

# PONTIAC CITY COUNCIL

**Mike McGuinness, District 7**  
**President**  
**William A. Carrington, District 6**  
**President Pro Tem**



**Melanie Rutherford, District 1**  
**Brett Nicholson, District 2**  
**Mikal Goodman, District 3**  
**Kathalee James, District 4**  
**William Parker, Jr., District 5**

*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."*

47450 Woodward Pontiac, MI 48342

Phone: (248) 758-3200

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

**66<sup>th</sup> Session of the 11<sup>th</sup> Council**  
**January 3, 2023 at 6:00 P.M.**

**Meeting Location: City Council Chambers 47450 Woodward Pontiac, MI 48342**  
**Meeting Agenda**

**Call to Order**

**Invocation**

**Pledge of Allegiance to the Flag of the United States**

**Moment of Silence**

**Roll Call**

**Authorization to Excuse Councilmembers from the Meeting**

**Amendments to and Approval of the Agenda**

**Approval of the Consent Agenda**

- A. December 19, 2022 Parks, Recreation / Public Works Subcommittee Meeting Minutes
- B. December 27, 2022 City Council Meeting Minutes

**Recognition of Elected Officials**

**Agenda Address (Two Minutes Time Limit)**

**Agenda Items**

**Ordinance**

- 1. Proposed Ordinance Amendment to City of Pontiac Police and Fire Retirement System. **(First Reading)**

**Resolutions**

**City Council**

- 2. Resolution Ratifying Council Rules and Procedures.
- 3. Election of City Council President and City Council President Pro-Tem for 2023.
- 4. Resolution Honoring the Life of Attorney H. Wallace Parker.
- 5. Resolution Celebrating the Career of Judge Michael Martinez

**Communications**

6. Resolution to approve the proposed Budget Amendment for Budget Year 2022-2023, Increase the budget appropriation in the following 231-Cable Fund GL accounts 231-291-731.001 Computer Supplies (\$2,000), 231-291-740.000 Operating Supplies (\$1,000), 231-291-976.001 Building Addition and Improvements (\$6,500), 231-291-977.005 Furniture and Fixtures (\$4,000) and 231-291-977.014 Video Equipment (\$58,910) (Cable Division).

Department of Public Works (DPW)

7. Resolution to approve pedestrian skywalk easement and maintenance agreement at South Boulevard and Bradford Street.

Grants

8. Resolution to approve the proposed budget amendment for Budget Year 2022-2023 to increase the budget appropriation in the GL account 101-699-969-003 – PONART – Contribution to Pontiac Arts Commission in the amount of \$100,000, and increase the revenue estimate in the GL account 101-000-582-000 –PONART – Grants from Oakland County by \$100,000.

Information Technology

9. Resolution for approval of updating licensing quote for Microsoft 365 migration

Mayor's Office

10. Resolution to seek authorization to pursue RFP to hire consultant(s) to complete an analysis of the Sheriff and Fire Contracts.
11. Resolution to approve a two-year extension of the Waterford Regional Fire Department Fire Services Contract.

Purchasing

12. Resolution to approve the proposed Budget Amendment for Budget Year 2022-2023 (purchasing Assistant position) Increase the budget appropriation in the following General Fund GL accounts 101-206-702-000 salaries and wages (\$26,500), 101-206-715-000 F.I.C.A. (\$2,028), 101-206-716-000 Medical insurance (\$7,638), 101-206-717-000 Life Insurance (642), 101-206-718-500 MERS Employer Contributions (&1,325), 101-206-719-000 Workers Compensation insurance (\$78), 101-206-719-001 Dental insurance (264) (This budget amendment is for the Purchasing Assistant position.).
13. Resolution to authorize the approval of the bid award to Clark Hill and The Kelly Law Firm, respectively, and an executed agreement, signed by the Mayor, for the rendering of legal services.

**Closed Session**

14. Resolution to Proceed in Closed Session to Discuss the Confidential Legal Opinion Concerning the Recreational Marihuana Regulation.

**Ordinance**

15. City of Pontiac Adult-Use Marihuana Business Ordinance (**Second Reading - Postponed from 12/20/2022**)

**Discussion**

16. Federal Funding for Reconstruction of Bagley Street and Gold Drive Approved by Congress

**Public Comment (Three Minutes Time Limit)**

**Closed Session**

17. Resolution to Proceed in Closed Session to Consider and Discuss the Purchase of Real Property; and to Discuss the Confidential Legal Opinion Concerning Settlement Strategy in Connection with Pending Litigation

## **Communications**

### **City Council**

18. Oakland County Health Division is selling radon-testing kits at half-off since January is National Radon Action Month. For \$5, residents can test their homes for the colorless, odorless, and tasteless gas, which is the second-leading cause of lung cancer in the United States. The Health Division recommends testing homes for radon gas during the winter months since windows and doors typically remain closed, allowing radon gas to collect inside and be more easily detected. The Health Division office in Pontiac, where the kits can be purchased, is located at 1200 N. Telegraph Road, Building 34 E, in Pontiac.
19. Residents who are behind in paying their water bills or facing a service shut-off can get help from a partnership between the Oakland county Water Resources Commission and OLSHA. Those who qualify could get up to \$1,500 in payments on their water bills and stop a shut-off plan. This program is temporary and expires on September 30, 2023. Schedule an appointment with OLHSA to sign up by calling (248) 209-2600 or emailing [info@olhsa.org](mailto:info@olhsa.org)
20. A new dining option has opened in Downtown Pontiac. The Oak House Deli is now open in the Crofoot, located at 1 S. Saginaw Street at the corner of Pike and Saginaw. It is open Monday through Friday from 11:00 am to 3:00 pm. Visit [www.oakhousedeli.com](http://www.oakhousedeli.com) or call (248) 859-0440 for more information.
21. Pontiac Regional Chamber of Commerce Fruitful Toast, January 6, 2023
22. New Birth International Church is holding their Chili Cook-Off Fundraiser on January 21, 2023 from 1:00 to 3:00 pm. Competitors must register by January 15, 2023. For more information, call (248) 812-8549.
23. Pontiac Regional Chamber of Commerce “Prosperity Pontiac” Annual Event, March 29, 2023
24. Pontiac Community Foundation 5-Year Anniversary Celebration, May 19, 2023

### **Mayor’s Office**

25. Winter Festival, Saturday January 14, 2023 from 5pm to 9pm, City Hall Grounds 47450 Woodward Ave Pontiac, Michigan. For more information call (248) 758-3037
26. Dr. Martin Luther King Jr. Day is observed this year on Monday, January 16, 2023. City Hall will be closed that day in observation of the holiday.
27. The City of Pontiac is seeking citizen input on a new master plan for Galloway Lake Park. Visit the city’s website to share your ideas on improvements you’d like to see, as our city works to make this beautiful park even stronger.

### **Closing Comments**

Mayor Greimel (Seven Minutes Time Limit)  
Clerk and City Council (Three Minutes Time Limit)

### **Adjournment**

# **CONSENT AGENDA A**

# **Pontiac City Council Parks, Recreation /Public Works Subcommittee Meeting Minutes**

Meeting held at Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan  
in the City Council Conference Room.

**December 19, 2022**

In attendance:

Council members: Chair Kathalee James, Melanie Rutherford and Mikal Goodman

Mayor: Tim Greimel

Grants Director: Alexandra Borngesser

DPW: Vince Jimenez

Youth Recreation Manager: Tanesha Taylor

Member of the Public: Portia Fields-Anderson

Legislative Counsel: Monique Sharpe

**The meeting started at 12:11 p.m.**

## **AGENDA**

### **RECREATION**

- Update on Hawthorne Park Operations Agreement
- Park Grants Status Update
- Galloway Lake Park Community Led Design Project Update
- Parks and Recreation Department Update
- Community Center Land Acquisition Update
- Winterfest Planning
- Winter Recreation Planning for Selected Parks
- Snow removal in parks, trash removal for winter months

### **PUBLIC WORKS**

- Status of open positions
  - CDBG Senior Center rehab status
  - Beaudette Park gate installation status
  - Contracts up for renewal and scheduled to come before Council within the next 30 days

**PUBLIC COMMENTS:** There were comments from Portia-Fields Anderson.

**ADJOURNMENT:** The meeting ended at 1:36 p.m.

# **CONSENT AGENDA B**

**Official Proceedings  
Pontiac City Council  
65<sup>th</sup> Session of the Eleventh Council**

**Call to order**

A Meeting of the City Council of Pontiac, Michigan was called to order at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Tuesday, December 27, 2022 at 6:09 p.m. by Council President Mike McGuinness.

**Invocation** – Pastor Kathy Dessureau, Boulevard Church, Pontiac Michigan

**Pledge of Allegiance to the Flag of the United States**

**Moment of Silence**

**Roll Call**

**Members Present** – Mike McGuinness, Brett Nicholson, William Parker, Jr. and Melanie Rutherford

Mayor Greimel was present  
A quorum was announced.

**Excuse Councilmembers**

**Motion to excuse Council Pro-Tem William Carrington, Councilman Mikal Goodman and Councilwoman Kathalee James for personal reasons.** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Ayes: McGuinness, Nicholson, Parker and Rutherford  
No: None  
**Motion Carried**

**Amendments to and Approval of the Agenda**

**Motion to approve the agenda.** Moved by Councilperson Rutherford and second by Councilperson Parker.

**Motion to add a resolution to increase the Building Official compensation from current salary \$93,194 up to \$110,000 as the new item #3 and add a resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023 to increase the budget appropriation in the Building Inspection Fund account 249-371-702-000 by \$10,000 for the purpose of increasing the Building Official salary as the new item #4 on the agenda.** Move by Councilperson Rutherford and second by Councilperson Nicholson.

Ayes: McGuinness, Nicholson, Parker and Rutherford  
No: None  
**Motion Carried**

**The vote was taken to approve the agenda as amended**

Ayes: McGuinness, Nicholson, Parker and Rutherford  
No: None  
**Motion Carried**

**Consent Agenda**

22-346 **Resolution to approve the consent agenda for December 27, 2022.** Moved by Councilperson Parker and second by Councilperson Rutherford.

WHEREAS, the City Council has reviewed the consent agenda for December 27, 2022.  
NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for December 27, 2022 including November 28, 2022 Law and the Courts Subcommittee Meeting Minutes, November 28, 2022 Parks, Recreation and Public Works Subcommittee Meeting Minutes, December 20, 2022 City Council Meeting Minutes and Pontiac Fund Balance for Arts Commission for 2022.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

**Resolution Passed**

**Recognition of Elected Officials - None**

**Agenda Address**

1. Quincy Stewart addressed item #1
2. Chuck Johnson addressed item #2

**Agenda Items**

**Resolutions**

City Council

22-347 **Resolution Celebrating the Success and talents of Pontiac Native Dr. Damani Phillips.** Moved by Councilperson Parker and second by Councilperson Rutherford.

WHEREAS, Dr. Damani Phillips is a native of Pontiac, Michigan and began playing music at the age of ten, and is a renowned and brilliant musician that is highly regarded nationally and internationally; and, Whereas, Dr. Phillips is the Director of Jazz Studies and Associate Professor of African American Studies at the University of Iowa, where he teaches applied jazz saxophone, directs jazz combos, and teachers courses in African American music, African American culture, jazz education, and improvisation, and has written publications in his field; and,

Whereas, Dr. Phillips earned his Bachelor and Master of Music degree in Jazz Studies from Wayne State University and completed the Doctor of Musical Arts degree in Jazz Studies at the University of Colorado, becoming one of the first African American in the country to attain that height and

Whereas, Dr. Phillips is returning to Pontiac, Michigan for a special musical performance at Pontiac's Little Arts Theatre on December 30, 2022; now,

Therefore, Be It Resolved, the Pontiac City Council and Mayor Tim Greimel on behalf of the entire City of Pontiac hereby celebrates the success and talents of Dr. Damani Phillips; and further

Resolved, the City Council expresses the pride and excitement that Dr. Phillips, a native of our great city, continues to excel and represents his hometown so powerfully; and further

Resolved, the City Council wishes Dr. Phillips the very best as he continues to excel and achieve at the highest echelons of the musical world, throughout academia, and in life.

Ayes: Nicholson, Parker, Rutherford and McGuinness

No: None

**Resolution Passed**

December 27, 2022 Draft

Department of Public Works (DPW)

22-348        **Resolution authorizing the extension of Covenant Contract for the City of Pontiac Municipal Cemetery Operations.** Moved by Councilperson Rutherford and second by Councilperson Parker. Discussion.

**Motion to amend Resolution authorizing the extension of Covenant Contract for the City of Pontiac Municipal Cemetery Operations to change December 31, 2024 date in both the final whereas and the now, therefore be it resolved to March 31, 2023.** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Ayes: Rutherford, McGuinness, Nicholson and Parker

No: None

**Motion Carried**

**The vote was taken as amended**

Whereas, The Covenant Cemetery agreement is due to expire on December 31, 2022. Oak Hill and Ottawa Park Cemeteries require ongoing administrative and management care services;

Whereas, Covenant Cemetery will continue providing grounds maintenance service, as well as administrative and burial management services;

Whereas, purchasing will review renewal options prior to end of the contract term to decide if the competitive bid process must be conducted prior to the contract expiring on March 31, 2023.

Now, Therefore, Be It Resolved, that the City Council hereby approves extending the Covenant Cemetery agreement until March 31, 2023 and that Mayor Tim Greimel may execute the extension agreement for continued administrative and burial management services.

Ayes: Parker, Rutherford, McGuinness and Nicholson

No: None

**Resolution Passed**

22-349        **Resolution to increase the Building Official compensation from the current salary \$93,194 to \$110,000. (Agenda Add-on)** Moved by Councilperson Nicholson and second by Councilperson Parker.

Whereas, the ability to attract and retain new and existing employees is crucial to the development and sustainability of the City of Pontiac; and

Whereas, the position of Building Official is critically important to successfully running the Building Division – in order to facilitate investment and development and remediate blight; and

Whereas, in order to attract a qualified Building Official, the city must pay a competitive salary for the position;

Now, therefore, Be Resolved, City Council hereby approves increasing the maximum allowable salary for the Building Official position from the \$93,194 authorized by City Council in June 2022 to \$110,000.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

**Resolution Passed**

22-350        **Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023 to increase the budget appropriation in the Building Inspection Fund account 249-371-702-000 by \$10,000 for the purpose of increasing the Building Official Salary. (Agenda add-on)** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Whereas, City Council appropriated funds for the Building Inspection Fund 249 to begin on July 1, 2022; Now Therefore, Be resolved, that the City Council hereby authorizes the City Clerk to publish in a newspaper the proposed budget amendment for Fiscal year 2022-23 as requested by the Administration as given below:

Increase the budget appropriation in the following Building Inspection Fund 249 account:

249-371-702-000	Salaries & Wages	\$10,000
-----------------	------------------	----------

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

**Resolution Passed**

Office of the Mayor

22-351

**Resolution to authorize the City Clerk to publish a Notice of Public Hearing on Land Sale of parcel ID 14-21-485-003 to Rite Aid.** Moved by Councilperson Rutherford and second by Councilperson Nicholson. Discussion.

**Motion to amend Resolution to authorize the City Clerk to publish a Notice of Public Hearing on Land Sale of parcel ID 14-21-485-003 to Rite Aid.** Moved by Councilperson Rutherford and second by Councilperson Parker.

Now Therefore Be It Resolved, the City Council hereby schedules a public hearing on January 10, 2023 at 6:00 p.m. during the City Council Meeting at City Hall on the sale of the city's interest in the property located at the corner of Martin Luther King Jr. Boulevard and university Drive, within the City, and consisting of approximately 0.059 acres, property index number 14-21-482-003; and  
Be It Further Resolved, the City Clerk shall publish a notice of the public hearing.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

**Motion Carried**

**The vote was taken as amended**

Whereas, the City has been identified as owning a property interest in certain real property located at the corner of martin Luther King Jr. Boulevard and university Drive, within the City, and consisting of approximately 0.059 acres, property index number 14-21-482-003 (the "Property"); and

Whereas, Perry Drugs Stores, Inc. ("Rite Aid") has been listed as the owner of the Property on the City's assessment records and has paid property taxes since at least 1999; and,

Whereas, Rite Aid also owns the properties contiguous to the property for its location of the rite Aid store at 360 Martin Luther King Jr. Boulevard; and,

Whereas, rite Aid has requested the City convey to the property to Rite Aid and City Administration recommends transfer of the City's interest in exchange for value received by Rite Aid; and,

Whereas, the City Charter provides that public notice by publication and hearing is required before the City may sell, lease, exchange or in any way dispose real property of the City.

Now Therefore Be It Resolved, the City Council hereby schedules a public hearing on January 10, 2023 at 6:00 p.m. during the City Council Meeting at City Hall on the sale of the city's interest in the property located at the corner of Martin Luther King Jr. Boulevard and university Drive, within the City, and consisting of approximately 0.059 acres, property index number 14-21-482-003; and

Be It Further Resolved, the City Clerk shall publish a notice of the public hearing.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

**Resolution Passed**

Treasury

22-352

**Resolution to approve Micheal Lohmeier as the Oakland County Equalization Officer.** Moved by Councilperson Rutherford and second by Councilperson Nicholson. Discussion.

**Motion to change the date in the first whereas paragraph from December 31, 2020 to December 31, 2022.** Moved by Councilperson Parker and second by Councilperson Rutherford.

Ayes: Parker, Rutherford, McGuinness and Nicholson

No: None

**Motion Carried**

Discussion. **Motion to put December 31, 2020 back in the first whereas paragraph as oppose to December 31, 2022.** Moved by Councilperson Nicholson and second by Councilperson Rutherford.

Ayes: Rutherford, McGuinness, Nicholson and Parker

No: None

**Motion Carried**

**The vote was taken as amended**

Whereas pursuant to Public Act 660 of 2018, each county is required to notify the State Tax Commission, no later than December 31, 2020, of the individual that will serve as the County's Designated Assessor; and

Whereas the Designated Assessor is part of a process to ensure that local units of government are in compliance with statutory provisions of the Audit of Minimum Assessing Requirements; and

Whereas the Designated Assessor is the individual designated by an Interlocal Agreement executed between the County Board of Commissioners and a majority of the assessing districts (cities and townships) within the county, subject to final approval of the State Tax Commission; and

Whereas the Designated Assessor serves as the assessor of record and assumes all duties and responsibilities as the assessor of record for an assessing district that is determined to be noncompliant with an audit; and

Whereas each county must also provide the State Tax Commission with the interlocal agreement executed by the County Board of Commissioners, a majority of the assessing districts within the county, and the proposed Designated Assessor for the county; and

Whereas the interlocal agreement must provide enough detail regarding the assessment responsibilities for the Designated Assessor including, but not limited to, the following:

1. Information related to the scope of services being provided by the Designated Assessor, including preparation of assessment rolls, timeline for delivery of documents and execution of forms, attendance at Boards or review meetings, duties and responsibilities related to property tax appeals, both Small Claims and Entire Tribunal, filed with the Michigan Tax Tribunal, responsibility to meet with local unit officials, and obligations of local unit assessing staff members.
2. Duties and responsibilities for each local unit within the county, including providing the Designated Assessor with reasonable access to records, documents and information, and
3. Details relating to cost and compensation for overseeing and administering the annual assessment and operating the assessing office, including payment terms and cost reimbursement; and

Whereas an Interlocal Agreement was previously entered into between Oakland County and the participating Assessing Districts under the former Oakland County Equalization Director; and Whereas Oakland County has a new Oakland County Equalization Director, Micheal Lohmeier, and as a result, a new Interlocal Agreement is required with the Assessing Districts within the County that approve the Agreement; and

Whereas Oakland County Corporation Counsel is developing the Designated Assessor Interlocal Agreement to be entered into with any and all Assessing Districts within the County that approve the Agreement.

Now Therefore Be It Resolved that the City of Pontiac's City Council approves designating Oakland County Equalization Director Micheal Lohmeier, who is an individual qualified and certified by the State Tax Commission as a Michigan Master Assessing Officer, to be the Designated Assessor for Oakland County.

Ayes: Nicholson, Parker, Rutherford and McGuinness

No: None

**Resolution Passed**

**Public Comment**

1. Darlene Clark
2. Gloria Miller
3. Chuck Johnson

**Communications**

City Council and Mayor's Office

**Mayor, Clerk and Council Closing Comments**

Mayor Greimel, Clerk Doyle, Councilwoman Rutherford, Councilman Nicholson, Councilman Parker, and Council President McGuinness made closing comments.

**Adjournment**

**Motion to adjourn the meeting.** Moved by Councilperson Parker and second by Councilperson Rutherford.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

**Motion Carried**

Council President Mike McGuinness adjourned the meeting at 7:43 p.m.

---

Garland S. Doyle  
City Clerk

**#1**

**ORDINANCE**

**PROPOSED ORDINANCE AMENDMENT TO  
CITY OF PONTIAC POLICE AND FIRE RETIREMENT SYSTEM**

NOW THEREFORE, the City of Pontiac ordains:

- I. The following section 5(c) shall be amended as follows:

Section 5(c)

- (c) In accordance with subsection 401(a)(9) of the Internal Revenue Code and the regulations thereunder, which are incorporated herein by reference, a Member's retirement annuity shall be distributed to him or her ~~as follows; not later than April 1 of the calendar year following the later of:~~

For those who turned 70½ years on or before December 31, 2019 (i.e. whose birthday is on or before June 30, 1949) not later than April 1 of the calendar year following the later of:

- (1) The calendar year in which the member attains age seventy and one-half (70 ½) years, or
- (2) The calendar year in which the member retires.

For those who turned 70½ years after December 31, 2019 (i.e. whose birthday is on or after July 1, 1949) not later than April 1 of the calendar year following the later of:

- (1) The calendar year in which the participant attains age 72 years, or
- (2) The calendar year in which the member retires.

- II. The following section 6(c)(6) shall be amended as follows:

Section 6(c)(6)

- (c) 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 adoption agreement,~~ 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 ½, if later.~~

- (1) For members who turned (or would have turned) 70½ on or before December 31, 2019 (i.e. whose birthday is on or before June 30, 1949), when the member would have attained age 70½ if later, or
- (2) For members who turn (or would have turned) 70½ after December 31, 2019 (i.e. whose birthday is on or after July 1, 1949), when the member would have attained age 72, if later.

W2575682

**#6**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

Finance

---

**TO:** Honorable City Council President and City Council

**FROM:** Sekar Bawa, Senior Accountant

**CC:** Mayor Tim Greimel and Khalfani Stephens, Deputy Mayor

**DATE:** December 13, 2022

**RE:** Council Resolution to approve the proposed budget amendment for Budget Year 2022-2023, (Cable Division)

**Increase the budget appropriation in the following 231-Cable Fund GL accounts**

231-291-731.001 Computer Supplies (\$2,000), 231-291-740.000 Operating Supplies (\$1,000), 231-291-976.001 Building Addition and Improvements (\$6,500), 231-291-977.005 Furniture and Fixtures (\$4,000) and 231-291-977.014 Video Equipment (\$58,910).

The City Council chamber audio video system upgrade project commenced and most of the project work was completed in the FY 2021-22. Current fiscal year appropriation did not include enough allocation for the completion of the project. Further, Cable division needs upgrade to projector systems, cameras and computers and also need a Billboard System in the City Hall lobby. This budget amendment adds funds to all that to happen.

This amendment decreases the 231-Cable Fund balance by \$72,410. Estimated Fund balance after this amendment is \$764,000.

Increase the budget appropriation in the following GL accounts:

231-291-731.001	Computer Supplies	\$2,000
231-291-740.000	Operating Supplies	\$1,000
231-291-976.001	Building Addition and Improvements	\$6,500
231-291-977.005	Furniture and Fixtures	\$4,000
231-291-977.014	Video Equipment	<u>\$58,910</u>

**Total requested increase in the budget appropriation** **\$72,410**

*This item cannot be approved until after the resolution to authorize the city clerk to publish the notice of the budget amendment has been approved and one week after the publication of the notice.*



**Council Resolution to approve the proposed budget amendment for Budget Year 2022-2023, Increase the budget appropriation in the following 231-Cable Fund GL accounts**  
231-291-731.001 Computer Supplies (\$2,000), 231-291-740.000 Operating Supplies (\$1,000), 231-291-976.001 Building Addition and Improvements (\$6,500), 231-291-977.005 Furniture and Fixtures (\$4,000) and 231-291-977.014 Video Equipment (\$58,910).

---

WHEREAS City council appropriated funds for the Cable Department to begin on July 1, 2022; and,

WHEREAS, that appropriation assumed certain variables that did not come into being; and,

WHEREAS, that appropriation did not include enough allocation for the continued updates to Cable department: projector system, PTZ cameras, video equipment, computer supplies, operating supplies, and the Billboard System in the City Hall lobby; and,

WHEREAS, this budget amendment decreases the fund balance by \$72,410;

**NOW THEREFORE, BE RESOLVED**, that the City Council hereby approves the proposed budget amendment for Fiscal Year 2022-23 as requested by the Administration as given below:

Increase the budget appropriation in the following GL accounts:

231-291-731.001	Computer Supplies	\$2,000
231-291-740.000	Operating Supplies	\$1,000
231-291-976.001	Building Addition and Improvements	\$6,500
231-291-977.005	Furniture and Fixtures	\$4,000
231-291-977.014	Video Equipment	<u>\$58,910</u>

<b>Total requested increase in the budget appropriation</b>	<b><u>\$72,410</u></b>
---	------------------------

**#7**

**RESOLUTION**

**CITY OF PONTIAC**  
**Oakland County, Michigan**

**RESOLUTION TO APPROVE PEDESTRIAN SKYWALK EASEMENT AND MAINTENANCE  
AGREEMENT AT SOUTH BOULEVARD AND BRADFORD STREET, PONTIAC, MICHIGAN**

RESOLUTION # \_\_\_\_\_

Minutes of a regular meeting of the City Council for the City of Pontiac, held City Hall, 47450 Woodward Ave, Pontiac, MI on December 20, 2022 at 6:00 p.m., local time.

The following resolution was offered by Council member \_\_\_\_\_ and supported by Council member: \_\_\_\_\_:

WHEREAS, the City owns, operates and maintains South Boulevard and Bradford Street, both public streets traversing east and west and north and south, respectively, through the City and,

WHEREAS, the City controls all existing easement and air rights located under, upon and/or above South Boulevard and Bradford Street; and,

WHEREAS, PONTIAC CENTER INVESTMENT, LLC, a Michigan limited liability company, whose address is 251 E. Merrill Street, Suite 212, Birmingham, Michigan 48009 ("PCI"), owns a certain parcel of real estate located on the north side of South Boulevard and the east side of Martin Luther King, Jr. Boulevard East commonly known as 585 South Boulevard East, City of Pontiac, Oakland County, Michigan (Tax Parcel Number: 64-14-34-351-006); and owns certain parcel of real estate located on the north side of South Boulevard (Tax Parcel Number: 64-14-34-351-007), and both properties referred to as the "United Shore North Campus"; and

WHEREAS, PONTIAC SOUTH BOULEVARD, LLC, a Michigan limited liability company whose address is 251 E. Merrill Street, Suite 212, Birmingham, Michigan 48009 ("PSB") owns a certain parcel of real estate located on the south side of South Boulevard and the west side of Centerpoint Parkway commonly known as 750 South Boulevard East, City of Pontiac, Oakland County, Michigan (Tax Parcel Number: 64-19-03-126-008), and referred to as the United Shore South Campus); and

WHEREAS, PCI and PSB desire to permit UNITED SHORE FINANCIAL SERVICES, LLC, a Michigan limited liability company, whose address is 585 South Boulevard East, Pontiac, Michigan 48341 to construct an elevated and covered pedestrian walkway at its sole cost and expense ("Skywalk") upon and/or above South Boulevard and Bradford Street (proposed "City Skywalk Easement Area") and create a barrier free means of access between the United Shore North Campus and United Shore South Campus for employees and invitees of United Shore; and

WHEREAS, the Skywalk will be and is suspended over South Boulevard East and Bradford Street, across the proposed City Skywalk Easement Area with no portion of the Skywalk being constructed upon City property; and

WHEREAS, in 2020 a proposed Pedestrian Skywalk Easement and Maintenance Agreement ("Easement") was negotiated between the City, PCI, PSB and United Shore Financial Services, LLC but due to the pandemic, there was a delay in the final approval, execution and

recording of this Easement and the Skywalk has been constructed prior to the execution and recording of this Easement; and

WHEREAS, although the Easement was not presented for approval to City Council in 2020, City Administration approved building permits and plans authorizing the construction of the elevated and covered pedestrian walkway upon and/or above South Boulevard and Bradford Street; and,

WHEREAS, current City Administration and legal counsel for the City have reviewed the proposed Easement, attached as Exhibit "A" and recommend approval by the City Council.

NOW THEREFOR BE IT RESOLVED, the City Council hereby approves the Pedestrian Skywalk Easement and Maintenance Agreement, attached hereto as Exhibit "A" and authorizes the Mayor to execute the same on behalf of the City.

YEAS: Council Members \_\_\_\_\_  
\_\_\_\_\_

NAYS: Council Members \_\_\_\_\_

ABSTAIN: Council Members \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Garland Doyle, Clerk  
City of Pontiac

CERTIFICATION

STATE OF MICHIGAN       )  
                                      ) SS  
COUNTY OF OAKLAND     )

I, Garland Doyle, City Clerk, City of Pontiac, Michigan (the "County") does hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on November 10 2022, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Garland Doyle, Clerk  
City of Pontiac

## PEDESTRIAN SKYWALK EASEMENT AND MAINTENANCE AGREEMENT

This Pedestrian Skywalk Easement and Maintenance Agreement ("Easement") is entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, but effective as of January 1, 2020, between the **CITY OF PONTIAC**, a Michigan municipal corporation, whose address is 47450 Woodward Avenue, Pontiac, Michigan 48342 ("City"), **PONTIAC CENTER INVESTMENT, LLC**, a Michigan limited liability company, whose address is 251 E. Merrill Street, Suite 212, Birmingham, Michigan 48009 ("PCI"), **PONTIAC SOUTH BOULEVARD, LLC**, a Michigan limited liability company whose address is 251 E. Merrill Street, Suite 212, Birmingham, Michigan 48009 ("PSB") and **UNITED SHORE FINANCIAL SERVICES, LLC**, a Michigan limited liability company, whose address is 585 South Boulevard East, Pontiac, Michigan 48341 ("United Shore").

### Recitals:

A. The City owns, operates and maintains South Boulevard and Bradford Street, both public streets traversing east and west and north and south, respectively, through the City.

B. The City controls all existing easement and air rights located under, upon and/or above South Boulevard and Bradford Street.

C. PCI owns a certain parcel of real estate located on the north side of South Boulevard and the east side of Martin Luther King, Jr. Boulevard East commonly known as 585 South Boulevard East, City of Pontiac, Oakland County, Michigan (the "1<sup>st</sup> PCI Parcel" - Tax Parcel Number: 64-14-34-351-006), the legal description of which is described on the attached Exhibit "A" and leases the entirety of the parcel to United Shore. The PCI Parcel may sometimes also be referred to in this Easement as the "United Shore North Campus."

D. PCI owns certain parcel of real estate located on the north side of South Boulevard (the "2<sup>nd</sup> PCI Parcel" - Tax Parcel Number: 64-14-34-351-007), the legal description of which is described on the attached Exhibit "C". The 1<sup>st</sup> PCI Parcel and the 2<sup>nd</sup> PCI Parcel may sometimes also be referred to in this Easement as the "United Shore North Campus."

E. PSB owns a certain parcel of real estate located on the south side of South Boulevard and the west side of Centerpoint Parkway commonly known as 750 South Boulevard East, City of Pontiac, Oakland County, Michigan (the "PSB Parcel" - Tax Parcel Number: 64-19-03-126-008), the legal description of which is described on the attached Exhibit "B" and leases a significant portion of such parcel to United Shore. This PSB Parcel may sometimes also be referred to as the "United Shore South Campus").

F. Based upon the foregoing, PCI and PSB desire to permit United Shore to construct an elevated and covered pedestrian walkway at its sole cost and expense ("Skywalk") and create a barrier free means of access between the United Shore North Campus and the United Shore South Campus for employees and invitees of United Shore.

G. The northerly abutment for the Skywalk and all of its attendant northerly connections to the physical entrance of the United Shore North Campus building shall be constructed upon the 1<sup>st</sup> PCI Parcel; the southerly abutment for the Skywalk and all of its attendant southerly connections to the physical entrance of the United Shore South Campus building shall be constructed upon the PSB Parcel; and the Skywalk shall be suspended over South Boulevard East and Bradford Street, across the City Skywalk Easement Area with no portion of the Skywalk being constructed upon City property.

H. The City, PCI and PSB desire to provide easements and agreements for the construction, maintenance, repair, alteration, replacement and removal of the Skywalk in accordance with the terms and conditions set forth below.

I. The parties acknowledge that, due to the pandemic, there was a delay in the execution and recording of this Easement and the Skywalk has been constructed prior to the execution and recording of this Easement. Notwithstanding the date of execution of this Easement, it is the intent and agreement of the parties that terms and provisions hereof shall be effective as of January 1, 2020.

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. **Recitals.** Recitals A. through I. above are each incorporated by reference as an integral part of this Easement.

2. **City's Grant of Easement.** The City grants to PCI and PSB, and their respective successors and assigns, a perpetual easement and air-rights over that portion of South Boulevard East and Bradford Street as depicted in the attached Exhibit "C" (the "City Skywalk Easement Area") for the construction, maintenance, repair, alteration, replacement and removal of the Skywalk as further subject to the terms and conditions set forth in this Easement. Subject to this easement, United Shore, PCI and PSB must obtain approval from the City for any alteration under Michigan Building Codes from the City Building Department and for any work proposed to take place in or above the public rights of way of South Boulevard or Bradford Street.

3. **PCI's Grant of Easement.** PCI grants to PSB and its successors and assigns a perpetual easement over that portion of the 1<sup>st</sup> PCI Parcel and the 2<sup>nd</sup> PCI Parcel (collectively the "PCI Parcels") as depicted on the attached Exhibit "D" (the "PCI Skywalk Easement Area") for the construction, maintenance, repair, alteration, replacement and removal of the Skywalk as further subject to the terms and conditions set forth in this Easement.

4. **PSB's Grant of Easement.** PSB grants to PCI and its successors and assigns a perpetual easement over that portion of the PSB Parcels as depicted on the attached Exhibit "E" and Exhibit "F" (collectively, the "PSB Skywalk Easement Area") for the construction, maintenance, repair, alteration, replacement and removal of the Skywalk as further subject to the terms and conditions set forth in this Easement.

5. **Temporary Easements.** During any period of construction, maintenance, repair, alteration, replacement and removal of the Skywalk: (i) the City grants to United Shore, PCI and PSB and their respective successors and assigns a temporary construction easement over the City Skywalk Easement Area and on those portions of South Boulevard East and Bradford Street adjacent to the City Skywalk Easement Area; (ii) PCI grants to United Shore and PSB and its successors and assigns a temporary construction easement over and under the PCI Skywalk Easement Area and on those portions of the PCI

Parcels adjacent to the PCI Skywalk Easement Area; and (c) PSB grants to United Shore and PCI and its successors and assigns a temporary construction easement over and under the PSB Skywalk Easement Area and on those portions of the PSB Parcel adjacent to the PSB Skywalk Easement Area. If any construction, repair, maintenance, alteration, replacement or removal of the Skywalk results in damage or destruction to the respective parcels and/or landscaping, public right of way, the party undertaking such activity shall restore same to the condition which existed prior to such damage or destruction, provided, however, that United Shore shall be solely responsible for the construction of the Skywalk as well as all maintenance, repair, alteration and replacement for so long as United Shore remains a tenant or occupant of either the PCI Parcels or PSB Parcel.

6. **Use Easement.** For purposes of this Easement: (i) PCI creates, grants, warrants and conveys to PSB and its successors and assigns over the PCI Skywalk Easement Area; (ii) PSB creates, grants, warrants and conveys to PCI and its successors and assigns over the PSB Skywalk Easement Area; and (iii) the City creates, grants, warrants and conveys to PCI and PSB and their respective successors and assigns over the City Skywalk Easement Area: a perpetual non-exclusive easement over across and through the entirety of the Skywalk for pedestrian ingress and egress to and from the United Shore North Campus and the United Shore South Campus. PCI, PSB, the City and their respective successors, assigns, grantees, tenants, invitees, agents, employees, licensees, mortgagees, and all persons having business with any of the foregoing, and all persons claiming by, through or under any of the foregoing shall have the non-exclusive right in common to use the Skywalk for the purposes stated in this Section 6. Neither PCI, PSB nor the City, nor any of their respective successors or assigns, shall take any action to prevent or inhibit the free flow of pedestrian traffic and access to and from the Skywalk, the United Shore North Campus and the United Shore South Campus, unless any component of the Skywalk is declared to be unsafe by the City, its Fire Department or Oakland County Sheriff's office in which event the Skywalk shall be closed until the unsafe condition is resolved to the City's satisfaction.

7. **Easements Appurtenant and Ownership of Skywalk.** The easements granted herein shall be deemed easements appurtenant to and run with the PCI Parcels and the PSB Parcel, shall burden and benefit the City, PCI Parcels and the PSB Parcel, and shall be binding upon and inure to the benefit of the City, PCI and PSB and their respective successors, assigns, grantees, and mortgagees, including, without limitation, any person or entity who may in the future become a fee title owner of the PCI Parcels or the PSB Parcel or any part thereof, and all persons claiming by, through or under them. Following the construction of the Skywalk by United Shore, it is agreed that PCI shall own that portion of the Skywalk situated North of the center line of South Boulevard East and PSB shall own that portion of the Skywalk situated South of the center line of Pontiac South Boulevard East.

8. **Construction.**

(a) United Shore will construct the Skywalk in accordance with plans and designs, prepared by engaged engineers, and reasonably approved by the City. The City, in accordance with its established plan review and approval process shall issue all permits required for such construction.

(b) United Shore must obtain prior written approval from the City, and obtain, in advance, all necessary permits, to the extent required by the Pontiac Municipal Code for any construction, replacement or removal of the Skywalk including, without limitation, any of the previously described work taking place in or above the public rights of way of South Boulevard or Bradford Street.

(c) The City reserves the right to require the posting of any commercially reasonable performance, surety or similar bond, or irrevocable standby letters of credit as security for any contemplated for any construction, maintenance, repair, replacement or removal of the Skywalk.

9. **Operation of Skywalk.** During the period United Shore is a tenant and occupant of the United Shore North Campus and United Shore South Campus, United Shore, and its successors and assigns, shall be solely responsible for the design, construction, security, insurance, good order, control, maintenance, repair and replacement of the Skywalk, including, where applicable: (a) the removal of snow, ice and debris, (b) the lighting of the Skywalk during hours of darkness, and (c) the heating, cooling, ventilation, temperature and air pressure control to the extent necessary for the normal use and operation of the Skywalk. The hours of operation of the Skywalk shall be determined by United Shore and shall be subject to the mutual consent of PCI and PSB, which shall not be unreasonably withheld, conditioned or delayed. Such hours of operation shall be determined so as to maximize the ability of United Shore, PCI and PSB to operate the United Shore North Parcel and the United Shore South Parcel in an efficient manner and allow the parties to meet all of their respective obligations under agreements now or hereafter existing. In the event that United Shore is no longer a tenant or occupant of either the PCI Parcels or PSB Parcel, PSB and PCI shall each be obligated to pay one-half (1/2) of the costs and expenses incurred in connection with the repair, maintenance, replacement and/or removal of the Skywalk in accordance with the terms of this Easement or such other written agreement as PCI and PSB, or their successors and assigns, may hereafter enter into to supersede the provisions of this Easement.

10. **Alterations.** No alterations, modifications or changes shall be made to the Skywalk by or on behalf of United Shore or any of its successors and assigns in interest without the written consent of the City (through its Building Department, Planning Department and Department of Public Works) and owners of the PCI Parcels and PSB Parcel which consent shall not be unreasonably withheld, conditioned or delayed and shall be subject to all requisite approvals of the City's building department. The party seeking to make such alterations, modifications or changes shall be solely responsible for all costs and expenses associated therewith.

11. **Casualty.** If the (i) the Skywalk is damaged in whole or in material part by fire or other casualty and; (ii) as of the date of such casualty, United Shore is not contractually obligated under any leases, operating agreement or any other written agreement to maintain the Skywalk, PCI and PSB or their respective successors and assigns shall have the right to terminate this Easement by providing written notice of such termination to the other party and the City within thirty (30) days of such casualty. If this Easement is not terminated as herein provided and if United Shore is not contractually obligated to maintain the Skywalk, PCI and PSB shall immediately repair, reconstruct and restore the Skywalk to the condition that existed immediately prior to such fire or other casualty. Otherwise, if this Easement is terminated, United Shore shall immediately remove the Skywalk and all debris associated therewith from the City Skywalk Easement Area, the PCI Skywalk Easement Area and the PSB Skywalk Easement Area and restore such areas to the conditions that existed prior to the construction of the Skywalk.

12. **Default and Remedies.**

(a) If either United Shore, PCI or PSB shall default in any of their respective obligations under this Easement, the affected party and/or the City shall give the party in default written notice of such default and the party receiving such notice of default shall have a period of thirty (30) days to cure the same, provided, however, if any default reasonably requires more than thirty (30) days to cure, the party receiving notice of such default shall have such additional reasonable period of time as is

necessary to cure such default, provided that such party has commenced to cure such default within the initial thirty (30) day period and thereafter continues to cure such default with reasonable diligence.

(b) If the City, or its successors or assigns, reasonably determines that the Skywalk is in a dangerous condition, and United Shore, PCI, PSB or their respective successors or assigns, fails to remedy same after notice and expiration of the cure periods provided. in Subparagraph 14(a) hereof, the City, and its successors and assigns, shall have the following remedies: (i) repair the dangerous condition on behalf of United Shore or PCI and PSB, the repair cost of same to be paid by United Shore or PCI and PSB to the City within thirty (30) days of receipt of an invoice therefor; or (ii) if use of the Skywalk. constitutes a danger to the public, barricade the Skywalk or take other reasonable steps to prohibit use by the public so long as the dangerous condition continues.

13. **Notice.** Whenever notice is required or desired to be given hereunder by one party to the other, such notice shall be sufficient if it is in writing sent to the address set forth below (or such substitute address as shall have been established by notice) by personal delivery, by nationally recognized overnight courier or by certified or registered mail, return receipt requested with postage prepaid. Notices shall be effective only upon receipt.

**If to the City:**

City of Pontiac  
Office of the Mayor  
47450 Woodward Avenue  
Pontiac, Michigan 48342

**With a copies to:**

City of Pontiac  
Office of the City Attorney  
47450 Woodward Avenue  
Pontiac, Michigan 48342

Depart of Public Works  
City of Pontiac  
47450 Woodward Avenue  
Pontiac, Michigan 48432

Building / Safety Department  
City of Pontiac  
47450 Woodward Avenue  
Pontiac, Michigan 48432

**If to PCI:**

Manager  
Pontiac Center Investment, LLC  
251 E. Merrill Street, Suite 212  
Birmingham, Michigan 48009

**If to PSB:**

Manager

Pontiac South Boulevard, LLC  
251 E. Merrill Street, Suite 212  
Birmingham, Michigan 48009

**If to United Shore:**

Chief Executive Officer  
United Shore Financial Services, LLC  
585 South Boulevard East  
Pontiac, Michigan 48341

14. **Parties Entitled to Enforce.** This Easement shall be enforceable, by specific performance or otherwise, only by the parties hereto, the future owner(s) of the PCI Parcels and the PSB Parcel, their respective mortgagees and the successors and assigns of United Shore. No tenant or occupant of the PCI Parcels or the PSB Parcel, no customer, employee or invitee of the parties or of United Shore, and no other third parties, shall be deemed to have acquired any interest in the PCI Parcels, the PSB Parcel the Skywalk, the PCI Skywalk Easement Area, The PSB Sidewalk Easement Area or the City Skywalk Easement Area by virtue of the terms and conditions of this Easement nor shall any such person be entitled to enforce any of the rights and obligations contained in this Easement.

15. **Amendments.** This Easement may be amended only by an agreement in writing signed by the parties hereto or their respective successors and assigns with respect to all of the property described on the attached Exhibits A, B and C, and their respective Mortgagees if any. If, and only if, a party hereto has mortgaged or assigned *its* right hereunder to a mortgagee of the parcel owned by them as additional collateral for the repayment of such mortgagee's mortgage loan. such amendment shall not be binding upon such mortgagee unless the mortgagee has consented thereto in writing.

16. **Miscellaneous.**

(a) If any of the terms of this Easement are invalidated by court order, judgment or otherwise, such invalidity shall in no way affect any of the other agreements contained herein which remain in full force and effect.

(b) This Easement shall be governed by the laws of the State of Michigan. Except where the context does not permit, any successor in interest of any party hereto shall include in every reference in this Easement to such party as fully as though expressly named and shall have the benefit and be bound by all of the terms of this Easement.

(c) Any future sale or transfer of either of the PCI Parcels and/or the PSB Parcel shall require not less than thirty (30) days advance written notice to the City of the contemplated sale if the transferor wants to be released of its continuing obligations under this Easement following the transfer of its ownership of the PCI Parcels or PSB Parcel. Such notice shall identify the purchaser(s) / transferee(s) of the particular parcel with appropriate contact information. Prior to the transferor being relieved of any further obligations under this Agreement, such transferor and the City shall be in receipt of a signed agreement from the transferee accepting all future obligations of the transferring party under this Agreement. Any titleholder of the PCI Parcels shall, upon taking title, automatically be deemed by acceptance of title thereof to have assumed the obligations of PCI under this Agreement with respect to future repair, maintenance, alteration, replacement or removal of the Skywalk. Any titleholder of the PSB Parcel shall, upon taking title, automatically be deemed by acceptance of title thereof to have assumed

the obligations of PSB under this Agreement with respect to the future repair, maintenance, alteration, replacement or removal of the Skywalk.

(d) This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

Executed by the parties on the date and year first written above.

**SIGNATURE AND ACKNOWLEDGMENT PAGES FOLLOW:**

**City:**

**CITY OF PONTIAC**, a Michigan municipal corporation

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

Dierdre Waterman

Its: Mayor

STATE OF MICHIGAN    )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022 by Dierdre Waterman, the Mayor of the City of Pontiac, on behalf of the City of Pontiac a Michigan municipal corporation.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County  
Acting in \_\_\_\_\_ County  
My Commission expires: \_\_\_\_\_

PCI:

**PONTIAC CENTER INVESTMENT, LLC**, a Michigan  
limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF MICHIGAN    )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022 by  
\_\_\_\_\_, the \_\_\_\_\_ of **PONTIAC CENTER INVESTMENT, LLC**, a Michigan limited  
liability company on behalf of said company.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_ County  
Acting in \_\_\_\_\_ County  
My Commission expires: \_\_\_\_\_

**PSB:**

**PONTIAC SOUTH BOULEVARD, LLC**, a Michigan  
limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF MICHIGAN    )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022 by  
\_\_\_\_\_, the \_\_\_\_\_ of **PONTIAC SOUTH BOULEVARD, LLC**, a Michigan limited liability  
company on behalf of said company.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County  
Acting in \_\_\_\_\_ County  
My Commission expires: \_\_\_\_\_

**UNITED SHORE:**

**UNITED SHORE FINANCIAL SERVICES, LLC**, a  
Michigan limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF MICHIGAN    )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022 by  
\_\_\_\_\_, the \_\_\_\_\_ of **UNITED SHORE FINANCIAL SERVICES, LLC**, a Michigan limited  
liability company on behalf of said company.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County  
Acting in \_\_\_\_\_ County  
My Commission expires: \_\_\_\_\_

DRAFTED BY AND WHEN RECORDED RETURN TO:

**Exhibit "A"**  
**LEGAL DESCRIPTION – PCI PARCEL**

Land situated in the City of Pontiac, County of Oakland, State of Michigan, described as follows:

Part of Lot 12, all of Lots 13 through 104, both inclusive, part of Lots 105 through 107, both inclusive, part of Lots 111 through 112, both inclusive, all of Lots 113 through 186, both inclusive, part of Lot 187, all of Lots 188 through 320, both inclusive, Lots 322 through 339, both inclusive, Lots 343 through 361, both inclusive, parts of vacated alleys, parts of vacated Midway and Irvin Avenues and all of vacated Greendale, Plainfield, Central, Fenby and Woodford Avenues, of SOUTH PARK, according to the plat thereof recorded in Uber 47 of Plats, Page 21 of Oakland County Records, being more particularly described as: Commencing at the Southwest corner of Section 34 (as monumented), Town 3 North, Range 10 East, City of Pontiac, Oakland County, Michigan; thence North 01 degrees 12 minutes 09 seconds East 59.72 feet along the West line of said Section 34; thence South 87 degrees 18 minutes 59 seconds East 60.17 feet to a point on the East line of Martin Luther King, Jr. Boulevard and West line of SOUTH PARK, as recorded in Uber 47, Page 21 of Plats, Oakland County Records, said point also being the Southwest corner of Lot 71 of said SOUTH PARK, and point of beginning; thence North 01 degrees 11 minutes 21 seconds East along the East line of Martin Luther King, Jr. Boulevard and West line of SOUTH PARK, 1,326.13 feet to a point on the centerline of vacated Midway Avenue; thence South 87 degrees 18 minutes 59 seconds East along the centerline of vacated Midway Avenue, 286.26 feet; thence North 50 degrees 29 minutes 10 seconds East, 18.16 feet to a point on the centerline of a 10-foot wide public walk extended; thence South 87 degrees 18 minutes 59 seconds East along said centerline, 146.54 feet to a point on the West line of Lot 361 of said SOUTH PARK; thence North 02 degrees 41 minutes 01 seconds East, along the West line of Lot 361, 119.03 feet to a point on the Southerly line of the abandoned Grand Trunk Western Railroad right-of-way and Northerly line of SOUTH PARK; thence following next five (5) counts along said Southerly line of right-of-way and Northerly line of SOUTH PARK: (1) 102.66 feet along a curve to the left (radius 2,062.24 feet, central angle of 02 degrees 51 minutes 08 seconds, chord bears South 74 degrees 45 minutes 57 seconds East, 102.66 feet, (2) 108.46 feet along a curve to the left (radius 1,171.82 feet, central angle 05 degrees 18 minutes 11 seconds, chord bears South 78 degrees 50 minutes 37 seconds East, 108.42 feet, (3) 668.32 feet along a curve to the left (radius 2,147.32 feet, central angle 17 degrees 49 minutes 57 seconds, chord bears North 89 degrees 35 minutes 19 seconds East, 665.63 feet, (4) 51.38 feet along a curve to the left (radius 810.21 feet, central angle 03 degrees 38 minutes 00 seconds, chord bears North 78 degrees 51 minutes 20 seconds East, 51.37 feet) and (5) North 77 degrees 02 minutes 20 seconds East, 235.59 feet to a point on the Westerly line of Bradford Avenue and East line of SOUTH PARK, said point also being the Northeast corner of Lot 302; thence South 00 degrees 31 minutes 33 seconds West along the West line of Bradford Avenue and East line of SOUTH PARK, 1,026.50 feet to a point on the West line of Bradford Avenue (width varies); thence the following four (4) courses along said Westerly line of Bradford Avenue relocated; (1) South 15 degrees 34 minutes 30 seconds West, 74.17 feet to a point of tangency and (2) 179.87 feet along the arc of a curve to the right (radius 268.02 feet, central angle 38 degrees 27 minutes 05 seconds, long chord bears South 34 degrees 39 minutes 14 seconds West, 176.51 feet) to a point of reverse curvature and (3) 294.47 feet along the arc of a curve to the left: (radius 330.00 feet, central angle 51 degrees 07 minutes 39 seconds, long chord bears South 28 degrees 10 minutes 09 seconds West, 284.80 feet) to a point of tangency and (4) South 02 degrees 36 minutes 20 seconds West 25.48 feet to a point on the North line of South Boulevard and south line of SOUTH PARK; thence North 87 degrees 18 minutes 59 seconds West along the North line of South Boulevard and South line of SOUTH PARK 1,366.65 feet to the point of beginning.

Tax Parcel Number: 14-34-351-006

And

A parcel of land described as all of Lots 1 through 8, inclusive, part of Lot 9, part of Lots 106 through 109, inclusive, all of Lot 100, part of Lot 111, also part of vacated Irwin Avenue and vacated alley to the rear of Lots 1 through 9 and 106 through 110, all being part of "South Park", a subdivision as recorded in Liber 47, Page 21, Oakland County Records, part of the-Southwest 1/4 of Section 34, Town 3 North, Range 10 East, City of Pontiac, Oakland County, Michigan, being more particularly described as: commencing at the Southwest corner of Section 34, Town 3 North, Range 10 East, City of Pontiac, Oakland County, Michigan; thence South 87 degrees, 21 minutes, 4 seconds East, along the property controlling line (formerly the South line of said Section 34), 1678.86 feet; thence North 0 degrees, 31 minutes, 33 seconds East, 59.28 feet to the point of beginning, said point being on the North right-of-way line of South Boulevard (120 feet wide); thence North 87 degrees, 18 minutes, 59 seconds West along the said right-of-way line of South Boulevard 191.53 feet to the point on the Easterly right-of-way line of Bradford Street relocated (width varies); thence following 3 courses along said Easterly line of Bradford Street: (1) North 2 degrees, 36 minutes, 20 seconds East, 25.56 feet to a point of tangency and (2) 240.93 feet along the arc of a curve to the right (radius 270.00 feet, central angle 51 degrees, 7 minutes, 39 seconds, long chord bears North 28 degrees, 10 minutes, 9 seconds East, 233.02 feet) to a point of reverse curvature and (3) 122.42 feet along the arc of a curve to the left (radius 330.00 feet, central angle 21 degrees, 15 minutes, 16 seconds, long chord bears North 43 degrees, 6 minutes, 21 seconds East, 121.71 feet) to a point on the West right-of-way line of Bradford Street as platted (50 feet wide); thence South 0 degrees, 31 minutes, 33 seconds West, along said West right-of-way line of Bradford Street as platted, 328.80 feet to the point of beginning.

Tax Parcel: 14-34-351-007

And

One-half of the portion of Bradford Avenue vacated by the City of Pontiac by City Resolution recorded in Liber 38887, Page 848, Oakland County Records, located adjacent to the Easterly line of the parcel in the preceding legal description.

Tax Parcel: 64-14-34-380-043 (part of)

**Exhibit "B"**  
**LEGAL DESCRIPTION – PSB PARCEL**

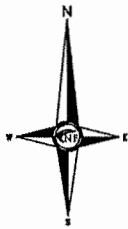
Land situated in the City of Pontiac, County of Oakland, State of Michigan, is described as follows:

That part of Lot 5 of ASSESSOR'S PLAT NO. 110 according to the plat thereof recorded in Liber 52 of Plats, page 26 of Oakland County Records, described as follows: Beginning at a point on the North line of said Section 3, which is North 87 degrees 23 minutes 00 seconds West, 49.70 feet, from the North 1/4 corner of said Section 3; thence South 02 degrees 36 minutes 47 seconds West, 1125.94 feet; thence on a curve to the left, having a radius of 810.00 feet, with a chord bearing and distance of South 13 degrees 41 minutes 13 seconds East, 454.68 feet; thence South 29 degrees 59 minutes 13 seconds East, 135.67 feet; thence South 60 degrees 00 minutes 47 seconds West, 498.29 feet; thence on a curve to the left, having a radius of 347.00 feet, with a chord bearing and distance of South 41 degrees 09 minutes 50 seconds West, 224.22 feet; thence South 18 degrees 13 minutes 45 seconds West, 175.45 feet; thence South 22 degrees 18 minutes 53 seconds West, 347.12 feet; thence on a curve to the right, having a radius of 269.50 feet, with a chord bearing and distance of South 80 degrees 01 minute 02 seconds West, 455.61 feet; thence North 42 degrees 16 minutes 49 seconds West, 408.58 feet; thence on a curve to the right, having a radius of 269.50 feet, with a chord bearing and distance of North 19 degrees 50 minutes 14 seconds West, 205.77 feet; thence North 02 degrees 36 minutes 20 seconds East, 2236.04 feet to the North line of Section 3; thence South 87 degrees 23 minutes 00 seconds East along said North line, 1334.96 to the Point of Beginning.

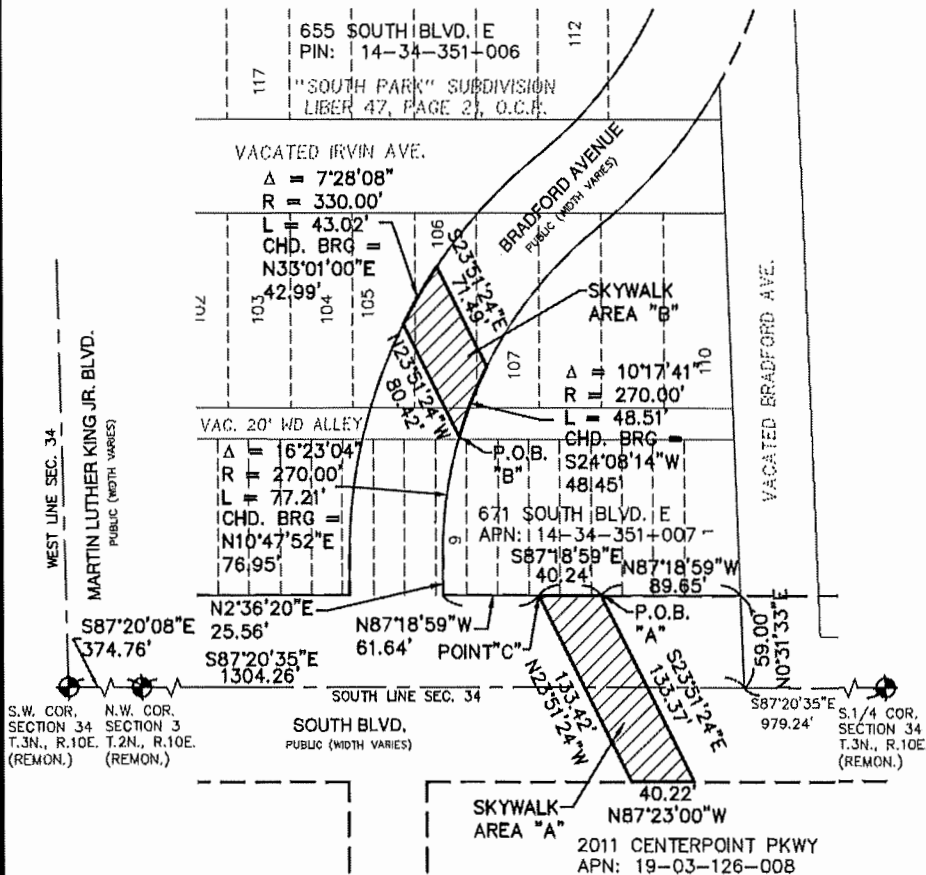
Tax Parcel Number: 19-03-126-008

**Exhibit "C"**  
**CITY SKYWALK EASEMENT AREA**

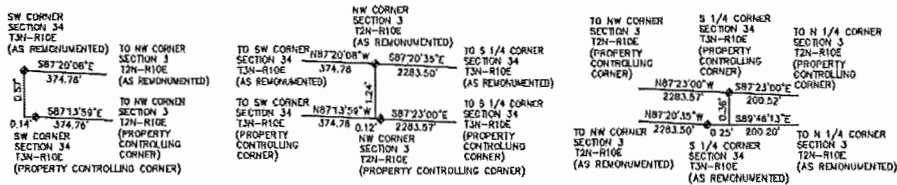
(SEE FOLLOWING TWO (2) PAGES)



# Exhibit C SKYWALK AREA



## REMONUMENTATION OF THE SECTION CORNERS



**CF**  
ENGINEERS  
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL. (248) 332-7931  
FAX. (248) 332-8257

PREPARED FOR:  
UNITED SHORE

SCALE  
1" = 80'

DATE  
08-06-2020

DRAWN  
EM

JOB NO.  
E663-23

SHEET  
1 of 2

## Exhibit C

### SKYWALK AREA

#### LEGAL DESCRIPTION - SKYWALK AREA

SKYWALK AREA SITUATED IN THE CITY OF PONTIAC, COUNTY OF OAKLAND, STATE OF MICHIGAN, BEING OVER PART OF BRADFORD AVENUE (AS RELOCATED) (WIDTH VARIES) AND PART OF SOUTH BOULEVARD (WIDTH VARIES), BEING PART OF LOTS 105 THROUGH 107, AND PART OF VACATED ALLEY, OF "SOUTH PARK" SUBDIVISION, A PART OF THE SOUTHWEST 1/4 OF SECTION 34, T.3N., R.10E., AS RECORDED IN LIBER 47 OF PLATS, PAGE 21, OAKLAND COUNTY RECORDS, AND ALSO PART OF THE NORTHWEST 1/4 OF SECTION 3, T.2N., R.10E., MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34 (AS REMONUMENTED); THENCE SOUTH 87 DEGREES 20 MINUTES 08 SECONDS EAST, 374.76 FEET ALONG THE SOUTH LINE OF SAID SECTION 34; THENCE CONTINUING SOUTH 87 DEGREES 20 MINUTES 35 SECONDS EAST, 1304.26 FEET ALONG SAID SOUTH LINE OF SECTION 34; THENCE NORTH 00 DEGREES 31 MINUTES 33 SECONDS EAST, 59.00 FEET TO A POINT ON THE WEST LINE OF VACATED BRADFORD AVENUE, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF SOUTH BOULEVARD (WIDTH VARIES) AND THE SOUTH LINE OF SAID "SOUTH PARK" SUBDIVISION, AND ALSO THE SOUTH EAST CORNER OF LOT 1 OF SAID "SOUTH PARK" SUBDIVISION; THENCE NORTH 87 DEGREES 18 MINUTES 59 SECONDS WEST ALONG SAID NORTH LINE OF SOUTH BOULEVARD AND SOUTH LINE OF "SOUTH PARK" SUBDIVISION, 89.65 FEET TO THE POINT OF BEGINNING OF AREA "A"; THENCE SOUTH 23 DEGREES 51 MINUTES 24 SECONDS EAST, 133.37 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID SOUTH BOULEVARD; THENCE NORTH 87 DEGREES 23 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE, 40.22 FEET; THENCE NORTH 23 DEGREES 51 MINUTES 24 SECONDS WEST, 133.42 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID SOUTH BOULEVARD, SAID POINT ALSO BEING POINT "C"; THENCE SOUTH 87 DEGREES 18 MINUTES 59 SECONDS EAST, ALONG SAID NORTH LINE, 40.24 FEET TO THE POINT OF ENDING OF AREA "A"; THENCE COMMENCING AT SAID POINT "C", AND CONTINUING NORTH 87 DEGREES 18 MINUTES 59 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF SOUTH BOULEVARD, 61.64 FEET TO A POINT ON THE EAST LINE OF BRADFORD AVENUE (AS RELOCATED) (WIDTH VARIES); THENCE NORTH 02 DEGREES 36 MINUTES 20 SECONDS EAST ALONG SAID EAST LINE, 25.56 FEET; THENCE CONTINUING ALONG SAID EAST LINE 77.21 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 270.00 FEET, CENTRAL ANGLE 16 DEGREES 23 MINUTES 04 SECONDS, CHORD BEARING NORTH 10 DEGREES 47 MINUTES 52 SECONDS EAST, 76.95 FEET TO THE POINT OF BEGINNING OF AREA "B"; THENCE NORTH 23 DEGREES 51 MINUTES 24 SECONDS WEST, 80.42 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID BRADFORD AVENUE (RELOCATED); THENCE ALONG SAID WEST LINE, 43.02 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 330.00 FEET, CENTRAL ANGLE 7 DEGREES 28 MINUTES 08 SECONDS, CHORD BEARING NORTH 33 DEGREES 01 MINUTES 00 SECONDS EAST, 42.99 FEET; THENCE SOUTH 23 DEGREES 51 MINUTES 24 SECONDS EAST, 71.49 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID BRADFORD AVENUE (RELOCATED); THENCE ALONG SAID EAST LINE, 48.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 270.00 FEET, CENTRAL ANGLE 10 DEGREES 17 MINUTES 41 SECONDS, CHORD BEARING SOUTH 24 DEGREES 08 MINUTES 14 SECONDS WEST, 48.45 FEET TO THE POINT OF ENDING OF AREA "B".

CONTAINING 7,522 SQUARE FEET OR 0.173 ACRES OF LAND, MORE OR LESS.

#### BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE SOUTH LINE OF SECTION 34, FROM THE NORTH WEST CORNER OF SECTION 3, T.2N. R.10E. (AS REMONUMENTED), TO THE SOUTH 1/4 CORNER OF SECTION 34, T.3N. R.10E. (AS REMONUMENTED), HAVING A BEARING OF SOUTH 87°20'35" EAST.

  
ENGINEERS  
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-9032  
TEL. (248) 332-7931  
FAX. (248) 332-8237

PREPARED FOR:  
UNITED SHORE

SCALE

DATE  
08-06-2020

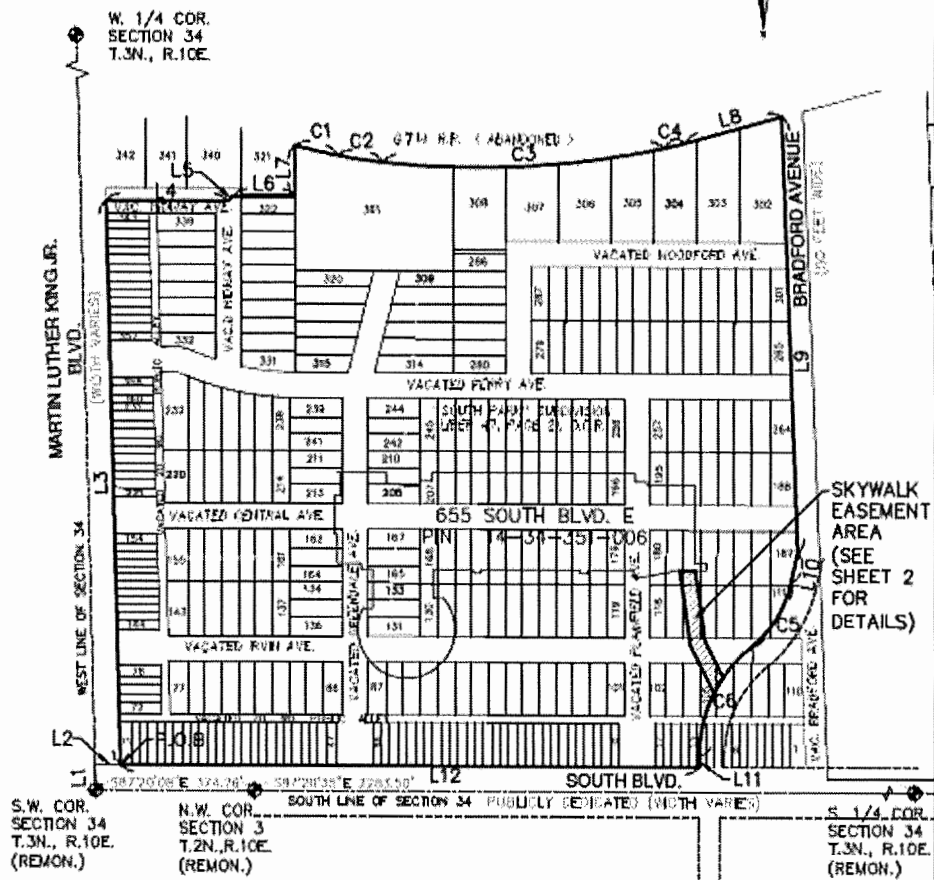
DRAWN  
EM

JOB NO.  
E-663-23

SHEET  
2 of 2

**Exhibit "D"**  
**PCI SKYWALK EASEMENT AREA**  
**(SEE FOLLOWING FIVE (5) PAGES)**

# Exhibit D SKYWALK EASEMENT



## REMONUMENTATION OF THE SECTION CORNERS



**ENGINEERS**  
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-9032  
TEL. (248) 332-7931  
FAX. (248) 332-8237

PREPARED FOR:  
UNITED SHORE

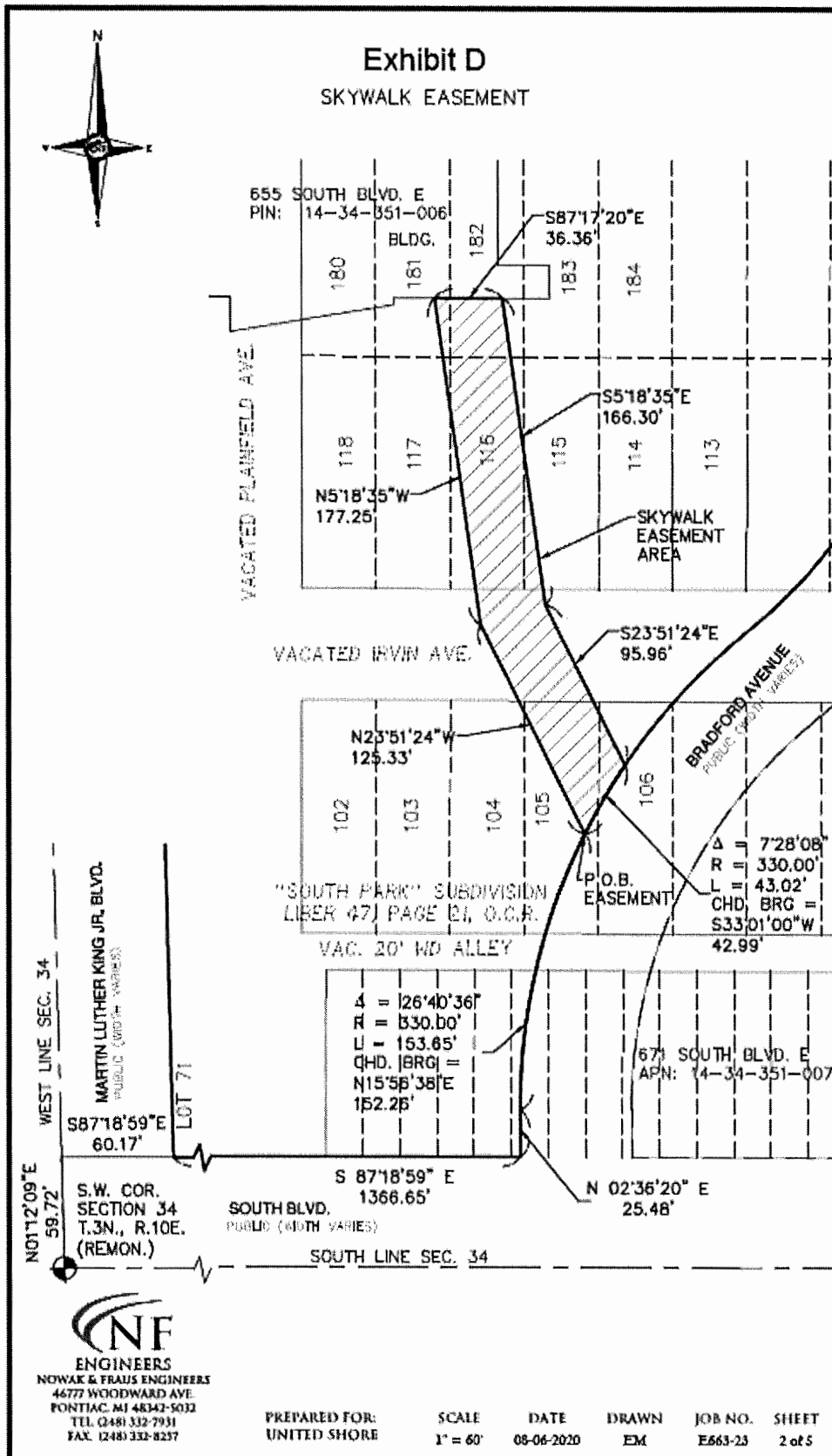
SCALE  
1" = 300'

DATE  
08-06-2020

DRAWN  
EM

JOB NO.  
E663-23

SHEET  
1 of 5



# **Exhibit D** **SKYWALK EASEMENT**

Line Table		
Line #	Direction	Length
L1	N1°12'09"E	59.72
L2	S87°18'59"E	60.17
L3	N1°11'21"E	1326.13
L4	S87°18'59"E	286.26
L5	N50°29'10"E	18.16
L6	S87°18'59"E	146.54
L7	N2°41'01"E	119.03
L8	N77°02'20"E	235.59
L9	S0°31'33"W	1026.50
L10	S15°34'30"W	74.17
L11	S2°36'20"W	25.48
L12	N87°18'59"W	1366.65

Curve Table					
Curve #	Delta	Length	Radius	Chord	Chord Distance
C1	2°51'08"	102.66'	2062.24'	S74°45'57"E	102.66'
C2	5°18'11"	108.46'	1171.82'	S78°50'37"E	108.42'
C3	17°49'57"	668.32'	2147.32'	N89°35'19"E	665.63'
C4	3°38'00"	51.38'	810.21'	N78°51'20"E	51.37'
C5	38°27'05"	179.87'	268.02'	S34°39'14"W	176.51'
C6	51°07'39"	294.47'	330.00'	S28°10'09"W	284.80'

  
**ENGINEERS**  
 NOWAK & FRAUS ENGINEERS  
 46777 WOODWARD AVE.  
 PONTIAC, MI 48342-5032  
 TEL. (248) 332-7931  
 FAX. (248) 332-8257

PREPARED FOR:  
 UNITED SHORE

SCALE  
 .

DATE  
 08-06-2020

DRAWN  
 EM

JOB NO.  
 E663-23

SHEET  
 3 of 5

## Exhibit D

### SKYWALK EASEMENT

#### LEGAL DESCRIPTION - PARCEL - PIN: 14-34-351-006

LAND IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF LOT 12, ALL OF LOTS 13 THROUGH 104, PART OF LOTS 105 THROUGH 107, PART OF LOTS 111 THROUGH 112, ALL OF LOTS 113 THROUGH 186, PART OF LOT 187, ALL OF LOTS 188 THROUGH 320, 322 THROUGH 339, 343 THROUGH 361, PARTS OF VACATED ALLEYS, PARTS OF VACATED MIDWAY AND IRVIN AVENUES AND ALL OF VACATED GREENDALE, PLAINFIELD, CENTRAL, FERRY AND WOODFORD AVENUES OF "SOUTH PARK" SUBDIVISION, A PART OF THE S.W. 1/4 OF SECTION 34, T.3N., R.10E., CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 47 OF PLAT, PAGE 21, OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 34 (AS REMONUMENTED), TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN; THENCE NORTH 01 DEGREES 12 MINUTES 09 SECONDS EAST, 59.72 FEET ALONG THE WEST LINE OF SAID SECTION 34; THENCE SOUTH 87 DEGREES 18 MINUTES 59 SECONDS EAST, 60.17 FEET TO A POINT ON THE EAST LINE OF MARTIN LUTHER KING, JR. BOULEVARD AND WEST LINE OF "SOUTH PARK", A SUBDIVISION AS RECORDED IN LIBER 47 OF PLATS, PAGE 21, OAKLAND COUNTY RECORDS, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 71 OF SAID "SOUTH PARK" SUBDIVISION AND POINT OF BEGINNING; THENCE NORTH 01 DEGREES 11 MINUTES 21 SECONDS EAST ALONG THE EAST LINE OF MARTIN LUTHER KING, JR. BOULEVARD AND WEST LINE OF "SOUTH PARK" SUBDIVISION 1,326.13 FEET TO A POINT ON THE CENTERLINE OF VACATED MIDWAY AVENUE; THENCE SOUTH 87 DEGREES 18 MINUTES 59 SECONDS EAST ALONG THE CENTERLINE OF VACATED MIDWAY AVENUE, 286.26 FEET; THENCE NORTH 50 DEGREES 29 MINUTES 10 SECONDS EAST, 18.16 FEET TO A POINT ON THE CENTERLINE OF A 10-FOOT WIDE PUBLIC WALK EXTENDED; THENCE SOUTH 87 DEGREES 18 MINUTES 59 SECONDS EAST ALONG SAID CENTERLINE, 145.54 FEET TO A POINT ON THE WEST LINE OF LOT 361 OF SAID "SOUTH PARK" SUBDIVISION; THENCE NORTH 02 DEGREES 41 MINUTES 01 SECONDS EAST, ALONG THE WEST LINE OF LOT 361, 119.03 FEET TO A POINT ON THE SOUTHERLY LINE OF THE ABANDONED GRAND TRUNK WESTERN RAILROAD RIGHT-OF-WAY AND NORTHERLY LINE OF "SOUTH PARK" SUBDIVISION; THENCE FOLLOWING THE NEXT FIVE (5) COURSES ALONG SAID SOUTHERLY LINE OF RIGHT-OF-WAY AND NORTHERLY LINE OF "SOUTH PARK" SUBDIVISION: (1) 102.66 FEET ALONG A CURVE TO THE LEFT (RADIUS 2,062.24 FEET, CENTRAL ANGLE 02 DEGREES 51 MINUTES 08 SECONDS, CHORD BEARS SOUTH 74 DEGREES 45 MINUTES 57 SECONDS EAST, 102.66 FEET), (2) 108.46 FEET ALONG A CURVE TO THE LEFT (RADIUS 1,171.82 FEET, CENTRAL ANGLE 05 DEGREES 18 MINUTES 11 SECONDS, CHORD BEARS SOUTH 78 DEGREES 50 MINUTES 37 SECONDS EAST, 108.42 FEET), (3) 668.32 FEET ALONG A CURVE TO THE LEFT (RADIUS 2,147.32 FEET, CENTRAL ANGLE 17 DEGREES 49 MINUTES 57 SECONDS, CHORD BEARS NORTH 89 DEGREES 35 MINUTES 19 SECONDS EAST, 665.63 FEET), (4) 51.38 FEET ALONG A CURVE TO THE LEFT (RADIUS 810.21 FEET, CENTRAL ANGLE 03 DEGREES 38 MINUTES 00 SECONDS, CHORD BEARS NORTH 78 DEGREES 51 MINUTES 20 SECONDS EAST, 51.37 FEET) AND (5) NORTH 77 DEGREES 02 MINUTES 20 SECONDS EAST, 235.59 FEET TO A POINT ON THE WESTERLY LINE OF BRADFORD AVENUE AND EAST LINE OF "SOUTH PARK" SUBDIVISION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 302; THENCE SOUTH 00 DEGREES 31 MINUTES 33 SECONDS WEST ALONG THE WEST LINE OF BRADFORD AVENUE AND EAST LINE OF "SOUTH PARK" SUBDIVISION 1,026.50 FEET TO A POINT ON THE WEST LINE OF BRADFORD AVENUE RELOCATED (WIDTH VARIES); THENCE THE FOLLOWING FOUR (4) COURSES ALONG SAID WESTERLY LINE OF BRADFORD AVENUE RELOCATED: (1) SOUTH 15 DEGREES 34 MINUTES 30 SECONDS WEST, 74.17 FEET TO A POINT OF TANGENCY AND (2) 179.87 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS 268.02 FEET, CENTRAL ANGLE 38 DEGREES 27 MINUTES 05 SECONDS, LONG CHORD BEARS SOUTH 34 DEGREES 39 MINUTES 14 SECONDS WEST, 176.51 FEET) TO A POINT OF REVERSE CURVATURE AND (3) 294.47 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS 330.00 FEET, CENTRAL ANGLE 51 DEGREES 07 MINUTES 39 SECONDS, LONG CHORD BEARS SOUTH 28 DEGREES 10 MINUTES 09 SECONDS WEST, 284.80 FEET) TO A POINT OF TANGENCY AND (4) SOUTH 02 DEGREES 36 MINUTES 20 SECONDS WEST, 25.48 FEET TO A POINT ON THE NORTH LINE OF SOUTH BOULEVARD AND SOUTH LINE OF "SOUTH PARK" SUBDIVISION, THENCE NORTH 87 DEGREES 18 MINUTES 59 SECONDS WEST ALONG THE NORTH LINE OF SOUTH BOULEVARD AND SOUTH LINE OF "SOUTH PARK" SUBDIVISION 1,366.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,199,273 SQ. FT. OR 50.488 ACRES OF LAND, MORE OR LESS.



ENGINEERS  
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL (248) 332-7931  
FAX (248) 332-8257

PREPARED FOR:  
UNITED SHORE

SCALE  
-

DATE  
08-06-2020

DRAWN  
EM

JOB NO.  
E-663-23

SHEET  
4 of 5

**Exhibit D**  
**SKYWALK EASEMENT**

**LEGAL DESCRIPTION - EASEMENT**

AN EASEMENT FOR SKYWALK IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF LOTS 104 THROUGH 106, PART OF LOTS 115 THROUGH 117, PART OF LOTS 181 AND 182, AND PART OF VACATED IRVIN AVENUE OF "SOUTH PARK" SUBDIVISION, A PART OF THE S.W. 1/4 OF SECTION 34, T.3N., R.10E., AS RECORDED IN LIBER 47 OF PLATS, PAGE 21, OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34 (AS REMONUMENTED); THENCE NORTH 01 DEGREES 12 MINUTES 09 SECONDS EAST, 59.72 FEET ALONG THE WEST LINE OF SAID SECTION 34; THENCE SOUTH 87 DEGREES 18 MINUTES 59 SECONDS EAST, 60.17 FEET TO A POINT ON THE EAST LINE OF MARTIN LUTHER KING, JR. BOULEVARD AND WEST LINE OF "SOUTH PARK", A SUBDIVISION AS RECORDED IN LIBER 47 OF PLATS, PAGE 21, OAKLAND COUNTY RECORDS, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 71 OF SAID "SOUTH PARK" SUBDIVISION; THENCE SOUTH 87 DEGREES 18 MINUTES 59 SECONDS EAST ALONG THE NORTH LINE OF SOUTH BOULEVARD AND SOUTH LINE OF "SOUTH PARK" SUBDIVISION 1,366.65 FEET TO A POINT ON THE WEST LINE OF BRADFORD AVENUE RELOCATED (WIDTH VARIES); THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID WESTERLY LINE OF BRADFORD AVENUE RELOCATED: (1) NORTH 02 DEGREES 38 MINUTES 20 SECONDS EAST, 25.48 FEET; AND (2) 153.65 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS 330.00 FEET, CENTRAL ANGLE 26 DEGREES 40 MINUTES 36 SECONDS, LONG CHORD BEARS NORTH 15 DEGREES 56 MINUTES 38 SECONDS EAST, 152.26 FEET) TO THE POINT OF BEGINNING; THENCE NORTH 23 DEGREES 51 MINUTES 24 SECONDS WEST, 125.33 FEET; THENCE NORTH 05 DEGREES 18 MINUTES 35 SECONDS WEST, 177.25 FEET; THENCE SOUTH 87 DEGREES 17 MINUTES 20 SECONDS EAST, 36.36 FEET; THENCE SOUTH 05 DEGREES 18 MINUTES 35 SECONDS EAST, 166.30 FEET; THENCE SOUTH 23 DEGREES 51 MINUTES 24 SECONDS EAST, 95.96 FEET TO A POINT ON THE WEST LINE OF SAID BRADFORD AVENUE RELOCATED; THENCE 43.02 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS 330.00 FEET, CENTRAL ANGLE 07 DEGREES 28 MINUTES 08 SECONDS, LONG CHORD BEARS SOUTH 33 DEGREES 01 MINUTES 00 SECONDS WEST, 42.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 10,147 SQUARE FEET OR 0.233 ACRES OF LAND, MORE OR LESS.

**BASIS OF BEARING**

THE BASIS OF BEARING FOR THIS SURVEY IS THE SOUTH LINE OF SECTION 34, FROM THE NORTH WEST CORNER OF SECTION 3, T.2N. R.10E. (AS REMONUMENTED), TO THE SOUTH 1/4 CORNER OF SECTION 34, T.3N. R.10E (AS REMONUMENTED), HAVING A BEARING OF SOUTH 87°20'35" EAST.

  
**ENGINEERS**  
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL. (248) 332-7931  
FAX. (248) 332-8237

PREPARED FOR:  
UNITED SHORE

SCALE  
-

DATE  
08-06-2020

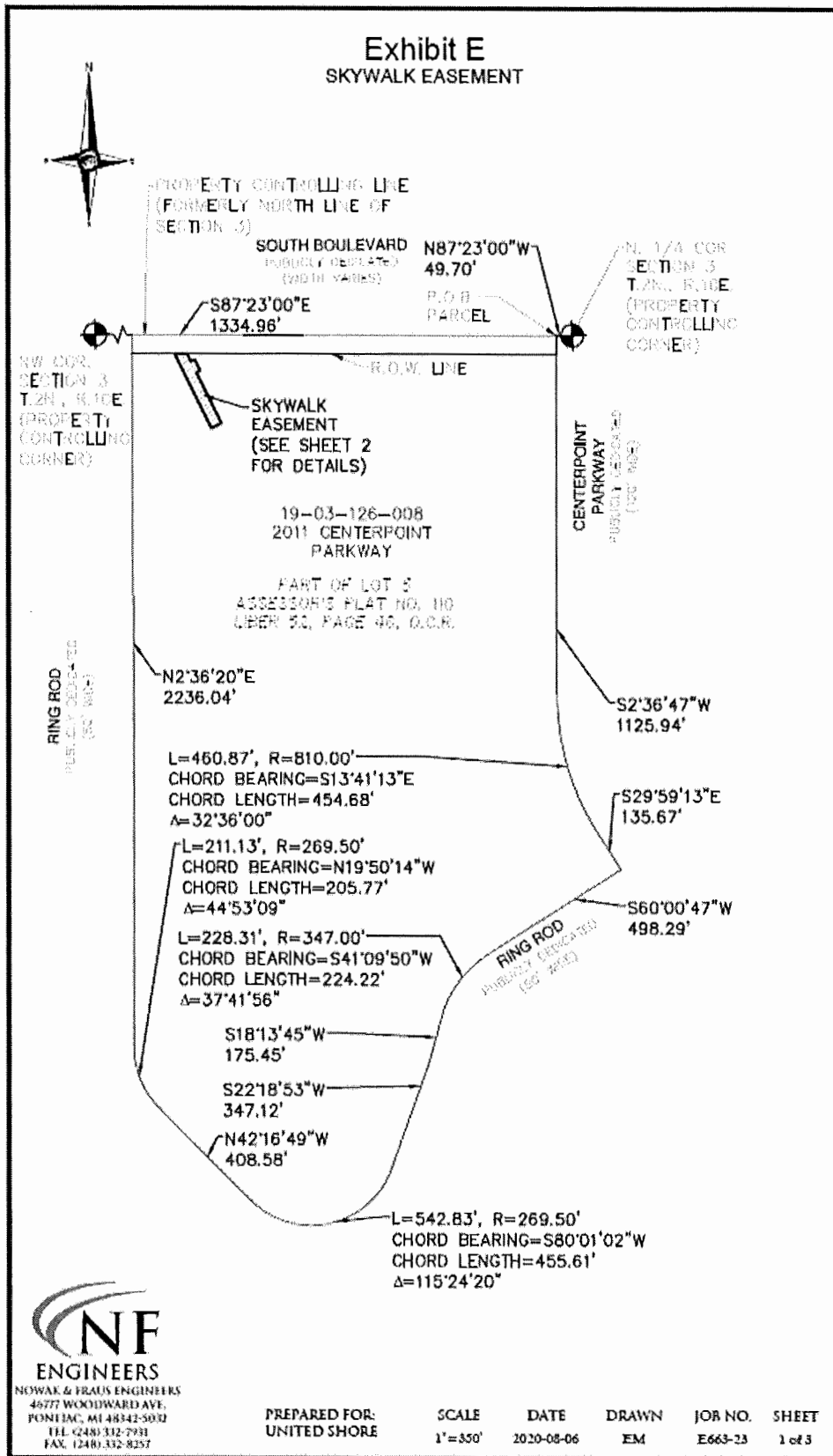
DRAWN  
EM

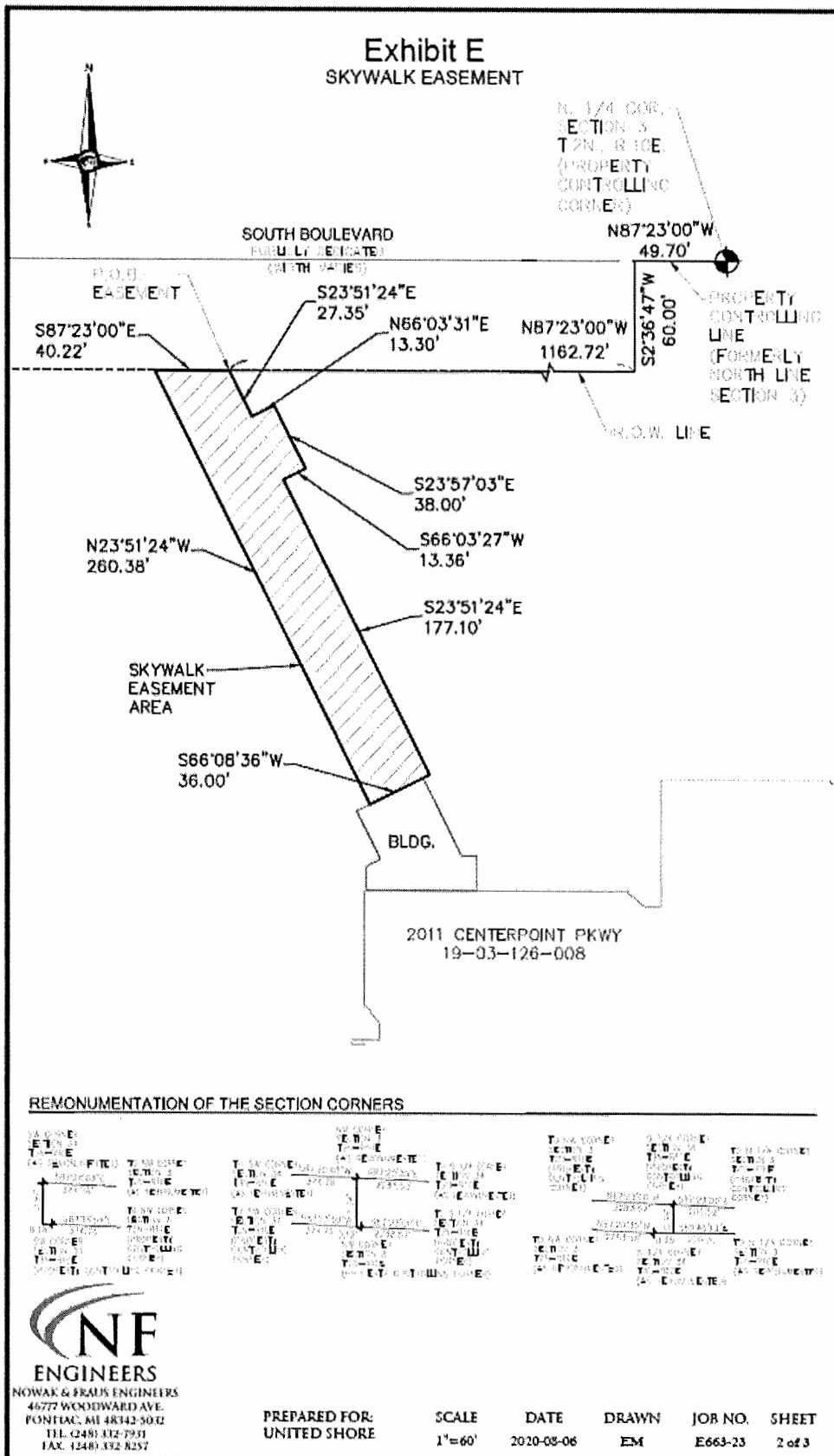
JOB NO.  
E-663-23

SHEET  
5 of 5

**Exhibit "E"**  
**PSB SKYWALK EASEMENT AREA**  
(SEE FOLLOWING THREE (3) PAGES)

# Exhibit E SKYWALK EASEMENT





**Exhibit E**  
**SKYWALK EASEMENT**

**LEGAL DESCRIPTION - PARCEL - PIN: 19-03-126-008**

LAND IN THE CITY OF PONTIAC, OAKLAND COUNTY, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

THAT PART OF LOT 5 OF ASSESSOR'S PLAT NO. 110 ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 52 OF PLATS, PAGE 26 OF OAKLAND COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 3, WHICH IS NORTH 87 DEGREES 23 MINUTES 00 SECONDS WEST, 49.70 FEET, FROM THE NORTH 1/4 CORNER OF SAID SECTION 3; THENCE SOUTH 02 DEGREES 38 MINUTES 47 SECONDS WEST, 1125.94 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 810.00 FEET, WITH A CHORD BEARING AND DISTANCE OF SOUTH 13 DEGREES 41 MINUTES 13 SECONDS EAST, 454.68 FEET; THENCE SOUTH 29 DEGREES 59 MINUTES 13 SECONDS EAST, 135.67 FEET; THENCE SOUTH 60 DEGREES 00 MINUTES 47 SECONDS WEST, 498.29 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 347.00 FEET, WITH A CHORD BEARING AND DISTANCE OF SOUTH 41 DEGREES 09 MINUTES 50 SECONDS WEST, 224.22 FEET; THENCE SOUTH 18 DEGREES 13 MINUTES 45 SECONDS WEST, 175.45 FEET; THENCE SOUTH 22 DEGREES 18 MINUTES 53 SECONDS WEST, 347.12 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 269.50 FEET, WITH A CHORD BEARING AND DISTANCE OF SOUTH 80 DEGREES 01 MINUTE 02 SECONDS WEST, 455.61 FEET; THENCE NORTH 42 DEGREES 16 MINUTES 49 SECONDS WEST, 408.58 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 269.50 FEET, WITH A CHORD BEARING AND DISTANCE OF NORTH 19 DEGREES 50 MINUTES 14 SECONDS WEST, 205.77 FEET; THENCE NORTH 02 DEGREES 36 MINUTES 20 SECONDS EAST, 2,236.04 FEET TO THE NORTH LINE OF SECTION 3; THENCE SOUTH 87 DEGREES 23 MINUTES 00 SECONDS EAST ALONG SAID NORTH LINE, 1,334.96 TO THE POINT OF BEGINNING.

CONTAINING 3,286,247 SQUARE FEET OR 75.442 ACRES, MORE OR LESS (INCLUDING R.O.W. AREA)

**LEGAL DESCRIPTION - SKYWALK EASEMENT**

AN EASEMENT FOR SKYWALK OVER PART OF LOT 5 OF ASSESSOR'S PLAT NO. 110 ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 52 OF PLATS, PAGE 26 OF OAKLAND COUNTY RECORDS, BEING PART OF SECTION 3, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER (PROPERTY CONTROLLING CORNER) OF SAID SECTION 3, THENCE N.87°23'00"W. ALONG THE NORTH LINE OF SECTION 3 (PROPERTY CONTROLLING LINE) AND CENTERLINE OF SOUTH BOULEVARD (WIDTH VARIES), 49.70 FEET; THENCE S.02°36'47"W., 60.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SAID SOUTH BOULEVARD; THENCE N.87°23'00"W., 1182.72 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE S.23°51'24"E., 27.35 FEET; THENCE N.66°03'31"E., 13.30 FEET; THENCE S.23°57'03"E., 38.00 FEET; THENCE S.66°03'27"W., 13.38 FEET; THENCE S.23°51'24"E., 177.10 FEET; THENCE S.66°08'36"W., 36.00 FEET; THENCE N.23°51'24"W., 260.38 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY OF SOUTH BOULEVARD; THENCE S.87°23'00"W., 40.22 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.

CONTAINING 9,557 SQUARE FEET OR 0.219 ACRES

**BASIS OF BEARING**

THE BASIS OF BEARING FOR THIS SURVEY IS THE FORMER NORTH LINE OF SECTION 3 (PROPERTY CONTROLLING LINE), FROM THE NORTHWEST CORNER OF SECTION 3, T.3N., R.10E. (PROPERTY CONTROLLING CORNER) TO THE NORTH 1/4 CORNER OF SECTION 3, T.2N., R.10E. (PROPERTY CONTROLLING CORNER), HAVING A BEARING OF SOUTH 87°23'00" EAST.



**ENGINEERS**  
NOWAK & TRAUT ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48142-5032  
TEL (248) 332-7931  
FAX (248) 332-8257

PREPARED FOR:  
UNITED SHORE

SCALE  
-

DATE  
2020-08-06

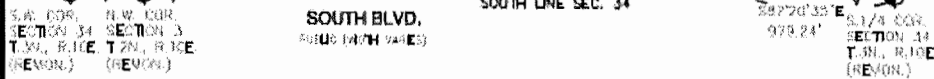
DRAWN  
EM

JOB NO.  
E663-23

SHEET  
3 of 3

**Exhibit "F"**  
**PCI SKYWALK EASEMENT AREA**

(SEE FOLLOWING THREE (3) PAGES)



# **Exhibit F** **SKYWALK EASEMENT**

Line Table		
Line #	Direction	Length
L1	N87°18'59"W	89.65
L2	N87°18'59"W	40.24
L3	N23°51'24"W	28.53
L4	S66°03'26"W	13.30
L5	N23°57'03"W	38.00
L6	N66°03'27"E	13.36
L7	N23°51'24"W	47.19
L8	S23°51'24"E	164.12

Curve Table					
Curve #	Delta	Length	Radius	Chord	Chord Distance
C1	10°17'41"	48.51'	270.00'	N24°08'14"E	48.45'

  
**ENGINEERS**  
 NOWAK & FRAUS ENGINEERS  
 46777 WOODWARD AVE.  
 PONTIAC, MI 48342-5032  
 TEL. (248) 332-7931  
 FAX. (248) 332-8257

PREPARED FOR:  
 UNITED SHORE

SCALE  
 -

DATE  
 08-06-2020

DRAWN  
 EM

JOB NO.  
 E-663-23

SHEET  
 2 of 3

**Exhibit F**  
**SKYWALK EASEMENT**

**LEGAL DESCRIPTION - PARCEL - PIN: 14-34-351-007**

LAND SITUATED IN THE CITY OF PONTIAC, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

T3N, R10E, SEC 34 SOUTH PARK LOTS 1 TO 8 INCL, ALSO PART OF LOT 9, ALSO PART OF LOTS 106 TO 109 INCL, ALSO ALL OF LOT 110, ALSO PART OF LOT 111, ALSO PART OF VAC IRVIN AVE, ALSO PART OF VAC ALLEY ALL DESC AS BEG AT PT DIST S 87-20-08 E 374.76 FT & S 87-20-35 E 1304.26 FT & N 00-31-33 E 59 FT FROM SW SEC COR, TH N 87-18-59 W 191.53 FT, TH N 02-38-20 E 25.56 FT, TH ALG CURVE TO RIGHT, RAD 270 FT, CHORD BEARS N 28-10-09 E 233.02 FT, DIST OF 240.93 FT, TH ALG CURVE TO LEFT, RAD 330 FT, CHORD BEARS N 43-06-22 E 121.71 FT, DIST OF 122.42 FT, TH S 00-31-33 W 328.80 FT TO BEG

**LEGAL DESCRIPTION - SKYWALK EASEMENT**

AN EASEMENT FOR SKYWALK SITUATED IN THE CITY OF PONTIAC, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS PART OF LOTS 4 THROUGH 9, PART OF LOTS 106 AND 107, AND PART OF VACATED ALLEY, ALL BEING PART OF "SOUTH PARK" SUBDIVISION, A PART OF THE SOUTHWEST 1/4 OF SECTION 34, T.3N., R.10E., AS RECORDED IN LIBER 47 OF PLATS, PAGE 21, OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34 (AS REMONUMENTED); THENCE SOUTH 87 DEGREES 20 MINUTES 08 SECONDS EAST, 374.76 FEET ALONG THE SOUTH LINE OF SAID SECTION 34; THENCE CONTINUING SOUTH 87 DEGREES 20 MINUTES 35 SECONDS EAST, 1304.26 FEET ALONG SAID SOUTH LINE OF SECTION 34; THENCE NORTH 00 DEGREES 31 MINUTES 33 SECONDS EAST, 59.00 FEET TO A POINT ON THE WEST LINE OF VACATED BRADFORD AVENUE, SAID POINT BEING ON THE NORTH LINE OF SOUTH BOULEVARD (WIDTH VARIES) AND THE SOUTH LINE OF SAID "SOUTH PARK" SUBDIVISION, AND ALSO BEING THE SOUTH EAST CORNER OF LOT 1 OF SAID "SOUTH PARK" SUBDIVISION; THENCE NORTH 87 DEGREES 18 MINUTES 59 SECONDS WEST ALONG SAID NORTH LINE OF SOUTH BOULEVARD AND SOUTH LINE OF "SOUTH PARK" SUBDIVISION, 89.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 87 DEGREES 18 MINUTES 50 SECONDS WEST ALONG NORTH LINE OF SOUTH BOULEVARD AND SOUTH LINE OF "SOUTH PARK" SUBDIVISION, 40.24 FEET; THENCE NORTH 23 DEGREES 51 MINUTES 24 SECONDS WEST, 28.53 FEET; THENCE SOUTH 66 DEGREES 03 MINUTES 26 SECONDS WEST, 13.30 FEET; THENCE NORTH 23 DEGREES 57 MINUTES 03 SECONDS WEST, 38.00 FEET; THENCE NORTH 66 DEGREES 03 MINUTES 27 SECONDS EAST, 13.36 FEET; THENCE NORTH 23 DEGREES 51 MINUTES 24 SECONDS WEST, 47.19 FEET TO A POINT ON THE EAST LINE OF BRADFORD AVENUE RELOCATED (WIDTH VARIES); THENCE ALONG SAID EAST LINE OF BRADFORD AVENUE RELOCATED, 48.51 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 270.00 FEET, CENTRAL ANGLE 10 DEGREES 17 MINUTES 41 SECONDS, CHORD BEARING NORTH 24 DEGREES 08 MINUTES 14 SECONDS EAST, 48.45 FEET; THENCE SOUTH 23 DEGREES 51 MINUTES 24 SECONDS EAST, 164.12 FEET TO THE BEGINNING.

CONTAINING 5,543 SQUARE FEET OR 0.127 ACRES OF LAND, MORE OR LESS.

**BASIS OF BEARING**

THE BASIS OF BEARING FOR THIS SURVEY IS THE SOUTH LINE OF SECTION 34, FROM THE NORTH WEST CORNER OF SECTION 3, T.2N. R.10E. (AS REMONUMENTED), TO THE SOUTH 1/4 CORNER OF SECTION 34, T.3N. R.10E (AS REMONUMENTED), HAVING A BEARING OF SOUTH 87°20'35" EAST.



**ENGINEERS**  
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL. (248) 332-7931  
FAX. (248) 332-8257

PREPARED FOR:  
UNITED SHORE

SCALE  
-

DATE  
08-06-2020

DRAWN  
EM

JOB NO.  
E-663-23

SHEET  
3 of 3

**#8**

# **RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Finance*

---

**TO:** Honorable City Council President and City Council

**FROM:** Alexandra Borngesser, Director of Grants & Philanthropy

**CC:** Mayor Tim Greimel and Deputy Mayor Khalfani Stephens

**DATE:** December 20, 2022

**RE:** **Council Resolution to approve the proposed budget amendment for Budget Year 2022-2023 to increase the budget appropriation in the GL account 101-699-969.003-PONART – Contribution to Pontiac Arts Commission in the amount of \$100,000, and to increase the revenue estimate in the GL account 101-000-582.000-PONART-Grants from Oakland County by \$100,000.**

---

The City of Pontiac sought funding from the Oakland County Board of Commissioners in support of the Pontiac Arts Commission Programming. The Pontiac Arts Commission is an extension of City operations per the City's Charter. Each year, the Arts Commission provides premiere programming to City of Pontiac residents in the form of an Art Crawl and a summer concert series. The City of Pontiac pursued funding for continued Arts & Culture programming for the 2023 calendar year. The City of Pontiac has been awarded \$100,000 as part of an Oakland County Commissioner Special Project to fund Arts and Culture programming in the City of Pontiac.

To utilize the aforementioned award, the funds must be realized and appropriated via formal Council Resolution.



**Council Resolution to approve the proposed budget amendment for Budget Year 2022-2023 to increase the budget appropriation in the GL account 101-699-969.003-PONART – Contribution to Pontiac Arts Commission in the amount of \$100,000, and to increase the revenue estimate in the GL account 101-000-582.000-PONART-Grants from Oakland County by \$100,000.**

**WHEREAS**, the City of Pontiac was awarded an \$100,000 grant from the Oakland County Board of Commissioners, and;

**WHEREAS**, the purpose of the grant is to support the Pontiac Arts Commission programming and events for the 2023 calendar year beginning January 1, 2023 through December 31, 2023; and,

**WHEREAS**, the funds from the grant will increase the budgeted revenue for the current fiscal year 2022-23 in the amount of \$100,000, and increase the appropriations, in the amount of \$100,000; and,

**WHEREAS**, the increased appropriations will not decrease the fund balance as the increase in the appropriation is offset by the increase in the grant revenue for the same amount.

**NOW THEREFORE, BE RESOLVED**, that the City Council hereby approves the proposed budget amendment for Fiscal Year 2022-23 as requested by the Administration as given below:

**Increase the budget appropriation in the General Fund GL account 101-699-969.003-PONART – Contribution to Pontiac Arts Commission**

**Increase the revenue estimate in the General Fund GL account 101-000-582.000-PONART-Grants from Oakland County**

**#9**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

---

**TO:** Honorable City Council President and City Council

**FROM:** Mayor Tim Greimel

**CC:** Deputy Mayor Khalfani Stephens

**DATE:** January 3, 2022

**RE:** **Resolution for approval of updated licensing quote for Microsoft 365 migration**

---

Insight has provided the City of Pontiac an updated annual licensing quote.

WHEREAS, the Pontiac City Council approved licensing of Microsoft 365 back in January of 2022 for a total of 130 licenses at a monthly cost of \$2,454 or annual cost of \$29,453; and

WHEREAS, the City of Pontiac would like to purchase a new total of 142 licenses plus additional licensing packages for an updated annual quoted amount of \$33,214.24; and

WHEREAS, the original quote was for year 2022 and the updated quote for year 2023;

NOW, THEREFORE,  
BE IT RESOLVED The Pontiac City Council authorizes the approval of the updated licensing quote provided by Insight for the City of Pontiac Microsoft 365 migration.

[illegible]

**#10**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

---

**TO:** Honorable City Council President and City Council

**FROM:** Mayor Tim Greimel

**CC:** Deputy Mayor Khalfani Stephens

**DATE:** January 3, 2022

**RE:** Resolution to seek authorization to pursue RFP to hire consultant(s) to complete an analysis of the sheriff and fire contracts

---

We are seeking authorization to complete an analysis of the sheriff and fire department contacts.

**WHEREAS,** the City of Pontiac are in contract with the sheriff department and fire department contacts; and

**WHEREAS,** both contracts are scheduled to expire at the end of December 2024; and

**WHEREAS,** we want to make sure we deliver the best possible services at the most cost efficient price and would like to hire one or two consultants to complete an analysis of the sheriff and fire contracts and analyze all possible alternatives;

**NOW, THEREFORE BE RESOLVED,** City Council authorizes the Mayor to pursue a RFP (request for proposal) to retain one or two consultants to analyze and access all possible options for delivery of police and fires services to the community.

**#11**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

---

**TO:** Honorable City Council President and City Council

**FROM:** Mayor Tim Greimel

**CC:** Deputy Mayor Khalfani Stephens

**DATE:** January 3, 2022

**RE:** **Resolution to approve a two-year extension of the Waterford Township fire services contract**

---

The Waterford Regional Fire Department provides fire protection service to residents in Waterford Township, the City of Lake Angelus and the City of Pontiac.

The City of Pontiac and Waterford Township discussed an extension of the fire service contract. The contract extension language will remain consistent as the previous contract. This contract extension will allow the City of Pontiac and Waterford Township to work collaboratively and formulate a plan to benefit future fire services. Our intent is to complete a full analysis with the Waterford Fire Department. As such, the following resolution is recommended for your approval.



**CITY OF PONTIAC CITY COUNCIL**

**Council resolution to approve a two-year extension of the Waterford Township fire services contract**

**WHEREAS**, the contract extension will allow the City of Pontiac and Waterford Township to work collaboratively and formulate a plan to benefit the future fire services for the City of Pontiac; and

**WHEREAS**, the twenty-three-month contract will expire December 2024 and our intent is to complete a full analysis with the Waterford Fire Department; and

**WHEREAS**, the extension with Waterford Township will consist of a 4% increase each year;

**NOW THEREFORE, BE RESOLVED**, the City Council hereby approves and authorizes the Mayor to proceed with the two-year Waterford Township fire services contract.

**BOARD OF TRUSTEES**

Gary Wall, Supervisor  
Kim Markee, Clerk  
Steven Thomas, Treasurer  
Anthony M. Bartolotta, Trustee  
Marie E. Hauswirth, Trustee  
Janet Matsura, Trustee  
Mark Monohon, Trustee



5200 Civic Center Drive  
Waterford, Michigan 48329-3773  
Telephone: (248) 674-6201 Fax: (248) 674-5451  
gwall@waterfordmi.gov

**Gary Wall**  
Township Supervisor

**MEMO**

To: Mayor Tim Greimel, City of Pontiac  
From: Gary Wall, Township Supervisor  
Date: December 21, 2022  
Re: Fire Services City of Pontiac Contract Extension

---

On Thursday, December 15, 2022 a two-year extension of the fire service contract was discussed in a meeting between the City of Pontiac and Waterford Township. The contract extension for the remainder of 2023 & 2024 will use the previous contract language in order to remain consistent. The main reason for this 23-month contract extension is to allow Waterford Township and the new City of Pontiac governing body to work together in a joint effort to formulate a plan for future fire service for Pontiac. This extension will be based on a 4% annual increase as was discussed in our meeting.

This 4% increase is based on multiple variables. One of the most notable is the Consumer Price Index published by the Bureau of Labor and Statistics which shows that over the last 12 months, the CPI increased by an average of 7.1%.

Other factors for the 4% increase include the Waterford Regional Fire Department and Township Board moving forward to make purchases for the future of the Regional Fire Department, a 4-year settled contract with the Fire labor union, and rapidly increasing costs of our emergency service products.

Since our meeting on December 15, I have met with our budget team, Treasurer Steve Thomas, and Fire Chief Matt Covey to go over the numbers one more time. I truly believe that this collaboration is a benefit to both of our communities. Please let me know the outcome of your City Council meeting to support our proposal for fire services for the City of Pontiac so that I can have it on the agenda for our Monday, January 23, 2023 board meeting to vote to approve this fire service contract extension. I look forward to continuing working with your team in the future and beyond.

Happy Holidays!

Gary Wall  
Waterford Township Supervisor

**With us there are no boundaries**

**#12**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

Finance

---

**TO:** Honorable City Council President and City Council

**FROM:** Sekar Bawa, Senior Accountant

**CC:** Mayor Tim Greimel, Khalfani Stephens, Deputy Mayor

**DATE:** December 16, 2022

**RE:** **Council Resolution to approve the proposed budget amendment for Budget Year 2022-2023, (Purchasing Assistant position)**

**Increase the budget appropriation in the following General Fund GL accounts** 101-206-702.000 salaries and wages (\$26,500), 101-206-715.000 F.I.C.A. (\$2,028), 101-206-716.000 Medical Insurance (\$7,638), 101-206-717.000 Life Insurance (642), 101-206-718.500 MERS Employer Contributions (1,325), 101-206-719.000 Workers Compensation Insurance (\$78), 101-206-719.001 Dental Insurance (264).

This budget amendment allocates funds in the correct categories to facilitate the creation of the new position of Purchasing Assistant. With the expansion of staff and rebalancing of activities, there is a need for added assistance in the Purchasing area to process payroll. This budget amendment adds funds to all that to happen.

Take \$38,475 from general fund balance sheet 101-000-390.000 and add it to the accounts below.

Increase the budget appropriation in the following GL accounts (January of 2023 to June of 2023):

101-206-702.000	salaries and wages	\$26,500
101-206-715.000	F.I.C.A.	\$2,028
101-206-716.000	Medical Insurance	\$7,638
101-206-717.000	Life Insurance	\$642
101-206-718.500	MERS Employer Contributions	\$1,325
101-206-719.000	Workers Compensation Insurance	\$78
101-206-719.001	Dental Insurance	\$264

**Total requested increase in the budget appropriation** **\$38,475**

*This item cannot be approved until after the resolution to authorize the city clerk to publish the notice of the budget amendment has been approved and one week after the publication of the notice.*



**Council Resolution to approve the proposed budget amendment for Budget Year 2022-2023, Increase the budget appropriation in the following General Fund GL accounts 101-206-702.000 salaries and wages (\$26,500), 101-206-715.000 F.I.C.A. (\$2,028), 101-206-716.000 Medical Insurance (\$7,638), 101-206-717.000 Life Insurance (642), 101-206-718.500 MERS Employer Contributions (1,325), 101-206-719.000 Workers Compensation Insurance (\$78), 101-206-719.001 Dental Insurance (264).**

---

WHEREAS City council approved the creation of a new position of Purchasing Assistant; and,

WHEREAS, funding needs to be appropriated for that position; and,

WHEREAS, this budget amendment will decrease the fund balance in the Fund 101 – General Fund by \$38,475;

**NOW THEREFORE, BE RESOLVED**, that the City Council hereby approves the proposed budget amendment for Fiscal Year 2022-23 as requested by the Administration as given below:

Increase the budget appropriation in the following GL accounts (January of 2023 to June of 2023):

101-206-702.000	salaries and wages	\$26,500
101-206-715.000	F.I.C.A.	\$2,028
101-206-716.000	Medical Insurance	\$7,638
101-206-717.000	Life Insurance	\$642
101-206-718.500	MERS Employer Contributions	\$1,325
101-206-719.000	Workers Compensation Insurance	\$78
101-206-719.001	Dental Insurance	\$264

<b>Total requested increase in the budget appropriation</b>	<b>\$38,475</b>
---	-----------------

## Job Posting

---

# Purchasing Assistant

Pontiac, MI

## Description

*FLSA - Administrative Exemption*

### **GENERAL STATEMENT OF DUTIES:**

The Purchasing Assistant will assist the City of Pontiac's Purchasing Manager with daily procurement activities associated with the competitive bid process, vendor onboarding, contract administration, document distribution and management, internal and external communications that pertain to the procure-to-pay process.

### **SUPERVISION RECEIVED:**

The Purchasing Assistant will report directly to the Purchasing Manager.

### **SUPERVISION EXERCISED:**

### **TYPICAL EXAMPLES OF WORK:**

An employee in this class may be called upon to do any or all of the following:

- Assist with planning the milestone schedule for solicitations
- Process Request for Solicitation forms submitted by department heads
- Contact vendors to request information
- Collect information from City personnel for solicitation and contracts
- Distribute information to the appropriate Council subcommittees
- Distribute information to the City Clerk's Office
- Assist with creating job aids and training for purchasing processes, policies, and procedures
- Order office supplies for the purchasing office
- Respond to internal inquiries after consulting with the purchasing manager, if necessary
- Assist with transporting materials offsite for site visits
- Join daily and evening meetings
- Copying, scanning, and filing documents
- Analyze business data as it pertains to vendors, market prices, and contracts
- Ability to convey terms and conditions of purchase to vendors once they are established

### **Essential Functions**

- Organize and maintain the manual contract and risk mitigation files in the Purchasing Office
- Work with internal departments to process solicitations
- Assist with checking pricing in the marketplace to ensure the City is purchasing goods and services at the best rates possible
- Assist with preparing solicitations and ensuring they are posted to the City's website and BidNet
- Ability to run vendor, purchase order, and financial reports using the City's financial solution
- Plan and schedule pre-bid meetings for solicitations
- Be an advocate and systems tester for purchasing applications
- Prepare monthly open and closed PO reports for purchasing manager

- Ability to establish competitive bid process milestones and schedule them accordingly for all stakeholders
- Assist with the purchasing year-end close process
- Assist with retrieving information for audit requests
- Assist with creating a standard for office furniture and other types of goods and services
- Track open issues and division requests
- Ability to maintain exemplary professional customer service for internal and external customers
- Monitor and screen incoming calls to purchasing and expedite as necessary.
- Ability to work with little to no supervision and to adapt to change quickly

## Requirements

### Minimal Qualifications

An associate's degree, instead of a bachelor's degree, with at least three years of experience and a Certified Professional Purchasing certification. Or a bachelor's degree from an accredited college with 3 to 5 years of experience. Municipality purchasing experience is a plus. Some basic knowledge of project management. Any candidate hired must be a Certified Purchasing Professional or obtain certification within one year of hire.

### Knowledge, Ability, and Skills:

Ability to tabulate numbers, ability to read and write; moderate level user of Microsoft Word, Excel and Outlook application. Possesses basic understanding of contract law preferred. Ability to type more than 55 wpm.

### Job Environment

The City of Pontiac fosters diversity, equity, and inclusion and has established a committee to focus on this endeavor. An established Awards and Recognition Committee helps ensure that the City appreciates its employees throughout the year by sponsoring various activities and events. The City's HR Departments facilitate in-house training programs to ensure employees have access to the skills and tools necessary to perform their work. The office spaces where personnel sit have adequate lighting, durable office furniture, and an elevator that is accessible for those who require it. The facilities are cleaned and maintained throughout the work day. The City has municipal codes consisting of its ordinance and charter, in addition to policies and procedures established by the various departments.

### Physical Requirements

The physical demands described here must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

Minimal physical effort is required to perform work under typical office conditions. While performing the duties of this job, the employee is regularly required to sit and stand, must be able to lift and or move items up to ten pounds regularly, and must be able to hear constituents when they speak in person or on the telephone. Specific vision abilities required by this job include:

- Close vision.
- Distance vision.
- Color vision.

- Peripheral vision.
- Depth perception.
- The ability to adjust focus.




careeronestop

your source for career exploration, training & jobs

Sponsored by the U.S. Department of Labor. A proud partner of the americanjobcenter network.

## Salary Finder

Use this tool to find salary information for more than 800 different occupations. To start, search for an occupation by keyword.

<b>Search by Occupation</b>	<b>Location</b>	<b>Search</b> 
Purchasing Agents, Except Wholesale, R	Detroit, MI	

### Wages for Buyers and Purchasing Agents in DETROIT, MI

You're seeing wages for Buyers and Purchasing Agents because we don't have information for **Buyers and Purchasing Agents, Farm Products**.

[View National Data](#)

[View Table](#) : [View Chart](#) : [View Map](#)

Location	Pay Period	2021		
		Low	Median	High
United States	Hourly	\$18.48	\$30.51	\$53.46
	Yearly	\$38,430	\$63,470	\$111,200
Michigan	Hourly	\$18.99	\$30.08	\$49.12
	Yearly	\$39,490	\$62,560	\$102,170
Detroit-Warren-Dearborn, MI Metro Area	Hourly	\$22.71	\$33.71	\$51.88
	Yearly	\$47,230	\$70,110	\$107,910

Want to [Compare Salaries](#) to other occupations or locations?

#### Occupation Description

##### Purchasing Agents, Except Wholesale, Retail, and Farm Products

Purchase machinery, equipment, tools, parts, supplies, or services necessary for the operation of an establishment. Purchase raw or semifinished materials for manufacturing. May negotiate contracts. Excludes "Buyers and Purchasing Agents, Farm Products" and "Wholesale and Retail Buyers, Except Farm Products".

[Learn more about this occupation](#)

Download 



For information about jobs, training, career resources, or unemployment benefits call:

1-877-US2-JOBS (1-877-872-5627) or TTY 1-877-889-5627

For help using the CareerOneStop website:

[info@careeronestop.org](mailto:info@careeronestop.org)

CareerOneStop is sponsored by the U.S. Department of Labor, Employment and Training Administration

**#13**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

---

**TO:** Honorable Mayor, Council President, and City Council Members

**FROM:** Alicia Martin, Purchasing Manager

**DATE:** December 28, 2022

**RE: Legal Services Contract Award**

The City of Pontiac Purchasing Department conducted the competitive bid process for the Legal Services RFP in accordance with City Ordinance Article IV, 4.304 (<https://www.codepublishing.com/MI/Pontiac/?PontiacCH/PontiacCH04.html#4.304>), which ended on September 19, 2022. The Purchasing Manager established an RFP review panel of three City Council members from the Law & The Courts subcommittee, the Mayor, and the Deputy Mayor. A total of 24 firms expressed an interest in the solicitation; 20 were located or headquartered in Michigan. A total of five firms submitted a proposal in response to the bid. The panel reviewed the firms' respective proposals; interviews were scheduled as a result. After much of the panel's deliberation, the panel recommends the following three firms for the bid award, not listed in any specific order:

- Clark Hill – assign to general legal work on an hourly basis
- The Kelly Law Firm – assign to general legal work on an hourly basis and code enforcement prosecution work

WHEREAS, The Purchasing Division has conducted the competitive bid process for Legal Services in accordance with the City's municipal code, Division II. Purchasing, Section 2-519;

WHEREAS, the RFP review panel recommends Clark Hill and The Kelly Law Firm; the panel believes both firms skills and resources are equal to the task of providing legal services in a satisfactory manner in the time period specified by the City, and whose bid is determined to be in the best interest of the City;

WHEREAS, the contract term shall be for three (3) years with an option to renew for two (2) three-year periods.

NOW, THEREFORE,  
BE IT RESOLVED

The Pontiac City Council authorizes the approval of the bid award to Clark Hill and The Kelly Law Firm, respectively, and an executed agreement, signed by the Mayor, for the rendering of legal services.

AM

# Legal Services RFP Cost Comparison Worksheet

Prepared on 12/21/2022 (updated 12/28/22), By Alicia Martin

Cost Description	Clark Hill	The Kelly Firm	The Perkins Group
General Work (Hourly Rate)	\$245	\$135-\$165	\$150
Code Enforcement (Hourly Rate)	\$245	\$130	\$150
Non-Code Enforcement Prosecutions (Fixed Rate)	\$300,000	\$220,000	\$200,000
Code Enforcement Prosecutions (Fixed Rate)	\$155,000	\$65,500	\$70,000
All Prosecutions (Fixed Rate)	\$455,000	\$275,000	\$200,000

**#14**

**CLOSED  
SESSION**

## **Resolution of the Pontiac City Council**



### **RESOLUTION TO PROCEED IN CLOSED SESSION TO CONSIDER AND DISCUSS THE CONFIDENTIAL LEGAL OPINION CONCERNING THE RECREATIONAL MARIHUANA REGULATION**

WHEREAS, in November 2018, the State of Michigan approved the Michigan Regulation and Taxation of Marihuana Act (MRTMA), 2018 Initiated Law 1, MCL 333.27951 et seq. which allows the recreational possession and use of cannabis and taxation of revenue from cannabis business in the state; and

WHEREAS, the Mayor directed the City's outside legal counsel, Clark Hill PLC, to prepare and present a legal opinion outlining the legal issues and concerns in connection with the municipal licensing and regulation of recreational marihuana.

WHEREAS, the Michigan Open Meetings Act provides that a public body may meet in Closed Session to consider material exempt from discussion or disclosure by state or federal statute; and,

WHEREAS, written confidential communications that are the subject of attorney-client privilege are exempt from disclosure and may be discussed in Closed Session pursuant to Section 8(h) of the Open Meetings Act, MCL 15.268(h).

NOW THEREFOR BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Section 8(h) of the Open Meetings Act, MCL 15.268(h) to review and discuss confidential attorney-client communication and legal opinion concerning legal issues and ramifications in connection with the municipal licensing and regulation of recreational marihuana.

**#15**

**ORDINANCE**

**#17**

**CLOSED  
SESSION**

**CITY OF PONTIAC**  
**Oakland County, Michigan**

**RESOLUTION TO PROCEED IN CLOSED SESSION  
TO CONSIDER AND DISCUSS THE PURCHASE OF REAL PROPERTY; AND  
TO DISCUSS THE CONFIDENTIAL LEGAL OPINION CONCERNING SETTLEMENT  
STRATEGY IN CONNECTION WITH PENDING LITIGATION**

RESOLUTION # \_\_\_\_\_

Minutes of a regular meeting of the City Council for the City of Pontiac, held City Hall, 47450 Woodward Ave, Pontiac, MI on December 13, 2022 at 6:00 p.m., local time.

The following resolution was offered by Council member \_\_\_\_\_ and supported by Council member: \_\_\_\_\_:

WHEREAS, Section 8(d) of the Michigan Open Meetings Act provides that a public body may meet in Closed Session to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained; and

WHEREAS, in September 2022 a complaint relief was filed against the City of Pontiac in the Circuit Court of Oakland County, *Katz v City of Pontiac*, Case No. #22-195877-CH; and

WHEREAS, Section 8(e) of the Michigan Open Meetings Act provides that a public body may meet in Closed Session to consult with its attorney regarding settlement strategy in connection with pending litigation, but only if an open meeting would have a detrimental financial effect on the litigation or settlement position of the City; and

WHEREAS, the Michigan Open Meetings Act provides that a public body may meet in Closed Session to consider material exempt from discussion or disclosure by state or federal statute; and

WHEREAS, written confidential communications that are the subject of attorney-client privilege are exempt from disclosure and may be discussed in Closed Session pursuant to Section 8(h) of the Open Meetings Act, MCL 15.268(h).

NOW THEREFOR BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Sections 8(d), 8(e) and 8(h) of the Open Meetings Act, MCL 15.268(e) and (h), to discuss to consider the purchase of certain real property; and the confidential legal opinion of counsel concerning settlement strategy in connection with pending litigation, *Katz v City of Pontiac*.

YEAS: Council Members \_\_\_\_\_

---

NAYS: Council Members\_\_\_\_\_

ABSTAIN: Council Members\_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Garland Doyle, Clerk  
City of Pontiac

**#25**

**COMMUNICATION**



**PONTIAC**

The HEART of Oakland County

# WINTER FESTIVAL

**SAT, JAN 14, 2023 • 5-9PM**

**SHOPPING • FOOD • MUSIC  
ICE SKATING • POLAR EXPRESS  
RIDE • HOT CHOCOLATE •  
SMORES & MORE**

**CITY HALL GROUNDS**

**47450 WOODWARD AVE PONTIAC, MI**

**FOR MORE INFORMATION CALL (248) 758-3037**