-up day

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Improve youth soccer field and goals
- New park entryway sign
- Additional programming and events

NOTES

- There is a 0.18 acre parcel (PIN: 14-29-230-015) at the corner of Edouard and Cooper Street is owned by Oakland County. Potential grant mitigation site.

BALDWIN
PARK

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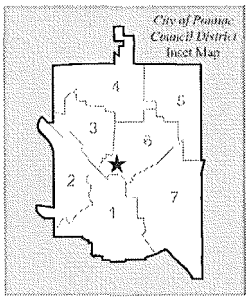
2017 Aerial Photo

1 Soccer Field

2 Playground Equipment



BEAUDETTE PARK

786 Orchard Lake Rd

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	55.39	COMMUNITY PARK	ACTIVE RECREATION MULTI-USE	1 & 2

DESCRIPTION

Also known as Mill Dam Park, Beaudette Park is located in the southwestern section of the City and shares its northern border with Dawson's Mill Pond (Clinton River). Named after Oliver J Beaudette (1869-1944) founder of a buggy and auto body manufacturing company in Pontiac.

RECENT PARK IMPROVEMENTS

- Installed adult fitness equipment
- Mulch playground equipment and swing areas
- Paint benches near playground equipment
- Replaced cracked slide on playground equipment
- 2018 Neighborhood Empowerment Grant to add swings and climbing wall

GRANTS AWARDED

- LWCF Grant # 26-00148
- CMI CM99-278

POTENTIAL PARK UPGRADES

- Upgrade ball field and lighting
- Improve basketball & tennis court surfaces
- Improve boat ramp and fishing pier
- Access paths and walking path with mile/ kilometer markers
- Access path to Clinton River Trail
- Install new benches and picnic tables
- Hold demonstration events with canoes, paddleboards, kayaks or paddleboats
- Open for winter events and activities
- Work with Oakland County Water Resources Commissioner's Office to improve access path across the dam and connect to Sylvan Ct
- Repair and open public restrooms and entrance booth

NOTES

- Park is used for many special events and car club gatherings. During public input, several people mentioned that they would swim in the mill pond years ago.
- Restrooms are closed except during special events.
- New playground equipment with climbing wall and swings is planned
- Review northern park property boundary and private docks placed on park land

BEAUDETTE PARK

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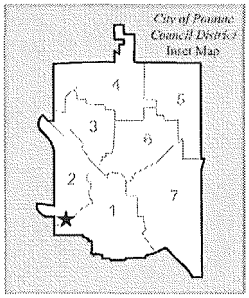
2017 Aerial Photo

1. Boat Launch
2. Basketball Courts
3. Tennis Court
4. Fishing Pier
5. Playground & Fitness Equipment
6. Restrooms
7. Ball Field
8. Picnic Shelter

P Parking



BOWENS SENIOR CENTER 52 Bagley St

Accessibility Rating	Acreage	Classification	Park Identity	Council District
3	2.23	COMMUNITY CENTER	PASSIVE RECREATION COMMUNITY CENTER	1

DESCRIPTION

The Bowens Senior Center is located on Bagley Street near Orchard Lake Road just west of Downtown Pontiac. It is named in honor of former Pontiac City Commissioner and World War II veteran Robert W. Bowens Jr. (1925-2014). There is a small overlook deck adjacent to the Clinton River with a walking path. Indoor facilities include a computer room, meeting room, large hall and kitchen.

RECENT PARK IMPROVEMENTS

- None at this time

GRANTS AWARDED

- None

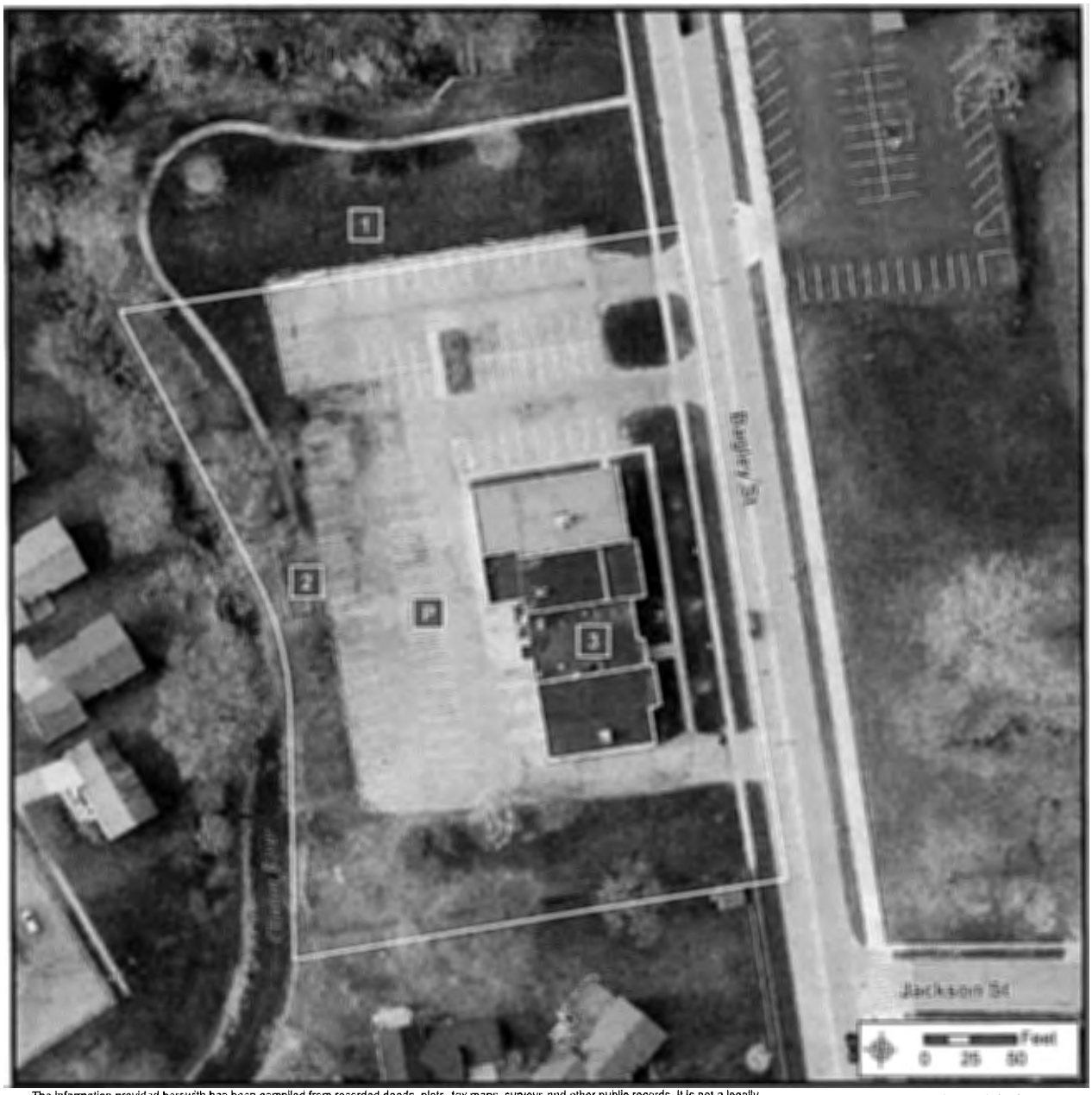
POTENTIAL PARK UPGRADES

- Remove and rebuild the overlook deck with lowered railings to improve the view of the river
- Conduct building conditions assessment include Universal Accessibility improvement needs
- Repair and extend sidewalk
- Interpretive sign about Clinton River history and how it was buried and Robert Bowens notable accomplishments
- Complete upgrades and improvements in the building
- New entryway sign and/or electronic message sign
- Improve the natural plant buffer along the Clinton River to reduce runoff

NOTES

- This community center offers a variety of programs for the City's senior citizens.

BOWENS
SENIOR CENTER



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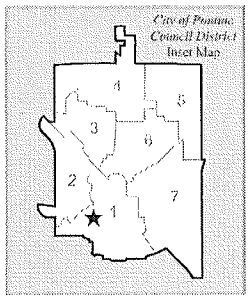
2017 Aerial Photo



1 Horseshoe Pit

2 Overlook Deck

3 Bowens Senior Center

P Parking

CHARLIE HARRISON PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**1.37**	**NEIGHBORHOOD PARK**	**ACTIVE RECREATION BASKETBALL**	**6**

DESCRIPTION

Charlie Harrison Park is a neighborhood park centrally located on the east side of Pontiac. Named after a former Pontiac Mayor and State Representative Charlie J Harrison Jr. (1932-1995) this tree covered neighborhood park has a basketball court and playground equipment.

RECENT PARK IMPROVEMENTS

- Held clean-up day
- Installed new picnic tables and benches

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- New style park entryway sign
- Prune mature trees and enhance landscaping
- Resurface basketball court
- Add mile/kilometer markers to walking path

CHARLIE HARRISON
PARK

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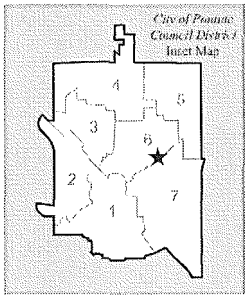
2017 Aerial Photo

1 Playground Equipment

2 Basketball Court



CHERRYLAWN PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	5.21	NEIGHBORHOOD PARK	ACTIVE RECREATION MULTI-USE	4

DESCRIPTION

Located in a residential neighborhood in the northwestern corner of the City, Cherrylawn Park provides park users with a variety of recreational facilities.

RECENT PARK IMPROVEMENTS

- Held clean-up day
- Painted playground equipment
- Added mulch under playground equipment
- Installed a walking path

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- New playground equipment
- Rain garden/green infrastructure using native plants on west side of the park
- Convert tennis court to adult basketball court
- Upgrade existing basketball court and add youth basketball hoops
- Add mile/kilometer markers to walking path
- New Soccer field
- New Volleyball court
- Remove baseball backstop
- New benches and picnic tables
- Prune trees and add landscaping

NOTES

- The west side of the park floods

CHERRYLAWN PARK

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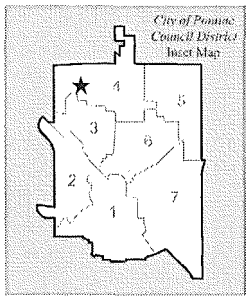
2017 Aerial Photo



1. Tennis Court
2. Basketball Court
3. Playground Equipment
4. Walking Path

CLINTON RIVER TRAIL Former Grand Trunk Railroad

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	15.03	LINEAR PARK	PASSIVE RECREATION WALKING & BIKING	1 & 7

DESCRIPTION

The Clinton River Trail (CRT) is a linear park that runs east-west and follows a portion of the former Grand Trunk Western Railroad-Air Line Division. The main trailhead is located at the entrance of Beaudette Park. The CRT-Pontiac Connector follows the sidewalk on Bagley-South Blvd-Opdyke and connects with the Auburn Hills section of the CRT.

RECENT PARK IMPROVEMENTS

- Sidewalk edging on CRT Pontiac Connector
- Installed new mile markers

GRANTS AWARDED

- MNRTF Grant # TF01-115
- MNRTF Grant # TF08-040

POTENTIAL PARK UPGRADES

- Complete the trail route through Downtown to Clinton River Trail-North Spur
- Install bike lanes on Pike Street & Paddock Street
- Install shade shelter and picnic table at Beaudette Park entrance
- Improve trail surface
- Improve trail/road crossings with crosswalk pavement markings, signage and traffic control devices
- Connector to neighboring parks

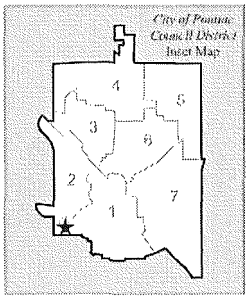
NOTES

- Bike repair station at Beaudette Park Trailhead. Map boxes at Old Telegraph and Bagley
- Trail surface is in poor condition

CLINTON RIVER TRAIL

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.

1. Clinton River Trail
2. Downtown Spur
3. CRT Pontiac Connector



CRYSTAL LAKE PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
1	42.93	COMMUNITY PARK	PASSIVE RECREATION FISHING & PICNIC	1

DESCRIPTION

Crystal Lake Park is located on the northern shores of Crystal Lake in the southwestern portion of the City. Due to vandalism and deterioration, many of the amenities in this park have been removed. There is a great opportunity to redevelop this scenic area and transform it into a lakefront park.

RECENT PARK IMPROVEMENTS

- Demolished and removed many park amenities that were in poor condition

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Create a new site plan for the park with waterfront activities and canoe/kayak launch
- Restore and improve boat launch and lake access site
- Install Crystal Lake historical marker
- Keep public access at the park
- Install new park entry sign
- New benches and picnic tables
- Picnic Shelter
- Walking path along waters edge with mile/kilometer markers
- Create a natural vegetative buffer at edge of Crystal Lake to reduce stormwater runoff
- Discourage area residents and park visitors from feeding the wildlife and water fowl
- Explore adding additional park amenities and public features

NOTES

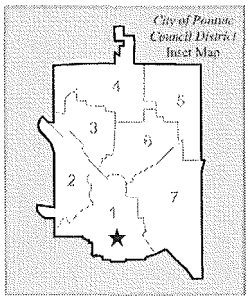
- The entryway to the park has been barricaded.

CRYSTAL LAKE
PARK

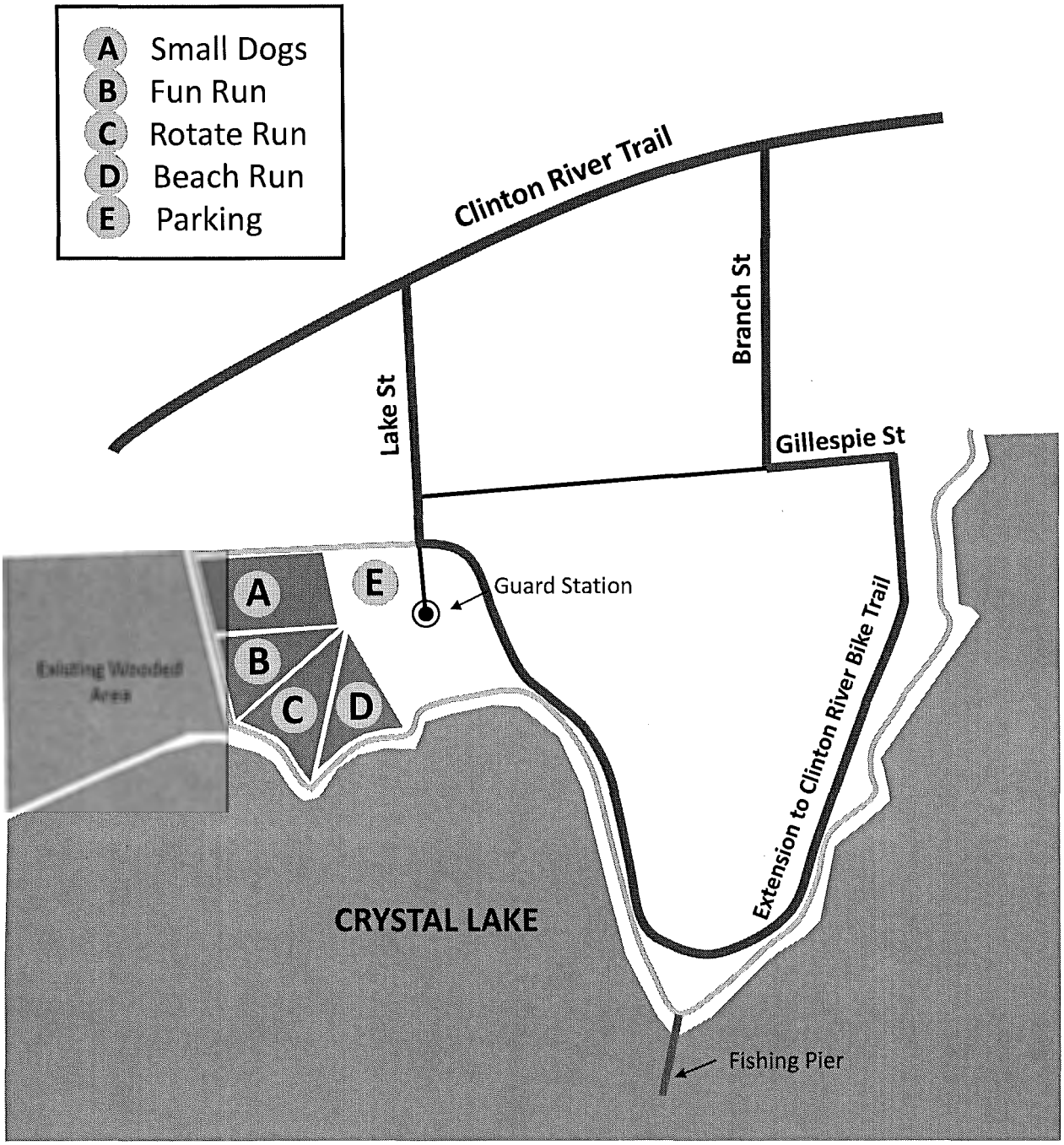
recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

1 Park Entryway

2 Fishing Pier



CITY OF PONTIAC
FIGURE 1: CRYSTAL LAKE PARK CONCEPT PLAN



Produced by **"Friends of Pontiac Crystal Lake"**

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DAWSON POND PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	0.19	MINI PARK	PASSIVE RECREATION FISHING & PICNIC	2

DESCRIPTION

Dawson Pond Park is on the northern bank of Dawson's Mill Pond. This mini park features passive recreation amenities like a fishing pier, picnic tables and benches that overlook the Mill Pond.

RECENT PARK IMPROVEMENTS

- Installed new park entry sign

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Prune trees and improve landscaping
- Create a natural vegetative buffer at edge of mill pond to reduce stormwater runoff
- Discourage area residents and park visitors from feeding the wildlife and water fowl
- Access paths and ADA ramps that connect the street and fishing pier
- Install bike racks

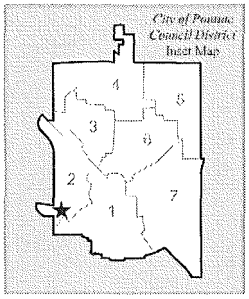
DAWSON POND
PARK

recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

2017 Aerial Photo

1 Picnic Area

2 Fishing Pier



EWALT COMMUNITY CENTER 1460 N Perry Street

Accessibility Rating	Acreage	Classification	Park Identity	Council District
3	1.26	COMMUNITY CENTER	PASSIVE RECREATION COMMUNITY CENTER	5

DESCRIPTION

The Ewalt Community Center building is located in the northern portion of Galloway Lake Park. Named for David Ewalt a former Director of Recreation and Forestry in the City of Pontiac. "Thanks to Dave Ewalt, Pontiac residents have one of the largest and most complete city parks and recreation network of any municipality in the State. A former football coach for Western Illinois University, Mr. Ewalt became Director of Pontiac's Parks and Recreation Department in 1952 and set about building up the City's park system."

RECENT PARK IMPROVEMENTS

- None at this time

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Conduct building conditions assessment include Universal Accessibility improvement needs
- Conduct a needs assessment to locate the Youth & Enrichment Center Program to the Ewalt Center
- Renovate building (electrical, HVAC, plumbing, windows, roof and technology upgrades)
- Improve access to parking
- Improve landscaping around the building
- Install interpretive sign highlighting David Ewalt's notable accomplishments

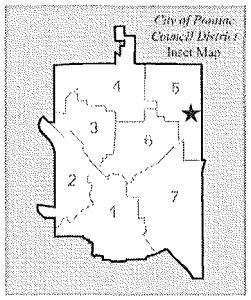
NOTES

- The Ewalt Community Center is closed

EWALT
COMMUNITY CENTER

recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

2017 Aerial Photo



1 Community Center

FERRY FARMS PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
3	0.17	MINI PARK	ACTIVE RECREATION PLAYGROUND	1

DESCRIPTION

Ferry Farms Park is a cooperative project between Habitat for Humanity, City of Pontiac and Calvary Lutheran Church. This once overgrown and vacant lot was transformed in 2010 into a mini park with playground equipment. Adjacent lots have also been planted with fruit trees that provide fresh fruit for area residents.

RECENT PARK IMPROVEMENTS

- Held clean-up day and improved landscaping

GRANTS AWARDED

- None

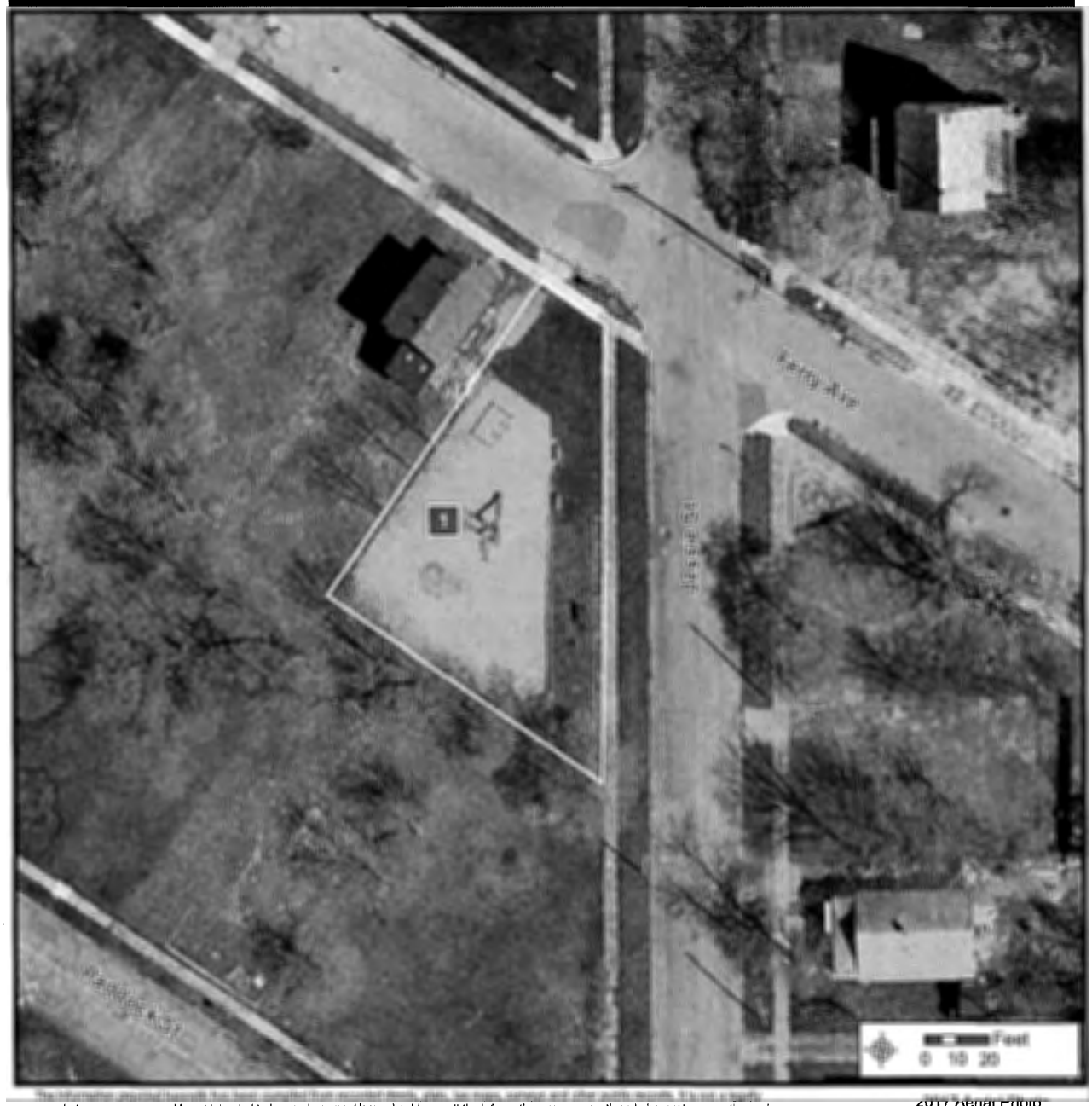
POTENTIAL PARK UPGRADES

- Access paths
- Picnic table

NOTES

- Back to School Celebration was held at the park on August 18, 2018

FERRY FARMS
PARK



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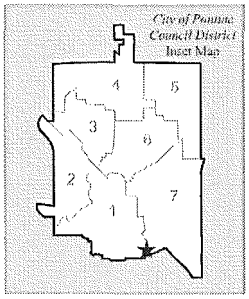
2017 Aerial Photo

1 Playground Equipment



FISHER STREET PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	0.43	MINI PARK	PASSIVE RECREATION PLAYGROUND	1

DESCRIPTION

The Fisher Street Park is a mini park located in a residential neighborhood in the southern portion of the City.

RECENT PARK IMPROVEMENTS

- None at this time

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Paint existing playground equipment
- Upgrade playground equipment
- Hold cleanup day
- Prune mature vegetation
- Benches and picnic tables
- Access path from the sidewalk

NOTES

- None

FISHER STREET
PARK

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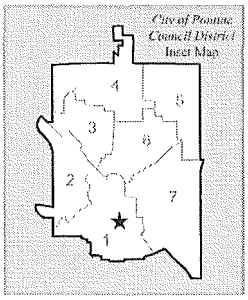
2017 Aerial Photo



1 Playground Equipment

GALLOWAY LAKE PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	63.42	COMMUNITY PARK	ACTIVE RECREATION MULTI-USE	5

DESCRIPTION

This community park is located along Perry Street in the northeastern portion of the City. The large, 63 acre park offers many open spaces as well as access to Galloway Lake. Facilities include two basketball courts, soccer field, playground, picnic areas, parking, restrooms, tennis courts, Ewalt Community Center and a fishing pier.

RECENT PARK IMPROVEMENTS

- Two ball fields and dugouts were in poor condition and removed

GRANTS AWARDED

- LWCF Grant # 26-00789
- LWCF Grant # 26-00886
- LWCF Grant # 26-01472

POTENTIAL PARK UPGRADES

- Create a new site plan for the park and include a picnic shelter, spray park, ice skating rink and skate park
- Ewalt Center is a potential new location for the Youth & Enrichment Center
- Improve fishing pier
- Restore and improve boat launch and lake access site
- Consider having paddleboat, canoe, kayak and paddleboard rentals
- Create a walking path with mile/kilometer markers
- Improve soccer field surface
- Restore ball field
- Replace comfort station/restrooms
- Work with Oakland County Water Resources Commissioner's Office to remove the old pump station
- Maintain a natural vegetative buffer at edge of Galloway Lake to reduce stormwater runoff
- Discourage area residents and park visitors from feeding the wildlife and water fowl
- Create trailhead for North Spur Trail
- Improve pedestrian access from Palmer Dr, Bay St, Baltimore Ave and Madison St and discourage ORV use
- Four tennis courts at the park are in poor condition and need to be upgraded

NOTES

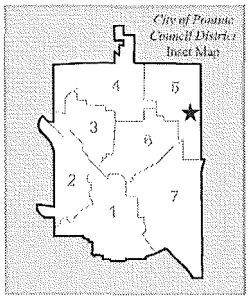
- Restroom building is in poor condition and is closed
- Oakland County Water Resources Commissioner's Office constructed a pump station building on park property ca. 2015

GALLOWAY LAKE PARK

recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

2017 Aerial Photo

1	Ewalt Community Center (closed)	6	Restrooms
2	New Pump Station	7	Soccer Field
3	Basketball Courts	8	Old Pump Station
4	Playground Equipment	9	Fishing Pier
5	Tennis Courts	P	Parking



HAWTHORNE PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	77.33	COMMUNITY PARK	PASSIVE RECREATION MULTI-USE	4

DESCRIPTION

The largest park in the City at more than 77 acres, Hawthorne Park is located along Telegraph Road in northwest Pontiac. Predominantly used for passive recreation, this community park features large open spaces, including frontage on Upper Silver Lake, a playground, pavilion, picnic areas, horseshoe pits, restrooms, fishing pier and boating access.

RECENT PARK IMPROVEMENTS

- Held park clean-up day
- 18-Hole Disc Golf Course funded by Mayor's Neighborhood Empowerment Project & Driftwood Creek Disc Golf Club

GRANTS AWARDED

- LWCF Grant # 26-00110
- LWCF Grant # 26-00148
- MNRTF Grant # TF97-232

POTENTIAL PARK UPGRADES

- Conduct Restroom Condition Assessment including Universal Accessibility improvement needs
- Improve fishing pier
- Create a new site plan for the park
- Create a walking path and cross-country trails with mile/kilometer markers
- Open for winter events and activities
- Remove invasive plants from lake shore
- Paint playground equipment
- Protect and Restore Shoreline

NOTES

- Restroom building is closed.
- Northern park parcel was split from the former landfill site south of Telegraph Rd (approx 73.41 acres).
- Pontiac School District owns the adjacent former Hawthorne School Property. Potential grant mitigation (18.97 acres).

HAWTHORNE PARK

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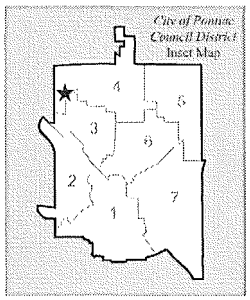
2017 Aerial Photo



- 1 Fishing Pier
- 2 Boat Launch
- 3 Restroom Building
- 4 Horseshoe Pits
- 5 Playground Equipment
- 6 Picnic Shelter
- 7 Disc Golf Course
- P Parking

INDIAN VILLAGE PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	0.67	MINI PARK	PASSIVE RECREATION PLAYGROUND	2

DESCRIPTION

Indian Village Park is located on the west side of the City. Located on Huron Street, this mini-park is located between two residential neighborhoods.

RECENT PARK IMPROVEMENTS

- Repaired stone walls
- Installed split-rail fence
- Painted playground equipment
- Installed mulch under playground equipment
- Held clean-up day

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- New park entryway sign
- Access paths and curb ramps
- Repair/remove the water fountain

NOTES

- None

INDIAN VILLAGE
PARK

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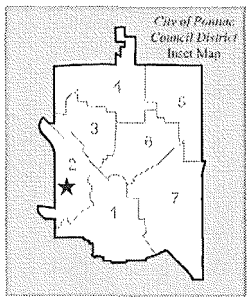
2017 Aerial Photo

1 Playground Equipment



JAYCEE PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	18.22	COMMUNITY PARK	ACTIVE RECREATION MULTI-USE	4

DESCRIPTION

Jaycee Park comprises over 18 acres of land in the north-central portion of the City. This community park features both active and passive facilities, including volleyball courts, ball fields, a playground, horseshoe pits and picnic areas. Other amenities include a parking lot, outdoor lighting and restrooms.

RECENT PARK IMPROVEMENTS

- Replaced playground equipment

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Prune mature trees
- Improve volleyball courts
- Improve parking lot
- Create trailhead and connection to North Spur Trail
- Access paths to amenities
- Conduct Restroom Condition Assessment including Universal Accessibility improvement needs

NOTES

- Martin Baseball operates baseball leagues at this park
- Martin Baseball has a lease with adjacent property owner for northern baseball field
- Restrooms are closed

JAYCEE PARK

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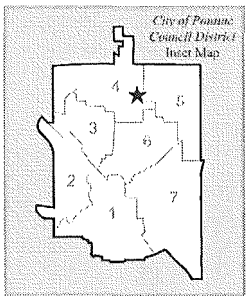
2017 Aerial Photo

1 Ball Field
2 Horseshoe Pit
3 Restrooms
4 Playground Equipment
5 Volleyball Court
P Parking



LAKESIDE PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**4.35**	**NEIGHBORHOOD PARK**	**PASSIVE RECREATION PLAYGROUND**	**3**

DESCRIPTION

Lakeside Park can be found on the southern shores of Terry Lake. Formerly known as Terry Lake Picnic Area, this neighborhood park has benches overlooking the lake and a small playground.

RECENT PARK IMPROVEMENTS

- None

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Access path to playground equipment
- New benches and accessible picnic tables
- Upgrade playground equipment
- Maintain a natural vegetative buffer at edge of Terry Lake to reduce stormwater runoff
- Discourage area residents and park visitors from feeding the wildlife and water fowl
- Remove invasive plants along lake shore

NOTES

- On-street parking should be reviewed

LAKESIDE
PARK

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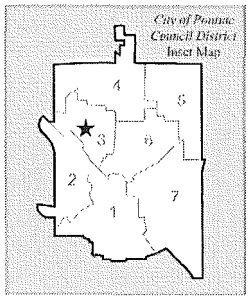
2017 Aerial Photo



1 Playground Equipment

MADGE BURT PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**0.18**	**MINI PARK**	**PASSIVE RECREATION PLAYGROUND**	**6**

DESCRIPTION

Madge Burt Park is located in a residential neighborhood in the central portion of the City. This mini-park has playground equipment.

RECENT PARK IMPROVEMENTS

- New park entryway sign installed

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Repair/replace playground equipment
- Prune mature vegetation
- Access path to playground equipment
- New fence and vegetation to screen neighboring properties

MADGE BURT
PARK

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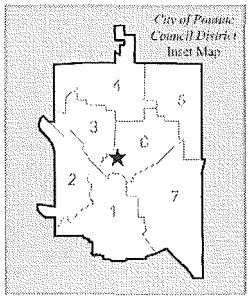


1 Playground Equipment

MATTIE McKINNEY HATCHETT PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
3	1.93	NEIGHBORHOOD PARK	ACTIVE RECREATION MULTI-USE	1

DESCRIPTION

Formerly known as Neighborhood Park, Mattie McKinney Hatchett Park is a multi-use park that has playground equipment, picnic shelter and a basketball court. This park is named in honor of Mattie McKinney Hatchett, a former Oakland County Commissioner and Pontiac resident.

RECENT PARK IMPROVEMENTS

- Repairs to picnic shelter

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Improve basketball court surface
- Conduct sidewalk assessment and replace broken sections of sidewalk
- Remove concrete foundation from southern portion of the park
- Replace playground equipment
- Poured rubber playground surface

MATTIE McKINNEY HATCHETT PARK

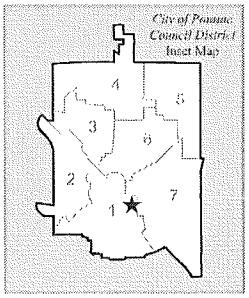
recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

2017 Aerial Photo

1 Picnic Shelter

2 Playground Equipment

3 Basketball Court



MOTOR & MONTANA PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	0.19	MINI PARK	PASSIVE RECREATION PLAYGROUND	1

DESCRIPTION

Located on the corner of Motor St and Montana Ave, this mini park has playground equipment and open space.

RECENT PARK IMPROVEMENTS

- Installed new park entryway sign
- Painted playground equipment
- Held clean-up day

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Access path from sidewalk to playground equipment
- Poured rubber playground surface
- New picnic tables and benches
- Prune mature vegetation

MOTOR & MONTANA
PARK

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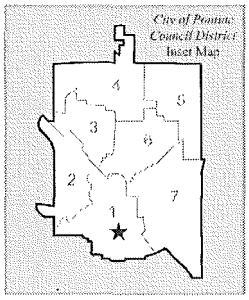


1 Playground Equipment

MURPHY PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
3	45.75	COMMUNITY PARK	ACTIVE RECREATION MULTI-USE	7

DESCRIPTION

Comprising of 45 acres, Murphy Park is the largest park in the southeastern portion of the City. Active recreation facilities at the park include a playground, one ball field and one volleyball court, one sledding hill and a cricket field. The park also features large open spaces, picnic area, pavilion, parking area and an a restroom/warming center. The park at one time included the Holland Community Center; however, this center was sold in 2009 and is now owned and operated by the Salvation Army. In the 1939, Murphy Park was the site of an Ojibwe ceremony to name the new tribal chief.

RECENT PARK IMPROVEMENTS

- Ice Skating Rink funded by Mayor's Neighborhood Empowerment Project program

GRANTS AWARDED

- LWCF Grant # 26-00148
- Bond Fund Grant # BF89-551

POTENTIAL PARK UPGRADES

- Prune mature trees
- Improve winter recreation and restore this park as a premier spot for winter activities and programming
- New benches and picnic tables
- Walking path with mile/kilometer markers
- Restore the Warming Center and Restrooms and Conduct Condition Assessment including Universal Accessibility improvement needs
- Improve sledding hill
- Improve playground equipment
- Consider adding a soccer field and spray park/splash pad
- Install new disc golf course
- Install pedestrian connection to North Spur Trail

NOTES

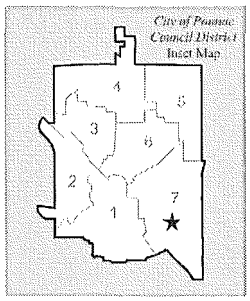
- During public input many participants remembered Murphy Park as the premier park for winter activities.

MURPHY PARK

recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

2017 Aerial Photo

1 Cricket Field
2 Playground Equipment
3 Horseshoe Pit
4 Volleyball Court
5 Restrooms/Warming Center
6 Sledding Hill
7 Salvation Army Community Center
8 Ice Skating Rink
P Parking



NORTH KIWANIS PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	26.95	NEIGHBORHOOD PARK	PASSIVE RECREATION PLAYGROUND	3

DESCRIPTION

Also known locally as Stanley Park, North Kiwanis Park surrounds Osmun Lake and has a fishing pier and playground equipment.

RECENT PARK IMPROVEMENTS

- Installed new park entryway sign
- Installed new playground equipment
- Installed new benches and picnic tables

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Walking path with mile/kilometer markers
- Access path to playground equipment
- Maintain a natural vegetative buffer at edge of Osmun Lake to reduce stormwater runoff
- Discourage area residents and park visitors from feeding the wildlife and water fowl
- Consider adding a pickleball court
- Remove invasive plants from lake shore

NORTH KIWANIS
PARK

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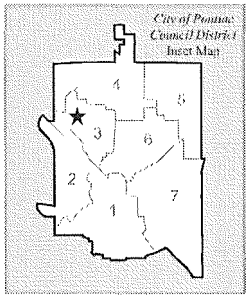
2017 Aerial Photo

1 Fishing Pier

2 Playground Equipment



NORTH SPUR TRAIL — Former Grand Trunk Railroad

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	93.63	LINEAR PARK	PASSIVE RECREATION WALKING & BIKING	5 & 7

DESCRIPTION

The North Spur Trail is a linear park on the east side of the City that runs north-south and follows a portion of the former Grand Trunk Western Railroad-Belt Line. The main trailheads are located in Jaycee Park and Galloway Lake Park. The trail surface is unimproved, however it is open for walking.

RECENT PARK IMPROVEMENTS

- Held clean-up day

GRANTS AWARDED

- MNRTF Grant # TF13-065

POTENTIAL PARK UPGRADES

- Complete the trail route through Downtown to Clinton River Trail
- Install mile/kilometer markers
- Improve, repair or replace five bridges
- Improve connections with Jaycee Park, Galloway Lake Park, Pontiac High School, Herrington Elementary and Pontiac Middle School
- Install bike lanes on Pike Street & Paddock Street
- Install entry/road crossing sign at Opdyke

NOTES

- Bridges over M-59 and the Clinton River are closed to pedestrian traffic

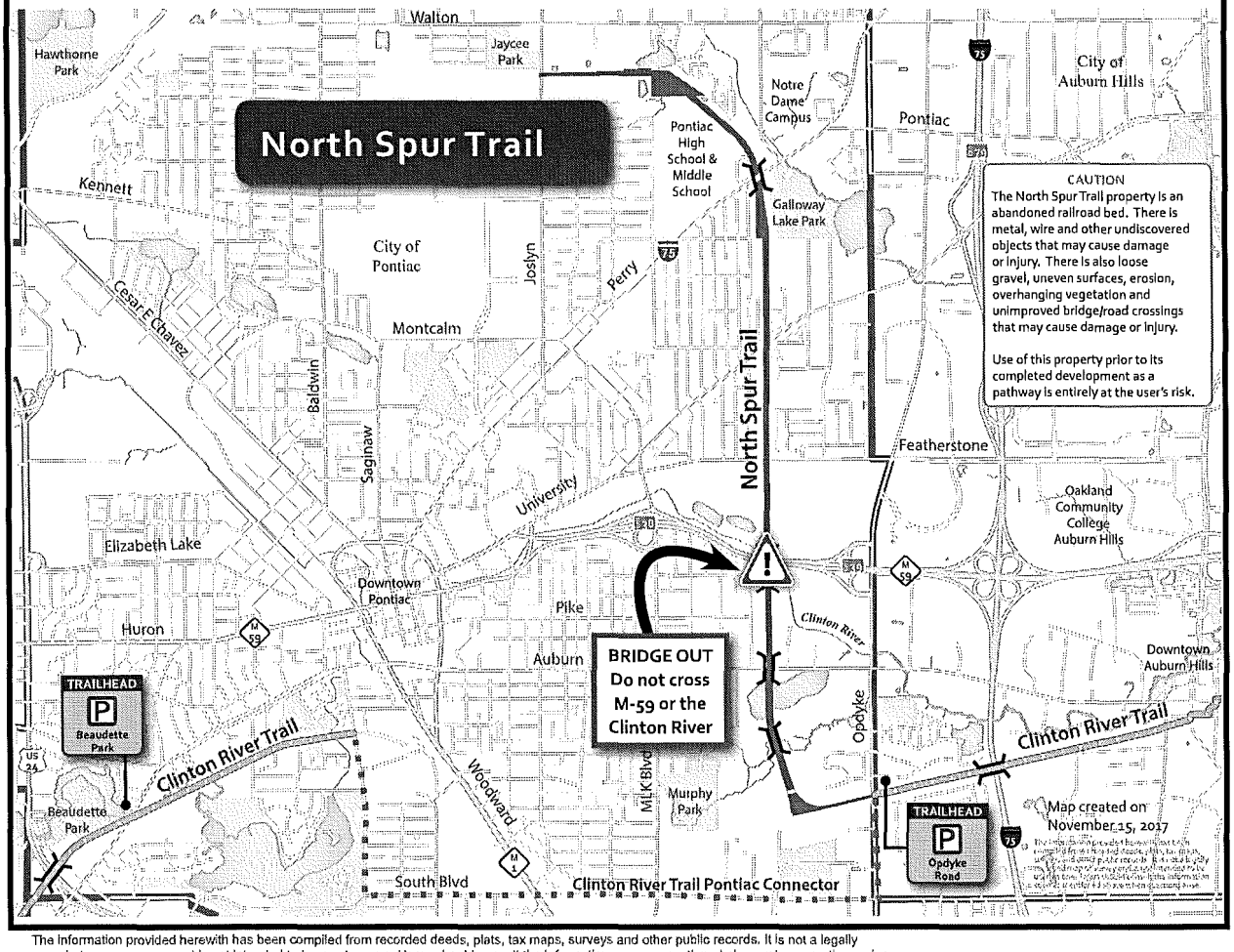
NORTH SPUR TRAIL

THE GREAT LAKE-TO-LAKE TRAILS

Route 1

Clinton River Trail

clintonrivertrail.org



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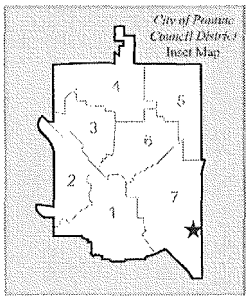

OAKLAND PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
3	14.43	COMMUNITY PARK	ACTIVE RECREATION MULTI-USE	6

DESCRIPTION

Oakland Park is located on the south side of Montcalm Street in the north central portion of the City. This 14 acre park features a new playground area, one ball field, two basketball courts and a skate park facility (former tennis courts). Other amenities include picnic areas, adult fitness equipment and a parking area. Due to poor condition, the outdoor restroom facility has been closed. The GM Modern Housing neighborhood is very invested in seeing future improvements made at this park.

RECENT PARK IMPROVEMENTS

- Installed adult fitness equipment
- Installed access path from the parking lot to the playground equipment
- Installed picnic shelter

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Spray park or splash pad
- Shuffle Board
- Walking path with mile/kilometer markers
- Access path to basketball courts
- Improve basketball courts
- Improve tennis courts
- Improve horseshoe pits
- Conduct Restroom Condition Assessment including Universal Accessibility improvement needs
- Remove existing skate park equipment from tennis courts. Install a concrete skate park with concrete bowl and half pipes** **Park and location to be determined.
- Prune mature trees and plant new trees
- Community gardens
- Green infrastructure and rain garden
- Benches and picnic tables
- Consider adding court soccer (Futsal)

NOTES

- The former fire station on the corner of Glenwood and Montcalm was split from the park boundary ca. 2012 and sold to a private owner (approx 0.67 acres).
- Area under the playground equipment floods

OAKLAND PARK

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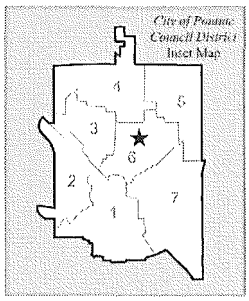
2017 Aerial Photo

1. Gravel Parking Lot
2. Tennis Courts
3. Skate Park
4. Basketball Courts
5. Picnic Shelter
6. Restrooms/Comfort Station
7. Playground and Fitness Equipment



OLIVER PLAYFIELD

Accessibility Rating	Acreage	Classification	Park Identity	Council District
0	**0.8**	**MINI PARK**	**PASSIVE RECREATION GARDENS**	**6**

DESCRIPTION

The Oliver Playfield is located in the GM Modern Housing Neighborhood with primary access from Oliver and Hammond Streets.

RECENT PARK IMPROVEMENTS

- None

GRANTS AWARDED

- None

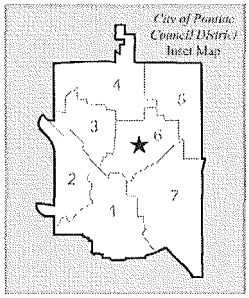
POTENTIAL PARK UPGRADES

- Improve alley
- Consider installing community gardens
- Prune mature vegetation
- New park entryway sign

OLIVER
PLAYFIELD

recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

2017 Aerial Photo



OPTIMIST PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	1.26	MINI PARK	PASSIVE RECREATION PLAYSTRUCTURE	3

DESCRIPTION

Optimist Park is located in a residential neighborhood in the northwestern portion of the City.

RECENT PARK IMPROVEMENTS

- Installed new playground equipment
- Installed new park entryway sign
- Held clean-up day

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Access path to playground equipment from sidewalks

NOTES

- When park equipment was installed, ground bees were discovered and multiple treatments were required.

OPTIMIST PARK

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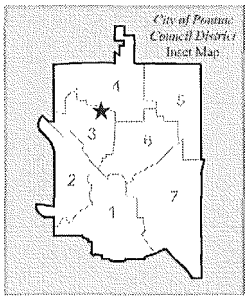
2017 Aerial Photo



1 Playground Equipment

RICHARDSON PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**4.15**	**NEIGHBORHOOD PARK**	**PASSIVE RECREATION PLAYGROUND**	**7**

DESCRIPTION

Named in honor of Civil War Brigadier General Israel B. Richardson (1815 – 1862), this park is located in the center of Pontiac.

RECENT PARK IMPROVEMENTS

- None

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Resurface and improve basketball court
- Install new basketball backboards
- Interpretive sign honoring Civil War Brigadier General Israel B. Richardson accomplishments
- Access path to basketball court and playground equipment
- Benches and picnic tables
- Conduct a parking study around the park
- New swing set
- Install new skate park funded by Oakland County PAL program and Skate Park Project (formerly Tony Hawk Foundation)

NOTES

- Michigan Land Bank and MDOT own adjacent parcels to the west. Possible DNR Grant mitigation property (approx 0.8 ac).

RICHARDSON
PARK

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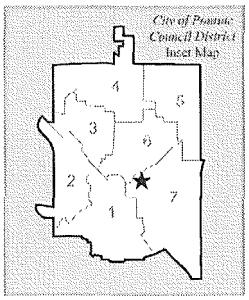
2017 Aerial Photo

1. Playground Equipment
2. Basketball Court



ROTARY PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	7.06	NEIGHBORHOOD PARK	ACTIVE RECREATION MULTI-USE	1

DESCRIPTION

Rotary Park is located along Wessen Street, southwest of downtown Pontiac. Rotary Park's 8 acres feature two basketball courts, a playground and large open spaces. The former Hayes Jones Community Center and outdoor pool have been sold and are now the private Wessen Lawn Tennis Club.

RECENT PARK IMPROVEMENTS

- Installed new picnic pavilion
- Installed new walking paths

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Splash pad/spray park
- Walking path
- Adult fitness equipment
- Picnic shelter/pavilion
- Small parking lot
- Improve basketball court
- Community gardens
- Picnic tables and benches
- Walking path with mile/kilometer markers
- New Cricket Field

NOTES

- A preliminary concept site plan for Rotary Park has been developed.
- Approx 2.12 acres are adjacent and could be considered for DNR Grant mitigation property.

ROTARY PARK

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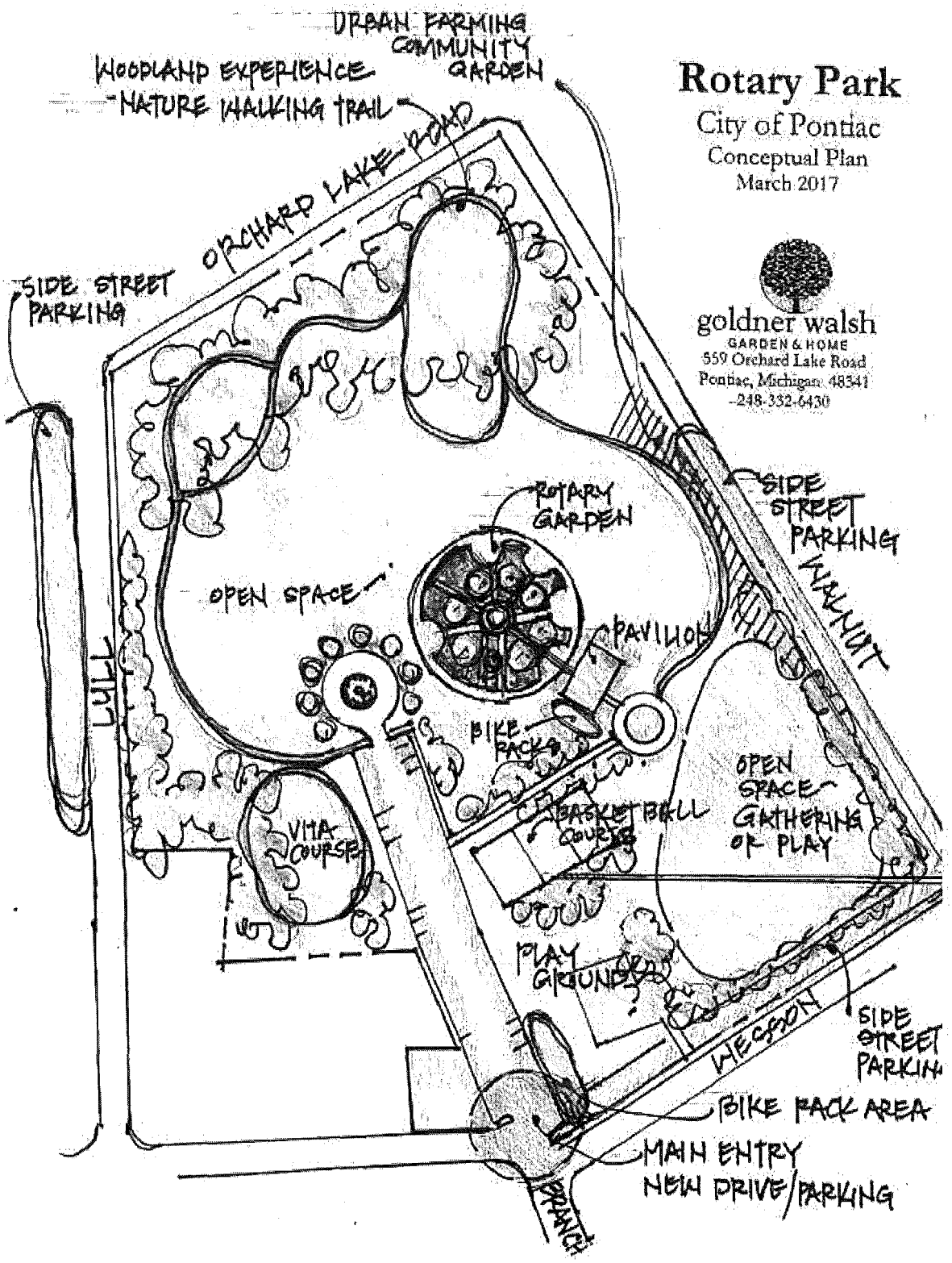
2017 Aerial Photo

1. Playground Equipment
2. Basketball Court
3. Picnic Pavilion
4. Walking Path

CITY OF PONTIAC
FIGURE 2: ROTARY PARK CONCEPT PLAN



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RUTH PETERSON COMMUNITY CENTER 990 Joslyn

Accessibility Rating	Acreage	Classification	Park Identity	Council District
3	0.66	COMMUNITY CENTER	PASSIVE RECREATION COMMUNITY CENTER	6

DESCRIPTION

The Ruth Peterson Community Center is located on Joslyn Avenue in the north central portion of the City. Indoor facilities include meeting rooms, kitchen, lunchroom, exercise area, offices and a stage for plays and other performances. Similar to Bowens Senior Center, the Peterson Center offers programming and a meeting location for various senior groups.

RECENT PARK IMPROVEMENTS

- None

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Conduct building conditions assessment include Universal Accessibility improvement needs
- Resurface parking lots
- Complete upgrades and improvements in the building
- New entryway sign and/or electronic message sign
- Consider coordinating programs and use of the space with Centro Mulicultural La Familia

NOTES

- This community center offers a variety of programs for the City's senior citizens.

RUTH PETERSON
COMMUNITY CENTER

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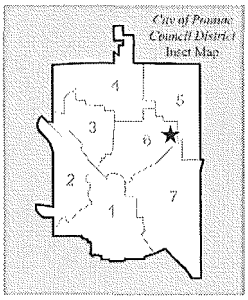
2017 Aerial Photo

1 Community Center

P Parking



SHIRLEY & WILLARD PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	1.78	NEIGHBORHOOD PARK	ACTIVE RECREATION BASKETBALL	7

DESCRIPTION

Shirley and Willard Park is located on the southeast side of the City in the Unity Park Neighborhood. This park has recently been renovated by Friends of Pontiac Parks Association, City of Pontiac, PNC Bank, Chemical Bank, MSHDA, Community Housing Network and Venture Inc.

RECENT PARK IMPROVEMENTS

- Installed new park entryway sign
- Installed new picnic shelter/pavilion
- Resurfaced basketball court

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Prune mature vegetation
- Access paths from sidewalk to amenities

NOTES

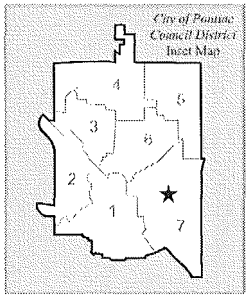
- Work with adjacent private property owner to extend southern park boundary to include full basketball court

SHIRLEY & WILLARD
PARK

recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

2017 Aerial Photo

1. Playground equipment
2. Picnic Shelter/Pavilion
3. Basketball Court



SOUTH KIWANIS PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	**5.36**	**NEIGHBORHOOD PARK**	**ACTIVE RECREATION MULTI-USE**	**7**

DESCRIPTION

This 5 acre neighborhood park is located on the southeast side of the City.

RECENT PARK IMPROVEMENTS

- None

GRANTS AWARDED

- LWCF Grant # 26-00148

POTENTIAL PARK UPGRADES

- Splash pad/spray park
- Walking path with mile/kilometer markers
- Improve playground equipment
- Access path to amenities
- Improve basketball court surface
- Benches and picnic tables

NOTES

- None

SOUTH KIWANIS PARK

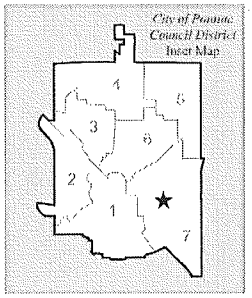
recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

2017 Aerial Photo

1 Basketball Court

2 Playground Equipment

3 Soccer Field



STEED PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	0.31	MINI PARK	ACTIVE RECREATION BASKETBALL	7

DESCRIPTION

Steed Park is on a wedge shaped lot located in the southeast section of the City. The park was renamed after Michael Steed (1966 -1985), a 19-year-old Pontiac resident who was an innocent victim of a drug-related shooting while he was playing basketball at the park.

RECENT PARK IMPROVEMENTS

- Elm Street has been barricaded to discourage illegal dumping

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Remove former building foundation
- Upgrade playground equipment
- Upgrade basketball court
- Interpretive sign honoring Michael Steed
- Vacate Elm Street

NOTES

- The eastern portion of the park was sold (approx 0.13 acres) in 2013
- Adjacent to the former Grand Trunk Western Railroad-Air Line Division

STEED PARK

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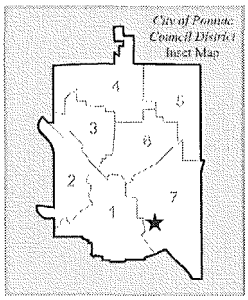
1 Basketball Court

2 Playground Equipment



TRINITY BAPTIST CHURCH PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	0.25	MINI PARK	PASSIVE RECREATION PLAYGROUND	2

DESCRIPTION

Formerly known as Stout Street Park, this mini park is located in the southwest corner of the City. Trinity Missionary Baptist Church has adopted the park and made needed improvements.

RECENT PARK IMPROVEMENTS

- Held park clean-up day

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Access paths to playground equipment
- Benches and picnic tables
- Prune mature vegetation

NOTES

- None

TRINITY MISSIONARY BAPTIST CHURCH
PARK

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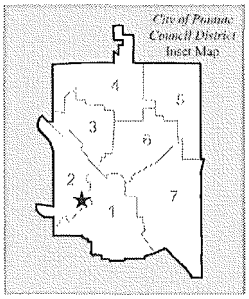
2017 Aerial Photo



1 Playground Equipment

WASHINGTON/ARGYLE PARK

Accessibility Rating	Acreage	Classification	Park Identity	Council District
2	0.24	MINI PARK	PASSIVE RECREATION PLAYGROUND	1

DESCRIPTION

Also known locally as Argyle Park, this mini park is located on the southwest side of the City.

RECENT PARK IMPROVEMENTS

- Removed old playground equipment
- Installed new bench
- Installed new entryway sign

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Access paths to playground equipment
- New accessible picnic table
- New playground equipment

NOTES

- Review parcel boundary and have a property survey done if necessary. Neighbors may be encroaching on park property

WASHINGTON/ARGYLE
PARK

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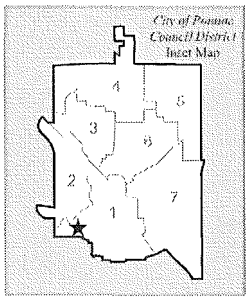
1 Playground Equipment



YOUTH RECREATION & ENRICHMENT CENTER

Accessibility Rating	Acreage	Classification	Park Identity	Council District
3	11.95	COMMUNITY CENTER	ACTIVE RECREATION MULTI-USE	1

DESCRIPTION

The residents in the City of Pontiac passed the Youth Recreation Millage in 2016. The City has a short term lease on the former Michigan School for the Arts building to operate the Youth Recreation & Enrichment Center.

RECENT PARK IMPROVEMENTS

- None

GRANTS AWARDED

- None

POTENTIAL PARK UPGRADES

- Improve wayfinding signage along Golf Drive

NOTES

- None

YOUTH RECREATION & ENRICHMENT CENTER

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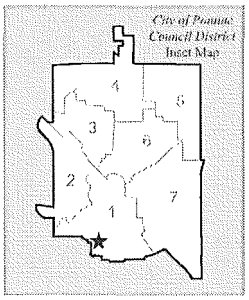
2017 Aerial Photo

1 Community Center

2 Playground Equipment

3 Basketball Court

P Parking



Other Recreational Facilities

Civic Spaces/Plazas/Squares

- Buckley Fountain (Saginaw/Lafayette)
- Kusatsu Friendship Garden (City Hall)
- Phoenix Center Amphitheater

Privately Owned Recreational Facilities

- Community Backyard on Home Street
- Links at Crystal Lake
- Saginaw Green
- Salvation Army Community Center
- Ultimate Soccer Arenas
- Wessen Lawn Tennis Club
- Wesson Indoor Tennis Club

Regional Recreation Facilities

A number of regional recreation facilities are located in close proximity to the City of Pontiac. A brief description of these facilities is provided below.

State Recreation Areas

Several state operated recreation areas are located outside of Pontiac. These large facilities offer a variety of activities, such as camping, fishing, hunting, mountain biking, horseback riding and canoeing/ kayaking to area residents. The following state recreation areas are located in close proximity to Pontiac:

- Bald Mountain State Recreation Area
- Dodge #4 State Park
- Highland State Recreation Area
- Holly State Recreation Area
- Island Lake State Recreation Area
- Maybury State Park
- Ortonville State Recreation Area
- Pontiac Lake State Recreation Area
- Proud Lake State Recreation Area
- Seven Lakes State Park

Huron-Clinton Metroparks

The Huron-Clinton Metropark system maintains numerous regional park facilities in Southeast Michigan. The closest Metroparks to Pontiac include:

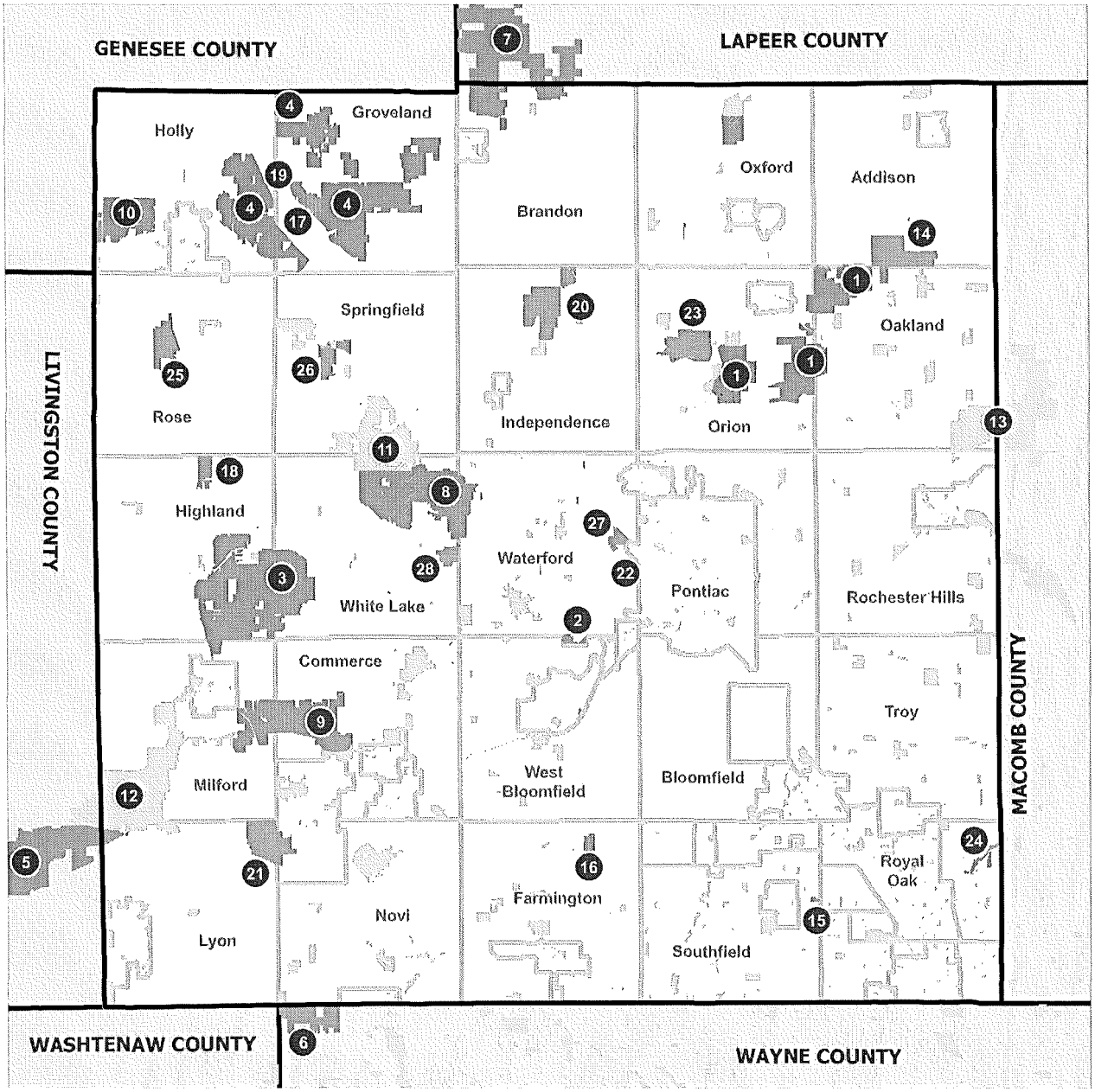
- Indian Springs Metropark
- Kensington Metropark
- Stony Creek Metropark

Oakland County Parks

Oakland County Parks and Recreation operates 15 facilities that provide a variety of recreational opportunities and specialized facilities. The closest Oakland County Park to Pontiac is Waterford Oaks, located just west of the City limits. Oakland County Parks and Recreation Facilities include:

- Addison Oaks
- Catalpa Oaks
- Glen Oaks
- Groveland Oaks
- Highland Oaks
- Holly Oaks ORV Park (partnership with DNR)
- Independence Oaks
- Lyon Oaks
- Oakland County Farmers Market
- Orion Oaks
- Red Oaks
- Rose Oaks
- Springfield Oaks
- Waterford Oaks
- White Lake Oaks

REGIONAL RECREATION FACILITIES MAP



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State Recreation Area

1. Bald Mountain State Recreation Area
2. Dodge #4 State Park
3. Highland State Recreation Area
4. Holly State Recreation Area
5. Island Lake State Recreation Area
6. Maybury State Park
7. Ortonville State Recreation Area
8. Pontiac Lake State Recreation Area
9. Proud Lake State Recreation Area
10. Seven Lakes State Park

Huron-Clinton Metropark

11. Indian Springs Metropark
12. Kensington Metropark
13. Stony Creek Metropark

Oakland County Park

14. Addison Oaks
15. Catalpa Oaks
16. Glen Oaks
17. Groveland Oaks
18. Highland Oaks
19. Holly Oaks ORV Park (partnership with DNR)
20. Independence Oaks
21. Lyon Oaks
22. Oakland County Farmers Market
23. Orion Oaks
24. Red Oaks
25. Rose Oaks
26. Springfield Oaks
27. Waterford Oaks
28. White Lake Oaks

Municipal Parks

Educational Facilities

A variety of educational facilities located within the City of Pontiac offer recreational opportunities, such as playgrounds, basketball courts and ball fields for area residents. These facilities are owned and operated by the School District of the City of Pontiac, as well as private educational providers.

The Recreation Inventory Map, included earlier in this chapter, shows the location of each educational facility. A brief description of each educational facility is provided below.

Alcott Elementary
Alcott Elementary School is located on Kennett Road in the northwestern portion of the City. The school is situated on a 10.12 acre property and features one playground, one ball field and one basketball court.

Bethune Elementary (Former)
The former Bethune Elementary school is located on Lake Street in the southwestern portion of the City. Situated on a 12.96 acre site, the school facility offers one playground and open fields. This parcel is also adjacent to the Clinton River Trail.

Hawthorne Elementary (Former)
The former Hawthorne Elementary School is located on Telegraph Rd, just south of Walton Blvd. The school building was demolished ca. 2003. This vacant property is adjacent to Hawthorne Park.

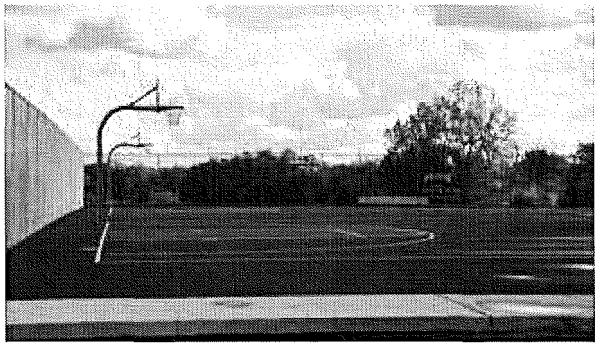
Herrington Elementary
This school is located on Bay Street in the east central portion of the City. Recreation facilities include two playgrounds, one ball field and one basketball court.

International Technology Academy/WHRC
This 13.7 acre parcel is centrally located in the city. It features a playground and two basketball courts.

Owen Elementary/ Kennedy Center
School site is located along Baldwin Avenue in the northern portion of the City. The 25 acre site includes two playgrounds and two basketball courts.

P.E.A.C.E. Academy
Located in the east central portion of the City, this site features a playground, basketball court and a ball field.

Pontiac High School/Pontiac Middle School/Pontiac Prep Academy
This 120 acre campus is located in the northeastern portion of the City. In addition to indoor recreation facilities, the site offers a variety of outdoor facilities including six tennis courts, two basketball courts, one ball field and three soccer fields.



Basketball courts at Pontiac High School.

Whitman Elementary School
Located in the north central portion of the City, numerous facilities are found at Whitman Elementary School, including three playgrounds, two basketball courts and one soccer field.

Wisner School (Former)
The former Wisner Elementary School is home to the renovated Wisner Memorial Stadium (football), where Pontiac High School games are played. Other facilities at this site include a multi-purpose field, a walking track and recently renovated building. The school district has leased this property and has a partnership with Lee Industrial Contracting.

Other Schools
A number of schools operated by other educational providers are located in the City of Pontiac. Some of these sites may offer recreational opportunities for nearby residents. These include:

- Arts & Technology Academy of Pontiac
- Baker College
- Notre Dame Prep Academy
- Oakland Schools Tech Campus NE
- Pontiac Academy for Excellence
- Walton Charter Academy
- Webber Media Arts Academy

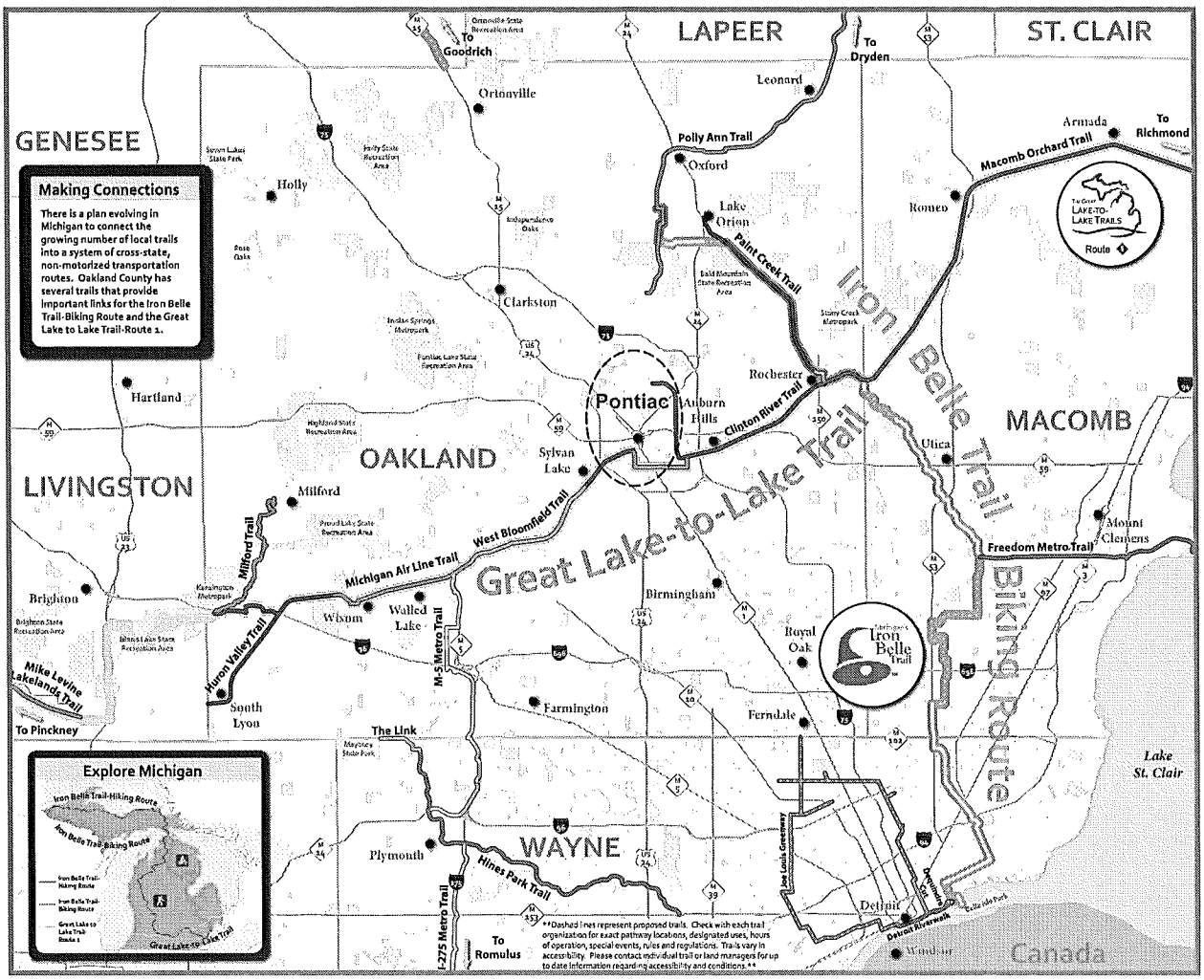
Note: *Many of the Pontiac Public Schools listed in the 2012-2016 Pontiac Parks and Recreation Master* Plan have been divested and sold to private owners for redevelopment.

Notre Dame Marist Academy Lower Division

Playground equipment and basketball courts at ITA/WHRC.

Wisner Memorial Stadium and popular walking track at the former Wisner Elementary School.

SE MICHIGAN NON-MOTORIZED TRAILS MAP



Non-Motorized Trails (Linear Parks)

Non-motorized recreational trails and sidewalks link people to parks and encourage active transportation activities like walking and biking. The Clinton River Trail passes through the City of Pontiac and provides connections to two cross-state trails:

- Great Lake to Lake Trails-Route 1 (east-west from South Haven to Port Huron)
- Iron Belle Trail-Biking Route (north-south from Belle Isle to Ironwood)

Regional trails in Oakland County include:

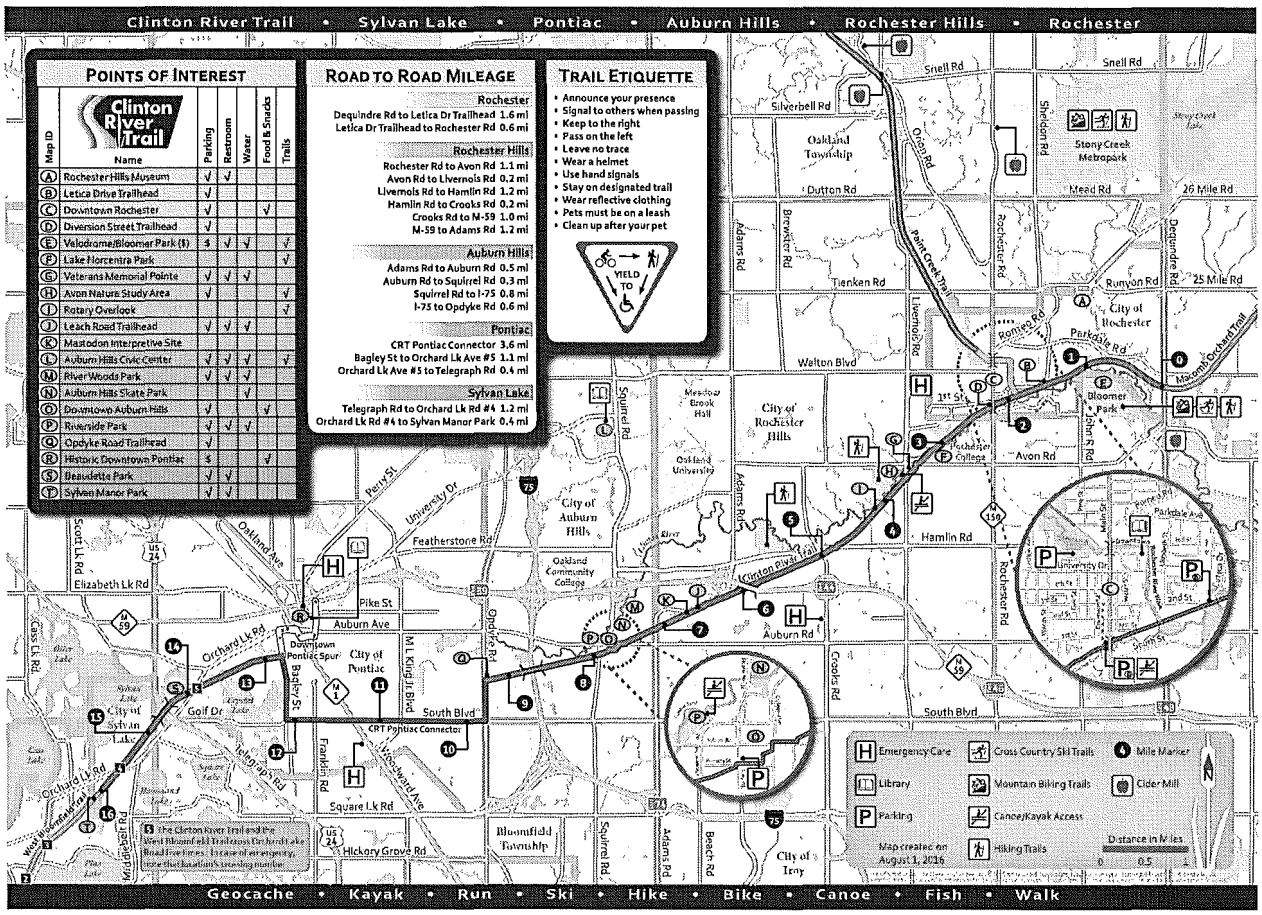
- Clinton River Trail
- Headwaters Trails
- Huron Valley Trail
- I-275 & M-5 Metro Trails
- Michigan Air Line Trail
- Milford Trail
- Paint Creek Trail
- Polly Ann Trail
- West Bloomfield Trail

About the Clinton River Trail

The Clinton River Trail (CRT) is a 16-mile, multi-use, linear park that traverses the communities of Sylvan Lake, Pontiac, Auburn Hills, Rochester Hills and Rochester. The CRT provides users with an active transportation corridor and a variety of year-round recreational opportunities such as biking, hiking, running, canoeing/kayaking, geocaching, fishing, cross-county skiing and wildlife viewing. The Clinton River Trail also links neighborhoods with historic downtowns, schools, parks and open space, the Clinton River, business districts and local tourism attractions.

Beyond the city limits, the CRT has direct connections with other regionally significant trails like the West Bloomfield Trail, Macomb Orchard Trail and Paint Creek Trail. The Clinton River Trail is also an important segment of the Great Lake to Lake Trails-Route 1 and a short section in Rochester has been designated as the Iron Belle Trail-Biking Route.

The CRT follows the former Grand Trunk Western Railroad-Jackson Subdivision and the majority of it was divested in 1998. The five cities have worked together since that time to purchase, develop and make improvements to the trail.



Map of the Clinton River Trail. The majority of this stretch of the Grand Trunk Railroad was abandoned in 1998 and has since been converted into a rail-trail.

Clinton River Trail Alliance

2019 marks the 15th anniversary of the CRT. A year long celebration and special events along the trail are planned to commemorate this major milestone. It all began in 2004, when the Memorandum of Understanding was signed by representatives of the five cities and encourages them cooperatively operate the CRT as one contiguous trail. The Clinton River Trail Alliance –made up of representatives from the five cities, Friends of the Clinton River Trail (FCRT) and Oakland County Planning– meets on a bimonthly basis to discuss trail conditions, events and special projects along the CRT. Each community owns and is responsible for operating and maintaining their respective section of the CRT.

New "Look & Feel" road crossing sign along the Clinton River Trail at Bagley Street.

Friends of the Clinton River Trail

The Friends of the Clinton River Trail is an all-volunteer nonprofit corporation that is committed to promoting the Clinton River Trail as a safe and enjoyable recreational destination with a focus on improving quality of life, community health, economic development and leaving a legacy for future generations. Members of FCRT include citizens and businesses from across Southeast Michigan with the majority being from the communities nearest to the trail. FCRT operates using private donations, occasional grants and corporate event sponsorships and does not receive funding from any of the cities along the trail. FCRT also serves as a facilitator to initiate improvements along the trail, helps coordinate trail activities within the communities and develops programming that highlights the trail. FCRT worked with community stakeholders to establish the distinctive "Look & Feel" branding, amenities and signage plan for the CRT.

FCRT hosts special events along the trail like Cruisin' for the Trails–a noncompetitive bike ride from Rochester Hills to Downtown Pontiac.

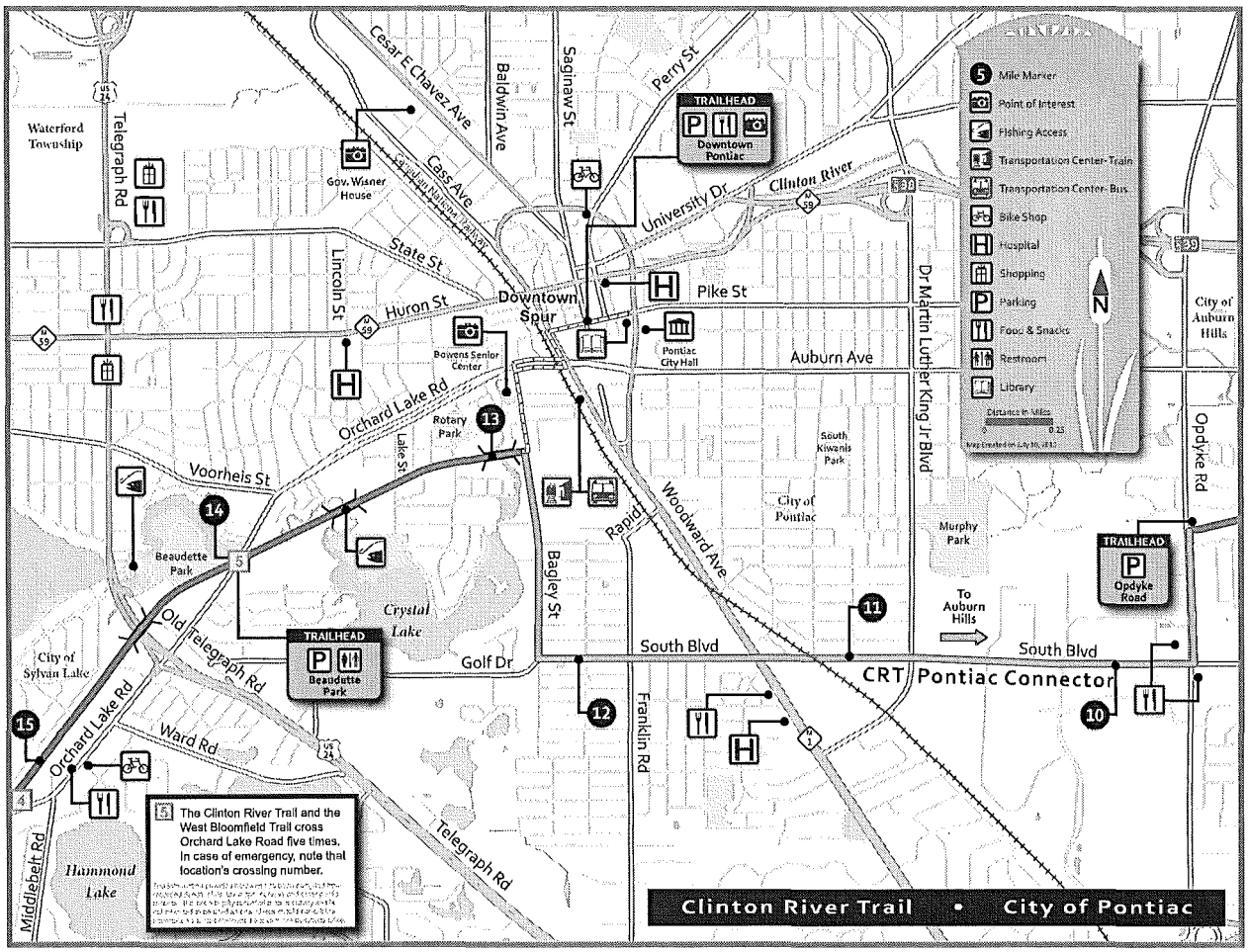
Clinton River Trail in Pontiac

The existing rail-trail portion of the CRT in Pontiac traverses approximately 1.7 miles in the southwest section of the City from the Bloomfield Township boundary to Bagley Street. Located on what was once the Grand Trunk Western Railroad, this section of non-motorized trail passes through natural settings and wooded areas and crosses over the Clinton River twice. Beaudette Park serves as a trailhead and offers parking, a bike repair station, picnic areas and seasonal portable restrooms.

At Bagley Street, the Clinton River Trail splits into the Downtown Spur to the north and the CRT Pontiac Connector to the south.

For the time being, the CRT Pontiac Connector is the designated route for the Clinton River Trail in the City. In general, this 3.6-mile stretch follows a narrow sidewalk south along Bagley Street then east on South Blvd and north alongside Opdyke Road to the CRT in Auburn Hills. Trail users pass by several neighborhoods, industrial complexes and commercial developments. This sidewalk-based route serves only as a temporary connection and a new "northern route" is being planned.

The Downtown Spur also follows a sidewalk and provides trail users with access to the businesses and services in and around the Woodward Loop.



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Map of the Clinton River Trail and key destinations in the City of Pontiac.

Pontiac CRT Milestones

The historical and proposed development of the Clinton River Trail in Pontiac is part of an ongoing process. It all began in 2003 when the City purchased the trail property from Old Telegraph Road to Franklin Street from the Trust for Public Land (TPL). TPL is an organization specializing in conservation real estate and works to protect land for public use and enjoyment. TPL purchased the property from the railroad in 2001, giving the City an opportunity to apply for grant funding from the Michigan Natural Resources Trust Fund to acquire the parcels.

Trail development and construction was completed in 2004, from Old Telegraph Road to Bagley Street, and included a crushed limestone surface, improvements to the bridges over the Clinton River and trail/road crossing enhancements. Project funding assistance was provided by the Michigan Department of Transportation.

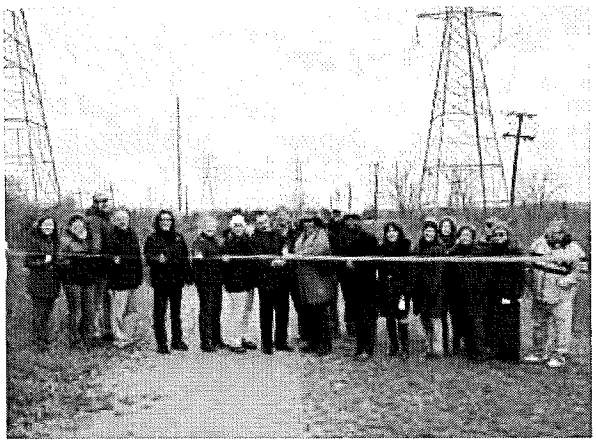
The Downtown Spur was completed in 2009. Project funding assistance was provided by the Michigan Department of Transportation.

In 2011, construction was completed on the pedestrian bridge over Telegraph Road (US-24). This project was made possible with funding from the Community Foundation for Southeast Michigan-GreenWays Initiative, Michigan Natural Resources Trust Fund and the American Recovery and Reinvestment Act. This pedestrian bridge provides trail users with a direct connection to the CRT in Sylvan Lake and the West Bloomfield Trail.

2004 Ribbon cutting for the grand opening of the CRT in Pontiac.

Downtown Spur, completed in 2009, provides trail users with access to area businesses.

Construction of the bridge over Telegraph Road was completed in 2011.



2017 Ribbon cutting for the North Spur Trail.

In 2017, the City of Pontiac purchased 4.5 miles of the former Grand Trunk Western-Pontiac Belt Line Railroad, known locally as the North Spur Trail route, from the Canadian National Railway Company with the funding assistance from the Michigan Natural Resources Trust Fund. The City is working toward improving the five bridges and trail surface and making connections to Jaycee Park and Galloway Lake Park. Once completed, a portion of the North Spur will be designated as the Clinton River Trail.

Bike repair station and bike racks installed at the CRT trailhead at Beaudette Park.

Over the years, new amenities have been installed along the CRT that include:

- MotorCities wayside interpretive signs
- Bike repair stations
- Bike racks
- Mile Markers
- Wayfinding signs and pavement markers
- Map boxes
- Regulatory signs

Mile markers installed along the trail in 2018.

New wayfinding and interpretive signs.

Over the past decade, the City's DPW/Park budget and staff have been reduced, leaving the CRT in need of major maintenance, repairs and upgrades to meet current shared use path standards. The City relies on volunteer efforts to edge the sidewalk along the CRT Pontiac Connector and pick up litter along the trail.

FCRT and GM Cares Team clean up day along the CRT Pontiac Connector.

Clinton River Trail east of Old Telegraph Road in 2004 after construction.

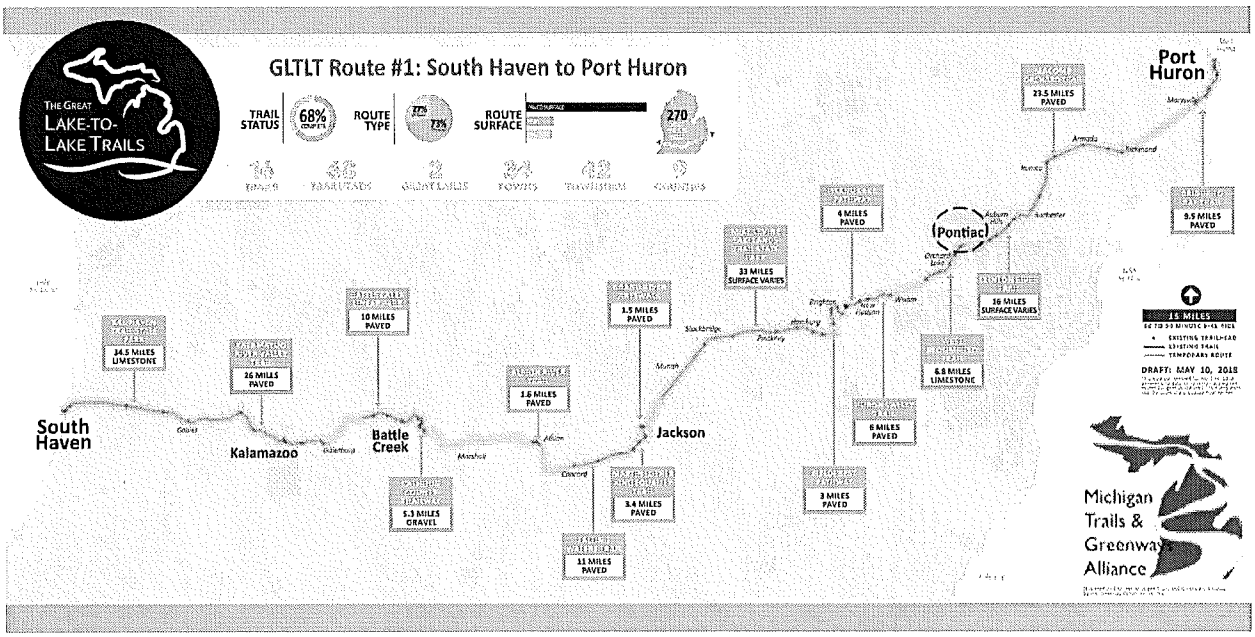
Clinton River Trail east of Old Telegraph Road in 2018.

Great Lake to Lake Trail-Route 1

The Clinton River Trail is one of sixteen trails that make up the 270-mile Great Lake to Lake Trail-Route 1 (GLTLT) that extends across Michigan from South Haven to Port Huron. Once completed, this important cross-state destination trail will provide local communities with economic vitality, active transportation, social connection, health and fitness, environmental preservation and local tourism related opportunities.

The City of Pontiac has been designated a Trail Town on the GLTLT and provides users with access to restaurants and breweries, bike shop, cultural attractions and lodging facilities. It is essential that the City work with Main Street Pontiac and the Chamber of Commerce to coordinate and leverage trail related amenities in the Downtown and surrounding commercial and business districts.

The Michigan Trails & Greenways Alliance (MTGA) began the GLTLT project in 2009 to accelerate the identification and development of cross-state trails to link one Great Lake to another. MTGA has worked to bring a diverse group of stakeholders together including representatives from MDOT, DNR, local communities, government agencies, non-profits and trail organizations to plan, develop, brand and market this important recreational resource. In 2018, a Trail Ambassador was hired to coordinate this work with local communities and create a world-class experience on the GLTLT for all trail users.



Map illustrating Route 1 of the Great Lake to Lake Trails. The Michigan Trails & Greenways Alliance began the Great Lake to Lake Trails project in 2009.

Pontiac Linear Park Gap Analysis

Looking ahead to the future, there is a need to address critical gaps in the linear park network in Pontiac. These corridors promote active and healthy lifestyles and link a number of neighborhoods with parks and other key destinations in and around Pontiac.

It is recommended that each of the following routes be studied and discussed in further detail with local residents and stakeholders. Each route offers different benefits, user experiences and provides a non-motorized transportation connection to various sections of the city. Based on current resources, a phased approach should be determined and taken to implement the linear park network in Pontiac.

A Existing Clinton River Trail

- Improve trail surface to meet current AASHTO standards
- Pave approaches at road/trail crossings, install ADA detectable warnings and crosswalk pavement markings
- Install Bike/Pedestrian warning signs along roadways to alert motorists
- Install shade shelter and picnic table at Beaudette Park consistent with the "CRT Look & Feel" project amenities
- Inspect two bridges over the Clinton River and make necessary improvements to decking and railings
- At Orchard Lake Rd #5, realign crossing and install a pedestrian hybrid beacon

The streets along the Neighborhood–Downtown Connector Route have sidewalks for pedestrians and are wide enough to add bike lanes or shared lane markings for cyclists.

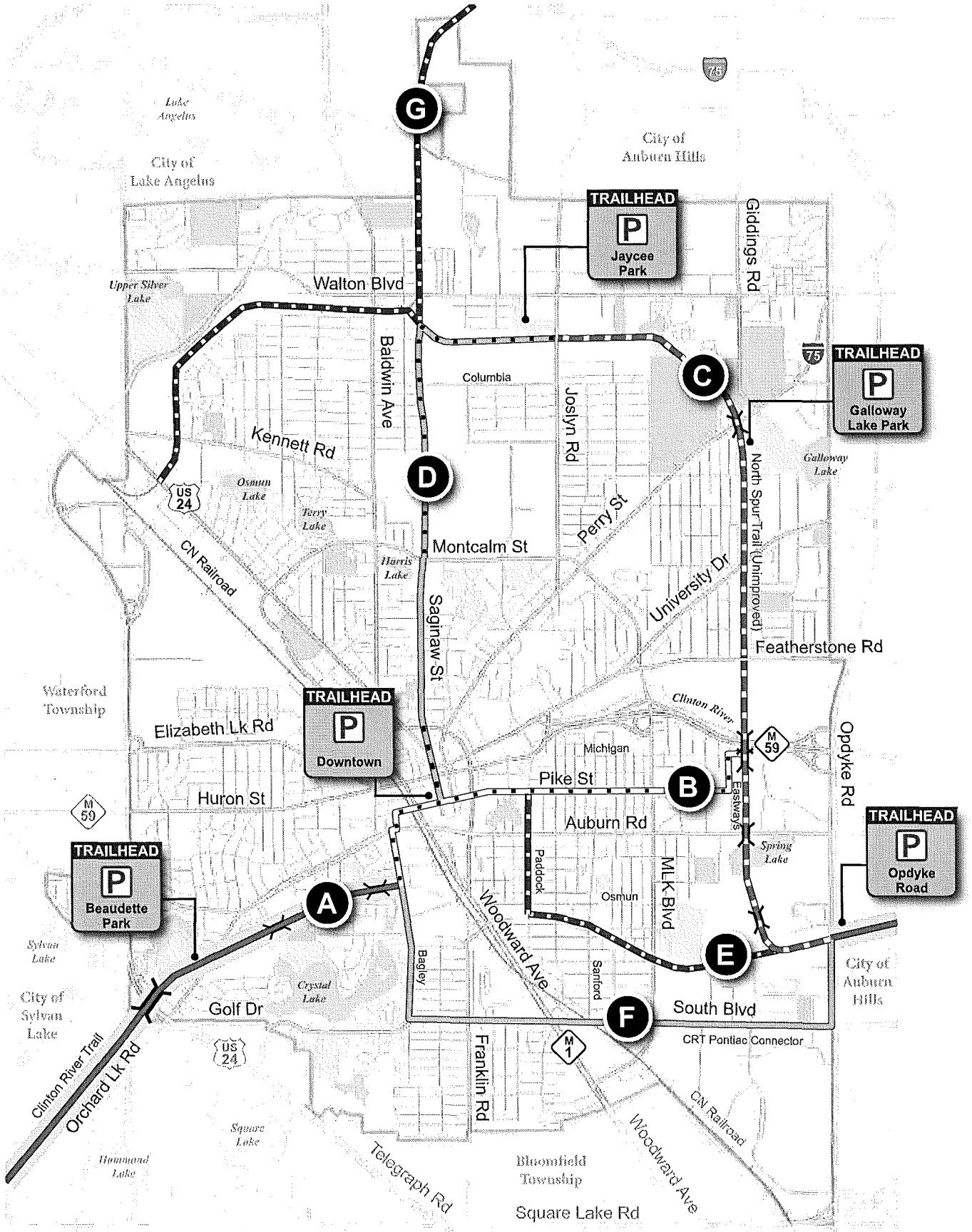
B Neighborhood–Downtown Connector

- Add bike lanes/buffered bike lanes and appropriate signage during road resurfacing/construction projects
- Convert Pike Street between Mill and NB Woodward to two-way traffic
- Conduct a sidewalk assessment and replace/repair as needed
- Install wayfinding signage
- Install ADA detectable warnings, curb ramps and crosswalk pavement markings at road crossings

C North Spur Trail

- Improve trail surface to meet current AASHTO standards
- Create a plaza at the Clinton River just south of M-59
- Improve connections to Jaycee Park, High School, Middle School, Galloway Lake Park and Murphy Park
- Construct ramps to link the North Spur Trail with the Neighborhood–Downtown Connector on Pike Street and Auburn Road
- Retrofit, repair or replace five pedestrian bridges and railings
- Improve Opdyke Road crossing

PONTIAC LINEAR PARK GAP ANALYSIS MAP



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D Former CN Railroad

- Contact property owners and negotiate property acquisition or permanent easements
- Conduct environmental assessments
- Complete design engineering
- Seek funding to improve trail surface to meet current AASHTO standards
- Extend on-road bike facilities on Saginaw Street between Pike and the Woodward Loop

Pike Street in Downtown Pontiac.

E Former Grand Trunk Railroad

- Contact property owners and negotiate property acquisition or permanent easements
- Complete design engineering and environmental assessment
- Seek funding to improve trail surface to meet current AASHTO standards
- Pave approaches at road/trail crossings, install ADA detectable warnings and crosswalk pavement markings
- Install Bike/Pedestrian warning signs along roadways to alert motorists
- Add bike lanes on Paddock

Former Grand Trunk Railroad right-of-way in the southeast section of the City.

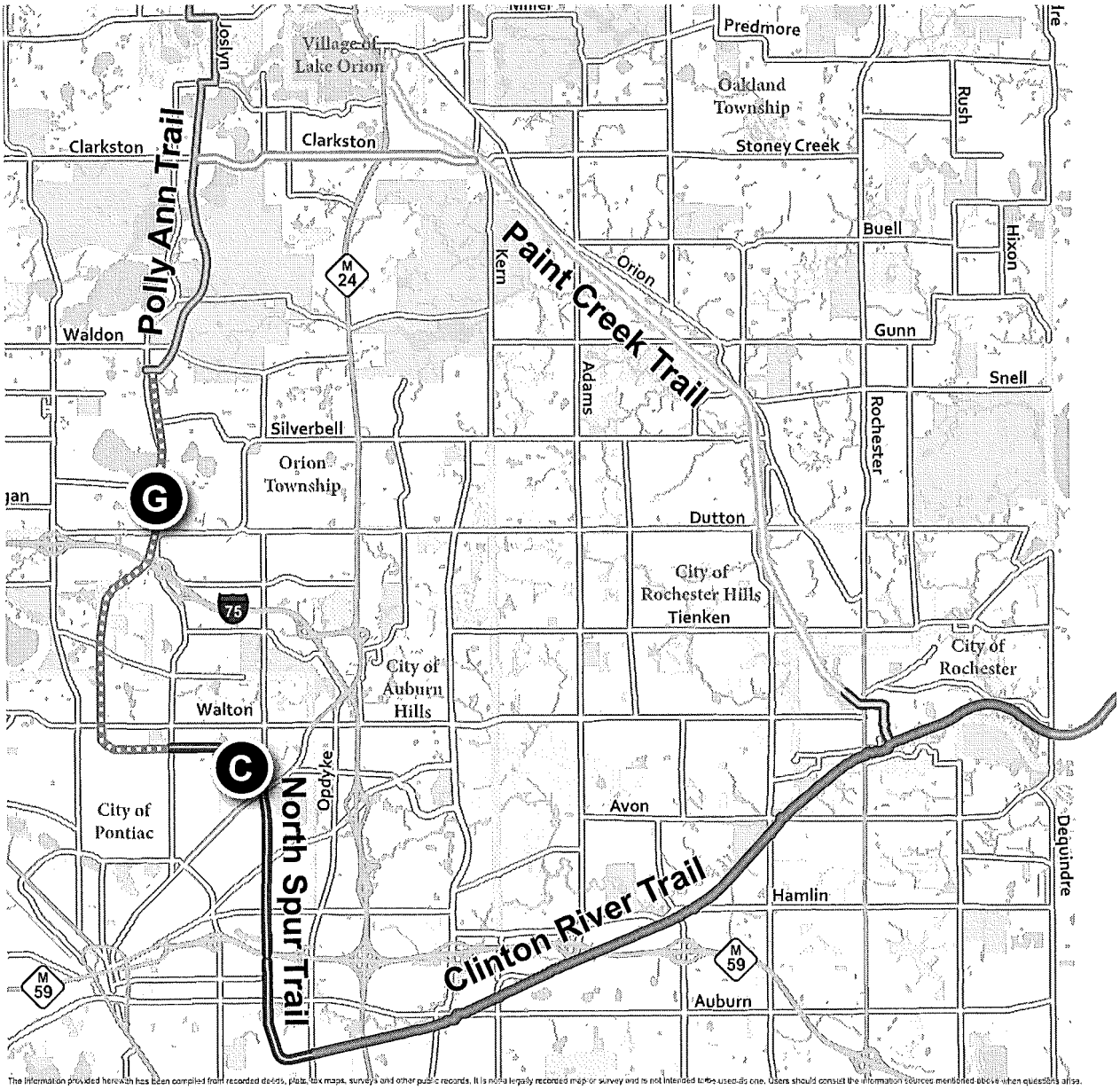
F CRT Pontiac Connector

- Add bike lanes/buffered bike lanes and appropriate signage during road resurfacing/construction projects
- Conduct a sidewalk assessment and replace/repair as needed
- Install ADA detectable warnings, curb ramps and crosswalk pavement markings at road crossings

Wayfinding signage along CRT Pontiac Connector at Opdyke Road and South Blvd.

Ⓖ Active CN Railroad

- Extends beyond Pontiac city limits
- Abandon railroad right-of-way through the Surface Transportation Board
- Contact property owners and negotiate property acquisition or permanent easements
- Work with Auburn Hills and Orion Township to make a connection to the Polly Ann Trail
- Conduct environmental assessments
- Complete design engineering
- Seek funding to improve trail surface to meet current AASHTO standards
- Pave approaches at road/trail crossings, install ADA detectable warnings and crosswalk pavement markings
- Install Bike/Pedestrian warning signs along roadways to alert motorists



31 mile rails-to-trails and non-motorized pathway loop

Southeast Michigan Non-motorized Corridors and Gaps

In 2014, the Southeast Michigan Council of Governments (SEMCOG) and the Michigan Department of Transportation (MDOT) took a comprehensive look at the non-motorized facility network in the Southeastern Michigan Region. The map on the following page corresponds with the list below and illustrates the key corridors missing gaps that were mentioned during their stakeholder input meetings. #2 and #13 pertain to Pontiac:

1. Polly Ann Trail Corridor
- Part of Showcase Trail (Iron Belle Trail)

2. Clinton River Trail
- Part of Showcase Trail (Iron Belle Trail)
- Part of Great Lake to Lake Trail

3. Paint Creek Trail
- Connection to Polly Ann Trail
- Part of Showcase Trail (Iron Belle Trail)

4. West Bloomfield Trail
- Part of Great Lake to Lake Trail

5. MI Air Line Trail
- Significant gap with major activity
- Part of Great Lake to Lake Trail

6. Huron Valley Trail
- Fill gaps
- Part of Great Lake to Lake Trail

7. South Lyon Trail
- Connected to Great Lake to Lake Trail
- Provide connections to Livingston County and Lakelands Trail via 9 Mile

8. Kensington Metro Park
- Connects Huron Valley Trail to Grand River Corridor in Livingston County via bike/ped bridge over I-96 on Kensington Road
- Lakelands Trail is accessible via Kensington Road
- Part of Great Lake to Lake Trail

9. M-5 Metro Trail
- Fill gaps
- Connects to Great Lake to Lake Trail

10. Woodward Avenue Corridor (8 Mile to Woodward Loop)
- Detailed Complete Streets study underway
- Coordinates with proposed Bus Rapid Transit
- Connects Detroit to Pontiac & potentially Great Lake to Lake Trail

11. Grand River Corridor (8 Mile to Orchard Lake)
- Provide connections from Redford/Old Redford to Farmington-Farmington Hills Corridor Improvement Area

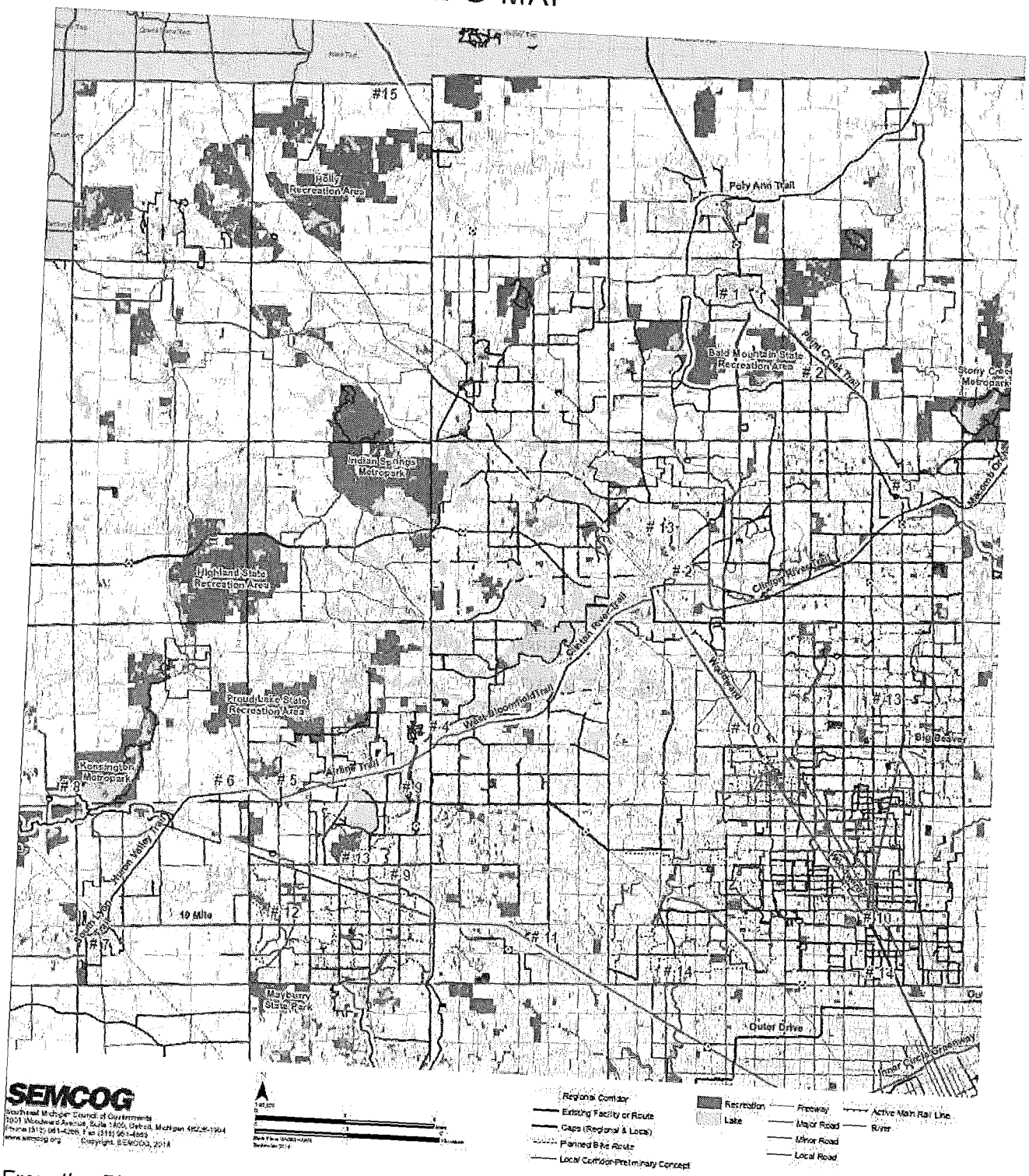
12. 10 Mile Corridor
- Links South Lyon, Lyon Township, Novi
- Connects to Great Lake to Lake Trail
- Potential connection to Livingston County & Lakelands Trail

13. Communities with major gaps identified in their non-motorized plans
- City of Pontiac, City of Troy, City of Novi

14. Connections to Detroit from:
- Ferndale, Southfield

15. M-15 Corridor
- Potential Connection to Genesee County (Village of Goodrich) to Clarkston
- Considered a Regional Corridor by MDOT Bay Region

OAKLAND COUNTY REGIONAL NON-MOTORIZED CORRIDORS AND GAPS MAP



From the *Bicycle and Pedestrian Travel Plan for Southeast Michigan: A Plan for SEMCOG and MDOT's Southeast Michigan Regions*

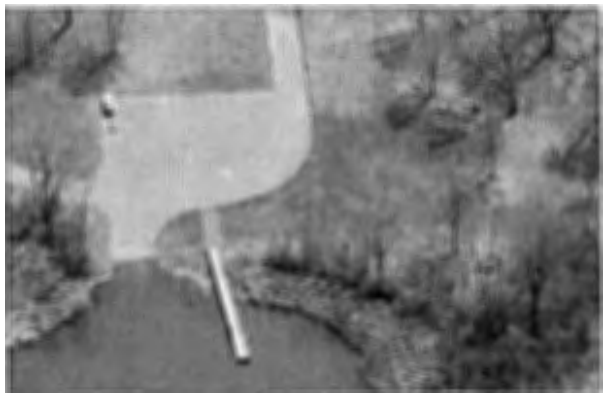
RECREATIONAL BOATING FACILITIES INVENTORY

Map No.	Park Name	Park Classification	Park Acreage	City Council District	Body of Water	Unimproved Water Access (Y/N)	Improved Water Access (Y/N)	Unimproved Boating Access Site	Boating Access Site
	Boating Facilities								
5	Beaudette Park	CP	55.39	1;2	Dawson's Mill Pond (Clinton River)	Y	-	-	1
9	Clinton River Trail	LP	15.03	1;7	Clinton River	Y	-	-	-
10	Crystal Lake Park	CP	42.93	1	Crystal Lake (Clinton River)	Y	-	-	-
11	Dawson Pond Park	MP	0.19	2	Dawson's Mill Pond (Clinton River)	Y	-	-	-
15	Galloway Lake Park	CP	63.42	5	Galloway Lake	Y	-	-	-
16	Hawthorne Park	CP	77.33	4	Upper Silver Lake/Creger Lake	-	-	-	1
20	Lakeside Park	NP	4.35	3	Terry Lake	Y	-	-	-
25	North Kiwanis Park	NP	26.95	3	Osmun Lake	Y	-	-	-
26	North Spur Trail	LP	93.63	5;7	Spring Lake & Clinton River	Y	-	-	-
	Boating Facilities Subtotal		*379.22*	-	-	-	*0*	*0*	*2*

Legend: CP = Community Park; NP = Neighborhood Park; MP = Mini-Park; LP = Linear Park; Y = Yes

RECREATIONAL BOATING FACILITIES

The majority of Pontiac is in the Clinton River Watershed and a number of parks in the City provide users with access to inland lakes and the Clinton River. The table above provides a basic inventory of recreational boating facilities in the City. A more detailed inventory of the two improved boating access sites can be found on the following pages.



Boat launch and fishing pier at Hawthorne Park

Recreational Boating Facility Definitions

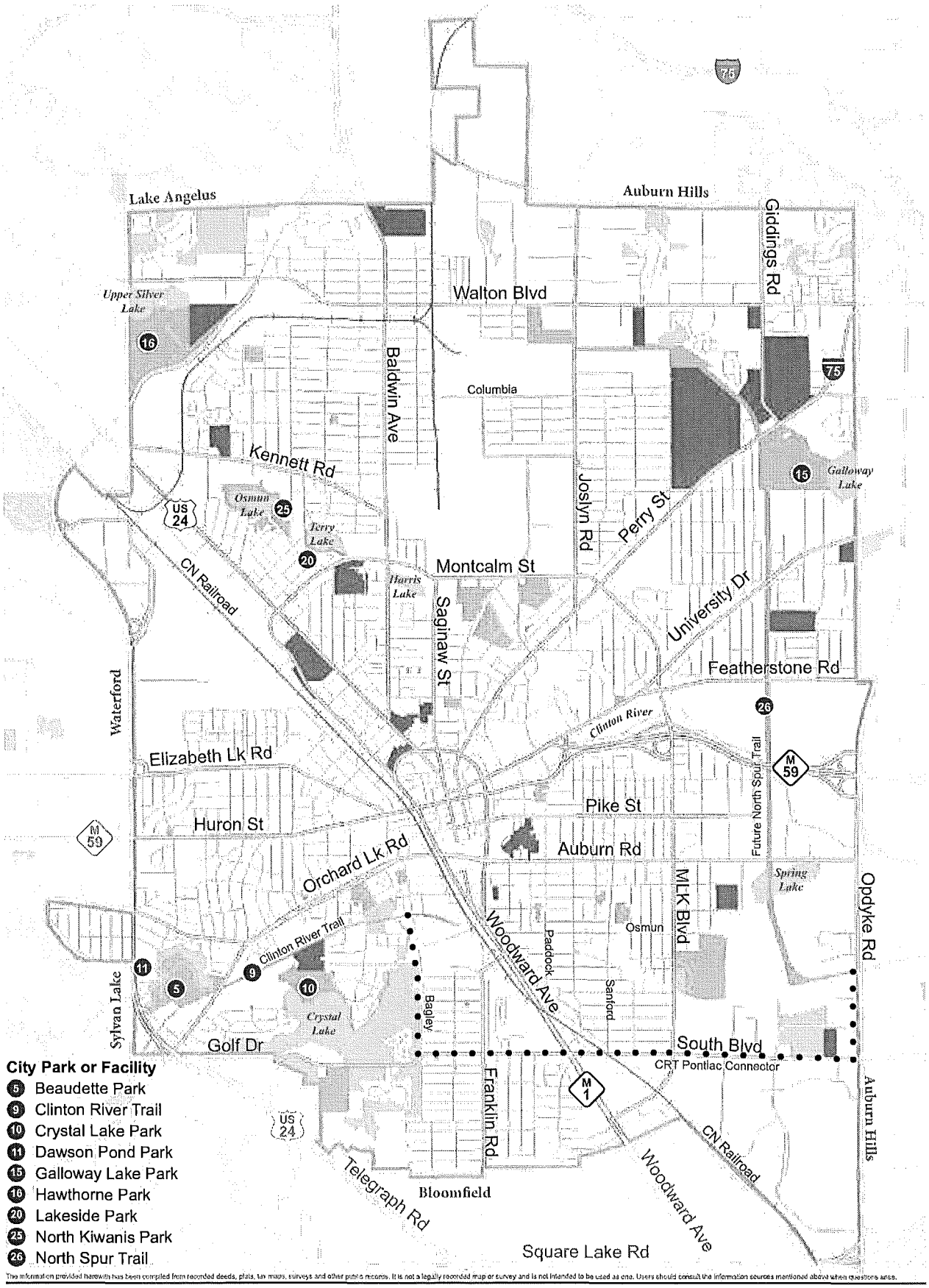
Unimproved Water Access:
Parks that have unimproved access points and no significant infrastructure, where users could carry-down and launch boats, canoes and kayaks.

Improved Water Access:
Locations with designated water access points and supporting launching infrastructure for carry-down boats, canoes and kayaks.

Unimproved Boating Access Site:
A designated boat launch location for trailered boats without a formal launch ramp.

Boating Access Site:
A designated boat launch location with a ramp and supporting infrastructure.

RECREATIONAL BOATING FACILITIES MAP



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NAME AND LOCATION OF FACILITY
Hawthorne Park boat ramp provides access to Upper Silver Lake/Creger Lake.
GENERAL PURPOSE OF THE FACILITY
Provides a boat launch for small watercraft.
SIZE OF FACILITY INCLUDING INFORMATION REGARDING RIGHT SIZING OF FACILITY
The size and capacity of this facility is adequate and meets the needs of users.
ADA ACCESSIBILITY AT THE FACILITY
There is a firm and stable surface to water's edge.
SITE DEVELOPMENT PLAN
There are no current site development plans for the park or boat launch facility.
MARKETING, EVENTS & PARTNERSHIPS
There are no current marketing campaigns, special events or partnerships for the boat launch facility.
DREDGING NEEDS, CYCLE, VOLUME OF DREDGED MATERIALS AND DISPOSAL LOCATION
Dredging needs are unknown at this time.
ANNUAL MAINTENANCE SCHEDULE
There is no annual maintenance schedule at this time.
MINOR OR SMALL-SCALE INFRASTRUCTURE REPLACEMENT SCHEDULE
There is no infrastructure replacement schedule at this time.
LARGE SCALE MAINTENANCE AND REPLACEMENT SCHEDULE (DOCKS, BUILDINGS, ETC.)
Invasive species removal along the shoreline is planned in 2019.

Boat launch, parking and fishing pier at Hawthorne Park

NAME AND LOCATION OF FACILITY
Beaudette Park boat ramp provides access to Dawson's Mill Pond (Clinton River).
GENERAL PURPOSE OF THE FACILITY
Provides a boat launch for small watercraft.
SIZE OF FACILITY INCLUDING INFORMATION REGARDING RIGHT SIZING OF FACILITY
The size and capacity of this facility is adequate and meets the needs of users.
ADA ACCESSIBILITY AT THE FACILITY
There is a firm and stable surface to water's edge.
SITE DEVELOPMENT PLAN
There are no current site development plans for the park or boat launch facility.
MARKETING, EVENTS & PARTNERSHIPS
There are no current marketing campaigns, special events or partnerships for the boat launch facility.
DREDGING NEEDS, CYCLE, VOLUME OF DREDGED MATERIALS AND DISPOSAL LOCATION
Dredging needs are unknown at this time.
ANNUAL MAINTENANCE SCHEDULE
There is no annual maintenance schedule at this time.
MINOR OR SMALL-SCALE INFRASTRUCTURE REPLACEMENT SCHEDULE
There is no infrastructure replacement schedule at this time.
LARGE SCALE MAINTENANCE AND REPLACEMENT SCHEDULE (DOCKS, BUILDINGS, ETC.)
There is no large scale maintenance and replacement schedule at this time.

Boat launch at Beaudette Park

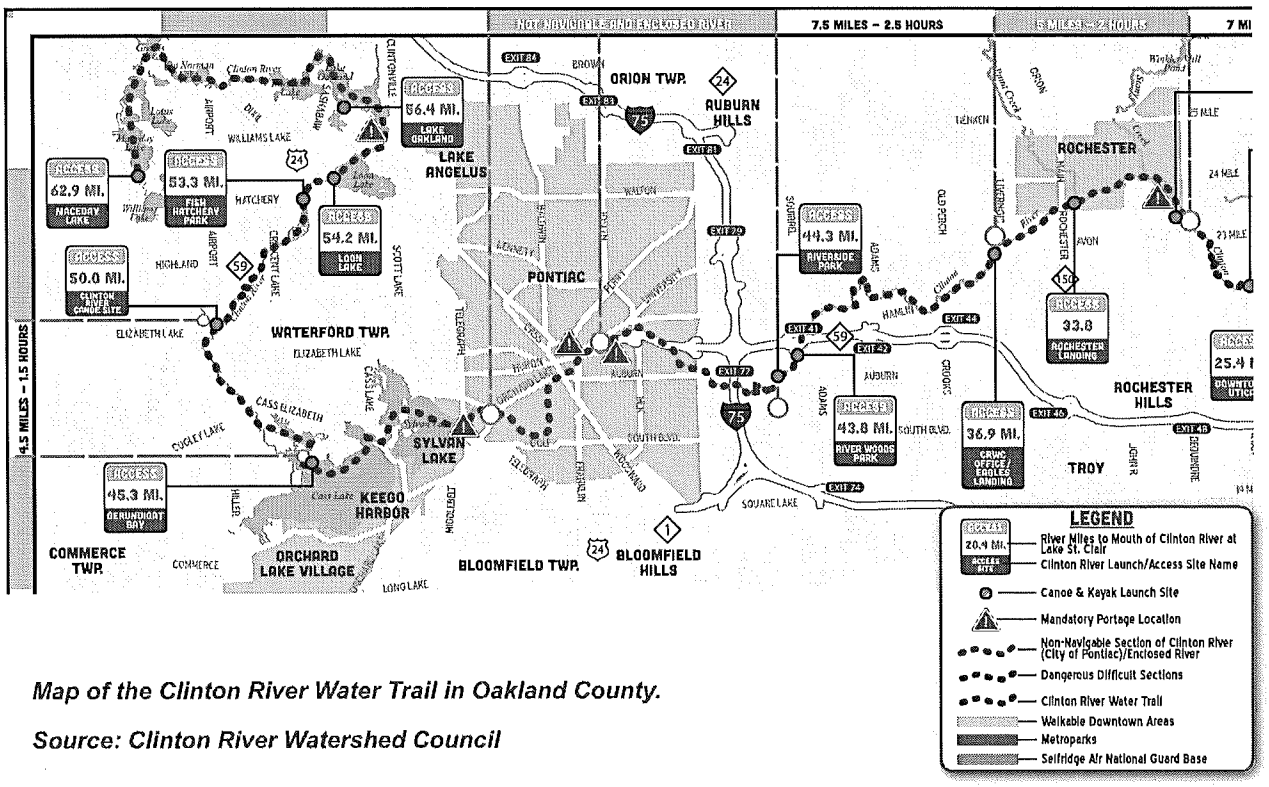
Clinton River Water Trail & WaterTowns

The Clinton River Watershed Council (CRWC) has been working with local municipalities in Oakland and Macomb Counties to promote the Clinton River as a water trail. A water trail is a designated route along a river or lake that is accessible for paddlesports like kayaking or canoing. The Clinton River Water Trail website has safety tips, paddling events and trip planning information available. Many of the public access points, launches, landings and portage locations have been mapped and can be found at: www.crwc.org/paddling

The "Chain of Lakes" portion of the water trail is just west of Pontiac and there are also a number of access points for the main river portion of the water trail to the east in Auburn Hills.

Most of the Clinton River in the City of Pontiac is non-navigable or inaccessible for recreational paddling. In 1963, a stretch of the Clinton River, from Bagley to the east side of the Woodward Loop, was enclosed and buried in two conduits to alleviate flooding in the area.

The WaterTowns initiative was started in 2015 by the CRWC to help towns and cities in the watershed leverage the assets of the Clinton River and Lake St. Clair for water-oriented community development. Much of this work in the communities will help to advance watershed management, the blue economy, local tourism and green infrastructure.



Map of the Clinton River Water Trail in Oakland County.

Source: Clinton River Watershed Council

Pontiac Grant History

DNR Grants

When preparing a Recreation Plan, the Michigan DNR requires that information be provided concerning grants that have been received in the past for acquisition or development of recreation facilities. Therefore, the recreation grant history for the City of Pontiac was obtained from the DNR-Grants Management Division.

Over the years, the City has received 12 grants from the DNR for recreational facility acquisition and development (17 total grants were awarded; however, five grant awards were withdrawn). The required DNR Grant *Post Completion Self-Inspection Reports* were done for each grant and submitted to the DNR. A number of conversions were identified during this process.

According to the DNR, a conversion of use occurs when one or both of the following situations occur:

- The grant-assisted site, or a portion of the site, is no longer available for public outdoor recreation, or
- Property rights in or control of the grant-assisted site, or a portion of the site, are conveyed by the grantee to another entity, either by deed, grant of easement or other mechanism.

The City of Pontiac is working with the DNR Grants Management Division to prepare a conversion and mitigation proposal that meets the program requirements.

Neighborhood Empowerment Grants

The Neighborhood Empowerment Grants (NEP) are open to organizations and citizen groups in Pontiac to make a positive, sustainable impact on the City. Many park improvement projects have been submitted for NEP grant funding and range from installing picnic tables to resurfacing basketball courts.

A description of the DNR and NEP grants including name, grant number, year, grant amount and project scope is provided on the following pages.

2017 ribbon cutting for the North Spur Trail. Acquisition of the former railroad property was funded through a Michigan Natural Resources Trust Fund Grant.

DNR GRANTS INVENTORY

Grant No.	Project Title	Year	Grant Amount	Project Description
26-00110	Hawthorne Park	1968	$150,000	Acquisition of approximately 36 acres as an addition to an existing city park.
Status	Telegraph Road was extended circa 2001 and has converted approx 17.8 acres of the 36 acre LWCF acquisition property. Conversion has not been mitigated.			
26-00148	Pontiac Parks & Playground (19 Sites)	1968	$20,000	Purchase of modern playground/park equipment for 19 parks and playgrounds in the City of Pontiac.
Status	Given the age of the playground equipment, which was installed over 40 years ago, many have been replaced. Several parks continue to utilize original equipment.			
26-00789	Galloway Lake Park	1976	$50,000	Development of Galloway Park, to include two lighted softball fields with fencing, bleachers, dugouts, press box, storage facilities and LWCF sign.
Status	The storage facilities, bleachers, dugouts, press boxes and softball fields were all obsolete and removed circa 2015. Field lights remain, but are obsolete.			
26-00886	Galloway Lake Park	1977	$144,500	Develop comfort station, four lighted tennis courts, 2 fenced basketball courts, roads, parking, fencing, security lighting and LWCF sign at Galloway Lake Park.
Status	The comfort station, tennis courts, roads, parking and security lighting remain at the park and are generally in poor condition. Basketball courts have been reconditioned.			
26-01472	Galloway Lake Park	1987	$127,275	Development of access road, picnic area, parking, walkways, fishing pier, play center and landscaping at Galloway Lake Park.
Status	The access road, picnic area, parking, walkways, play center remain at the park and are generally in poor condition. Repairs to the fishing pier have been made.			
BF89-551	Playground Equipment at Murphy Park	1989	$57,294	Replace worn out playground equipment at five parks & install bollards at two of those parks. Only Murphy Park was developed.
Status	The playground equipment remains at Murphy Park and is in fair condition.			

DNR GRANTS INVENTORY CONTINUED

Grant No.	Project Title	Year	Grant Amount	Project Description
BF90-234	Hayes Jones Pool Improvement	1990	$420,000	Replace the swimming pool at and make improvements to the Hayes Jones Community Center.
Status	Property sold to private recreation provider in 2013. Site continues to offer outdoor recreation. Approx 7.8 acres remains a conversion. City repaid $210,000 of grant value.			
TF97-232	Hawthorne Park Renovation	1997	$168,750	Renovate a boat launch and pave a parking lot at Hawthorne Park with lake front access.
Status	The boat launch remains active and is in fair condition.			
CM99-278	Beaudette Park Improvements	1999	$165,540	Park improvements to include removal and replacement of the basketball and tennis courts and playground equipment, a new welcome booth, concrete walkway and close park entrance on Old Telegraph Road.
Status	The basketball and tennis courts remain at the park and are in fair condition. The playground equipment is in good condition. Entrance on Telegraph Rd was closed.			
TF01-115	Clinton River Trail Acquisition	2001	$412,160	Acquisition of 1.7 miles (10.7 acres) of railroad right-of-way through the City of Pontiac to provide a segment of the non-motorized Clinton River Trail network.
Status	The crushed limestone trail surface is in poor condition and is obsolete. Trail surface and road crossings need to be improved to current AASHTO standards.			
TF08-040	Clinton River Trail Pedestrian Bridge	2008	$485,000	Development to include pedestrian bridge structure, approach and ramps to provide a safe crossing for the Clinton River Trail at Telegraph Road.
Status	The pedestrian bridge over Telegraph Road is in good condition.			
TF13-065	Clinton River Trail Acquisition-Pontiac	2013	$370,000	Acquisition of 85.4 acres of abandoned rail corridor for the Clinton River Trail North Spur.
Status	The five bridges are generally in poor condition and need to be replaced, retrofitted, or repaired. The trail surface needs to be improved to current AASHTO standards.			

NEIGHBORHOOD EMPOWERMENT GRANTS INVENTORY

Grant No.	Project Title	Year	Grant Amount	Project Description
NP1703	Shirley Willard Park	2017	$6,266	Pavilion
NP1706	Richardson Park	2017	$20,200	Pavilion
NP1709	Motor Montana Park	2017	$3,485	Table, bench, playground equipment
NP1711	North Kiwanis Park	2017	$16,000	Benches, trash receptacles, pet waste station, soccer ball bollards
NP1712	North Kiwanis Park	2017	$22,000	Playground equipment
NP1716	Charlie Harrison Park	2017	$6,010	Tables, landscaping
NP1717	Rotary Park	2017	$27,000	Pavilion
NP1718	Mattie McKinney Hatchett Park	2017	$15,000	Pavilion, tables, bench, bike rack
NP1719	Optimist Park	2017	$36,000	Playground equipment
NP1722	Argyle Park	2017	$3,000	Bench, playground equipment
NP1801	Richardson Park	2018	$5,687	New swings
NP1802	Argyle Park	2018	$16,072	Playground equipment
NP1803	Beaudette Park	2018	$32,111	Playground equipment
NP1804	Hawthorne Park	2018	$5,977	Remove invasive plants at fishing pier
NP1807	Mattie McKinney Hatchett Park	2018	$28,055	New playground equipment
NP1812	Oakland Park	2018	$23,000	2 Basketball courts resurfaced
NP1813	Charlie Harrison Park	2018	$13,990	Basketball court resurface
NP1828	Galloway Park	2018	$7,000	Design plan
NP20XX	Hawthorne Park	2020	$45,000	New 18 hole disc golf course
NP20XX	Murphy Park	2020	$70,000	New ice skating rink

Complete Streets Pontiac

SECTION 4

This section includes information directly from the *2017 Complete Streets Pontiac Master Plan*. Rather than simply include this information by reference, this section contains key sections of that Plan. For additional information, the *Complete Streets Pontiac Plan* is available online at: www.walkbike.info/pontiac

Complete Streets Plan Steering Committee Walking Tour around Downtown Pontiac

Project Overview

Oakland University was awarded a grant though the Centers for Disease Control to support public health efforts that reduce chronic diseases, promote healthier lifestyles, address health disparities and control health care spending. Non-motorized transportation plays a large roll in active lifestyles, which address many of the goals of the grant.

Working in the City of Pontiac, the objective of *Complete Streets Pontiac* is to create a complete streets master plan for the City that consists of identifying existing and potential non-motorized pathways, roadways for on-road bike lanes and sidewalk improvements, pedestrian/bicycle friendly wayfinding signage and ways to provide future connectivity to parks, schools, downtown, commercial centers and other key destinations determined by the community. Planning for the Complete Streets Pontiac Master Plan began the fall of 2015 and extended to the summer of 2016.

Dashboard

A Dashboard was created for the project. Complete Dashboard maps and data can be viewed at: www.walkbike.info/pontiac

FATAL TRAFFIC ACCIDENTS

52

bike/pedestrian fatalities reported between 2004 – 2013

PEDESTRIAN CRASHES

306

pedestrian crashes reported between 2004 – 2014

BICYCLE CRASHES

183

bicycle crashes reported between 2004 – 2014

HOUSEHOLDS WITHOUT VEHICLES

Over 14%

WALK SCORE

41

Pontiac is a Car-Dependent City, which means most errands require a car

POPULAR WALKING, RUNNING AND BIKING ROUTE

Clinton River Trail

COMMUTERS THAT WALK TO WORK

0 – 36%

COMMUTERS THAT BIKE TO WORK

0 – 8%

COMMUTERS THAT TAKE PUBLIC TRANSIT TO WORK

0 – 30%

A successful and sustainable transportation system places people first and incorporates four key elements:

- **Policies** set the stage for a change in the built environment.
- **Built Environment** changes are needed to create safer thoroughfares.
- **Promotional Efforts** are necessary to realize the potential of improvements.
- **Evaluation** is key to determine if resources were well spent and are achieving the desired result.

This plan outlines the key recommendations for each of the four categories mentioned. It is by no means an exhaustive list; there are many best practices that have not been included. The focus of this plan is on achievable priority objectives that may be accomplished over the next five to ten years and address the key issues and opportunities identified through public engagement. Once these objectives have been accomplished, it is recommended that the City revisit the physical improvements, the policies, promotional efforts and evaluation tools it uses, as new best practices are constantly being developed.

Key Issues Identified

At the start of the project, the public meetings were held with representatives of the general population. These were typically standing meetings that the project was invited to be a part of rather than special meetings that targeted people who were interested in pedestrian and bicycle issues. At all of the meetings, the project was well received and the people in attendance were supportive of efforts being made to improve the conditions for walking and bicycling in the community. The following summarizes the key issues that were discussed at those meetings.

Mobility

- Sidewalk gaps and poor sidewalk pavement condition
- Snow and ice on sidewalks
- Physical barriers – busy roads without crosswalks, railroads and river
- Clinton River Trail surface condition

Personal Safety

- Threatening stray dogs
- Overgrown vegetation
- Lack of functioning street lights

Traffic Safety

- Unsafe road crossings
- No bike facilities on busy roads
- Motorists blocking crosswalks, speeding, not yielding to pedestrians
- People walking in the road
- Faded pavement markings
- Signal timing is not set for pedestrians
- Roads in bad condition for everyone

"Residents do not see the transportation network as theirs, but rather something that is imposed on them."

Family forced to walk in the grass adjacent to Cesar Chavez Ave because there are gaps in the sidewalks along the roadway.

One reoccurring theme was that the people of Pontiac are tired of their town being a drive through city. There was a sense that the needs of the residents were secondary to those of the people who only drive through Pontiac to get from one place to another. The City's transportation corridors were often seen as more of a barrier to transportation than a means of transportation. Residents do not see the transportation network as theirs, but rather something that is imposed on them.

Key Opportunities Identified

Beyond identifying issues at the public meetings, the meeting attendees also offered a number of ideas on how best to address the issues that were being discussed. Some of the opportunities were specific such as "I would like to see bike lanes on _____ Street." These comments were noted and in many cases already identified as opportunities and if not the preliminary Multi-Modal Network Map was adjusted. In addition to the in-person meetings, input was also gathered online via interactive crowdsourcing maps where specific opportunities were identified. The following summarize the key opportunities raised during public meetings.

Engage the Community

- Connect with and work with local businesses
- Tie senior housing into the network as many of them do not have access to cars
- Work with congregations on programming

Develop Programs

- Set up walking groups through workplaces and places of worship
- Provide bicycle education for children through school and places of worship
- Establish safe routes to school programs with an initial focus on crossing guards
- Have the Sheriff's Office put more focus on enforcing the speed limits on the busy streets
- Safety and education outreach to motorists, pedestrians and bicyclists

Build on Existing Resources

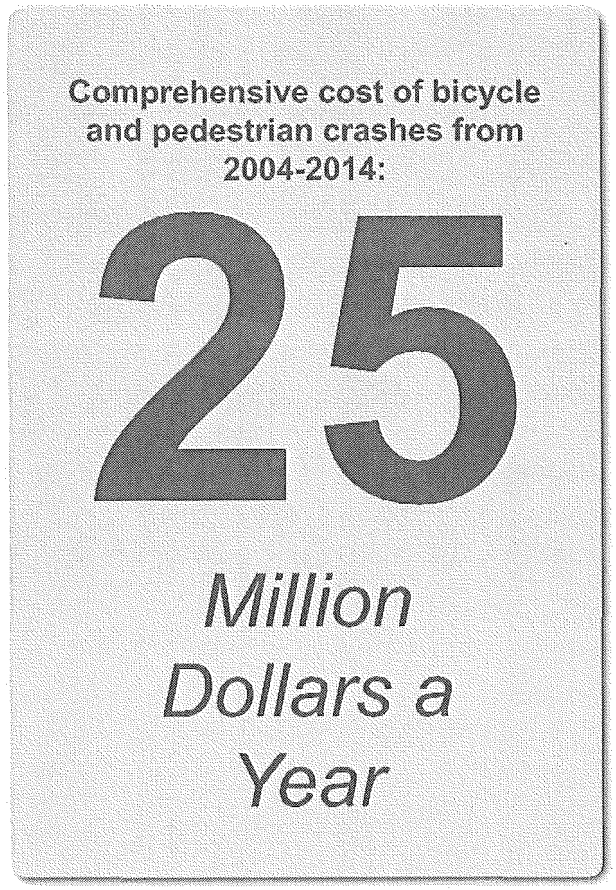
- Create routes and interpretive systems that pay homage to the city's history
- Place walking trails in the parks and connect them to citywide walking and bicycling routes
- Complete the Clinton River Trail

The overarching theme of the opportunities was that just about any improvements to pedestrian and bicycle conditions would be welcome. People commented positively on the new bike parking and fix-it stations being added around the City. People also noted how they were impressed with many of the new bicycle facilities being added in Detroit and how Ferndale, Michigan has gone through a rapid transformation over the past few years with many improvements to pedestrian and bicycle facilities.

Reality Check

While there was great support for the ideas presented at the meetings, one constant in the discussions was the issue on how the proposed improvements were going to be paid for and just as important, how were they going to be maintained? Given the City's recent financial challenges, there was a desire to set realistic expectations.

The recommendations for the physical improvements as well as the policies, programs and evaluation approaches reflect this reality. Yes, more can be done, but the focus is on how to leverage limited resources and utilize community partnerships, to yield the most positive change for the least amount of money.



Cost of Doing Nothing: The Economic & Societal Impact of Crashes in Pontiac

From 2004 to 2014, automobiles struck 306 pedestrians and 183 bicycles in the City of Pontiac. That works out to be over 3 crashes each month. Additionally, pedestrian and bicycle fatal crashes made up 36% of all crashes for that time period; over twice the state's average. Each crash results in a tremendous physical and emotional toll on the person that was hit and his or her family. There is also an emotional toll on the drivers of vehicles that hit the pedestrians and bicyclists.

Beyond the emotional and physical costs of each crash, there is an economic cost. The National Highway Traffic Safety Administration (NHTSA) makes estimates of the average economical and societal costs of fatal and nonfatal injuries. The NHTSA considers the calculable costs of crashes are wage and productivity losses, medical expenses, administrative expenses, vehicle damage and employer's uninsured costs. When doing a cost benefit analysis for a transportation project, one must look beyond those costs and take into account a measure of the value of lost quality of life. The NHTSA uses figures based on empirical studies to determine the more inclusive average comprehensive cost. Using NHTSA's average costs figures from 2010, the comprehensive cost of those 489 pedestrian and bicycle crashes over that 11 year period is over 272 million dollars. This works out to be 24.75 million dollars a year or $4,575 per resident each year.

SET POLICIES

Health and Safety First
Establish public health-, safety- and welfare-driven decision making processes specifically in regards to transportation.

Define Priorities
Institute planning, zoning, engineering, design, enforcement and maintenance processes that place pedestrians 1st, bicyclists 2nd, transit riders 3rd and motorists last.

Plan for Everyone
Create a multi-disciplinary public/private committee so that all viewpoints and user needs are addressed in transportation projects.

Policy Recommendations

The following are the top twelve recommended policies to be implemented by the City of Pontiac over the next few years. Most may be implemented at a very low cost in the immediate future and a number of them build on existing partnerships.

1. Community First Streets Policy
2. Sidewalk Audit
3. Sidewalk Gap Prioritization Methodology
4. Better Coordination with County on Animal Control
5. Priority Snow Clearance Policy
6. Site Plan Approval Checklist
7. Focused Enforcement
8. Expanded Bike Parking Program
9. Enhance and Promote Issue Reporting Tool
10. Local Direct Road Funding Mechanism
11. Transit Stop Facility Audit
12. Transit System Analysis

Newly installed bicycle parking and bicycle repair stand at the Pontiac Public Library.

Built Environment Recommendations

A Nice and Easy Network

Establish a "low stress" and universally accessible network of pedestrian and bicycle routes that link community resources using local road and trails.

Safer Thoroughfares

Reconfigure thoroughfares to increase the safety, comfort and access for all users, to minimize the potential for accidents that result in injury.

Better Places

Transform public right-of-ways into attractive people-centric spaces that address critical environmental concerns and foster public engagement and commerce.

Example of a Walk Bike Information Hub.

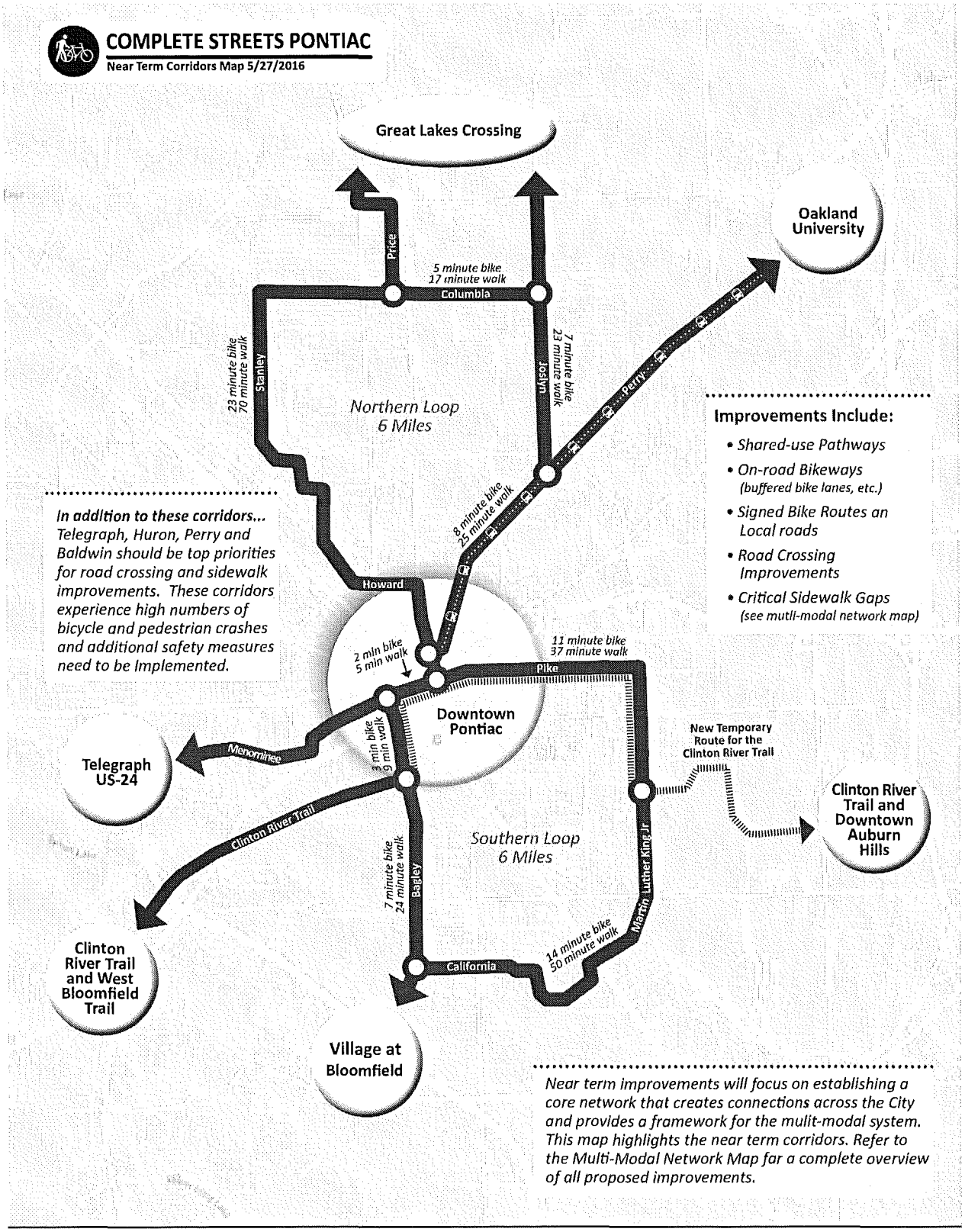
Summary of Proposed Improvements

- 80 Locations for Crosswalk Improvements
- 5 Miles of Critical Sidewalk Gaps Identified
- 20 Miles of Shared Use Pathways and Trails
- 25 Miles of Neighborhood Connector Routes
- 13 Miles of Bike Lanes
- 40 Miles of Buffered Bike Lanes
- 4 Miles of Shared Lane Markings
- 0.6 Miles of Cycle Track

Phase 1: Near Term Improvements

- Southern Loop: $77,000
- Northern Loop: $133,000
- To Telegraph: $17,000
- To Village at Bloomfield: $6,000
- To Oakland University: $38,000
- To Great Lakes Crossing Via Joslyn: $20,000
- To Great Lakes Crossing Via Baldwin: $5,000
- New Temporary Route for the Clinton River Trail: $778,000
- Critical Sidewalk Gaps: $733,000
- Critical Road Crossing Improvements: $2,745,000

COMPLETE STREETS PONTIAC NEAR TERM CORRIDORS MAP



Complete Streets Pontiac: Multi-Modal Network Facility Types

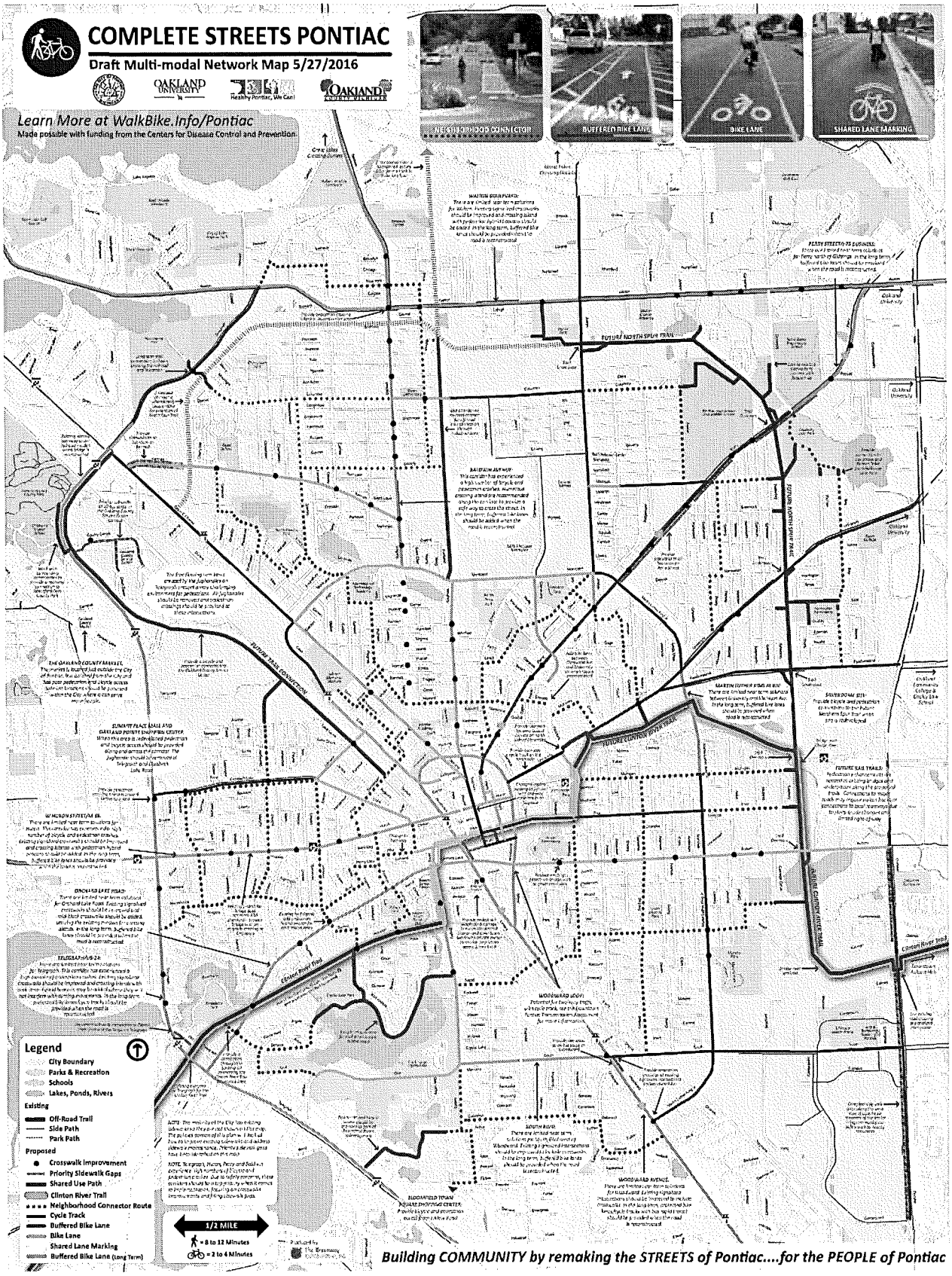
Neighborhood connector routes are typically found on residential streets that have low traffic volumes and low speed limits. These "nice and easy" bicycle and pedestrian connectors can also have route and wayfinding signs that display nearby destinations like parks, schools and business districts.

Shared lane markings or sharrows can be found in locations where there is insufficient width to provide a designated bike lane. The marking also alerts road users to the lateral position bicyclists are likely to occupy within the traveled way, therefore encouraging safer passing practices. Cyclist should ride down the center of the arrows when possible.

A bike lane is the portion of a roadway that has been designated by pavement markings and signage for the preferential or exclusive use of bicyclists.

Buffered bike lanes are conventional bike lanes paired with a designated buffer space separating the bike lane from the adjacent motor vehicle travel lane and/or on-street parking.

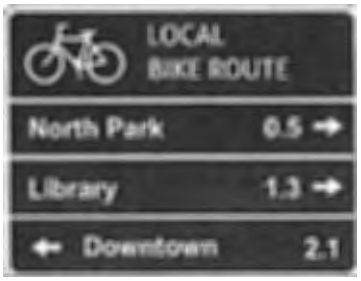
COMPLETE STREETS PONTIAC MAP



COMPLETE STREETS PONTIAC

Building COMMUNITY by remaking the STREETS of Pontiac....for the PEOPLE of Pontiac

Complete Streets Pontiac is a plan to make Pontiac more walkable and bikeable for transportation, fitness and fun! Check out some of the preliminary recommendations and let us know what you think! Visit **www.WalkBike.Info/ Pontiac** for more information and to share your ideas.



Recomendations:

SET POLICIES

- *Community First Streets Resolution*
- *Sidewalk condition inventory and privatization plan*
- *Road millage with funding for ped. & bike facilities and maintenance*
- *Priority snow clearance on main streets and bus routes*
- *Street light monitoring program*
- *Better coordination with county on animal control*
- *Site plan approval checklist for pedestrian and bike facilities*
- *Focused enforcement ties to crashes and new facilities*
- *Expand bike parking program and new parking ordinance*

BUILD

- *80 Crosswalk Improvements*
- *5 Miles of Critical Sidewalk Gaps*
- *20 Miles of Shared Use Pathways and Trails*
- *26 Miles of Neighborhood Connector Routes*
- *12 Miles of Bike Lanes*
- *41 Miles of Buffered Bike Lanes*
- *4 Miles of Shared Lane Markings*
- *0.6 Miles of Cycle Tracks*

PROMOTE

- *Grand opening events, banners and outreach when new facilities are built*
- *Wayfinding and interpretive kiosks at key locations linked by routes*
- *Website with resources*
- *Community fun runs, walks and rides*
- *Support for business and congregation based walking and bicycling groups*
- *Safe routes to school programs*
- *Wellness focused commuter challenge program*

EVALUATE

- *Yearly ped. & bicycle crash analysis*
- *Established yearly ped. & bike counts*
- *Before and after counts*

Pontiac Complete Streets: Phase 1 - Near Term Network	
Order of Magnitude Cost Estimate DRAFT 6/27/16	
CONSTRUCTION COSTS	
Typically covered in Transportation Alternative Project Funding	
All Item Subtotal	$4,553,750
Mobilization (10%)	$455,375.01
Temporary Traffic Control (5%)	$227,687.50
Contingency (25%)	$1,138,437.52
Total Construction Costs	$6,375,250
Design and Engineering Costs	
Not Typically covered in Transportation Alternative Project Funding	
Engineering Design (10%)	$637,525.01
Contract Administration (4%)	$255,010.00
Construction Observation (6%)	$382,515.01
Total Design and Engineering Costs	$1,275,050.02
GRAND TOTAL	**$7,650,300.10**

FUNDING ALLOCATION BY PROJECT TYPE

		Critical Road Crossings		Critical Sidewalk Gaps		Bicycle Corridors		Shared Use Pathways	Budget
Funding Source	**60%**	**$4,600,000**	**17%**	**$1,300,000**	**6%**	**$500,000**	**17%**	**$1,300,000**	**$7,700,000**
Transportation Alternatives	65%	$1,014,000	18%	$280,800	8%	124,800	9%	$140,400	$1,560,000
Highway Safety Improvement Program	65%	$760,500	18%	$210,600	8%	93,600	9%	$105,300	$1,170,000
Surface Transportation Block Grant Program	65%	$760,500	18%	$210,600	8%	93,600	9%	$105,300	$1,170,000
Congestion Mitigation and Air Quality	65%	$507,000	18%	$140,400	8%	62,400	9%	$70,200	$780,000
Safe Routes to School	70%	$163,800	30%	$70,200	0%	-	0%	-	$234,000
Community Development Block Grant	65%	$507,000	11%	$85,800	15%	117,000	9%	$70,200	$780,000
Partnerships to Improve Community Health	65%	$50,700	17%	$13,260	9%	7,020	9%	$7,020	$78,000
Racial & Ethnic Approaches to Community Health	65%	$50,700	17%	$13,260	9%	7,020	9%	$7,020	$78,000
Michigan Natural Resources Trust Fund	43%	$670,800	17%	$265,200	0%	-	40%	$624,000	$1,560,000
Recreation Passport Grant Program	0%	-	0%	-	0%	-	100%	$78,000	$78,000
Land and Water Conservation Fund	0%	-	0%	-	0%	-	100%	$78,000	$78,000
Local Match	60%	$140,400	17%	$39,780	6%	14,040	17%	$39,780	$234,000
Total		**$4,625,400**		**$1,329,900**		**519,480**		**$1,325,220**	**$7,800,000**

Please Note:

The budget of the individual elements totals $7,700,000 and total budget of the funding sources total $7,800,000.

This discrepancy of $100,000 or approximately 1% is to account for rounding when distributing funding sources.

Promotional Recommendations

The promotional efforts are about changing culture and raising awareness. At its most basic level, the promotional efforts are about repeating the words "walk" and "bicycle" to the point where motorists are thinking about pedestrians and bicyclists as they drive down the roadways and people see walking and bicycling as viable and enjoyable way to get places.

The following eleven elements work together to redefine Pontiac as a health oriented walkable and bikeable community:

1. Grand Opening Events
2. Community Outreach Coordination with New Facilities
3. Community Fun Runs, Walks and Rides
4. Wellness Focused Commuter Challenge Program
5. Safe Routes to School Program
6. Walking Group Initiation and Support
7. Walk Bike Information Hubs
8. Walk Bike Information Website
9. Establish a Transformation Brand
10. Mayor's Challenge for Safer People, Safer Streets
11. Active Transportation Events Calendar

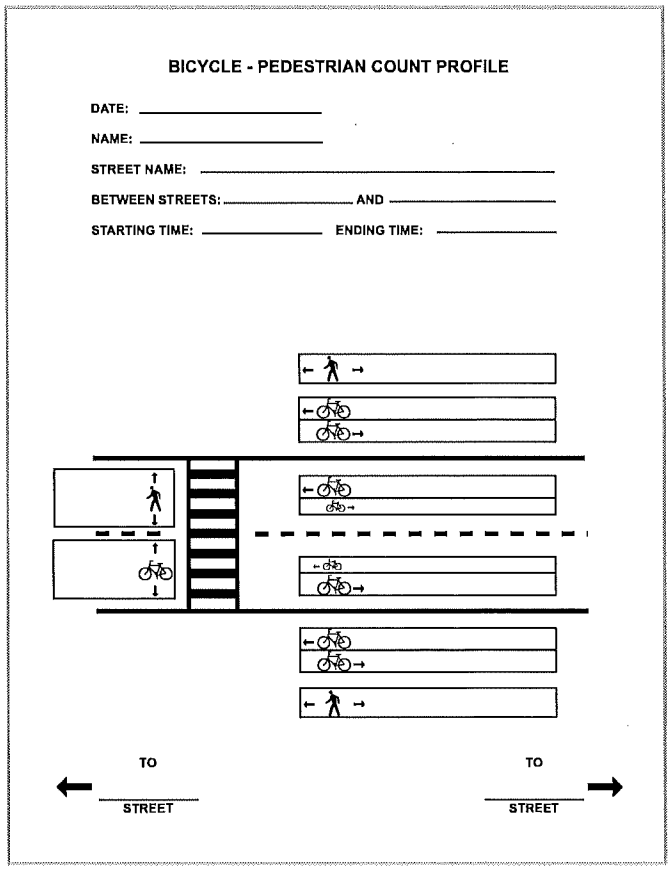
Friends of the Clinton River Trail Celebrate the Ground Breaking of the Pedestrian Bridge over Telegraph Road in 2010.

Mayor Waterman leading Walk With Leaders in Downtown Pontiac.

Evaluation Recommendations

Evaluation allows the City to determine if the investments to improve conditions for people that walk and bike are having the desired impact. The City should partner with Oakland University on the following four evaluation tasks:

1. Before and After Pedestrian and Bicycle Counts
2. Baseline Pedestrian and Bicycle Counts
3. Permanent Pedestrian and Bicycle Counts
4. Yearly Crash Analysis



BICYCLE - PEDESTRIAN COUNT PROFILE

DATE: _____

NAME: _____

STREET NAME: _____

BETWEEN STREETS: _____ AND _____

STARTING TIME: _____ ENDING TIME: _____

TO _____ STREET

TO _____ STREET

An example of a Bicycle and Pedestrian Count Profile form that can be used to determine the number of active transportation users.

Community Resource Inventory

SECTION 5

Community Resource Inventory

The following pages contain data, maps and statistics for various community resources in Pontiac. This information can be used to identify land that may be suitable for future open space protection, help make parks and programs more accessible to the public, increase biodiversity or improve air and water quality.

The general topics in this section include:

- Existing Land use
- Land cover
- Natural resources
- Transportation and mobility
- Health and wellness
- Psychographics

Existing Land Use

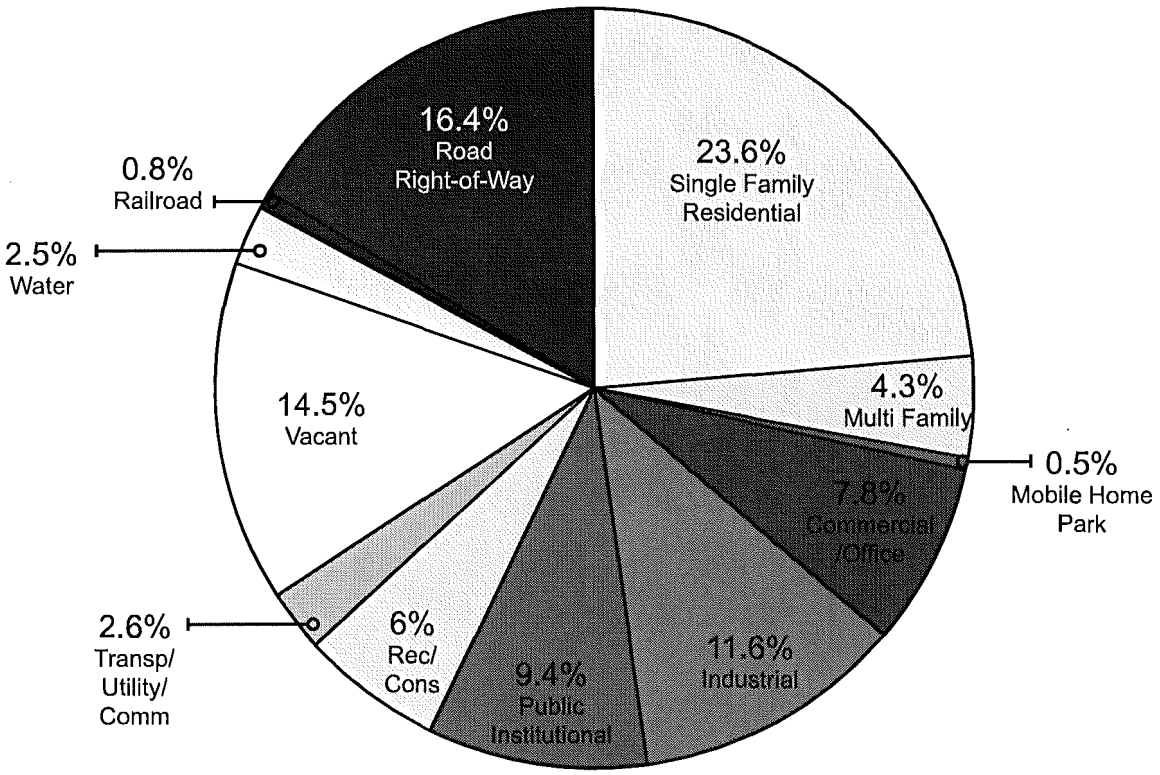
The Oakland County Planning Division produces land use maps and statistics on an annual basis. Each parcel in the county is assigned a land use code based on these general categories:

- Agricultural
- Single Family
- Multiple Family
- Mobile Home Park
- Commercial/Office
- Industrial
- Public/Institutional
- Recreation/Conservation
- Transportation, Utility & Communication
- Extractive
- Vacant
- Water
- Road Right-Of-Way
- Railroad Right-Of-Way

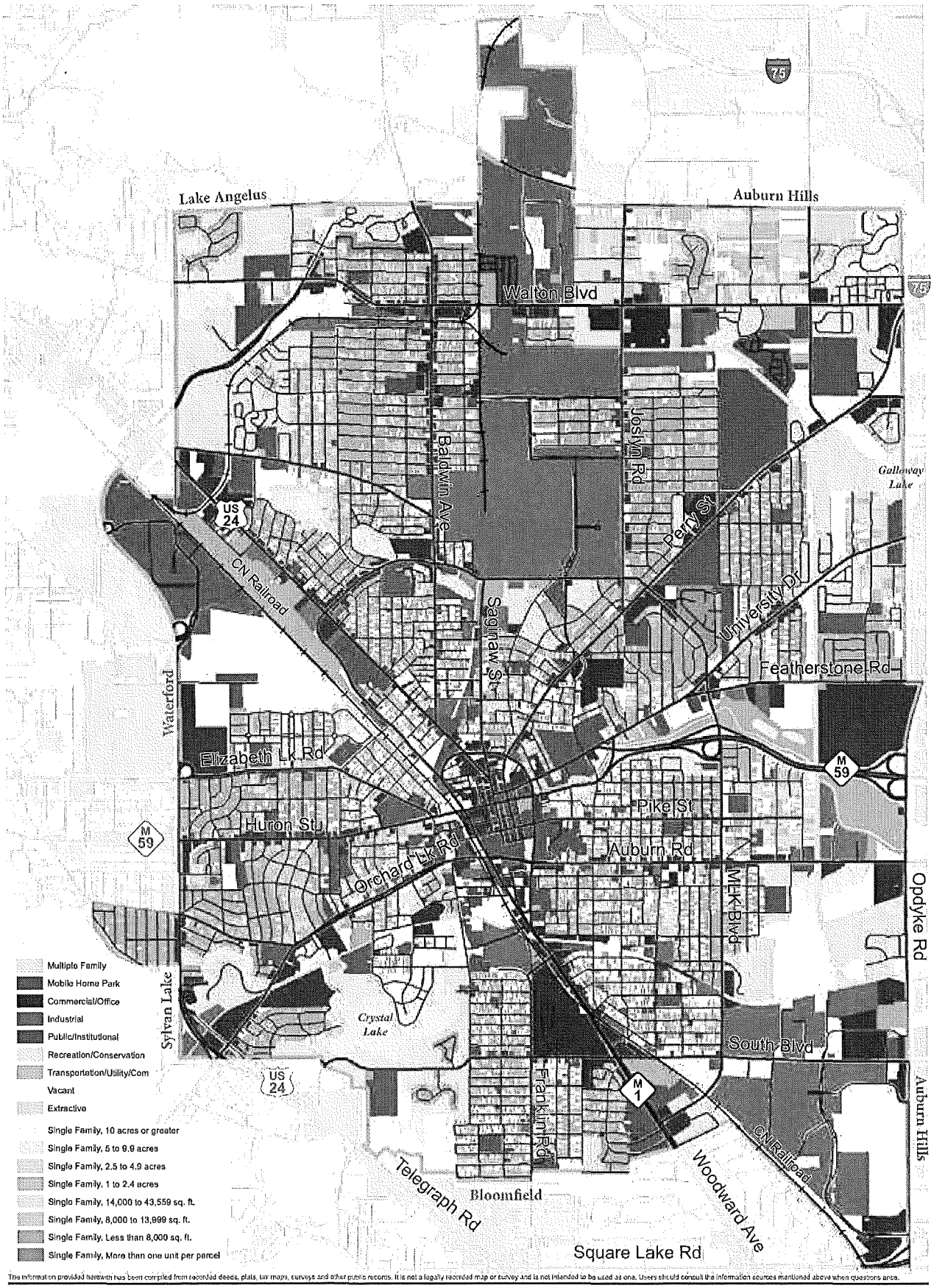
The land use map and statistics for the City of Pontiac can be found on the following pages.

2018 PONTIAC EXISTING LAND USE STATISTICS TABLE

Land Use	Area (ac.)	Area (%)	Parcels	Parcels (%)
Agricultural	0	0	--	--
Single Family Residential	3,067.7	23.6%	16,681	68.0%
Multiple Family	557.5	4.3%	298	1.2%
Mobile Home Park	65.8	0.5%	6	0.0%
Commercial/Office	1,011.3	7.8%	1,096	4.5%
Industrial	1,504.7	11.6%	199	0.8%
Public/Institutional	1,216.1	9.4%	388	1.6%
Recreation/Conservation	783.8	6.0%	156	0.6%
Transp./Utility/Comm.	344.0	2.6%	132	0.5%
Extractive	0	0	--	--
Vacant	1,880.0	14.5%	5,574	22.7%
Water	329.8	2.5%		
Railroad Right-of-Way	97.9	0.8%		
Road Right-of-Way	2,125.2	16.4%		
Total	**12,983.8**	**100.0%**	**24,530**	**100.0%**



2018 PONTIAC EXISTING LAND USE MAP



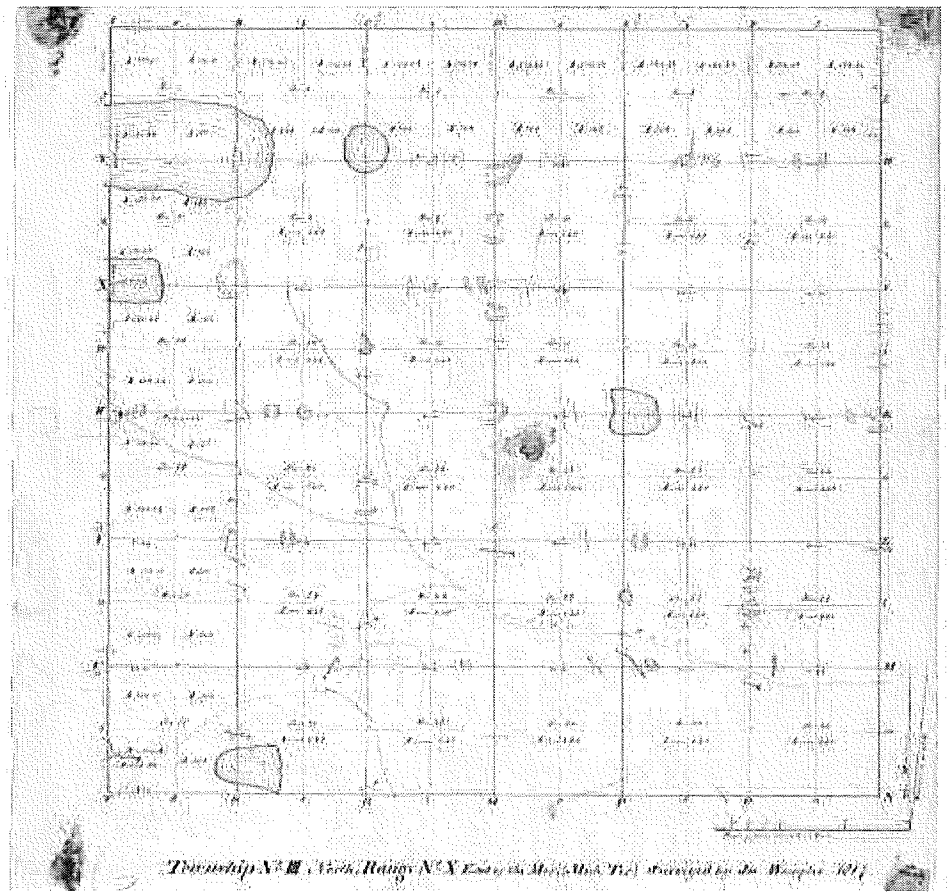
The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

Vegetation Circa 1800

The map on the following page is an interpretation of the notes and survey conducted by the General Land Office (GLO). The GLO was a federal agency established in 1785 and was responsible for surveying, platting and the sale of public lands in the United States. In Michigan, the GLO systematically surveyed the state using the Public Land Survey System (PLSS) between 1816 and 1856. The PLSS is the method used in Michigan to survey and identify land parcels, particularly for titles and deeds of rural, wild, or undeveloped land. It is sometimes referred to as the rectangular survey system.

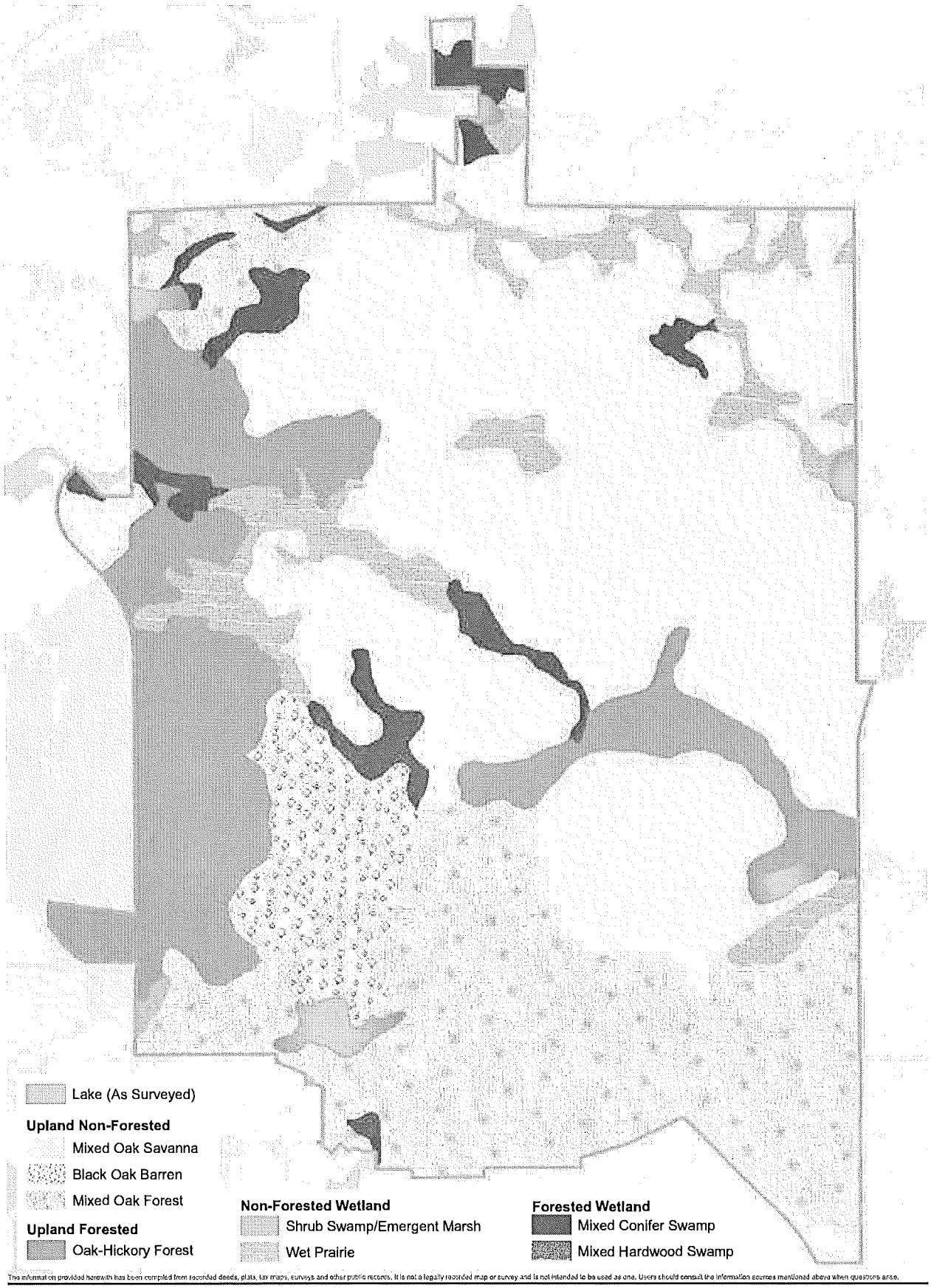
Pontiac, also a part of Township 3N, Range 10E, was first surveyed circa 1817 and detailed notes were taken on the location, size and species of each tree used to mark section lines and section corners. Surveyors also noted the locations of rivers, lakes, wetlands and Native American paths like the Saginaw Trail.

The Michigan Natural Features Inventory developed a methodology to translate the notes and GLO surveys into a digital map. This information can be used to determine the vegetation and land cover types that existed prior to European settlement and can be used as a reference when selecting plant material to reestablish native vegetation in the parks.



General Land Office survey and notes for Township 3 North, Range 10 East

VEGETATION CIRCA 1800 MAP



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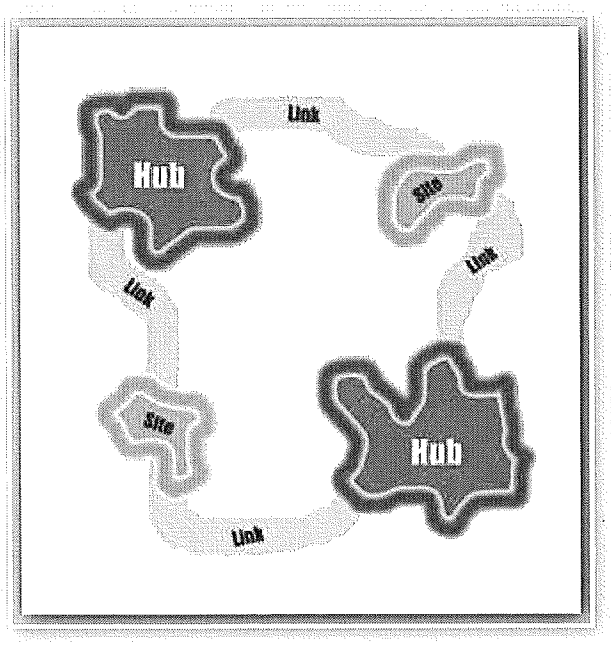
Oakland County Green Infrastructure Vision

In 2009, a Green Infrastructure Vision was developed for Oakland County to identify areas in the landscape that are in need of local protection and to link the remaining valuable ecological lands. These lands include large natural areas, important wildlife habitats, wetlands, riparian corridors and areas that reflect key elements of Oakland County's biological diversity.

Green infrastructure is the interconnected network of open spaces, natural areas and waterways. This network supports native species, maintains natural ecological processes, sustains air and water resources and contributes to health and quality of life. It also focuses on conservation values and the services provided by natural systems in concert with, instead of in opposition to, land development.



Green infrastructure provides a mechanism to identify and blend environmental and economic factors creating a multitude of social, economic, cultural and environmental benefits.

- Provides a sense of place and a unique identity
- Decreases cost of public infrastructure (i.e. stormwater management & water treatment systems)
- Increases both active and passive recreational opportunities
- Increases property values
- Helps preserve the unique quality of life
- Maintains the naturally functioning ecosystems
- Helps to attract new businesses and well qualified workers

Green Infrastructure Components

Hubs

Hubs anchor the network and provide an origin or destination for wildlife. Hubs range in size from large conservation areas to smaller parks and preserves. Hubs provide habitat for native wildlife and help maintain natural ecological processes.

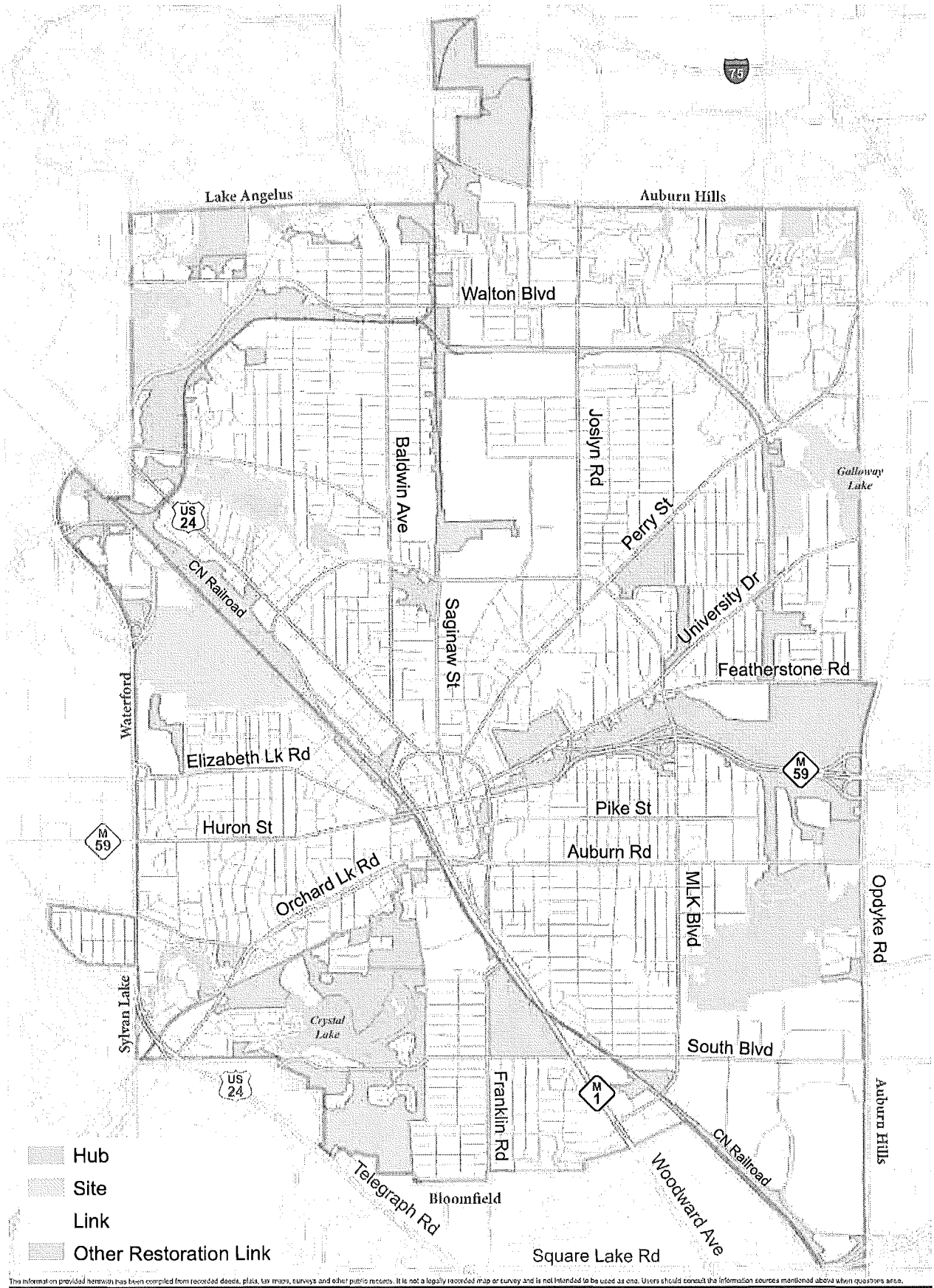
Sites

Smaller ecological landscape features that can serve as a point of origin or destination or include less extensive ecological important areas.

Links

The connections that hold the network together and enable it to function. Links facilitate movement from one hub to another.

2009 GREEN INFRASTRUCTURE VISION MAP



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Oakland County Potential Natural Areas

In 2017, the Oakland County Department of Economic Development & Community Affairs worked with the Michigan Natural Features Inventory (MNFI) to update the countywide potential natural areas information. This information can assist local communities to improve natural resource-based decision making and builds upon previous Potential Natural Area Assessments in Oakland County (2000, 2002 and 2004).

MNFI has defined potential natural areas as places on the landscape dominated by native vegetation that have various levels of potential for harboring high quality natural areas and unique natural features. Natural resource conservation is a fundamental component of the region's long-term environmental, social and economic vitality. Many of these unique areas perform important functions such as:

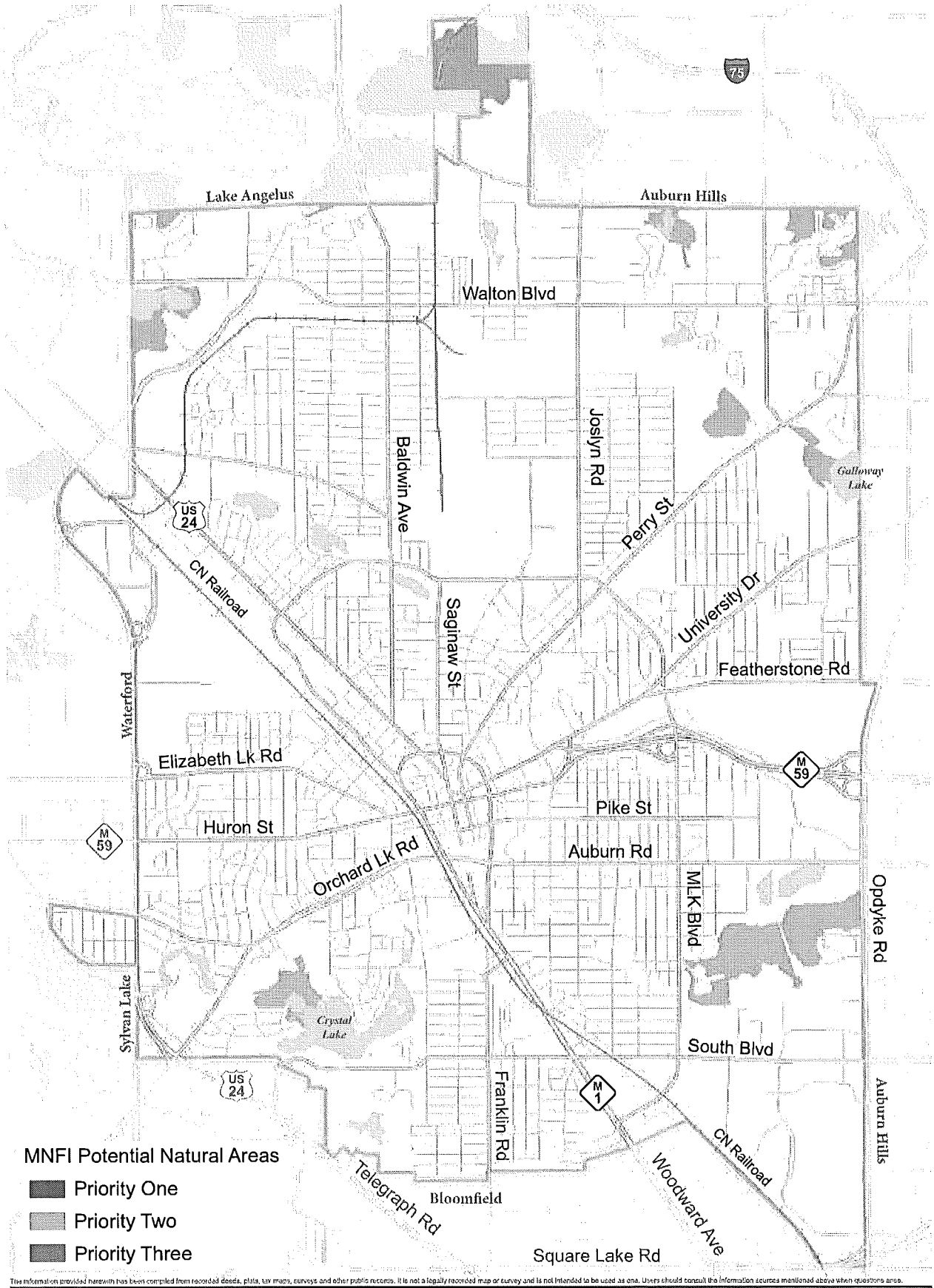
- Water filtration
- Flood control
- Recreational opportunities
- Wildlife habitat
- Enhance a community's quality of life

About MNFI

MNFI maintains a continuously updated information database, the only comprehensive, single source of data on Michigan's endangered, threatened, or special concern plant and animal species, natural communities and other natural features. MNFI has responsibility for inventorying and tracking the State's rarest species and exceptional examples of the whole array of natural communities. MNFI also provides information to resource managers for many types of permit applications regarding these elements of diversity.

Winter view of wetland near MLK Blvd and South Blvd.

2017 MNFI POTENTIAL NATURAL AREAS MAP



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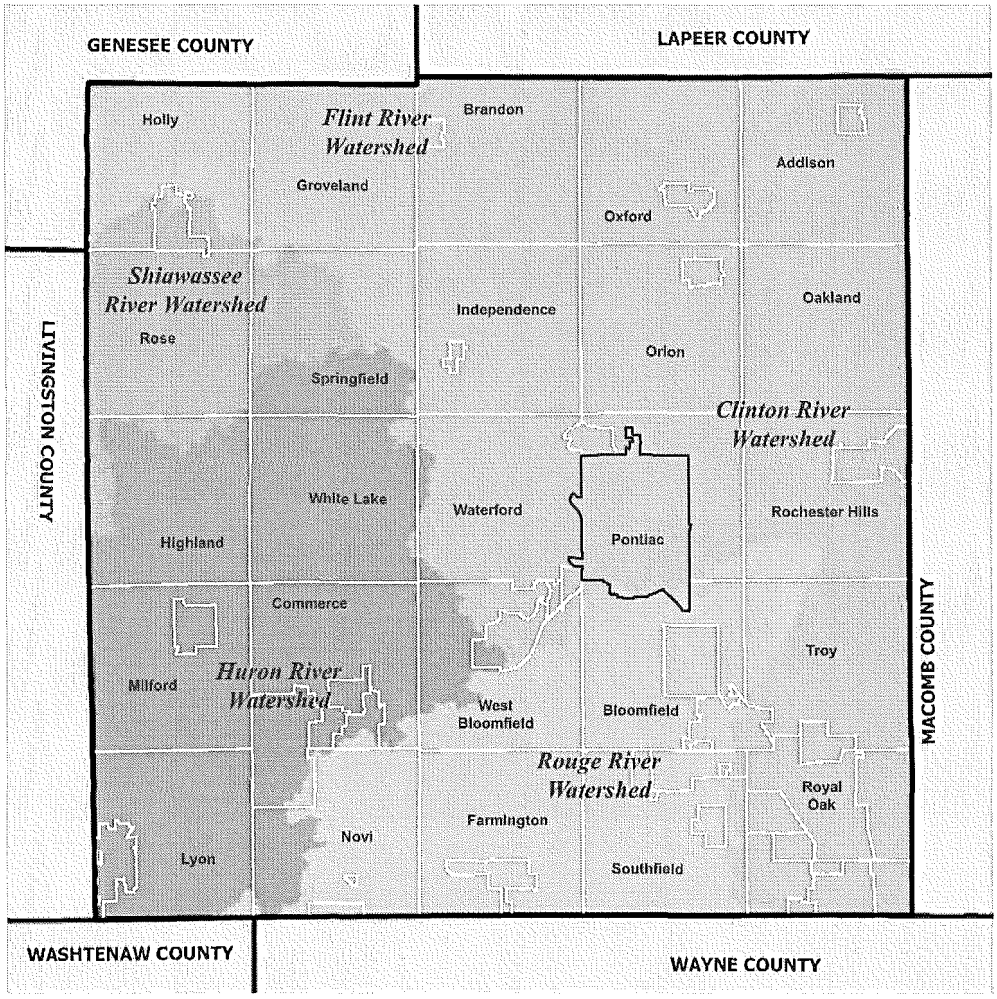
WATER RESOURCES

The majority of the City of Pontiac is located in the Clinton River Watershed and a small portion in the southern section of the City is in the Rouge River Watershed. A watershed is an area of land that drains into a common body of water such as a stream, river, lake or groundwater. Watersheds can be subdivided into smaller units known as subwatersheds. The subwatersheds in Pontiac have management plans that provide a framework for neighboring communities to collaborate and address various issues related to water quality.

The Clinton River Watershed Council has an Adopt A Stream monitoring program. In the past, the Galloway Creek and Clinton River have been monitoring sites for this initiative. For recreational boating, swimming and fishing, it is essential to maintain water quality of the lakes, rivers and streams in Pontiac.



Watershed map of Oakland County

CITY OF PONTIAC WATER RESOURCES MAP

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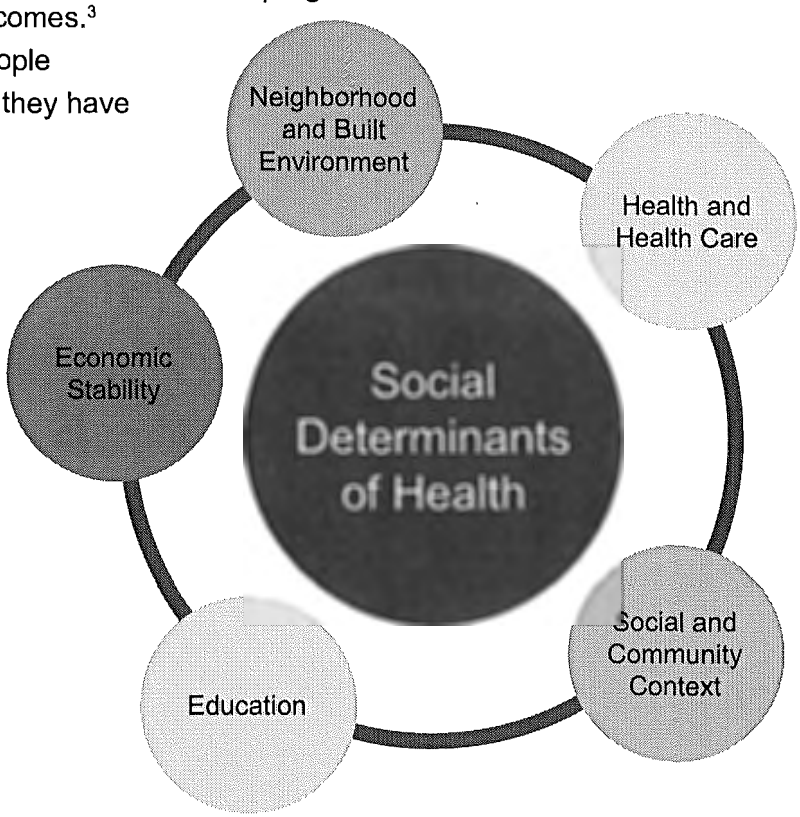
Social Determinants of Health

Social Determinants of Health (SDoH) are conditions in the environments where people are born, live, learn, work, play and worship, that affect a wide range of health and quality-of-life outcomes. SDoH "are shaped by the distribution of money, power and resources at global, national and local levels... Social determinants of health are mostly responsible for health inequities - the unfair and avoidable differences in health status."[1]

Social, economic and physical conditions in various settings (e.g., school, church, workplace, and neighborhood) have been referred to as being "place-based."[2] A place-based approach targets an entire community and aims to address issues that exist at the neighborhood level where resources that enhance quality of life can have a significant influence on population health outcomes.[3] In other words-the choices that people make, depend on the choices that they have available to them.

SDoH includes 5 primary domains:

- Neighborhood and built environment characteristics, such as the quality of housing, environmental quality, and the presence or absence of parks and recreational facilities
- Health and health care, such as health insurance coverage, access to primary care, and health behaviors
- Social and community context, such as connections between neighbors, acceptance of diversity, support for individuals with disabilities, and LGBTQ+ safe havens
- Economic stability, such as economic development opportunities and affordable quality housing
- Education, including early childhood, K-12, higher education, adult learning, and literacy programs



Five primary domains of Social Determinants of Health.

Healthy People 2020 lists "Create social and physical environments that promote good health for all" as one of its top four goals, placing high importance on addressing social determinants of health.[4] The *2017 Communities in Action: Pathways to Health Equity* report recognizes that access to parks, recreation, open spaces and healthy environments should be considered during land use planning to promote health equity for diverse populations.[5] Therefore, the Pontiac Parks and Recreation Master plan seeks to promote health equity and address social determinants of health by including diverse representatives in community engagement feedback, utilizing geospatial data to understand population trends and needs, and examining issues of park quality accessibility.

Public Health

According to the Centers for Disease Control, public health is the science of protecting and improving the health of people and their communities. Illness and injury prevention is a main goal for public health workers and this often accomplished through gathering metrics and data, implementing educational programs, changing public policies and providing health related services. Parks and recreational opportunities can play a key role in public health by promoting wellness and encouraging healthy lifestyles.

The overall health of the citizens of Pontiac can be improved by providing high quality, vibrant places for people to live, work, socialize and recreate. One indicator for public health is to evaluate chronic diseases like diabetes, heart disease, high blood pressure, obesity and cancer. The maps on the following pages illustrate factors related to health and wellness and is also a reminder that your ZIP code might be as important as your genetic code.

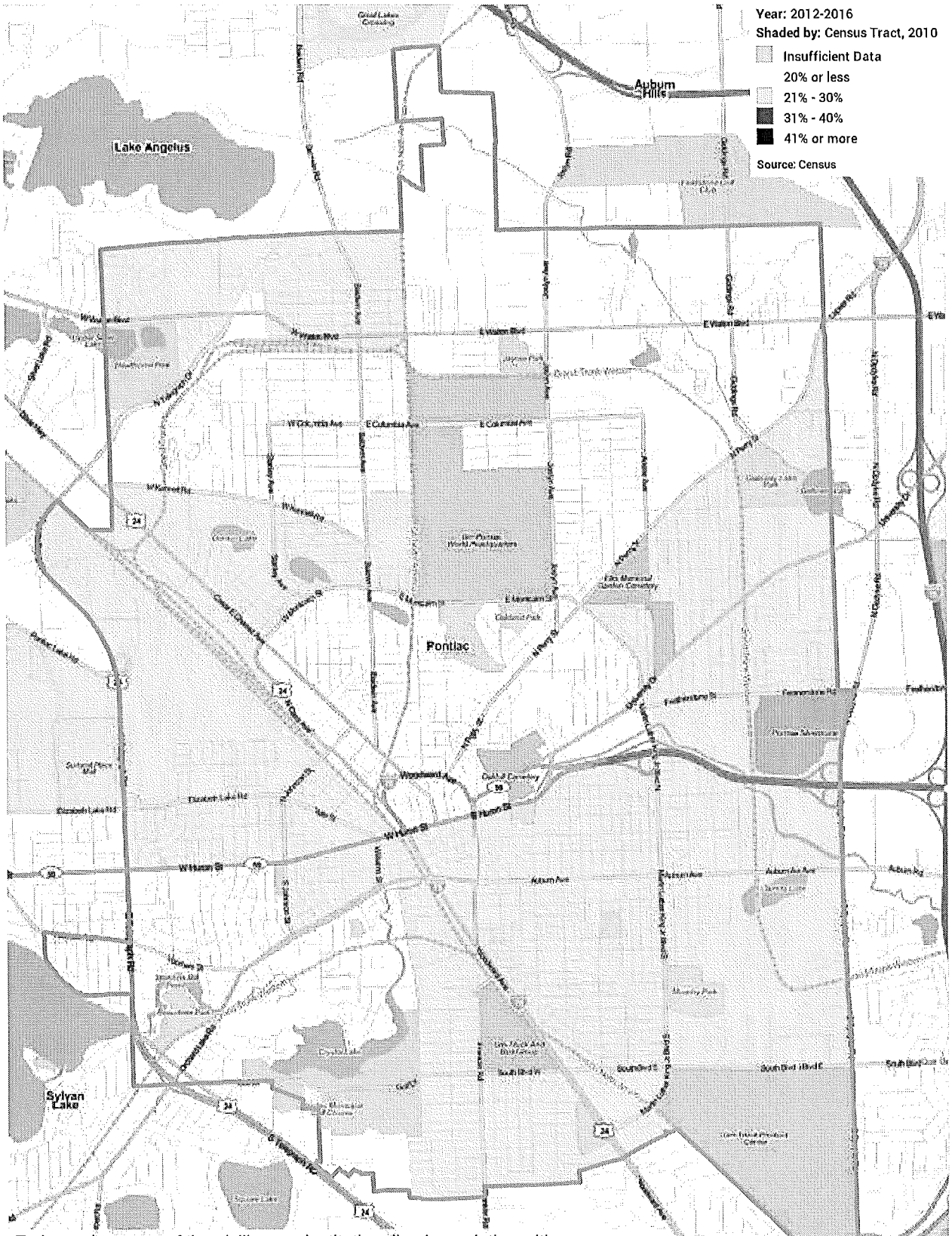
Chapter Notes:

1. World Health Organization. About social determinants of health. https://www.who.int/social_determinants/sdh_definition/en/
2. The Institute of Medicine. Disparities in Health Care: Methods for Studying the Effects of Race, Ethnicity, and SES on Access, Use, and Quality of Health Care, 2002.
3. U.S. Department of Health and Human Services-Office of Disease Prevention and Health Promotion.
4. U.S. Department of Health and Human Services (2014). Social determinants of health. https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-of-health
5. National Academies of Sciences, Engineering, and Medicine 2017. Communities in Action: Pathways to Health Equity. Washington, DC: The National Academies Press. https://doi.org/10.17226/24624.

% OF ADULTS WITH HIGH BLOOD PRESSURE MAP

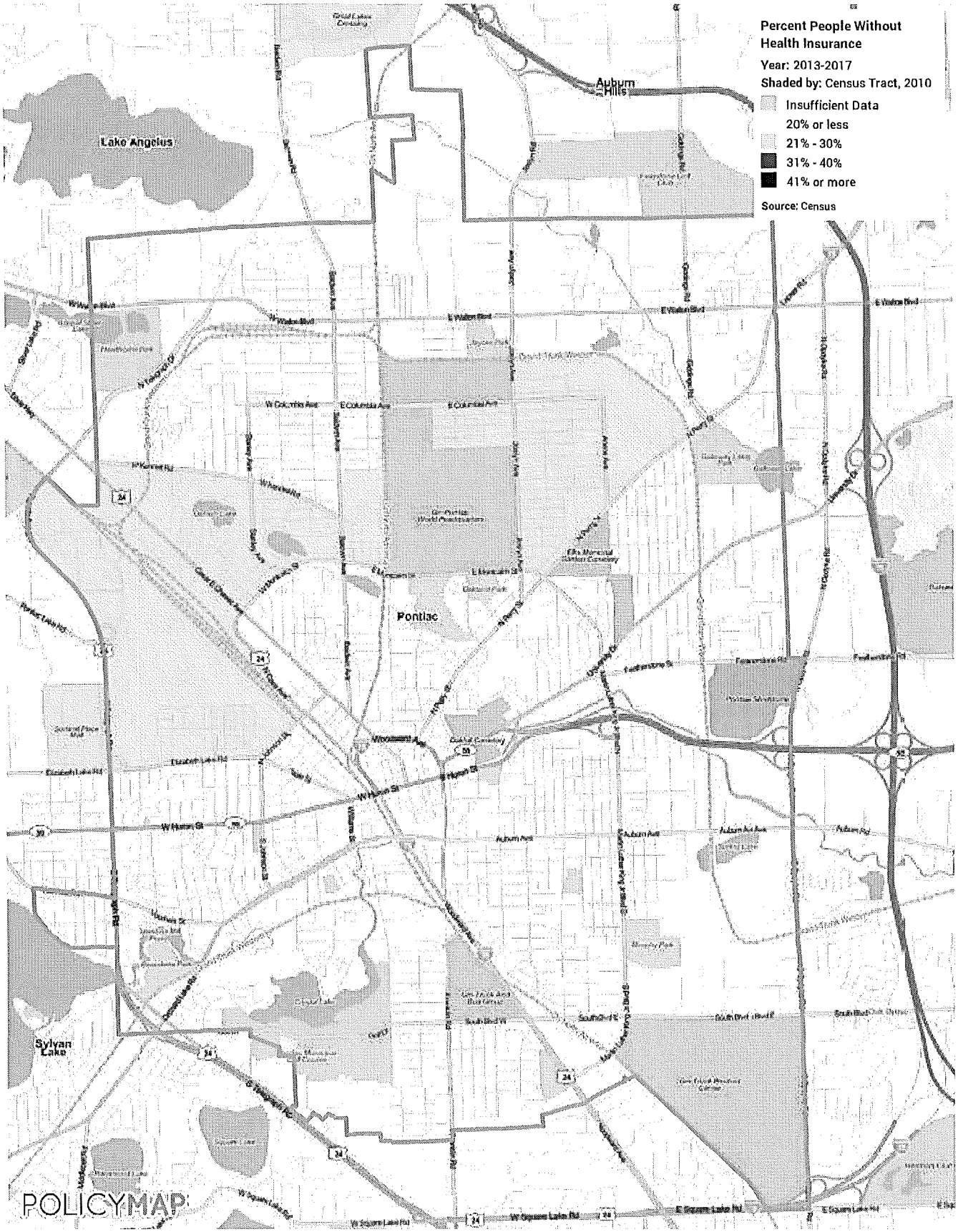
% OF ADULTS REPORTING TO BE OBESE MAP

% OF POPULATION WITH DISABILITIES MAP

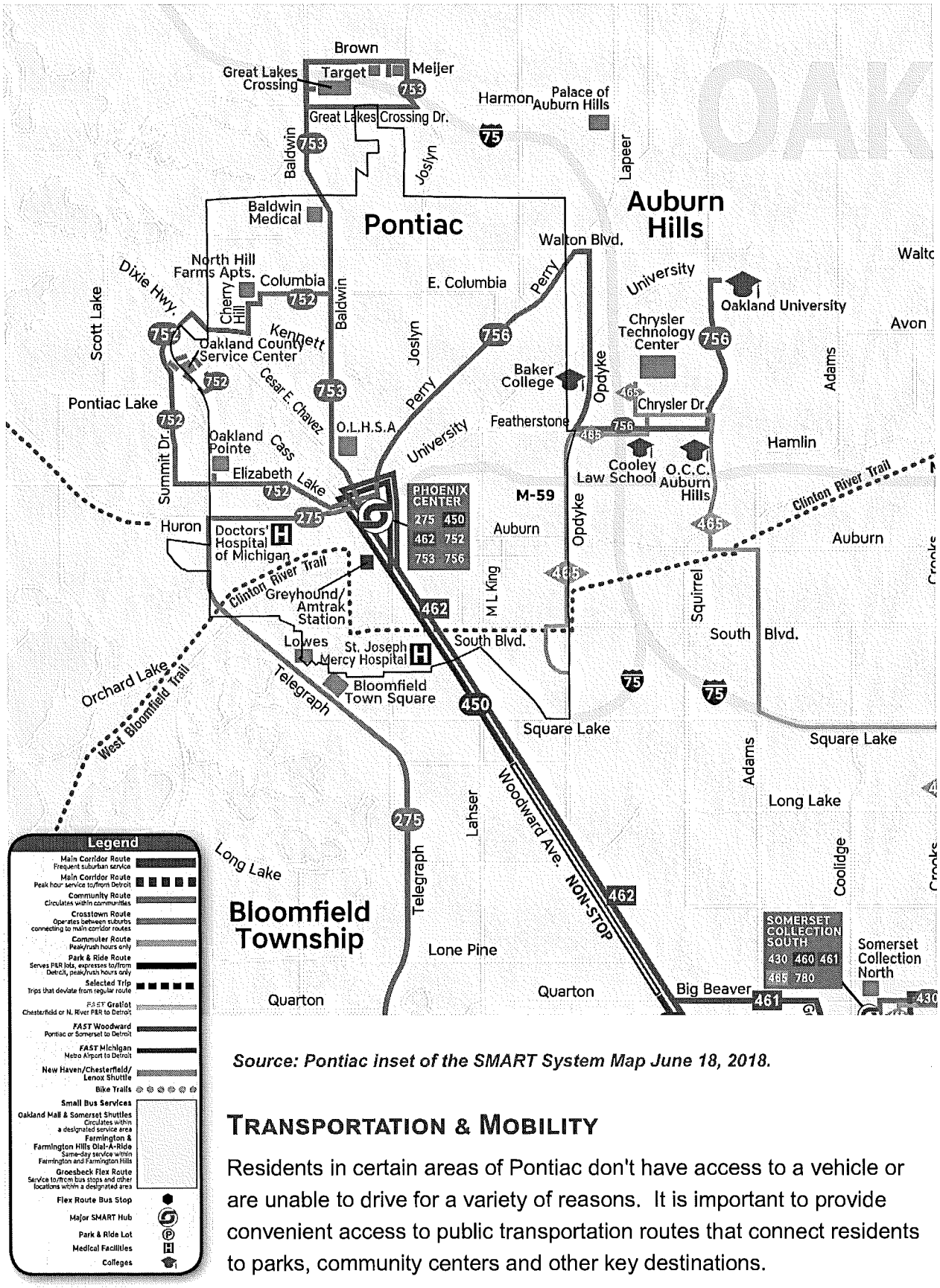


Estimated percent of the civilian noninstitutionalized population with one or more types of the following disabilities: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, and independent living difficulty

% OF POPULATION WITHOUT HEALTH INSURANCE MAP



2018 SMART FIXED BUS ROUTES–PONTIAC AREA MAP



Source: Pontiac inset of the SMART System Map June 18, 2018.

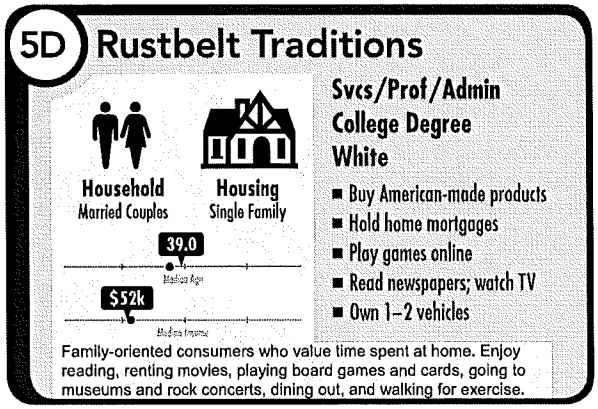
Transportation & Mobility

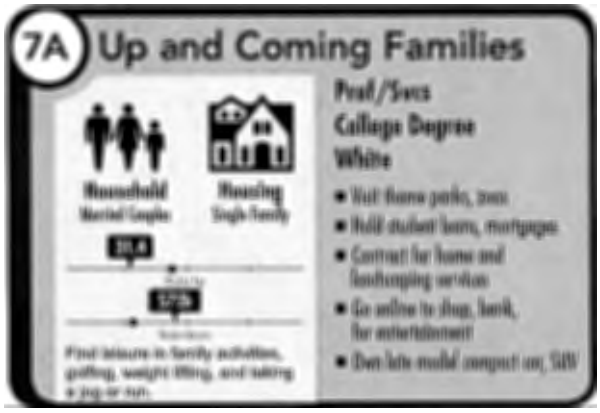
Residents in certain areas of Pontiac don't have access to a vehicle or are unable to drive for a variety of reasons. It is important to provide convenient access to public transportation routes that connect residents to parks, community centers and other key destinations.

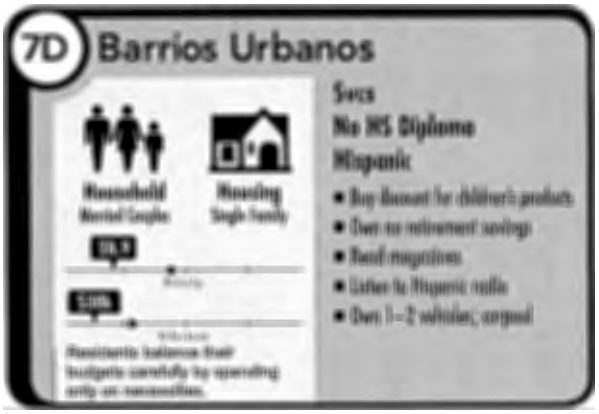
% OF HOUSEHOLDS WITHOUT VEHICLE ACCESS MAP

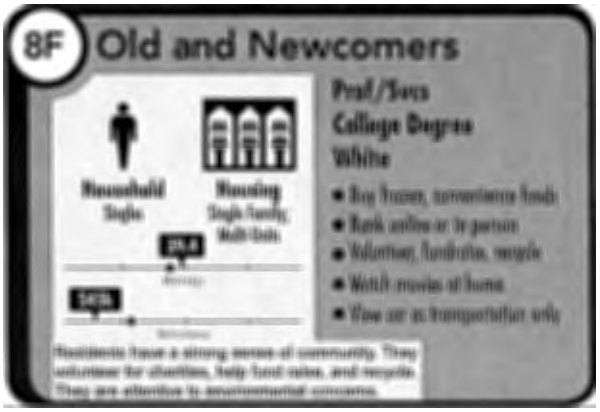
ESRI Tapestry Segmentations

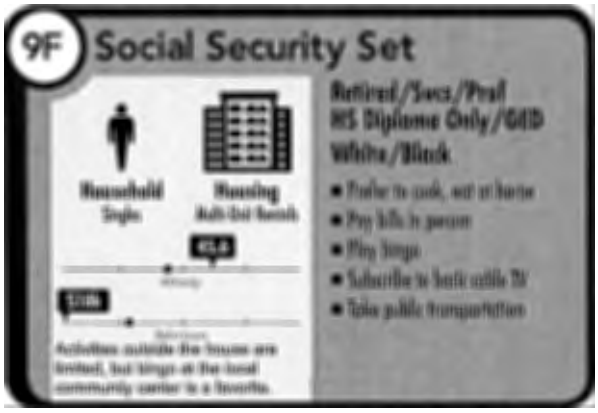
Tapestry Segmentation provides a detailed description of neighborhoods across America based on their socioeconomic and demographic composition. This data is useful when considering general preferences, spending patterns, interests and lifestyles. For full descriptions, visit: http://doc.arcgis.com/en/esri-demographics/data/tapestry-segmentation.htm



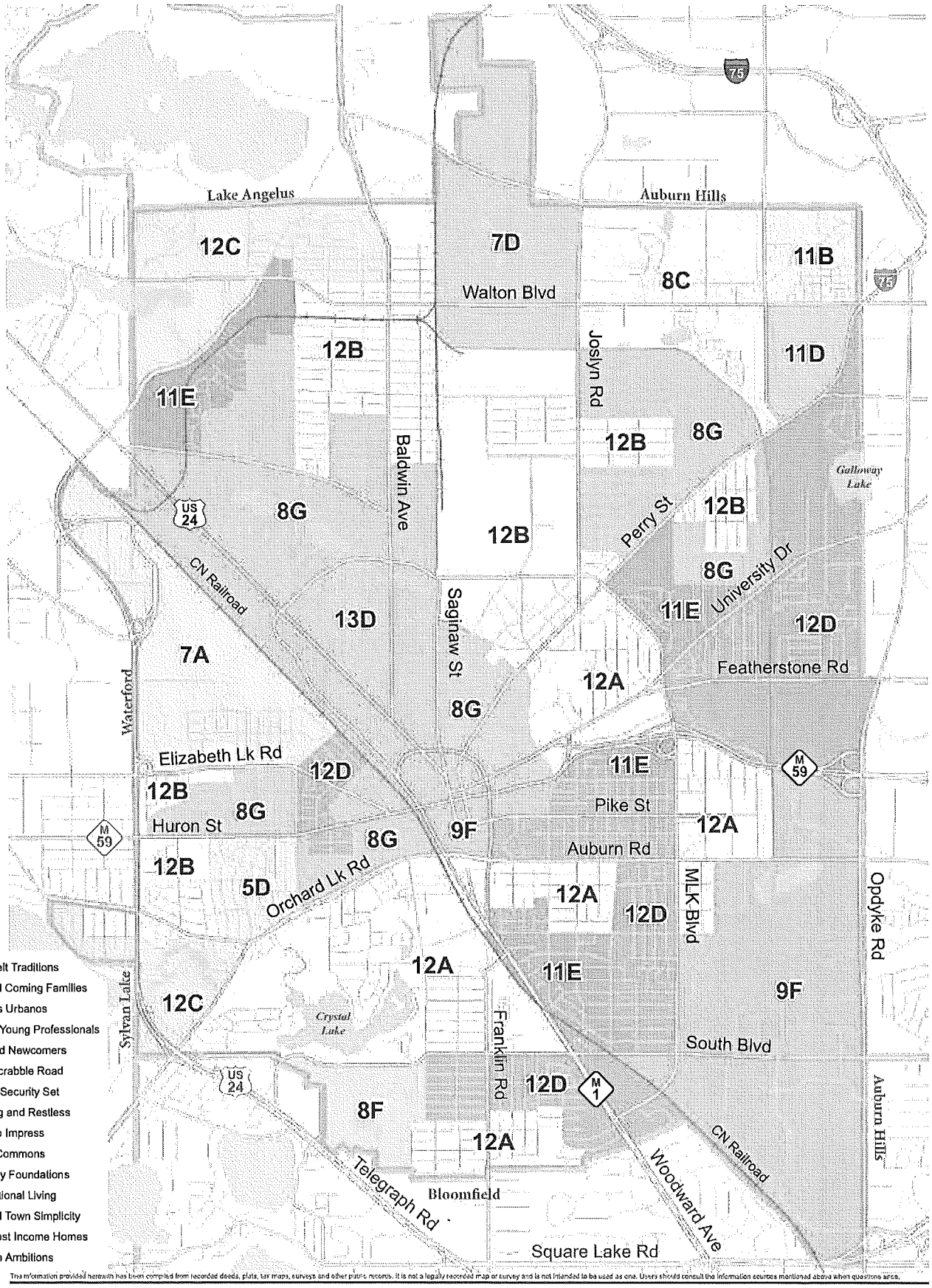








ESRI TAPESTRY SEGMENTATION MAP



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11B Young and Restless

Svcs/Prof
College Degree
White/Black

- Text coupons from cell phone
- Bank online
- Go dining; play pool; buy organic food
- Listen to hit radio, jazz, rap, hip-hop, dance music
- Buy from eBay

Household Singles
Housing Multi-Unit Rentals

[illegible] Median Age

$40k Median Income

Enjoy dancing, playing pool, basketball and ping-pong.

11D Set to Impress

Svcs/Prof/Admin
College Degree
White/Black

- Go to rock concerts, nightclubs, zoos
- Prefer brand names; food makers
- Shop at Walmart
- Download latest music online
- Own used, imported vehicles

Household Singles
Housing Multi-Unit Rentals, Single Family

[illegible] Median Age

$33k Median Income

They enjoy leisure activities including going to rock concerts, night clubs, and the zoo.

11E City Commons

Svcs/Prof/Admin
HS Diploma Only/GED
Black

- Shop warehouse clubs/discount
- Own private health care policy
- Buy baby/children's products
- Listen to urban radio
- Take taxi's, public transportation

Household Single Parents
Housing Multi-Unit Rentals, Single Family

[illegible] Median Age

$18k Median Income

Unemployment is very high, labor force participation is low and they strive for the best for themselves and their children.

12A Family Foundations

Svcs/Prof/Admin
HS Diploma Only/GED
Black

- Shop at Marshalls, dollar stores, Sam's Club
- Draw Social Security, retirement accounts
- Go online for games, entertainment
- Subscribe to premium cable TV
- Drive 1–2 vehicles

Household Singles
Housing Single Family

39.6 Median Age

$43k Median Income

Family and faith are the cornerstones of life in this community with a strong focus is on religion and character.

12B Traditional Living

Svcs/Admin/Prof
HS Diploma Only/GED
White

- Go fishing, visit the zoo
- Carry credit card balances, personal loans
- Eat fast food
- Watch ABC Family, CMT, Game Show Network
- Own 1–2 vehicles

Household Married Couples
Housing Single Family

35.5 Median Age

$39k Median Income

They enjoy outdoor activities such as fishing and taking trips to the zoo.

12C Small Town Simplicity

Svcs/Prof
HS Diploma Only/GED
White

- Visit the doctor regularly
- Shop with coupons at discount stores
- Go hunting, fishing; watch NASCAR, college football, basketball on TV
- Read newspapers; watch TV
- Own trucks, SUVs, ATVs

Household Singles
Housing Single Family

40.8 Median Age

$31k Median Income

Residents enjoy outdoor activities like hunting and fishing.

12D Modest Income Homes

Svcs/Admin
HS Diploma Only/GED
Black

- Shop at low-cost retailers, warehouse clubs
- Pay bills in person
- Play basketball
- Watch BET; listen to gospel, R&B radio
- Own 1 vehicle; carpool, take public transportation

Household Singles
Housing Single Family

37.0 Median Age

$24k Median Income

The recreational activity of choice for residents is basketball.

13D Fresh Ambitions

Svcs
No HS Diploma
Hispanic

- Own cell phones
- Wire money back home
- Buy baby/children's products
- Subscribe to cable TV; watch Spanish TV, MTV
- Own vehicle; take public transportation

Household Single Parents
Housing Multi-Unit Rentals, Single Family

[illegible] Median Age

$20k Median Income

These residents maintain close ties to their cultures.

● Represents national median for age and income

Source: *ESRI's Tapestry Segmentation–The Fabric of America's Neighborhoods*

Planning & Public Input Process

SECTION 6

The following is a general description of the planning process used to develop the City of Pontiac 5-year Parks and Recreation Master Plan.

Background Information

The data necessary to assemble the background information for the plan were collected from various sources including: City Staff, Oakland County, Healthy Pontiac, We Can! coalition, Friends of Clinton River Trail, DNR and field observations. The Community Description, Administrative Structure, Recreation Inventory and Action Program sections were drafted, reviewed and modified by City staff and steering committee members. The inventory of city-owned park facilities was done in November 2017 and updates were completed in October 2018.

Staff Meetings

City staff and steering committee members met to review draft documents, conduct the park inventory and discuss project status while the Plan was being developed.

Community Meetings & Events

A series of community events and City Council District meetings were attended. Information related to the park and recreation master plan update was discussed and presented. A variety of public engagement activities were completed and community member feedback was taken at the following events:

- June 17, 2017 Picnic in the Park Design Workshop (pilot test of community engagement methods) at Oakland Park in collaboration with GM Modern Housing Neighborhood Association (~40 participants)
- June 6, 2018 Mayor's Leadership Team Meeting at the Bowens Senior Center (10 participants)
- June 9, 2018 Art, Fish, Fun Event at Beaudette Park (~20 participants)
- July 21, 2018 PAL Fitness and Mentoring Youth Program at the Old YMCA (~60 participants)
- August 1, 2018 Baldwin Center Youth Program at the Baldwin Center (~30 participants)
- August 10, 2018 General Motors Annual Picnic at the GM Global Propulsion Campus (~30 participants)

- August 4, 2018 Back to School Rally at Beaudette Park (~30 participants)
- August 28, 208 Friends of the Clinton River Trail Meeting at the Auburn Hills Community Center (~8 participants)
- September 4, 2018 Golden Opportunities Club Meeting at the Bowens Senior Center (~52 participants)
- September 6, 2018 District 1 Community Meeting at the Bowens Senior Center (~18 participants)
- September 13, 2018 District 3 Community Meeting at Jalapeños Restaurant (~8 participants)
- September 20, 2018 District 5 Community Meeting at Herrington Elementary School (~26 participants)
- September 25, 2018 Friends of the Pontiac Parks Meeting at the Pontiac Public Library (~6 participants)

Open House Meeting

An "Open House" meeting was held on November 13, 2018 to meet with community members and project stakeholders to allow them an opportunity to review and comment on the draft park inventory, boundary maps, potential park improvements and goals and objectives that emerged as a result of previous community engagement feedback. (~20 participants)

Total Estimated Engagement at various Community Meetings: 358 people

2018 Community Survey

In collaboration with the Healthy Pontiac, We Can! coalition (HPWC), the 2018 Pontiac Community Survey was created and distributed throughout the city via email, website and hard copy. The survey was conducted over a six month period from February - July 2018. There were a total of 345 respondents.

This survey is conducted every three years to gain feedback from a broad collection of stakeholders and residents in Pontiac on their health and quality of life. Anyone that lives in Pontiac over the age of 18 is eligible and encouraged to take the survey. Survey results and feedback from community meetings were used to assist in the development of the Goals & Objectives.

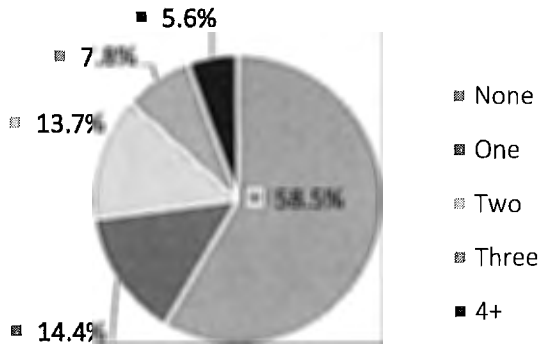
A summary of the survey results and public input feedback can be found on the following pages and in more detail the Appendix.

Police Athletic League workshop

2018 Community Survey Results

A total of 345 surveys were included in the analyses of this report; surveys that had less than 15% of the questions completed (i.e. participant only answered about 2 questions) were omitted from any further analysis. Due to missing responses on different questions throughout the survey (e.g. participant chose not to respond), the total sample size for each question varies, and is reported with each question as (n=#).

Households with Children
(*n* = 270)



Number of Children Per Household

Demographics

Income level and Race in this sample closely represents the population based on national estimates.

	#	%	Compared to Census
Age (*n* = 290)			
18 to 24	18	6.2%	N/A
25 to 34	60	20.6%	N/A
35 to 44	50	17.2%	N/A
45 to 54	48	16.6%	N/A
55 to 59	27	9.3%	N/A
60 to 64	39	13.5%	N/A
65 or older	48	16.6%	N/A
Race (*n* = 291)			
African-American/Black	138	47.4%	49.9%
Native American	2	0.7%	0.5%
Asian	3	1.0%	2.0%
Caucasian/White	123	42.3%	39.2%
Middle Eastern	1	0.3%	N/A
Mixed Ethnicity	22	7.6%	6.5%
Other	2	0.7%	N/A
Ethnicity (*n* = 289)			
Hispanic	31	10.7%	17.2%
Non-Hispanic	258	89.3%	82.2%
Household Income (*n* = 274)			
Less than $10,000	43	15.9%	15.7%
$10,000 - $14,999	26	9.3%	10.6%
$15,000 - $24,999	33	12.2%	15.5%
$25,000 - $34,999	49	18.1%	13.8%
$35,000 - $49,999	46	17.0%	14.8%
$50,000 or above	74	27.4%	29.7%

Demographics

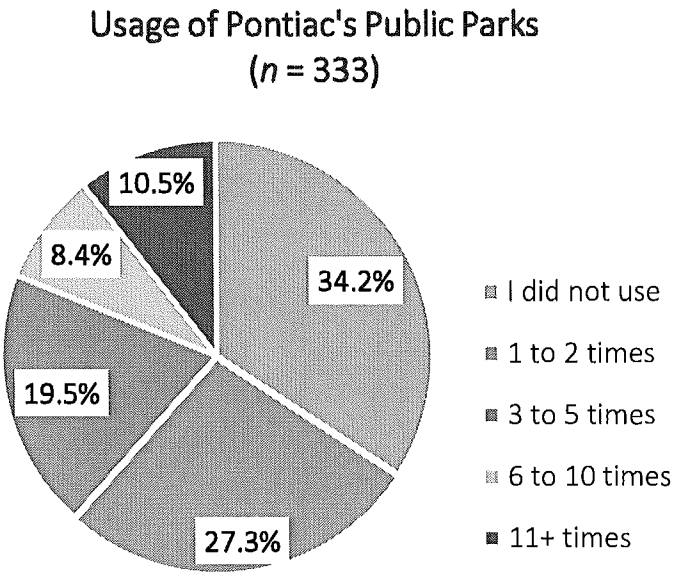
Despite efforts recruiting Hispanic community members, the sample consists of considerably fewer Hispanic participants than the general Pontiac population. Additional efforts to ensure our Hispanic residents' voices are heard and their health needs are met must be prioritized.

Public Parks, Trails, And Green Spaces

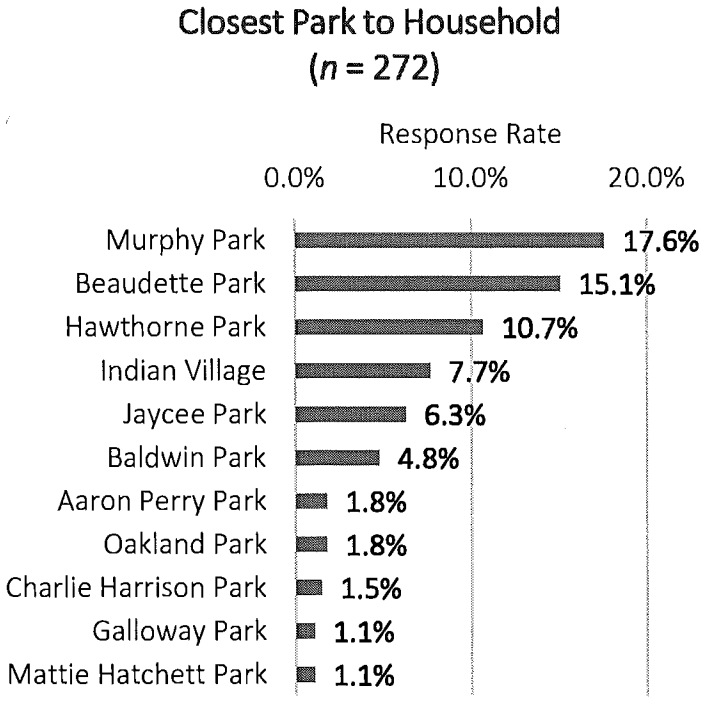
Two-thirds (66%) of participants used a public park in Pontiac within the past 12 months (Figure 3).

Participants were asked which park is closest to where they live. 14.7% responded "I don't know" indicating a need for better awareness of Pontiac's parks (Figure 4).

Figure 4 shows the most frequently selected parks (parks with <1.0%, "I don't know," and "other" were omitted).

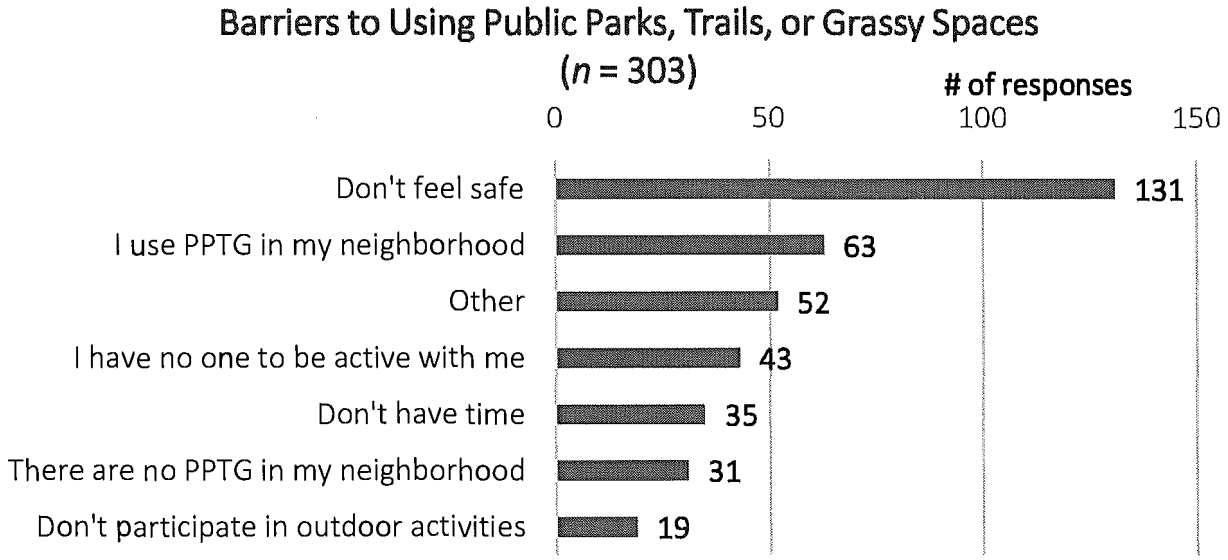


Frequency of Pontiac's public park usage



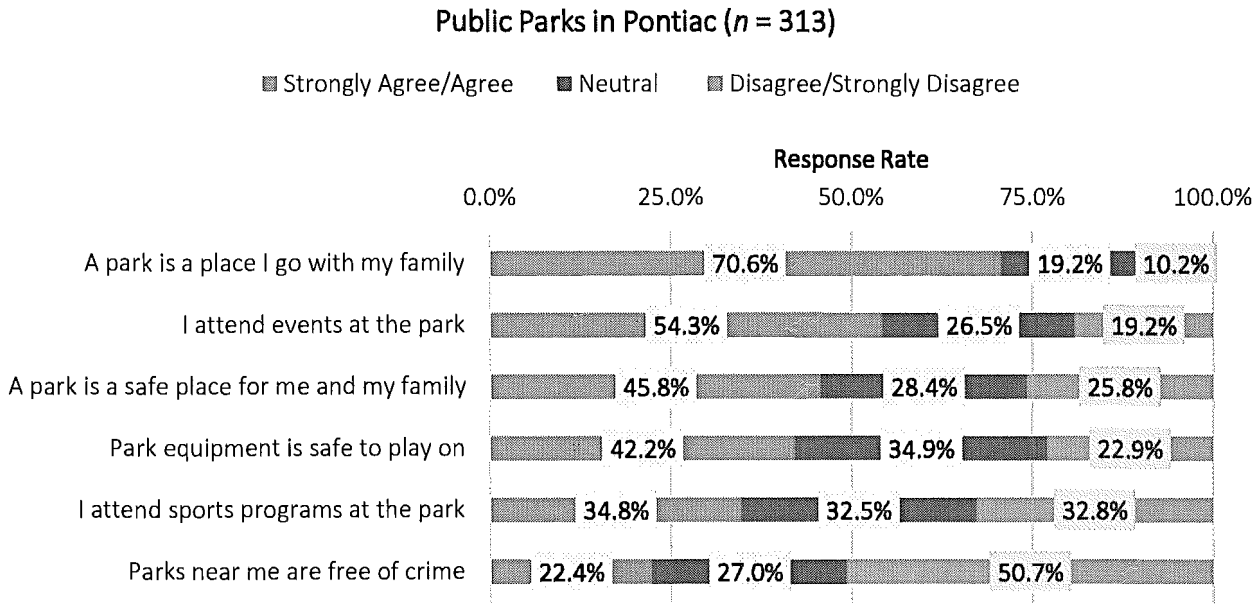
Percentage rate of park closest to respondents

Participants were asked about barriers to using public parks, trails, or grassy spaces in their neighborhood (Figure 5).

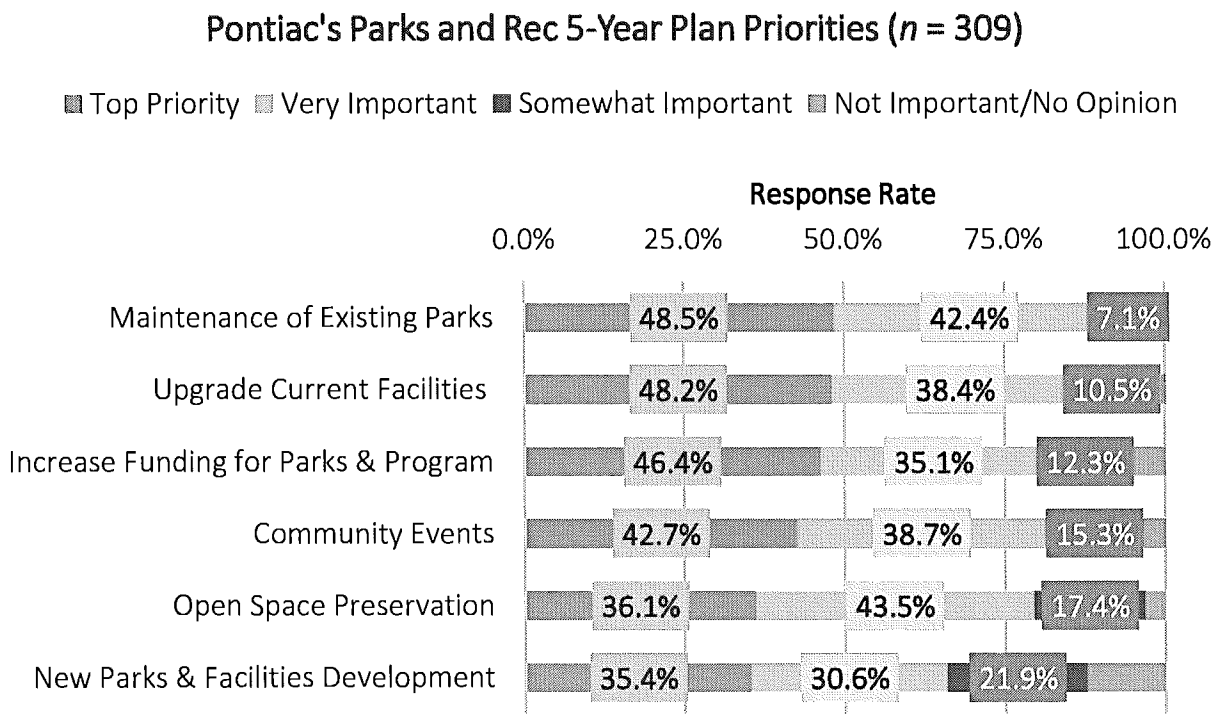


Perceived barriers to using public parks, trails or grassy spaces in Pontiac neighborhoods

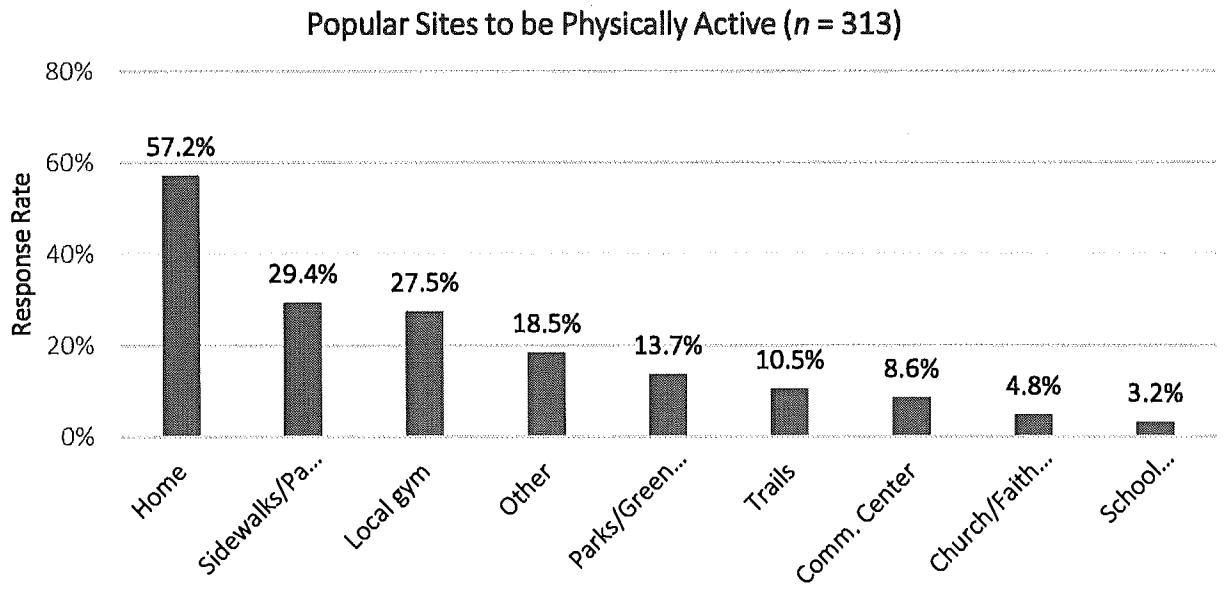
Participants rated the statements below using Strongly Agree, Agree, Neutral, Disagree, or Strongly Disagree (Figure 6).



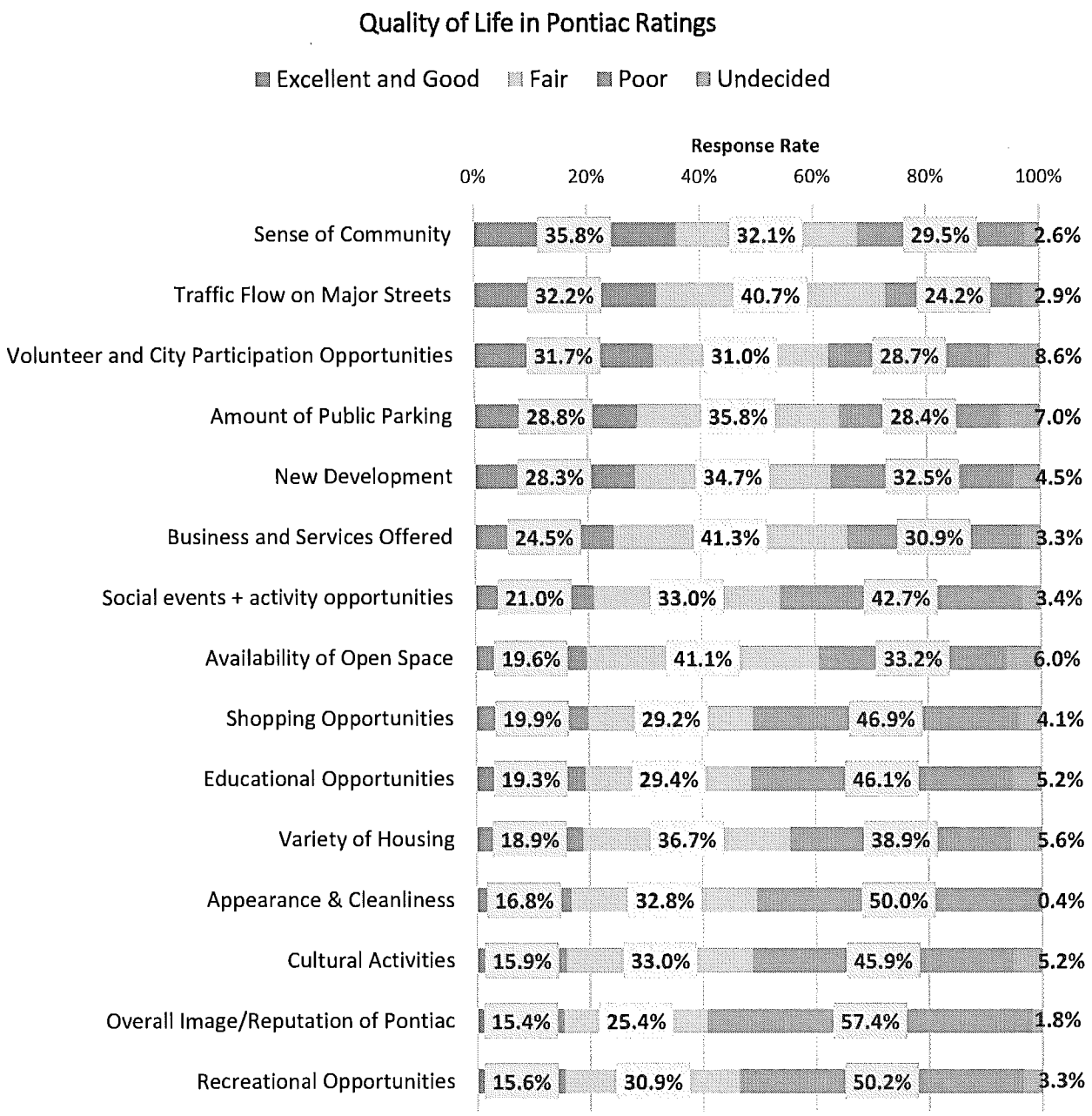
Participant's ratings for public parks in Pontiac



Prioritizing different aspects in reference to Pontiac's public parks



Sites where respondents can engage in physical activity



Ratings for the quality of life in Pontiac

Community Engagement Feedback

During the Community Meetings & Events, feedback was gathered through a variety of unique methodologies best suited to the particular event and populations. At some shorter meetings, participants responded verbally to prompts about what they would like to see in Pontiac parks. At public events and longer workshop style meetings, several standardized activities were used to elicit open-ended feedback, engage participants in thinking critically about parks and recreation planning and prioritization of limited resources (e.g., a budgeting activity). Creative arts strategies were also used to encourage feedback from youth and to allow participants to help visualize ideal park design (e.g., writing stories, drawing pictures, park map design).

OPEN-ENDED RESPONSE ACTIVITIES

Verbal Feedback and Discussion

At smaller meetings, short discussions were held with the individual groups about their priorities and ideas of parks and recreation programing. Detailed notes were taken, and responses were organized into common themes and categories.

Open-Ended Question Board

Participants were presented with four open-ended questions on a large poster:

1. What do you like about Pontiac parks?
2. What don't you like about Pontiac parks?
3. What events or programs would you like to see in Pontiac Parks?
4. What is missing from the Parks in Pontiac?

Participants could write in their own response, agree with one of the statements previously written with the indication of a colored dot sticker or check mark.

3-Question Survey

At shorter meetings, participants were given a short, 3-question survey with open-ended questions including:

1. From your perspective, what do you see as the top 3 issues that need to be addressed in the parks in the City of Pontiac in the next 5 years?
2. What park or community center do your use most often?
3. What would you do to make that park or community center a better place?

Because of similarity of themes that emerged through open-ended activities, responses are combined into common themes below. Park-specific feedback is integrated into the park information page based on feasibility.

- **Facilities and Equipment** – Participants reported utilizing existing facilities, especially the sports fields and the Clinton River Trail. Suggestions for new equipment focused on playground equipment for smaller children (e.g., safety swings, rocking horses, lower rim basketball courts), places to relax in the park with shade (e.g., pavilions), and additional picnic tables and BBQ pits. Many participants noted an urgent need to improve the quality of facilities. This included resurfacing basketball courts, fixing missing nets and rims, ensuring

soccer and baseball fields are safe, fixing or removing broken playground equipment. Suggestions for improving the Clinton River Trail included better maintenance of vegetation and the trail surface, wayfinding signage, trailheads are key locations, and safer crossings for major roads. It was noted that the existing skate park is in disrepair and needs to be removed or upgraded.

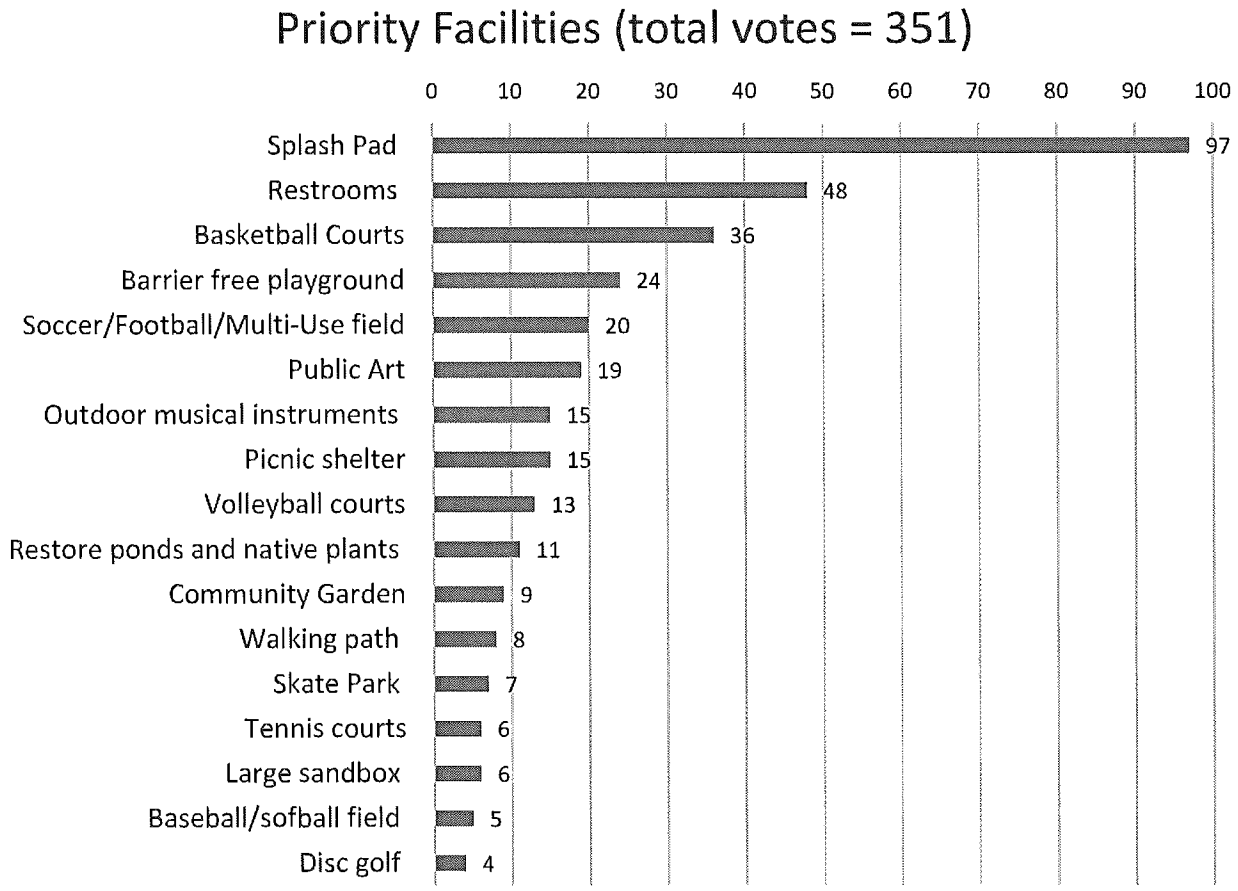
- **Park Maintenance** – Many people noted the lack of general park maintenance such as mowing the grass and emptying the garbage cans, which contributed to a sense of blight in the parks, and deterred people from using the parks.
- **Beautification** – Participants regularly described a desire for projects to enhance beautification and remove blight, such as trash and graffiti, in the parks. Suggestions included cleanup projects, increasing park adoption by community groups, planting and landscaping features, integration of public art within the parks, and historical signage (e.g., Pontiac Heritage Trail).
- **Comfort Stations** – The lack of working restroom facilities and drinking fountains was a common concern across all engagement sessions. Bringing existing facilities back into working condition and making them accessible to the community outside of special events is likely to increase park usage and satisfaction. Participants also noted that increasing shade options, such as pavilions, would enhance comfort of using parks.
- **Water Features** – Many participants reported the desire for water features in the community. This included splash park/pad features for kids to play in, access to public beaches and swimming sites, boating/kayaking access and rental facilities, and landscaping features such as water fountains. Water quality concerns – need testing and signage (e.g., is fishing safe)
- **Park Security** – Suggestions for improving feelings of safety and security in parks included regular patrols by police, lighting (perhaps motion sensor to save money and reduce light pollution to neighboring areas), locking parks at night, and security cameras.
- **Events and Activities** – Participants indicated a desire for additional programming for diverse populations. This included things such as a summer music series, additional sports leagues for youth and adults, summer camps and activities for youth, an amphitheater or mobile stage for music events. There were also many participants with a desire to see Murphy Park return to a hub for winter sports activities such as sledding and skating.
- **Community Centers** – There was a strong desire in the community to reopen closed community centers (e.g., Ewalt Center) to host recreation activities.
- **ADA Accessibility** – Participants noted the lack of accessibility for persons with physical limitations in most of the parks.

PRIORITIZATION ACTIVITIES

Facility Prioritization

Each participant was given three dot-stickers that would represent their "vote"; for what facilities they wanted to see in Pontiac parks. Letter-sized pictures of 17 different facilities/resources were placed on a table or wall. In addition, there was a blank page for participants to add "other" facilities they would like to see. Results are shown below by total number of "votes" across all sessions are shown below.

Facility Prioritization Activity



Results of the Facility Prioritization Activity

CREATIVE ARTS FEEDBACK STRATEGIES

Park Map Design

At large events, a printed 3x4 foot aerial map of major parks (e.g., Beaudette Park, Oakland Park) was available for participants to arrange cut-outs of various park facilities at scale to show how they envision the park layout. Digital photos were taken of each design, and feedback was integrated into the park profiles seen in this plan. This data also helped us to understand how participants used each individual park. One consistent theme was the desire for walking paths in many of our parks.

Oakland Park Map Design Activity

Beaudette Park Map Design Activity

Creative Drawing and Story-Telling Exercises

Children and young adults were given blank sheets of paper and asked to draw a picture or write a story about what want to see in their neighborhood parks. Participants were also asked to draw or write out what they already enjoyed using in their parks what they would want to remain unchanged. Results were analyzed qualitatively to identify common themes, which emerged in 4 key areas:

- **Socialization** – youth saw parks as a place to spend time with family and friends, utilizing playground and picnic equipment
- **Nature** – youth talked about and drew pictures connecting with nature including trees, grass, water, and animals.
- **Sports** – youth described participating in a variety of sports activities (e.g., basketball, baseball, soccer) in the parks.
- **Events** – youth wanted to attend events in parks from movie nights to carnivals!

Creative Drawing Activity

Parks and Recreation Budgeting Exercise

In this activity, participants were given a budget of $100 (printed paper "money" consisting of ten $10 bills), and were instructed to put the money in the bucket with the category they felt their budget should be spent on.

CATEGORIES	% OF MONEY ALLOCATED	RANK
Install new equipment (e.g. playground, fields, courts)	18.3	1
Youth programs and leagues	18.1	2
Park Maintenance	15.0	3
Plant trees + improve wildlife habitat	11.7	4
Adult programs and leagues	10.7	5
Repair existing equipment	10.5	6
Remove old/broken equipment, buildings & amenities	8.6	7
ADA Accessibility	7.1	8
TOTALS	**100.0**	

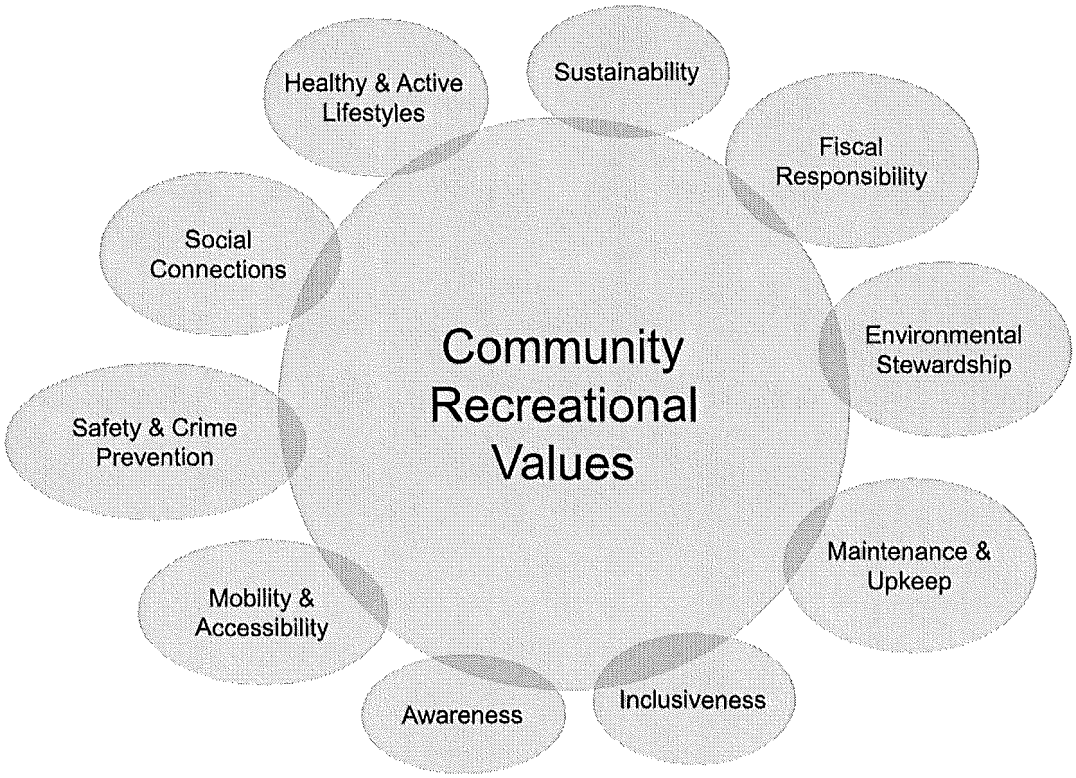
Budgeting Exercise Results

Basis for Action

SECTION 7

Basis for Action

Many elements must be considered prior to the decision-making process of establishing goals, objectives and a prioritized capital improvements schedule for the next five years. A community must not base recreation improvement and service decisions solely on the voice of a handful of residents or the needs and wants of community officials, but must also be aware of recreational trends, national standards, community opinion, as well as demographic information and the suitability of existing park land. This chapter attempts to consolidate the various factors that must be acknowledged and the abundance of aspects, perceptions and ideas that need to be filtered and categorized with the end result of producing the prioritized needs of the community. Because there are so many factors that will ultimately determine needs, caution should be taken to not analyze each piece of information individually, but integrate them all to produce the "big picture."



The community recreational values above were common among public input sessions.

Community Demographics

The socioeconomic characteristics of a community play a role in the demand for certain types of recreation facilities. By examining socioeconomic characteristics such as population, density, age and household size, municipalities can identify trends and opportunities that may influence future land use, recreation decisions and policy choices.

For example, if the elementary school enrollment in a particular area is growing, there may be a need to plan for more playgrounds and children's programs. Conversely, if the population of the community is aging, more recreational facilities may be needed for senior citizens. The following pages provide a brief summary of the socioeconomic characteristics of the City of Pontiac that may influence parks and recreation planning decisions.

The 2010 U.S. Census and the 2016 American Community Survey (ACS) serve as the primary sources of data for the demographic information in this section.

City Population Trends and Projections

Since the 1970s, the City's population has declined significantly. With a peak of 85,279 residents recorded by the 1970 Census, the City's population now stands at 59,920 residents as of the 2016 ACS. This equates to a population decline of 30 percent over the 40+ year span. However, according to the Southeast Michigan Council of Governments (SEMCOG) 2045 Population Forecast, which was produced in 2017, the City's population is slated to increase from its current mark and will reach 61,667 residents by 2045.

Population and Population Density

Population and population density characteristics can have a significant influence on recreation planning. In general, Pontiac is a densely populated urban community making it practical for park facilities to be located throughout the City. However, there are certain portions of the City that have larger or fewer numbers of residents and at varying densities. The Population Density map on the next page shows higher densities are generally found in the central, northwestern and northeastern portions of the City. Lower densities are found in the southeastern corner of the City.

POPULATION DENSITY & RACIAL DIVERSITY MAP

Image Copyright, 2013, Weldon Cooper Center for Public Service, Rector and Visitors of the University of Virginia (Dustin A. Cable, creator)

Median Age

Knowledge of a community's age distribution plays a crucial role in the planning of recreation facilities and programs. As mentioned earlier, whether an area is comprised of older or younger citizens will greatly influence such things as the facilities and programs that are most desired within parks. The maps on the following pages illustrate the various age groups and their distribution within the City. According to the 2016 ACS, the Median Age for the City of Pontiac is 32.7 years old.

Consistent with the age characteristics of the different sections of Pontiac, the City may want to consider providing recreation facilities that serve a younger or older population as necessary.

Household Size

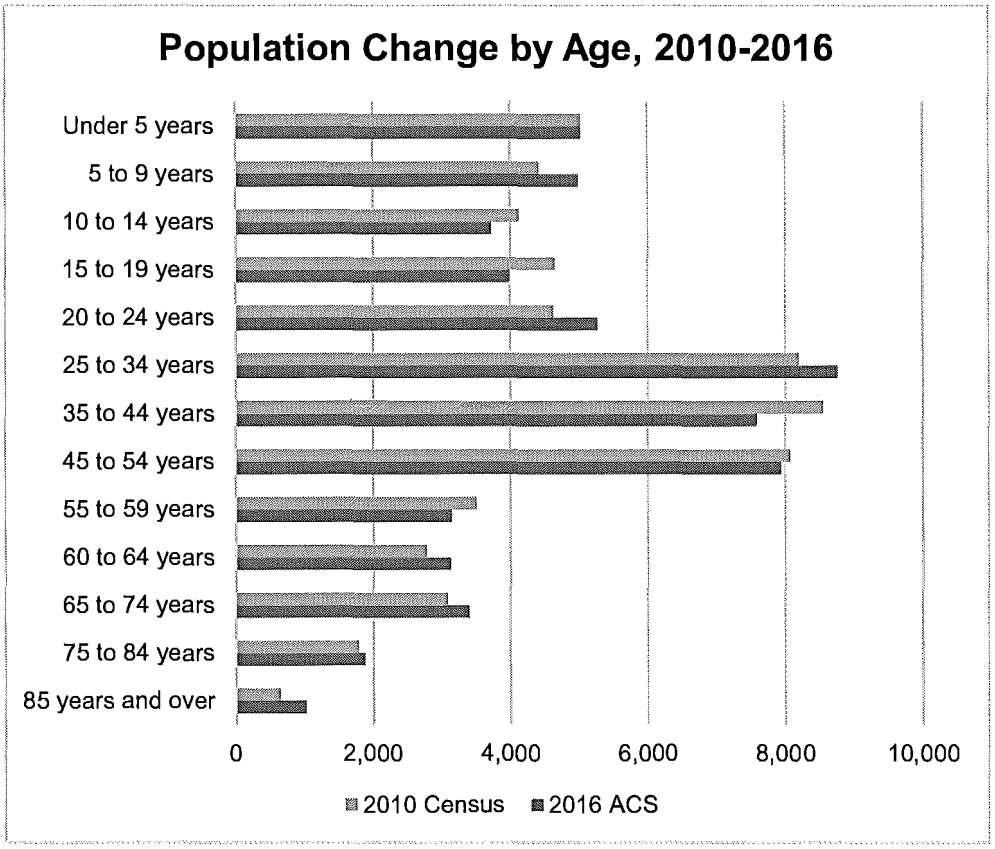
A household, as defined by the US Census, is all persons who occupy the same housing unit. A housing unit can be described as a house, apartment, mobile home, a group of rooms, or a single room used as a separate living quarters.

Household size is an important factor when making recreation facility and program decisions. A high person per household figure can be an indication that an area is comprised of families with children and thus could justify family or youth oriented recreation facilities. Conversely, an area with a low person per household figure may require recreation facilities more favorable to singles, adults or the aging population.

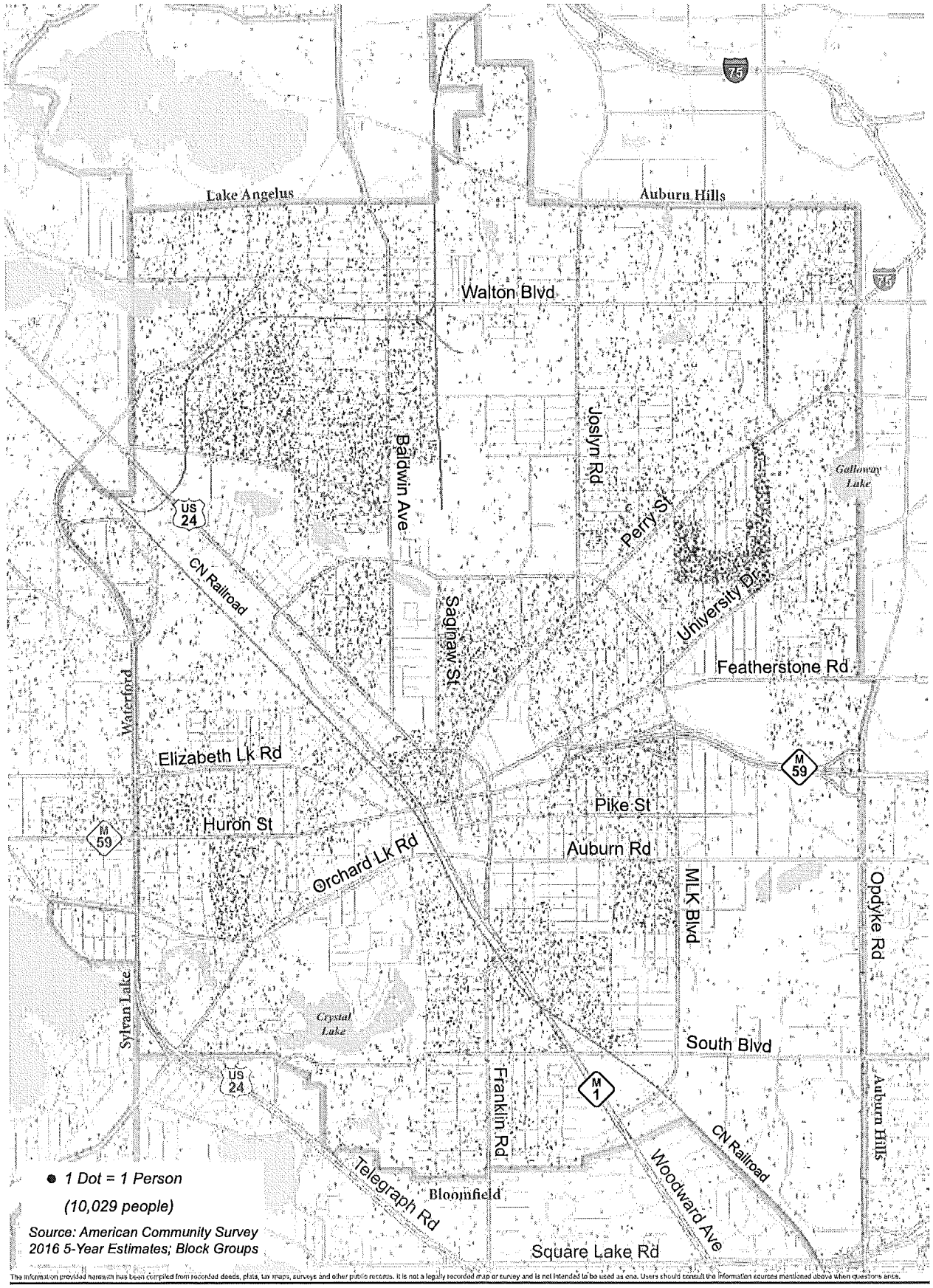
According to the 2016 ACS, the average household size of an owner-occupied unit is 2.57 and the average household size of a renter-occupied unit is 2.44 people.

POPULATION & HOUSEHOLD PROFILE

SUBJECT	1970 CENSUS	1980 CENSUS	1990 CENSUS	2000 CENSUS	2010 CENSUS	2016 ACS	2045 SEMCOG FORECAST
Population	85,279	76,715	71,136	67,506	59,515	59,920	61,667
Housing Units	26,810	27,745	26,579	26,336	27,084	27,335	----
Average Household Size	3.18	2.77	2.68	2.56	2.20	2.19	2.3
Median Age	----	25.6	28.3	30.0	33.4	32.7	----
Households with children	----	----	----	----	7,942	7,891	7,122
Households with Seniors 65+	----	----	----	----	4,518	4,237	10,332



YOUTH POPULATION AGE 9 AND UNDER MAP



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.

YOUTH POPULATION AGE 10-17 MAP

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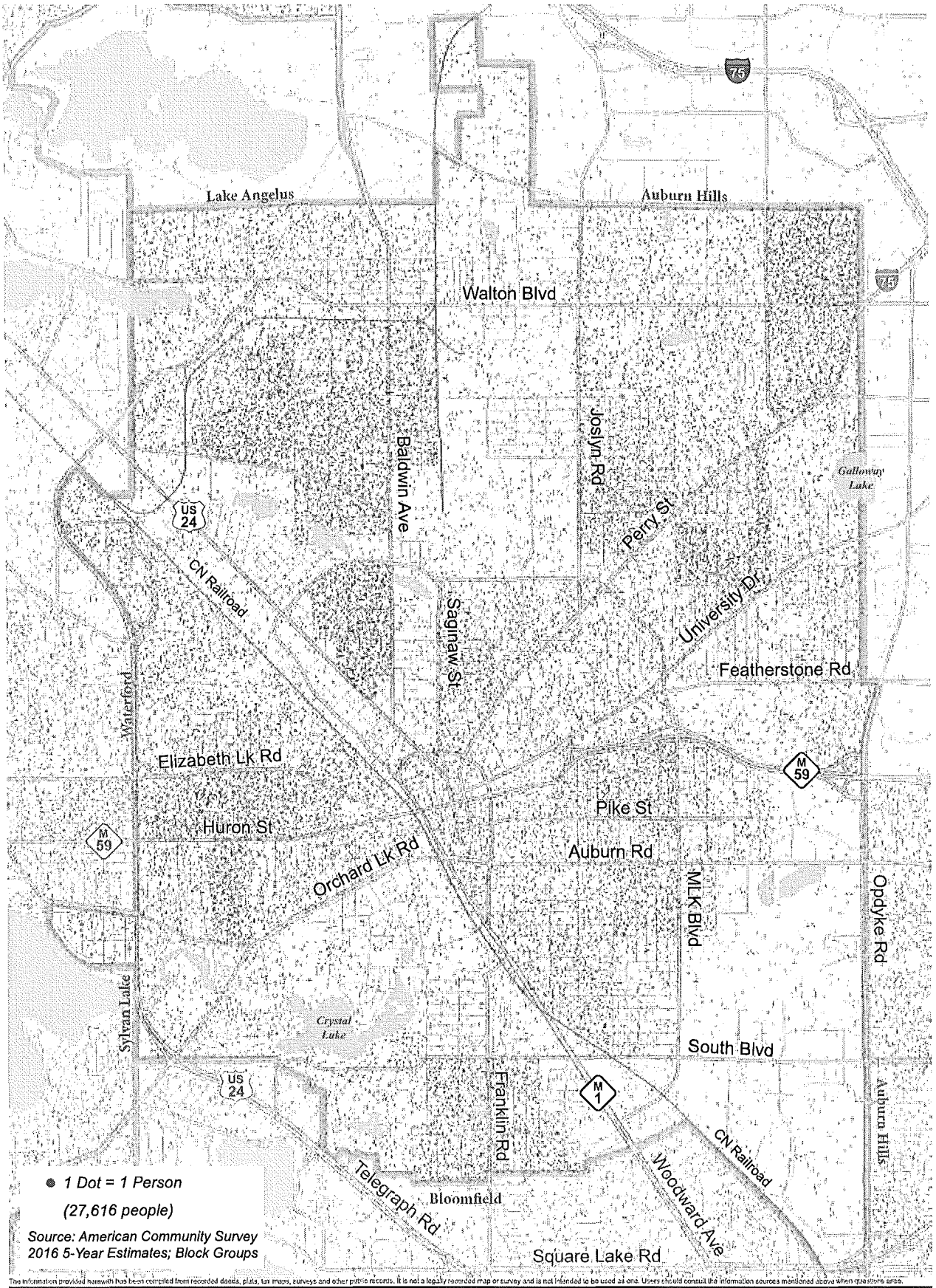
ADULT POPULATION AGE 18 to 49 MAP



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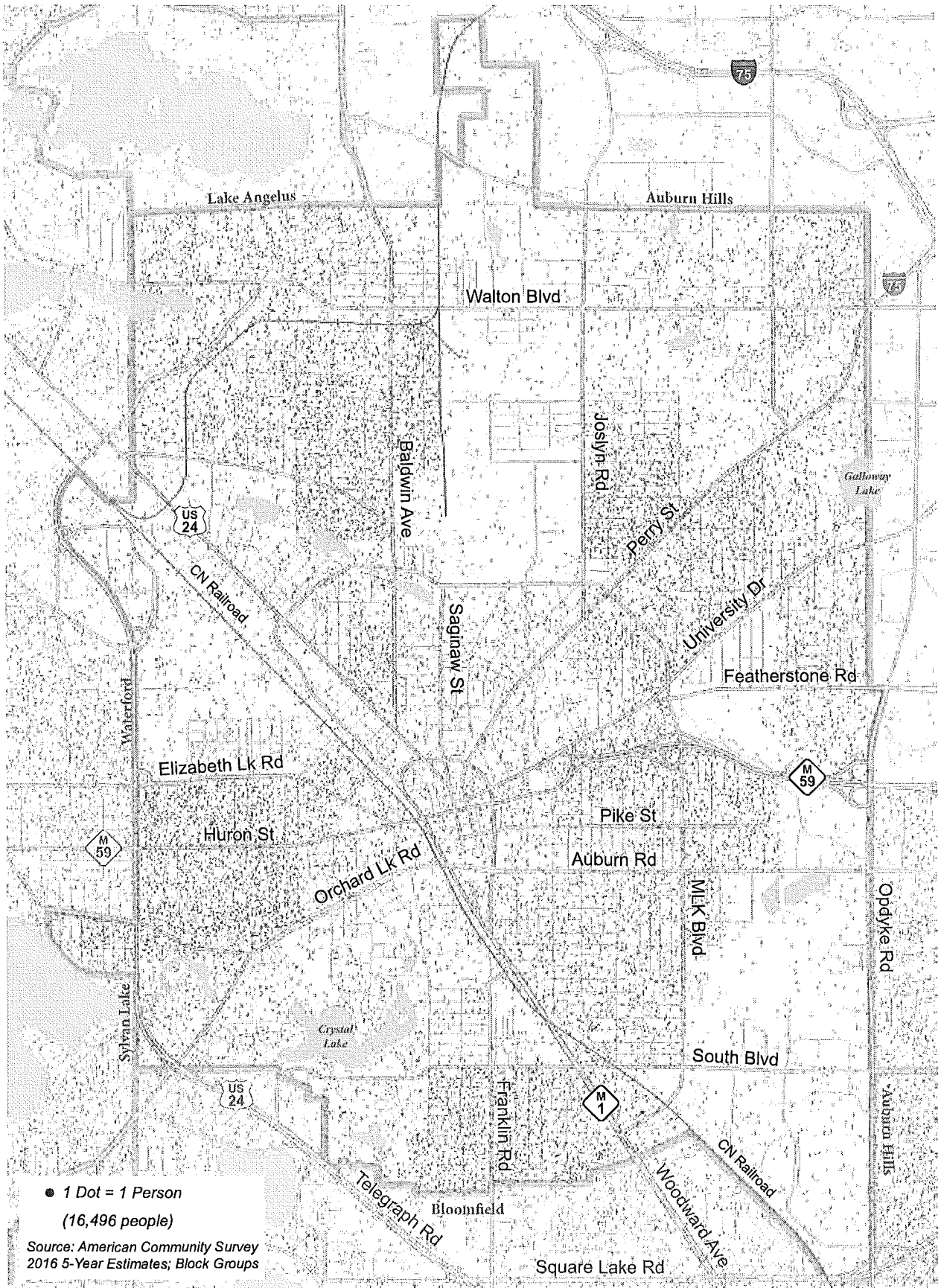
ADULT POPULATION AGE 50 AND OVER MAP



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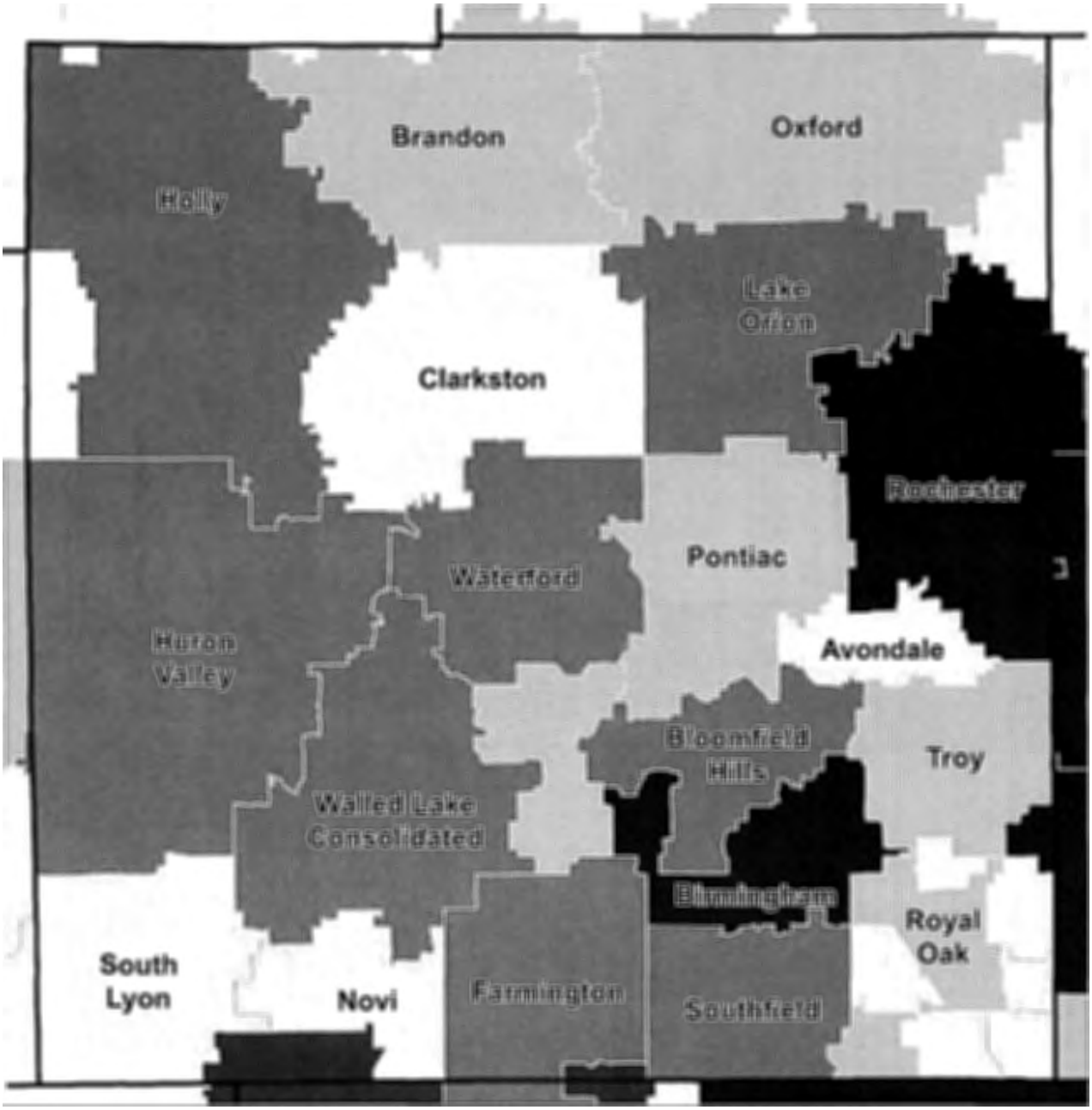
MEDIAN HOUSEHOLD INCOME MAP

CHANGE IN SCHOOL-AGE POPULATION BY SCHOOL DISTRICT MAP



School District	2015	2025	2035	2045	Change 2015-2045	% Change 2015-2045
Pontiac School District	12,695	12,030	11,580	11,698	-997	-7.90%

Years: 2015-2025
Change in 5 to 17 year olds

- Gain in school-age children
- No change to 500 loss
- 501 to 1,000 loss
- 1,001 to 2,000 loss
- More than 2,000 loss

Change in School-Age Population
According to SEMCOG's *Demographic Forecast for 2045*, the Pontiac School District is expected to lose approximately 997 school-age children between 2015-2045.

National Recreation Trends

Recreation trends occurring nationally may provide insight into activities that can be expected to draw a large number of participants and activities that have shown the greatest growth in popularity. The National Sporting Goods Association (NSGA) conducts national surveys that measure activities by participation and percent change from the previous survey. The definition of participation includes those persons seven years and older who have participated in sporting activities at least twice and fitness activities at least six times during the year of the survey.

In 2015, the top ten sports in which people participated were:

- Exercise Walking (106.3 million)
- Exercising with Equipment (56.3 million)
- Swimming (46.3 million)
- Aerobic Exercising (45.1 million)
- Running/Jogging (44.5 million)
- Hiking (42.0 million)
- Camping (Vacation/Overnight) (40.1 million)
- Work Out at Club/Gym/Fitness Studio (36.6 million)
- Bicycle Riding (36.0 million)
- Bowling (35.2 million)

SOURCE: National Sporting Goods Association 2016 Edition of the Sports Participation in the US

SPORTS THAT INTEREST NON-PARTICIPANTS TABLE

Interest Level	Ages 6-12	Ages 13-17	Ages 18-24	Ages 25-34	Ages 35-44	Ages 45-54	Ages 55-64	Ages 65+
1	Camping	Camping	Camping	Camping	Camping	Camping	Bicycling	Birdwatching/ Wildlife Viewing
2	Fishing	Fishing	Bicycling	Swimming for Fitness	Swimming for Fitness	Fishing	Camping	Fishing
3	Soccer	Swimming for Fitness	Martial Arts	Bicycling	Bicycling	Bicycling	Birdwatching/ Wildlife Viewing	Working Out Using Machines
4	Basketball	Running/ Jogging	Backpacking	Fishing	Fishing	Swimming for Fitness	Swimming for Fitness	Swimming for Fitness
5	Bicycling	Working Out Using Machines	Fishing	Canoeing	Working Out with Weights	Hiking	Fishing	Bicycling
6	Martial Arts	Bicycling	Working Out with Weights	Hiking	Hiking	Working Out with Weights	Working Using Machines	Hiking
7	Swimming for Fitness	Working Out with Weights	Working Out Using Machines	Backpacking	Working Out Using Machines	Canoeing	Hiking	Camping
8	Football	Basketball	Canoeing	Working Out with Weights	Running/ Jogging	Working Out Using Machines	Working Out with Weights	Working Out with Weights
9	Swimming on a Team	Football	Kayaking	Running/ Jogging	Canoeing	Birdwatching/ Wildlife Viewing	Canoeing	Fitness Classes
10	Volleyball	Volleyball	Swimming for Fitness	Working Out Using Machines	Basketball	Backpacking	Kayaking	Shooting

SOURCE: 2018 Physical Activity Council Participation Report

The Physical Activity Council (PAC) is a collaboration between eight of the major trade associations in US sports, fitness and leisure industries. The PAC produces an annual report that tracks participation in 118 different sports, fitness and recreation activities nationwide and identifies key trends. The table above provides information on the top ten activities by age group that non-participants would be interested in trying.

National Planning Standards

In the process of determining and prioritizing needs, it is not only important to understand the national trends in terms of participation levels and popularity, but it is also imperative to compare the provision of local recreation facilities to published standards. This comparison of existing facilities to standard acreage and facility recommendations is another tool to assist in determining needs within the City of Pontiac. However, it should be noted that the latest available national standards were developed in the 1980s and 1990s and may not fully reflect today's needs and trends.

Acreage Standards

The National Recreation and Park Association provides a recommended park classification system which recognizes that open space has various functions. The system categorizes open space as either mini parks, neighborhood parks or community parks. The desirable characteristics relative to size, function, amenities and acreage provisions per 1,000 people (where available) are identified in the *Recreation Facility Classification Standards Table*.

RECREATION FACILITY CLASSIFICATION STANDARDS TABLE

PARK CLASSIFICATION	NRPA GUIDELINE MINIMUM ACRES/1,000 RESIDENTS[1]	RECOMMENDED ACREAGE FOR PONTIAC[2]	CITY PARK ACREAGE	SURPLUS OR DEFICIENCY
Mini Park**	5.0 to 8.0 acres	15-30 acres[2]	5.43 acres	Deficiency**
Neighborhood Park	1.0 to 2.0 acres	60-120 acres[2]	61.06 acres	Within Range
Community Park	0.25 to 0.5 acres	300-479 acres[2]	350.96 acres	Within Range
All Parks	6.25 to 10.25 acres	375-614 acres	417.65 acres	Within Range

Adapted from:

[1] *Lancaster, R. A., Ed. Recreation, Park and Open Space Standards and Guidelines. Alexandria, VA: National Recreation and Park Association, 1983.; Mertes, J. D. and J. R. Hall. Park, Recreation, Open Space and Greenway Guidelines. Alexandria, VA: National Recreation and Park Association, 1995.*

[2] *Based on American Community Survey 2016 5-Year Estimate; 59,920*

** *It should be noted that a school or other recreational provider may offer these types of facilities in the City.*

According to the population standards for the three types of parks, the City of Pontiac, with a total population of 59,920 (2016 ACS), should provide the following amount of parkland:

- Between 15 and 30 acres of mini parkland
- Between 60 and 120 acres of neighborhood parkland
- Between 300 and 479 acres of community parkland
- Between 375 and 614 acres of total parkland (all types).

A comparison of the City's existing park acreage against the recommended standard shows that the City presently has 5.43 acres of mini parkland, 61.06 acres of neighborhood parkland, 350.96 acres of community parkland and 417.65 acres of total parkland in these three categories. Thus, based on the park acreage per population standard, the City of Pontiac is deficient in mini parkland and falls within the recommended range for community, neighborhood and total parkland.

It should be noted that the acreage standard analysis is based only on City-owned parks in those three classifications. The City also owns 4.15 acres of community center property and 108.66 acres of linear parks. This analysis is important given that the jurisdiction of this Recreation Plan covers City-owned parks. It should also be noted that, several other private recreation facilities and school properties are located within the City and also serve residents. In addition, many parks are located just outside of the boundaries of the City. These recreation facilities should be taken into consideration in combination with the results of the acreage standard analysis for City-owned parks.

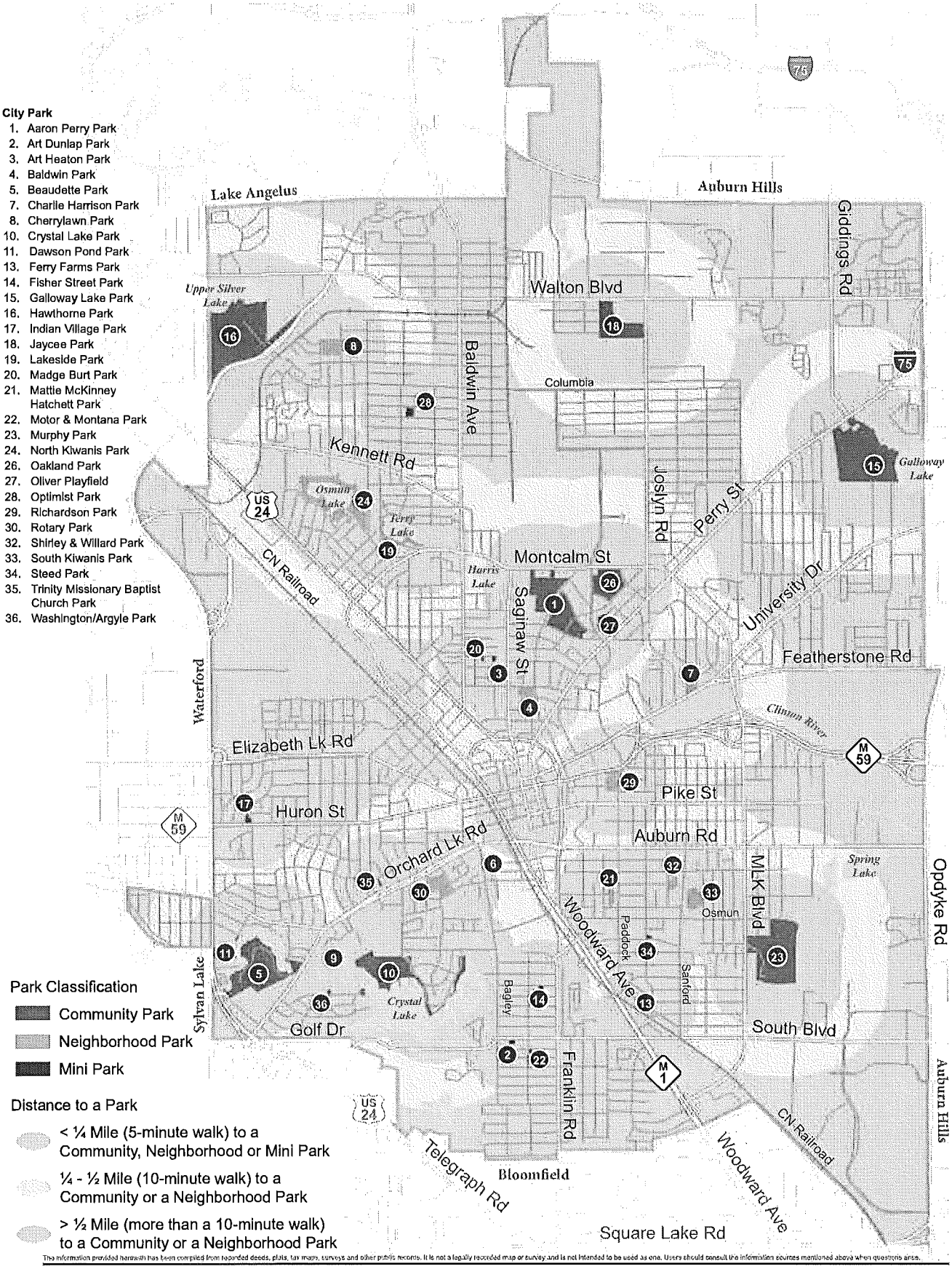
Park Service Areas

As shown in the Recreation Classification System Table, each park type is given a typical service area. For community parks, the NRPA estimates a 0.5 to 3-mile service area (0.5 mile or a 10 minute walk, will be used for the purposes of this plan). For neighborhood parks, the NRPA estimates a 0.25 to 0.5-mile service area (10 minute walk). For mini parks, the NRPA estimates a 0.25-mile service area (5 minute walk).

The extent of the service areas within the City of Pontiac based on existing parks and their park classification is shown on the Park Access Map. This map effectively shows the locations within the City that are out of range of a certain type of park facility. Presently, all portions of the City are within 1.75 miles of a community park. However, there are numerous portions of the City that are not within 0.375 miles of a neighborhood or community park or are not within 0.25 miles of a mini park, neighborhood park or community park.

As with the acreage standard analysis, this service area analysis was conducted by only considering City-owned parks. A variety of other school- and privately-owned recreation facilities are found within the City or are located just outside of the City limits.

PARK ACCESS MAP



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RECREATION FACILITY DEFICIENCIES TABLE

FACILITY	STANDARD PER POPULATION[1]	NEED BASED ON STANDARD [2]	EXISTING IN A CITY PARK	SURPLUS OR DEFICIENCY
Baseball/Softball**	1/5,000	12	12	0
Baseball/Softball Lighted	1/30,000	2	0	-2
Basketball**	1/5,000	12	19	+7
Football**	1/20,000	3	2*	-1
Golf Course	1/50,000	1	1*	0
Handball	1/20,000	3	0	-3
Soccer**	1/10,000	6	6	0
Swimming Pool	1/20,000	3	0	-3
Tennis Court**	1/2,000	30	8	-22
Trails	1/region	1	1	0
Volleyball Court	1/5,000	12	4	-8

Adapted from:

[1] *Lancaster, R. A., Ed. Recreation, Park and Open Space Standards and Guidelines. Alexandria, VA: National Recreation and Park Association, 1983.; Mertes, J. D. and J. R. Hall. Park, Recreation, Open Space and Greenway Guidelines. Alexandria, VA: National Recreation and Park Association, 1995.*

[2] *Based on American Community Survey 2016 5-Year Estimate; 59,920*

** *School or other recreational provider may offer these facilities in the City.*

FACILITY STANDARDS

The NRPA has also published typical recreation facility standards that specify facility service areas, the number of facilities needed to service the population. These standards can be used in conjunction with the acreage standards to further identify Pontiac's recreation needs. The table above provides a comparison of the City's public park facilities against published recreation facility standards based on the City's 2016 ACS population of 59,920. This data can be used in conjunction with other factors contained within this plan, such as the results of the focus group meetings and community survey.

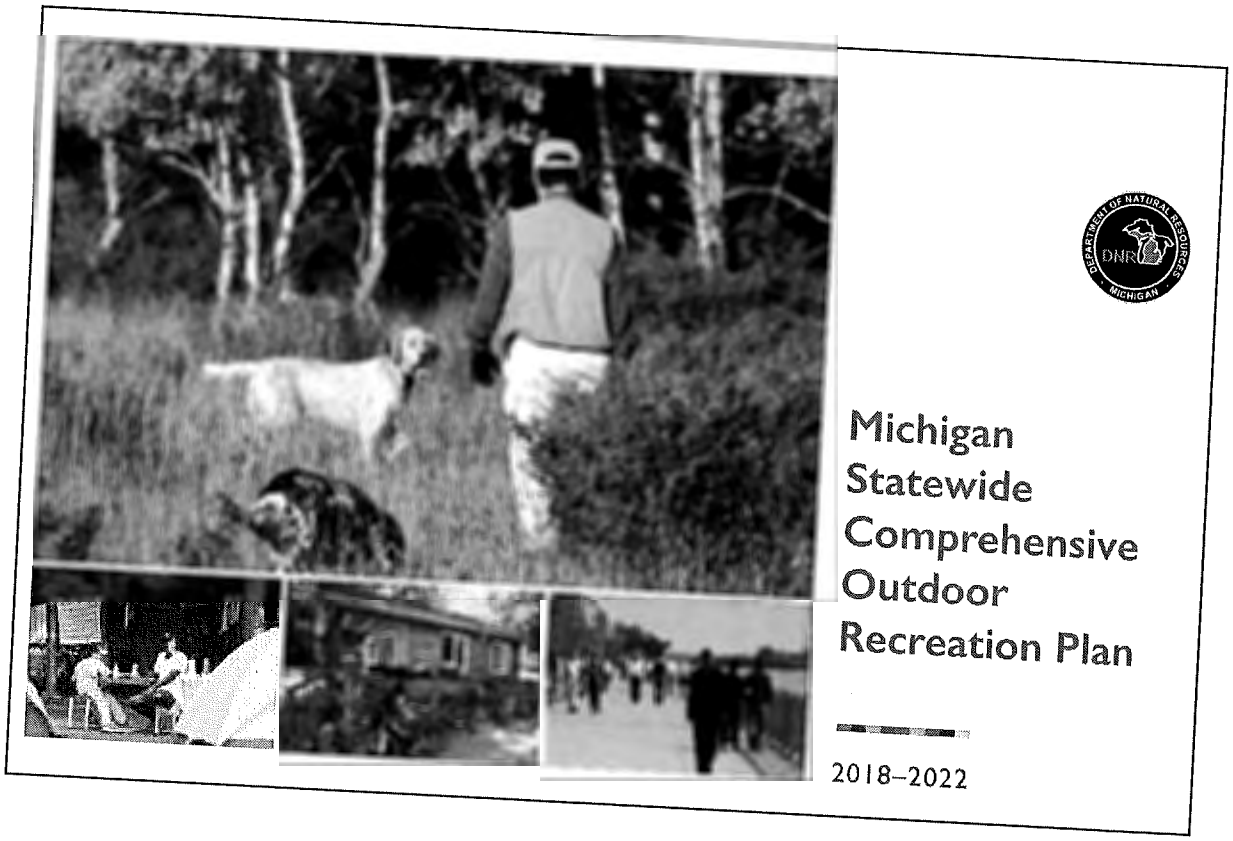
It should again be noted that these standards are somewhat dated and may not accurately reflect the popularity or decline in popularity of various recreation activities. Also, a complete inventory of the schools and private recreational providers has not been factored into the Facility Deficiencies Table above.

S.C.O.R.P.

The *2018-2022 Michigan Statewide Comprehensive Outdoor Recreation Plan* (SCORP) was also considered before creating goals and objectives for the City of Pontiac. The SCORP identified an overall goal to "Protect and manage Michigan's diverse and abundant natural and cultural assets to provide relevant, quality experiences that meet the fun, relaxation, and health needs of Michigan's residents and visitors and support economic prosperity."

The following objectives were identified in the SCORP to meet that overarching goal:

- Foster Stewardship and Conservation
- Improve Collaboration
- Raise Awareness
- Improve Recreational Access
- Provide Quality Experiences
- Enhance Health Benefits
- Enhance Prosperity



Action Program

SECTION 8

The Action Program details the priorities and direction for the City of Pontiac parks and recreation facilities and services over the next five years (2021 – 2025). This section includes priority goal statements and related objectives that fall into one of five categories:

- Maintenance & Operations
- Park & Facility Development
- Partnerships & Funding
- Awareness & Communications
- Connectivity & Accessibility

In addition, a table has been included that summarizes action items highlighting near-, mid-and long-term priorities for many of the park properties.

Goals and Objectives

Goals and objectives were developed to assist in providing direction to City administration, City Council and staff. Goals are long-term ideals or end products that are desired. Objectives for each goal have been developed to outline more specific actions that will assist in meeting the goal. The goals and objectives are intended to be as important as the action item priorities. They are listed in no particular order of importance or priority.

Goal #1 Maintenance & Operations

Improve the overall quality of facilities and amenities within Pontiac Parks and make improvements to the operational efficiencies and enhance the long-term viability of parks.

Objectives

- Provide adequate staff and funding for park maintenance.
- Prioritize park improvement projects.
- Enhance the overall quality, safety and sustainability of park amenities and recreational facilities and work to remove graffiti, litter, and outdated equipment in a timely manner.
- Create a Parks and Recreation (or Quality of Life) Committee/Commission with citizen, senior, youth and funder representatives to oversee the implementation of the Pontiac Parks and Recreation Master Plan.
- Improvements at parks should adhere to Crime Prevention Through Environmental Design (CPTED) principles and strategies in order to deter criminal behavior.
- Repair park equipment that is damaged and remove graffiti and litter in a timely manner to encourage use and discourage additional park vandalism.
- Coordinate with area residents to create a Neighborhood Watch Program to report undesirable activities in and around the parks.
- Establish a Parks & Recreation Department.
- Prioritize and Repurpose Ewalt Recreation Center.

Goal #2 Park & Facility Development

Provide planning, park design and recreation facility improvements that respond to the needs and interests of Pontiac's diverse community and develop inclusive, accessible parks and recreational facilities.

Objectives

- Work with the community to develop concept plans for Community Parks that include utilities, vehicle and bike parking, walking paths, new fields/courts/playgrounds and support facilities such as restrooms, picnic shelters and grills.
- Determine needs for new equipment and updates to existing facilities and ensure they are accessible to all park users regardless of ability.
- Offer variety of barrier free and age friendly spaces (playground, courts, fields).
- Determine which parks will have Winter Recreation including plowing snow, maintenance, events and activities.
- Maintain and improve existing green infrastructure, wetlands, mature trees and wildlife habitat.
- Design facilities and amenities that use vandal resistant materials, have hidden fasteners and require minimal maintenance.
- Where possible replace wood chips with poured in place rubber surface.
- Install gates at Community Parks to enforce compliance with park hours of operation and deter vandalism.
- Implement Disc Golf Activities within parks system.
- Implement a Dog Park area within select parks.
- Improve a Community and Recreation Center.
- Install tot lots in appropriate mini parks.

Goal #3 Partnerships & Funding

Seek a variety of funding opportunities that demonstrate fiscal responsibility and enhance park facilities, expand recreational programs, hold new events and engage civic groups to meet unmet needs in the City.

Objectives

- Leverage funding through local, state, regional and national grants, private foundations and other funders/investors.
- Explore opportunities for public-private partnerships to assist with park improvement projects.
- Engage with Oakland County Parks and explore opportunities to provide services and/or programming in the City.
- Work with partners to create programming and campaigns that encourage active and healthy lifestyles regardless of age or ability.
- Foster relationships with the Public and Private schools to seek opportunities for joint agreements regarding use, maintenance, improvements and long-term youth programs and minimize the costs to all entities.
- Work with School District of the City of Pontiac to offer 5th Grade Camp Program at a local youth camp like Camp Ohiyesa, Walled Lake Outdoor Education Center, Camp Wathana, Camp Tamarack, etc.
- Identify opportunities to share facilities and enhance relationships with other recreational providers, volunteers, businesses and civic groups.
- Develop park project funding plans for DNR Grant Submission.

Goal #4 Awareness & Communications

Address the needs for creating a line of communication and outreach with community members that will increase awareness of parks, programs and volunteer opportunities

Objectives

- Define ways to communicate and promote Pontiac parks, recreational facilities and programs and build awareness among the community.
- Develop signage and interpretive exhibits for the following:
  - » History of the Park and Park Namesake
  - » Natural Resources
  - » Information Kiosk and Park Map
  - » Safe Fishing/Safe Fish Eating
  - » Educational Signage to Discourage Feeding Wildlife
  - » Develop Park Rules Signage
  - » Wayfinding Signage on Roadways
  - » Wayfinding Signage in the Parks
- Update park information on interactive online mapping services (such as Bing and Google Maps).
- The Parks & Recreation Task Force to champion the implementation of the 2021-2025 Parks & Recreation Master Plan.
- Establish authority for management of water resources.

Goal #5 Connectivity & Accessibility

Provide residents with safe, convenient routes for a variety of transportation modes (i.e. walking, biking, transit, or automobile) to better access parks, community centers and linear parks throughout the City of Pontiac.

Objectives

- Encourage and facilitate discussions with City staff and consultants to ensure existing and proposed work within public rights-of-way meets the intention of the Complete Streets movement.
- Support the recommendations that evolved out of the Downtown Pontiac Livability Study and related objectives in the Pontiac Moving Forward Economic Recovery Strategy.
- Work with SMART to provide bus service to parks for special events.
- Improve connections within and between parks.
- Improve park security and entrance access.
- Support MDOT on the design and construction of the Woodward Loop Two-Way Conversion.

ACTION ITEMS & TIMELINE TABLE

Task	Estimated Cost	Estimated Timeline for Completion			
		Short Term (0-2 years)	Medium Term (3-5 years)	Long Term (5+ years)	Ongoing
MAINTENANCE & OPERATIONS					
Prepare a Crime Prevention Through Environmental Design (CPTED) Master Plan	$30,000				■
Complete a playground equipment audit.	$10,000				■
Prepare maintenance, upgrade and ADA accessibility plan for playground equipment and park amenities.	$45,000				■
Install energy efficient lighting along streets near parks and in key locations in the parks to increase security and safety and minimize light pollution on surrounding neighbors.	$40,000	■			
Increase Sheriff patrols in parks and add "Patrolled With Pride by Oakland County Sheriffs" signage at park entryways.	$10,000	■			
Develop a Maintenance Plan for the parks and trails.	$15,000	■			
Work with the Clinton River Watershed Council and the Michigan Department of Environmental Quality to test, monitor and remediate lake and river water quality.	$15,000				■
Install motion activated cameras to discourage and prosecute people illegally dumping.	TBD				■
Establish an ad-hoc Barrier-Free Evaluation Committee that would include persons with limited-mobility to review and assess park and recreation development and renovation projects as well as existing parks and recreation facilities and programs.	$10,000				■
Establish a Maintenance Endowment Fund.	TBD				■
Develop a Forestry and Landscaping Plan for trees, flowers and removing invasive species.	$20,000		■		
Establish a Parks & Recreation Department.	$200,000		■		
Prioritize and Repurpose the Ewalt Recreation Center.	$2,000,000		■		

Task	Estimated Cost	Estimated Timeline for Completion			
		Short Term (0-2 years)	Medium Term (3-5 years)	Long Term (5+ years)	Ongoing
PARK & FACILITY DEVELOPMENT					
Prepare site plans for community parks to design park facilities, provide construction cost estimates and identify phasing of improvements	$4,000 per park	■			
Construct a universally accessible playground.	$65,000			■	
Install poured in placed rubber surface under playground equipment	$10,000 per playground				■
Renovate existing restroom facilities and include family restroom and/or unisex restrooms where possible.	$175,000 per facility		■		
Conduct a parking needs assessment for on-street, parking lots, bike parking and extra parking for special events.	$10,000	■			
Ensure that all parks and recreation facilities adhere to ADA standards and are accessible to all users regardless of age or ability.	$20,000 per park				■
Design and construct a new spray park.	$500,000			■	
Design and construct a new concrete skate park.	$250,000			■	
Develop a Conversion Plan with the DNR to resolve existing conversions on previously grant assisted properties.	$20,000	■			
Coordinate with the Arts Community to determine appropriate locations and install outdoor public art in parks, community centers and along the trails.	$10,000				■
Establish a uniform set of design themes and branding that characterize Pontiac Parks and are used in benches, signage, trash receptacles, lighting fixtures, restrooms, picnic tables and other amenities.	$15,000				■
Implement Disc Golf Activities within park system.	$50,000	■			
Implement a Dog Park area within select parks.	$75,000	■			
Improve a Community and Recreation Center.	$500,000		■		

Task	Estimated Cost	Estimated Timeline for Completion			
		Short Term (0-2 years)	Medium Term (3-5 years)	Long Term (5+ years)	Ongoing
PARTNERSHIPS & FUNDING					
Develop a Capital Improvement Program for park facilities that considers impact, cost benefit and maintenance costs.	$25,000	■			
Work with organizations to start an "Adopt a Park" program.	$10,000				■
Develop park programming for Youth, Adult and Senior leagues and fitness classes and evaluate costs, participation and required resources.	$85,000				■
Seek funding and grant opportunities to leverage local funds to develop, maintain and improve City park and recreation facilities.	$10,000				■
Continue to foster relationships with recreation providers and the School District of the City of Pontiac to implement and promote programs.	$5,000				■
Seek funding to create a "Park Ambassador" program with local staff or volunteers to hold "pop-up" sporting events, answer questions and report any problems in the parks.	$40,000	■			

Task	Estimated Cost	Estimated Timeline for Completion			
		Short Term (0-2 years)	Medium Term (3-5 years)	Long Term (5+ years)	Ongoing
AWARENESS & COMMUNICATIONS					
Develop and promote a Calendar of Events for league sports (including practices), special events, festivals and programs.	$15,000	■			
Enhance the City's park website and add updated park maps and information.	$25,000				■
Update web mapping services to include park locations, available amenities, parking locations, photos and hours of operation.	$20,000				■
Use portable counters for tracking daily usage at parks and trails.	$10,000				■
Install WI-Fi hot spots and solar USB charging stations in the parks and community centers.	$20,000				■
Update City Charter with specific language to protect city parks from being sold without a vote of the people. Park properties should be identified in property deeds and legal descriptions.	$5,000	■			
Update City Zoning Ordinance and Map to include park property as Recreation/Open Space.	$5,000	■			
Review existing City Ordinances related to parks and update as needed.	$5,000	■			
Develop a signage and wayfinding manual to ensure proper location, sign type, consistent graphics and messaging.	$30,000		■		
Parks & Recreation Task Force to implement the 2021-2025 Parks & Recreation Master Plan	$100,000	■			
Establish authority for management of water resources.	$20,000		■		

Task	Estimated Cost	Estimated Timeline for Completion			
		Short Term (0-2 years)	Medium Term (3-5 years)	Long Term (5+ years)	Ongoing
CONNECTIVITY & ACCESSIBILITY					
Continue sidewalk audits and partner with Oakland University.	$5,000 per park				■
Create site addresses for parks and provide to first responders.	$10,000	■			
Install mile and kilometer markers along walking paths and trails.	TBD				■
Provide sidewalk connections to all parks.	TBD				■

Potential Funding Sources

Michigan Natural Resources Trust Fund (MNRTF)

Funding for the MNRTF is provided by revenue derived from royalties on the sale and lease of state-owned oil, gas and mineral rights and is used for a variety of outdoor recreational improvements including land acquisition. Funding varies from year to year and has been around $25 million statewide each year over the past three years. Development projects range from $15,000 to $300,000 and there are no set limits on acquisition grants. Trust fund grants require a minimum of a 25% match a current parks and recreation master plan. Grant applications are due on April 1st

DNR Recreation Passport Grant Program (RP)

The recreation passport program is funded by elective vehicle registration fees and permits. The fund is used for the development of local public recreation facilities, including improvements to non-motorized trails. Grant amounts range from $7,500 to $45,000 and require a minimum of a 25% match and current parks and recreation master plan or capital improvement plan. Statewide funding has been averaging about $1.3 million each year. Grant applications are due on April 1st

Land and Water Conservation Fund (LWCF)

The LWCF is actually a federal program administered by the DNR, but is typically viewed as a part of the three key state recreation funds. LWCF grants range between $30,000 and $150,000 for development projects. LWCF grants typically award $1.2 million each year and require a 50% match.

Ralph C. Wilson, Jr Foundation (RCWJF)

The RCWJF is a private philanthropic foundation that focuses on investments that improve the quality of life for people in four key areas: Children and Youth, Young Adults and Working Families, Caregivers and Livable Communities. The RCWJF concentrates its giving within Southeast Michigan and Western New York. Southeast Michigan is defined as Wayne, Oakland, Macomb, Monroe, Washtenaw, St. Clair and Livingston counties.

DTE Energy Foundation Tree Planting Grants

These funds are geared toward increasing the number of properly planted, established and maintained trees within the service territory of DTE Energy and located on public land or land open to the public. Statewide, the typical annual funding amount available is $70,000 and grant amounts are up to $3,000.

People For Bikes

The People For Bikes Community Grant Program provides funding for important and influential projects that leverage federal funding and build momentum for bicycling in communities across the U.S. These projects include bike paths and rail trails, as well as mountain bike trails, bike parks, BMX facilities and large-scale bicycle advocacy initiatives. Grants up to $10,000 will be considered and matching funds are highly encouraged.

Clean Michigan Initiative (CMI)

The CMI provides funding to implement physical improvements identified in approved watershed management plans that are intended to restore impaired waters and protect high quality waters. Practices must address specific sources of nonpoint source pollution identified by Michigan's Nonpoint Source Program Plan. Physical improvements are structural and vegetative best management practices. Approximately $1-$2 million has been available most funding rounds. There is no maximum for proposals submitted. The minimum project amount is $25,000 and requires a minimum 25% match.

Recreational Trails Program (RTP)

The Recreational Trails Program/Recreation Improvement Fund is administered by the DNR for trails on State land or linked to a trail on State land. The DNR division must always be the applicant, but can be developed as a joint application with a local unit of government. Applications are typically due in June of each year. Additional information can be found on the DNR-Grants website.

Transportation Alternatives Program (TAP)

In Michigan, most pedestrian and bicycle improvements have been traditionally funded through the Transportation Alternatives Program, or Transportation Enhancements as they were known under the previous federal transportation bills. Southeast Michigan Council of Governments (SEMCOG) and Michigan Department of Transportation (MDOT) have set allocations of funding, however they use the same application process, coordinate on funding and sometimes jointly fund projects.

Congestion Mitigation and Air Quality (CMAQ)

In Michigan, most CMAQ funds have traditionally gone to traffic signal optimization projects due to the way projects are currently evaluated in the state. However, pedestrian and bicycle projects that are not exclusively recreational are specifically mentioned as typically eligible along with bike lanes on existing streets. If there is a safety component of the proposed project this allows a 100 percent federal share of the project. Also, construction engineering costs of up to 15% of the construction costs may be considered. The call for local CMAQ projects corresponds to MDOT and SEMCOG's Transportation Improvement Program (TIP) development schedule. This funding source will require substantial work with the Road Commission for Oakland County (RCOC), SEMCOG and MDOT.

Safe Routes to School (SRTS)

In Michigan, the Safe Routes to School program is administered by MDOT in collaboration with the Michigan Fitness Foundation. Total infrastructure grant amounts vary greatly each year, but tend to average a little over $4 million a year since 2008. The SRTS program uses the same application process as the Transportation Alternatives Program and they are accepted on a rolling basis. There are multiple award rounds made each year. Schools or school districts seeking funding are required to develop a safe routes to school plan, which is a fairly involved process.

Community Development Block Grants (CDBG)

CDBG grants originate with the Federal Department of Housing and Urban Development (HUD) and are administered in Oakland County through Oakland County's Economic Development & Community Affairs Division. The program targets activities that benefit low and moderate income individuals.

Dedicated Millage

Local municipalities can levy a dedicated tax for recreation purposes. Because the levying of a new or increased millage typically requires a popular vote, a community marketing campaign is often necessary to demonstrate the benefits to the community.

Private Donations

Donations can be obtained from local citizens, businesses, philanthropic foundations and other groups that may be in the form of cash donations, material donations, technical services, advertising, etc.

Public-Private Partnerships (P3)

P3 is any partnership between a government agency and private-sector company that can spark reinvestment in parks and open spaces.

Neighborhood Empowerment Program (NEP)

NEP is open to organizations and citizen groups in Pontiac to make a positive, sustainable impact on the City. Many park improvement projects have been submitted for NEP grant funding and range from installing picnic tables to resurfacing basketball courts and installing playground equipment.

Patronicity

Patronicity has partnered with the Michigan Economic Development Corporation (MEDC) to create the Public Spaces Community Places initiative. This collaborative effort allows municipalities and non-profits to submit community-based projects and use crowdfunding to leverage funds. If the campaign is successful in raising funds, the project will be backed with a matching grant from MEDC of up to $50,000.

The Skatepark Project

The Skatepark Project aims to promote high quality, public skateparks in low-income areas throughout the United States, and to support International programs that enrich the lives of youth through skateboarding.

KaBOOM!

KaBOOM! is a national non-profit dedicated to bringing balanced and active play into the daily lives of all kids, particularly those growing up in poverty in America.

#2

MINUTES

2-2-21

Official Proceedings
Pontiac City Council
213th Session of the Tenth Council

Call to order
A Formal Meeting of the City Council of Pontiac, Michigan was called to order electronically, on Tuesday, February 2, 2021 at 6:00 p.m. by Council President Kermit Williams.

Roll Call

Members Present	Attendance	Location
Carter	Remotely	Lansing, Ingham County, MI
Miller	Remotely	Pontiac, Oakland County, MI
Pietila	Remotely	Pontiac, Oakland County, MI
Shramski	Remotely	Pontiac, Oakland County, MI
Taylor-Burks	Remotely	Pontiac, Oakland County, MI
Waterman	Remotely	Pontiac, Oakland County, MI
Williams	Remotely	Pontiac, Oakland County, MI

Mayor Waterman was present.
Clerk announced a quorum.

Amendments and Approval of the Agenda
21-16 **Motion to add on amendment A (Resolution for Phase Two of Oakland County's City Village and Township Grant Program to Support Dine-In Restaurants, Bars and Cafes during COVID-19) to the agenda after item #6.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Miller, Pietila, Shramski, Taylor-Burks, Waterman and Williams
No: Carter
Motion Carried

21-17 **Motion not to add amendment B (Resolution on the Medical Marihuana Process) to the agenda and remove item #9 (Resolution regarding the City Clerk's Medical Marihuana Obligations) from the agenda.** Moved by Councilperson Waterman and second by Councilperson Miller.

Ayes: Pietila, Shramski, Taylor-Burks, Waterman, Williams, Carter and Miller
No: None
Motion Carried

21-18 **Motion to add on amendment C (Resolution to approve the City of Pontiac participation in the North Oakland Household Hazardous Waste Consortium) to the agenda as new Item #9.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Shramski, Taylor-Burks, Waterman, Williams, Carter, Miller and Pietila
No: None
Motion Carried

DRAFT

Motion to add amendment d (Resolution to approve the Metro Act Right of Way Permit Extension) to the agenda. Moved by Councilperson Pietila and second by Councilperson Taylor-Burks. Councilperson Pietila withdrew her motion and Councilperson Taylor-Burks withdrew her second.

21-19 **Motion to move items #7 (Adoption of an Ordinance to Amend the City of Pontiac General Employees' Retirement System) and #8 (Adoption of an Ordinance to Establish the City of Pontiac Reestablished General Employees' Retirement System), Recognition of Elected Officials, and item #5 (MDOT special presentation) after the approval of the agenda.** Moved by Councilperson Taylor-Burks and second by Councilperson Waterman.

Ayes: Waterman, Williams, Carter, Miller, Pietila, Shramski and Taylor-Burks
No: None
Motion Carried

21-20 **Approval of the agenda as amended.** Moved by Councilperson Pietila and second by Councilperson Waterman.

Ayes: Williams, Carter, Miller, Pietila, Shramski, Taylor-Burks and Waterman
No: None
Motion Carried

Ordinances

21-21 **Adoption of an Ordinance to Amend the City of Pontiac General Employees' retirement System.** Moved by Councilperson Taylor-Burks and second by Councilperson Shramski.

The City of Pontiac ordains:

Section 1. Amendments.

That the City of Pontiac General Employees' Retirement System ("GERS") is hereby amended as follows:

a. Section 42(c)(3) [92-52(c)(3)] of the GERS is amended in its entirety to read as follows:

> (3) Distributee. A "distributee" includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Code Section 414(p), are "distributees" with regard to the interest of the spouse or former spouse. A distributee also includes an eligible designated non-spouse beneficiary. In the case of a nonspouse beneficiary, the direct rollover may be made only to a traditional IRA or Roth IRA that is established on behalf of the designated beneficiary and that will be treated as an inherited IRA pursuant to the provisions of Code section 402(c)(11). Also in this case, the determination of any required minimum distribution under Code section 401(a)(9) that is ineligible for rollover shall be made in accordance with Notice 2007-7, Q&A 17 and 18, 2007-5 I.R.B. 395.

Section 2. Severability.

DRAFT

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

Section 3. Repealer.

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

Section 4. Publication.

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

Section 5. Effective Date.

This Ordinance shall be effective 10 days after adoption by the City Council.

Ayes: Miller, Pietila, Shramski, Waterman and Williams
No: Carter
Ordinance Passed
Councilwoman Doris Taylor-Burks did not vote

21-22 **Adoption of an Ordinance to Establishing the City of Pontiac Reestablished General Employees' Retirement System.** Moved by Councilperson Shramski and second by Councilperson Pietila.

Ayes: Miller, Pietila, Shramski, Taylor-Burks, Waterman, and Williams
No: Carter
Ordinance Passed

****The City of Pontiac Reestablished General Employees' Retirement System Ordinance attached as Exhibit A.****

Recognition of Elected Officials
State Senator Rosemary Bayer

Special Presentation
Michigan Department of Transportation (MDOT) Woodward Wide Track Loop Conversion
Presentation Presenters: Mayor Waterman, Paul Ajegba, Director, MDOT, Kim Avery, Metro Region Engineer, MDOT and Lori Swanson, PE Oakland TSC Manager, MDOT

Councilwoman Mary Pietila left the meeting.

Suspend the rules
21-23 **Suspend the rules to move item #10 (Resolution to approve Zoning Map Amendment [ZMA 20-07], 729 Linda Vista, PIN 64-14-21-451-002 [former Mark Twain School site] from R-1 One Family Dwelling to R-3 Multiple Family Dwelling zoning district.) before approval of the minutes.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: Shramski, Taylor-Burks, Waterman, Williams, Carter and Miller

No: None
Motion Carried

Resolution
Planning
21-24 **Resolution to approve Zoning Map Amendment [ZMA 20-07], 729 Linda Vista, PIN 64-14-21-451-002 [former Mark Twain School site] from R-1 One Family Dwelling to R-3 Multiple Family Dwelling zoning district.** Moved by Councilperson Miller and second by Councilperson Waterman.

Whereas, The City has received an application for a Zoning Map Amendment for 729 Linda Vista, identified as PIN 64-14-21-451-002 from Terence Anderson for the rezoning of the aforementioned parcel; and
Whereas, the Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and
Whereas, the Planning Division reviewed the requirements set forth by Section 6.804 of the Zoning Ordinance, the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and
Whereas, In Accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and
Whereas, on November 18, 2020 a Public Hearing was held and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for 729 Linda Vista, approving the change from the current R-1 One Family Dwelling zoning district to R-3 Multiple Family Dwelling zoning district; and
Now Therefore, Be It Resolved, that the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment [ZMA 20-07] request for 729 Linda Vista, also known as Parcel No. 64-14-21-451-002 to amend the current site zoning from R-1 One Family Dwelling to R-3 Multiple Family Dwelling zoning district.

Ayes: None
No: Shramski, Taylor-Burks, Waterman, Williams, Carter and Miller
Resolution Failed

Approval of the Minutes
21-25 **Motion to approve the meeting minutes for January 26, 2021.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: Taylor-Burks, Waterman, Williams, Carter, Miller, and Shramski
No: None
Motion Carried

Subcommittee Reports
Received Community Development Subcommittee Reports – January 19, 2021

Received Department of Public Works Subcommittee Reports – January 22, 2021

Special Presentations Continued.
Office of the City Clerk Medical Marihuana Review Process Update
Presentation Presenters: Garland Doyle, Interim City Clerk and Jonathan Starks, Special Assistant to the Clerk

Pontiac Youth Recreation and Enrichment Center (PYREC) Update
Presentation Presenters: Mayor Waterman, Robert Burch, PYREC, Gavin McGuire, Boys and Girls Clubs of Southeastern Michigan (BGCSM) and Tiffany Sula, BGCSM

Councilwoman Patrice Waterman left the meeting.

Resolutions
Economic Development
21-26 **Resolution for Phase Two of Oakland County's City Village and Township Grant Program to Support Dine-In Restaurants, Bars and Cafes during COV-19.** Moved by Councilperson Shramski and second by Councilperson Miller.

Whereas, Oakland County has implemented the Oakland Together Restaurant Relief Grant for Cities, Villages and Townships (CVTs) Program allowing municipalities to assist restaurants, bars and cafes and provide support to those within their jurisdiction during the Covid-19 pandemic; and
Whereas, the program allows grant funding to assist with creating and expanding outdoor dining opportunities; and
Whereas, under the program, the City of Pontiac is eligible for a minimum of $98,367 in grant funding for such assistance; and
Whereas, the grant application period is between January 27, 2021 and February 4, 2021; and
Now, Therefore, Be It Resolved, that the City Council of the City of Pontiac, hereby approve the submission of the Grant Application to Oakland County in the amount of $98,367 and authorize the Mayor to execute all necessary and related documents for the grant application and administration.

Ayes: Williams, Carter, Miller, Shramski and Taylor-Burks
No: None
Resolution Passed

Department of Public Works (DPW)
21-27 **Resolution to approve the City of Pontiac participation in the North Oakland Household Hazardous Waste Consortium.** Moved by Councilperson Shramski and second by Councilperson Carter.

Whereas, the northern cities, villages, and townships in Oakland County are committed to protection of the natural environmental and preventing toxic materials from entering our waterways and landfill resources; and
Whereas, the improper handling and disposal of toxic and poisonous household chemicals also poses a health risk to our citizens; and
Whereas, recognizing there is a need to provide regular and easily accessible household hazardous waste collection services to North Oakland County residents; and
Whereas, collection events for household hazardous waste have become widely accepted as the best way to provide citizens with a safe method of disposal of these toxic and poisonous household chemicals, and for the communities to realize the economies of scale, and
Whereas, Oakland County, through its Planning and Local Business Development Division, has joined these northern Oakland County communities in creating the North Oakland Household Hazardous Waste Consortium (NO HAZ), and
Whereas, the NO HAZ Consortium has developed a household hazardous waste collection program, and
Whereas, a NO HAZ Interlocal Agreement has been drafted to address necessary legal, liability, and responsibility issues for both the County and the participating communities, and identifies Oakland County's role in administering and managing the NO HAZ program, and

Whereas, the NO HAZ Interlogal Agreement establishes a NO HAZ advisory board to assists and advise Oakland County in the development of the NO HAZ program.
Now, Therefore, Be it Resolved, that our community, City of Pontiac hereby approves the attached NO HAZ Interlocal Agreement and authorizes its signature, and
Be It Further Resolved, that we will not charge residents to participate in NO HAZ events in 2021, and
Be It Further Resolved, that we hereby appoint Dan Ringo as our official representative to the NO HAZ Advisory Board, to work with the Oakland County Planning and Local Business Development Division as needed to plan the NO HAZ program for 2021.

Ayes: Williams, Carter, Miller, Shramski and Taylor-Burks
No: None
Resolution Passed

Mayoral Monthly Reports
Received the Personnel Monthly Staff Report

Received the Monthly Check Register (**The check registers for December 31, 2020; January 8, 15 and 22, 2021 are attached**)

Received the City Credit Card Statement (**Per the Mayor's Office, the Finance Director will issue to the City Council Members**)

Public Comment
Five (5) individuals submitted a public comment read by the City Clerk

Mayor, Clerk and Council Closing Comments
Mayor Waterman, Legislative Counsel Monique Sharp, Councilwoman Doris Taylor-Burks, Councilwoman Megan Shramski, Councilwoman Gloria Miller, Council President Pro-Tem Randy Carter and Council President Kermit Williams made closing comments.

Adjournment
President Kermit Williams adjourned the meeting at 8:34 p.m.

DRAFT

GARLAND S DOYLE
INTERIM CITY CLERK

Exhibit A

Ordinance No. XXXX

The City of Pontiac ordains:

Section 1. Amendments.

That the City of Pontiac Reestablished General Employees' Retirement System is hereby established and adopted to read as follows:

CITY OF PONTIAC
REESTABLISHED GENERAL EMPLOYEES' RETIREMENT SYSTEM

SECTION 1
NAME AND EFFECTIVE DATE

The City of Pontiac General Employees' Retirement System (codified at chapter 92, article I of the Municipal Code of Pontiac, Michigan) was established effective January 1, 1946, for the purpose of providing retirement allowances and death benefits for employees of the City of Pontiac (the *City*) under the provisions of the amendment to the Charter of the City of Pontiac, Michigan (the *GERS*). The GERS is replaced by the City of Pontiac Reestablished General Employees' Retirement System established by this retirement system (the *Retirement System*).

This Retirement System shall be put into effect immediately upon final passage by the Pontiac City Council with an effective date of April 1, 2021 (the *Effective Date*). This Retirement System will apply to individuals who were members of the GERS on the date immediately prior to the Effective Date and to the limited group of individuals described in Section 11 employed by the City on or after the Effective Date.

SECTION 2
DEFINITIONS

The following words and phrases as used in this Retirement System, unless a different meaning is plainly required by the context, shall have the following meanings:

Accumulated Contributions means the sum of all amounts deducted from the Compensations of a Member and credited to the Member's individual account in the Annuity Savings Fund, together with Regular Interest thereon.

Actuarial Equivalent means the equivalence in the present value of various forms of payment. Present value will be determined by the Retirement System's actuary based upon the mortality tables and interest rates established from time to time by the Board. For purposes of determining the actuarial equivalence of benefits, the actuary for the Retirement System shall use 7.00% interest rate and the RP-2014 Healthy Annuitant Mortality Table projected to 2021 using the 2-dimensional MP-2014 improvement scale Set Forward 0 Years for retirees and for beneficiaries. The unisex mix shall be 50% Male and 50% Female.

Annuity means an annual amount, payable in equal monthly installments for life, derived from the Accumulated Contributions of a member.

Annuity Reserve means the present value of all payments to be made on account of any Annuity computed upon the basis of such mortality table and Regular Interest as the Board shall from time to time adopt.

Annuity Savings Fund means the fund described in Section 32.

Beneficiary means any person, except a Retirant, who is in receipt of a Pension, Retirement Allowance, or other benefit payable from funds of the Retirement System.

Board means the Board of Trustees provided for by this Retirement System.

City means the City of Pontiac, State of Michigan, and any instrumentality of the City.

Compensation means a Member's salary or wages paid by the City for Services rendered by him to the City. In any case where a Member's compensation is not all paid in money, the Board shall fix the value of that part of the Member's compensation not paid in money. Compensation shall include those items specifically referenced in the applicable collective bargaining agreement.

Notwithstanding anything herein to the contrary, *Annual Compensation* shall mean Compensation during the Plan Year or such other consecutive 12-month period over which Compensation is otherwise determined under the Retirement System (the "*determination period*"). The Annual Compensation of each Member taken into account in determining benefit accruals in any Plan Year beginning after December 31, 2001, shall not exceed $200,000.00. In determining benefit accruals in years beginning after December 31, 2001, the Annual Compensation limit for determination periods beginning before January 1, 2002, shall be $150,000.00 for any

determination period beginning in 1996 or earlier; $160,000.00 for any determination period beginning in 1997, 1998, or 1999; and $170,000.00 for any determination period beginning in 2000 or 2001. The $200,000.00 limit on Annual Compensation shall be adjusted for cost-of-living increases in accordance with section 401(a)(17)(B) of the Internal Revenue Code. The cost-of-living adjustment in effect for a calendar year applies to Annual Compensation for the determination period that begins with or within such calendar year.

Council means the Pontiac City Council.

Credited Service means the sum of the Prior Service and Membership Service credited to a Member's Service Account.

Deferred Vested Former Member means any person who meets the requirements of Section 18.

Effective Date means April 1, 2021.

Final Average Compensation means the highest average Annual Compensation received by a Member during a period of five consecutive years of Service contained within the Member's ten years of Service immediately preceding Retirement. If the Member has less than five years of Credited Service, Final Average Compensation shall be the average of the Member's Annual Compensations received during the Member's total years of Credited Service. Final Average Compensation shall be calculated in accordance with the applicable collective bargaining agreement.

(a) For nonunion employee-Members of the Retirement System (excluding PGH employees), *Final Average Compensation* means the highest average Annual Compensation received by such Member during a period of three consecutive years of Service contained within such Member's ten years of Service immediately preceding Retirement. If the Member has less than three years' Credited Service, Final Average Compensation shall be the average of the Member's Annual Compensation received during the Member's total years of Credited Service.

(b) Effective July 1, 1996, *Final Average Compensation* for 50th Judicial District Court Judges and nonunion employee-Members (i) means the highest average Annual Compensation received by such Member during a period of three consecutive years of Service contained within such Member's five years of Service immediately preceding Retirement; and (ii) shall include the amount of payment by the City to the employee-Member for unused sick time contained in the employee-Member's primary sick leave bank up to a maximum of 1,500 hours.

(c) Effective July 1, 2002, *Final Average Compensation* for nonunion management employee-Members of the Retirement System means the highest average Annual Compensation received by such Member during a period of three consecutive years of Service contained within such Member's ten years of Service immediately preceding Retirement. If such Member has less than three years' Credited Service, Final Average Compensation shall be the average of such Member's Annual Compensation received during the Member's total years of Credited Service.

(d) For purposes of calculating Final Average Compensation, the term *year* shall mean the period of time consisting of 365 days (366 days in a leap year) corresponding back from the Member's effective Retirement/separation date. In the event the Member's periods of Service

immediately preceding the Member's effective Retirement/separation date do not result in the highest Final Average Compensation, the Member's benefits will be calculated based upon a calendar year basis. The periods of time to be used for Final Average Compensation shall be consecutive. Compensation shall be credited to the period in which it is paid; however, retroactive pay, if any, shall be credited to the period(s) in which it would have been paid/earned and not to the period in which the lump sum payment is received in accordance with Board's final average compensation policy.

(e) For nonunion employee-Members, Final Average Compensation shall include the amount of the payment by the employer to the nonunion employee-Member for unused sick time contained in the nonunion employee-Member's primary sick leave bank up to a maximum of 1,500 hours. For nonunion employee-Members, Compensation shall include longevity at the time of retirement.

(f) Effective November 9, 1981, for Member's who have rights pursuant to an amended agreement (as a result of a settlement of litigation as authorized by City Council Resolution No. 770-84 adopted November 20, 1984, and in accordance with a consent judgment dated July 23, 1985, in Oakland County Circuit Court, Case No. 83-254373CK), *Final Average Compensation* shall include the amount of payment by the employer to the employee for unused sick leave pursuant to said amended agreement.

Final Compensation means a Member's annual rate of Compensation at the time the Member's employment with the City is last terminated.

GERS means the City of Pontiac General Employees' Retirement System established effective January 1, 1946, as amended and/or restated.

GERS Assets means assets held within the GERS on the date of its termination equal to 130% of the GERS liabilities/obligations on that date.

IRC means the Internal Revenue Code of 1986, as amended.

Member means any person who is included in the Membership of the Retirement System.

Member's Service Account means the account described in Section 15.

Membership has the meaning set forth in Section 11.

Membership Service means Service rendered after December 31, 1945.

Pension means an annual amount, payable in equal monthly installments for life, derived from moneys provided by the City.

Pension Reserve means the present value of all payments to be made on account of any Pension computed upon the basis of such mortality and other tables of experience, and Regular Interest, as the Board shall from time to time adopt.

Pension Reserve Fund means the fund described in Section 34.

PGH means the Pontiac General Hospital.

Plan Year means the 12-month period ending each December 31.

Police or Fire Member or Police or Fire Members means, in the case of a police officer, any employee of the Police Department of the City holding the rank of patrol officer, including probationary patrol officer, or higher rank; and in the case of the fire fighter, any employee of the Fire Department of the City holding the rank of pipeman, including probationary pipeman, or higher rank, who shall be excluded from Membership in the Retirement System.

Prior Service means service rendered to the City prior to January 1, 1946.

Regular Interest means such rates of interest per annum, compounded annually, as the Board shall from time to time determine; provided, that regular interest shall be determined by the Board but in no case shall be less than two percent per annum, compounded annually.

Retirant means any Member who retires with a Pension or Retirement Allowance payable pursuant to the provisions of this Retirement System.

Retirement means withdrawal from active Service with a Pension or Retirement Allowance granted under this Retirement System.

Retirement Allowance means the sum of the Annuity and the Pension.

Retirement Reserve Fund means the fund described in Section 33.

Retirement System means this City of Pontiac Reestablished General Employees' Retirement System.

Service means service rendered to the City by a person as an officer or employee of the City while a Member of the Retirement System or member of the GERS.

Settlement Agreement means the settlement agreement entered into in *City of Pontiac Retired Employees Association et. al. v. Schimmel et. al.*, Docket #64-2, Case No. 2:12-cv-12830-AC-PJK dated March 30, 2018 (United States District Court Eastern District of Michigan), which was given final approval by the court on November 19, 2018.

Social Security Date means the date the agreement between the authorized State agency and the Secretary of Health, Education and Welfare of the United States is modified to cover the eligible employees of the City under the Old-Age and Survivor's Insurance Program of the Federal Social Security Act.

Trustee means an individual serving on the Board.

Voluntary Retirement Age means age 55 years with 25 or more years of Credited Service, otherwise

age 60 years. Voluntary Retirement Age shall be the age and/or service requirements specifically referenced in the applicable collective bargaining agreement.

(a) Effective July 1, 1996, *Voluntary Retirement Age* for 50th Judicial District Court Judges and nonunion employee-Members of the retirement system shall mean age 50 with 25 or more years of Credited Service; age 55 with 20 or more years of Credited Service; otherwise age 60 with ten or more years of Credited Service.

The masculine gender shall include the feminine, and words of the singular number in relation to persons shall include the plural number and vice versa. Headings are for convenience and are not controlling.

SECTION 3
TRANSFER OF ASSETS / ASSUMPTION OF LIABILITIES AND OBLIGATIONS

As soon as administratively feasible after the Effective Date, the GERS Assets shall be transferred to or assumed by, and become assets of the Retirement System.

All obligations and liabilities of the GERS existing on the Effective Date, including continuation of payments and accrual of benefits, are hereby assumed by and made obligations and liabilities of the Retirement System upon transfer of the GERS Assets to the Retirement System.

The assets and obligations so transferred to and assumed by the Retirement System shall be charged to or credited to the various accounts of the Retirement System according to the purposes for which they existed under the GERS.

Benefits provided under this Retirement System are meant to replace the benefits which would have otherwise been available to the Members and Beneficiaries had the GERS not terminated (and had its assets not been transferred to and liabilities assumed by the Retirement System). In no event shall a Member or Beneficiary receive duplicative benefits under both the GERS and the Retirement System.

SECTION 4
ADMINISTRATION OF RETIREMENT SYSTEM

There is hereby created a Board in whom is vested the general administration, management, and responsibility for the proper operation of the Retirement System and for making effective the provisions of this Retirement System. The Board shall be a quasi-judicial body consisting of 11 Trustees as follows:

(a) A member of the Council to be selected by the Council.

(b) The Mayor of the City.

(c) The Finance Director of the City.

(d) The Council shall appoint three citizens who are electors and freeholders of the City and who are not eligible to receive benefits under this Retirement System, hereinafter referred to

as the citizen Trustees.

(e) Three Members of the Retirement System, one of whom shall be an active Member to be nominated and elected by the active Members of the Retirement System, and two of whom shall be either active, deferred vested or retired Members, nominated and elected by the active, deferred vested and retired Members (hereinafter referred to as the "Member Trustees").

(f) One Retirant of the Retirement System to be elected by the Retirants of the Retirement System.

(g) One deferred vested or retired Member of the Retirement System who was formerly employed by Pontiac General Hospital ("PGH Member") shall be nominated and elected by the deferred vested or retired Members who were formerly employed by PGH, pursuant to an election or nominating procedure adopted by the PGH Members. Elections shall be conducted by the PGH Members and shall be held in such a manner as to afford all PGH deferred and retired Members the opportunity to vote.

(h) The election of the Trustees provided for in subsections (e) and (f) of this section shall be conducted under such rules and regulations as the Board shall adopt to govern such elections.

(i) In exercising its fiduciary responsibilities, the Board shall act for the exclusive benefit of the Retirement System's participants and their beneficiaries and shall exercise the care, skill, prudence, and diligence under the circumstances then prevailing that an individual of prudence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and similar objectives.

(j) The Board shall indemnify to the extent authorized or permitted by law the members of the Board, their representatives, and any other employees of the City who are deemed to be acting on behalf of the Retirement System and hold them harmless against any and all liabilities, including legal fees and expenses, arising out of any act or omission made or suffered in good faith pursuant to the provisions of the Retirement System, or arising out of any failure to discharge any fiduciary obligation imposed, other than a willful failure to discharge a fiduciary obligation of which the person was aware. There shall be no duty to indemnify where such person is judicially determined to have incurred liability due to fraud, gross negligence, or malfeasance in the exercise and performance of their duties.

SECTION 5
APPLICABLE LAW

The Board shall administer this Retirement System consistent with the trust fund provisions, Article 9, Section 24, of the State of Michigan Constitution and other applicable law. The Board shall have the fiduciary obligations, limitations, and authority as provided by Public Act 314 of 1965 of the State statutes, as amended. The Board shall administer this Retirement System in accordance with applicable collective bargaining agreements; provided, that any increase in Pension benefits, provided by collective bargaining agreement or otherwise, shall be funded by the employer; and provided further, that the assets of the Retirement System representing current service funding shall not be used to fund such increase in benefits.

SECTION 6
TRUSTEES' REGULAR TERM OF OFFICE—VACANCY

The board of trustees of the GERS, as comprised on the date prior to the Effective Date, is hereby designated and continued as the initial Board of the Retirement System. The terms of office of the Trustees holding office on the Effective Date shall expire on the same date as they would have expired had the termination of the GERS not occurred.

Thereafter, the regular term of office of the citizen Trustees, the employee Member-Trustees, and the Retirant-Trustee provided for in Sections 4(d), (e), (f), and (g) shall be four years, each serving until a successor is elected or appointed and qualified. If a vacancy occurs in the office of Trustee, the vacancy shall be filled within 90 days after the date of the vacancy, for the unexpired term, in the same manner as the office was previously filled. A vacancy shall occur: (1) if the Trustee ceases to be eligible for nomination for the position being held, or (2) the Trustee fails to meet the standards of attendance as adopted by the Board. Each Trustee shall within ten days after appointment or election take an oath of office to be administered by the City Clerk.

SECTION 7
MEETINGS OF THE BOARD—COMPENSATION—PROHIBITED ACTIONS

The Board shall hold meetings regularly, at least one in each month, and shall designate the time and place thereof. The Board shall adopt its own rules of procedure and shall keep a record of its proceedings. All meetings of the Board shall be public. The members of the Board shall serve without compensation for their services as Trustees, and shall be reimbursed for all actual necessary expense incurred in performance of duties.

All assets of the Retirement System shall be held and invested for the sole purpose of meeting the legitimate obligations of the Retirement System and shall be used for no other purpose. Members of the Board and its representatives are prohibited from:

(1) Having a beneficial interest, direct or indirect, in an investment of the Retirement System.

(2) Borrowing money or assets of the Retirement System.

(3) Receiving any pay or payment from any individual or organization providing services to the Retirement System, other than compensation for personal services or reimbursement of authorized expenses paid by the Retirement System.

The Board shall adopt policies and procedures for the proper administration of the Retirement System.

Nothing contained herein shall be construed to impair the rights of any Member, Retirant, or Beneficiary of the Retirement System to benefits provided by the Retirement System.

SECTION 8
EACH TRUSTEE ENTITLED TO VOTE

Six Trustees shall constitute a quorum at any meeting of the Board. Each Trustee shall be entitled to one vote in the meeting of the Board and at least six concurring votes shall be necessary for a decision by the Trustees.

However, seven concurring votes shall be required (a) whenever the Board votes to invest in any alternative investment, including but not limited to real estate, private equity, or hedge funds; and (b) whenever the Board votes on any investment decision if the Retirement System is determined by the Retirement System's actuary to be less than 90% funded.

SECTION 9
CHAIR OF BOARD—OFFICERS AND PROFESSIONAL ADVISORS

The Board shall annually elect from its members a Chairperson and a Vice Chairperson.

(a) Secretary. The Director of Finance, ex officio, shall be the Secretary to theBoard.

(b) Treasurer. The Board may select a custodial bank or trust company to provide custodial services to the Retirement System. All payments from the funds of the Retirement System shall be made in accordance with law only upon resolution adopted by the Board authorizing such payment or payments.

(c) Legal Advisor. An attorney selected by the Board shall be the legal advisor to the Board and shall serve at the pleasure of the Board.

(d) Actuary. The Board shall appoint an actuary who shall be the technical advisor to the Board on matters regarding the operation of the Retirement System and who shall perform such other duties as are required in connection therewith.

(e) Medical Director. The Board shall appoint as Medical Director a physician who is not eligible for Membership in the Retirement System, and who has not within five years prior to appointment as Medical Director filled an elective, appointive, or salaried office in the City or Oakland County governments; provided, that service as an intern in any City, County, or State hospital or sanitarium, and service in any military body, shall not disqualify a physician for appointment as Medical Director. The Medical Director shall be responsible to and shall hold office at the pleasure of the Board. The Medical Director shall arrange for and pass upon all medical examinations required under the provisions of this Retirement System; shall investigate all essential statements and certificates of a medical nature by or on behalf of a Member or Beneficiary in connection with an application for disability benefits or accidental death benefits; and shall report in writing to the Board his/her conclusions on matters referred to the Medical Director.

(f) Employment of Professional and Clerical Services. The Board may employ such professional, clerical, and other services as are required for the proper operation of the Retirement System.

(g) Executive Director. The Board may delegate to an Executive Director the responsibility and authority to act on its behalf regarding administrative matters that are within the authority of the Board. No delegation under the provision shall be construed as a delegation of the Board's fiduciary responsibility. The Executive Director shall manage and administer the Retirement System under the supervision and direction of the Board. The Board shall have the authority to establish job descriptions and promulgate rules and regulations appropriate for the Executive Director and Retirement System staff.

SECTION 10
SYSTEM RECORDS AND MORTALITY TABLES

(a) Records of Retirement System—Annual Report. The Secretary shall keep, or cause to be kept, in convenient form, such data as shall be necessary for an actuarial valuation of the assets and liabilities of the Retirement System. The Board annually shall render a report to the Council, on or before November 1st, showing the fiscal transactions of the Retirement System for the prior calendar year and a balance sheet showing the financial condition of the Retirement System at the close of the prior calendar year by means of an actuarial valuation of the assets and liabilities of the Retirement System.

(b) Mortality and Other Tables. The Board shall adopt such mortality and other tables of experience as are necessary in the operation of the Retirement System on an actuarial basis.

SECTION 11
MEMBERSHIP

(a) Membership Consists Of. The "Membership" of the Retirement System shall include (1) all employees and officials of the City who were in the service of the City on the day preceding January 1, 1946 and who continue in the service of the City on and after January 1, 1946, and (2) subject to section (g) below, all persons who become employees of the City, the City of Pontiac Police and Fire Retirement System, the GERS, and/or the Retirement System, on and after January 1, 1946. The "Membership" of the Retirement System shall not include (1) any person whose services are compensated for on a contractual or fee basis, (2) the Medical Director, (3) elected officials of the City who are employed in a City position requiring less than full-time, (4) any employee who is not a full-time, regular employee, (5) any employee who has once retired on any type of Retirement Allowance from the Retirement System (or a retirement allowance from the GERS), and is subsequently rehired by the City, (6) any police officer or firefighter who is a member of the City of Pontiac Police and Fire Retirement System, or (7) any employee who is included by law, by action of the Council, by collective bargaining agreement, by individual employment agreement or by individual choice of retirement plan, in any other pension or retirement plan by reason of the compensation paid by the City, except the Federal Old Age, Survivors and Disability Insurance program.

(b) Right to Decide Membership. In cases of doubt, the Board shall decide who is a Member within the meaning of the provisions of this Retirement System. For purposes of determining Membership, employment with the City of Pontiac Police and Fire Retirement System, the GERS, and/or the Retirement System shall be considered Membership positions.

(c) Continued Membership. Notwithstanding any provision hereof to the contrary, any person who becomes a Member of the Retirement System as a full-time, regular employee shall remain a Member of the Retirement System as long as said person remains an employee of the City, the City of Pontiac Police and Fire Retirement System, the GERS, and/or the Retirement System, even if such person shall at any time, subsequent to becoming a Member of the Retirement System, become a part-time employee and not a full-time, regular employee, provided said Member has not had a break in service. Credited Service for such employees who are Members of the Retirement System shall be computed as set forth in rules and regulations to be established by the Board.

(d) Effect of Workers Compensation. Members who are in receipt of workers' compensation will be granted Credited Service for the period during which they are in receipt of workers' compensation. No Credited Service will be earned during any period without pay including unpaid leaves of absence including leaves under Family Medical Leave Act of 1993, as amended.

(e) Mayor of the City. Each Mayor of the City shall have a period of thirty (30) days after taking office to elect, in writing directed to the Secretary, whether or not to be a Member of the Retirement System. Once such election has been made by any Mayor, it shall be irrevocable for that Mayor. In the case of such election not to be a Member of the Retirement System by a Mayor, neither that Mayor nor any beneficiary of at Mayor so electing shall be entitled to any payments from the Retirement System.

(f) Participation in other City Retirement Plans. In the event an individual elects to participate in any other pension or retirement system provided by the City, the individual shall no longer be eligible for Membership in the Retirement System. Once such election has been made by the individual, it shall be irrevocable and shall be binding on the individual and any beneficiary of the individual. "Pension" or "retirement system", as referenced in this Section, shall not include an eligible deferred compensation plan provided by the City.

(g) Closed Membership. No person hired after April 1, 2013, shall be eligible to participate in the Retirement System, except for employees hired pursuant to, and whose employment is covered by, the Michigan Association of Public Employees (MAPE) collective bargaining agreement with the City.

SECTION 12
SEPARATION AND RE-EMPLOYMENT

Except as otherwise provided in this Retirement System, should any Member separate from the Service of the City, for any reason except Retirement or death, the individual shall thereupon cease to be a Member and the Member's Credited Service at that time shall be forfeited. Provided,

however, any person who has been a Member, and who is re-employed by the City in a position qualifying for Membership under the provisions of Section 11, shall again become a Member. In such case, if the re-employed Member completes three years of Service after re-entry, the Credited Service previously forfeited by the Member shall be restored to the Member's Service Account, if the Member returns to the Annuity Savings Fund the amounts the individual may have withdrawn therefrom and not returned thereto, together with Regular Interest thereon from the date of withdrawal to the repayment. Upon Retirement or death, the individual's Membership shall terminate.

In the event a Retirant or Beneficiary is employed by the City, payment of the individual's Pension shall continue and shall not be suspended during the period of employment. During the period of employment by the City, the individual shall not be a Member.

SECTION 13
SERVICE CREDITABLE

The Board shall fix and determine by appropriate rules and regulations how much Service in any calendar year is equivalent to a year of Service, but in no case shall less than ten days' Service in a calendar month constitute a month of Service; nor shall less than nine months' Service in a calendar year constitute a year of Service; nor shall more than one year of Service be credited for all Service rendered in one calendar year.

SECTION 14
ACTIVE MILITARY SERVICE

In the event any person, who, while employed by the City, was called to or entered any armed service of the United States, or any Member who is called to or enters any armed service of the United States, and who has been or shall be on active duty in such armed service during time of war or other national emergency, and is re-employed by the City within 90 days from the date of termination of required armed service, then such armed service shall be credited as City Service in the same manner as if the individual had served the City uninterruptedly; provided, that the Member returns to the Annuity Savings Fund all amounts withdrawn therefrom at the time the Member entered, or while in such armed service, together with Regular Interest thereon from the date of withdrawal to the date of repayment. In any case of doubt as to the period to be so credited any Member, the Board shall have final power to determine such period. During the period of such armed service rendered to the Federal government and until the individual's re-employment by the City, the Member's contributions to the Annuity Savings Fund shall be suspended and the balance standing to the Member's credit in the said fund shall be accumulated at Regular Interest. Notwithstanding any provision of the Retirement System to the contrary, contributions, benefits and Credited Service with respect to qualified military service will be provided in accordance with IRC section 414(u) and regulations.

Effective January 1, 2007, the beneficiary of a Member on a leave of absence to perform military service with reemployment rights described in IRC section 414(u) where the Member cannot return to employment on account of his or her death shall be entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) that would be provided

under the Retirement System had the Member died as an active employee, in accordance with IRC section 401(a)(37).

An individual receiving a differential wage payment is treated as an employee of the employer making the payment, and further, the differential wage payment shall be treated as compensation for purposes of IRC section 415.

SECTION 15
MEMBERS' SERVICE ACCOUNT

The Board shall credit each Member's Service Account with the number of years and months of Prior Service and Membership Service to which he may be entitled.

SECTION 16
WRITTEN APPLICATION TO RETIRE

Any Member who has attained or attains Voluntary Retirement Age and has ten or more years of Credited Service may retire upon written application filed with the Board setting forth at what time, not less than 30 days nor more than 90 days subsequent to the execution and filing thereof, the Member's desire to be retired. Upon Retirement, a Member shall receive a Retirement Allowance provided for in Section 17.

SECTION 17
PAYMENT OPTIONS

Upon Retirement, a Member who has attained Voluntary Retirement Age and has ten or more years of Credited Service shall receive a regular Retirement Allowance which shall consist of the benefits hereinafter set forth in this section, and the Member shall have the right to elect an option provided for in Section 21.

(a) (1) An Annuity which shall be the Actuarial Equivalent of the Accumulated Contributions standing to the Member's credit in the Annuity Savings Fund at the time of the Member's Retirement; and

(2) A Pension when added to the Member's Annuity will provide a Retirement Allowance equal to the number of years, and fraction of a year, of the Member's Credited Service, multiplied by the sum of 1.5 percent of the first $9,000.00 of the Member's Final Average Compensation and 2.0 percent of the portion of the Member's Final Average Compensation in excess of $9,000.00. All Retirement Allowances effective before July 1, 1974, shall be increased July 1, 1974, by 2.5 percent multiplied by the number of complete years elapsed since the date the Retirement Allowance became effective. No Member shall receive an increase of less than 2.5 percent.

(b) Effective November 9, 1981, for Member's who have rights pursuant to an "amended agreement" (as a result of litigation as authorized by City Council Resolution No. 770-84 adopted November 20, 1984, and in accordance with a court judgment dated July 23, 1985, in

Oakland County Circuit Court, Case No. 83-254373CK), a Pension which when added to the Member's Annuity will provide a Retirement Allowance equal to the number of years, and fraction of a year, of the Member's Credited Service, multiplied by the sum of 2.25 percent of the first $9,000.00 of the Member's Final Average Compensation and 2.0 percent of the portion of the Member's Final Average Compensation in excess of $9,000.00. Such Members shall be entitled to receive a regular or deferred Retirement Allowance, which is the greater of the amount provided for herein or the amount based on the formula in existence as of the date of such Member's separation from City employment.

(c) Effective July 1, 1996, for 50th Judicial District Court Judges and nonunion employee-Member's, a Pension when added to the Member's Annuity will provide a Retirement Allowance equal to the number of years, and fraction of a year, of his/her Credited Service, multiplied by the product of 2.25 percent times his/her Final Average Compensation.

(d) Effective July 1, 2002, a Pension, when added to the Annuity of a nonunion employee-Member, will provide a Retirement Allowance equal to the number of years, and fraction of a year, of his/her Credited Service, multiplied by the product of 2.5 percent times his/her Final Average Compensation.

(e) According to such rules and regulations as the Board may from time to time adopt, any Member who retires prior to his/her attainment of age 65 years may elect to have his/her Retirement Allowance equated on an actuarial basis to provide an increased Retirement Allowance payable to his/her attainment of age 65 years and a reduced Retirement Allowance payable thereafter. His/her increased Retirement Allowance payable to his/her attainment of age 65 years shall approximate the sum of his/her reduced Retirement Allowance to be payable after his/her attainment of age 65 years and his/her estimated Social Security primary insurance amount.

(f) In the event a Retirant dies before he/she has received in Retirement Allowances payments an aggregate amount equal to his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund at the time of his/her Retirement, the difference between his/her said Accumulated Contributions and the said aggregate amount of Retirement Allowance payments received by him/her shall be paid to such person or persons as he/she shall have nominated by written designation duly executed and filed with the Board.

If there is no such designated person or persons surviving the said Retirant, such difference, if any, shall be paid to his/her legal representative. No benefits shall be paid under this subsection on account of the death of a Retirant if he/she has elected an option provided for in Section 21.

(g) In the event a Member, who is a Member at the Social Security Date, retired prior to the date the Member acquires Social Security fully insured status on account of his/her City employment, the Pension portion of his/her Retirement Allowance shall not be less than the sum of (a) $120.00, plus (b) 1/115 of the Member's Final Average Compensation multiplied by the number of years, and fraction of a year, of the Member's Credited Service rendered after December 31,

1945, plus (c) 1/90 of the Member's Final Average Compensation multiplied by the number of years, and fraction of a year, of the Member's Credited Service rendered prior to January 1, 1946.

SECTION 18
DEFERRED RETIREMENT

Should any Member who has ten or more years of Credited Service separate from the Service of the City prior to attainment of Voluntary Retirement Age, for any reason except Retirement or death, the individual shall be a Deferred Vested Former Member during the period of absence from City Service for the sole and exclusive purpose only of receiving a Retirement Allowance provided for in Section 17(a), (b), (d) and (e), provided the individual does not withdraw their Accumulated Contributions. A Deferred Vested Former Member's Retirement Allowance shall begin as of the first day of the calendar month next following the month in which the Deferred Vested Former Member files with the Board an application for same and has attained Voluntary Retirement Age. In no case shall any such Deferred Vested Former Member receive Service credit for said period of absence from City Service, except as otherwise provided in this Retirement System. In the event such a Deferred Vested Former Member withdraws all or part of their Accumulated Contributions from the Annuity Savings Fund, the individual shall thereupon cease to be a Deferred Vested Former Member and the individual shall forfeit all rights in and to a deferred Retirement Allowance provided for in this section.

The provisions of this Retirement System notwithstanding, the accrued benefit for Members shall be nonforfeitable upon the attainment of Voluntary Retirement Age. Upon termination of the Retirement System or upon complete discontinuance of City contributions under this Retirement System, the rights of all Members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be nonforfeitable.

SECTION 19
REORGANIZATION/REDUCTION OF WORKFORCE 2003

Effective July 3, 2003, upon finding it is in the best interest of the City as it relates to Retirement System nonunion employees in the executive, legislative and Stadium Building Authority branches of government, the City Council may authorize nonunion employees in cases where reorganization and/or a reduction in workforce is necessary, an employee with a minimum of 18 years of Credited Service whose age combined with years of Credited Service comprises a minimum total score of at least 70 points, said employee will be eligible to elect Retirement without penalty.

Prior to City Council approving this type of Retirement for nonunion employees in the executive branch, authorization from the Mayor must be obtained.

Approval of Stadium Building Authority employees shall also require the concurrence of the Pontiac Stadium Building Authority, if applicable, that nonunion stadium employees who meet the above referenced criteria and are Members shall likewise be eligible to elect Retirement without penalty.

Employees who are active City employees as of May 1, 2013, who are not members of any union, who are participants in the GERS, who have attained the age of 45, and who have at least 13 years of service may, by May 31, 2013, file their intention to retire, and such retirement date shall be no later than June 30, 2013.

Employees who are active City employees as of April 1, 2013, who are not members of any union, who are participants in the GERS, who have attained the age of 42, and who have at least 14 years of service may, by April 30, 2013, file their intention to retire, and such retirement date shall be no later than June 30, 2013.

Early Retirement Window. Any former City of Pontiac employees who are or were Members of the GERS/Retirement System and who meet the following criteria will be eligible to participate in an early retirement:

(a) The former employee was involuntarily separated from employment with the City between March 23, 2009, and August 19, 2013, for reasons not connected with disciplinary action.

(b) The former employee had ten (10) years of Credited Service in the GERS at the time of separation from employment. Former employees who meet this requirement based on the Reciprocal Retirement Act shall also be eligible for this benefit. However, said former employee shall not be eligible to commence receipt of this early retirement benefit unless or until they have attained the age of forty-three (43). Former employees who meet the criteria of this section (b) and have attained the age of 43 by December 31, 2017, shall commence receipt of their benefit payable effective January 1, 2018. Former employees who otherwise meet the criteria set forth in this early retirement provision, but who have not yet attained the age of 43, will not be eligible to commence receipt of this benefit until the first day of the month following the month in which they attain the age of 43. Said employees shall be required to comply with the application filing process set forth in Section 16.

(c) A qualifying individual retiring under this provision will have their Retirement Allowance calculated based on years of Credited Service at the time of separation in conjunction with the applicable multiplier and formula contained in the individual's Collective Bargaining Agreement or the individual's non-union pay plan in effect at the time of the person's separation.

(d) All eligible Members (including those who have not yet attained the age of forty-three (43), will be required to file their intention to retire under this Section with the Executive Director of the GERS no later than 30 days following the date of final City approval and not before final approval.

(e) Employees who are eligible for this early retirement benefit shall not be offered any form of retiree health care until they obtain the age of 60. Such retiree health care benefit shall be strictly guided by the Settlement Agreement.

SECTION 20
2000 POST RETIREMENT INCREASE

(a) All persons who are receiving retirement benefits as of December 31, 2000, based upon a minimum of nine years and nine months of Credited Service, disability, or death, and who are not eligible to receive a post retirement increase, shall be entitled to receive an increase in their annual Retirement Allowance based upon the greater of (1) two percent of their Retirement Allowance otherwise provided, or (2) $1.00 per month of Credited Service with a minimum increase of $120.00 and a maximum increase of $300.00 per year. Each year such person's Retirement Allowance shall be increased by the identical amount, such increase to be cumulative (non-compounding) for a period of six years, which, at the end of said six-year period, shall continue at that amount thereafter.

(b) Temporary pension increase.

All persons who are receiving retirement benefits as of August 1, 2013 or who enter pay status through August 1, 2021 shall be entitled to receive an increase in their monthly Retirement Allowance of $400.00 per month beginning September 1, 2013 through August 31, 2021 or when the CPREA litigation is resolved and health insurance will be provided to the retiree class, whichever comes first.

Cost of living allowance shall be payable on the temporary pension increase for the period of September 1, 2013, through March 31, 2015, in accordance with the appropriate bargaining agreements for retired union Members based on the individual retiree's number of years of Retirement and Section 26 for retired nonunion Members.

SECTION 21
OPTIONAL FORMS OF PAYMENT

(a) Prior to the effective date of the Member's Retirement, but not thereafter, a Member may elect to receive his/her Retirement Allowance as a regular Retirement Allowance payable throughout his/her life; or the Member may elect to receive the Actuarial Equivalent, at that time, of his/her regular Retirement Allowance in a reduced Retirement Allowance payable throughout his/her life, and nominate a beneficiary, in accordance with the provisions of Option 1, 2, 3, 4, or 5, as hereinafter set forth. If a Member does not have an option election in force at the effective date of his/her Retirement, the Member's Retirement Allowance shall be paid as a regular Retirement Allowance.

Option 1—Cash Refund Annuity. If a Retirant dies before he/she has received in the Annuity portions of his/her reduced Retirement Allowance an aggregate amount equal to his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund at the time of his/her Retirement, the difference between his/her said Accumulated Contributions and the said aggregate amount of Annuity payments received by him shall be paid to such person or persons as he/she shall have nominated by written designation duly executed and filed with the Board. If there be no such designated person or persons surviving the said Retirant, such difference, if any, shall be paid to his/her legal representative.

Option 2—Joint and Survivor Allowance. Upon the death of a Retirant, his/her reduced Retirement Allowance shall be continued throughout the life of and paid to such person, having an insurable interest in the Retirant's life, as the Retirant shall have nominated by written designation duly executed and filed with the Board prior to the effective date of his/her Retirement.

Option 3—Modified Joint and Survivor Allowance. Upon the death of a Retirant, one-half of his/her reduced Retirement Allowance shall be continued throughout the life of and paid to such person, having an insurable interest in the Retirant's life, as the Retirant shall have nominated by written designation duly executed and filed with the Board prior to the effective date of his/her Retirement.

Option 4—"Pop-Up" Allowance. Upon the death of a Retirant who elected a "pop-up" allowance, the Retirant's reduced Retirement Allowance shall be continued throughout the life of and paid to such individual, the beneficiary, who has an insurable interest in the Retirant's life and who was nominated by the Retirant by written designation duly executed and filed with the Board prior to the effective date of Retirement. If the person nominated as beneficiary thereunder predeceases the Retirant, the Retirant shall thereafter receive his/her Retirement Allowance as regular Retirement Allowance, unreduced, payable the month following the month in which the beneficiary died and for the remaining lifetime of the Retirant.

Option 5—"50 Percent Pop-Up" Allowance. Upon the death of a Retirant who elected a "50 percent pop-up" allowance, 50 percent of the Retirant's reduced Retirement Allowance shall be continued throughout the life of and paid to such individual, the beneficiary, who has an insurable interest in the Retirant's life and who was nominated by the Retirant by written designation duly executed and filed with the Board prior to the effective date of Retirement. If the person nominated as beneficiary hereunder predeceases the Retirant, the Retirant shall thereafter receive his/her Retirement Allowance as a regular Retirement Allowance unreduced, payable the month following the month in which the beneficiary died and for the remaining lifetime of the Retirant.

(b) If any benefits become payable under Section 28 on account of the death of the Retirant who was receiving a Retirement Allowance under Option 2, 3, or 4 above, no Retirement Allowance shall be paid to his/her designated beneficiary under the said Option 2, 3, or 4. If the said Retirant dies before he received in Retirement Allowance payments an aggregate amount equal to, but not exceeding, his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund at the time of his/her Retirement, the difference between his/her said Accumulated Contributions and the said aggregate amount of Retirement Allowance payments received by him shall be paid from the Retirement Reserve Fund to his/her said designated beneficiary, if living, otherwise to his/her legal representative.

SECTION 22
OPTION 2 ELECTION

Any Member who continues in the Service of the City on or after the date he/she has ten or more years of Credited Service may, at any time prior to the effective date of his/her Retirement but

not thereafter, elect Option 2 provided for in Section 21, in the same manner as if the Member were then retiring from Service, and nominate a beneficiary who has an insurable interest in the life of the Member. Prior to the effective date of the Member's Retirement, a Member may revoke his/her said election of Option 2 and nomination of beneficiary and may again elect the said Option 2 and nominate a beneficiary as provided in this section. Upon the death of a Member who has an Option 2 election in force, his/her beneficiary, if living, shall immediately receive the same Retirement Allowance to which the said beneficiary would have been entitled if the said Member had retired the day preceding the date of his/her death, notwithstanding that the Member may not have attained his/her Voluntary Retirement Age; provided that the said Option 2 shall be applied to a Retirement Allowance computed according to Sections 17(a) and (b) for a beneficiary of a deceased Member, and according to Section 23 for a beneficiary of a deceased Member. If a Member has an Option 2 election in force at time of his/her Retirement, the Member's said election of Option 2 and nomination of beneficiary shall thereafter continue in force, unless prior to the effective date of the Member's Retirement he/she elects to receive his/her Retirement Allowance as a regular Retirement Allowance or according to any option provided for in Section 21. No benefits shall be paid under this section on account of the death of a Member if any benefits are paid under Section 28 on account of his/her death.

SECTION 23
DEATH IN SERVICE

Any Member who continues in the Service of the City on or after the date he/she has ten or more years of Credited Service, and does not have an Option 2 election in force as provided in Section 22, and (1) dies while in City Service, and (2) leaves a surviving spouse, the surviving spouse shall immediately receive the same Retirement Allowance to which the said beneficiary would have been entitled if the said Member had (1) retired the day preceding the date of his/her death notwithstanding that the Member may not have attained his/her Voluntary Retirement Age, (2) elected Option 2 provided for in Section 21, and (3) nominated his/her said surviving spouse, as the case may be, as beneficiary. No benefit shall be paid under this section on account of the death of a Member if any benefits are paid under Section 28 on account of his/her death.

SECTION 24
DISABILITY RETIREMENT

(a) Upon the application of a Member, or his/her department head, a Member who (1) is in the Service of the City, (2) has ten or more years of Credited Service, (3) becomes totally and permanently incapacitated for duty in the Service of the City, by reason of a personal injury or disease, may be retired by the Board; provided, the Medical Director, after a medical examination of the said Member, reports to the Board (1) that said Member is physically or mentally totally incapacitated for duty in the Service of the City, (2) that such incapacity will probably be permanent, and (3) that such Member should be retired.

(b) A Member with less than ten years of Credited Service shall have the ten years' Service requirement provided for in subsection (a) of this section waived; provided, that (1) the Board finds the Member is totally and permanently incapacitated for duty in the Service of the City as the natural and proximate result of a personal injury or disease arising out of and in the

course of his/her actual performance of duty in the Service of the City, and (2) the Member is in receipt of Workers' Compensation on account of his/her said physical or mental capacity.

SECTION 25
MINIMUM DISABILITY ANNUITY

Upon a Member's Retirement on account of disability as provided in Section 24, a Member shall receive a disability Retirement Allowance computed according to Sections 17(a)(1), (a)(2), (f) and (g), notwithstanding that the Member may not have attained his/her Voluntary Retirement Age. In no case shall the Member's disability Retirement Allowance payable to his/her Voluntary Retirement Age be less than 15 percent of his/her Final Average Compensation; nor shall the Member's disability Retirement Allowance payable after his/her Voluntary Retirement Age be less than the sum of 15 percent of the first $9,000.00 of his/her Final Average Compensation and 20 percent of the portion of his/her Final Average Compensation in excess of $9,000.00. To the Member's Voluntary Retirement Age, his/her disability Retirement Allowance shall be subject to Section 30. Upon the Member's Retirement, he/she shall have the right to elect an option provided for in Section 21.

SECTION 26
NONUNION COST OF LIVING INCREASE

For nonunion employee-Members of the Retirement System (excluding PGH employees), the Retirement Allowance otherwise provided for any such Member who retires on or after July 1, 1980, shall be increased upon Retirement by an amount equal to two percent of the Retirement Allowance otherwise provided for under this Retirement System. Each year thereafter, such Member's Retirement Allowance shall be increased by an identical amount, such increases to be cumulative for a period of ten years. At the end of said ten-year period, the Member's initial Retirement Allowance shall have been increased by 20 percent and shall continue at that amount thereafter.

For 50th Judicial District Court Judges and nonunion employee-Members of the Retirement System, the Retirement Allowance otherwise provided for any such Member who retires on or after July 1, 1996, shall be increased upon Retirement by an amount equal to two percent of the Retirement Allowance otherwise provided for under this Retirement System. Each year thereafter such Member's Retirement Allowance shall be increased by an identical amount, such increases to be cumulative for a period of 18 years. At the end of said 18-year period, the Member's initial Retirement Allowance shall have been increased by 36 percent and shall continue at that amount thereafter.

SECTION 27
WORKERS COMPENSATION RE-CALCULATION

Upon termination of the statutory period for payment of Workers' Compensation, if any, arising on account of a Member's City employment, or at this attainment of age 65 years, whichever occurs first, a disability Retirant shall be given Service credit for the said statutory period and his/her disability Retirement Allowance shall be increased to include such additional Service

credit. In no case shall the Member's said increased Retirement Allowance payable to his/her attainment of age 65 years be less than his/her weekly Workers' Compensation benefits converted to an annual basis.

SECTION 28
DUTY DEATH

In the event (1) a Member dies as the result of a personal injury or disease arising solely and exclusively out of and in the course of his/her employment with the City, or (2) a disability Retirant, while in receipt of Workers' Compensation on account of his/her City employment, dies prior to his/her Voluntary Retirement Age as the result of the same injury or disease for which he/she was retired, and in either case (1) or (2) such death, injury or disease resulting in death be found by the Board to have been the result of his/her actual performance of duty in the Service of the City, the applicable benefits provided in subsections (a) through (e) of this section shall be paid subject to the condition that the beneficiaries eligible to Pensions apply for and are in receipt of Workers' Compensation on account of the death of the said Member or Retirant.

(a) In the case of a deceased Member, his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund shall be paid according to Section 31.

(b) The surviving spouse shall receive a Pension equal to his/her Workers' Compensation converted to an annual basis. Said surviving spouse's Pension shall begin upon termination of the statutory period for payment of Workers' Compensation and shall continue until death.

(c) The Member's unmarried child or children under age 18 years shall each receive a Pension equal to such child's Workers' Compensation converted to an annual basis. Said child's Pension shall begin upon termination of the statutory period for payment of the child's Workers' Compensation and shall continue until his/her adoption, marriage, attainment of age 18 years, or death, whichever occurs first. If a surviving spouse's Pension is terminated, each such child's Pension shall be increased by an equal share of said surviving spouse's Pension.

(d) The Member's parents shall each receive a Pension equal to such parent's Workers' Compensation converted to an annual basis. Said parent's Pension shall begin upon termination of the statutory period for payment of the parent's Workers' Compensation and shall continue until death.

(e) As used in this section, the term *surviving spouse* means the person to whom the said Member or Retirant, as the case may be, was married at the time said Member's or Retirant's employment with the City last terminated.

SECTION 29
SUBROGATION

If a person becomes entitled to a Pension payable from funds of the Retirement System as the result of an accident or injury caused by the act of a third party, the City shall be subrogated to

the rights of the said person against said third party to the extent of benefits which the City pays or becomes liable to pay.

SECTION 30
DISABILITY RE-EXAMINATION AND INCOME VERIFICATION

(a) At least once each year during the first five years following the Retirement of a Member with a disability Retirement Allowance, and at least once in each three-year period thereafter, the Board may, and upon the Retirant's application shall, require any disability Retirant, who has not attained his/her Voluntary Retirement Age, to undergo a medical examination to be made by or under the direction of the Medical Director. Should any disability Retirant who has not attained his/her Voluntary Retirement Age refuse to submit to such medical examination in any such period, the Board may suspend payment of his/her disability Retirement Allowance until his/her withdrawal of such refusal. If such refusal continues for one year, all of his/her rights in and to a disability Pension shall be forfeited by the Member. If upon such medical examination of the Retirant the Medical Director reports to the Board that the said Retirant is physically able and capable of resuming employment with the City, the Member shall be returned to active Service in the employ of the City and his/her disability Retirement Allowance shall terminate; provided, the report of the Medical Director is concurred in by the Board. In returning the Retirant to active Service, as herein provided, reasonable latitude shall be allowed the City in placing the Member in a position commensurate to his/her type of work and rate of compensation at the time of his/her Retirement. The terms and conditions of disability Retirement are contained in applicable collective bargaining agreements.

(b) A disability Retirant who has been or shall be returned to active Service in the employ of the City, as provided in this section, shall again become a Member of the Retirement System and he/she shall contribute to the Retirement System at the rate applicable to his/her Membership classification. The Member's Credited Service at the time of his/her Retirement shall be restored to full force and effect. The Member shall be given Membership Service credit for the period he/she was receiving a disability Retirement Allowance provided for in this Retirement System if within said period the Member was in receipt of Workers' Compensation on account of total and permanent disability arising out of and in the course of his/her City employment; otherwise, the Member shall not be given Service credit for said period.

(c) If a disability Retirant who has not attained his/her Voluntary Retirement Age is or becomes engaged in a gainful occupation, business or employment, the amount of the disability Retirement Allowance shall be reduced by the amount that the disability Retirement Allowance plus the amount earned by the Retirant exceeds the disability Retirant's Final Compensation, or the compensation currently being paid to persons holding the same position as that last held by the disability Retirant, or, if there is no such position, the compensation currently paid to the person holding the most similar position as determined by the Board, whichever is higher. Should the Retirant's earnings or the compensation paid for his/her prior position subsequently change, his/her disability Retirement Allowance shall be correspondingly adjusted. The Board shall be authorized to adopt rules to provide for the implementation of this provision.

(d) If the Board – in consultation with the Medical Director – determines that it is unlikely that a disability Retirant will ever recover sufficiently enough to return to full-time employment with the City, the Board may deem the disability catastrophic. In cases where the Board has deemed a disability to be catastrophic, the Board may – in its discretion – approve to waive the periodic re-examinations and income verifications described in this section.

SECTION 31
REFUND OF ACCUMULATED CONTRIBUTIONS

(a) Should any Member cease to be an officer or employee of the City and not be entitled to a Pension payable from funds provided by the City, the Member shall be paid all of the Member's Accumulated Contributions standing to their credit in the Annuity Savings Fund as the Member shall demand in writing on forms furnished by the Board.

(b) Upon the death of a Member, his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund at the time of his/her death shall be paid, except as otherwise provided in this Retirement System, to such person or persons as the Member shall have nominated by written designation duly executed and filed with the Board. If there be no such designated person or persons surviving the said Member, his/her said Accumulated Contributions shall be paid to his/her legal representative.

(c) In the event any Member dies intestate, without heirs, and without having nominated a beneficiary as provided in subsection (b) of this section, his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund, at the time of his/her death, may be used to pay his/her burial expense, not to exceed a reasonable sum to be determined by the Board; provided, that the deceased Member leaves no other estate sufficient for such purpose.

(d) Payments of refunds of Accumulated Contributions, as provided in this section, shall be made in a single sum.

SECTION 32
ANNUITY SAVINGS FUND—MEMBER CONTRIBUTIONS

(a) The Annuity Savings Fund is hereby created. It shall be the fund in which shall be accumulated, at Regular Interest, the contributions deducted from the Compensations of Members to provide for their Annuities, and from which shall be paid refunds of Accumulated Contributions, as provided in this Retirement System.

(b) Except as otherwise provided in this Section, Members are not required to contribute to the Retirement System.

(c) The officer or officers responsible for making up the payroll shall cause the contributions provided for in this section to be deducted from the Compensations of each Member on each and every payroll, for each and every payroll period, from the date of the Member's entrance in the Retirement System to the date of his/her Retirement or prior separation from City Service. The Member's contributions provided for herein shall be made, notwithstanding that the

minimum compensation provided by law for any Member shall be changed thereby. Every Member shall be deemed to consent and agree to the deductions made and provided for herein and payment of his/her Compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the Services rendered by said person during the period by such payment, except as to benefits provided by this Retirement System. The officer or officers responsible for making up the payroll shall certify to the Director of Finance the amount of contributions to be deducted from the Compensation of each Member for each and every payroll and each of said amounts shall be deducted by the Director of Finance and when deducted shall be paid to the Retirement System and shall be credited to the said Member's individual account in the Annuity Savings Fund.

(d) In addition to the contributions deducted from the Compensations of a Member, as hereinbefore provided, a Member shall deposit in the Annuity Savings Fund, by a single contribution or by an increased rate of contribution as approved by the Board, all amounts the Member may have previously withdrawn from, and not repaid to, the Annuity Savings Fund, together with Regular Interest computed from the date of withdrawal to the date of repayment. In no case shall any Member be given credit for Service rendered prior to the date he/she withdrew his/her Accumulated Contributions until he/she repays to the Annuity Savings Fund all amounts due the said fund by him.

(e) Upon Retirement of a Member, his/her Accumulated Contributions shall be transferred from the Annuity Savings Fund to the Retirement Reserve Fund. At the expiration of a period of three years from the date an employee ceases to be a Member, any balance standing to his/her credit in the Annuity Savings Fund, unclaimed by the Member or his/her legal representative, shall be transferred to the Pension Reserve Fund.

SECTION 33
RETIREMENT RESERVE FUND

The Retirement Reserve Fund is hereby created. It shall be the fund from which shall be paid all Annuities and Pensions payable as provided in this Retirement System. Should a disability Retirant return to active Service in the employ of the City, his/her Annuity reserve at that time shall be transferred from the Retirement Reserve Fund to the Annuity Savings Fund and shall be credited to his/her individual account therein; and the Member's Pension reserve at that time shall be transferred from the Retirement Reserve Fund to the Pension Reserve Fund.

SECTION 34
PENSION RESERVE FUND

The Pension Reserve Fund is hereby created. It shall be the fund in which shall be accumulated reserves for the payment of all Pensions payable from funds provided by the City. Upon the basis of such mortality and other experience tables, and Regular Interest, as the Board shall from time to time adopt, the actuary shall annually compute the Pension reserves (1) for Pensions being paid Retirants and Beneficiaries, and (2) covering Service rendered and to be rendered by Members. The Pension reserves shall be financed by annual appropriations, to be made by the Council, determined according to subsections (a), (b) and (c) of this section.

(a) The appropriation for Members' current Service shall be a percent of their annual Compensations which will produce an amount which if paid annually by the City during their future Service will be sufficient to provide the reserves, at the time of their Retirements, for the portions of the Pensions to be paid them based upon their future Service; and

(b) The appropriation for Members' accrued Service shall be a percent of their annual Compensations which will produce an amount which if paid annually by the City over a period of years, to be determined by the Board, will amortize, at Regular Interest, the unfunded Pension reserves for the accrued Service portions of the Pensions to which they may be entitled; and

(c) The appropriation for Pensions being paid to Retirants and Beneficiaries shall be a percent of the annual Compensations of Members which will produce an amount which if paid annually by the City over a period of years, to be determined by the Board, will amortize, at Regular Interest, the unfunded Pension reserves for Pensions being paid to Retirants and Beneficiaries;

(d) In the event the amounts appropriated in the budget in any year are insufficient to pay in full the amounts due in said year to all Members of the Retirement System, the amount of such insufficiency shall thereupon be provided by the appropriating authorities of the City;

(e) Contributions to the Retirement System by the City to the extent necessary to provide payment of Pensions and other benefits to Retirants and Beneficiaries of and Members employed by an instrumentality of the City shall be made from the revenues of the said instrumentality of the City;

(f) Upon the Retirement of a Member, or at the time a Pension becomes payable to a Beneficiary on account of the death of a Member, the reserve for such Pension shall be transferred from the Pension Reserve Fund to the Retirement Reserve Fund. The Board may from time to time transfer from the Pension Reserve Fund to the Retirement Reserve Fund such additional amounts as it determines to be necessary for the proper maintenance of the Retirement Reserve Fund.

SECTION 35
EXPENSE RESERVE

Amounts contributed by the Retirement System for administrative expense shall be credited to this reserve. All expenses for the administration of the Retirement System shall be charged to this reserve. The Board shall certify to the City annually the amount of its requirements for administrative expenses.

SECTION 36
MANAGEMENT OF FUNDS

(a) The Board shall be the Trustees of the funds of the Retirement System and shall have full power to invest and reinvest such funds subject to all terms, conditions, limitations,

and restrictions imposed by the law of the State of Michigan in the making and disposing of their investments. The Board shall have the power to purchase notes, bonds, or other obligations of the City before or after the same are offered to the public and with or without advertising for bids.

(b) The Board shall have full power to hold, purchase, sell, assign, transfer, and dispose of any of the securities and investments in which any of the funds of the Retirement System have been invested, as well as the proceeds of said investments and any moneys belonging to the Retirement System. There shall be kept on deposit available cash not exceeding ten percent of the total assets of the Retirement System. All funds of the Retirement System shall be held for the sole purpose of meeting disbursements for Pensions, Annuities, and other payments authorized by the provisions of this Retirement System, and shall be used for no other purpose.

(c) The description of the various funds of the Retirement System in Sections 32 through 35 shall be interpreted to refer to the accounting records of the Retirement System and not to the segregation of moneys in the funds of the Retirement System.

SECTION 37
EARNINGS ALLOCATION—INTEREST CREDITABLE

All interest and other earnings on moneys and investments of the Retirement System shall be credited to the Pension Reserve Fund. The Board shall, at the end of each calendar year, allow Regular Interest on the Members' individual balances in the Annuity Savings Fund at the beginning of the calendar year. The Board shall, at the end of each fiscal year, allow Regular Interest on the mean assets credited to the Retirement Reserve Fund. The amounts of interest so credited to the Annuity Savings Fund and the Retirement Reserve Fund shall be charged to the Pension Reserve Fund.

SECTION 38
ASSIGNMENTS PROHIBITED

The right of a person to an Annuity, a Pension, a Retirement Allowance, to the return of Accumulated Contributions, the Annuity, the Pension, or the Retirement Allowance itself, any optional benefit, any other right accrued or accruing to any Member, Retirant, or Beneficiary under the provisions of this Retirement System, and the moneys belonging to the Retirement System shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency law, or any other process of law whatsoever, and shall be unassignable, except as is specifically provided in this Retirement System and in accordance with Public Act 100 of 2002, as amended; provided, that the City shall have the right of set-off for any claim arising from embezzlement or fraud by a Member.

SECTION 39
CORRECTION OF ERRORS

Should any change in the records result in any Member, Retirant, or Beneficiary receiving from the Retirement System more or less than he/she would have been entitled to receive had the records

been correct, the Board shall correct such error, and as far as practicable shall adjust the payment in such manner that the Actuarial Equivalent of the benefit to which the said Member, Retirant, or Beneficiary was correctly entitled shall be paid.

SECTION 40
NONIMPAIRMENT OF FINANCIAL BENEFITS

Any and all provisions of this Retirement System may, from time to time, be modified, changed, or terminated by ordinance duly adopted by the Council. The Council shall consult with the Board and seek its technical review of the proposed changes prior to amendment or termination of the Retirement System. The accrued financial benefits of this Retirement System shall not be diminished or impaired by such modifications or changes and subject to the conditions of Public Act 728 of 2002, as amended. All provisions of City laws inconsistent with the provisions of this Retirement System are hereby repealed to the extent of such inconsistency.

Prior to the satisfaction of all liabilities to Members and their Beneficiaries under this Retirement System, the City shall have no right, title or interest in any money or investments held or acquired under the Retirement System by the Trustees, nor will any such money or investments at any time revert to the City or in anyway, directly or indirectly, inure to its benefit; except if a contribution made by the City in any Plan Year is made by mistake of fact (as determined under applicable provisions of the IRC and corresponding guidance), then such contribution must be returned to the City within one year of payment of the contribution upon demand by the City. Upon termination of the Retirement System, any assets remaining in the Retirement System after all liabilities of the Retirement System have been satisfied shall be returned to the City and shall be presumed to be as a result of actuarial error.

SECTION 41
SAVINGS CLAUSE

If any provision, section, subsection, paragraph, sentence, clause, or phrase of this Retirement System is for any reason found to be invalid or inoperative, or shall be held by any court to be unconstitutional, the remainder of the provisions of this Retirement System shall nevertheless continue in full force and effect.

SECTION 42
NORTH OAKLAND MEDICAL CENTER PRIVATIZED

This section is effective January 1, 1994, and is applicable only to persons who, on December 31, 1993, were simultaneously (1) members of the GERS and (2) employees of the City owned North Oakland Medical Center and who became employees of the privatized North Oakland Medical Center on January 1, 1994. With respect to the persons identified in this section:

(a) Such persons who are vested shall receive benefits from the Retirement System based upon Final Average Compensation as defined by the highest average Annual Compensation received by a Member during a period of three consecutive years of Service contained within the ten years immediately preceding the privatization of North Oakland Medical Center (January 1,

1994). If the Member has less than three years of Credited Service, Final Average Compensation shall be the average of the Member's Annual Compensation received during the Member's total years of Credited Service. The definition of *Final Average Compensation* in Section 2 is superseded for this limited purpose for this limited group of former Members of the Retirement System who remain vested.

(b) Such persons with vested benefits shall receive from the Retirement System benefits with the Section 17(b) 1.5 percent factor being changed to a 2.0 percent factor. Section 17(b) is superseded for this limited purpose for this limited group of former Members of the Retirement System who remain vested.

(c) Such persons with vested benefits shall receive from the Retirement System benefits pursuant to the definition of *Voluntary Retirement Age* in Section 2, which is amended to provide that:

Voluntary Retirement Age is defined as age 55 with, for eligibility purposes only, 25 or more years of Credited Service with either the previously (prior to January 1, 1994) City owned North Oakland Medical Center or the privatized North Oakland Medical Center (or a combination thereof). The definition of *Voluntary Retirement Age* in Section 2 is superseded for this limited purpose for this limited group of former Members of the Retirement System who remain vested. Calculation of benefit amounts shall only include Service credit as an employee of the City owned North Oakland Medical Center.

(d) The City of Pontiac, employer-sponsor with respect to the majority of Members of the Retirement System, to the extent funds do not exist in the Retirement System to provide the Retirement System benefits for retired employees and beneficiaries of the North Oakland Medical Center, will provide funding in compliance with Article IX, Section 24 of the State of Michigan Constitution, the Retirement System provisions, and other applicable law.

SECTION 43
INTERNAL REVENUE CODE QUALIFICATIONS

(a) The Retirement System is intended and shall be administered to be a qualified pension plan under IRC section 401, or successor provisions of law, and other applicable laws, regulations and administrative authority. The Retirement System is a governmental plan under IRC section 414(d) and is administered for the exclusive benefit of the Members and their Beneficiaries. The Retirement System trust is an exempt organization under IRC section 501. The Board may adopt such additional provisions to the Retirement System as are necessary to fulfill this intent which are incorporated by reference into this section.

(b) Notwithstanding any provision of the Retirement System to the contrary, benefits and contributions shall be limited in accordance with section 415 of the Internal Revenue Code, which is hereby incorporated by reference.

For purposes of section 415 of the Internal Revenue Code, compensation shall mean compensation actually paid during the limitation year and the limitation year shall be the

Plan Year or such other consecutive 12-month period over which compensation is otherwise determined under the Retirement System.

For purposes of adjusting any benefit or limitation under section 415 of the Internal Revenue Code, the mortality table used shall be the table prescribed by the United States Secretary of the Treasury in accordance with section 415(b)(2)(E)(v) of the Internal Revenue Code.

For limitation years beginning on and after January 1, 2001, for purposes of applying the limitations described herein, compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the Member by reason of section 132(f)(4) of the Internal Revenue Code.

For limitation years beginning after December 31, 1997, for purposes of applying the limitations of section 415 of the Internal Revenue Code, compensation paid or made available during such limitation years shall include any elective deferral (as defined in section 402(g)(3) of the Internal Revenue Code), and any amount which is contributed or deferred by the employer at the election of the employee and which is not includable in the gross income of the employee.

Compensation for purposes of IRC §415(c)(3) shall also include, (1) regular pay after severance from employment; (2) leave cashouts and deferred compensation including cash out of accrued sick, vacation or other leave time if the employee would have been able to use the leave if employment had continued or the payment of nonqualified deferred compensation that would have been paid to the employee at the same time if the employee had remained employed and only to the extent that the payment is includable in the employee's gross income. The compensation items listed in this paragraph must be paid by the later of two and one-half-months of severance from employment or the end of the limitation year that includes the date of severance with the City.

(c) Eligible Rollover Distributions. This section applies to distributions made on or after January 1, 1993. Notwithstanding any provision of the Retirement System to the contrary that would otherwise limit a distributee's election under this section, a distributee may elect, at the time and in the manner prescribed by the Board, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee as a direct rollover. The following definitions shall apply with regard to this section:

(1) *Eligible Rollover Distribution.* An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint life (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more, and any distribution to the extent such distribution is required under IRC section 401(a)(9). For purposes of the direct rollover provision, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be paid only to an individual

retirement account or annuity described in IRC section 408(a) or (b), or to a qualified plan described in IRC section 401(a) or 403(b) that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(2) *Eligible Retirement Plan.* An eligible retirement plan is an individual retirement account described in IRC section 408(a), an individual retirement annuity described in IRC section 408(a), an annuity plan described in IRC section 403(a), an annuity contract described in IRC section 403(b) or an eligible plan under IRC section 457 which is maintained by a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan or a qualified trust described in IRC section 401(a) that accepts the distributee's eligible rollover distribution. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse or to a spouse or former spouse who is the alternate payee under a domestic relations order.

(3) *Distributee.* A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under an eligible domestic relations order (as defined in Act 46 of 1991 of the State of Michigan) or qualified domestic relations order (as defined in Code section 414(p)), as applicable, are "distributees" with regard to the interest of the spouse or former spouse. A distributee also includes an eligible designated non-spouse beneficiary. In the case of a nonspouse beneficiary, the direct rollover may be made only to a traditional IRA or Roth IRA that is established on behalf of the designated beneficiary and that will be treated as an inherited IRA pursuant to the provisions of Code section 402(c)(11). Also in this case, the determination of any required minimum distribution under Code section 401(a)(9) that is ineligible for rollover shall be made in accordance with Notice 2007-7, Q&A 17 and 18, 2007-5 I.R.B. 395.

(4) *Direct Rollover.* A *direct rollover* is a payment by the Retirement System to the eligible retirement plan specified by the distributee.

(d) Upon termination of the Retirement System or upon complete discontinuance of contributions under the Retirement System, the rights of all Members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be nonforfeitable.

SECTION 44
IRS MINIMUM DISTRIBUTION

(a) Distributions from the Retirement System will comply with the requirements of IRC section 401(a)(9) and the regulations thereunder. A Member's interest in the Retirement System must begin to be distributed by the later of (1) April 1 of the calendar year following the calendar year that the Member attains the age of 70.5, or (2) April 1 of the calendar year the Member retires. With respect to distributions under the Retirement System made for calendar years beginning on or after January 1, 2001, the Retirement System will apply the minimum distribution requirements of IRC section 401(a)(9) in accordance with the regulations under IRC section 401(a)(9) that were proposed in January 2001, notwithstanding any provision in the Retirement

System to the contrary. This amendment shall continue in effect until the end of the last calendar year beginning before the effective date of final regulations under section 401(a)(9) or such other date as may be specified in guidance published by the Internal Revenue Service.

(1) *Effective Date*. Unless an earlier effective date is specified in the Retirement System, the provisions of this section will apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year.

(2) *Coordination with Minimum Distribution Requirements Previously in Effect*. If the Retirement System specifies an effective date of this section earlier than calendar years beginning with the 2003 calendar year, required minimum distributions for 2002 under this section will be determined as follows: If the total amount of 2002 required minimum distributions under the Retirement System made to the distributee prior to the effective date of this section equals or exceeds the required minimum distributions determined under this section, then no additional distributions will be required to be made for 2002 on or after such date to the distributee. If the total amount of 2002 required minimum distributions under the Retirement System made to the distributee prior to the effective date of this section is less than the amount determined under this section, then required minimum distributions for 2002 on and after such date will be determined so that the total amount of required minimum distributions for 2002 made to the distributee will be the amount determined under this section.

(3) *Precedence*. The requirements of this section will take precedence over any inconsistent provisions of the Retirement System.

(4) *Requirements of Treasury Regulations Incorporated.* All distributions required under this section will be determined and made in accordance with the Treasury regulations under section 401(a)(9) of the Internal Revenue Code.

(5) *TEFRA Section 242(b)(2) Elections*. Notwithstanding the other provisions of this section, other than subsection (a)(4) of this section, distributions may be made under a designation made before January 1, 1984, in accordance with section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the Retirement System that relate to section 242(b)(2) of TEFRA.

(b) Time and Manner of Distribution.

(1) *Required Beginning Date*. The Member's entire interest will be distributed, or begin to be distributed, to the Member no later than the Member's required beginning date.

(2) *Death of Member before Distributions Begin*. If the Member dies before distributions begin, the Member's entire interest will be distributed, or begin to be distributed, no later than as follows:

(i) If the Member's surviving spouse is the Member's sole designated beneficiary, then, except as provided in the Retirement System, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year

in which the Member died, or by December 31 of the calendar year in which the Member would have attained age 70.5, if later.

(ii) If the Member's surviving spouse is not the Member's sole designated beneficiary, then, except as provided in the Retirement System, distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Member died.

(iii) If there is no designated beneficiary as of September 30 of the year following the year of the Member's death, the Member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Member's death.

(iv) If the Member's surviving spouse is the Member's sole designated beneficiary and the surviving spouse dies after the Member but before distributions to the surviving spouse begin, this subsection (b) will apply as if the surviving spouse were the Member.

For purposes of subsections (b)(2) and (iv) of this section, distributions are considered to begin on the Member's required beginning date (or, if subsection (b)(2)(iv) of this section applies, the date distributions are required to begin to the surviving spouse under subsection (b)(2)(i) of this section). If annuity payments irrevocably commence to the Member before the Member's required beginning date (or to the Member's surviving spouse before the date distributions are required to begin to the surviving spouse under subsection (b)(2)(i) of this section), the date distributions are considered to begin is the date distributions actually commence.

(3) *Form of Distribution.* Unless the Member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with subsections (c) and (d) of this section. If the Member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of section 401(a)(9) of the Code and the Treasury regulations. Any part of the Member's interest which is in the form of an individual account described in IRC section 414(k) of the will be distributed in a manner satisfying the requirements of IRC section 401(a)(9) of the and the Treasury regulations that apply to individual accounts.

(c) Determination of Amount to Be Distributed Each Year.

(1) *General Annuity Requirements.* If the Member's interest is paid in the form of annuity distributions under the Retirement System, payments under the annuity will satisfy the following requirements:

(i) The annuity distributions will be paid in periodic payments made at intervals not longer than one year;

(ii) The distribution period will be over a life (or lives) or over a period certain not longer than the period described in subsection (d) of this section;

(iii) Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted.

(2) *Amount Required to Be Distributed by Required Beginning Date.* The amount that must be distributed on or before the Member's required beginning date (or, if the Member dies before distributions begin, the date distributions are required to begin under subsection (b)(2)(i) or (ii) of this section) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the Member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the Member's required beginning date.

(3) *Additional Accruals after First Distribution Calendar Year.* Any additional benefits accruing to the Member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(d) Requirements for Minimum Distributions Where Member Dies before Date Distributions Begin.

(1) *Joint Life Annuities Where the Beneficiary Is Not the Member's Spouse.* If the Member's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the Member and a nonspouse beneficiary, annuity payments to be made on or after the Member's required beginning date to the designated beneficiary after the Member's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the Member using the table set forth in Q&A-2 of section 1.401(a)(9)-6 of the Treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the Member and a nonspouse beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated beneficiary after the expiration of the period certain.

(2) *Member Survived by Designated Beneficiary.* If the Member dies before the date distribution of his or her interest begins and there is a designated beneficiary, the Member's entire interest will be distributed, beginning no later than the time described in subsection (b)(2)(a) or (b) of this section, over the life of the designated beneficiary or over a period certain not exceeding:

(a) Unless the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the Member's death; or

(b) If the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.

(3) *No Designated Beneficiary.* If the Member dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the Member's death, distribution of the Member's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Member's death.

(4) *Death of Surviving Spouse before Distributions to Surviving Spouse Begin.* If the Member dies before the date distribution of his or her interest begins, the Member's surviving spouse is the Member's sole designated beneficiary, and the surviving spouse dies before distributions to the surviving spouse begin, this subsection (d) will apply as if the surviving spouse were the Member, except that the time by which distributions must begin will be determined without regard to subsection (b)(2)(i) of this section.

(e) Definitions.

(1) *Designated beneficiary* means the individual who is designated as the beneficiary under Section 2 of the Retirement System and is the designated beneficiary under IRC section 401(a)(9) and section 1.401(a)(9)-4 of the Treasury regulations.

(2) *Distribution calendar year* means a calendar year for which a minimum distribution is required. For distributions beginning before the Member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the Member's required beginning date. For distributions beginning after the Member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to subsection (b)(2) of this section.

(3) *Life expectancy* means life expectancy as computed by use of the Single Life Table in section 1.401(a)(9)-9 of the Treasury regulations.

(4) *Required beginning date* means the date specified in subsection (a) of this section.

SECTION 45
DEFINED CONTRIBUTION PLAN

Effective July 1, 2002, all nonunion management employee hired by the City as of January 1, 2002, and elected officials in office as of January 1, 2002, will have the option of either becoming a member of the GERS or they may elect to participate in a defined contribution plan or other portable plan as designated by the City. The defined contribution plan shall be made available to nonunion management employee and elected officials of the City and said contribution rate shall be as follows: three percent of the employee's base salary shall be contributed by the employee and nine percent shall be contributed by the City.

The Departments of Finance and Human Resources shall be responsible for establishing guidelines and procedures for implementing and administering the defined contribution plan. Employees and elected officials who elect to participate in the defined contribution plan and who complete at least ten years of Credited Service, prior to or after July 1, 2002, will be eligible for health care benefits as specified in Section 18.

SECTION 46
DENIAL OF BENEFIT CLAIM—APPEAL

A benefit claimant shall be notified in writing within 30 days of the Board's denial of a claim for benefits. The notification shall contain the basis for the denial. The benefit claimant may appeal the denial and request a hearing before the Board. The appeal shall be in writing and filed with the Retirement System within 60 days of the date of the notification of denial. The request for appeal shall contain a statement of the claimant's reasons for believing the denial to be improper. The Board shall schedule a hearing of the appeal within 60 days of receipt of the request to appeal.

SECTION 47
EFFECTIVE PROVISIONS

A Member shall be entitled to those benefits based upon the terms and conditions in effect at the time of separation from employment.

SECTION 48
MANDATORY BARGAINING SUBJECTS

Notwithstanding any other provisions of this Retirement System, any matter relating to the Retirement System applicable to current employees represented by a collective bargaining agent is a mandatory subject of bargaining under the Public Employment Relations Act, Act No. 336 of the Public Acts of 1947, being sections 423.201 to 423.216 of the Michigan Compiled Laws.

SECTION 49
RECIPROCAL RETIREMENT SYSTEM

The Retirement System is a reciprocal retirement system under the provisions of Act 88, Public Acts of 1961 of the State of Michigan, as amended. This section does not indicate adoption of section 6 of Act 88 of 1961, as amended (MCL 38.1106).

SECTION 50
FRAUD PENALTY

Whoever with intent to deceive shall make any statement or report under this Retirement System which is untrue, or shall falsify or permit to be falsified any record or records of the Retirement System, or who shall otherwise violate the provisions of this Retirement System as it may from time to time be amended, with intent to deceive, shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed $500.00 plus costs of

prosecution, or shall be imprisoned for not to exceed 90 days, or both, in the discretion of the court.

Section 2. Severability.

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

Section 3. Repealer.

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

Section 4. Publication.

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

Section 5. Effective Date.

This Ordinance shall be effective April 1, 2021.

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Pontiac at a regular Council Meeting held electronically in said City on the _____day of_____, 2021.

_____
Garland S. Doyle, Interim City Clerk

37093629.1/071371.00075
01/20/21

#3

RESOLUTION

Pontiac City Council Resolution

WHEREAS, section 5.402 of the Pontiac City Charter requires the City Council to appoint three electors of the City annually, to the Board of Review before the first meeting; and,

WHEREAS, in addition to the charter requirement of being an elector, all members of the Board of Review must attend and receive training prior to attending the first meeting.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Pontiac City Council appoints Linda D. Watson, Elizabeth Peete, Mattie Lasseigne and alternate, Elick Shorter, to serve as members to the Board of Review.

#4

RESOLUTION

CITY OF PONTIAC
OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Dan Ringo, Interim Director of Public Works

DATE: February 2nd 2021

RE: **Resolution to approve extending the METRO Act Permit Agreement between AT&T and the City of Pontiac**

On March 14, 2002 three bills were signed into law to stimulate the availability of affordable high-speed Internet connections. Act 48 of the Public Acts of 2002 created the Metropolitan Extension Telecommunication Rights-of-Way Oversight (METRO) Authority, whose purpose was to assist telecommunication providers cut through red tape and obtain permits without having to pay excessive fees or endure unnecessary delays. Under Public Act 88 of 2014, the Local Community Stabilization Authority assumed the role of the METRO Authority.

This is a resolution for Council to approve extending the existing METRO Act Permit issued by the Pontiac City/Oakland County to Michigan Bell Telephone Company d/b/a AT&T Michigan ("AT&T") which expired on September 30, 2020. The extension is for a term to end on September 30, 2025. If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the address on this letterhead. Upon receipt AT&T will acknowledge and return one copy for your files. Additional information regarding this renewal request may be found at http://www.michigan.gov/mpsc. Please click on Telecommunications, METRO Act/Right of Way, and AT&T 5 Year permit extension.

WHEREAS, Council remains in support of the intent and purpose of the METRO Act and agree to extend necessary permits as allowed under the agreement between AT&T and the City of Pontiac.

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to extend the existing METRO Act Permit issued by the Pontiac City Council which expired on September 30, 2020. This extension will last for 5 years and not expire until September 30, 2025.

dr

Attachments.

AT&T Michigan
Angela Wesson
METRO Act Administrator
54 N. Mill Street
Mailbox #30
Pontiac, MI 48342

March 1, 2020
Resend: July 10, 2020

Pontiac City
47450 Woodward Ave
Pontiac, MI 48342

METRO ACT RIGHT OF WAY PERMIT EXTENSION

Dear Pontiac City,

This is a letter agreement which extends the existing METRO Act Permit issued by the Pontiac City/Oakland County to Michigan Bell Telephone Company d/b/a AT&T Michigan ("AT&T") which expires on September 30, 2020. The extension is for a term to end on September 30, 2025.

If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the address on this letterhead. Upon receipt AT&T will acknowledge and return one copy for your files.

Additional information regarding this renewal request may be found at http://www.michigan.gov/mpsc. Please click on Telecommunications, METRO Act/Right of Way, and AT&T 5 Year permit extension.

We would appreciate return of the signed copies within 30 days of receiving this request. Your cooperation is appreciated.

If you have any questions feel free to contact Ms. Angela Wesson via e-mail, AD3245@att.com or 248-456-0361.

Agreed to by and on behalf of the
Pontiac City

By: _____
Signature

Its: _____

Date: _____

Michigan Bell Telephone Company d/b/a AT&T acknowledges receipt of this

Permit Extension granted by the municipality.

By: _____
Angela Wesson

Its: METRO Act Administrator

Date: _____

AT&T Michigan
Angela Wesson
METRO Act Administrator
54 N. Mill Street
Mailbox #30
Pontiac, MI 48342

February 10, 2016
Resend: January 10, 2019

Pontiac City
47450 Woodward Ave
Pontiac, MI 48342

METRO ACT RIGHT OF WAY PERMIT EXTENSION

Dear Pontiac City,

This is a letter agreement which extends the existing METRO Act Permit issued by the Pontiac City/Oakland County to Michigan Bell Telephone Company d/b/a AT&T Michigan ("AT&T") which expires on September 30, 2015. The extension is for a term to end on September 30, 2020.

If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the address on this letterhead. Upon receipt AT&T will acknowledge and return one copy for your files.

Additional information regarding this renewal request may be found at http://www.michigan.gov/mpsc. Please click on Telecommunications, METRO Act/Right of Way, and AT&T 5 Year permit extension.

We would appreciate return of the signed copies within 30 days of receiving this request. Your cooperation is appreciated.

If you have any questions feel free to contact Ms. Angela Wesson via e-mail, AD3245@att.com or 248-456-0361.

Agreed to by and on behalf of the
Pontiac City

By: Deirdre Waterman
Signature

Its: Mayor

Date: 7/29/19

Michigan Bell Telephone Company d/b/a AT&T acknowledges receipt of this Permit Extension granted by the municipality.

By: Angela Wesson
Angela Wesson

Its: METRO Act Administrator

Date: July 31, 19

METRO Act
Unilateral Form
Revised 12/06/02

RIGHT-OF-WAY TELECOMMUNICATIONS PERMIT

This permit issued this 6 day of Sept, 2005__ by the City of Pontiac.

1 Definitions

1.1 Date of Issuance shall mean the date set forth above.

1.2 Manager shall mean Municipality's [Mayor/Manager/Supervisor/Village President] or his or her designee.

1.3 METRO Act shall mean the Metropolitan Extension Telecommunications Right-of Way oversight Act, Act No. 48 of the Public Acts of 2002, as amended.

1.4 Municipality shall mean Pontiac City, a Michigan municipal corporation.

1.5 Permit shall mean this document.

1.6 Permittee shall mean **Michigan Bell Telephone Company D.B.A SBC Michigan** organized under the laws of the State of Michigan whose address is **54 N. Mill St., Box 32, Pontiac, Mi. 48342.**

1.7 Public Right-of-Way shall mean the area on, below, or above a public roadway, highway, street, alley, easement, or waterway, to the extent Municipality has the ability to grant the rights set forth herein. Public Right-of-Way does not include a federal, state, or private right-of-way.

1.8 Telecommunications Facilities or Facilities shall mean the Permittee's equipment or personal property, such as copper and fiber cables, lines, wires, switches, conduits, pipes, and sheaths, which are used to or can generate, receive, transmit, carry, amplify or provide telecommunication services or signals. Telecommunication Facilities or Facilities do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware used to provide federally licensed commercial mobile service as defined in Section 332(d) of Part I of Title III of the Communications Act of 1934, Chapter 652, 48 Stat. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 CFR 20.3, and service provided by any wireless, two-way communications device.

1.9 Term shall have the meaning set forth in Part 7.

2 Grant

2.1 Municipality hereby issues a permit under the METRO Act to Permittee for access to and ongoing use of the Public Right-of-Way identified on Exhibit A to construct, install and maintain Telecommunication Facilities on the terms set forth herein.

2.1.1 Exhibit A may be modified by Manager upon written request by Permittee.

2.1.2 Any decision of Manager on a request by Permittee for a modification may be appealed by Permittee to Municipality's legislative body.

2.2 Overlashing. Permittee shall not allow the wires or any other facilities of a third party to be overlashed to the Telecommunication Facilities without Municipality's prior written consent. Municipality's right to withhold written consent is subject to the authority of the Michigan Public Service Commission under Section 361 of the Michigan Telecommunications Act, MCL § 484.2361.

2.3 Nonexclusive. The rights granted by this Permit are nonexclusive. Municipality reserves the right to approve, at any time, additional permits for access to and ongoing usage of the Public Right-of-Way by telecommunications providers and to enter into agreements for use of the Public Right-of-Way with and grant franchises for use of the Public Right-of-Way to telecommunications providers, cable companies, utilities and other providers.

3 Contacts, Maps and Plans

3.1 Permittee Contacts. The names, addresses and the like for engineering and construction related information for Permittee and its Telecommunication Facilities are as follows:

3.1.1 *The address, e-mail address, phone number and contact person (title or name) at Permittee's local office (in or near Municipality) is **Marte Neumeyer, Area Manager, 54 N. Mill St. Box 32, Pontiac, Mi. 48342 Office: 248-456-0830, Fax: 248-975-4075.**

3.1.2 If Permittee's engineering drawings, as-built plans and related records for the Telecommunication Facilities will not be located at the preceding local office, the location address, phone number and contact person (title or department) for them is Same as 3.1.1.

3.1.3 The name, title, address, e-mail address and telephone numbers of

Permittee's engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is: **Paulette Regula, Area Engineer, 54 N. Mill St, Pontiac, Mi. 48342 Office: 248-456-9167, Fax: 248-975-4075.**

3.1.4 The address, phone number and contact person (title or department) at Permittee's home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is Same as 3.1.3.

3.1.5 Permittee shall at all times provide Manager with the phone number at which a live representative of Permittee (not voice mail) can be reached 24 hours a day, seven (7) days a week, in the event of a public emergency.

3.1.6 Permittee shall immediately notify Municipality in writing as set forth in Part 12 of any inaccuracies or changes in the preceding information.

3.2 Route Maps. Within ninety (90) days after the substantial completion of new Facilities in a Municipality, a provider shall submit route maps showing the location of the Telecommunication Facilities to both the Michigan Public Service Commission and to the Municipality, as required under Section 6(7) of the METRO Act, MCLA 484.3106(7).

3.3 As-Built Records. Permittee, without expense to Municipality, shall, upon forty-eight (48) hours notice, give Municipality access to all "as-built" maps, records, plans and specifications showing the Telecommunication Facilities or portions thereof in the Public Right-of-Way. Upon request by Municipality, Permittee shall inform Municipality as soon as reasonably possible of any changes from previously supplied maps, records, or plans and shall mark up maps provided by Municipality so as to show the location of the Telecommunication Facilities.

4 Use of Public Right-of-Way

4.1 No Burden on Public Right-of-Way. Permittee, its contractors, subcontractors, and the Telecommunication Facilities shall not unduly burden or interfere with the present or future use of any of the Public Right-of-Way. Permittee's aerial cables and wires shall be suspended so as to not endanger or injure persons or property in or about the Public Right-of-Way. If Municipality reasonably determines that any portion of the Telecommunication Facilities constitutes an undue burden or interference, due to changed circumstances, Permittee, at its sole expense, shall modify the Telecommunication Facilities or take such other actions as Municipality may determine is in the public interest to remove or alleviate the burden, and Permittee shall do so within a reasonable time period. Municipality will attempt to require all occupants of a pole or conduit whose facilities are a burden to remove or alleviate the burden concurrently.

4.2 No Priority. This Permit does not establish any priority of use of the Public Right-of-Way by Permittee over any present or future permittees or parties having agreements with Municipality or franchises for such use. In the event of any dispute as to the priority of use of the Public Right-of-Way, the first priority shall be to the public generally, the second priority to Municipality, the third priority to the State of Michigan and its political subdivisions in the performance of their various functions, and thereafter as between other permit, agreement or franchise holders, as determined by Municipality in the exercise of its powers, including the police power and other powers reserved to and conferred on it by the State of Michigan.

4.3 Restoration of Property. Permittee, its contractors and subcontractors shall immediately **(subject to seasonal work restrictions)** restore, at Permittee's sole expense, in a manner approved by Municipality, any portion of the Public Right-of-Way that is in any way disturbed, damaged, or injured by the construction, installation, operation, maintenance or removal of the Telecommunication Facilities to a reasonably equivalent (or, at Permittee's option, better) condition as that which existed prior to the disturbance. In the event that Permittee, its contractors or subcontractors fail to make such repair within a reasonable time, Municipality may make the repair and Permittee shall pay the costs Municipality incurred for such repair.

4.4 Marking. Permittee shall mark the Telecommunication Facilities as follows: Aerial portions of the Telecommunication Facilities shall be marked with a marker on Permittee's lines on alternate poles which shall state Permittee's name and provide a toll-free number to call for assistance. Direct buried underground portions of the Telecommunication Facilities shall have (1) a conducting wire placed in the ground at least several inches above Permittee's cable **(if such cable is nonconductive)**; (2) at least several inches above that, a continuous colored tape with a statement to the effect that there is buried cable beneath; and (3) stakes or other appropriate above ground markers with Permittee's name and a toll-free number indicating that there is buried telephone cable below. Bored underground portions of the Telecommunication Facilities shall have a conducting wire at the same depth as the cable and shall not be required to provide the continuous colored tape. Portions of the Telecommunication Facilities located in conduit, including conduit of others used by Permittee, shall be marked at its entrance into and exit from each manhole and handhole with Permittee's name and a toll-free telephone number.

4.5 Tree Trimming. Permittee may trim trees upon and overhanging the Public Right-of-Way so as to prevent the branches of such trees from coming into contact with the Telecommunication Facilities, consistent with any standards adopted by Municipality. Permittee shall dispose of all trimmed materials. Permittee shall minimize the trimming of trees to that essential to maintain the

integrity of the Telecommunication Facilities. Except in emergencies, all trimming of trees in the Public Right-of-Way shall have the advance approval of Manager.

4.6 Installation and Maintenance. The construction and installation of the Telecommunication Facilities shall be performed pursuant to plans approved by Municipality. The open cut of any Public Right-of-Way shall be coordinated with the Manager or his designee. Permittee shall install and maintain the Telecommunication Facilities in a reasonably safe condition. If the existing poles in the Public Right-of-Way are overburdened or unavailable for Permittee's use, or the facilities of all users of the poles are required to go underground then Permittee shall, at its expense, place such portion of its Telecommunication Facilities underground, unless Municipality approves an alternate location. Permittee may perform maintenance on the Telecommunication Facilities without prior approval of Municipality, provided that Permittee shall obtain any and all permits required by Municipality in the event that any maintenance will disturb or block vehicular traffic or are otherwise required by Municipality.

4.7 Pavement Cut Coordination. Permittee shall coordinate its construction and all other work in the Public Right-of-Way with Municipality's program for street construction and rebuilding (collectively "Street Construction") and its program for street repaving and resurfacing (except seal coating and patching) (collectively, "Street Resurfacing").

4.7.1 The goals of such coordination shall be to encourage Permittee to conduct all work in the Public Right-of-Way in conjunction with or immediately prior to any Street Construction or Street Resurfacing planned by Municipality.

4.8 Compliance with Laws. Permittee shall comply with all laws, statutes, ordinances, rules and regulations regarding the construction, installation, and maintenance of its Telecommunication Facilities, whether federal, state or local, now in force or which hereafter may be promulgated. Before any installation is commenced, Permittee shall secure all necessary permits, licenses and approvals from Municipality or other governmental entity as may be required by law, including, without limitation, all utility line permits and highway permits. Permittee shall comply in all respects with applicable codes and industry standards, including but not limited to the National Electrical Safety Code (latest edition adopted by Michigan Public Service Commission) and the National Electric Code (latest edition). Permittee shall comply with all zoning and land use ordinances and historic preservation ordinances as may exist or may hereafter be amended.

4.9 Street Vacation. If Municipality vacates or consents to the vacation of Public Right-of-Way within its jurisdiction, and such vacation necessitates the removal

and relocation of Permittee's Facilities in the vacated Public Right-of-Way, Permittee shall, as a condition of this Permit, consent to the vacation and remove its Facilities at its sole cost and expense when ordered to do so by Municipality or a court of competent jurisdiction. Permittee shall relocate its Facilities to such alternate route as Municipality, applying reasonable engineering standards, shall specify.

4.10 Relocation. If Municipality requests Permittee to relocate, protect, support, disconnect, or remove its Facilities because of street or utility work, or other public projects, Permittee shall relocate, protect, support, disconnect, or remove its Facilities, at its sole cost and expense, including where necessary to such alternate route as Municipality, applying reasonable engineering standards, shall specify. The work shall be completed within a reasonable time period.

4.11 Public Emergency. Municipality shall have the right to sever, disrupt, dig-up or otherwise destroy Facilities of Permittee if such action is necessary because of a public emergency. If reasonable to do so under the circumstances, Municipality will attempt to provide notice to Permittee. Public emergency shall be any condition which poses an immediate threat to life, health, or property caused by any natural or man-made disaster, including, but not limited to, storms, floods, fire, accidents, explosions, water main breaks, hazardous material spills, etc. Permittee shall be responsible for repair at its sole cost and expense of any of its Facilities damaged pursuant to any such action taken by Municipality.

4.12 Miss Dig. If eligible to join, Permittee shall subscribe to and be a member of "MISS DIG," the association of utilities formed pursuant to Act 53 of the Public Acts of 1974, as amended, MCL § 460.701 et seq., and shall conduct its business in conformance with the statutory provisions and regulations promulgated thereunder.

4.13 Underground Relocation. If Permittee has its Facilities on poles of Consumers Energy, Detroit Edison or another electric or telecommunications provider and Consumers Energy, Detroit Edison or such other electric or telecommunications provider relocates its system underground, then Permittee shall relocate its Facilities underground in the same location at Permittee's sole cost and expense.

4.14 Identification. All personnel of Permittee and its contractors or subcontractors who have as part of their normal duties contact with the general public shall wear on their clothing a clearly visible identification card bearing Permittee's name, their name and photograph. Permittee shall account for all identification cards at all times. Every service vehicle of Permittee and its contractors or subcontractors shall be clearly identified as such to the public, such as by a magnetic sign with Permittee's name and telephone number.

5 Indemnification

5.1 Indemnity. Permittee shall defend, indemnify, protect, and hold harmless Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions from any and all claims, losses, liabilities, causes of action, demands, judgments, decrees, proceedings, and expenses of any nature (collectively "claim" for this Part 5) (including, without limitation, attorneys' fees) arising out of or resulting from the acts or omissions of Permittee, its officers, agents, employees, contractors, successors, or assigns, but only to the extent such acts or omissions are related to the Permittee's use of or installation of facilities in the Public Right-of-Way and only to the extent of the fault or responsibility of Permittee, its officers, agents, employees, contractors, successors and assigns.

5.2 Notice, Cooperation. Municipality will notify Permittee promptly in writing of any such claim and the method and means proposed by Municipality for defending or satisfying such claim. Municipality will cooperate with Permittee in every reasonable way to facilitate the defense of any such claim. Municipality will consult with Permittee respecting the defense and satisfaction of such claim, including the selection and direction of legal counsel.

5.3 Settlement. Municipality will not settle any claim subject to indemnification under this Part 5 without the advance written consent of Permittee, which consent shall not be unreasonably withheld. Permittee shall have the right to defend or settle, at its own expense, any claim against Municipality for which Permittee is responsible hereunder.

6 Insurance

6.1 Coverage Required. Prior to beginning any construction in or installation of the Telecommunication Facilities in the Public Right-of-Way, Permittee shall obtain insurance as set forth below and file certificates evidencing same with Municipality. Such insurance shall be maintained in full force and effect until the end of the Term. In the alternative, Permittee may satisfy this requirement through a program of self-insurance, acceptable to Municipality, by providing reasonable evidence of its financial resources to Municipality. Municipality's acceptance of such self-insurance shall not be unreasonably withheld.

6.1.1 Commercial general liability insurance, including Completed Operations Liability, Independent Contractors Liability, Contractual Liability coverage, railroad protective coverage and coverage for property damage from perils of explosion, collapse or damage to underground utilities, commonly known as XCU coverage, in an amount not less than Five Million Dollars ($5,000,000).

6.1.2 Liability insurance for sudden and accidental environmental

contamination with minimum limits of Five Hundred Thousand Dollars ($500,000) and providing coverage for claims discovered within three (3) years after the term of the policy.

6.1.3 Automobile liability insurance in an amount not less than One Million Dollars ($1,000,000).

6.1.4 Workers' compensation and employer's liability insurance with statutory limits, and any applicable Federal insurance of a similar nature.

6.1.5 The coverage amounts set forth above may be met by a combination of underlying (primary) and umbrella policies so long as in combination the limits equal or exceed those stated. If more than one insurance policy is purchased to provide the coverage amounts set forth above, then all policies providing coverage limits excess to the primary policy shall provide drop down coverage to the first dollar of coverage and other contractual obligations of the primary policy, should the primary policy carrier not be able to perform any of its contractual obligations or not be collectible for any of its coverages for any reason during the Term, or (when longer) for as long as coverage could have been available pursuant to the terms and conditions of the primary policy.

6.2 Additional Insured. Municipality shall be named as an additional insured on all policies (other than worker's compensation and employer's liability). All insurance policies shall provide that they shall not be canceled, modified or not renewed unless the insurance carrier provides thirty (30) days prior written notice to Municipality. Permittee shall annually provide Municipality with a certificate of insurance evidencing such coverage. All insurance policies (other than environmental contamination, workers' compensation and employer's liability insurance) shall be written on an occurrence basis and not on a claims made basis.

6.3 Qualified Insurers. All insurance shall be issued by insurance carriers licensed to do business by the State of Michigan or by surplus line carriers on the Michigan Insurance Commission approved list of companies qualified to do business in Michigan. All insurance and surplus line carriers shall be rated A+ or better by A.M. Best Company.

6.4 Deductibles. If the insurance policies required by this Part 6 are written with retainages or deductibles in excess of $50,000, they shall be approved by Manager in advance in writing. Permittee shall indemnify and save harmless Municipality from and against the payment of any deductible and from the payment of any premium on any insurance policy required to be furnished hereunder.

6.5 Contractors. Permittee's contractors and subcontractors working in the Public Right-of-Way shall carry in full force and effect commercial general liability,

environmental contamination liability, automobile liability and workers' compensation and employer liability insurance which complies with all terms of this Part 6. In the alternative, Permittee, at its expense, may provide such coverages for any or all its contractors or subcontractors (such as by adding them to Permittee's policies).

6.6 Insurance Primary. Permittee's insurance coverage shall be primary insurance with respect to Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions (collectively "them"). Any insurance or self-insurance maintained by any of them shall be in excess of Permittee's insurance and shall not contribute to it (where "insurance or self-insurance maintained by any of them" includes any contract or agreement providing any type of indemnification or defense obligation provided to, or for the benefit of them, from any source, and includes any self-insurance program or policy, or self-insured retention or deductible by, for or on behalf of them).

7 Term

7.1 Term. The term ("Term") of this Permit shall be until the earlier of:

7.1.1 **Five Years (5)** [five years or less] from the Date of Issuance; or

7.1.2 When the Telecommunication Facilities has not been used to provide telecommunications services for a period of one hundred and eighty (180) days by Permittee or a successor or an assignee of Permittee; or

7.1.3 When Permittee, at its election and with or without cause, delivers written notice of termination to Municipality at least one-hundred and eighty (180) days prior to the date of such termination; or

7.1.4 Upon either Permittee or Municipality giving written notice to the other of the occurrence or existence of a default by the other party under Sections 4.8, 6, 8 or 9 of this Permit and such defaulting party failing to cure, or commence good faith efforts to cure, such default within sixty (60) days (or such shorter period of time provided elsewhere in this Permit) after delivery of such notice; or

7.1.5 Unless Manager grants a written extension, one year from the Date of Issuance if prior thereto Permittee has not started the construction and installation of the Telecommunication Facilities within the Public Right-of-Way and two years from the Date of Issuance if by such time construction and installation of the Telecommunication Facilities is not complete.

8 Performance Bond or Letter of Credit

8.1 Municipal Requirement. Municipality may require Permittee to post a bond (or letter of credit) as provided in Section 15(3) of the METRO Act, as amended [MCL § 484.3115(3)].

9 Fees

9.1 Establishment; Reservation. The METRO Act shall control the establishment of right-of-way fees. The parties reserve their respective rights regarding the nature and amount of any fees which may be charged by Municipality in connection with the Public Right-of-Way.

10 Removal

10.1 Removal; Underground. As soon as practicable after the Term, Permittee or its successors and assigns shall remove any underground cable or other portions of the Telecommunication Facilities from the Public Right-of-Way which has been installed in such a manner that it can be removed without trenching or other opening of the Public Right-of-Way. Permittee shall not remove any underground cable or other portions of the Telecommunication Facilities which requires trenching or other opening of the Public Right-of-Way except with the prior written approval of Manager. All removals shall be at Permittee's sole cost and expense.

10.1.1 For purposes of this Part 10, "cable" means any wire, coaxial cable, fiber optic cable, feed wire or pull wire.

10.2 Removal; Above Ground. As soon as practicable after the Term, Permittee, or its successor or assigns at its sole cost and expense, shall, unless waived in writing by Manager, remove from the Public Right-of-Way all above ground elements of its Telecommunication Facilities, including but not limited to poles, pedestal mounted terminal boxes, and lines attached to or suspended from poles.

10.3 Schedule. The schedule and timing of removal shall be subject to approval by Manager. Unless extended by Manager, removal shall be completed not later than twelve (12) months following the Term. Portions of the Telecommunication Facilities in the Public Right-of-Way which are not removed within such time period shall be deemed abandoned and, at the option of Municipality exercised by written notice to Permittee as set forth in Part 12, title to the portions described in such notice shall vest in Municipality.

11 Assignment. Permittee may assign or transfer its rights under this Permit, or the persons or entities controlling Permittee may change, in whole or in part, voluntarily, involuntarily, or by operation of law, including by merger or consolidation, change in the

ownership or control of Permittee's business, or by other means, subject to the following:

11.1 No such transfer or assignment or change in the control of Permittee shall be effective under this Permit, without Municipality's prior approval (not to be unreasonably withheld), during the time period from the Date of Issuance until the completion of the construction of the Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A.

11.2 After the completion of such construction, Permittee must provide notice to Municipality of such transfer, assignment or change in control no later than thirty (30) days after such occurrence; provided, however,

11.2.1 Any transferee or assignee of this Permit shall be qualified to perform under its terms and conditions and comply with applicable law; shall be subject to the obligations of this Permit, including responsibility for any defaults which occurred prior to the transfer or assignment; shall supply Municipality with the information required under Section 3.1; and shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary, and

11.2.2 In the event of a change in control, it shall not be to an entity lacking the qualifications to assure Permittee's ability to perform under the terms and conditions of this Permit and comply with applicable law; and Permittee shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary.

11.3 Permittee may grant a security interest in this Permit, its rights thereunder or the Telecommunication Facilities at any time without notifying Municipality.

12 Notices

12.1 Notices. All notices under this Permit shall be given as follows:

12.1.1 If to Municipality, to [address], with a copy to [address].

12.1.2 If to Permittee, to Joan Richards, Area Manager, SBC Michigan, 54 N. Mill St., Box 32, Pontiac, Mi. 48342

12.1.3 With a copy to Paulette Regula, Area Engineer, 54 N. Mill St. , Pontiac , Mi. 48342.

12.2 Change of Address. Permittee and Municipality may change its address or personnel for the receipt of notices at any time by giving notice thereof to the

other as set forth above.

13 Other items

13.1 No Cable, OVS. This Permit does not authorize Permittee to provide commercial cable type services to the public, such as "cable service" or the services of an "open video system operator" (as such terms are defined in the Federal Communications Act of 1934 and implementing regulations, currently 47 U.S.C. §§ 522 (6), 573 and 47 CFR § 76.1500).

13.2 Effectiveness. This Permit shall become effective when Permittee has provided any insurance certificates and bonds required in Parts 6 and 8, and signed the acknowledgement of receipt, below.

13.3 Authority. This Permit satisfies the requirement for a permit under Section 5 of the METRO Act [MCL 484.3105].

13.4 Interpretation and Severability. The provisions of this Permit shall be liberally construed to protect and preserve the peace, health, safety and welfare of the public, and should any provision or section of this Permit be held unconstitutional, invalid, overbroad or otherwise unenforceable, such determination/holding shall not be construed as affecting the validity of any of the remaining conditions of this Permit. If any provision in this Permit is found to be partially overbroad, unenforceable, or invalid, Permittee and Municipality may nevertheless enforce such provision to the extent permitted under applicable law.

13.5 Governing Law. This Permit shall be governed by the laws of the State of Michigan.

City of Portage
[Municipality name]

By: [signature]
Its: City Engineer
Date: 9/6/05

Acknowledgement of Receipt: Permittee acknowledges receipt of this Permit granted by Municipality.

Michigan Bell Telephone d.b.a. SBC

By: Joan C. Richards

Its: Area Manager
Date: 9/16/05

Exhibit A

Public Right-of-Way to be Used by Telecommunication Facilities:

All existing facilities assumed in all Existing rights of way in the Municipality shown on the "SBC Route maps for PA 48" CD-ROM disc dated October 2003 that was submitted with the Application, which is considered part of this Permit and Exhibit. Calculations of lineal footages used in determining maintenance for municipality are based on these Maps, with the assumption SBC Michigan occupies all rights of ways.

Municipality's acceptance of the described CD-ROM disc, which designates the Roads, Rights of ways and Routes existing facilities follow by a single line, with road names identified, but not the actual location of Permitee's existing facilities within the Rights of Way, is not a waiver of, nor an acknowledgement that the CD-ROM satisfies the requirement in section 2.3 of the Application to: "Attach route maps showing the location of Applicant's existing and proposed facilities in the public rights of way", or the statutory basis for the language under section 6(5) of the METRO Act. If it is later determined by the METRO Authority, Michigan Public services Commission, or a court of competent jurisdiction, in a final order that is not challengeable or appealable and binding on the Permitee: that the CD-ROM disc does not satisfy the requirements of Section 6(5) of the METRO Act, the Municipality reserves the right to require the Permitee to submit an amended Route Map that conforms to the requirements of, and within the timeframes set forth in the order or judgement.

Exhibit B

Bond

Letter of Credit to be submitted with Construction Permits at time of Specific Application

AT&T Midwest
23500 Northwestern Highway
Room E219
Southfield, MI 48075

T: 248.424.0124
F: 248.424.1217
LD1432@att.com

RECEIVED 1/28/11

July 27, 2010

Ms. Yvette Talley, Clerk
City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342

METRO ACT RIGHT OF WAY PERMIT EXTENSION

Dear Ms. Talley,

This is a letter agreement which extends the existing METRO Act Permit issued by the City of Pontiac to Michigan Bell Telephone Company formerly d/b/a SBC Michigan, now d/b/a/ AT&T Michigan ("AT&T") which expires on September 6, 2010. The extension is for a term to end on September 30, 2012.

If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the address listed above. Upon receipt AT&T will acknowledge and return one copy for your files.

Additional information regarding this renewal request may be found at http://www.michigan/gov/mpsc. Please click on Telecommunications, METRO Act –Right of Way, and AT&T Michigan 2 Year Permit Extension.

We would appreciate return of the signed copies within 30 days of receiving this request. Your cooperation is appreciated.

If you have any questions feel free to contact Lynn Dutton via e-mail, LD1432@att.com or 248.424.0124.

Agreed to by and on behalf of
City of Pontiac

By: [signature]
Its: DPW/U Director
Date: 1/25/11

Michigan Bell Telephone db/b/a AT&T acknowledges receipt of this Permit Extension granted by the municipality.

By: [signature]
Its: METRO Act Administrator
Date: 12-28-2010

USA Proud Sponsor of the U.S. Olympic Team

at&t

Lynn Cook Dutton
METRO Act Administrator
AT&T Michigan
23500 Northwestern Highway E219
Southfield, MI 48075

July 2, 2012

Ms. Sherikia Hawkins, Clerk
City of Pontiac
47450 Woodward Ave.
Pontiac, MI 48342

RECEIVED 7-11-12

METRO ACT RIGHT OF WAY PERMIT EXTENSION

Dear Ms. Hawkins,

This is a letter agreement which extends the existing METRO Act Permit issued by the City of Pontiac located in Oakland County to Michigan Bell Telephone Company d/b/a AT&T Michigan ("AT&T") which expires on September 30, 2012. The extension is for a term to end on September 30, 2015.

If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the address on this letterhead. Upon receipt AT&T will acknowledge and return one copy for your files.

Additional information regarding this renewal request may be found at http://www.michigan.gov/mpsc. Please click on Telecommunications, METRO Act/Right of Way, and AT&T 3 Year permit extension.

We would appreciate return of the signed copies within 30 days of receiving this request. Your cooperation is appreciated.

If you have any questions feel free to contact Ms. Lynn Dutton via e-mail, LD1432@att.com or 248.424.0124.

Agreed to by and on behalf of the
City of Pontiac

By: Louis H. Schimel

Its: Emergency Manager

Date: 7-5-12

Michigan Bell Telephone Company d/b/a AT&T acknowledges receipt of this Permit Extension granted by the municipality.

By: Lynn Cook Dutton

Its: METRO Act Administrator
Date: 7-11-12

AT&T Michigan
Angela Wesson
METRO Act Administrator
54 N. Mill Street
Mailbox #30
Pontiac, MI 48342

February 10, 2016
Resend: January 10, 2019

Pontiac City
47450 Woodward Ave
Pontiac, MI 48342

METRO ACT RIGHT OF WAY PERMIT EXTENSION

Dear Pontiac City,

This is a letter agreement which extends the existing METRO Act Permit issued by the Pontiac City/Oakland County to Michigan Bell Telephone Company d/b/a AT&T Michigan ("AT&T") which expires on September 30, 2015. The extension is for a term to end on September 30, 2020.

If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the address on this letterhead. Upon receipt AT&T will acknowledge and return one copy for your files.

Additional information regarding this renewal request may be found at http://www.michigan.gov/mpsc. Please click on Telecommunications, METRO Act/Right of Way, and AT&T 5 Year permit extension.

We would appreciate return of the signed copies within 30 days of receiving this request. Your cooperation is appreciated.

If you have any questions feel free to contact Ms. Angela Wesson via e-mail, AD3245@att.com or 248-456-0361.

Agreed to by and on behalf of the
Pontiac City

By: Deirdre Waterman
Signature

Its: Mayor

Date: 7/29/19

Michigan Bell Telephone Company d/b/a AT&T acknowledges receipt of this Permit Extension granted by the municipality.

By: Angela Wesson
Angela Wesson

Its: METRO Act Administrator

Date: July 31, 19

#5

RESOLUTION

CITY OF PONTIAC
OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council Members

FROM: Linnette Phillips, Director, Economic Development

THROUGH: Mayor Deirdre Waterman

DATE: February 9, 2021

RE: **ECONOMIC DEVELOPMENT**

Resolution Establishing an Industrial Development District for 4GW Real Estate Investment, LLC and 2100 Opdyke, LLC and Schedule a Public Hearing

---

4GW Real Estate Investments, LLC and 2100 S Opdyke LLC is requesting that the City of Pontiac establish an Industrial Development District on parcel 64-19-03-200-025 as provided in PA 198 of 1974 commonly known as 2100 S. Opdyke. Prior to the District being established, a Public Hearing is required.

The owners purchased the property from Williams International. The property at 2100 Opdyke is the former GM facility. A Formal Site Plan was summited and approved by the COP Planning Division, December 8, 2020 to construct a 711,360 sq.ft. building for purpose of providing a multi-tenant industrial facility.

No construction has commenced at this time, however, the owners have received letters of interest from two prospective tenants to relocate to the site. The facility would be classified as a "spec" facility and meet the criteria for PA 198 Industrial Development District.

RESOLUTION ON FOLLOWING PAGE

CITY OF PONTIAC CITY COUNCIL

RESOLUTION ESTABLISHING AN INDUSTRIAL DEVELOPMENT DISTRICT FOR 4GW REAL ESTATE INVESTMENTS, LLC AND 2100 OPDYKE, LLC AND SCHEDULE A PUBLIC HEARING PURSUANT TO PA 198 OF 1974

WHEREAS, pursuant to PA 198 of 1974, as amended (M.C.L.A. 207.551 et. seq.), the Pontiac City Council has the authority to establish an Industrial Development District, as defined in M.C.L.A. 207.553(2), within the City of Pontiac;

WHEREAS, 4GW Real Estate Investments, LLC ("**Owner**") is the owner of that certain real property located in the City of Pontiac and legally described below (the "**Property**"), and 2100 S Opdyke, LLC ("**Purchaser**" and collectively with Owner, "**Petitioner**") is the contract purchaser of the Property;

WHEREAS, pursuant to M.C.L.A. 207.554(2), Petitioner is the owner of 100% of the state equalized value of the industrial property located within the proposed Industrial Development District;

WHEREAS, Petitioner has petitioned the Pontiac City Council to establish an Industrial Development District on the Property;

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish the proposed Industrial Development District;

WHEREAS, written notice has been given by certified mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Oakland Press and/or public posting of the hearing on the establishment of the proposed Industrial Development District;

WHEREAS, a public hearing was held at which all owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Pontiac were afforded an opportunity to be heard thereon; and

WHEREAS, the Pontiac City Council deems it to be in the public interest of the City of Pontiac to establish the Industrial Development as proposed:

NOW, THEREFORE BE IT RESOLVED, by the Pontiac City Council, that the following described parcel of landed situated in the City of Pontiac, Oakland County, and State of Michigan, to wit:

LAND IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING PART OF LOTS 8 & 9, A PART OF "ASSESSOR'S PLAT NO. 110", A PART OF SECTION 3, T. 2N., R. 10 E., AS RECORDED IN LIBER 52 OF PLATS, PAGE 26 OF OAKLAND COUNTY RECORDS, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT

THE NORTHEAST PROPERTY CONTROLLING CORNER OF SECTION 3 (AS PREVIOUSLY SURVEYED), T. 2 N., R. 10 E., CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN; THENCE S 00°36'21" W ALONG THE EAST LINE OF SAID SECTION 3, 1215.50 FEET; THENCE N 89°23'39" W 60.00 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTH LINE OF CAMPUS DRIVE (WIDTH VARIES) WITH THE WEST LINE OF OPDYKE ROAD (120 FEET WIDE); THENCE S 00°36'21" W ALONG THE WEST LINE OF OPDYKE ROAD, 1331.66 FEET TO THE POINT OF BEGINNING; THENCE S 00°36'21" W ALONG THE WEST LINE OF OPDYKE ROAD, 728.35 FEET TO A POINT OF DEFLECTION; THENCE S. 00°24'47" E. ALONG THE WEST LINE OF OPDYKE ROAD, 901.82 FEET TO THE NORTHEAST CORNER OF UNIT 5 OF CENTERPOINT BUSINESS CAMPUS CONDOMINIUM, A CONDOMINIUM ACCORDING TO THE MASTER DEED THEREOF RECORDED IN LIBER 16667, PAGE 11, OAKLAND COUNTY RECORDS, AND DESIGNATED AS OAKLAND COUNTY CONDOMINIUM PLAN NO. 1004, AND ANY AMENDMENTS THERETO, AS LAST AMENDED BY EIGHT AMENDMENT TO MASTER DEED RECORDED IN LIBER 35596, PAGE 855, OAKLAND COUNTY RECORDS; THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE NORTH LINE OF SAID UNIT 5 AND UNITS 21, 22, 40, AND 24 OF SAID CENTERPOINT BUSINESS CAMPUS CONDOMINIUM: (1) S 89°35'13" W 35.00 FEET, AND (2) N 00°24'47" W 20.00 FEET, AND (3) 210.91 FEET ALONG A CURVE TO THE LEFT (RADIUS 215.00 FEET, CENTRAL ANGLE 56°12'23", LONG CHORD BEARS S 61°29'01" W 202.56 FEET) TO A POINT OF REVERSE CURVATURE, AND (4) 226.24 FEET ALONG A CURVE TO THE RIGHT (RADIUS 225.00 FEET, CENTRAL ANGLE 57°36'46", LONG CHORD BEARS S 62°11'13" W 216.83 FEET), AND (5) N 89°00'24" W 706.20 FEET; THENCE N 00°59'36" E 1815.00 FEET; THENCE S 89°00'24" E 1080.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,939,980 SQUARE FEET OR 44.536 ACRES OF LAND.

SUBJECT TO ANY EASEMENT AND OR RIGHTS OF WAY RECORDED OTHERWISE.

#6

RESOLUTION

CITY OF PONTIAC
OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council Members

FROM: Linnette Phillips, Director, Economic Development

THROUGH: Mayor Deirdre Waterman

DATE: February 9, 2021

RE: **ECONOMIC DEVELOPMENT**

Resolution to Confirm Obsolete Property Rehabilitation Exemption Certificate for JBD Indian Hill Ventures, LLC at 50 Wayne St, Extending the Time for Completion of Improvements for One Year, and Amending the Beginning December 20, 2020 to December 19, 2021

On May 21, 2019, the City approved an application for an Obsolete Property Rehabilitation Exemption Certificate by public hearing for the property at 50 Wayne Street. The historical property is being restored by JBD Indian Ventures. The firm renovates properties and repurposes them to spur downtown development in small communities. JBD committed to spending no less than $4.3M to restore the property.

The 2019 approval include a Development Agreement that obligated JBL restore the property and repurpose it to create 20 market rate units with certain deliverables and deadlines, amongst those included the completion of improvements that would allow a reassessment of the property for the 2021 tax year. Difficulties have caused the project to be delayed including **Covid – 19** and some of the following:

- There was basement flooding in the 100 year old building;
- Electrical problems with a transformer the source of electricity with adjacent buildings not owned by JBD;
- The transformer required upgrades that DTE (Edison) declined to upgrade. They said the problem was a carryover from Consumers Energy;
- A sump pump was necessary to avoid further flooding;
- To bring the building to code, a new sprinkler system was required accessing a separate water supply line'
- In addition to the $100K already spent to preserve the building, the above issues required an additional $75K not planned for in the budget.

JBD Indian Ventures is progressing with the rehab and preservation of the property at 50 Wayne. They are seeking funds form the MEDC and have a letter of interest from Murray Townhomes as an investor in the project. The project is projected to generate $888,000 of federal historic rehabilitation tax credits.

RESOLUTION ON FOLLOWING PAGE

CITY OF PONTIAC CITY COUNCIL

RESOLUTION TO CONFIRM OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE FOR JBD INDIAN VENTURES, LLC AT 50 WAYNE STREET, EXTENDING THE TIME FOR COMPLETION OF IMPROVEMENTS FOR ONE YEAR AND AMENDING THE BEGINNING DECEMBER 20, 2020 TO DECEMBER 19, 2021

Whereas, The City of Pontiac approved an application for Obsolete Property Rehabilitation Exemption Certificate for the property at 50 Wayne Street (Tax Parcel Number: 14-29-433-003) by public hearing after approval at May 28, 2019 City Council Meeting and resolution adopted; and

Whereas, the City of Pontiac has been informed of practical difficulties for the property that caused a reasonable delay in completing necessary improvements to occupy the property and cause the proper reassessment of the property in accord with Public Act 146 of 2000; and

Whereas, the Covid 19 pandemic and associated executive orders have further caused the project delay to be delayed through no fault of JBD Indian Hills Ventures, LLC; and

Whereas, the purpose and intent of the approval, and support stated in the 2019 resolution supporting the approval, remain true and accurate and the requested extension fully supported by the record presented to the City, present hardship in meeting the deadlines of the Act and approval; and

Whereas, an extension of the time for completion shall defer the required reassessment of the property by Oakland County Equalization for one year, allowing the property to receive the intended benefit of Public Act 146 of 2020.

Now, Therefore, Be It Resolved, that the Obsoleted Property Rehabilitation Act Exemption Certificate for the property known as 50 Wayne Street (Tax ID 14-29-433-003) is hereby confirmed and the time for completion of improvements is extended one year from the date hereof:

IT IS FURTHER RESOLVED that the Exemption Certificate shall be amended to reflect a beginning date of December 20, 2020 and ending December 19, 2021 with all other terms remaining as stated in accord with Public Act 146 of 2000, as amended.

Attachments:

Development Agreement
Obsolete Property Rehabilitation Act (OPRA)

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is effective as of MAY 21, 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
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~~
MAY 21, 2019

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

5102 (Rev. 01-19)

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

October 18, 2019

JB Davies
JBD Indian Hill Ventures, LLC
300 E Long Lake Road, Suite 280
Bloomfield Hills, MI 48304

Dear Sir or Madam:

The State Tax Commission, at their October 14, 2019 meeting, considered and approved your application for an obsolete property rehabilitation project, in accordance with Public Act 146 of 2000, as amended. Enclosed is certificate number 3-19-0013, issued to JBD Indian Hill Ventures, LLC for the project located at 50 Wayne Street, City of Pontiac, Oakland County.

A party aggrieved by the issuance, refusal to issue, revocation, transfer or modification of this exemption certificate may appeal a final decision of the State Tax Commission by filing a petition with the Michigan Tax Tribunal, www.michigan.gov/taxtrib, within 35 days. MCL 205.735a (6).

If you have any questions regarding this exemption, please contact the Community Services Division at (517) 335-7461.

Sincerely,

David A. Buick, Executive Director
State Tax Commission

Enclosure
By Certified Mail
cc: David M. Hieber, Assessor, City of Pontiac
Clerk, City of Pontiac

Michigan Department of Treasury
4483 (2-11)

Obsolete Property Rehabilitation Exemption Certificate

Certificate No. **3-19-0013**

Pursuant to the provisions of Public Act 146 of 2000, as amended, the State Tax Commission hereby issues an Obsolete Property Rehabilitation Exemption Certificate for the commercial property, as described in the approved application, owned by **JBD Indian Hill Ventures, LLC**, and located at **50 Wayne Street, City of Pontiac, County of Oakland**, Michigan.

This certificate provides the authority for the assessor to exempt the commercial property for which this Obsolete Property Rehabilitation Exemption Certificate is in effect, but not the land on which the rehabilitated facility is located or the personal property, from ad valorem taxation. This certificate further provides the authority to levy a specific tax known as the Obsolete Property Rehabilitation tax.

This certificate, unless revoked as provided by Public Act 146 of 2000, as amended, shall remain in force for a period of **12** year(s);

Beginning December 31, 2019, and ending December 30, 2031.

The real property investment amount for this obsolete facility is **$3,500,000.**

The taxable value of the real property related to this certificate is **$141,630.**

The State Treasurer **has not** excluded local school operating or state education tax levied from the specific Obsolete Property Rehabilitation.

This Obsolete Property Rehabilitation Exemption Certificate is issued on **October 14, 2019.**

STATE OF MICHIGAN
STATE TAX COMMISSION

Nick A. Khouri, Chairperson
State Tax Commission

A TRUE COPY
ATTEST:

Emily L. Leik

Emily Leik
Michigan Department of Treasury

#7

RESOLUTION

City of Pontiac, Michigan
Department of Finance

Mayor Deirdre Waterman

To: **Honorable Mayor and City Council**

From: **Sekar Bawa, Treasurer**

Through: **Darin Carrington – Finance Director**

Date: **February 4, 2021**

Re: **Resolution to amend the 2021 Poverty Guidelines approved by the City Council on December 15,2020 (agenda item 6) and the approve the amended Federal Poverty Guidelines for 2021 and the City of Pontiac Board of Review Instructions for Applicants requesting Hardship Exemption consideration in accordance with the Public Act 253 of 2020 signed in to law on December 23, 2020.**

Honorable Council President and City Council:

On an annual basis, the General Property Tax Act requires the governing body to adopt guidelines for the Board of Review to follow when considering applications for hardship exemptions. Homeowners granted hardship exemptions by the Board of Review are not required to pay 100% of the property taxes assessed against their homestead property in 2021.

City Council approved the revised poverty guidelines on December 15,2020 in their Study session meeting. On December 23,2020 Governor signed in to law Public Act 253 of 2020 that made several changes to the poverty exemption statute (MCL 211.7u) that impact how the city shall handle the exemption starting with the 2021 tax year.

Some of the key points include:

- City may pass a resolution to carry an exemption forward up to three years in the future for those persons who receive a fixed income solely from public assistance that is not subject to significant annual increases (Federal Supplemental security income, Social Security disability or retirement benefits).

- The act removes the Board's ability to deviate from the adopted policy/guidelines for substantial and compelling reasons
- A poverty exemption may be granted at 100%, or a partial may be granted at 50% or 25%. Any other partial exemption percentage reduction must be reviewed and approved by the State Tax Commission

Mayor would like to help and assist vulnerable poor citizens every way possible. To reduce the burden of the applicants who receive fixed income solely from public assistance that is not subject to significant annual increase Mayor recommends, if such an applicant is granted poverty exemption in tax year 2021 that exemption shall be carried forward in the tax years 2022, 2023 and 2024. A person receiving such extension shall file an affidavit rescinding the exemption within 45 days of no longer being eligible for the exemption.

Copies of the following reports are attached for your information:

1. Federal Poverty Guidelines for 2021
2. Summary of Changes to MCL 211.7u Poverty Exemption in Public Act 253 of 2020
3. Public Act PA 253 of 2020 –Enrolled Senate Bill No. 1234

At this time, the City Council is requested to adopt the following resolution:

WHEREAS, In accordance with State of Michigan Act No. 390 Public Acts of 1994, approved December 29, 1994, General Property Section 211. 7u (4). "The governing assessing unit shall determine and make public the policy and guidelines to use for granting the Hardship Exemptions. The guidelines shall include specific income and asset levels of the household;" and,

WHEREAS, The Pontiac City Council approved said Hardship Exemption Guidelines for 2021 on December 15, 2020 Study Session; and,

WHEREAS, on December 23, 2020 Public Act 253 of 2020 was signed into law and the Act made several changes to the poverty exemption statute (MCL 211.7u) that will impact how local units, assessors and Board of Review handle the exemption starting with the tax year

WHEREAS, PA 253 allows the City Council to grant extension for three more tax years (2022, 2023 and 2024) to the eligible persons who are qualified and granted Hardship Exemption for tax year 2021. NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council hereby approves the attached revised Federal Poverty guidelines for the 2021, the amended 2021 City of Pontiac Board of Review Instructions for Applicants requesting Hardship Exemption consideration.

ATTACHMENT

City of Pontiac, Michigan
Department of Finance

Mayor Deirdre Waterman

February 4, 2021

TO: PROPERTY OWNERS APPLYING FOR HARDSHIP EXEMPTION (FINANCIAL) FOR THE TAX YEAR 2021 FROM THE CITY OF PONTIAC BOARD OF REVIEW

The Board of Review for the City of Pontiac has adopted uniform guidelines for determining poverty exemptions. Taxpayers whose income falls below a determined level may apply for a reduced assessment, based on income, assets and family size. The goal of this procedure is to adopt consistent standards for granting tax relief based on hardship. Please note: This application may reduce the taxable value of your property by 50%; however, it does not affect the homestead exemption affidavits, which reduces the tax rate. (Property taxes - taxable value x tax rate / 1,000).

Attached is a schedule, which outlines the eligibility guidelines as established by the Pontiac City Council. Please note that the State of Michigan Homestead Property Tax Credit and all pertinent income and expense data shall be used in the determination of eligibility. Attached is the Economic Hardship Exemption application form.

When the application is returned to the Treasurer's Office at City Hall or the Oakland County Equalization Office, 250 Elizabeth Lake Road in Pontiac, you shall also submit completed copies of your Federal and State Income Tax Returns, the General Homestead Property Tax Claim Form, MI-1040 CR-4, and the Senior Citizen Homestead Prope1iy Tax Form, MI-1040 CR-1.

It is not necessary for you to appear in person before the Board of Review. The Oakland County Equalization Office will submit your application to the Board for their consideration.

In order to provide time to review this application, it must be returned to the Treasurer's Office at City Hall or the Oakland County Equalization Office ON OR BEFORE MARCH 1sT, JULY 1sT, OR DECEMBER 1sT, 2021. Please also note: You may only submit (on one of the days listed above) one application per year.

If you have any questions or need assistance, please contact the Oakland County Equalization Office at (248) 858-0776.

CITY OF PONTIAC
AMENDED 2021 HARDSHIP EXEMPTION GUIDELINES

1) Applicant(s) shall obtain the hardship application form from the City of Pontiac Treasurer's Office or the Oakland County Equalization Department. Handicapped or disabled applicants may call the Assessor's Office to make necessary arrangements for assistance.
2) Applicant(s) must **own and occupy** the property as a homestead
    a. Must produce a driver's license or other acceptable form of identification and determination of address.
    b. Must produce a deed, land contract or other evidence of ownership.
3) Applicant(s) must complete the application form in its entirety and return to the Treasurer's or Equalization Office. Any application submitted to the Board of Review which has not been filled out in its entirety shall be denied by the Board of Review. Appeals of said denial shall be made to the Michigan Tax Tribunal.
4) Applicant(s) and other persons residing in the homestead must submit copies of the following documents from the current year:
    a. Federal Income Tax Return- 1040, 1040A or 1040EZ
    b. Michigan Income Tax Form MI-1040, MI-1040A or MI-1040EZ
    c. Senior Citizens Homestead Property Tax Form MI-1040CR-1 (if applicable)
    d. General Homestead Property Tax Claim MI-1040CR-4
    e. ADC Annual Budget letter
    f. Benefit Statement (pension, retirement or Social Security) with signed form 4988
    g. Social Security Card (all persons living in the home)
5) A hardship exemption **shall not** be granted to any applicant who does not own and occupy the homestead.
6) A hardship exemption **shall not** be granted to any applicant who owns sellable property other than their homestead regardless of location.
7) A hardship exemption **shall not** be granted to any applicant whose assets exceed $100,000. An applicant's homestead and principal vehicle shall be excluded from consideration as an asset.
8) Applicant(s) shall not be eligible for consideration if they do not meet the current year's Federal Income Limitation Guidelines adopted by the City of Pontiac:

Size of Family Unit	Poverty Guidelines
1	$12,760
2	$17,240
3	$21,720
4	$26,200
5	$30,680
6	$35,160
7	$39,640

8	$44,120
For each additional person, add	$4,480

NOTE: If you have or expect unusual personal or family expenses which will affect your income, the Board of Review may consider adjustments to your income level.

9) ~~The **maximum** allowed reduction for hardship exemption shall be 50% of the net property taxes due after the State Homestead Credit applied based on Taxable Value of the homestead for the tax year~~. Allowed reduction for hardship exemption shall be 50% of the net property taxes due.
10) All hardship exemptions shall be granted for the current tax year only or for the current tax year and future tax years 2022, 2023 and 2024. Applicant who receive a fixed income solely from public assistance that is not subject to significant annual increases (Federal Supplemental Security Income, Social Security disability or retirement benefits) is eligible to receive current tax year plus three future year Hardship Exemption.
11) Applications may be reviewed and acted upon by the Board of Review without applicant(s) being present. However, the Board may request that any or all applicants be physically present to respond to any questions the Board of Review or Assessor may have. This means that an applicant may be called to appear on short notice.
12) Applicant who receive the extended exemption for three future years due to receiving fixed income is required to file an affidavit rescinding the exemption within 45 days of no longer being eligible for the exemption.
13) Applicant(s) should be prepared to answer questions regarding their financial affairs, health, the status of people living in their home, etc.
14) Pursuant to state law, applicant(s) may apply for Hardship Exemption to only one session of the Board of Review (March, July, or December) and any appeal of the Board's decision shall be made to the Michigan Tax Tribunal.

CITY OF PONTIAC
47450 WOODWARD
PONTIAC, MI 48342

REQUIRED DOCUMENTS

Hardship Exemption applicants shall submit copies of the documents listed below to be considered for eligibility. Please attach these copies to your application.

- ☐ WARRANTY DEED or LAND CONTRACT or QUIT CLAIM DEED
- ☐ HOMEOWNER'S INSURANCE POLICY
- ☐ CURRENT FEDERAL INCOME TAX
- ☐ CURRENT MICHIGAN INCOME TAX
- ☐ GENERAL HOMESTEAD PROPERTY TAX MI-1040CR or SENIOR CITIZEN HOMESTEAD PROPERTY TAX
- ☐ **INCOME FOR ALL PERSONS LIVING IN THE HOME:**
  - ADC BUDGET LETTER
  - PENSION BENEFITS
  - CURRENT YEAR SOCIAL SECURITY STATEMENT (Attached Form 4988 must be signed)
  - ALIMONY, CHILD SUPPORT
  - FIP, DHS, DISABILITY & WORKER'S COMPENSATION
  - OTHER INCOME
  - W-2 (WAGES UNDER $5,000)
- ☐ EMPLOYER'S NAME & ADDRESS
- ☐ DRIVER'S LICENSE
- ☐ SOCIAL SECURITY CARD (all persons living in the home)

CITY OF PONTIAC
HARDSHIP EXEMPTION APPLICATION

PARCEL ID _____ YEAR _____

ADDRESS _____

APPLICANT _____ TELEPHONE NO. _____

S.E.V. _____ TAXABLE VALUE _____

OWNER'S INFORMATION

Are you and your spouse the sole owners of the subject property? YES _____ NO _____

If no, please explain _____

Do you have an ownership interest in any other real estate? YES _____ NO _____

MARITAL STATUS

- ☐ SINGLE
- ☐ MARRIED
- ☐ WIDOWED
- ☐ SEPARATED
- ☐ DIVORCED

PETITIONER'S EMPLOYMENT STATUS

- ☐ FULL-TIME
- ☐ PART-TIME
- ☐ RETIRED
- ☐ DISABLED
- ☐ UNEMPLOYED
- ☐ LAID-OFF

EMPLOYER'S ADDRESS

_____

_____

TELEPHONE NUMBER

_____

_____

TELEPHONE NUMBER

_____

SPOUSE'S EMPLOYMENT STATUS

- ☐ FULL-TIME
- ☐ PART-TIME
- ☐ RETIRED
- ☐ DISABLED
- ☐ UNEMPLOYED
- ☐ LAID-OFF

EMPLOYER'S ADDRESS

_____

RESIDENT STATUS (List all persons residing in homestead)

NAME					
AGE					
RELATIONSHIP	SELF				
OCCUPATION					
CLAIMED AS DEPENDENT					

MORTGAGE INFORMATION

PURCHASE DATE	
PURCHASE PRICE	
MORTGAGE/ LAND CONTRACT BALANCE	
# OF YEARS REMAINING	

DOES PAYMENT INCLUDE PROPERTY TAXES? YES _____ NO _____
ARE PROPERTY TAXES PAID? YES _____ NO _____
HAVE ANY IMPROVEMENTS, CHANGES OR ADDITIONS BEEN MADE TO THE PROERTY IN THE LAST TWO YEARS? IF YES, PLEASE EXPLAIN YES _____ NO _____

_____

DO YOU ANTICIPATE SELLING THE PROPERTY IN THE NEXT YEAR? YES _____ NO _____
HAVE YOU APPLIED FOR A POVERTY TAX EXEMPTION IN THE LAST THREE YEARS? YES _____ NO _____
IF YES, PLEASE LIST YEARS POVERTY TAX EXEMPTION WAS GRANTED:

_____

INCOME INFORMATION

DESCRIPTION	MONTHLY
WAGES, SALARIES, TIPS, ETC.	
SOCIAL SECURITY	
PENSIONS, ANNUITIES, IRA, ETC.	
WORKER'S COMP, DISABILITY	
INTEREST & DIVIDENDS	
BUSINESS INCOME	
CHILD SUPPORT, ALIMONY, ETC.	
FOOD STAMPS	
OTHER PUBLIC ASSISTANCE	
UNEMPLOYMENT BENEFITS	
TOTAL MONTHLY INCOME	=

Do you anticipate any major changes in income? YES _____ NO _____

If yes, please explain:

_____

EXPENSE INFORMATION

DESCRIPTION	MONTHLY PAYMENT
MORTGAGES	
HOMEOWNER'S INSURANCE	
PROPERTY TAXES	
CAR PAYMENT	
AUTO INSURANCE	
GAS	
UTILITIES- GAS	
UTILITIES- ELECTRICITY	
INTERNET/CABLE	
WATER/SEWER	
MEDICAL INSURANCE	
MEDICAL BILLS, PRESCRIPTIONS	
CREDIT CARDS	
CHILD CARE	
TELEPHONE	
FOOD	
OTHER:	
TOTAL MONTHLY EXPENSES	=

Do you have any major or unusual expenses? YES _____ NO _____

If yes, please explain:

_____

ASSET INFORMATION

DESCRIPTION	$
CASH	
CHECKING ACCOUNTS	
SAVINGS & MONEY MARKET ACCOUNTS	
VEHICLES, BOATS, TRAILERS, ETC.	
STOCKS, BONDS, & MUTUAL FUNDS	
IRA, ANNUITIES, ETC.	
TOTAL ASSETS	=

PLEASE READ CAREFULLY

I/We am/are unable to pay the full property taxes on the above described property and hereby make application for property tax relief in accordance with Section 211.7u of the Michigan Compiled Laws/ General Property Tax Act.

I/We have read this application and fully understand the contents thereof. I/We declare that the statements made herein are complete, true, and correct to the best of my/our knowledge.

I/We further understand that if any information contained herein is found to be false or incomplete, I/We will be subject to liability for perjury as provided in Sections 211.118 and 211.119 of Michigan Compiled Laws.

_____

Date _____ Petitioner

_____

Date _____ Petitioner

Michigan Department of Treasury
4988 (05-12)

Poverty Exemption Affidavit

This form is issued under authority of Public Act 206 of 1893; MCL 211.7u.

INSTRUCTIONS: When completed, this document must accompany a taxpayer's Application for Poverty Exemption filed with the supervisor or the board of review of the local unit where the property is located. MCL 211.7u provides for a whole or partial property tax exemption on the principal residence of an owner of the property by reason of poverty and the inability to contribute toward the public charges. MCL 211.7u(2)(b) requires proof of eligibility for the exemption be provided to the board of review by supplying copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit returns, or by filing an affidavit for all persons residing in the residence who were not required to file federal or state income tax returns for the current or preceding tax year.

I,_____, swear and affirm by my signature below that I reside in the principal residence that is the subject of this Application for Poverty Exemption and that for the current tax year and the preceding tax year, I was not required to file a federal or state income tax return.

Address of Principal Residence: _____

_____

_____ _____

Signature of Person Making Affidavit Date

47450 WOODWARD AVENUE, PONTIAC, MI 48342-5009
TELEPHONE: (248) 758-3100 · FAX: (248) 758-3170

Summary of Changes to MCL 211.7u Poverty Exemption in Public Act 253 of 2020

Public Act 253 of 2020 was signed into law on December 23, 2020. The Act made several changes to the poverty exemption statute (MCL 211.7u) that will impact how local units, assessors, and boards of review handle the exemption starting with the 2021 tax year:

- Removes the word "supervisor" from statute, making it clear that only the Board of Review can grant/deny poverty exemption
- Clarifies that the federal income levels used are those adopted in the *prior* tax year (2020 federal levels are used for 2021 exemptions)
- Requires the local unit to make the policy, guidelines and application form available on their website
- Removes the ability for Boards of Review to deviate from the adopted policy/guidelines for "substantial and compelling reasons"
- Local units can adopt a resolution that allows an exemption granted in 2019 or 2020 to carry forward to 2021, 2022 and 2023 for those persons who receive a fixed income solely from public assistance that is not subject to significant annual increases (Federal Supplemental Security Income, Social Security disability or retirement benefits). Local units can also adopt a resolution for any new exemptions in 2021, 2022 or 2023 to remain exempt for up to 3 years for persons who receive a fixed income (MCL 211.7u(6))
- Local units can carry a poverty exemption forward that was granted in 2019 or 2020 for the 2021 tax year, without an application or protest to the Board of Review. **Local units must adopt a resolution by February 15, 2021 to carry the exemption forward** (MCL211.7u(8))
- If a person meets all eligibility requirements in statute, the Board of Review must grant a full exemption equal to a 100% reduction in taxable value OR a partial exemption equal to a 25% or 50% reduction in taxable value OR any other percentage reduction in taxable value approved by the STC

A person receiving the extended exemption in MCL 211.7u(6) for up to 3 years due to receiving a fixed income is required to file an affidavit rescinding the exemption within 45 days of no longer being eligible for the exemption.

Local units that adopt a resolution to extend the poverty exemption for up to 3 years for those persons who receive a fixed income solely from public assistance **or** local units that carry the 2019/2020 granted poverty exemptions forward to 2021 must implement an audit program and if found ineligible, the person is subject to repayment of the taxes plus interest.

Local units may need to revise their guidelines, policies, etc to implement the changes in statute. This includes revised guidelines that remove any other calculation of the taxable value for approved poverty exemptions, i.e. formulas that take into consideration the homestead tax credit to calculate the property tax liability and revised TV based on that calculated tax liability. The guidelines may only provide for a full exemption equal to a 100% reduction in taxable value (TV of 0) or a partial exemption equal to a 25% reduction or 50% reduction in taxable value, or any other percentage reduction approved by the State Tax Commission.

PA 253 requires the State Tax Commission to issue a bulletin on how to develop and implement the audit program for the extended poverty exemption provisions in MCL 211.7u(6) and (8). The State Tax Commission will also be working to create the statutorily required poverty application form and other necessary forms and guidance.

Provided by State Tax Commission January 8, 2021

Act No. 253
Public Acts of 2020
Approved by the Governor
December 22, 2020
Filed with the Secretary of State
December 22, 2020
EFFECTIVE DATE: December 22, 2020

STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020

Introduced by Senators Runestad and Chang

ENROLLED SENATE BILL No. 1234

AN ACT to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 7u (MCL 211.7u), as amended by 2012 PA 135.

The People of the State of Michigan enact:

Sec. 7u. (1) The principal residence of a person who, in the judgment of the supervisor and board of review, by reason of poverty, is unable to contribute toward the public charges is eligible for exemption in whole or in part from the collection of taxes under this act. This section does not apply to the property of a corporation.

(2) To be eligible for exemption under this section, a person shall, subject to subsections (6) and (8), do all of the following on an annual basis:

(a) Own and occupy as a principal residence the property for which an exemption is requested. The person shall affirm this ownership and occupancy status in writing by filing a form prescribed by the state tax commission with the local assessing unit.

(b) File a claim with the board of review on a form prescribed by the state tax commission and provided by the local assessing unit, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year. If a person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year, an affidavit in a form prescribed by the state tax commission may be accepted in place of the federal or state income tax return. The filing of a claim under this subsection constitutes an appearance before the board of review for the purpose of preserving the claimant's right to appeal the decision of the board of review regarding the claim.

(c) Produce a valid driver license or other form of identification if requested by the supervisor or board of review.

(d) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the supervisor or board of review.

(e) Meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

(3) The application for an exemption under this section must be filed after January 1 but before the day prior to the last day of the board of review.

(4) The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines used for the granting of exemptions under this section. If the local assessing unit maintains a website, the local assessing unit shall make the policy and guidelines, and the form described in subsection (2)(b), available to the public on the website. The guidelines must include, but are not limited to, the specific income and asset levels of the claimant and total household income and assets.

(5) The board of review shall follow the policy and guidelines of the local assessing unit in granting or denying an exemption under this section. If a person claiming an exemption under this section is qualified under the eligibility requirements in subsection (2), the board of review shall grant the exemption in whole or in part, as follows:

(a) A full exemption equal to a 100% reduction in taxable value for the tax year in which the exemption is granted.

(b) A partial exemption equal to 1 of the following:

(*i*) A 50% or 25% reduction in taxable value for the tax year in which the exemption is granted.

(*ii*) As approved by the state tax commission, any other percentage reduction in taxable value for the tax year in which the exemption is granted, applied in a form and manner prescribed by the state tax commission.

(6) Notwithstanding any provision of this section to the contrary, a local assessing unit may permit by resolution a principal residence exempt from the collection of taxes under this section in tax year 2019 or 2020, or both, to remain exempt under this section in tax years 2021, 2022, and 2023 without subsequent reapplication for the exemption, provided there has not been a change in ownership or occupancy status of the person eligible for exemption under subsection (2), and may permit a principal residence exempt for the first time from the collection of taxes under this section in tax year 2021, 2022, or 2023 to remain exempt under this section for up to 3 additional years after its initial year of exempt status without subsequent reapplication for the exemption, provided there has not been a change in ownership or occupancy status of the person eligible for exemption under subsection (2), if the person who establishes initial eligibility under subsection (2) receives a fixed income solely from public assistance that is not subject to significant annual increases beyond the rate of inflation, such as federal Supplemental Security Income or Social Security disability or retirement benefits. Both of the following apply to a person who obtains an extended exemption under this subsection:

(a) The person shall file with the local assessing unit, in a form and manner prescribed by the state tax commission, an affidavit rescinding the exemption as extended under this subsection within 45 days after either of the following, if applicable:

(*i*) The person ceases to own or occupy the principal residence for which the exemption was extended.

(*ii*) The person experiences a change in household assets or income that defeats eligibility for the exemption under subsection (2).

(b) If the person fails to file a rescission as required under subdivision (a) and the property is later determined to be ineligible for the exemption under this section, the person is subject to repayment of any additional taxes with interest as described in this subdivision. Upon discovery that the property is no longer eligible for the exemption under this section, the assessor shall remove the exemption of that property and, if the tax roll is in the local tax collecting unit's possession, amend the tax roll to reflect the removal of the exemption, and the local treasurer shall, within 30 days of the date of the discovery, issue a corrected tax bill for any additional taxes with interest at the rate of 1% per month or fraction of a month computed from the date the taxes were last payable without interest. If the tax roll is in the county treasurer's possession, the tax roll must be amended to reflect the removal of the exemption and the county treasurer shall, within 30 days of the date of the removal, prepare and submit a supplemental tax bill for any additional taxes, together with interest at the rate of 1% per month or fraction of a month computed from the date the taxes were last payable without interest. Interest on any tax set forth in a corrected or supplemental tax bill again begins to accrue 60 days after the date the corrected or supplemental tax bill is issued at the rate of 1% per month or fraction of a month. Taxes levied in a corrected or supplemental tax bill must be returned as delinquent on the March 1 in the year immediately succeeding the year in which the corrected or supplemental tax bill is issued.

(7) A person who files a claim under this section is not prohibited from also appealing the assessment on the property for which that claim is made before the board of review in the same year.

(8) Notwithstanding any provision of this section to the contrary, if the assessor determines that a principal residence of a person by reason of poverty is still eligible for this exemption and the property was exempt from the collection of taxes under this section in tax year 2019 or 2020, or both, the property shall remain exempt from the collection of taxes under this section through tax year 2021 if, on or before February 15, 2021, the governing body of the local assessing unit in which the principal residence is located adopts a resolution that continues the exemption through tax year 2021 for all principal residences within the local assessing unit that were exempt from the collection of taxes under this section in tax year 2019 or 2020, or both. The local assessing unit may require the owner of a principal residence exempt from the collection of taxes under this subsection to affirm ownership, poverty, and occupancy status in writing by filing with the local assessing unit the form prescribed by the state tax commission under subsection (2)(a).

(9) A local assessing unit that adopts a resolution under subsection (6) or (8) must develop and implement an audit program that includes, but is not limited to, the audit of all information filed under subsection (2). If property is determined to be ineligible for exemption as a result of an audit, the person who filed for the exemption under subsection (2) is subject to repayment of additional taxes including interest to be paid as provided in subsection (6)(b). The state tax commission shall issue a bulletin providing further guidance to local assessing units on the development and implementation of an audit program under this subsection.

(10) As used in this section, "principal residence" means principal residence or qualified agricultural property as those terms are defined in section 7dd.

This act is ordered to take immediate effect.

Margaret O'Brien

Secretary of the Senate

Gary E Randall

Clerk of the House of Representatives

Approved_____

_____

Governor

2021 FEDERAL POVERTY GUIDELINES

US Department of Health & Human Services

STC Bulletin 17 of 2020

Size of Family Unit	Poverty Guidelines
1	$12,760
2	$17,240
3	$21,720
4	$26,200
5	$30,680
6	$35,160
7	$39,640
8	$44,120
For each additional person	$4,480

Finance

Resolution to amend the 2021 Poverty Guidelines approved by the City Council on December 15, 2020 (agenda item 6) and approve the amended Federal Poverty Guidelines for 2021 and the City of Pontiac Board of Review Instructions for Applicants requesting Hardship Exemption consideration in accordance with the Public Act 253 of 2020 signed in to law on December 23, 2020.

#8

RESOLUTION

CITY OF PONTIAC
OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council Members

FROM: Mayor Deirdre Waterman

DATE: February 3, 2021

RE: 2021 High Intensity Drug Trafficking Area (HIDTA) Sub-Grant Agreement

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As in past years, through the Oakland County Sheriff's Office, the City of Pontiac has utilized the High Intensity Drug Trafficking Area (HIDTA) Grant from the State of Michigan. This grant reimburses a municipality for overtime expenses that it incurred related to its participation in the Oakland County Narcotic Enforcement Team (N.E.T), a multijurisdictional drug enforcement task force under the direction and supervision of the Oakland County Sheriff's Office (O.C.S.O.).

The purpose of the HIDTA program is to reduce drug trafficking and production by:

- Creating cooperation between various levels of law enforcement;
- Enhancing law enforcement intelligence sharing among law enforcement agencies; and
- Supporting coordinated law enforcement strategies to align available resources and reduce the supply of illegal drugs in designated areas in the United States.

Oakland County has submitted an Initiative Description and Budget Proposal to the Executive Board for Michigan HIDTA requesting the ONDCP to grant N.E.T. a total of $115,500.00 for PY 2021 to reimburse N.E.T. participating agencies for eligible law enforcement overtime costs.

The City of Pontiac is a sub recipient and therefore must enter into the attached sub agreement with the Oakland County Sheriff's Office.

As such, the resolution below is submitted for your consideration:

Whereas, Oakland County as the legal entity that administer N.E. T., submitted an Initiative Description and Budget Proposal to the Executive Board for Michigan HIDTA requesting the United States Office of National Drug Control Policy (ONDCP)) to grant N.E. T. an award for program year 2021 to reimburse N.E.T. participating agencies for eligible law enforcement officer overtime costs; and

Whereas, if ONDCP grants N.E.T. an award for PY 2021, the ONDCP disburses the HIDTA funds to the Michigan State Police (MSP); and

Whereas, the County has the authority to allocate a portion of the grant funds to reimburse a participating municipality for qualifying overtime costs subject to the terms and conditions of the agreement; and

Whereas, the County requires any participating unit of government to approve the proposed Sub recipient by Resolution of the governing board of the local unit of government; and

Whereas, the Oakland County Board of Commissioners has agreed to the attached Sub Recipient Agreement; and

Whereas, the City of Pontiac desires to enter into the attached Sub Recipient Agreement between the City and Oakland County; and

Whereas, Oakland County Corporate Council and the City of Pontiac have approved the attached Sub Recipient Agreement.

NOW THEREFORE BE IT RESOLVED that the City of Pontiac Council approves the 2021 HIDTA Sub Grant Agreement with the County of Oakland and authorizes the Mayor to sign on behalf of the City.

Attachment

TNV

PROGRAM YEAR 2021
HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA)
SUBRECIPIENT AGREEMENT BETWEEN
THE COUNTY OF OAKLAND AND CITY OF PONTIAC
Data Universal Numbering System (DUNS) #: 831471144

This Agreement is made between Oakland County, a Constitutional Corporation, 1200 North Telegraph, Pontiac, Michigan 48341 ("County") and City of Pontiac, 47450 Woodward Ave., Pontiac, MI 48342, a Michigan Municipal Corporation ("Municipality"). The County and Municipality shall be collectively referred to as the "Parties."

PURPOSE OF AGREEMENT.

The Parties enter into this Agreement for the purpose of delineating their relationship and responsibilities regarding the County's use of Grant funds (defined below) to reimburse the Municipality for overtime expenses that it incurred related to its participation in the Oakland County Narcotic Enforcement Team ("N.E.T."), a multijurisdictional drug enforcement task force under the direction and supervision of the Oakland County Sheriff's Office ("OCSO").

Under the Parties' separate N.E.T. agreement, the Municipality is responsible for providing a full-time employee for participation in N.E.T. and for all costs associated with that employment, including overtime.

The County, as the legal entity that administers N.E.T., submitted an Initiative Description and Budget Proposal (Exhibit A) to the Executive Board for Michigan HIDTA requesting the United States Office of National Drug Control Policy ("ONDCP") to grant N.E.T. an award of $115,500.00 for program year (PY) 2021 to reimburse N.E.T. participating agencies for eligible law enforcement officer overtime. PY 2021 begins January 1, 2021 and ends December 31, 2021.

If ONDCP grants N.E.T. an award for PY 2021, the ONDCP disburses the HIDTA grant funds to the Michigan State Police ("MSP"). To receive the Grant funds for overtime costs, N.E.T. must submit requests for reimbursement with the required supporting documentation to Michigan HIDTA. If Michigan HIDTA approves the N.E.T. overtime reimbursement requests, the MSP should distribute the Grant funds to County on behalf of N.E.T. The County has the authority to allocate a portion of the Grant funds to reimburse the Municipality for qualifying overtime costs subject to the terms and conditions of this Agreement.

In consideration of the mutual promises, obligations, representations, and assurances in this Agreement, the Parties agree to the following:

1. **DEFINITIONS**. The following terms, whether used in the singular or plural, within or without quotation marks, or possessive or nonpossessive, shall be defined, read, and interpreted as follows.

1.1. **Claim** means any alleged loss, claim, complaint, demand for relief or damages, cause of action, proceeding, judgment, deficiency, liability, penalty, fine, litigation, costs, and/or expenses, including, but not limited to, reimbursement for attorney fees, witness fees, court costs, investigation expenses, litigation expenses, and amounts paid in settlement, which are imposed on, incurred by, or asserted against the County or Municipality, or the County's or Municipality's agents or employees, whether such claim is brought in law or equity, tort, contract, or otherwise.

1.2. **Grant funds** mean the funds that may be awarded to the County and the other participating agencies in N.E.T. pursuant to Michigan HIDTA Initiative Description and Budget Proposal Version 2021 (Exhibit A) submitted to Michigan HIDTA by County on behalf of itself and the other participating agencies in N.E.T.

2. EXHIBITS. The Exhibits listed below are incorporated and are part of this Agreement.

2.1. **Exhibit A** – Michigan HIDTA Initiative Description and Budget Proposal Version 2021.

2.2. **Exhibit B** - Template Request for HIDTA Overtime Reimbursement (Locals to County).

2.3. **Exhibit C** – Sample letter regarding notification of current overtime pay rate.

2.4. **Exhibit D** – Sample overtime slip, signed by the officer's supervisor that supports each Request for HIDTA Overtime Reimbursement.

2.5. **Exhibit E** – Sample paystub or payroll report that supports each Request for HIDTA Overtime Reimbursement.

3. FEDERAL AWARD PROJECT DESCRIPTION.

3.1. Catalog of Federal Domestic Assistance ("CFDA") #: 95.001

3.2. Federal Awarding Agency: United States Office of National Drug Control Policy ("ONDCP")

3.3. Program: High Intensity Drug Trafficking Areas (HIDTA)

3.3.1. HIDTA Objective: To reduce drug trafficking and drug production in the United States by: (A) facilitating cooperation among Federal, State, local, and tribal law enforcement agencies to share information and implement coordinated enforcement activities; (B) enhancing law enforcement intelligence sharing among Federal, State, local, and tribal law enforcement agencies; (C) providing reliable law enforcement intelligence to law enforcement agencies needed to design effective enforcement strategies and operations; and (D) supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.

3.4. Period of Performance: January 1, 2021 through December 31, 2021.

3.5. The Federal Award Identification Number (FAIN) is provided in the HIDTA Grant Agreement between ONDCP and MSP, which is incorporated into this Agreement by reference.

4. USE OF HIDTA FUNDS.

4.1. The total amount of the federal award for overtime costs committed to the Municipality and obligated by this action by the County to the Municipality is not to exceed **$5,250.00** for each participating law enforcement officer. That amount is based on the number of N.E.T participating agencies and eligible law enforcement officers at the time this Agreement was executed by both Parties. If the number of N.E.T participating agencies and/or eligible law enforcement officers changes during the term of this Agreement, the total amount of the federal award for overtime costs committed to the Municipality and obligated by this action by the County to the Municipality amount may change as funds are available on a pro rata basis. Such commitment and obligation for overtime costs is contingent upon the ONDCP awarding the Grant funds to N.E.T and the MSP reimbursing the County.

4.2. The County will reimburse the Municipality up to **$5,250.00** for each participating law enforcement officer for qualifying N.E.T.-related overtime. That amount is based on the number of N.E.T participating agencies and eligible law enforcement officers at the time this Agreement was executed by both Parties. If the number of N.E.T participating agencies and/or eligible law enforcement officers changes during the term of this Agreement, the maximum reimbursement amount may change as funds are available on a pro rata basis. Such reimbursement shall only be made after the supporting documentation is submitted by the Municipality and approved by the County, as described in Paragraph 5.1. Such reimbursement is contingent upon the ONDCP awarding the grant funds to N.E.T and the MSP reimbursing the County.

4.2.1. HIDTA funds shall be used to pay overtime only if the overtime was performed in support of a HIDTA-designated Enforcement initiative or Intelligence and information Sharing Initiative. HIDTA funds shall not be used to pay overtime related to training attendance, financial management, drug treatment, drug demand reduction or prevention, or non-investigative related administrative work.

4.2.2. No HIDTA funds shall be used to supplant the Municipality's funds that would otherwise be made available for the same purposes.

4.3. There is no research and development performed pursuant to this Agreement.

4.4. No indirect costs shall be charged or reimbursed under performance of this Agreement.

5. REIMBURSEMENT OF ELIGIBLE NET OVERTIME.

5.1. To request reimbursement for eligible N.E.T. overtime costs, the Municipality shall submit to the County the documentation described in the following subparagraphs no later than thirty (30) days after PY 2021 has expired. If the County, in its sole discretion, determines that the documentation submitted by the Municipality does not reconcile, then the Municipality shall provide any additional documentation requested by the County in order to process payment.

5.1.1. A fully completed and signed Request for HIDTA Overtime Reimbursement attached as Exhibit B.

5.1.2. A letter substantively similar to the sample letter regarding notification of current overtime pay rate attached as Exhibit C.

5.1.3. Overtime slips, signed by the officer's supervisor, that support each Request for HIDTA Overtime Reimbursement. The overtime slips shall be substantively similar to the sample overtime slip attached as Exhibit D.

5.1.4. The paystub or payroll report that supports each Request for HIDTA Overtime Reimbursement. The paystub or payroll report shall be substantively similar to the sample paystub attached as Exhibit E.

5.2. County will only reimburse Municipality for approved overtime costs after County has received the Grant funds from MSP for that particular reimbursement request.

6. GENERAL COMPLIANCE.

6.1. The Municipality shall comply with to 28 C.F.R. Part 69 (New Restrictions on Lobbying) and 2 C.F.R. Part 25 (Universal Identifier and System of Award Management).

6.2. The Municipality shall comply with the Government-wide Suspension and Debarment provision set forth at 2 CFR Part 180.

6.3. The Municipality shall perform all activities in accordance with The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200 (the "Part 200 Uniform Requirements"), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. Part 3603. For this award, the Part 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

6.4. The Municipality shall comply with ONDCP's HIDTA Program Policy and Budget Guidance, all other applicable Federal, state, and local laws and regulations, and the terms and conditions contained in this Agreement.

6.5. The Municipality shall comply with all applicable requirements for subrecipients that are provided in the HIDTA Grant Agreement between ONDCP and MSP. The HIDTA Grant

Agreement between ONDCP and MSP will be provided to the Municipality within a reasonable time after the County receives a copy of it.

6.6. As specified in the HIDTA Program Policy and Budget Guidance, the Municipality must:

6.6.1. Establish and maintain effective internal controls over the Federal award that provides reasonable assurance that Federal award funds are managed in compliance with Federal statutes, regulations and award terms and conditions. These internal controls should be in compliance with the guidance in "Standards for Internal Control in the Federal Government," issued by the Comptroller General of the United States and the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

6.6.2. Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

6.6.3. Evaluate and monitor compliance with applicable statute and regulations, and the terms and conditions of the Federal award.

6.6.4. Take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.

6.6.5. Take reasonable measures to safeguard protected personally identified information (PII) and other information ONDCP or the Municipality designates consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality.

7. FINANCIAL ACCOUNTABILITY AND AUDIT REQUIREMENTS.

7.1. The Municipality shall maintain standards of financial accountability that conform to 2 C.F.R. §200.302 (Financial Management) and 2 C.F.R. §200.303 (Internal Controls).

7.2. The Municipality shall comply with audit requirements contained in 2 C.F.R. Part 200, Subpart F, which requires the Municipality to have an annual audit conducted within nine (9) months of the end of their fiscal year, if the Municipality has an aggregate expenditure of more than $750,000 in federal funds in a fiscal year. Any deficiencies noted in audit reports must be fully cleared by the Municipality within thirty (30) days after receipt of same. The Grant funds spent by the County on behalf of the Municipality for training expenses shall be included on the Schedule of Expenditures of Federal Awards if the Municipality is required to have a single audit performed. Municipalities that are exempt from the Single Audit requirements that receive less than $750,000 of total Federal funding must submit a Financial Statement Audit prepared in accordance with Generally Accepted Auditing Standards ("GAAS") if the audit includes disclosures that may negatively impact the HIDTA program including, but not limited to fraud, financial misstatements, and violations of any contract or grant provisions. The County shall have the right to review and audit all records of the Municipality pertaining to any payment by the County.

8. CONFLICT OF INTEREST.

8.1. The Municipality shall comply with the following ONDCP conflict of interest policies:

8.1.1. As a non-Federal entity, you must maintain written standards of conduct covering conflicts of interest and governing the performance of your employees engaged in the selection, award, and administration of subawards and contracts.

8.1.2. None of your employees may participate in the selection, award, or administration of a subaward or contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an organization considered for a sub-award or contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from subrecipients or contractors or parties to subawards or contracts.

8.1.3. If you have a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, you must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, you are unable or appear to be unable to be impartial in conducting a sub-award or procurement action involving a related organization.

9. MANDATORY DISCLOSURE.

9.1. As a non-Federal entity, the Municipality must disclose, in a timely manner, in writing to ONDCP all violations of Federal criminal law involving fraud, bribery or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award that includes the term and condition outlined in 200 CFR Part 200, Appendix XII "Award Term and Condition for Recipient Integrity and Performance Matters," are required to report certain civil, criminal, or administrative proceedings to System for Award Management (SAM). Failure to make required disclosures can result in remedies such as: temporary withholding of payments pending correction of the deficiency, disallowance of all or part of the costs associated with noncompliance, suspension, termination of award, debarment, or other legally available remedies outlined in 2 CFR 200.338 "Remedies for Noncompliance".

10. RECORD RETENTION.

10.1. The Municipality shall comply with the record retention provisions of 2 C.F.R. 200.333 (Retention requirements for records).

10.2. The Municipality should, whenever practicable, collect, transmit, and store Federal award-related information in open and machine readable formats rather than in closed formats or on paper in accordance with 2 C.F.R. 200.335 (Methods for collection, transmission and storage of information).

11. ACCESS TO RECORDS.

11.1. The Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the County, or any of their authorized representatives, have the right of access to any documents, papers, or other records of the Municipal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the Municipality's personnel for the purpose of interview and discussion related to such documents. The right of access to the Municipality's records is not limited to the required retention period but last as long as the records are retained.

11.2. The Municipality shall permit the County and auditors to have access to the Municipality's records and financial statements as necessary for the County to meet the requirements of 2 C.F.R. Part 200.

12. TERM.

12.1. This Agreement and any amendments hereto shall be effective when executed by both Parties with concurrent resolutions passed by the governing bodies of each Party, and when the Agreement is filed according to MCL 124.510. The approval and terms of this Agreement and any amendments hereto shall be entered in the official minutes of the governing bodies of each Party. This Agreement shall end on December 31, 2021.

13. ASSURANCES.

13.1. Each Party shall be responsible for its own acts and the acts of its employees and agents, the costs associated with those acts, and the defense of those acts.

13.2. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein.

13.3. Each Party shall comply with all federal, state, and local ordinances, regulations, administrative rules, laws, and requirements applicable to its activities performed under this Agreement.

14. TERMINATION OF AGREEMENT.

14.1. This Agreement may be terminated in whole or in part as follows:

14.1.1. by the County, if the Municipality fails to comply with the terms and conditions of this Agreement;

14.1.2. by the County for cause;

14.1.3. by the County with the consent of the Municipality, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;

14.1.4. by the Municipality upon sending to the County written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the County determines in the case of partial termination that the reduced or modified portion of the subaward will not accomplish the purpose for which this Agreement was made, the County may terminate the Agreement in its entirety.

14.2. The County must provide to the Municipality a notice of termination. Written suspension or notice of termination will be sent to the Municipality's business address. If this Agreement is terminated or partially terminated, both the County and the Municipality remain responsible for compliance with the requirements at 2 CFR 200.343 Closeout and 2 CFR 200.344 Post-closeout Adjustments and Continuing Responsibilities.

15. <u>CLOSEOUT</u>.

15.1. The County shall close-out this Agreement when it determines that all applicable administrative actions and all required work under this Agreement have been completed by Municipality.

15.2. The Municipality shall comply with the closeout provisions of 2 C.F.R. 200.343 (Closeout).

16. <u>POST-CLOSEOUT ADJUSTMENTS AND CONTINUING RESPONSIBILITIES.</u>

16.1. The closeout of this Agreement does not affect any of the following:

16.1.1. The right of County to disallow costs and recover funds on the basis of a later audit or other review. The County must make any cost disallowance determination and notify the Municipality within the record retention period;

16.1.2. The obligation of the Municipality to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments;

16.1.3. Audit requirements in Subpart F—Audit Requirements of 2 C.F.R. Part 200.

16.1.4. Records retention as required in Subpart D—Post Federal Award Requirements of this part, §200.333 Retention requirements for records through §200.337 Restrictions on public access to records.

17. REMEDIES FOR NONCOMPLIANCE.

17.1. If the Municipality fails to comply with federal statutes, regulations, or the terms and conditions of this Agreement, the County may impose additional conditions, as described in 2 CFR §200.207 Specific Conditions. If the County determines that noncompliance cannot be remedied by imposing additional conditions, the County may take one or more of the following actions, as appropriate in the circumstances:

17.1.1. temporarily withhold cash payments pending correction of the deficiency by the Municipality or more severe enforcement action by the County;

17.1.2. disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;

17.1.3. wholly or partly suspend or terminate the Agreement;

17.1.4. recommend that the Federal awarding agency initiate suspension or debarment proceedings as authorized under 2 CFR Part 180 and Federal awarding agency regulations;

17.1.5. withhold further funds for the project or program;

17.1.6. take other remedies that may be legally available.

18. NO THIRD-PARTY BENEFICIARIES. Except as provided for the benefit of the Parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right, in favor of any other person or entity.

19. DISCRIMINATION. The Parties shall not discriminate against their employees, agents, applicants for employment, or another persons or entities with respect to hire, tenure, terms, conditions, and privileges of employment, or any matter directly or indirectly related to employment in violation of any federal, state or local law.

20. PERMITS AND LICENSES. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations necessary to carry out its obligations and duties pursuant to this Agreement.

21. RESERVATION OF RIGHTS. This Agreement does not, and is not intended to waive, impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties.

22. DELEGATION/SUBCONTRACT/ASSIGNMENT. Neither Party shall delegate, subcontract, and/or assign any obligations or rights under this Agreement without the prior written consent of the other Party.

23. **NO IMPLIED WAIVER**. Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances, shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.

24. **SEVERABILITY**. If a court of competent jurisdiction finds a term, or condition, of this Agreement to be illegal or invalid, then the term, or condition, shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.

25. **CAPTIONS**. The section and subsection numbers and captions in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers and captions shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural number, any reference to the male, female, or neuter genders, and any possessive or nonpossessive use in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.

26. **NOTICES**. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first-class U.S. mail postage prepaid, and addressed to the person listed below. Notice will be deemed given on the date when one of the following first occur: (1) the date of actual receipt; (2) the next business day when notice is sent express delivery service or personal delivery; or (3) three days after mailing first class or certified U.S. mail.

    26.1. If Notice is sent to the County, it shall be addressed and sent to: Oakland County Board of Commissioners Chairperson, 1200 North Telegraph, Pontiac, Michigan 48341, with a copy to Oakland County Sheriff's Office, Sheriff Fiscal Officer, 1200 N. Telegraph, Bldg. 38E, Pontiac, Michigan 48341.

    26.2. If Notice is sent to the Political Subdivision, it shall be addressed to: City of Pontiac

    26.3. Either Party may change the address and/or individual to which Notice is sent by notifying the other Party in writing of the change.

27. **CONTACT INFORMATION.**

County of Oakland	City of Pontiac
Lieutenant Brent Miles Investigative & Forensic Services Division Narcotics Enforcement Team Office: 248-858-1722 Fax: 248-858-1754 Email: milesbr@oakgov.com	

28. **GOVERNING LAW**. This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan, without regard to Michigan's conflict of laws provisions.

29. **AGREEMENT MODIFICATIONS OR AMENDMENTS**. Any modifications, amendments, rescissions, waivers, or releases to this Agreement must be in writing and executed by both Parties.

30. **ENTIRE AGREEMENT**. This Agreement represents the entire agreement and understanding between the Parties. This Agreement supersedes all other oral or written agreements between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.

IN WITNESS WHEREOF, David T. Woodward, Chairperson, Oakland County Board of Commissioners, acknowledges that he has been authorized by a resolution of the Oakland County Board of Commissioners, a certified copy of which is attached, to execute this Agreement, and hereby accepts and binds the County to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
David T. Woodward, Chairperson
Oakland County Board of Commissioners

WITNESSED: _____ DATE: _____
Printed Name:
Title:

IN WITNESS WHEREOF, _____, acknowledges that he/she has been authorized by a resolution of the Municipality's governing body, a certified copy of which is attached, to execute this Agreement, and hereby accepts and binds the Municipality to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____

Printed Name:
Title:

WITNESSED: _____ DATE: _____
Printed Name:
Title:

Exhibit A

Michigan HIDTA

Initiative Description and Budget Proposal

All Initiatives which seek HIDTA funding must complete this proposal and return to Michigan HIDTA via e-mail by the announced deadline. Completion of all sections of this proposal is required. The Office of National Drug Control Policy examines these submissions very closely. Your proposal must be clear, concise and complete. **A complete proposal consists of this form AND the Michigan HIDTA FMS Budget Sheet.**

Program Year: 2021 Initiative Title: **NET - Oakland County Narcotics Enforcement Team**

Submitter's Rank/Name: D/Lt. Brent Miles Submitter's Telephone #: 248-858-1722

Submitter's E-mail Address: milesbr@oakgov.com

SECTION 1: INITIATIVES

Level of Activity - Check all that apply

☒ Local DTO Focus ☒ Multi-State DTO Focus ☐ International DTO Focus ☐ Interdiction Focus

Does this Initiative Routinely Provide Information to the HIDTA Investigative Support Center (ISDC)?

☒ YES ☐ NO

SECTION 2: PROFILE

Initiative Description

Enter Lead Agency: Oakland County Sheriff Office

Enter Location of Initiative (City): Pontiac MI, Oakland County

Check All That Apply

☐ Initiative is Collocated with other HIDTA Initiatives

☒ Initiative is Staffed with Full-Time Federal and Full-Time State/Local Personnel

☐ Full-Time Members of Initiative are Collocated and Commingled with Federal and State/Local Personnel

Initiative Description and Budget Proposal Instructions

Enter your initiative description and budget detail in the text box on the following page. The text box is not character limited, nor is it limited to the visible field on the page. It works best to compose the narrative in Word and copy into the text field on the following page. Please use narrative only to complete this section. The PMP software will not accept graphs, tables, charts, images, etc.

The narrative section is intended to describe the mission and proposed activities for your initiative (dismantling DTOs, meth labs, interdicting drugs/money, apprehending fugitives, etc.) and detail your initiative's funding request. This description should indicate when the initiative was first funded by HIDTA.

Your narrative must be clear, concise and complete. Do not include a long narrative detailing the history or accomplishments of your initiative. Please **limit** your initiative description to several short paragraphs.

The first paragraph should clearly **identify the threat** (drug problem, violent crime, money laundering) in your area. ONDCP expects detailed information regarding the threat in the **HIDTA county/counties which your initiative serves**. Describe the types of drugs being trafficked, the presence/activities of gangs and drug-related violent crime. Include information on DTOs and MLOs operating in your area. DO NOT use specific names/addresses for any organizations or provide any information which is law enforcement sensitive or classified. Referring to the Michigan HIDTA Annual Threat Assessment/Drug Market Analysis is essential when describing the threat in your region.

In the next paragraph **discuss your plan to attack the threat** in your region. Describe your initiative and detail your plan to address the specific threats/problems in your area and achieve your performance targets. If your initiative consists of multiple teams, explain how each team's activities attack the drug threat in your HIDTA county. Detail how you will work more efficiently and effectively by conducting intelligence-driven investigations and sharing information (leads).

The next paragraph(s) should **present your budget request**. Remember that HIDTA funding is added-value funding and cannot be used to supplant normal operating budget items. Each budget line item (overtime, equipment, supplies, vehicles, phones, services, etc.) must be detailed in narrative form, specifying the amount requested and how each line item amount will be utilized. It is important to relate why each line item is needed and how it fits into your plan to attack the threat in your region and attain your performance targets. Provide a clear, concise and complete explanation of all items in your budget request. The budget narrative will be reviewed by the Michigan HIDTA Steering Committee and Executive Board before being sent to ONDCP for review and approval.

> ONDCP closely examines **vehicle expenditures**. Lease costs and other vehicle-related expenses must be detailed. Ensure the number of vehicles and expenses match the number of eligible officers in your initiative. Examples: *"6 vehicles @ $500/month x 12 months = $36,000; Gasoline Expense, 6 officers @ $200/month x 12 months = $14,400* .
>
> ONDCP also scrutinizes **overtime expenses.** Ensure these expenses line-up with eligible officers in your initiative. ONDCP caps overtime for individual officers at $9,500 annually. The Michigan HIDTA limits the cap to $6,500 per officer annually. Each initiative is required to maintain documentation/spreadsheet to ensure these limits are not exceeded. Example: *10 task force officers x $3,000/annually = $30,000 annual overtime.*

PLEASE NOTE: Equipment vs. Supplies - There has been a change in how these items are categorized. All items purchased for **$5,000 or more per item** are categorized as **Equipment**. All items purchased for **$4,999 or less per item** are categorized as **Supplies**.

Equipment expenses must be detailed. Provide specifics for what will be purchased, the cost, and how it relates to your plan to address the threat. Example: *10 ballistic shields @ $6,000 each = $60,000.*

Supplies expenses must be detailed. Provide specifics for what will be purchased, the cost, and how it relates to your plan to address the threat. Example: *12 laptop computers @ $1,000 each = $12,000.*

Service expenses must also be detailed. Example: *Monthly cell phone service for 12 officers @ $100/monthly x 12 months = $14,400.*

The total of all items must match the total entered in the ***"Total Dollar Amount Requested"*** field at the top of the next page.

A complete proposal consists of this form AND the Michigan HIDTA FMS Budget Sheet.

Enter Initiative Description and Budget Proposal Detail Below

Total Dollar Amount Requested: **$135,000.00**

INITATIVE PURPOSE:

The Oakland County Narcotic Enforcement Team (NET) is a cooperative partnership of Federal, County and local law enforcement agencies in Oakland County located in Southeastern District of Michigan. The task force is located at the Oakland County Sheriff Office in Pontiac, and focuses on mid to upper level drug trafficking organizations (DTOs) and criminal groups operating in Oakland County. The task force also supports street level investigative operations targeting smaller quantities of cocaine, crack cocaine, methamphetamine, fentanyl and controlled prescription drugs.

THREAT PRIORITES:

Fentanyl and fentanyl mixed with other narcotics continue to be the most lethal category of illicit substances misused in Oakland County. Heroin-related overdose deaths remain at high levels in the county. The task force has observed a substantial increase in methamphetamine distribution and use. Cocaine has become a resurgent threat and is widely available throughout the county. Controlled prescription drugs remain an area of concern.

Regional and local DTOs are the primary drug trafficking threats in the NET AOR. These DTOs transport cocaine, heroin, fentanyl, and methamphetamine into Oakland County. Most of the illegal narcotics remain and are distributed by local DTOs and criminal groups and eventually consumed by users.

PERSONNEL STRUCTURE AND PARTICIPATING AGENCIES

NET is led by the Oakland County Sheriff Office and supported by the Drug Enforcement Administration (DEA), Homeland Security (HSI), Oakland County Prosecutors Office, Auburn Hills Police Department, Birmingham Police Department, Bloomfield Township Police Department, Farmington Police Department, Farmington Hills Police Department, Ferndale Police Department, Franklin Police Department, Hazel Park Police Department, Madison Heights Police Department, Rochester City Police Department, Royal Oak Police Department, Troy Police Department, Waterford Police Department, West Bloomfield Police Department in a full time capacity. The multi-agency approach brings local law enforcement officers from each designated area, and combines their local investigative capacities as a means to dismantle and disrupt large and mid level DTOs and criminal groups in Oakland County.

INVESTIGATIVE APPROACH:

NET will leverage HIDTA funds to support investigative overtime and communication services for investigators. Drug seizures will be thoroughly investigated by NET investigators in order to (1) trace these seizures back to the source(s) of supply, and (2) assist investigators in ultimately disrupting and dismantling DTOs and criminal groups. NET investigators monitor DTO trafficking patterns and share the information with our federal partners. The NET task force initiates investigations into upper and mid level DTOs and criminal groups. The main goal of the task force is to identify disrupt, and dismantle local DTO's and criminal groups. If the DTO is identified as a multi state or international organization then this intelligence is passed on to the DEA for investigation and federal prosecution. In addition to DEA participation in NET, NET further assigns two investigators to work closely and coordinate with two other DEA groups. This partnership ensures that interstate and international DTO's operating in Oakland County are being thoroughly investigated and prosecuted. NET anticipates seizure totals in CY2021 to mirror that of CY2020. The initiative also expects to disrupt and/or dismantle (5) DTOs in CY 2021.

Agency Positions

Summarize the staffing levels you confidently expect to be part of your initiative for the Program Year selected. The *HIDTA Funded* box should be marked Yes **ONLY** when HIDTA funding covers the salary/wages for the listed position.

Position Title	Agency	Number of Positions	HIDTA Funded (Yes/No)	Collocated (Yes/No)	Full Time or Part Time	Notes
Lieutenant	Oakland County Sheriff	1	No	Yes	Full	
Sergeants	Oakland County Sheriff	3	No	Yes	Full	
Deputies	Oakland County Sheriff	7	No	Yes	Full	
Auditor	Oakland County Sheriff	1	No	Yes	Full	
Property Tech	Oakland County Sheriff	1	No	Yes	Full	
Secretary	Oakland County Sheriff	1	No	Yes	Full	
Office Assistant	Oakland County Sheriff	1	No	Yes	Part	
Officer	Auburn Hills Police Dept	1	No	Yes	Full	
Officer	Birmingham Police Dept	1	No	Yes	Full	
Officer	Bloomfield Twp Police Dept	1	No	Yes	Full	
Agent	Drug Enforcement Administrati	1	No	Yes	Full	
Officer	Farmington City Police Dept	1	No	Yes	Full	
Officer	Farmington Hills Police Dept	1	No	Yes	Full	
Officer	Ferndale Police Dept	1	No	Yes	Full	
Officer	Franklin Police Dept	1	No	Yes	Full	
Officer	Hazel Park Police Dept	1	No	Yes	Full	
Agent	HSI	1	No	Yes	Full	
Officer	Madison Heights Police Dept	1	No	Yes	Full	
Officer	Rochester Police Dept	1	No	Yes	Full	
Sergeant	Royal Oak Police Dept	1	No	Yes	Full	
Officer	Troy Police Dept	1	No	Yes	Full	
Officer	Waterford Police Dept	1	No	Yes	Full	
Officer	West Bloomfield Police Dept	1	No	Yes	Full	
Investigator	Oakland County Prosecutor	1	No	Yes	Full	

Predicting Expected Outputs: **When developing your expected outputs for the Program Year, please ensure you take into consideration your past 2-3 year performance averages. ONDCP frequently refers to these averages when evaluating future performance target numbers.**

SECTION 3: DTOs

DTO Expected Outputs:

Predict the number of DTOs and MLOs you expect to disrupt and/or dismantle during the Program Year. Your performance targets should be aggressive but reasonably attainable, considering expected staffing and funding. Remember that your initiative's performance is compared to how successfully it attained its predicted totals. Please note Initiative's performance is not compared to the performance of other initiatives. Include pertinent notes in the Notes/Additional Information box.

DISRUPTED Defined **DISMANTLED** Defined

Enter Number of **DTOs** Expected to be Disrupted or Dismantled This Program Year: 5

Notes/Additional Information:

Enter Number of **MLOs** Expected to be Disrupted or Dismantled This Program Year: 0

Notes/Additional Information:

SECTION 4: CLANDESTINE LABS

Predict the number of each of the following items which you expect to seize during the Program Year. Include pertinent notes in the Notes/Additional Information box.

Enter the Number of Lab Dump Sites Expected to be Seized 0

Enter the Number of Chemical/Glassware/Equipment Expected to be Seized 0

Enter the Number of Children Expected to be Affected 0

Enter the Number of **Meth Labs** Expected to be Dismantled 0

Enter the Number of **Other Clan Labs** (Production/Conversion) Expected to be Dismantled 0

Notes/Additional Information:

SECTION 5: ACTIVITIES

Predict the number of each of the following items for the Program Year. Include pertinent notes in the Notes/Additional Information box.

New HIDTA Cases:

Enter the Number of New HIDTA Initiative Cases Expected to be Opened This Program Year: 440

Notes/Additional Information:

Case Support:

Enter the Number of Cases Expected to be Provided Analytical Support This Program Year: 5

Refer to definition of Analytical Support (AS). Project only number of cases which will receive AS from an analyst embedded with your TF or the DSEMIIC/MIOC. Do not include cases which will receive AS from an analyst seated at the HIDTA. A case can be reported receiving AS only ***ONCE IN A CALENDAR YEAR*** but can be counted each calendar year it receives AS. Project the number of separate cases to receive AS in the year, not the number of times AS is received on all cases. ***Important: Remember to submit a completed survey with your quarterly report for each case receiving AS.***

Enter the Number of Event Deconflictions Expected to be Submitted This Program Year: 800

Enter the Number of Case Matching Requests Expected to be Submitted This Program Year: 450

Notes/Additional Information:

SECTION 6: FUGITIVES

Predict the number of fugitives you expect to apprehend for the Program Year. A *Fugitive* is defined as an apprehension made pursuant to some type of court-issued pick-up order, such as an arrest warrant, a writ, etc. An *Arrest* is defined as any apprehension made absent any type of court-issued pick-up order, primarily arrests made on probable cause. Initiative plans to make *Arrests* during the year are indicated by selecting *Arrests* from the *Other Outputs* pick list in Section 7.

Enter the Number of Fugitives Expected to be Arrested This Program Year: 25

Notes/Additional Information:

SECTION 7: OTHER OUTPUTS

ENTRY OF MANDATORY OUTPUTS

FORENSIC ENHANCEMENT - MSP TECHNICAL SUPPORT UNIT - REDRUM

Continue to report Other Outputs contained in the pick list boxes below. Other Output information provided will be maintained internally at the HIDTA but will not be reported in PMP.

ALL OTHER HIDTA INITIATIVES

Report **ONLY** the four Other Outputs **ARRESTS, CRIMINAL GROUPS, FIREARMS SEIZED** and **T-III WIRETAPS.** This information will be reported in PMP.

FUGITIVES VS. ARRESTS

Fugitives: Provide a projection of how many fugitives your task force will arrest for the year in *Section 6: Fugitives.* **A fugitive is defined as an apprehension made pursuant to some type of court-issued pick-up order, such as an arrest warrant, a writ, etc.**

Arrests: No projection of how many arrests your task force will make for the year is required. **An arrest is defined as any apprehension made absent any type of court-issued pick-up order; primarily arrests made on probable cause.** Indicate your task force's intentions to make arrests during the year by selecting/loading ARRESTS into one of the Other Output boxes below.

Definition of Wiretap

A wiretap is a form of electronic monitoring where a Federal or state court order authorizes law enforcement to surreptitiously listen to phone calls or intercept wireless electronic text messages or video communications. Indicate your plan to utilize wiretaps by selecting T-III WIRETAPS in one Other Output box to the right.

Reporting Wiretaps

No projection regarding the number of wiretaps to be utilized is required. The actual number of wiretaps is reported each quarter on the Task Force Quarterly Report. Report only the number of lines (telephone numbers) for which a court order authorized eavesdropping. Do not report an extension of a court order for the same telephone line (number) unless the extension is spanning the calendar year being reported. Note: Dialed number recorders (Pen Registers) are not considered a wiretap for PMP reporting purposes.

Select the Other Outputs your initiative plans to utilize in the pick list boxes below.

Other Output:	ARRESTS
Other Output:	CRIMINAL GROUPS
Other Output:	FIREARMS SEIZED
Other Output:	
Other Output:	
Other Output:	
Other Output:	
Other Output:	
Other Output:	
Other Output:	
Other Output:	
Other Output:	

Michigan HIDTA

Request for HIDTA **Overtime** Reimbursement

ONE FORM PER OFFICER

REGULAR OVERTIME

Exhibit B

Michigan HIDTA
Mary Szymanski - Financial Manager
FAX: 248.356.6513
mszymanski@mi.hidta.net

OFFICER'S NAME AND RANK

HOME DEPARTMENT NAME

PHONE NUMBER

MAILING ADDRESS

FEDERAL TAX ID OR MSP INDEX/PCA

REQUESTING OFFICER IS REQUIRED TO TYPE HIS/HER NAME IN THE BLUE BORDERED BOX BELOW. By typing my name in the box below, I certify that this overtime was incurred pursuant to HIDTA-related investigations on the dates and in the amounts listed.

APPROVING TASK FORCE COMMANDER IS REQUIRED TO TYPE HIS/HER NAME IN THE RED BORDERED BOX BELOW: By typing my name in the box below, I certify I received this overtime request from the Requesting Officer, and have reviewed and approved after determining it to be in compliance with ONDCP Program Policy as previously provided to me.

ITEM #	COMPLAINT #	DATE OT WORKED	# OT HOURS WORKED	OT HOURLY RATE	TOTAL ENTRY COST	LOCATION: Address, City/Township/County
	OVERTIME APPROVED FOR STATE/LOCAL OFFICERS ONLY. LIMIT PER OFFICER IS $8,000 ANNUALLY AS PER MICHIGAN HIDTA PROGRAM POLICY.					
	FEDERAL PARTICIPANTS ARE NOT ELIGIBLE TO RECEIVE HIDTA OVERTIME.					
1					$0.0000	
2					$0.0000	
3					$0.0000	
4					$0.0000	
5					$0.0000	
6					$0.0000	
					$0.0000	

ITEM #	**PROVIDE A BRIEF DETAIL OF THE CORRESPONDING ITEM # FROM THE TABLE ABOVE.**
1	
2	
3	
4	
5	
6	

THIS INFORMATION IS CONFIDENTIAL. DISCLOSURE OF CONFIDENTIAL INFORMATION IS PROTECTED BY THE FEDERAL PRIVACY ACT.

Revised August 2019

Exhibit C

YOUR AGENCY LETTERHEAD

January 17, 2018

Director Craig Summers
Michigan HIDTA
28 W. Adams
Suite 400
Detroit, MI 48226

Dear Director Summers:

Please accept this correspondence as notification of the current pay rate for the listed ADD YOUR AGENCY NAME police officer assigned to the Oakland County Narcotic Enforcement Team (NET). The rate became effective July 1, 2017.

Parent Agency:	ADD YOUR AGENCY NAME
Employee Name/Rank:	ADD OFFICER'S NAME AND RANK
Regular Pay Rate:	OFFICER'S REGULAR HOURLY RATE
Overtime Pay Rate:	OFFICER'S OVERTIME HOURLY RATE

As requested, the overtime rate listed does not include any fringe benefits, such as retirement, FICA, etc. Please contact my office if additional information is required.

Sincerely,

Exhibit D

Please Note: This document is used for illustrative purposes only and the required documentation does not have to be the same, but must contain the same elements.

Required: Overtime slip signed by officer's supervisor. This item should include name, date, and overtime hours associated with HIDTA. The overtime rate should also be included unless provided in the paystub or payroll report.

[redacted]

[redacted] TIME SHEET

DATE	HOURS	OVERTIME	NET#
07/11/2016	08:30-16:30		
07/12/2016	08:30-16:30		
07/13/2016	08:30-16:30	APPROVED	
07/14/2016	08:30-16:30	8/16/16	
07/15/2016	08:30-16:30	[redacted]	
08/01/2016	15:00-23:00		
08/02/2016	15:00-23:00		
08/03/2016	14:00-00:00	2hour	16-net-419
08/04/2016	14:00-23:00	1hour	IR-16-263
08/05/2016	03:00-07:00	4hour	IR-16-264
08/05/2016	15:00-23:00		

APPROVING SIGNATURE: [redacted]

[redacted]

OVERTIME IN RED HAS BEEN TAKEN AS NET TIME (COMP)
OVERTIME IN GREEN HAS BEEN SUBMITED FOR MJ OT GRAMP

Please sign and return.

Please Note: This document is used for illustrative purposes only and the required documentation does not have to the same, but must contain the same elements.

Exhibit E

Required: Pay stub or payroll report containing the same information as pay stub. If the paystub does not indicate the overtime rate of pay, then please include with the overtime slip.

[redacted]

Pay Period Ending On:	08/07/2016
Check #:	[redacted]
Check Date:	08/12/2016
Primary Rate:	31.2962
Witholding Rate:	00
Federal Allowances:	0

PAYCODE_ID	HOURS	OT_HOURS	GROSS	YTD
LONGEVITY_PS	0.00	0.00	0.00	350.00
SALARY	80.00	7.00	2,832.31	41,498.79
TRAINING_PS	0.00	0.00	0.00	876.28
SICK PS 07/01	0.00	0.00	0.00	625.92
F/Y SICK PAYOUT	0.00	0.00	0.00	594.63
PS SCK GAP	0.00	0.00	0.00	2,879.25
IN_LIEU_MED_P_S	0.00	0.00	115.38	1,846.08
LIFE_INS	0.00	0.00	0.00	8.96
HOLIDAY	0.00	0.00	0.00	1,251.85
TOTALS:	80.00	7.00	2,947.69	49,931.76

DEDUCTION_ID	AMOUNT	YTD
FITW	475.02	8,268.40
SITW	112.08	1,906.87
SOCSEC_EE	176.08	2,991.56
MEDICARE_EE	41.18	699.64
DUES_PSO	29.63	444.38
PS HBL VISION	9.13	104.73
RETIRE_PS_OFF	84.97	1,424.49
ICMA_PCNT	117.91	1,959.14
FLEX_PLAN	98.50	1,576.00
SAVINGS PSO	5.60	84.00
PNC	647.59	11,474.94
PNC	1,000.00	16,588.65
ALLY	150.00	2,400.00
TOTALS:	2,947.69	49,922.80

Net Pay This Period: 1,797.59

LEAVE_BANK	PRIOR_BALANCE	HOURS_ACCRUED	HOURS_LOST	HOURS_TAKEN	NEW_BALANCE
COMP_PS	7.50	0.00	0.00	0.00	7.50
F/Y SICK PAYOUT	0.00	0.00	0.00	0.00	0.00
PS KELLY BANK	0.00	0.00	0.00	0.00	0.00
SICK PS 07/01	96.00	0.00	0.00	0.00	96.00
SICK PS GAP	41.00	0.00	0.00	0.00	41.00
VAC_PS	124.00	0.00	0.00	0.00	124.00

[redacted]

08/12/2016

[redacted]

1,797.59

VOID*******VOID***********VOID********CHECK STUB REPRINT******

[redacted]

Please see the attached two (2) documents from Oakland County that require approval from your municipality:

1) the 2021 HIDTA subrecipient agreement specifically created for your municipality
2) Exhibits A-E

Approval of this agreement requires a two-step process:

1) The agreement must be approved by your municipality and a copy of the resolution must be returned with the agreement, and;
2) The agreement must be signed by the head of your municipality.

If you require an original signature - two signature pages should be signed (at the next available council or board meeting) and both of them returned to N.E.T. for signature by Oakland County's Chairperson. Then, one of the two original signature pages can be returned to your municipality, the other to be retained by the Oakland County Clerk's Office. If you do not require an original signature page, then please return only one. Your municipality will receive a certified copy from our Clerk's Office once recorded, and I will make sure that all Police Chiefs and Directors receive an emailed copy. You can mail these to the address below or send them via your N.E.T. officer.

If mailing, please send to:

Tammy Feole, N.E.T. Auditor
Oakland County Sheriff's Office
1200 N. Telegraph Rd, Building 38E
Pontiac MI 48341

If your agency is e-signing documents, the agreement and resolution can be emailed to me at feolet@oakgov.com.

As of this date, the 2021 HIDTA funds have not been "released" by HIDTA. We will forward the signed HIDTA subrecipient agreements as soon as we receive the contract and have the Oakland County Board of Commissioners' approval.

Please feel free to contact me if you have any questions.

Thank you!

#9

COMMUNICATION FROM THE MAYOR

CITY OF PONTIAC
OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President Williams and City Council Members

FROM: Mayor Dierdre Waterman

DATE: **February 4, 2021**

RE: **Ottawa Towers / Phoenix Center Global Settlement Agreement**

On November 17, 2020 City Council approved the Global Settlement Agreement authorizing the Mayor to execute and complete the terms and obligations therein. The Global Settlement Agreement accomplishes several important things for the City of Pontiac:

1. The Ottawa Towers / Phoenix Center settlement of November 2018, and the City's exposure to further litigation and damages, is ended; and
2. The City's remaining financial obligations to the current owners of the Ottawa Towers is incorporated into the Global Settlement Agreement and satisfied when the terms of the agreement are closed or otherwise satisfied.

To support the City in meeting the terms of the Global Settlement Agreement, this Honorable City Council also approved an Agreement for Sale and Purchase of the Ottawa Towers to Dearborn Capital. That agreement requires Dearborn to provide funding for the settlement, and most importantly, to enter a master lease for the parking garage wherein they take responsibility for the repair, maintenance and operation of the garage, this relieves the City of the $16.8 Million cost of repair, and the hundreds of thousands in operating costs are no longer the responsibility of the City.

These two agreements provide the framework for a resolution of the long saga of litigation over the Phoenix Center and ending the City's financial risk. Significantly, the City is not losing ownership of the Phoenix Center and its Amphitheater, instead the City is retaining that asset with the plans and hopes to bring it back to the life for the citizens of Pontiac.

STATUS OF CLOSING

The Global Settlement Agreement provides several steps to close its terms, some of which have already been completed;

1. The 2020 settlement payment has been made.
2. The conveyance of Perdue School is complete.
3. The Letter of Credit for the final proceeds due to Ottawa Towers that begin in 2022 is completed.
4. A partial release of escrow funds has been credited against the amounts due under the Global Settlement Agreement.

The remaining steps to complete the terms of the agreement are in process, with all parties, the City, Mr. Stephens, and Dearborn Capital, all in agreement and working together to conclude this matter in the best in interests of the City. A closing schedule for the remaining tasks has been agreed to and signed by all of the parties.

The Closing Agreements include the payment of additional fees to Ottawa Towers by Dearborn Capital, which has bene completed, and also include a significant elimination of two closing obligations; specifically: (i) the City is no longer required to be a co-borrower and guarantor of equity from T2 (the equity fund affiliated with Dearborn Capital); and (ii) there is no longer the need for a land contract with Dearborn Capital, instead the transaction will move directly to a final closing, in cash, on February 26, 2021.

The opportunity to eliminate the City's participation as a co-borrower and improve the transaction into a single closing is significant. It has not changed or increased any of the costs to the City to complete this important settlement, and Dearborn Capital has signed their commitment to close this entire transaction without that burdensome element.

AN ADDITIONAL REQUIREMENT

To improve the Settlement for the City, the master lease for parking in the Phoenix Center becomes even more important. That document guides how the parking will be maintained, used, and importantly, how the entire project will benefit the City and include its businesses and citizens. As such, it has been requested that the Administration present a lease agreement to be ratified by resolution of the City Council, leaving no doubt as to the authority for such lease and its signing.

STATUS OF THE MASTER LEASE

1. This document is being drafted and will be presented to council in the agenda materials for the February 16, 2021 council meeting.
2. A resolution approving the lease and authorizing it to be signed by me will also be provided.

The lease document is the final item needed to complete the task in the Global Settlement Agreement and conclude the entire transaction. When approved, the parties will convene to execute the remaining closing documents and complete all transactions. This must occur on or before February 26, 2021.

At the Council meeting of February 2, 2021 I reiterated the fact that the City was working daily to make sure the conclusion of the Ottawa Towers matter would be in the best interests of the City, even if more work and a few more days was required. This positive development, and the mutual cooperation of all involved as we complete the lease authorization, is doing just that.

Attachment