



NOTICE OF PONTIAC CITY COUNCIL MEETING
February 2, 2021
at 6:00 p.m.

THE MEETING WILL BE HELD ELECTRONICALLY

The City Council of the City of Pontiac will hold a Formal Meeting on February 2, 2021 at 6:00 p.m. This meeting will be held electronically as allowed by the amended Open Meetings Act. The agenda for the Formal Meeting is attached. The Pontiac City Council gives notice of the following:

1. **Procedures.** The public may view the meeting electronically through the following method.
<http://pontiac.mi.us/council/pontiactv/index.php>
2. **Public Comment.** For individuals who desire to make a public comment, please submit your name and comment in writing to publiccomments@pontiac.mi.us. Additionally, you may submit your public comment in writing directly to the Office of the City Clerk during regular business hours. All public comments must be received no later than 5:30 p.m. on February 2, 2021. Public comments are limited to three (3) minutes. The City Clerk will read your comments during the public comment section of the meeting.
3. **Persons with Disabilities.** Persons with disabilities may participate in the meeting through the methods set forth in paragraph 2. Individuals with disabilities requiring auxiliary aids or services in order to attend electronically should notify the Interim City Clerk, Garland Doyle at (248) 758-3200 or clerk@pontiac.mi.us at least 24 hours in advance of the meeting.

Dated 1-29-2021, 5:00 p.m.
Garland S. Doyle, Interim City Clerk
City of Pontiac
47450 Woodward Ave. Pontiac, MI 48342 Phone: (248) 758-3200

PONTIAC CITY COUNCIL

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



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

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

Website: <http://pontiacityclerk.com/city-council-meetings>

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

FORMAL MEETING

February 2, 2021

16:00 P.M.

213th Session of the 10th Council

Call to order

Invocation

Pledge of Allegiance

Roll Call

Authorization to Excuse Councilmembers

Proposed Amendments to the Agenda

Economic Development

- A. Resolution for Phase Two of Oakland County's City Village and Township Grant Program to Support Dine-In Restaurants, Bars and Cafes during COVID-19

Office of the City Clerk

- B. Resolution on the Medical Marijuana Process

Public Works (DPW)

- C. Resolution to approve the City of Pontiac participation in the North Oakland Household Hazardous Waste Consortium
- D. Resolution to approve the Metro Act Right of Way Permit Extension

Approval of the Agenda

Approval of the Minutes

1. January 26, 2021

Subcommittee Reports

2. Community Development- January 19, 2021
3. Department of Public Works- January 22, 2021

Special Presentations (Presentations are limited to 10 minutes.)

4. Office of the City Clerk Medical Marihuana Review Process Update
Presentation Presenters: Garland Doyle, Interim City Clerk and Jonathan Starks, Special Assistant to the Clerk
5. Michigan Department of Transportation (MDOT) Woodward Wide Track Loop Conversion
Presentation Presenters: Mayor Waterman, Paul Ajegba, Director, MDOT, Kim Avery, Metro Region Engineer, MDOT and Lori Swanson, PE, Oakland TSC Manager, MDOT
6. Pontiac Youth Recreation and Enrichment Center (PYREC) Update
Presentation Presenters: Mayor Waterman, Robert Burch, PYREC, Gavin McGuire, Boys and Girls Clubs of Southeastern Michigan (BGCSM) and Tiffany Sula, BGCSM

Recognition Elected Officials

Agenda Address

Agenda Items

Ordinances

Mayor's Office

7. Adoption of an Ordinance to Amend the City of Pontiac General Employees' Retirement System
8. Adoption of an Ordinance to Establish the City of Pontiac Reestablished General Employees' Retirement System

Resolutions

Mayor's Office

9. Resolution regarding the City Clerk's Medical Marihuana Obligations

Planning

10. Resolution to approve Zoning Map Amendment [ZMA 20-07], 729 Linda Vista, PIN 64-14-21-451-002 [former Mark Twain School site] from R-1 One Family Dwelling to R-3 Multiple Family Dwelling zoning district.

Mayoral Monthly Reports

11. Personnel Monthly Staff Report
12. Monthly Check Register (**The check registers for December 31, 2020; January 8, 15 and 22, 2021 are attached.**)
13. City Credit Card Statement (**Per the Mayor's Office, the Finance Director will issue to the City Council Members**)

Public Comment

Mayor, Clerk and Council Closing Comments

Adjournment

**A
PROPOSED
AMENDMENT
TO THE
AGENDA**



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council Members

FROM: Linnette Phillips, Director, Economic Development

THROUGH: Mayor Deirdre Waterman

DATE: January 28, 2021

RE: Request to add a resolution for an upcoming grant to the City Council Formal Session on Tuesday, February 2, 2021.

The agenda item is a Resolution for the City Council to Authorize Phase Two, Oakland County City, Village and Township (CVT) Grant to Support Restaurants, Bars and Cafes During Covid-19 and Approve an Interlocal Agreement Between Oakland County and the City of Pontiac

The City of Pontiac's Economic Department received a grant application from Oakland County's Phase Two Together Restaurant Relief Grant for Cities, Villages and Townships (CVTs) is using \$3 million from the County's General Fund – as approved by Oakland County Executive David Coulter and the Oakland County Board of Commissioners – to support dine-in restaurants, bars and cafes impacted by Covid-19 and the related public health orders.

The COP received the grant application January 27, 2021 and it is due February 4, 2021 along with the Interlocal Agreement.

Phase Two of the Restaurant Relief Grant Program will provide CVTs with products and funding that can be used for a broader range of support for dine-in restaurants, bars and cafes. CVTs receiving Phase Two awards will be required to enter into an Interlocal Agreement with Oakland County.

Through the Phase Two grant application, CVT's may request two types of support: (1) County- Coordinated Products (for example, such as fixed location sanitation stations and propane refills there is a full list); and (2) Acquisition and Reimbursement Funds for Eligible Products and Services. Eligible reimbursement costs must be incurred from October 1, 2020 through June 30, 2021.

Of the \$3 million available to 53 eligible communities in Oakland County, the City of Pontiac can receive a minimum of \$98,367 if awarded the grant. We can ask for more based upon our needs in our community.

The grant application and overview are attached. Thank you for your review and consideration.



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council Members

FROM: Linnette Phillips, Director, Economic Development

THROUGH: Mayor Deirdre Waterman

DATE: February 2, 2021

RE: Resolution for the City Council to Authorize Phase Two, Oakland County City, Village and Township (CVT) Grant to Support Restaurants, Bars and Cafes During Covid-19 and Approve an Interlocal Agreement Between Oakland County and the City of Pontiac

The Oakland Together Restaurant Relief Grant for Cities, Villages and Townships (CVTs) is using \$3 million from the County's General Fund – as approved by Oakland County Executive David Coulter and the Oakland County Board of Commissioners – to support dine-in restaurants, bars and cafes impacted by Covid-19 and the related public health orders.

Phase Two of the Restaurant Relief Grant Program will provide CVTs with products and funding that can be used for a broader range of support for dine-in restaurants, bars and cafes. CVTs receiving Phase Two awards will be required to enter into an Interlocal Agreement with Oakland County.

Through the Phase Two grant application, CVT's may request two types of support: (1) County- Coordinated Products (for example, such as fixed location sanitation stations and propane refills there is a full list); and (2) Acquisition and Reimbursement Funds for Eligible Products and Services. Eligible reimbursement costs must be incurred between October 1, 2020 through June 30, 2021.

Of the \$3 million available to 53 eligible communities in Oakland County, the City of Pontiac can receive a minimum of \$98,367 if awarded the grant. We can ask for more based upon our needs in our community.

The grant application period opened January 27, 2021 and closes February 4, 2021.

RESOLUTION ON FOLLOWING PAGE



CITY OF PONTIAC CITY COUNCIL

RESOLUTION TO AUTHORIZE PHASE TWO OAKLAND COUNTY CITY, VILLAGE AND TOWNSHIP GRANT TO SUPPORT RESTAURANTS, BARS AND CAFES DURING COVID-19 AND APPROVE AN INTERLOCAL AGREEMENT BETWEEN OAKLAND COUNTY AND THE CITY OF PONTIAC

As such, the resolution below is submitted for your consideration:

Whereas, Oakland County has implemented the Oakland Together Restaurant Relief Grant for Cities Villages and Townships (CVTs) Program allowing municipalities to assist restaurants, bars and cafes and provide support to those within their jurisdiction during the Covid-19 pandemic; and

Whereas, the program allows grant funding to assist with creating and expanding outdoor dining opportunities; and

Whereas, under the program, the City of Pontiac is eligible for a minimum of \$98,367 in grant funding for such assistance; and

Whereas, the grant application period is between January 27, 2021 and February 4, 2021; and

Now, Therefore, Be It Resolved, that the City Council of the City of Pontiac, hereby approve the submission of the Grant Application to Oakland County in the amount of \$98,367 and authorize the Mayor to execute all necessary and related documents for the grant application and administration.

Attachments:

Phase Two Grant Application, Oakland County City, Village and Township Grant Program to Support Dine-In Restaurants, Bars and Cafes During Covid-19

Draft Interlocal Agreement



PHASE TWO GRANT APPLICATION GUIDE

The City, Village and Township Grant Program to Support Dine-In Restaurants, Bars and Cafés During COVID-19

Program Overview

The Oakland Together Restaurant Relief Grant Program for Cities, Villages and Townships (CVTs) is using \$3 million from the county's General Fund—as approved by Oakland County Executive David Coulter and the Oakland County Board of Commissioners—to support dine-in restaurants, bars and cafes impacted by COVID-19 and the related public health orders.

The County will work directly with the CVTs to provide resources in two areas:

- Creating and expanding outdoor dining opportunities by adapting operations, facilities, sites and public areas for outdoor service
- Providing products, supplies and services to assist dine-in restaurants, bars and cafes in operating safely and in re-opening, when allowed

For successful implementation of the program, the local governments will need to work cooperatively with chambers of commerce, downtown development authorities and other downtown and corridor management organizations to identify local needs, allocate and utilize the grant purchased items and funds to support impacted dine-in restaurants, bars and cafés.

This grant program has two phases:

- Phase One: CVT Rapid Response (now closed)
- Phase Two: Grant Application & Interlocal Agreement

Custom Online Application will be sent to eligible CVTs: January 27, 2021

Application is due: 5:00 p.m. | February 4, 2021

Reimbursement will be allowed for eligible costs of products, labor, services and fees incurred from July 1, 2020 through June 30, 2021.

NOTE: Salary or wages for employees of CVT, Chambers of Commerce, restaurants, bars, cafes, downtown development authorities and other downtown and corridor management organizations are not eligible for reimbursement.

Phase One: CVT Rapid Response

Phase One opened and closed in December 2020 to provide the county's Cities, Villages and Townships (CVTs) with immediate resources to create and expand outdoor dining opportunities as quickly as possible.

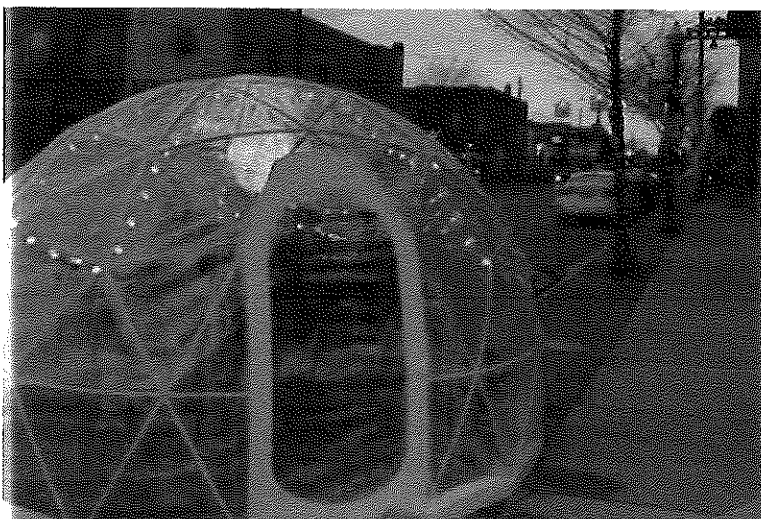
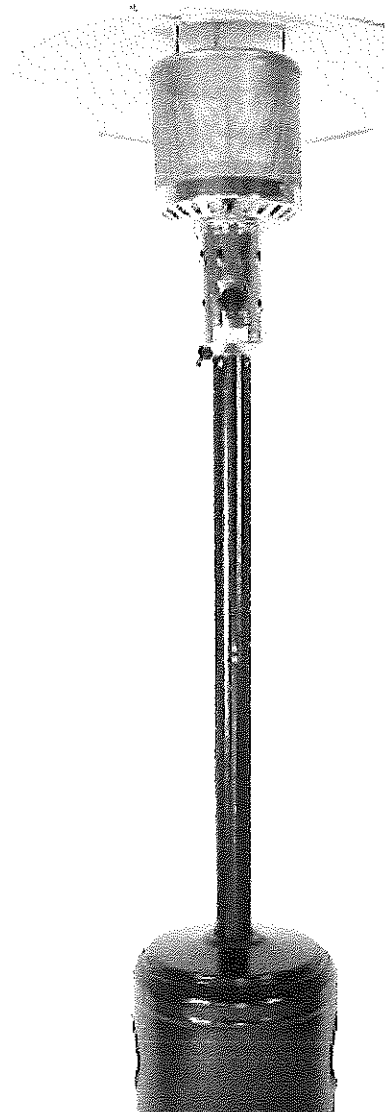
Thirty-seven CVTs received quantities of the following products:

- Outdoor propane heaters
- Propane tank refills and delivery
- Snap & Grow brand greenhouses
- Igloos/Domes
- Electrostatic sprayers
- Disinfectant solution

The County actively worked with the participating CVTs to schedule delivery of these products. CVTs may maintain ownership of the products and/or provide the products to restaurants, bars, cafes, downtown development authorities and other downtown and corridor management organizations.

CVTs may apply for either, or both, Phases of the Oakland Together Restaurant Relief Grant Program.

If a CVT is awarded grant funding or products (from Phase One and/or Phase Two), an Interlocal Agreement is required.



Phase Two: Grant Application & Interlocal Agreement

Phase Two of the Restaurant Relief Grant Program will provide Cities, Villages and Townships (CVTs) with products and funding that can be used for a broader range of support for dine-in restaurants, bars and cafes.

CVTs receiving Phase Two awards will be required to enter into an Interlocal Agreement with Oakland County.

Through the Phase Two grant application, CVTs may request two types of support:

- County-Coordinated Products (e.g., fixed-location sanitation stations, Propane refills). See Application for full list.
- Acquisition & Reimbursement Funds for Eligible Products & Services

Note: CVTs are not required to have participated in Phase One in order to be eligible to apply now for Phase Two.

County-Coordinated Products

Some high-demand products from Phase One will continue to be available, along with some additional products. As the availability may change, a full list of these products will be on the custom application and website:

OakGov.com/RestaurantRelief

Acquisition & Reimbursement Funds for Eligible Products & Services

CVTs may request an allocation of funds to purchase products to create and expand outdoor dining opportunities and to assist dine-in restaurants, bars and cafes in operating safely.

Also, CVTs may request funds to reimburse themselves; dine-in restaurants, bars, cafes; downtown development authorities; and other downtown and corridor management organizations.

Salary or wages for employees of CVT, Chambers of Commerce, restaurants, bars, cafes, downtown development authorities and other downtown and corridor management organizations are not eligible for reimbursement.

The CVTs may maintain ownership of the purchased products and/or provide the products to restaurants, bars, cafes, downtown development authorities and other downtown and corridor management organizations.

Eligible reimbursement costs must be incurred between July 1, 2020 through June 30, 2021.

Note: For this program, the maximum total reimbursement for a single business is \$10,000.

Custom Online Application will be sent to CVTs:

January 27, 2021

Online Application is due:

February 4, 2021
at 5:00 p.m.

Reimbursement will be allowed for eligible costs of products, labor, services and fees incurred from July 1, 2020 - June 30, 2021.

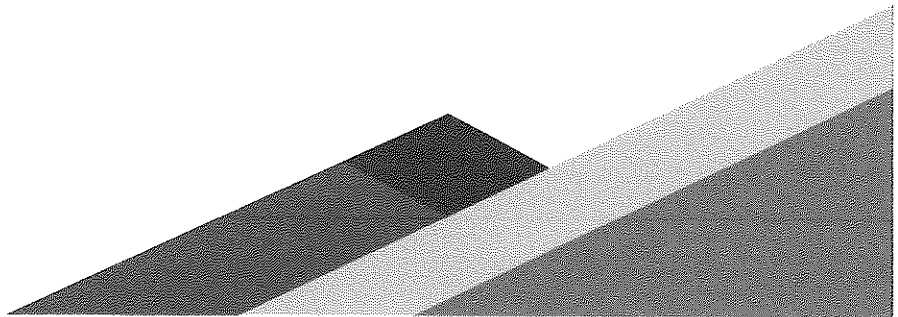
NOTE: Salary or wages for employees of CVT, Chambers of Commerce, restaurants, bars, cafes, downtown development authorities and other downtown and corridor management organizations are not eligible for reimbursement.

Eligible Products for Acquisition and Reimbursement include:

- Tents
- Igloos/domes and greenhouses
- Outdoor propane heaters
- Propane refill programs
- Plastic A-Frame sidewalk signs (24" x 36")
- Picnic tables, outdoor tables and seating
- Materials to construct platforms, railings and ramps
- Materials to construct outdoor seating areas
- Electrostatic sprayers and disinfectant solution
- Sanitation stations (fixed and portable)
- Refill wipes and liquid hand sanitizer for sanitation stations
- Foot operated door pulls
- General Personal Protective Equipment (PPE) and supplies
- Other requested items as determined appropriate by Oakland County. CVTs can email inquiries to RestaurantRelief@OakGov.com | Businesses can contact their municipality about this grant program.

Labor, Services and Fees Eligible for Reimbursement include:

- Installation/setup of Igloos/domes and greenhouses
- Labor to construct platforms, railings and ramps
- Labor to construct outdoor seating areas
- Labor to install fixed location sanitation stations
- Technology related services or fees to upgrade websites and install apps for online ordering or delivery
- Technology related services or fees to install point of sale systems to minimize employee-customer contact
- \$250 Social District Permit Fee paid by business to the State in cities, villages and townships that have established a Social District under MCL 436.1551
- Other requested items as determined appropriate by Oakland County. CVTs can email inquiries to RestaurantRelief@OakGov.com | Businesses can contact their municipality about this grant program.



Eligible Cities Villages and Townships (CVTs)

Fifty-three (53) Oakland County CVTs having one or more full-service restaurant, limited service restaurant, and/or bar, AND having the primary commercial district located in Oakland County are eligible to apply for this grant.

This determination was made using ESRI Business Analyst data (vintage 2018) and included NAICS codes 772511 (Full-Service Restaurants), 772513 (Limited-Service Restaurants) and 722410 (Bars).

The data was further refined to remove/exclude the following types of businesses:

- Establishments with drive-thru availability
- Establishments with zero or limited dine-in presence and/or whose primary operation appears to be take-out and delivery
- Establishments that were determined as being permanently closed

Note: The data refinement process did not include a comprehensive review of each record of the dataset. It consisted of identifying and removing these types of businesses through various key word searches.

Based on the above criteria, the following CVTs are NOT eligible to apply:

- Cities of Fenton, Huntington Woods, Lake Angelus and Northville
- Village of Leonard
- Holly and Rose Townships

NOTE: Novi Township is included with the City of Novi and Southfield Township is included with the City of Southfield.

CVTs receiving a Phase One and/or Phase Two grant award determine what dine-in restaurants, bars and cafes receive products, services and/or reimbursement funds.

Fund Allocation for Eligible Cities, Villages and Townships

To establish the program fund, it was forecasted that all fifty-three (53) eligible CVTs will apply for a Phase One and/or Phase Two grant.

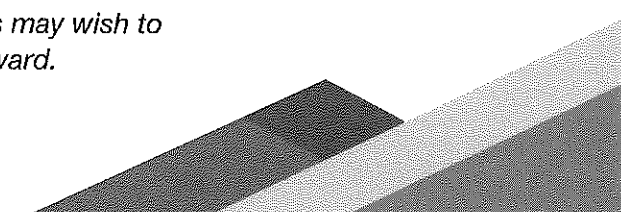
The allocation calculations began with a base of \$2,850,000 (95% of the total program budget of \$3,000,000).

The 95% is allocated based on three factors:

- 10% based on all eligible CVTs participating in the grant program
- 70% percent based on number of establishments (Data Source: ESRI Business Analyst)
- 15% percent based on the CVT having an established DDA, CIA, TIFA and/or PSD

See the fund's Allocation Table with the combined Phase One and Two base amount* available for each eligible CVT.

**It is anticipated that not all CVTs will request the full base award amount and that not all 53 eligible CVTs will apply for the grant. For this reason, CVTs may wish to request additional grant funds beyond the Base Phase Two Grant Award.*



Eligible City, Village and Townships | Restaurant Relief Grant Program
ALLOCATION OF FUNDS TABLE

Total Program Budget: \$3,000,000 95 Percent Allocation: \$2,850,000			10%	70%	15%	
			\$300,000	\$2,100,000	\$450,000	
			Allocation based on all eligible CVTs participating	Allocation based on the number of Bars, Full Service Restaurants & Limited Service Restaurants	Allocation based on the CVT having a DDA, CIA, TIFA and/or PSD	Total Base Fund Allocation per CVT
No.	Community	Type	\$ Per CVT	\$ Per CVT	\$ Per CVT	
1	Addison	Township	\$5,660	\$3,488	\$0	\$9,149
2	Auburn Hills	City	\$5,660	\$80,233	\$13,636	\$99,529
3	Berkley	City	\$5,660	\$30,233	\$13,636	\$49,529
4	Beverly Hills	Village	\$5,660	\$3,488	\$0	\$9,149
5	Bingham Farms	Village	\$5,660	\$9,302	\$0	\$14,963
6	Birmingham	City	\$5,660	\$66,279	\$13,636	\$85,576
7	Bloomfield	Charter Township	\$5,660	\$55,814	\$0	\$61,474
8	Bloomfield Hills	City	\$5,660	\$5,814	\$0	\$11,474
9	Brandon	Charter Township	\$5,660	\$8,140	\$0	\$13,800
10	Clawson	City	\$5,660	\$41,860	\$13,636	\$61,157
11	Commerce	Charter Township	\$5,660	\$44,186	\$13,636	\$63,483
12	Farmington	City	\$5,660	\$30,233	\$13,636	\$49,529
13	Farmington Hills	City	\$5,660	\$103,488	\$13,636	\$122,785
14	Ferndale	City	\$5,660	\$63,953	\$13,636	\$83,250
15	Franklin	Village	\$5,660	\$1,163	\$0	\$6,823
16	Groveland	Township	\$5,660	\$8,140	\$0	\$13,800
17	Hazel Park	City	\$5,660	\$23,256	\$13,636	\$42,553
18	Highland	Charter Township	\$5,660	\$17,442	\$13,636	\$36,739
19	Holly	Village	\$5,660	\$11,628	\$13,636	\$30,925
20	Independence	Charter Township	\$5,660	\$41,860	\$13,636	\$61,157
21	Keego Harbor	City	\$5,660	\$15,116	\$13,636	\$34,413
22	Lake Orion	Village	\$5,660	\$11,628	\$13,636	\$30,925
23	Lathrup Village	City	\$5,660	\$8,140	\$13,636	\$27,436
24	Lyon	Charter Township	\$5,660	\$15,116	\$13,636	\$34,413
25	Madison Heights	City	\$5,660	\$80,233	\$13,636	\$99,529
26	Milford	Village	\$5,660	\$23,256	\$13,636	\$42,553
27	Milford	Charter Township	\$5,660	\$1,163	\$0	\$6,823
28	Novi	City (and Township)	\$5,660	\$140,698	\$13,636	\$159,994
29	Oakland	Charter Township	\$5,660	\$4,651	\$0	\$10,312
30	Oak Park	City	\$5,660	\$36,047	\$13,636	\$55,343
31	Orchard Lake Village	City	\$5,660	\$6,977	\$0	\$12,637
32	Orion	Charter Township	\$5,660	\$37,209	\$13,636	\$56,506
33	Ortonville	Village	\$5,660	\$5,814	\$13,636	\$25,111
34	Oxford	Village	\$5,660	\$13,953	\$13,636	\$33,250
35	Oxford	Charter Township	\$5,660	\$8,140	\$0	\$13,800
36	Pleasant Ridge	City	\$5,660	\$3,488	\$13,636	\$22,785
37	Pontiac	City	\$5,660	\$79,070	\$13,636	\$98,367
38	Rochester	City	\$5,660	\$36,047	\$13,636	\$55,343
39	Rochester Hills	City	\$5,660	\$104,651	\$0	\$110,312
40	Royal Oak	City	\$5,660	\$145,349	\$13,636	\$164,646
41	Royal Oak	Charter Township	\$5,660	\$2,326	\$13,636	\$21,622
42	Southfield	City (and Township)	\$5,660	\$174,419	\$13,636	\$193,715
43	South Lyon	City	\$5,660	\$15,116	\$13,636	\$34,413
44	Springfield	Charter Township	\$5,660	\$5,814	\$0	\$11,474
45	Sylvan Lake	City	\$5,660	\$4,651	\$0	\$10,312
46	Troy	City	\$5,660	\$220,930	\$13,636	\$240,227
47	Village of Clarkston	City	\$5,660	\$5,814	\$0	\$11,474
48	Walled Lake	City	\$5,660	\$18,605	\$13,636	\$37,901
49	Waterford	Charter Township	\$5,660	\$95,349	\$0	\$101,009
50	West Bloomfield	Charter Township	\$5,660	\$81,395	\$0	\$87,056
51	White Lake	Charter Township	\$5,660	\$17,442	\$0	\$23,102
52	Wixom	City	\$5,660	\$25,581	\$13,636	\$44,878
53	Wolverine Lake	Village	\$5,660	\$5,814	\$0.0	\$11,474
		Sub-totals:	\$300,000	\$2,100,000	\$450,000	\$2,850,000
	Total Establishments:	1,806				
	Total \$ (All Factors):	\$2,850,000				

Phase Two Grant Awards

The base Phase Two grant award for each CVT will be established as follows:

$$\frac{\text{TOTAL BASE FUND ALLOCATION*} - \$ \text{ VALUE OF PHASE ONE PRODUCTS}}{=} \text{BASE AMOUNT AVAILABLE FOR PHASE TWO FUNDING AND/OR PRODUCTS}$$

***Note:**

- CVTs are not required to request their full Base Phase Two Grant Award allocation.
- It is anticipated that not all eligible CVTs will submit an application or request the full allocation amount. For this reason, CVTs may request additional grant funds/products beyond the Base Amount Available for Phase Two Funding and/or Products.

Determinations on grant awards greater than the Base Award will be made after all applications have been received and reviewed.

Payment of the grant award will be executed in two disbursements:

- The first disbursement will be 70% of the total acquisition and reimbursement award amount. This disbursement will be processed and sent after the Interlocal Agreement is fully executed.
- The second disbursement of the remaining grant funds will be executed after the CVT provides, and the County accepts, the first report. This report is due no later than forty-five (45) days after the Effective Date of the Agreement.

Phase Two Grant Application

Eligible Cities, Villages and Townships (CVTs) will receive a custom application on January 27, 2021.

Applying CVTs will be required to submit the following information:

- Local official or staff person that will be authorized to execute the final Interlocal Agreement after it has been approved by the Oakland County Board of Commissioners on February 4, 2021. This individual would be the recipient of the final Interlocal Agreement for electronic signature.
- Contact information for the point person administering the program for the CVT.
- Acknowledgment that, if awarded a Phase One and/or Phase Two grant, the CVT will be required to enter into an Interlocal Agreement with Oakland County.
- Acknowledgment that the CVT will comply with all applicable zoning, building codes, ADA requirements, public safety and fire safety codes and ordinances, and current and future State and County Public Health Orders.
- Acknowledgment that the CVT will provide reports and documentation to the county as requested that demonstrate how the grant products and funds were used. The County will provide a report template or an online form for submitting the report.
- A requested list of products the CVT wishes to be provided from Oakland County, if available, and where and how those products will be placed and utilized.

- A requested amount of funds for purchases and a list of the types of products the CVT intends to purchase. Also, a description of how and where the purchased products will be used.
- A requested amount of funds for reimbursement and the types of products, labor, services and fees the CVT intends to reimburse themselves, restaurants, bars, cafes, downtown development authorities and other downtown and corridor management organizations for. Also, a description of how the CVT will identify local needs for reimbursement.
- Identification of partner organizations that will assist the CVT with the grant program, supported by a description of that assistance.
- Information on whether the CVT has established a Social District under MCL 436.1551 and a listing of the businesses that have been approved for a Social District Permit.
- An estimate of the total number of dine-in restaurants, bars and cafes that will benefit from the grant award along with an estimate of the total number of full-time and part-time employees of those establishments.
- A description of the services, support and/or funding that the CVT and partner organizations have provided to the restaurants, bars and cafes located within the CVT since October 1, 2020.

If you are an Oakland County City, Village or Township and have a question about this program, contact: RestaurantRelief@OakGov.com

Dine-in restaurants, bars and cafes that want to learn more about what is available to them, can contact their local municipality.

Phase Two Application Review Criteria

Phase Two applications will be reviewed based on the following criteria:

- Clarity and completeness of the application
- Appropriateness of the requested products, acquisition funds and reimbursement funds in:
 - ◊ Creating and expanding outdoor dining opportunities by adapting operations, facilities, sites and public areas for outdoor service
 - ◊ Providing products, supplies and services to assist dine-in restaurants, bars and cafes in operating safely and in re-opening, when allowed
- Degree of partnership with other organizations
- Establishment of a Social District under MCL 436.1551 and business participation
- Estimated number of dine-in restaurants, bars and cafes and employees that will benefit from the grant award
- Level of support that CVT and partner organizations have provided to the restaurants, bars and cafes

OakGov.com/RestaurantRelief



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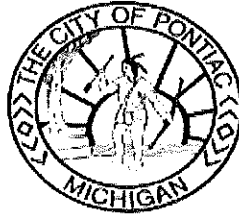
PROPOSED

AMENDMENT

TO THE

AGENDA

Resolution of the Pontiac City Council



WHEREAS, the residents of the City of Pontiac passed a voter-initiated Ordinance in August of 2018 to authorize medical marihuana facilities within the City; known as the City of Pontiac Medical Marihuana Facilities Ordinance (Ordinance 2357(B)); and

WHEREAS, Ordinance 2357(B) makes the City Clerk responsible for the review, evaluation/scoring and approval or denial of medical marihuana facility applications for provisioning centers, grower, processor, secure transporter and safety compliance; and

WHEREAS, the process that the City Clerk must follow to review and evaluate Medical Marihuana applications is established in section 8 and section 9 of Ordinance 2357(B); and

WHEREAS, Ordinance 2363 the Medical Marihuana Zoning Ordinance establishes where Medical Marihuana Facilities can be licensed to locate in the city; and

WHEREAS, Ordinance 2363 states Medical Marihuana Grower uses are not permitted outside the Cesar Chavez and Walton Blvd Medical Marihuana Overlay Districts; and

WHEREAS, Ordinance 2363 states Medical Marihuana Processor uses are not permitted outside the Cesar Chavez and Walton Blvd Medical Marihuana Overlay Districts; and

WHEREAS, Ordinance 2363 states No more than five (5) Provisioning Centers shall be established in each of the Medical Marihuana Overlay Districts including Cesar Chavez, Walton Blvd, and C-2 Downtown Overlay Districts; No more than five (5) Provisioning Centers shall be established in the C-1, C-3 and C-4 zoned properties combined outside the Medical Marihuana Overlay Districts; Within the Cesar Chavez and Walton Blvd Overlay Districts Provisioning Centers are located in the C-3, M-1 and M-2 zoning districts; and

WHEREAS, Ordinance 2363 states Medical Marihuana Safety Compliance uses are permitted in the Cesar Chavez, Walton Blvd and C-2 Downtown Medical Marihuana Overlay Districts and in the C-1, C-3, C-4, M-1 and M-2 zoning districts outside the Medical Marihuana Overlay Districts; and

WHEREAS, Ordinance 2363 states Medical Marihuana Secure Transporter uses are permitted in the Cesar Chavez, Walton Blvd and C-2 Downtown Medical Marihuana and in the C-1, C-2, C-3, C-4, M-1 and M-2 zoning districts outside the Medical Marihuana Overlay Districts; and

WHEREAS, Ordinance 2357(B) section 9 (j) states that the clerk may engage professional expert assistance in performing the clerk's duties and responsibilities under this ordinance; and

WHEREAS, the clerk has selected and the City has retained the following professional experts to assist the clerk in performing his duties, Robert Huth, Jr. Esq, Kirk, Huth, Lange and Badalamenti, PLC Professional Expert – Legal Advisor to the City Clerk, Sherman Taylor, JD CPA, SRT Consulting, LLC Professional Expert – Financial Advisor to the City Clerk, Jill Bahm, AICP Giffels-Webster Professional Expert – Planning Advisor to the City Clerk, Brian Stair, Global Alliance Protective Group, LLC Professional Expert – Security Consultant to the City Clerk; and

WHEREAS, the following members of the Administration are a part of the review process Vern Gustafsson, Planning Manager, Dan Ringo, Interim DPW Director, Patrick Brzozowski, Code Enforcement Manager, Sekar Bawa, Treasurer, and Larry Kosofsky, Income Tax Administrator; and

WHEREAS, in order for the Office of the City Clerk to complete an initial review by March 31, 2021 of all Medical Marihuana applications received by the City of Pontiac on before September 27, 2020, the Clerk will need all administration reviewers to complete their reviews by March 5, 2020; and

WHEREAS, all completed invoices submitted by professional experts shall be paid within two weeks of submission to the City; and

WHEREAS, after the initial review of an application, the City Clerk will inform applicants of one of the following (1) if they are awarded a conditional approval subject to, the fire department and the department of building and safety inspecting the proposed location for compliance with all state and local building, electrical, fire, mechanical and plumbing requirements and the proposed medical marihuana facility has been issued a certificate of occupancy and, if necessary, a building permit; (2) their application has deficiencies that need to be rectified if they are grower or processor or (3) application denial; and

WHEREAS, in the event an applicant is denied a permit and chooses to appeal the Clerk has named John Fraser, Esq, Grewal Law PLLC to serve as the Hearing Officer; and

WHEREAS, the Medical Marihuana Commission is the second step in the appeal process thereby necessitating the Mayor name the members of the Commission by February 5, 2021.

NOW THEREFORE BE IT RESOLVED, that the City Council requests the Mayor, to cease from interfering in the Medical Marihuana Review Process and for the City Attorney and Special Legal Counsel to cease from issuing the Interim City Clerk opinions that are in conflict with ordinances 2357(B) and 2363 as well as threats to the Interim City Clerk that he will not be afforded the protections and representations of the City's immunity and liability coverage.

C
PROPOSED
AMENDMENT
TO THE
AGENDA



City of Pontiac
OFFICIAL MEMORANDUM

Executive Branch

TO: Pontiac City Council

FROM: Mayor Deirdre Waterman, Mayor, at the request of
Dan Ringo, Interim Director of DPW

DATE: February 2nd 2021

RE: **Resolution to approve the City of Pontiac participation in The North
Oakland Household Hazardous Waste Consortium**

WHEREAS, the northern cities, villages, and townships in Oakland County are committed to protection of the natural environment and preventing toxic materials from entering our waterways and landfill resources; and

WHEREAS, the improper handling and disposal of toxic and poisonous household chemicals also poses a health risk to our citizens; and

WHEREAS, recognizing there is a need to provide regular and easily accessible household hazardous waste collection services to North Oakland County residents; and

WHEREAS, collection events for household hazardous waste have become widely accepted as the best way to provide citizens with a safe method of disposal of these toxic and poisonous household chemicals, and for the communities to realize the economies of scale, and

WHEREAS, Oakland County, through its Planning and Local Business Development Division, has joined these northern Oakland County communities in creating the North Oakland Household Hazardous Waste Consortium (NoHaz), and

WHEREAS, the NoHaz Consortium has developed a household hazardous waste collection program, and

WHEREAS, a NoHaz Interlocal Agreement has been drafted to address necessary legal, liability, and responsibility issues for both the County and the participating communities, and identifies Oakland County's role in administering and managing the NoHaz program, and,

WHEREAS, the NoHaz Interlocal agreement establishes a NoHaz advisory board to assist and advise Oakland County in the development of the NoHaz program.

Now Therefore be it Resolved: That our community, City of Pontiac, Michigan, hereby approves the attached NoHaz Interlocal Agreement and authorizes its signature, and

Be it Further Resolved: That we will not charge residents to participate in NoHaz events in 2021, and

Be it Further Resolved: That we hereby appoint **Dan Ringo** as our official representative to the NoHaz Advisory Board, to work with the Oakland County Planning and Local Business Development Division as needed to plan the NoHaz program for 2021.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the Pontiac City Council, at a regular meeting held on February 2, 2021.

D
PROPOSED
AMENDMENT
TO THE
AGENDA



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Dan Ringo, Interim Director of Public Works

DATE: February 2nd 2021

RE: **Resolution to approve extending the METRO Act Permit Agreement between AT&T and the City of Pontiac**

On March 14, 2002 three bills were signed into law to stimulate the availability of affordable high-speed Internet connections. Act 48 of the Public Acts of 2002 created the Metropolitan Extension Telecommunication Rights-of-Way Oversight (METRO) Authority, whose purpose was to assist telecommunication providers cut through red tape and obtain permits without having to pay excessive fees or endure unnecessary delays. Under Public Act 88 of 2014, the Local Community Stabilization Authority assumed the role of the METRO Authority.

This is a resolution for Council to approve extending the existing METRO Act Permit issued by the Pontiac City/Oakland County to Michigan Bell Telephone Company d/b/a AT&T Michigan ("AT&T") which expired on September 30, 2020. The extension is for a term to end on September 30, 2025. If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the address on this letterhead. Upon receipt AT&T will acknowledge and return one copy for your files. Additional information regarding this renewal request may be found at <http://www.michigan.gov/mpsc>. Please click on Telecommunications, METRO Act/Right of Way, and AT&T 5 Year permit extension.

WHEREAS, Council remains in support of the intent and purpose of the METRO Act and agree to extend necessary permits as allowed under the agreement between AT&T and the City of Pontiac.

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to extend the existing METRO Act Permit issued by the Pontiac City Council which expired on September 30, 2020. This extension will last for 5 years and not expire until September 30, 2025.

dr

Attachments.



AT&T Michigan
Angela Wesson
METRO Act Administrator
54 N. Mill Street
Mailbox #30
Pontiac, MI 48342

March 1, 2020
Resend: July 10, 2020

Pontiac City
47450 Woodward Ave
Pontiac, MI 48342

METRO ACT RIGHT OF WAY PERMIT EXTENSION

Dear Pontiac City,

This is a letter agreement which extends the existing METRO Act Permit issued by the Pontiac City/Oakland County to Michigan Bell Telephone Company d/b/a AT&T Michigan ("AT&T") which expires on September 30, 2020. The extension is for a term to end on September 30, 2025.

If this is agreeable, please sign both copies of the extension letter agreement in the place provided below and return to AT&T Michigan at the address on this letterhead. Upon receipt AT&T will acknowledge and return one copy for your files.

Additional information regarding this renewal request may be found at <http://www.michigan.gov/mpsc>. Please click on Telecommunications, METRO Act/Right of Way, and AT&T 5 Year permit extension.

We would appreciate return of the signed copies within 30 days of receiving this request. Your cooperation is appreciated.

If you have any questions feel free to contact Ms. Angela Wesson via e-mail, AD3245@att.com or 248-456-0361.

Agreed to by and on behalf of the
Pontiac City

**Michigan Bell Telephone Company d/b/a
AT&T** acknowledges receipt of this

Permit Extension granted by the municipality.

By: _____
Signature

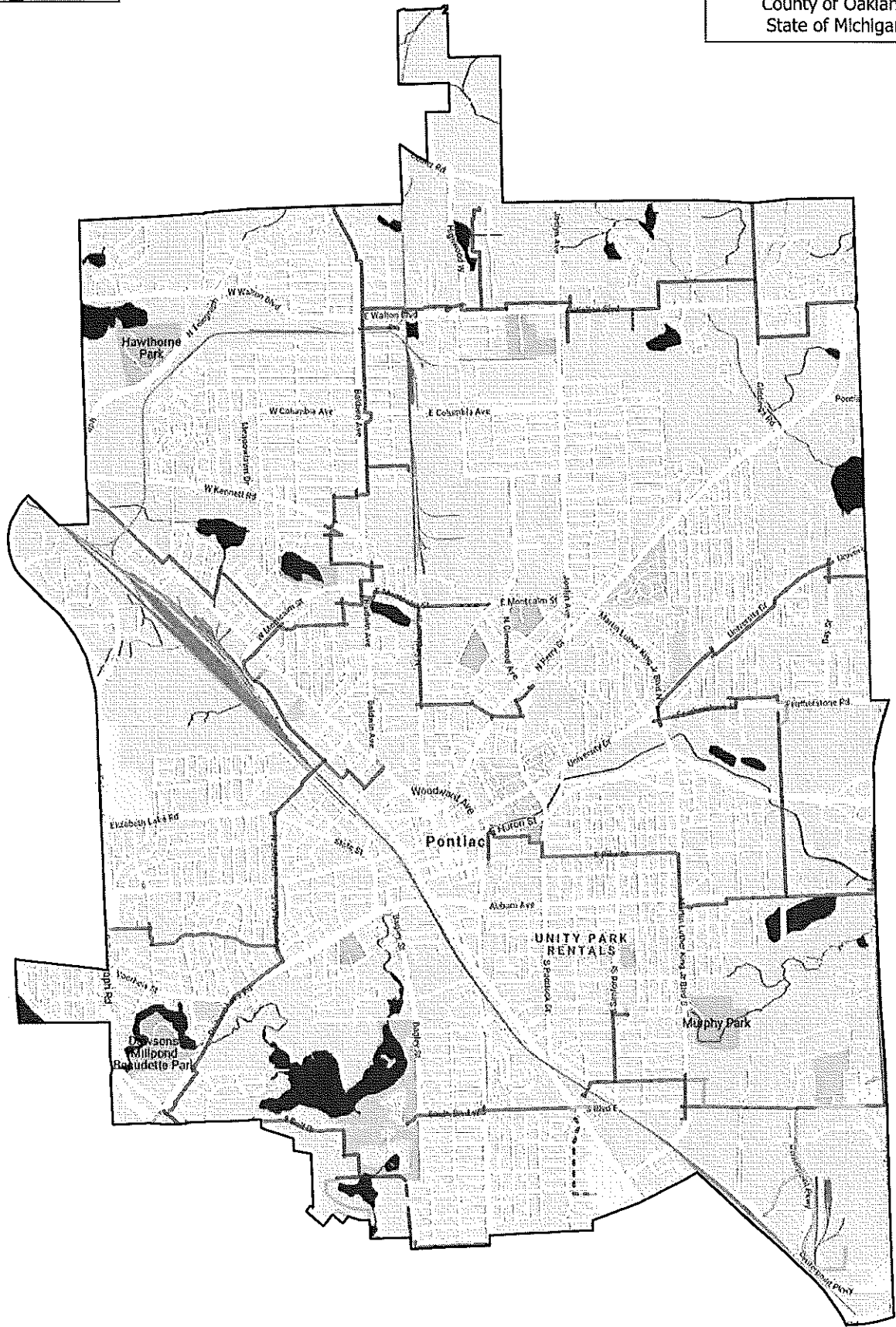
By: _____
Angela Wesson

Its: _____

Its: METRO Act Administrator

Date: _____

Date: _____



Total Miles - 32.79
— Existing Aerial - 28.27
--- Existing Conduit - 3.79
..... Pending Conduit - 0.11
--- Additional Aerial - 0.48
--- Additional Conduit - 0.14



Updated 12/14/2020

CONFIDENTIAL - FOR MUNICIPALITY REVIEW AND NOT DISTRIBUTION

#1

MINUTES

**Official Proceedings
Pontiac City Council
211th Session of the Tenth Council**

Call to order

A Study Session of the City Council of Pontiac, Michigan was called to order electronically, on Tuesday January 26, 2021 at 6:00 p.m. by Council President Kermit Williams.

Roll Call

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

Member Absent: Miller
Mayor Waterman was present.
Clerk announced a quorum.

Excuse Councilmembers

21-1 **Motion to excuse Councilmember Gloria Miller for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Waterman.

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

No: Pietila

Motion Carried

Councilmember Gloria Miller arrived at 6:07 p.m. remotely in Pontiac, MI

Amendments to and Approval of the Agenda

21-2 **Motion to remove item #5 from the agenda.** Moved by Councilperson Waterman and second by Councilperson Miller.

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

No: None

Motion Carried

21-3 **Approval of the Agenda as amended.** Moved by Councilperson Waterman and second by Councilperson Pietila.

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

No: None

Motion Carried

Approval of the Minutes

January 26, 2021 Study

21-4 **Approve the meeting minutes with correction to Council Member Pietila location Pontiac, Oakland County, MI for January 26, 2021.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried

Public Comment

Seven Four (7) individuals submitted a public comment read by the City Clerk

Suspend the rules

21-5 **Suspend the rules to vote.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: Miller

Motion Carried

Resolution

Information Technology

21-6 **Resolution to approve the update of the City of Pontiac's current Shore Tel Phone System to a cloud based "Ring Central" system.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Whereas, The City of Pontiac currently uses a phone system that is nearly a decade old and can no longer be expanded to meet the growing needs of the City; and

Whereas, The City can utilize a cloud-based Ring Central system that will result in a savings to the City; and

Whereas, the costs will be a one-time professional services cost of \$7,350, a one-time hardware cost of \$15,573.16, and a 3-year operating agreement for 143 licenses at a total cost of \$32,993.76 per year; and
Whereas, this represents a savings of approximately \$27,000 in services fees from the current system as provided by AT&T;

Now, Therefore, hereby be it resolved that the Pontiac City Council approves the purchase of the Ring Central system and associated costs including a one-time professional services cost of \$7,350, a one-time hardware cost of \$15,573.16, and a 3-year operating agreement for 143 licenses at a total cost of \$32,993.76 per year; and authorizes the Mayor to enter into the agreements to complete this transaction.

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

No: None

Resolution Passed.

Suspend the rules

21-7 **Suspend the rules to vote on Parks and Recreation Master Plan.** Moved by Councilperson Miller and second by Councilperson Carter.

Ayes: Carter and Miller

No: Pietila, Shramski, Taylor-Burks, Waterman and Williams

Motion Failed.

January 26, 2021 Study

21-8 **Suspend the rules to schedule a Special Meeting.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

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

21-9 **Motion to schedule a Special Meeting on Friday, January 29, 2021 at 9am to approve Parks and Recreation Master Plan with removal of Hidden River Park from the Plan & Kaboom Grant Reimbursement.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

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

Councilmember Gloria Miller left the meeting.

21-10 **Suspend the rules to vote on items #8 and #9.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

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

Resolutions

Planning

21-11 **Resolution to approve Updated Downtown Pontiac Social District.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Whereas, in accordance with Public Act 124 of 2020 on the establishment of Social Districts within a Michigan City; and

Whereas, COV-19 pandemic has caused unprecedented economic disruption worldwide and within our downtown business community; and

Whereas, restaurants, breweries, and bars, which are key contributors to the historic development/redevelopment of Downtown, have been and will continue to be hard hit by the economic impact of the pandemic; and

Whereas, increasing availability of outdoor spaces for dining and drinking will help the downtown and its businesses recover; and

Whereas, Public Act 124 of 2020 empowers local governments like the City of Pontiac to enhance its downtown, the Social District and accompanying Common Areas where purchasers may consume and possess alcoholic beverages sold by multiple qualified Michigan Liquor Control Commission licensees who obtained Social District Permits; and

Whereas, the Pontiac City Council has received requests to designate a Downtown Pontiac Social District; and

Whereas, the Pontiac City Council has considered the potential impact of the requested Social District on the public health, safety and welfare of the city; and

Whereas, the Pontiac City Council desires to designate a Downtown Pontiac Social District with Common Areas.

Now Therefore, Be It Resolved,

1. That Downtown Pontiac Social District boundary and Common Areas are designated on the map, and
2. The Social District and Common Areas have a least two qualified, participating and permitted Michigan Liquor Control Commission licenses, and
3. That signs will be placed to clearly define and mark the limits of the Common Areas, and
4. The management and maintenance of the Downtown Pontiac Social District Common Areas shall be conducted in accordance with the attached Management & Maintenance Plan, and
5. That the Downtown Pontiac Social District and Common Areas shall be maintained in a manner that protects the health and safety of the city, and
6. That, if the Common Areas are deemed to be a public health and safety concern, a public hearing revoking the designation will be held before the Pontiac City Council in accordance with Public Act 124 of 2020.

Be it Further Resolved, that the Mayor and Interim City Clerk are hereby authorized to execute all documents necessary to file the Downtown Pontiac Social District and Common Areas Map and the Management and Maintenance Plan with the Michigan Liquor Control Commission.

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

No: None

Resolution Passed.

21-12 Resolution to approve Updated Downtown Pontiac Social District Permit Applications. Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Whereas, in accordance with Public Act 124 of 2020 on the establishment of Social Districts within a Michigan City; and

Whereas, COVID-19 pandemic has caused unprecedented economic disruption worldwide and within our downtown business community; and

Whereas, restaurants, breweries, and bars, which are key contributors to the historic development/redevelopment of Downtown, have been and will continue to be hard hit by the economic impact of the pandemic; and

Whereas, increasing availability of outdoor spaces for dining and drinking will help the downtown and its businesses recover; and

Whereas, Public Act 124 of 2020 empowers local governments like the City of Pontiac to enhance its downtown, the Social District and accompanying Common Areas where purchasers may consume and possess alcoholic beverages sold by multiple qualified Michigan Liquor Control Commission licensees who obtained Social District Permits; and

Whereas, the Pontiac City Council has designated a Downtown Pontiac Social District and Common Areas; and

Whereas, the City has received requests from multiple qualified licensees to recommend approval of their Social District permit applications by the Michigan Liquor Control Commission; and

Whereas, the licensed establishments are contiguous to the Common Areas within the Social District; and
Whereas, the Pontiac City Council desires to recommend approval of the Social District Permit applications,

Now Therefore, Be It Resolved that:

1. The Social District Permit applications from the following licensees are recommended by the Pontiac City Council for consideration and approval by the Michigan Liquor Control Commission:
 - a. MARIMAR LLC dba N. Saginaw Alley Cat Café – 31 N Saginaw
 - b. Strand Events, LLC, dba Charlene's Theater Bar – 12 N Saginaw
 - c. Elektriccity Events LLC, dba Elektriccity – 15 S Saginaw

- d. Exferimentation Brewing Company, dba Exferimentation Brewing Company – 7 N Saginaw
 - e. Fillmore 13 Brewery LLC, dba Fillmore 13 Brewery – 7 N Saginaw
 - f. 47 North, Inc., dba Green Room Café – 47 N Saginaw
 - g. Kosch Enterprises Inc., dba Lafayette Grande – 1 Lafayette
 - h. Lafayette Market, LLC dba, Lafayette Market – 154 N Saginaw
 - i. LBP Entertainment Group, LLC, dba Liberty Bar – 85 N Saginaw
 - j. Little MO LLC, dba Little MO – 51 N Saginaw
 - k. Pike Street Pool LLC, dba Crofoot Ballroom – 1 S Saginaw
 - l. Strand Events LLC, dba Strand Theatre Restaurant – 12 N Saginaw
2. The Interim Clerk is authorized and directed to provide each applicant with a certification of this action in the form specified by the Michigan Liquor Control Commission.

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

No: None

Resolution Passed.

Adjournment

President Kermit Williams adjourned the meeting at 8:04 p.m.

GARLAND S DOYLE
INTERIM CITY CLERK

#2

SUB

COMMITTEE

REPORT

Council members: Chair Gloria Miller and Megan Shramski
Director of Economic Development: Linnette Phillips

Start: 10:02 a.m.

Community Development Subcommittee Notes

January 19, 2021

I. Wade Trim Contract

- Referred to both law and finance subcommittees.
- The contract dated December 22, 2017 was presented and nothing additional.

II. The Woodward Loop

- MDOT is looking to expand the loop. A map was provided to show what that is.
- M-1 is an MDOT Road.
- The road belongs to the State and not to the City.
- Questions: if MDOT does not need approval, why bring it to Council and if MDOT can do this themselves and the City does not pass it, could MDOT do it anyway?
- The purpose of bringing the agenda item was to keep the committee aware.
- How much is needed for the project? It is in the Planning stages. There is some expense involved?
- MDOT has not been beholding to their word.
- This project will move along.
- Question: How would the project affect the Phoenix Center? Economic Development has been spurred. There was some past information provided to Council that explained that there could be physical construction of the Phoenix Center which would either, incorporate the Phoenix Center as a gateway or demolish a portion.
- Could be speculation.
- MDOT has a different director.
- Question: Is there a status update of the resolution Council passed requesting MDOT to undo the bike lanes in which they agreed to pay the expense?
- MDOT has community engagement and they would provided any drawings or information.

Adjourned 10:16

#3

SUB

COMMITTEE

REPORT

Council members: Chair Doris Taylor-Burks, Megan Shramski and President Kermit Williams

Mayor: Deirdre Waterman

DPW Director: Dan Ringo

Deputy DPW Director: Al Cooley III

City Engineer: Abdul H Siddiqui, P.E.

Start: 1:50 p.m.

DEPARTMENT OF PUBLIC WORKS SUBCOMMITTEE NOTES

January 22, 2021

I. Council Chamber Chair Removal

The Mayor purchased chairs and they have been placed 6 feet apart.

Currently, every Council member cannot sit at the dias and plexiglass needs to be erected. There has not been any discussion about this.

Question: Where did the deplorable chairs come from? They are second hand. The question was whether to spend money right now or wait until later. Stadium chairs are temporary.

It was explained that an assessment was done of the Council chambers, but because Council has decided to meet virtually, the chairs are temporary.

Council passed two resolutions requesting that the old chairs be removed and replaced with vinyl. The latter resolution requested that the cost be submitted to Oakland County to be included in the CARES Grant along with the cleaning of the airducts. That was not done. An administrative decision was made not to.

What about the broadcast studio? Council still wants to do it. The equipment is old. 20 years old. The issue will be brought before Council to do fiberoptics.

II. MDOT Letter

Met with the MDOT director regarding Perry St. Explained that we would be spending our own money to put the lanes back and purchase permit. MDOT said it would not be a safe configuration and will not issue a permit.

III. Woodward Ave. Support Letter

MDOT is going to go forward with the project regardless. The Administration will ask individual Council members to provide support, but if four Council members agree, then they will ask for a resolution.

Question: Is money needed for the project. Answer: YES

The MDOT Director will come on Feb 2 for special presentation to address the bike lanes. He has been a part of MDOT for 25 years. Implementation of bike lanes. Experience with Pontiac and MDOT goes way back.

Perry St is a part of a system of roads. Extensive studies. MDOT said that five lane streets are dangerous. What about a buffer or delineation of the lane?

IV. Other Issues

1. On the corner of Clifford and Osmun, there is dumping and six dogs have been buried there over the course of a year.
2. Citizen Request for Action: Street lights are out at 753 Owego and lamp post, Ottawa and Menominee.
3. Dead Trees: 37 Ottawa, 151 Ontario and 105 E. Iroquois. Also, 175 Victory Drive. The tree might fall with a large wind onto the property owners home. Trees need to be cut and have been on the list. DPW will get to reported issues as soon as possible. There are a lot of dead trees and a number of them are not budgeted to be cut down regardless of how long they have been on the list. There is a level of priority given. Imminent to life and property. A level of understanding to be provided to citizens when trees are reported.

DPW is a very fluid department.

A tracking system should be put in place to reflect which issues have been evaluated, how long the issue has been on the list and which issues have not been evaluated.

Adjourned: 2:45 p.m.

#4

**SPECIAL
PRESENTATION**



Office of the City Clerk
Garland S. Doyle
Interim City Clerk
(248) 758-3200

Medical Marihuana Review Process Update

- 1) Monthly Application Status Update
- 2) City Clerk's Citizen Monitoring Taskforce on Medical Marihuana Implementation

<https://pontiaccityclerk.com/medical-marihuana>

January 2021

Medical Marihuana Application Review Status Update

A Process that follows the ordinance as approved by the voters that is fair, transparent and has integrity.

Grower and Processor applicants that submitted their application by September 27, 2020 were issued letters about the status of their application on January 29, 2021.

Application Status	Number of Applicants as of January 29, 2021	Review Phase
Grower	8	6 in Phase 4 2 in Phase 1
Processor	3	2 in Phase 4 1 in Phase 1
Secure Transporter	1	Application Denied
Safety Compliance	0	
Provisioning – Cesar Chavez	17	17 in Phase 4
Provisioning – Downtown	23	23 in Phase 2 and 3
Provisioning – Non Overlay	48	48 in Phase 2 and 3
Provisioning – Walton Blvd	15	Ready for Phase 2

Reviewer	Reviews Completed	Under Review	Ready for Review
Financial Advisor	6 Grower, 2 Processor, 17 Cesar Chavez, 23 Downtown & 7 Non Overlay		41 Non Overlay
Income Tax	6 Grower, 2 Processor, 17 Cesar Chavez & 23 Downtown		48 Non Overlay
Marihuana Regulations (50 th District Court & Liability Insurance)	6 Grower, 2 Processor & 17 Cesar Chavez	23 Downtown	
Treasury	6 Grower, 2 Processor, 17 Cesar Chavez & 23 Downtown		48 Non Overlay



Office of the City Clerk
Garland S. Doyle
Interim City Clerk
(248) 758-3200

<http://pontiaccityclerk.com/medical-marihuana>

Reviewer	Reviews Completed	Under Review	Ready for Review
Code Enforcement	6 Grower, 2 Processor, 17 Cesar Chavez & 23 Downtown		48 Non Overlay
Planning	6 Grower & 2 Processor	17 Cesar Chavez & 23 Downtown	
City Clerk	6 Grower, 2 Processor & 17 Cesar Chavez	23 Downtown	
DPW	6 Grower, 2 Processor & 17 Cesar Chavez		23 Downtown
Security	6 Grower, 2 Processor, 17 Cesar Chavez & 23 Downtown		48 Non Overlay

Compliance	Reviews Completed	Under Review	Ready for Review
Legal Advisor	6 Grower & 2 Processor	17 Cesar Chavez	
Planning Advisor	6 Grower & 2 Processor	17 Cesar Chavez	

Unresolved Issues

1. The Planning Commission has not made a recommendation to the City Council about the proposed zoning map amendment to allow grower and processor facilities to locate outside of the Walton Blvd and Cesar Chavez Overlay Districts. The text amendment was submitted in January 2020. It has been seven months and still no action by the Planning Commission.

The Clerk will not be able to issue any grower or processor licenses (permits) outside of the Walton Blvd. & Cesar Chavez Overlay Districts until Ordinance 2363 the zoning ordinance for Medical Marihuana is amended. Conditional rezoning addresses non-conforming zoning issues. Conditional rezoning does not address the licensing statute in the zoning ordinance. The Clerk is obligated to follow ordinances as they are written. The Clerk will continue to review applications not affected by this issue.

2. The Planning Commission has not made a recommendation to the City Council about the proposed zoning text amendment regarding Hidden River being designated as a park. The text amendment was submitted in August of 2019. It is been over a year and still no action by the Planning Commission.

Phases

Type of Review

What happens during the review phase?

Review Phase 1

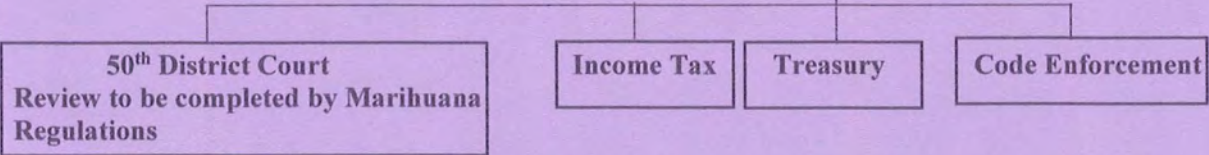
Content Review

Clerk staff will review application to make sure all information and exhibits have been submitted

Review Phase 2

Default Review

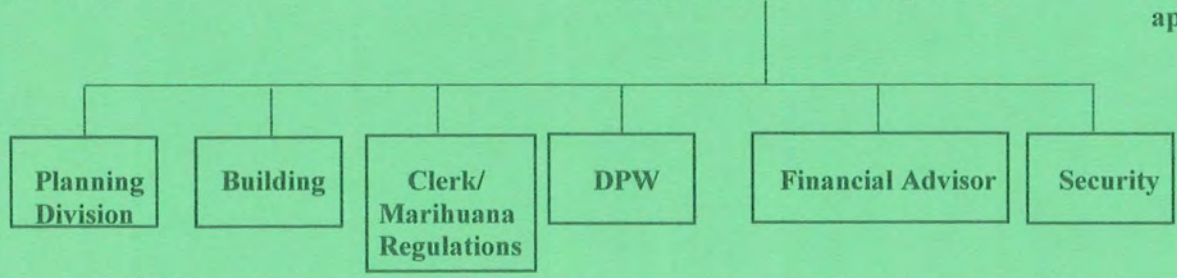
Staff from each department/division checks the applicant name and stakeholders to ensure they are not in default with the city



Review Phase 3

Evaluation and/or Scoring Review

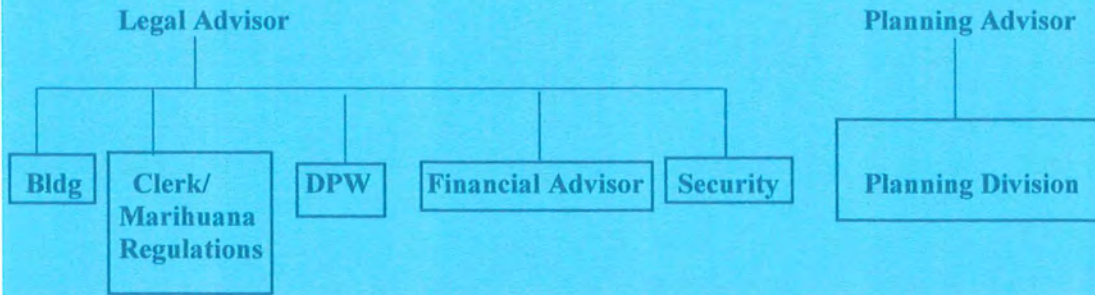
Evaluates and/or scores the relevant section of application



Review Phase 4

Compliance Review

Ensures that standards have been consistently applied by reviews



Review Phase 5

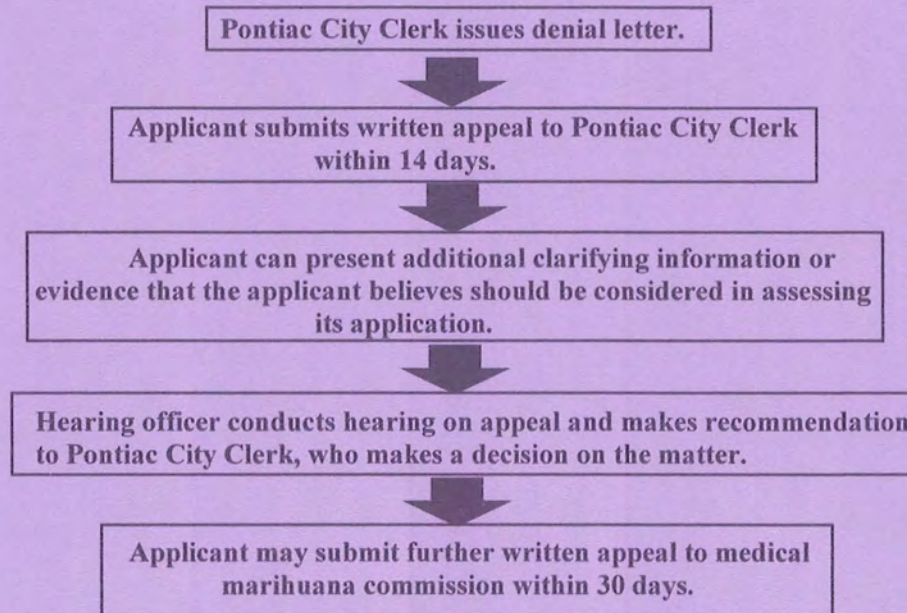
Background Check

Review Phase 6

Conditional Approval, Notice of Deficiencies or Application Denial

If applicant receives conditional approval, they advance to Phase 7

PROCESS FOR APPEAL



Review Phase 7

**Site Plan Approval and/if necessary Special
Exemption Approval**

Review Phase 8

**Certificate of Compliance/Occupancy from
Building and Fire**

Review Phase 9

**Clerk issues a permit provided you have been
issued your pre-qualification from the State of
Michigan**



CITY OF PONTIAC

City Clerk's Citizen Monitoring Taskforce on Medical Marihuana Implementation

Background

In 2018, Pontiac voters approved the City of Pontiac Medical Marihuana Facilities Ordinance (Ordinance 2357(B)) that gave the City Clerk the responsibility to review, evaluate and/or score applications. The City Clerk assembled a team of professional experts to assist him with the review of applications.

Ordinance 2357(B) allows the City to award no more than 20 provisioning center licenses using a 130 point scale. According to Ordinance 2363 the zoning ordinance, no more than 5 provisioning center permits will be awarded in the Cesar Chavez Overlay District. No more than 5 provisioning center permits will be awarded in Downtown. No more than 5 provisioning center permits will be awarded in the Walton Blvd Overlay District and no more than 5 permits will be awarded in the Non Overlay, for a total of 20 provisioning center licenses. In addition, the Clerk can award an unlimited number of permits for grower and processors if they, satisfactorily, fulfill the application requirements and will locate in either the Cesar Chavez or Walton Blvd Overlay Districts only. Safety Compliance and Secure Transporter permits can be awarded in each of three medical marihuana overlay districts as well as C-1, C-3, C-4, M-1 and M-2 zoned properties located outside of the Medical Marihuana Overlay Districts.

The City Clerk and the review team are wrapping up the review process, and will begin to announce the applicants that have been selected.

About the Taskforce

The Clerk is now forming a five (5) member volunteer citizen taskforce to assist him with monitoring the implementation of medical marihuana in the City of Pontiac. The taskforce will meet several times over the next year. The Clerk and taskforce will work to ensure Medical Marihuana Facilities fulfill the commitments that they made to the City regarding economic benefits, job creation, community outreach, resident safety, community impact and philanthropic and community improvement. The taskforce will work with the Clerk to develop a community benefits tracking system and make sure Medical Marihuana businesses are good neighbors in our community.

The five (5) member citizen taskforce will consist of one (1) representative from each of the three overlay districts (Cesar Chavez, Downtown and Walton Blvd) and two (2) citywide representatives (residents who do not reside in a medical marihuana overlay district). In order to apply to represent one of the overlay districts you must be a resident of that overlay district.

Office of the City Clerk 47450 Woodward Ave. Pontiac, MI 48342 (248) 758-3200

<http://pontiaccityclerk.com>

Ordinance 2363

Medical Marihuana

Cesar Chavez Overlay District Map (1 Resident Representative)



To see full map visit <https://pontiaccityclerk.com/medical-marihuana>

Ordinance 2363

Medical Marihuana

Downtown Overlay District Map (1 Resident Representative)



To see full map visit <https://pontiaccityclerk.com/medical-marihuana>



**Pontiac City Clerk Citizen Monitoring Taskforce on Medical Marihuana Implementation
Applications are due February 28, 2021**

Please check one only:

- Cesar Chavez Resident Representative Downtown Resident Representative
 Walton Blvd Resident Representative Citywide Resident Representative

DATE _____

NAME _____

ADDRESS _____ ZIP _____

PHONE(home) _____ PHONE(business or cell) _____

EMAIL _____

OCCUPATION _____

How long have you resided at this address? _____

Do you currently serve on any City of Pontiac Boards or Commissions (i.e. Board of Appeals, Arts Commission, etc.) Yes No

If yes, please list all boards and commissions

Please explain why you would like to serve on the taskforce.

Please explain how your previous job or volunteer experience would make you a good candidate for the taskforce.

Boards/commissions/committees on which you have served (list municipalities and dates)

Elective offices that you have held

Other organizations pertinent education hobbies/interests

Additional information

Please return completed form and resume (resume submission is optional) to: City of Pontiac, Clerk's Office, 47450 Woodward Avenue, Pontiac, MI 48342 or by e-mail to clerk@pontiac.mi.us no later than February 28, 2021.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST

In order to avoid any potential conflict of interest, I, the undersigned, agree not to be involved in any recommendations or decision making regarding any agency (ies) or entity (ies) for which I serve in the following capacity (ies) which may contract or subcontract with the City of Pontiac.

Agency: _____

Capacity in Which I Serve: _____

Signature: _____ Date: _____

The five (5) residents selected to serve on the taskforce will be announced in March 2021.

#6

**SPECIAL
PRESENTATION**



BOYS & GIRLS CLUBS
OF SOUTHEASTERN MICHIGAN

PONTIAC YOUTH RECREATION & ENRICHMENT CENTER (PYREC)

PYREC PRESENTATION

Presented by

Mayor Deirdre Waterman, Gavin McGuire (BGCSM Chief Operating Officer,)
Robert Burch (PYREC Assistant Manager) &
Tiffany Sula (BGCSM Program Director)

PONTIAC YOUTH RECREATION & ENRICHMENT CENTER (PYREC)



SAFETY/COVID-19 PRECAUTIONS

- Temperature & safety/health checks to all staff, youth and guests upon entry to the building.
- Face masks worn at all times by staff, youth and guests.
- All program areas cleaned & sanitized hourly and logged.
- Permitting any sickness, staff or youth will not be able to return for 14 days without a negative test or note from a doctor.
- Emergency protocols posted in all program areas.
- Separate emergency/isolation room for sick youth awaiting pick-up.
- 10:1 staff VS. Youth ratio.
- 50 youth limited in the building at any given time.
- Limit of personal belongings in building.



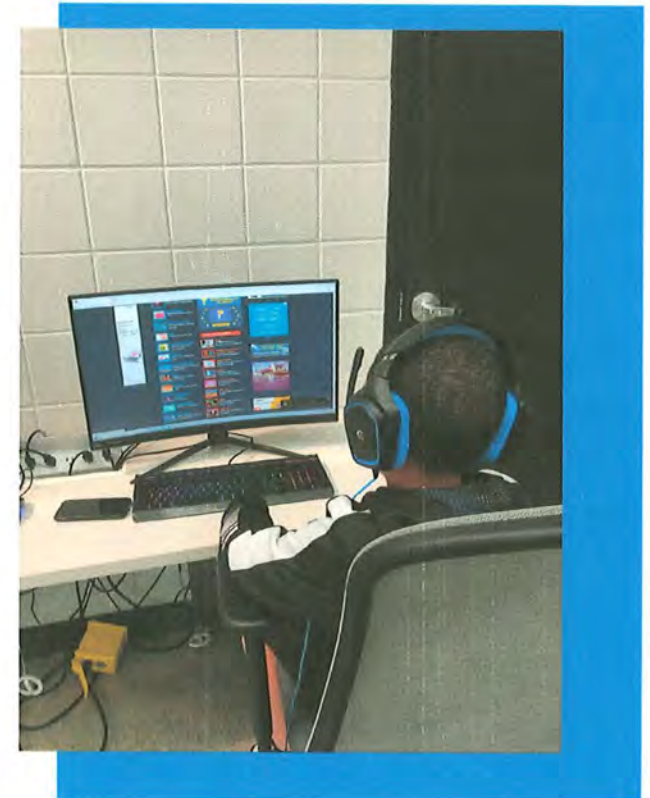
PYREC STATS



- Average Daily Attendance of 22 members.
- 89 members registered since 10/30/2020.
- 11/9/2020 to 1/11/2021 we have provided 250 hours of guided learning to youth.
- 11/9/2020 to 1/11/2021 we have served 797 meals to youth.
- In December 2020 PYREC has had a total of 1,047 of program hours.
- We have provided 111 hours of Mindfulness that helps to grow social and emotional growth.

OVERVIEW SCHEDULE FOR THE DAY AT PYREC


- Breakfast and Lunch provided to all youth.
- AM Programming (7:30am-3pm)
 - Focused around educational enrichment/schoolwork.
 - Learning Pods -up to 5 classrooms with up to 10 youth and 1 Academic Support Specialist.
- PM Programming (3pm-6pm)
 - Homework Help
 - Traditional recreational programming
 - Virtual Programming
 - Program partners
- Virtual Programming (3-5pm)
 - Tutoring
 - Physical Education/Skill Camps
 - Arts & Crafts
 - Program Partners



PROGRAM FLYERS

Does your child need tutoring or academic support?

Register today for Pontiac Youth Recreation & Enrichment Center's virtual or in person tutoring by using the link below or calling (248)758-3400!
<https://bgcsm.org/pontiac-club/>



Gift Cards

Holiday Packages

PYREC Gear

All youth that register now until February 25, 2021 will be entered into a weekly live drawing on PYREC's Facebook Page.



VIRTUAL REC PROGRAMS

WHEN
Starting December 14, 2020
Monday through Friday
3:00-6:00pm

WHERE
Via Zoom
Meeting ID: 784 871 4429

REGISTER AT
[HTTPS://BGCSSM.ORG/PONTIAC-CLUB/](https://bgcsm.org/pontiac-club/)

SCHEDULE OF PROGRAMS

HOMEWORK HELP/TUTORING
MON-FRI
3:00-3:00PM

PHYSICAL EDUCATION/ SKILLS CAMPS
MON-FRI
3:30-4:00pm

PAL SOCCER
(SEPARATE LINK)
TUES & THURS
4.4.45pm

Arts & Crafts
MON-FRI
4-5pm

PROGRAM INCENTIVES FOR REGISTERING

Facebook live drawings weekly for registering in person or virtually. 3 Winners each week.

- December 22, 2020 drawing for toy bundle.
 - Antonio E.
 - Juan H.
 - True M.
- January 7, 2021 drawing for sports bundles. 3 winners
 - Willie A.
 - Love E.
 - Jevell J.
- January 14, 2021 drawing for game night bundles.
 - 1.Hayden Painter
 - 2.Travis McCurrie
 - 3.Hazel Randall
- January 21, 2021 drawing for art bundles.
 - Japera D.
 - Jemell L.
 - Brandon T.



#7

ORDINANCE

Founded in 1852
by Sidney Davy Miller



MICHIGAN
ILLINOIS
NEW YORK
OHIO
WASHINGTON, D.C.
CANADA
CHINA
MEXICO
POLAND
QATAR

SAMANTHA A. KOPACZ
TEL (248) 267-3223
FAX (248) 879-2001
E-MAIL kopacz@millercanfield.com

Miller, Canfield, Paddock and Stone, P.L.C.
840 West Long Lake Road, Suite 150
Troy, Michigan 48098
TEL (248) 879-2000
FAX (248) 879-2001
www.millercanfield.com

January 20, 2021

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

Re: (1) Proposed Ordinance to Amend the City of Pontiac General Employees' Retirement System; and (2) Proposed Ordinance to Establish the City of Pontiac Reestablished General Employees' Retirement System

Dear Honorable Council:

As you are aware, the City of Pontiac (the "City") entered into an innovative settlement agreement with a class of retirees ("CPREA") related to City funding of retiree health benefits in the United States District Court for the Eastern District of Michigan Case No. 2:12-cv-12830 (the "Settlement Agreement"). The terms of the Settlement Agreement generally dictate that, subject to approval by the Internal Revenue Service (the "IRS"), the City will terminate the General Employees' Retirement System (the "GERS"), establish a new defined benefit plan under Internal Revenue Code ("Code") §401(a) (which will assume all of the pension liabilities of the GERS plus have an initial "substantial cushion") (the "Reestablished GERS"), and establish a voluntary employees' beneficiary association under Code §501(c)(9) (the "VEBA"). In order to effectuate the Settlement Agreement, Miller Canfield made submissions to the IRS on behalf of the City (collectively, the "IRS Submissions") on May 22, 2020. Copies of the IRS Submissions were previously made available to the Honorable Council.

Of relevance to the Honorable Council today are the IRS Submissions related to (1) the City of Pontiac General Employees' Retirement System Application for Determination for Terminating Plan (IRS Form 5310) ("GERS Termination Application"); and (2) the City of Pontiac Reestablished General Employees' Retirement System Application for Determination for Employee Benefit Plan (IRS Form 5300) ("Reestablished GERS Application").

In December 2020, the City received correspondence from the IRS indicating that the IRS had completed its initial review of the GERS Termination Application and Reestablished GERS Application and had forwarded the two applications to its Quality Assurance division for final review. The Quality Assurance division takes a second look at the applications to ensure that the initial reviewer processed the applications according to IRS guidelines. On January 7, 2021, the City received correspondence from the IRS (enclosed) indicating that it needs the Honorable Council to (1) amend Section 92-52(c)(3) of the GERS (and corresponding section of the Reestablished GERS) to address a technical requirement of the Internal Revenue Code; and

Pontiac City Council

-2-

January 20, 2021

(2) formally establish the Reestablished GERS with an effective date ("IRS Request"). In this regard, enclosed are two proposed ordinances:

1. Proposed Ordinance to Amend the GERS
 - 92-52(c)(3). Amended to provide that a non-spouse beneficiary may only directly roll over distributions from a qualified plan to an individual retirement account.
2. Proposed Ordinance to Establish the Reestablished GERS
 - Establishes the Reestablished GERS effective April 1, 2021 (as previously agreed to by the City and the GERS Board).
 - As required by the Settlement Agreement, the Reestablished GERS is intended to provide benefits identical to those available from the GERS.

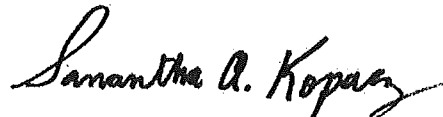
Legal counsel to the GERS Board recently reviewed the provisions updated to reflect the IRS Request (see enclosed correspondence). Thus, it is understood that the GERS Board concurs with the two proposed ordinances.

In order to permit the IRS to issue determination letters related to the GERS Termination Application and Reestablished GERS Application and effectuate the Settlement Agreement, we recommend and respectfully request that the Honorable Council adopt the two proposed ordinances. The IRS has requested that City Council take action in this regard as soon as possible. An IRS representative has verbally represented that once these proposed ordinances are adopted, it will fast track the final approval process to ensure that the City has determination letters related to both applications prior to the March 31, 2021 GERS termination date.

Please contact me with any questions.

Very truly yours,

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



By: _____
Samantha A. Kopacz

SAK/reu

Enclosures

cc: Dr. Deirdre Waterman, Mayor of City of Pontiac
John Clark, Esq.

37091450.1/071371.00075
01/20/21



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council Members

FROM: Mayor Deirdre Waterman, Attorney Samatha Kopacz, Miller Canfield

DATE: January 20, 2021

RE: *ORDINANCE TO AMEND THE CITY OF PONTIAC GENERAL EMPLOYEES' RETIREMENT SYSTEM.*

The City of Pontiac ordains:

Section 1. Amendments.

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

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

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

Section 2. Severability.

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

Section 3. Repealer.

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

Section 4. Publication.

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

Section 5. Effective Date.

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

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Pontiac at a regular Council Meeting held electronically in said City on the ____ day of _____, 2021.

Garland S. Doyle, Interim City Clerk

37091770.1/071371.00075
01/20/21

#8

ORDINANCE



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council Members

FROM: Mayor Deirdre Waterman, Attorney Samatha Kopacz, Miller Canfield

DATE: January 20, 2021

RE: *AN ORDINANCE ESTABLISHING THE CITY OF PONTIAC REESTABLISHED GENERAL EMPL*

OYEEES' RETIREMENT SYSTEM TO REPLACE THE CITY OF PONTIAC GENERAL EMPLOYEES' RETIREMENT SYSTEM.

Ordinance No. XXXX

The City of Pontiac ordains:

Section 1. Amendments.

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

CITY OF PONTIAC REESTABLISHED GENERAL EMPLOYEES' RETIREMENT SYSTEM

SECTION 1 NAME AND EFFECTIVE DATE

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

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

SECTION 2 DEFINITIONS

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

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

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

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

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

Annuity Savings Fund means the fund described in Section 32.

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

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

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

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

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

benefit accruals in years beginning after December 31, 2001, the Annual Compensation limit for determination periods beginning before January 1, 2002, shall be \$150,000.00 for any determination period beginning in 1996 or earlier; \$160,000.00 for any determination period beginning in 1997, 1998, or 1999; and \$170,000.00 for any determination period beginning in 2000 or 2001. The \$200,000.00 limit on Annual Compensation shall be adjusted for cost-of-living increases in accordance with section 401(a)(17)(B) of the Internal Revenue Code. The cost-of-living adjustment in effect for a calendar year applies to Annual Compensation for the determination period that begins with or within such calendar year.

Council means the Pontiac City Council.

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

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

Effective Date means April 1, 2021.

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

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

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

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

(d) For purposes of calculating Final Average Compensation, the term *year* shall mean

the period of time consisting of 365 days (366 days in a leap year) corresponding back from the Member's effective Retirement/separation date. In the event the Member's periods of Service immediately preceding the Member's effective Retirement/separation date do not result in the highest Final Average Compensation, the Member's benefits will be calculated based upon a calendar year basis. The periods of time to be used for Final Average Compensation shall be consecutive. Compensation shall be credited to the period in which it is paid; however, retroactive pay, if any, shall be credited to the period(s) in which it would have been paid/earned and not to the period in which the lump sum payment is received in accordance with Board's final average compensation policy.

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

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

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

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

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

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

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

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

Membership has the meaning set forth in Section 11.

Membership Service means Service rendered after December 31, 1945.

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

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

the Board shall from time to time adopt.

Pension Reserve Fund means the fund described in Section 34.

PGH means the Pontiac General Hospital.

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

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

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

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

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

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

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

Retirement Reserve Fund means the fund described in Section 33.

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

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

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

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

Trustee means an individual serving on the Board.

Voluntary Retirement Age means age 55 years with 25 or more years of Credited Service, otherwise age 60 years. Voluntary Retirement Age shall be the age and/or service requirements specifically referenced in the applicable collective bargaining agreement.

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

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

SECTION 3

TRANSFER OF ASSETS / ASSUMPTION OF LIABILITIES AND OBLIGATIONS

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

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

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

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

SECTION 4

ADMINISTRATION OF RETIREMENT SYSTEM

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

- (a) A member of the Council to be selected by the Council.
- (b) The Mayor of the City.
- (c) The Finance Director of the City.

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

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

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

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

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

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

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

SECTION 5 APPLICABLE LAW

The Board shall administer this Retirement System consistent with the trust fund provisions, Article 9, Section 24, of the State of Michigan Constitution and other applicable law. The Board shall have the fiduciary obligations, limitations, and authority as provided by Public Act 314 of 1965 of the State statutes, as amended. The Board shall administer this Retirement System in accordance with applicable collective bargaining agreements; provided, that any increase in Pension benefits, provided by collective bargaining agreement or otherwise, shall be funded by

the employer; and provided further, that the assets of the Retirement System representing current service funding shall not be used to fund such increase in benefits.

SECTION 6
TRUSTEES' REGULAR TERM OF OFFICE—VACANCY

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

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

SECTION 7
MEETINGS OF THE BOARD—COMPENSATION—PROHIBITED ACTIONS

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

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

- (1) Having a beneficial interest, direct or indirect, in an investment of the Retirement System.
- (2) Borrowing money or assets of the Retirement System.
- (3) Receiving any pay or payment from any individual or organization providing services to the Retirement System, other than compensation for personal services or reimbursement of authorized expenses paid by the Retirement System.

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

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

SECTION 8
EACH TRUSTEE ENTITLED TO VOTE

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

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

SECTION 9
CHAIR OF BOARD—OFFICERS AND PROFESSIONAL ADVISORS

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

- (a) Secretary. The Director of Finance, ex officio, shall be the Secretary to the Board.
- (b) Treasurer. The Board may select a custodial bank or trust company to provide custodial services to the Retirement System. All payments from the funds of the Retirement System shall be made in accordance with law only upon resolution adopted by the Board authorizing such payment or payments.
- (c) Legal Advisor. An attorney selected by the Board shall be the legal advisor to the Board and shall serve at the pleasure of the Board.
- (d) Actuary. The Board shall appoint an actuary who shall be the technical advisor to the Board on matters regarding the operation of the Retirement System and who shall perform such other duties as are required in connection therewith.
- (e) Medical Director. The Board shall appoint as Medical Director a physician who is not eligible for Membership in the Retirement System, and who has not within five years prior to appointment as Medical Director filled an elective, appointive, or salaried office in the City or Oakland County governments; provided, that service as an intern in any City, County, or State hospital or sanitarium, and service in any military body, shall not disqualify a physician for appointment as Medical Director. The Medical Director shall be responsible to and shall hold office at the pleasure of the Board. The Medical Director shall arrange for and pass upon all medical examinations required under the provisions of this Retirement System; shall investigate all essential statements and certificates of a medical nature by or on behalf of a Member or Beneficiary in connection with an application for disability benefits or accidental death benefits; and shall report in writing to the Board his/her conclusions on matters referred to the Medical Director.

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

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

SECTION 10 SYSTEM RECORDS AND MORTALITY TABLES

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

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

SECTION 11 MEMBERSHIP

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

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

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

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

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

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

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

SECTION 12 SEPARATION AND RE-EMPLOYMENT

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

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

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

SECTION 13 SERVICE CREDITABLE

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

SECTION 14 ACTIVE MILITARY SERVICE

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

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

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

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

SECTION 15 MEMBERS' SERVICE ACCOUNT

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

SECTION 16 WRITTEN APPLICATION TO RETIRE

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

SECTION 17 PAYMENT OPTIONS

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 18 DEFERRED RETIREMENT

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

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

SECTION 19 REORGANIZATION/REDUCTION OF WORKFORCE 2003

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

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

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

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

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

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

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

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

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

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

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

SECTION 20
2000 POST RETIREMENT INCREASE

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

(b) *Temporary pension increase.*

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

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

SECTION 21
OPTIONAL FORMS OF PAYMENT

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

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

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

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

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

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

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

SECTION 22 OPTION 2 ELECTION

Any Member who continues in the Service of the City on or after the date he/she has ten or more years of Credited Service may, at any time prior to the effective date of his/her Retirement but

not thereafter, elect Option 2 provided for in Section 21, in the same manner as if the Member were then retiring from Service, and nominate a beneficiary who has an insurable interest in the life of the Member. Prior to the effective date of the Member's Retirement, a Member may revoke his/her said election of Option 2 and nomination of beneficiary and may again elect the said Option 2 and nominate a beneficiary as provided in this section. Upon the death of a Member who has an Option 2 election in force, his/her beneficiary, if living, shall immediately receive the same Retirement Allowance to which the said beneficiary would have been entitled if the said Member had retired the day preceding the date of his/her death, notwithstanding that the Member may not have attained his/her Voluntary Retirement Age; provided that the said Option 2 shall be applied to a Retirement Allowance computed according to Sections 17(a) and (b) for a beneficiary of a deceased Member, and according to Section 23 for a beneficiary of a deceased Member. If a Member has an Option 2 election in force at time of his/her Retirement, the Member's said election of Option 2 and nomination of beneficiary shall thereafter continue in force, unless prior to the effective date of the Member's Retirement he/she elects to receive his/her Retirement Allowance as a regular Retirement Allowance or according to any option provided for in Section 21. No benefits shall be paid under this section on account of the death of a Member if any benefits are paid under Section 28 on account of his/her death.

SECTION 23 DEATH IN SERVICE

Any Member who continues in the Service of the City on or after the date he/she has ten or more years of Credited Service, and does not have an Option 2 election in force as provided in Section 22, and (1) dies while in City Service, and (2) leaves a surviving spouse, the surviving spouse shall immediately receive the same Retirement Allowance to which the said beneficiary would have been entitled if the said Member had (1) retired the day preceding the date of his/her death notwithstanding that the Member may not have attained his/her Voluntary Retirement Age, (2) elected Option 2 provided for in Section 21, and (3) nominated his/her said surviving spouse, as the case may be, as beneficiary. No benefit shall be paid under this section on account of the death of a Member if any benefits are paid under Section 28 on account of his/her death.

SECTION 24 DISABILITY RETIREMENT

(a) Upon the application of a Member, or his/her department head, a Member who (1) is in the Service of the City, (2) has ten or more years of Credited Service, (3) becomes totally and permanently incapacitated for duty in the Service of the City, by reason of a personal injury or disease, may be retired by the Board; provided, the Medical Director, after a medical examination of the said Member, reports to the Board (1) that said Member is physically or mentally totally incapacitated for duty in the Service of the City, (2) that such incapacity will probably be permanent, and (3) that such Member should be retired.

(b) A Member with less than ten years of Credited Service shall have the ten years' Service requirement provided for in subsection (a) of this section waived; provided, that (1) the Board finds the Member is totally and permanently incapacitated for duty in the Service of the City as the natural and proximate result of a personal injury or disease arising out of and in the

course of his/her actual performance of duty in the Service of the City, and (2) the Member is in receipt of Workers' Compensation on account of his/her said physical or mental capacity.

SECTION 25
MINIMUM DISABILITY ANNUITY

Upon a Member's Retirement on account of disability as provided in Section 24, a Member shall receive a disability Retirement Allowance computed according to Sections 17(a)(1), (a)(2), (f) and (g), notwithstanding that the Member may not have attained his/her Voluntary Retirement Age. In no case shall the Member's disability Retirement Allowance payable to his/her Voluntary Retirement Age be less than 15 percent of his/her Final Average Compensation; nor shall the Member's disability Retirement Allowance payable after his/her Voluntary Retirement Age be less than the sum of 15 percent of the first \$9,000.00 of his/her Final Average Compensation and 20 percent of the portion of his/her Final Average Compensation in excess of \$9,000.00. To the Member's Voluntary Retirement Age, his/her disability Retirement Allowance shall be subject to Section 30. Upon the Member's Retirement, he/she shall have the right to elect an option provided for in Section 21.

SECTION 26
NONUNION COST OF LIVING INCREASE

For nonunion employee-Members of the Retirement System (excluding PGH employees), the Retirement Allowance otherwise provided for any such Member who retires on or after July 1, 1980, shall be increased upon Retirement by an amount equal to two percent of the Retirement Allowance otherwise provided for under this Retirement System. Each year thereafter, such Member's Retirement Allowance shall be increased by an identical amount, such increases to be cumulative for a period of ten years. At the end of said ten-year period, the Member's initial Retirement Allowance shall have been increased by 20 percent and shall continue at that amount thereafter.

For 50th Judicial District Court Judges and nonunion employee-Members of the Retirement System, the Retirement Allowance otherwise provided for any such Member who retires on or after July 1, 1996, shall be increased upon Retirement by an amount equal to two percent of the Retirement Allowance otherwise provided for under this Retirement System. Each year thereafter such Member's Retirement Allowance shall be increased by an identical amount, such increases to be cumulative for a period of 18 years. At the end of said 18-year period, the Member's initial Retirement Allowance shall have been increased by 36 percent and shall continue at that amount thereafter.

SECTION 27
WORKERS COMPENSATION RE-CALCULATION

Upon termination of the statutory period for payment of Workers' Compensation, if any, arising on account of a Member's City employment, or at this attainment of age 65 years, whichever occurs first, a disability Retirant shall be given Service credit for the said statutory period and his/her disability Retirement Allowance shall be increased to include such additional Service

credit. In no case shall the Member's said increased Retirement Allowance payable to his/her attainment of age 65 years be less than his/her weekly Workers' Compensation benefits converted to an annual basis.

SECTION 28 DUTY DEATH

In the event (1) a Member dies as the result of a personal injury or disease arising solely and exclusively out of and in the course of his/her employment with the City, or (2) a disability Retirant, while in receipt of Workers' Compensation on account of his/her City employment, dies prior to his/her Voluntary Retirement Age as the result of the same injury or disease for which he/she was retired, and in either case (1) or (2) such death, injury or disease resulting in death be found by the Board to have been the result of his/her actual performance of duty in the Service of the City, the applicable benefits provided in subsections (a) through (e) of this section shall be paid subject to the condition that the beneficiaries eligible to Pensions apply for and are in receipt of Workers' Compensation on account of the death of the said Member or Retirant.

(a) In the case of a deceased Member, his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund shall be paid according to Section 31.

(b) The surviving spouse shall receive a Pension equal to his/her Workers' Compensation converted to an annual basis. Said surviving spouse's Pension shall begin upon termination of the statutory period for payment of Workers' Compensation and shall continue until death.

(c) The Member's unmarried child or children under age 18 years shall each receive a Pension equal to such child's Workers' Compensation converted to an annual basis. Said child's Pension shall begin upon termination of the statutory period for payment of the child's Workers' Compensation and shall continue until his/her adoption, marriage, attainment of age 18 years, or death, whichever occurs first. If a surviving spouse's Pension is terminated, each such child's Pension shall be increased by an equal share of said surviving spouse's Pension.

(d) The Member's parents shall each receive a Pension equal to such parent's Workers' Compensation converted to an annual basis. Said parent's Pension shall begin upon termination of the statutory period for payment of the parent's Workers' Compensation and shall continue until death.

(e) As used in this section, the term *surviving spouse* means the person to whom the said Member or Retirant, as the case may be, was married at the time said Member's or Retirant's employment with the City last terminated.

SECTION 29 SUBROGATION

If a person becomes entitled to a Pension payable from funds of the Retirement System as the result of an accident or injury caused by the act of a third party, the City shall be subrogated to

the rights of the said person against said third party to the extent of benefits which the City pays or becomes liable to pay.

SECTION 30
DISABILITY RE-EXAMINATION AND INCOME VERIFICATION

(a) At least once each year during the first five years following the Retirement of a Member with a disability Retirement Allowance, and at least once in each three-year period thereafter, the Board may, and upon the Retirant's application shall, require any disability Retirant, who has not attained his/her Voluntary Retirement Age, to undergo a medical examination to be made by or under the direction of the Medical Director. Should any disability Retirant who has not attained his/her Voluntary Retirement Age refuse to submit to such medical examination in any such period, the Board may suspend payment of his/her disability Retirement Allowance until his/her withdrawal of such refusal. If such refusal continues for one year, all of his/her rights in and to a disability Pension shall be forfeited by the Member. If upon such medical examination of the Retirant the Medical Director reports to the Board that the said Retirant is physically able and capable of resuming employment with the City, the Member shall be returned to active Service in the employ of the City and his/her disability Retirement Allowance shall terminate; provided, the report of the Medical Director is concurred in by the Board. In returning the Retirant to active Service, as herein provided, reasonable latitude shall be allowed the City in placing the Member in a position commensurate to his/her type of work and rate of compensation at the time of his/her Retirement. The terms and conditions of disability Retirement are contained in applicable collective bargaining agreements.

(b) A disability Retirant who has been or shall be returned to active Service in the employ of the City, as provided in this section, shall again become a Member of the Retirement System and he/she shall contribute to the Retirement System at the rate applicable to his/her Membership classification. The Member's Credited Service at the time of his/her Retirement shall be restored to full force and effect. The Member shall be given Membership Service credit for the period he/she was receiving a disability Retirement Allowance provided for in this Retirement System if within said period the Member was in receipt of Workers' Compensation on account of total and permanent disability arising out of and in the course of his/her City employment; otherwise, the Member shall not be given Service credit for said period.

(c) If a disability Retirant who has not attained his/her Voluntary Retirement Age is or becomes engaged in a gainful occupation, business or employment, the amount of the disability Retirement Allowance shall be reduced by the amount that the disability Retirement Allowance plus the amount earned by the Retirant exceeds the disability Retirant's Final Compensation, or the compensation currently being paid to persons holding the same position as that last held by the disability Retirant, or, if there is no such position, the compensation currently paid to the person holding the most similar position as determined by the Board, whichever is higher. Should the Retirant's earnings or the compensation paid for his/her prior position subsequently change, his/her disability Retirement Allowance shall be correspondingly adjusted. The Board shall be authorized to adopt rules to provide for the implementation of this provision.

(d) If the Board – in consultation with the Medical Director – determines that it is unlikely that a disability Retirant will ever recover sufficiently enough to return to full-time employment with the City, the Board may deem the disability catastrophic. In cases where the Board has deemed a disability to be catastrophic, the Board may – in its discretion – approve to waive the periodic re-examinations and income verifications described in this section.

SECTION 31 REFUND OF ACCUMULATED CONTRIBUTIONS

(a) Should any Member cease to be an officer or employee of the City and not be entitled to a Pension payable from funds provided by the City, the Member shall be paid all of the Member's Accumulated Contributions standing to their credit in the Annuity Savings Fund as the Member shall demand in writing on forms furnished by the Board.

(b) Upon the death of a Member, his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund at the time of his/her death shall be paid, except as otherwise provided in this Retirement System, to such person or persons as the Member shall have nominated by written designation duly executed and filed with the Board. If there be no such designated person or persons surviving the said Member, his/her said Accumulated Contributions shall be paid to his/her legal representative.

(c) In the event any Member dies intestate, without heirs, and without having nominated a beneficiary as provided in subsection (b) of this section, his/her Accumulated Contributions standing to his/her credit in the Annuity Savings Fund, at the time of his/her death, may be used to pay his/her burial expense, not to exceed a reasonable sum to be determined by the Board; provided, that the deceased Member leaves no other estate sufficient for such purpose.

(d) Payments of refunds of Accumulated Contributions, as provided in this section, shall be made in a single sum.

SECTION 32 ANNUITY SAVINGS FUND—MEMBER CONTRIBUTIONS

(a) The Annuity Savings Fund is hereby created. It shall be the fund in which shall be accumulated, at Regular Interest, the contributions deducted from the Compensations of Members to provide for their Annuities, and from which shall be paid refunds of Accumulated Contributions, as provided in this Retirement System.

(b) Except as otherwise provided in this Section, Members are not required to contribute to the Retirement System.

(c) The officer or officers responsible for making up the payroll shall cause the contributions provided for in this section to be deducted from the Compensations of each Member on each and every payroll, for each and every payroll period, from the date of the Member's entrance in the Retirement System to the date of his/her Retirement or prior separation from City Service. The Member's contributions provided for herein shall be made, notwithstanding that the

minimum compensation provided by law for any Member shall be changed thereby. Every Member shall be deemed to consent and agree to the deductions made and provided for herein and payment of his/her Compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the Services rendered by said person during the period by such payment, except as to benefits provided by this Retirement System. The officer or officers responsible for making up the payroll shall certify to the Director of Finance the amount of contributions to be deducted from the Compensation of each Member for each and every payroll and each of said amounts shall be deducted by the Director of Finance and when deducted shall be paid to the Retirement System and shall be credited to the said Member's individual account in the Annuity Savings Fund.

(d) In addition to the contributions deducted from the Compensations of a Member, as hereinbefore provided, a Member shall deposit in the Annuity Savings Fund, by a single contribution or by an increased rate of contribution as approved by the Board, all amounts the Member may have previously withdrawn from, and not repaid to, the Annuity Savings Fund, together with Regular Interest computed from the date of withdrawal to the date of repayment. In no case shall any Member be given credit for Service rendered prior to the date he/she withdrew his/her Accumulated Contributions until he/she repays to the Annuity Savings Fund all amounts due the said fund by him.

(e) Upon Retirement of a Member, his/her Accumulated Contributions shall be transferred from the Annuity Savings Fund to the Retirement Reserve Fund. At the expiration of a period of three years from the date an employee ceases to be a Member, any balance standing to his/her credit in the Annuity Savings Fund, unclaimed by the Member or his/her legal representative, shall be transferred to the Pension Reserve Fund.

SECTION 33 RETIREMENT RESERVE FUND

The Retirement Reserve Fund is hereby created. It shall be the fund from which shall be paid all Annuities and Pensions payable as provided in this Retirement System. Should a disability Retirant return to active Service in the employ of the City, his/her Annuity reserve at that time shall be transferred from the Retirement Reserve Fund to the Annuity Savings Fund and shall be credited to his/her individual account therein; and the Member's Pension reserve at that time shall be transferred from the Retirement Reserve Fund to the Pension Reserve Fund.

SECTION 34 PENSION RESERVE FUND

The Pension Reserve Fund is hereby created. It shall be the fund in which shall be accumulated reserves for the payment of all Pensions payable from funds provided by the City. Upon the basis of such mortality and other experience tables, and Regular Interest, as the Board shall from time to time adopt, the actuary shall annually compute the Pension reserves (1) for Pensions being paid Retirants and Beneficiaries, and (2) covering Service rendered and to be rendered by Members. The Pension reserves shall be financed by annual appropriations, to be made by the Council, determined according to subsections (a), (b) and (c) of this section.

(a) The appropriation for Members' current Service shall be a percent of their annual Compensations which will produce an amount which if paid annually by the City during their future Service will be sufficient to provide the reserves, at the time of their Retirements, for the portions of the Pensions to be paid them based upon their future Service; and

(b) The appropriation for Members' accrued Service shall be a percent of their annual Compensations which will produce an amount which if paid annually by the City over a period of years, to be determined by the Board, will amortize, at Regular Interest, the unfunded Pension reserves for the accrued Service portions of the Pensions to which they may be entitled; and

(c) The appropriation for Pensions being paid to Retirants and Beneficiaries shall be a percent of the annual Compensations of Members which will produce an amount which if paid annually by the City over a period of years, to be determined by the Board, will amortize, at Regular Interest, the unfunded Pension reserves for Pensions being paid to Retirants and Beneficiaries;

(d) In the event the amounts appropriated in the budget in any year are insufficient to pay in full the amounts due in said year to all Members of the Retirement System, the amount of such insufficiency shall thereupon be provided by the appropriating authorities of the City;

(e) Contributions to the Retirement System by the City to the extent necessary to provide payment of Pensions and other benefits to Retirants and Beneficiaries of and Members employed by an instrumentality of the City shall be made from the revenues of the said instrumentality of the City;

(f) Upon the Retirement of a Member, or at the time a Pension becomes payable to a Beneficiary on account of the death of a Member, the reserve for such Pension shall be transferred from the Pension Reserve Fund to the Retirement Reserve Fund. The Board may from time to time transfer from the Pension Reserve Fund to the Retirement Reserve Fund such additional amounts as it determines to be necessary for the proper maintenance of the Retirement Reserve Fund.

SECTION 35 EXPENSE RESERVE

Amounts contributed by the Retirement System for administrative expense shall be credited to this reserve. All expenses for the administration of the Retirement System shall be charged to this reserve. The Board shall certify to the City annually the amount of its requirements for administrative expenses.

SECTION 36 MANAGEMENT OF FUNDS

(a) The Board shall be the Trustees of the funds of the Retirement System and shall have full power to invest and reinvest such funds subject to all terms, conditions, limitations,

and restrictions imposed by the law of the State of Michigan in the making and disposing of their investments. The Board shall have the power to purchase notes, bonds, or other obligations of the City before or after the same are offered to the public and with or without advertising for bids.

(b) The Board shall have full power to hold, purchase, sell, assign, transfer, and dispose of any of the securities and investments in which any of the funds of the Retirement System have been invested, as well as the proceeds of said investments and any moneys belonging to the Retirement System. There shall be kept on deposit available cash not exceeding ten percent of the total assets of the Retirement System. All funds of the Retirement System shall be held for the sole purpose of meeting disbursements for Pensions, Annuities, and other payments authorized by the provisions of this Retirement System, and shall be used for no other purpose.

(c) The description of the various funds of the Retirement System in Sections 32 through 35 shall be interpreted to refer to the accounting records of the Retirement System and not to the segregation of moneys in the funds of the Retirement System.

SECTION 37 EARNINGS ALLOCATION—INTEREST CREDITABLE

All interest and other earnings on moneys and investments of the Retirement System shall be credited to the Pension Reserve Fund. The Board shall, at the end of each calendar year, allow Regular Interest on the Members' individual balances in the Annuity Savings Fund at the beginning of the calendar year. The Board shall, at the end of each fiscal year, allow Regular Interest on the mean assets credited to the Retirement Reserve Fund. The amounts of interest so credited to the Annuity Savings Fund and the Retirement Reserve Fund shall be charged to the Pension Reserve Fund.

SECTION 38 ASSIGNMENTS PROHIBITED

The right of a person to an Annuity, a Pension, a Retirement Allowance, to the return of Accumulated Contributions, the Annuity, the Pension, or the Retirement Allowance itself, any optional benefit, any other right accrued or accruing to any Member, Retirant, or Beneficiary under the provisions of this Retirement System, and the moneys belonging to the Retirement System shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency law, or any other process of law whatsoever, and shall be unassignable, except as is specifically provided in this Retirement System and in accordance with Public Act 100 of 2002, as amended; provided, that the City shall have the right of set-off for any claim arising from embezzlement or fraud by a Member.

SECTION 39 CORRECTION OF ERRORS

Should any change in the records result in any Member, Retirant, or Beneficiary receiving from the Retirement System more or less than he/she would have been entitled to receive had the records

been correct, the Board shall correct such error, and as far as practicable shall adjust the payment in such manner that the Actuarial Equivalent of the benefit to which the said Member, Retirant, or Beneficiary was correctly entitled shall be paid.

**SECTION 40
NONIMPAIRMENT OF FINANCIAL BENEFITS**

Any and all provisions of this Retirement System may, from time to time, be modified, changed, or terminated by ordinance duly adopted by the Council. The Council shall consult with the Board and seek its technical review of the proposed changes prior to amendment or termination of the Retirement System. The accrued financial benefits of this Retirement System shall not be diminished or impaired by such modifications or changes and subject to the conditions of Public Act 728 of 2002, as amended. All provisions of City laws inconsistent with the provisions of this Retirement System are hereby repealed to the extent of such inconsistency.

Prior to the satisfaction of all liabilities to Members and their Beneficiaries under this Retirement System, the City shall have no right, title or interest in any money or investments held or acquired under the Retirement System by the Trustees, nor will any such money or investments at any time revert to the City or in anyway, directly or indirectly, inure to its benefit; except if a contribution made by the City in any Plan Year is made by mistake of fact (as determined under applicable provisions of the IRC and corresponding guidance), then such contribution must be returned to the City within one year of payment of the contribution upon demand by the City. Upon termination of the Retirement System, any assets remaining in the Retirement System after all liabilities of the Retirement System have been satisfied shall be returned to the City and shall be presumed to be as a result of actuarial error.

**SECTION 41
SAVINGS CLAUSE**

If any provision, section, subsection, paragraph, sentence, clause, or phrase of this Retirement System is for any reason found to be invalid or inoperative, or shall be held by any court to be unconstitutional, the remainder of the provisions of this Retirement System shall nevertheless continue in full force and effect.

**SECTION 42
NORTH OAKLAND MEDICAL CENTER PRIVATIZED**

This section is effective January 1, 1994, and is applicable only to persons who, on December 31, 1993, were simultaneously (1) members of the GERS and (2) employees of the City owned North Oakland Medical Center and who became employees of the privatized North Oakland Medical Center on January 1, 1994. With respect to the persons identified in this section:

(a) Such persons who are vested shall receive benefits from the Retirement System based upon Final Average Compensation as defined by the highest average Annual Compensation received by a Member during a period of three consecutive years of Service contained within the ten years immediately preceding the privatization of North Oakland Medical Center (January 1,

1994). If the Member has less than three years of Credited Service, Final Average Compensation shall be the average of the Member's Annual Compensation received during the Member's total years of Credited Service. The definition of *Final Average Compensation* in Section 2 is superseded for this limited purpose for this limited group of former Members of the Retirement System who remain vested.

(b) Such persons with vested benefits shall receive from the Retirement System benefits with the Section 17(b) 1.5 percent factor being changed to a 2.0 percent factor. Section 17(b) is superseded for this limited purpose for this limited group of former Members of the Retirement System who remain vested.

(c) Such persons with vested benefits shall receive from the Retirement System benefits pursuant to the definition of *Voluntary Retirement Age* in Section 2, which is amended to provide that:

Voluntary Retirement Age is defined as age 55 with, for eligibility purposes only, 25 or more years of Credited Service with either the previously (prior to January 1, 1994) City owned North Oakland Medical Center or the privatized North Oakland Medical Center (or a combination thereof). The definition of *Voluntary Retirement Age* in Section 2 is superseded for this limited purpose for this limited group of former Members of the Retirement System who remain vested. Calculation of benefit amounts shall only include Service credit as an employee of the City owned North Oakland Medical Center.

(d) The City of Pontiac, employer-sponsor with respect to the majority of Members of the Retirement System, to the extent funds do not exist in the Retirement System to provide the Retirement System benefits for retired employees and beneficiaries of the North Oakland Medical Center, will provide funding in compliance with Article IX, Section 24 of the State of Michigan Constitution, the Retirement System provisions, and other applicable law.

SECTION 43 INTERNAL REVENUE CODE QUALIFICATIONS

(a) The Retirement System is intended and shall be administered to be a qualified pension plan under IRC section 401, or successor provisions of law, and other applicable laws, regulations and administrative authority. The Retirement System is a governmental plan under IRC section 414(d) and is administered for the exclusive benefit of the Members and their Beneficiaries. The Retirement System trust is an exempt organization under IRC section 501. The Board may adopt such additional provisions to the Retirement System as are necessary to fulfill this intent which are incorporated by reference into this section.

(b) Notwithstanding any provision of the Retirement System to the contrary, benefits and contributions shall be limited in accordance with section 415 of the Internal Revenue Code, which is hereby incorporated by reference.

For purposes of section 415 of the Internal Revenue Code, compensation shall mean compensation actually paid during the limitation year and the limitation year shall be the

Plan Year or such other consecutive 12-month period over which compensation is otherwise determined under the Retirement System.

For purposes of adjusting any benefit or limitation under section 415 of the Internal Revenue Code, the mortality table used shall be the table prescribed by the United States Secretary of the Treasury in accordance with section 415(b)(2)(E)(v) of the Internal Revenue Code.

For limitation years beginning on and after January 1, 2001, for purposes of applying the limitations described herein, compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the Member by reason of section 132(f)(4) of the Internal Revenue Code.

For limitation years beginning after December 31, 1997, for purposes of applying the limitations of section 415 of the Internal Revenue Code, compensation paid or made available during such limitation years shall include any elective deferral (as defined in section 402(g)(3) of the Internal Revenue Code), and any amount which is contributed or deferred by the employer at the election of the employee and which is not includable in the gross income of the employee.

Compensation for purposes of IRC §415(c)(3) shall also include, (1) regular pay after severance from employment; (2) leave cashouts and deferred compensation including cash out of accrued sick, vacation or other leave time if the employee would have been able to use the leave if employment had continued or the payment of nonqualified deferred compensation that would have been paid to the employee at the same time if the employee had remained employed and only to the extent that the payment is includable in the employee's gross income. The compensation items listed in this paragraph must be paid by the later of two and one-half-months of severance from employment or the end of the limitation year that includes the date of severance with the City.

(c) Eligible Rollover Distributions. This section applies to distributions made on or after January 1, 1993. Notwithstanding any provision of the Retirement System to the contrary that would otherwise limit a distributee's election under this section, a distributee may elect, at the time and in the manner prescribed by the Board, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee as a direct rollover. The following definitions shall apply with regard to this section:

(1) *Eligible Rollover Distribution.* An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint life (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more, and any distribution to the extent such distribution is required under IRC section 401(a)(9). For purposes of the direct rollover provision, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be paid only to an individual

retirement account or annuity described in IRC section 408(a) or (b), or to a qualified plan described in IRC section 401(a) or 403(b) that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(2) *Eligible Retirement Plan.* An eligible retirement plan is an individual retirement account described in IRC section 408(a), an individual retirement annuity described in IRC section 408(a), an annuity plan described in IRC section 403(a), an annuity contract described in IRC section 403(b) or an eligible plan under IRC section 457 which is maintained by a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan or a qualified trust described in IRC section 401(a) that accepts the distributee's eligible rollover distribution. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse or to a spouse or former spouse who is the alternate payee under a domestic relations order.

(3) *Distributee.* A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under an eligible domestic relations order (as defined in Act 46 of 1991 of the State of Michigan) or qualified domestic relations order (as defined in Code section 414(p)), as applicable, are "distributees" with regard to the interest of the spouse or former spouse. A distributee also includes an eligible designated non-spouse beneficiary. In the case of a nonspouse beneficiary, the direct rollover may be made only to a traditional IRA or Roth IRA that is established on behalf of the designated beneficiary and that will be treated as an inherited IRA pursuant to the provisions of Code section 402(c)(11). Also in this case, the determination of any required minimum distribution under Code section 401(a)(9) that is ineligible for rollover shall be made in accordance with Notice 2007-7, Q&A 17 and 18, 2007-5 I.R.B. 395.

(4) *Direct Rollover.* A *direct rollover* is a payment by the Retirement System to the eligible retirement plan specified by the distributee.

(d) Upon termination of the Retirement System or upon complete discontinuance of contributions under the Retirement System, the rights of all Members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be nonforfeitable.

SECTION 44 IRS MINIMUM DISTRIBUTION

(a) Distributions from the Retirement System will comply with the requirements of IRC section 401(a)(9) and the regulations thereunder. A Member's interest in the Retirement System must begin to be distributed by the later of (1) April 1 of the calendar year following the calendar year that the Member attains the age of 70.5, or (2) April 1 of the calendar year the Member retires. With respect to distributions under the Retirement System made for calendar years beginning on or after January 1, 2001, the Retirement System will apply the minimum distribution requirements of IRC section 401(a)(9) in accordance with the regulations under IRC section 401(a)(9) that were proposed in January 2001, notwithstanding any provision in the Retirement

System to the contrary. This amendment shall continue in effect until the end of the last calendar year beginning before the effective date of final regulations under section 401(a)(9) or such other date as may be specified in guidance published by the Internal Revenue Service.

(1) *Effective Date.* Unless an earlier effective date is specified in the Retirement System, the provisions of this section will apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year.

(2) *Coordination with Minimum Distribution Requirements Previously in Effect.* If the Retirement System specifies an effective date of this section earlier than calendar years beginning with the 2003 calendar year, required minimum distributions for 2002 under this section will be determined as follows: If the total amount of 2002 required minimum distributions under the Retirement System made to the distributee prior to the effective date of this section equals or exceeds the required minimum distributions determined under this section, then no additional distributions will be required to be made for 2002 on or after such date to the distributee. If the total amount of 2002 required minimum distributions under the Retirement System made to the distributee prior to the effective date of this section is less than the amount determined under this section, then required minimum distributions for 2002 on and after such date will be determined so that the total amount of required minimum distributions for 2002 made to the distributee will be the amount determined under this section.

(3) *Precedence.* The requirements of this section will take precedence over any inconsistent provisions of the Retirement System.

(4) *Requirements of Treasury Regulations Incorporated.* All distributions required under this section will be determined and made in accordance with the Treasury regulations under section 401(a)(9) of the Internal Revenue Code.

(5) *TEFRA Section 242(b)(2) Elections.* Notwithstanding the other provisions of this section, other than subsection (a)(4) of this section, distributions may be made under a designation made before January 1, 1984, in accordance with section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the Retirement System that relate to section 242(b)(2) of TEFRA.

(b) Time and Manner of Distribution.

(1) *Required Beginning Date.* The Member's entire interest will be distributed, or begin to be distributed, to the Member no later than the Member's required beginning date.

(2) *Death of Member before Distributions Begin.* If the Member dies before distributions begin, the Member's entire interest will be distributed, or begin to be distributed, no later than as follows:

(i) If the Member's surviving spouse is the Member's sole designated beneficiary, then, except as provided in the Retirement System, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year

in which the Member died, or by December 31 of the calendar year in which the Member would have attained age 70.5, if later.

(ii) If the Member's surviving spouse is not the Member's sole designated beneficiary, then, except as provided in the Retirement System, distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Member died.

(iii) If there is no designated beneficiary as of September 30 of the year following the year of the Member's death, the Member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Member's death.

(iv) If the Member's surviving spouse is the Member's sole designated beneficiary and the surviving spouse dies after the Member but before distributions to the surviving spouse begin, this subsection (b) will apply as if the surviving spouse were the Member.

For purposes of subsections (b)(2) and (iv) of this section, distributions are considered to begin on the Member's required beginning date (or, if subsection (b)(2)(iv) of this section applies, the date distributions are required to begin to the surviving spouse under subsection (b)(2)(i) of this section). If annuity payments irrevocably commence to the Member before the Member's required beginning date (or to the Member's surviving spouse before the date distributions are required to begin to the surviving spouse under subsection (b)(2)(i) of this section), the date distributions are considered to begin is the date distributions actually commence.

(3) *Form of Distribution.* Unless the Member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with subsections (c) and (d) of this section. If the Member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of section 401(a)(9) of the Code and the Treasury regulations. Any part of the Member's interest which is in the form of an individual account described in IRC section 414(k) of the will be distributed in a manner satisfying the requirements of IRC section 401(a)(9) of the and the Treasury regulations that apply to individual accounts.

(c) Determination of Amount to Be Distributed Each Year.

(1) *General Annuity Requirements.* If the Member's interest is paid in the form of annuity distributions under the Retirement System, payments under the annuity will satisfy the following requirements:

(i) The annuity distributions will be paid in periodic payments made at intervals not longer than one year;

(ii) The distribution period will be over a life (or lives) or over a period certain not longer than the period described in subsection (d) of this section;

(iii) Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted.

(2) *Amount Required to Be Distributed by Required Beginning Date.* The amount that must be distributed on or before the Member's required beginning date (or, if the Member dies before distributions begin, the date distributions are required to begin under subsection (b)(2)(i) or (ii) of this section) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the Member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the Member's required beginning date.

(3) *Additional Accruals after First Distribution Calendar Year.* Any additional benefits accruing to the Member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(d) Requirements for Minimum Distributions Where Member Dies before Date Distributions Begin.

(1) *Joint Life Annuities Where the Beneficiary Is Not the Member's Spouse.* If the Member's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the Member and a nonspouse beneficiary, annuity payments to be made on or after the Member's required beginning date to the designated beneficiary after the Member's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the Member using the table set forth in Q&A-2 of section 1.401(a)(9)-6 of the Treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the Member and a nonspouse beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated beneficiary after the expiration of the period certain.

(2) *Member Survived by Designated Beneficiary.* If the Member dies before the date distribution of his or her interest begins and there is a designated beneficiary, the Member's entire interest will be distributed, beginning no later than the time described in subsection (b)(2)(a) or (b) of this section, over the life of the designated beneficiary or over a period certain not exceeding:

(a) Unless the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the Member's death; or

(b) If the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.

(3) *No Designated Beneficiary.* If the Member dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the Member's death, distribution of the Member's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Member's death.

(4) *Death of Surviving Spouse before Distributions to Surviving Spouse Begin.* If the Member dies before the date distribution of his or her interest begins, the Member's surviving spouse is the Member's sole designated beneficiary, and the surviving spouse dies before distributions to the surviving spouse begin, this subsection (d) will apply as if the surviving spouse were the Member, except that the time by which distributions must begin will be determined without regard to subsection (b)(2)(i) of this section.

(e) Definitions.

(1) *Designated beneficiary* means the individual who is designated as the beneficiary under Section 2 of the Retirement System and is the designated beneficiary under IRC section 401(a)(9) and section 1.401(a)(9)-4 of the Treasury regulations.

(2) *Distribution calendar year* means a calendar year for which a minimum distribution is required. For distributions beginning before the Member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the Member's required beginning date. For distributions beginning after the Member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to subsection (b)(2) of this section.

(3) *Life expectancy* means life expectancy as computed by use of the Single Life Table in section 1.401(a)(9)-9 of the Treasury regulations.

(4) *Required beginning date* means the date specified in subsection (a) of this section.

SECTION 45 DEFINED CONTRIBUTION PLAN

Effective July 1, 2002, all nonunion management employee hired by the City as of January 1, 2002, and elected officials in office as of January 1, 2002, will have the option of either becoming a member of the GERS or they may elect to participate in a defined contribution plan or other portable plan as designated by the City. The defined contribution plan shall be made available to nonunion management employee and elected officials of the City and said contribution rate shall be as follows: three percent of the employee's base salary shall be contributed by the employee and nine percent shall be contributed by the City.

The Departments of Finance and Human Resources shall be responsible for establishing guidelines and procedures for implementing and administering the defined contribution plan. Employees and elected officials who elect to participate in the defined contribution plan and who complete at least ten years of Credited Service, prior to or after July 1, 2002, will be eligible for health care benefits as specified in Section 18.

**SECTION 46
DENIAL OF BENEFIT CLAIM—APPEAL**

A benefit claimant shall be notified in writing within 30 days of the Board's denial of a claim for benefits. The notification shall contain the basis for the denial. The benefit claimant may appeal the denial and request a hearing before the Board. The appeal shall be in writing and filed with the Retirement System within 60 days of the date of the notification of denial. The request for appeal shall contain a statement of the claimant's reasons for believing the denial to be improper. The Board shall schedule a hearing of the appeal within 60 days of receipt of the request to appeal.

**SECTION 47
EFFECTIVE PROVISIONS**

A Member shall be entitled to those benefits based upon the terms and conditions in effect at the time of separation from employment.

**SECTION 48
MANDATORY BARGAINING SUBJECTS**

Notwithstanding any other provisions of this Retirement System, any matter relating to the Retirement System applicable to current employees represented by a collective bargaining agent is a mandatory subject of bargaining under the Public Employment Relations Act, Act No. 336 of the Public Acts of 1947, being sections 423.201 to 423.216 of the Michigan Compiled Laws.

**SECTION 49
RECIPROCAL RETIREMENT SYSTEM**

The Retirement System is a reciprocal retirement system under the provisions of Act 88, Public Acts of 1961 of the State of Michigan, as amended. This section does not indicate adoption of section 6 of Act 88 of 1961, as amended (MCL 38.1106).

**SECTION 50
FRAUD PENALTY**

Whoever with intent to deceive shall make any statement or report under this Retirement System which is untrue, or shall falsify or permit to be falsified any record or records of the Retirement System, or who shall otherwise violate the provisions of this Retirement System as it may from time to time be amended, with intent to deceive, shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed \$500.00 plus costs of

prosecution, or shall be imprisoned for not to exceed 90 days, or both, in the discretion of the court.

Section 2. Severability.

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

Section 3. Repealer.

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

Section 4. Publication.

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

Section 5. Effective Date.

This Ordinance shall be effective April 1, 2021.

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Pontiac at a regular Council Meeting held electronically in said City on the _____ day of _____, 2021.

Garland S. Doyle, Interim City Clerk

37093629.1/071371.00075
01/20/21

#9

RESOLUTION

OFFICIAL MEMORANDUM

TO: Honorable City Council President Williams and City Council Members
FROM: Mayor Deirdre Waterman, City Attorney Anthony Chubb, Legal Counsel
Matthew Gibb
DATE: January 28, 2021

For February 2, 2021 Council Agenda

RE: Resolution Regarding the City Clerk's Medical Marihuana Obligations

AT THE COUNCIL MEETING OF JANUARY 26, 2021 COUNCIL REMOVED THIS ITEM AS A RESULT OF A COMMUNICATION FROM THE CLERK THAT THE MATTERS SET FORTH IN THE RESOLUTION WOULD BE RESOLVED ON FRIDAY JANUARY 29, 2021. IN THE EVENT THESE MATTERS ARE NOT RESOLVED, IT REMAINS NECESSARY TO DISCUSS THE LEGAL COMMUNICATIONS REFERRED TO OPEN SESSION BY PRO TEM CARTER AT THE COUNCIL MEETING OF JANUARY 19, 2021

In the event necessary, the following Resolution is recommended to Council for adoption.

Whereas, the residents of the City of Pontiac passed a voter-initiated Ordinance in August of 2018 to authorize medical marihuana facilities within the City; and

Whereas, that Ordinance makes the City Clerk responsible for the review, grading, and approval /denial of medical marihuana facility applications including both provisioning center and growth/transport applications; and

Whereas, the City Clerk has been provided the opinion and direction of the City Attorney and Special Legal Counsel, indicating the appropriate process and action to be taken to complete certain applications under existing law and ordinance; and

Whereas, the Clerk has failed to follow the advice and direction of the City Attorney and Special Legal Counsel, resulting in communication that presents an exposed threat to the legal standing of the City of Pontiac; and

Whereas, The Clerk has publicly responded to legal opinion letters and communication from third parties, which are acts outside of the duties of the office and that office is therefore unlikely to be afforded the protections and representations of the City's immunity and liability coverage; and

Whereas, pursuant to Charter Section 3.111, the City Clerk is appointed and subject to over-sight of performance by the City Council; and

Whereas, the City Administration hereby requests that the City Council exercise its authority and enforce proper performance of duties by the City Clerk pursuant to Ordinance and Charter and further acknowledge and adhere to opinion and direction provided by the City Attorney.

Now, Therefore Be It Resolved, that the City Council directs the City Clerk to:

- (1) Review all medical marijuana facility applications in a manner consistent with the advice of the City Attorney and Special Legal Counsel; and*
- (2) Issue notice to any affected applicants of the status of that application, affording the applicant an opportunity to proceed under the Section 3.1106 of the Ordinance; and*
- (3) Provide a statement, approved by Robert Huth, that all applications are being consistently and wholly reviewed, and will be completed by March 30, 2021.*

ATTORNEY-CLIENT PRIVILEGED MEMORANDUM

TO: Pontiac City Council
CC: Mayor Deirdre Waterman
FROM: Anthony K. Chubb, Esq.
DATE: January 12, 2021
RE: Notice of Potential Legal Action / Glenwood

Attorneys for the City have repeatedly advised this honorable Council that the Interim Clerk's refusal to follow the advice of counsel is likely to result in substantial legal liability for the City.

Please see the attached notice that was received by the City on January 7, 2021. Therein, attorneys for Rubicon Capital, which is developing the Glenwood site with marihuana grow operations using a Conditional Rezoning as approved by the Pontiac City Council, notes that failure of the Clerk to act on their applications could result in damages of up to \$137,000,000.

On December 1, 2020, the Mayor provided a resolution in the City Council Agenda that would reaffirm the Interim Clerk's obligations to follow the guidance of the City Attorney, and to move forward with the processing of all pending applications. This Council rejected the resolution with a 4-2 vote. I have attached that resolution for your reconsideration.

At the City Council meeting to be held this evening, the Mayor will request that a Closed Session be added to the Agenda to discuss this memorandum and the damages asserted by Rubicon Capital.

Should you have any questions or concerns, please do not hesitate to contact me.

ATTACHMENTS



THE WEIKERT
LAW FIRM

January 7, 2021

Via Electronic Mail

Mayor Waterman
Councilwoman Waterman
Councilwoman Taylor Burks
Councilwoman Pietila
Councilman Carter
Councilwoman Miller
Councilwoman Shramski
Councilman K. Williams

**Re: *Rubicon Real Estate Holdings, LLC/City of Pontiac 7 & 9 Glenwood Avenue
Parcels 64-14-21-383-011 & 12***

Dear Mayor and City Council Members:

As you are undoubtedly aware, I represent Rubicon Real Estate Holdings, LLC with respect to this matter. My client and I have been closely monitoring the situation with respect to the issuance of licenses to my client's two anchor tenants, Family Rootz and Pharmaco Inc.; who have submitted grower and processor applications for approval to the Pontiac interim city clerk, Garland Doyle. In addition, my client and I watched the special presentations of Matthew Gibb, Special Counsel For Economic Development, and Mr. Garland Doyle at the council meeting held on January 5, 2021. We have also reviewed the written materials provided to city council as part of the presentations. Simply put, Mr. Doyle's position in this matter is untenable and unless an immediate resolution of this matter is reached, my client has instructed me to pursue any and all legal remedies available.

My client entered into a purchase agreement for the Glenwood Avenue parcels on March 27, 2019. It is well-settled that the execution of a purchase agreement transfers an interest in property. See *Graves v. American Acceptance Mortgage Corp. (On Rehearing)*, 469 Mich. 608, 614, 677 N.W.2d 829 (2004); *Stevens v. DeBar*, 229 Mich. 251, 253, 200 N.W. 978 (1924); *Zurcher v. Herveat*, 238 Mich.App. 267, 291, 605 N.W.2d 329 (1999); *Pittsfield Charter Twp. v. City of Saline*, 103 Mich.App. 99, 103, 302 N.W.2d 608 (1981). Thereafter, my client made application for a Zoning Map Amendment and the application was processed in accordance with the requirements of the Michigan Zoning Enabling Act; as well as Pontiac City Ordinances. The

application culminated in the January 21, 2020 Resolution 20-29 from Pontiac City Council, approving the Planning Commission recommendation for the Zoning Map Amendment request for the parcels amending the current site zoning, C-1 Local Business, to C-3 Corridor Commercial and M-1 Light Manufacturing with CR Conditional Zoning ("Resolution"). The Resolution also permits medical marijuana facilities to be located within the M-1 Light Manufacturing zoned areas of the site. In reliance upon the Resolution, my client purchased the parcels on February 27, 2020 and thereafter entered into agreements to finance the development of the parcels and for beneficial lease agreements with tenants.

Mr. Doyle indicates that he is unable to issue the licenses to my client's anchor tenants because Medical Marijuana Grower and Medical Marijuana processor "... uses are not permitted outside the Cesare Chavez and Walton Blvd Medical Marijuana Overlay Districts". Mr. Doyle cites Pontiac City Ordinance 2363 Sections 2.545 and 2.546 for his position. The problem with Mr. Doyle's position is two-fold. First, it completely ignores that the entire purpose of rezoning is to allow a use that would otherwise be prohibited, pursuant to an existing zoning ordinance. Second, Mr. Doyle's conclusion completely ignores Pontiac City Ordinance 2361 Section 3.1106. Section 3.1106 states:

Medical marijuana uses outside the Medical Marijuana Overlay Districts are subject to Planning Commission approval following the standards for approval of Section 6.303 for special exception permits, and Article 2, Chapter 5, Development Standards for Specific Uses.

In fact, Mr. Doyle never even addresses the application of Pontiac City Ordinance 2361 Section 3.1106 to this matter! Medical Marijuana uses are defined in Pontiac City Ordinance 2361 Section 3.1102 and lists: Provisioning center; Safety compliance facility, Secure transporter, *Grower*, and *Processor*. If the intent of the ordinance was that Growers and Processors could never be located outside of the Medical Marijuana Overlay Districts, then Ordinance 2361 Section 3.1106 would identify only those specific uses that could be maintained outside of the Medical Marijuana Overlay Districts or would have specifically excluded Growers and Processors. Ordinance 2361 Section 3.1106 does not do this. Instead, it uses the all-inclusive "Medical marijuana uses", which as previously stated, includes Growers and Processors pursuant to Ordinance 2361 Section 3.1102. Consequently, it is clear that Pontiac City Ordinance 2361 contemplates Growers and Processors outside of the Medical Marijuana Overlay Districts. Simply put, Mr. Doyle's position is void of any legal merit and there is no basis for Mr. Doyle refusing to issue licenses based upon his flawed perception.

Notwithstanding that a text amendment to the ordinance is completely unnecessary, Mr. Doyle is also incorrect that an ordinance amendment can resolve this impediment to licensing of his own making. As Mr. Gibb correctly stated during his presentation of January 5, 2021, zoning amendments cannot be applied retroactively. This is well settled in Michigan law, as cited by Mr. Gibb in his presentation materials. Any attempt of a zoning amendment as a "cure" to the imaginary licensing issue that Mr. Doyle has created is pure folly.

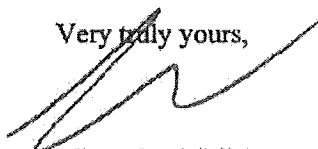
Mr. Doyle, during his recent presentation to City Council and in the provided materials, tries to argue that my client somehow did not have standing to pursue rezoning due to the fact that

it did not own the property on the date the Resolution was passed. This is pure and utter nonsense. As stated above, my client obtained an interest in the parcels when it entered into a purchase agreement on March 27, 2019. Again, I would direct your attention to *Graves v. American Acceptance Mortgage Corp. (On Rehearing)*, 469 Mich. 608, 614, 677 N.W.2d 829 (2004); *Stevens v. DeBar*, 229 Mich. 251, 253, 200 N.W. 978 (1924); *Zurcher v. Herveat*, 238 Mich.App. 267, 291, 605 N.W.2d 329 (1999); *Pittsfield Charter Twp. v. City of Saline*, 103 Mich.App. 99, 103, 302 N.W.2d 608 (1981). "The property owner, *someone with an interest in the property* or, less often, the legislative body or planning commission of the municipality may initiate the process to amend the zoning ordinance." Michigan Zoning, Planning and Land Use, Chapter 3, Section 3.1 (Emphasis Added). "There are two types of amendments—text amendments and rezonings." Michigan Zoning, Planning and Land Use, Chapter 3, Section 3.2. Further, Michigan case law is replete with cases dealing with a potential buyer, pursuant to a purchase agreement, applying for rezoning prior to closing on property and taking ownership. In fact, land purchase agreements often contain contingencies which indicate that the obligation of the purchaser to close on the property is contingent upon the purchaser being able to rezone the property for a use contemplated by the purchase agreement that would otherwise be prohibited under the zoning existing at the time of entry into the purchase agreement. I would challenge Mr. Doyle to present any case law that stands for the proposition that a buyer with an interest pursuant to a purchase agreement does not have the ability to apply for rezoning of a property. I assure you that he will not be able to produce any such case law.

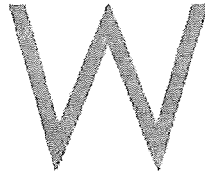
My client has been extremely patient in awaiting the required resolution to this matter and the issuance of the licenses for the anchor tenants. Time has now run out and my client can no longer afford to patiently await a resolution. My client's lender is refusing to disburse any loan funds for development, totaling \$45,000,000.00, until such time as the aforementioned licenses are issued and my client is incurring astronomical costs associated with the delay in development. In addition, my client is now in a position that would allow Pharmaco, Family Rootz, and Hollywood Market to terminate their lease agreements. The Pharmaco lease is a 15 year lease with \$37,500,000.00 in total rent. The Family Rootz lease will produce \$9,000,000.00 to \$12,000,000.00 annually in revenues for 3-4 years with a purchase agreement in place with a \$25,000,000.00 sale price. Finally, Hollywood Market has a 10 year lease with my client with annual revenues totaling \$1,500,000.00 over the 10 year period. These damages do not include the purchase price, as the property was purchased upon reliance of the Resolution, totaling \$7,000,000.00.

My client hereby demands that the City of Pontiac direct Mr. Doyle to issue the aforementioned licenses immediately. If the licenses are not issued forthwith, I will pursue all available legal remedies on behalf of my client. I certainly hope that this action will be unnecessary.

Very truly yours,



Michael J. Weikert



THE WEIKERT
LAW FIRM

January 12, 2021

Via Electronic Mail

Mr. Garland S. Doyle
Interim City Clerk
City of Pontiac

**Re: Rubicon Real Estate Holdings, LLC/City of Pontiac 7 & 9 Glenwood Avenue
Parcels 64-14-21-383-011 & 12**

Dear Mr. Garland:

I am in receipt of your letter sent via electronic mail on January 8, 2021. I have reviewed said letter and still am unable to understand what the legal basis is for your refusal to issue the licenses to my client's anchor tenants. Frankly, it appears that you are attempting to substitute your judgment for that of the City Planning Commission, as well as the City Council that issued the January 21, 2020 Resolution 20-29. In addition, it appears that you are making legal conclusions in contradiction to the sound legal analysis of Matthew Gibb, Special Counsel for Economic Development and Anthony Chubb, Pontiac City Attorney.

Your entire analysis is fatally flawed in that it completely ignores the purpose and principals behind rezoning. *The whole purpose of rezoning is to allow a use, that would otherwise be prohibited by an existing zoning ordinance, to take place.* A simple example, and one that happens all the time, would be a landowner that acquires property that is zoned residential but wants to use the property for a commercial purpose. The landowner seeks rezoning for the commercial use. If the landowner's rezoning bid is successful, that landowner would be able to use the property for a commercial purpose *despite the fact* that the zoning ordinance prohibits the property from a commercial use because it is located in a district zoned residential. There is nothing different presented in the scenario at issue.

I agree with you that the zoning ordinance prohibits Medical Marihuana Growers and Processors from being located outside of the Cesar Chavez and Walton Blvd. Medical Marihuana Outlay Districts. As such, my client was required to pursue rezoning of the property so that its tenants could grow and process outside of the aforementioned overlay districts. Again, this is the whole purpose of rezoning. My client's use of the property was one that would not be permitted under the existing zoning ordinance, so my client sought and was granted rezoning to allow the

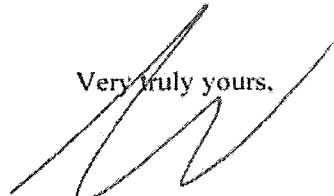
use. Had my client simply sought a special exemption permit *without* seeking rezoning, I would be more inclined to agree with your flawed analysis. However, this is not the case.

When discussing zoning amendments, "[t]here are two types of amendments—text amendments and rezonings." Michigan Zoning, Planning and Land Use, Chapter 3, Section 3.2. Either type of zoning amendment can be used to address a zoning issue. My client sought rezoning, which was granted. Your solution, as set forth in your letter, is a text amendment; which is unnecessary for my client has already received a resolution granting rezoning. Furthermore, as Mr. Gibb and I have advised City Council, zoning text amendments cannot be applied retroactively. Consequently, a text amendment at this point would be futile.

I cannot fathom the reasoning behind your vociferous opposition to issuing my client's anchor tenants the grower and processor licenses by attempting to use the zoning ordinance as a shield. It seems to me that there must be some other agenda at play here. I am also deeply troubled by the fact that you are attempting to substitute your contradictory legal analysis, as you are not an attorney, for that of the attorneys the City of Pontiac has engaged to legally opine on these matters.

I would certainly hope that you will revisit your conclusions in this matter and issue the licenses to my client's anchor tenants. Your continued adherence to very flawed legal analysis is putting both the City of Pontiac and you as interim clerk in legal peril.

Very truly yours,



Michael J. Weikert

Cc: Mayor Waterman
Pontiac City Council
Mr. Matthew Gibb, Esq.
Mr. Anthony Chubb, Esq.



CITY OF PONTIAC
DEPARTMENT OF ECONOMIC DEVELOPMENT
47450 Woodward, Pontiac, MI 48342

January 8, 2021

Honorable Mayor Waterman
Members of City Council

Via Electronic Delivery by the City Attorney

Re: Legal Status and Implications
Medical Marijuana

Madam Mayor and Council,

On Tuesday January 5, 2021 I was unable to complete my presentation on the land use and legal implications of the current status of medical marijuana applications pending with the City. These concluding remarks are important as they summarize the steps that can be accomplished to safeguard the City and how the ongoing ex parte communications and lay opinions are jeopardizing the City.

Knowing that the conditional rezoning applications approved by the Council vest an equity right in property within the City, and knowing that any alteration to an ordinance in the City cannot have a retroactive effect on those rights, my presentation intended to conclude with a strong recommended solution:

1. The Clerk can issue a notice to an affected applicant that their application is compliant, but for the ordinance requirement of a special exemption permit in Section 3.1106.
2. The applicant can avail itself of the process in Section 3.1106, and under the policies and ordinances of the City, seeking an SEP.
3. If awarded a SEP, the Clerk can make a final award.

We had previously thought that the Clerk would issue a notice stating compliance, but that the land use for the property was in question. This approach is not necessary as the ordinance allows for the remedy sought by Council and the Administration and the law provides remedy to the question of land use.

My presentation was to also end with a request that the release of newsletters and other communication that contains opinion that is incorrect or not in accord with the defensible positions of the City cease. These communications can, and would, be used in any legal

Mayor and Council
January 8, 2021
Page 2

CITY OF PONTIAC
DEPARTMENT OF ECONOMIC DEVELOPMENT
47450 Woodward, Pontiac, MI 48342

proceeding against the City, and are often cited by the court as causing damage when a party relies on the statements. One of the only areas where a court rejects general immunity is where people with apparent authority provide direction and opinion that is incorrect but subsequently relied upon.

Since the timing of my presentation at Council, the City has received a lengthy, and very accurate, legal opinion from counsel for one of the equity interests that received City Council approval of a conditional rezoning. This letter is exactly what was hoped to be avoided by the above steps.

The City, including the administration and the Council, must read this letter for what it is, a clear outline of the legal action that may be burdened upon the city, the reason it may be successful under the law, and most importantly a clear outline of the known damages. Unfortunately, time is now of the essence and I am hopeful that the content and conclusions in my presentation are taken for what they are, a clear statement of law and implication facing the City. The deferral of this for any other course of action than to complete the review and award of medical marijuana licenses is now a direct exposure to the City.

Thank you for your time and attention to this matter,

Sincerely,



Matthew Gibb
Special Counsel for Economic Development
mgibb@pontiac.mi.us
(248) 464-0307

cc. Rob Huth
Jill Bahm
Garland Doyle

#10

RESOLUTION



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

Mayor Deirdre Waterman

TO: HONORABLE MAYOR WATERMAN, COUNCIL PRESIDENT WILLIAMS & PONTIAC CITY COUNCIL

FROM: VERN GUSTAFSSON | PLANNING & DEVELOPMENT MANAGER

**SUBJECT: ZMA 20-07 ZONING MAP AMENDMENT
TERENCE ANDERSON
729 LINDA VISTA | PIN: 64-14-21-451-002
R-1 ONE FAMILY DWELLING TO R-3 MULTIPLE FAMILY DWELLING**

DATE: JANUARY 17, 2021

The City of Pontiac is in receipt of application ZMA 20-07 for a Zoning Map Amendment, parcel 64-14-21-451-002. At the Planning Commission meeting on November 18, 2020 the Planning Commission recommended the City Council approve the Zoning Map Amendment at 729 Linda Vista, PIN 64-14-21-451-002.

The 9.46-acre parcel is located east of Joslyn Avenue between Linda Vista Dr. and Vernon Dr. The applicant, Terence Anderson has requested to rezone 729 Linda Vista Dr., the former Mark Twain School Site, from R-1 One Family Dwelling to R-3 Multiple Family Dwelling. According to the applicant, the school building and property would be renovated and repurposed for multiple family housing and the surrounding vacant property developed for new townhome residential units, respectively. The proposed uses are principal permitted uses in the R-3 Multiple Family Dwelling zoning district.

Summary

1. The applicant requests rezoning the subject site from R-1 One Family Residential to R-3 Multiple Family Residential.
2. The Master Plan identifies the subject site as Civic/Public Use.
3. The subject property is compatible with R-3 standards.
4. Any future development must comply with all City standards and zoning procedures.

Existing Development Pattern

The subject site is located on a single parcel and has frontage and access from Joslyn Ave and Linda Vista Dr. The surrounding area to the west, east and south are predominately one-family dwellings. To the north are business services and commercial uses fronting Joslyn Avenue and N. Perry St.

Existing Zoning Pattern

Properties to the west, east and south are zoned R-1 One Family Dwelling and to the north along Joslyn Avenue and N. Perry St. the parcels are zoned C-1 Local Business

Master Plan

The Pontiac updated the City's Master Plan in 2014. The subject site is designated as Civic/Public Uses, Future Land Use category in the Master Plan. In this new economic development climate, Pontiac's diverse distribution of civic and public buildings across the City may not be the most efficient strategy. As the school district moved to consolidate, streamline, and disposed of property the subject site becomes an ideal opportunity to renovate and repurpose the building and construct new dwelling units.

Rezoning Criteria

The Pontiac City Council must consider any of the following criteria [section 6.804, A-J] that apply to the rezoning application in making findings, recommendations, and a decision to amend the Official Zoning Map [Section 6.804]. Additionally, the section also stipulates that the City Council may also consider other factors that are applicable to the application, but are not listed among the 10 criteria.

Section 6.804 provides review criteria for the Pontiac City Council to utilize in making its findings, recommendations, and formulating a decision. The *ten stated criteria* are listed with our findings:

1. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.*

As described in the Master Plan, this project is consistent with the goals, policies, and objectives of the City's Master Plan and with current redevelopment trends in urban cities.

2. *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*

The site was fully developed, so it's geological, hydrological, and other environmental features are no longer present on the site.

3. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.*

The applicant did not provide evidence that they could develop the 9.46 acre parcel for a one family dwelling unit subdivision. It is clear that demolition, development and construction costs will not provide a reasonable return on investment.

4. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*

The proposed use is compatible with uses allowed within the R-3 Multiple Family dwelling and will not negatively impact neighborhood density, traffic or property values.

5. *The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City.*

Existing City utilities are provided and have sufficient capacity.

6. *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*
Joslyn Road is a Major Road under the City's jurisdiction. The proposed development will not impact the ability of this street and adjoining Vernon Dr., Linda Vista Dr., and Gage St. to handle potential traffic.
7. *The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*
The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.
8. *If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.*
With all the previous findings of fact, the boundaries of the proposed R-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.
9. *If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
It would be inappropriate to amend the permitted and special land use regulations in a R-1 zoning district with its intent to establish multiple family in the R-1 zoning district.
10. *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
The proposed rezoning does not create an incompatible zone within this residential neighborhood.

**ZMA 20-07 – Zoning Map Amendment
Parcel Number 64-14-21-451-002**

RESOLUTION

Whereas, The City has received an application for a Zoning Map Amendment for 729 Linda Vista, identified as PIN 64-14-21-451-002 from Terence Anderson for the rezoning of the aforementioned parcel; and

Whereas, The Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and

Whereas, The Planning Division reviewed the requirements set forth by Section 6.804 of the Zoning Ordinance, the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On November 18, 2020 a Public Hearing was held and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for 729 Linda Vista, approving the change from the current R-1 One Family Dwelling zoning district to R-3 Multiple Family Dwelling zoning district; and

Now Therefore, Be It Resolved, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment [ZMA 20-07] request for 729 Linda Vista, also known as Parcel No. 64-14-21-451-002 to amend the current site zoning from R-1 One Family Dwelling to R-3 Multiple Family Dwelling zoning district.



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 729 Linda Vista Drive

Sidwell Number: 14-24-451-002

Date: 09/04/2020

Office Use Only

PF Number: ZMA 20-07

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least **30 days** prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	Terence Anderson		
Address	26520 Grand River Ave. Suite 101		
City	Redford Twp.		
State	Michigan		
ZIP Code	48240		
Telephone	Main:	Cell: 313.522.0414	Fax:
E-Mail	terence@renaissancecitydevelopers.com		

Project and Property Information

Name of Proposed Development: _____

The subject property is location at Linda Vista Drive on the N / S / E / W side of MLK between Joslyn Avenue and Vernon Drive.

The property is zoned: Residential R1

Proposed Zoning District: Multifamily R3

It is proposed that the property will be used as: 14-24-451-002 Part of SE 1/4 of Section 21, Town 3 North, Range 10 East

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

14-24-451-002 Part of SE 1/4 of Section 21, Town 3 North, Range 10 East - 14-24-451-002

Property Owner Information

Name	Shirley Rand		
Address	729 Linda Vista Dr.		
City	Pontiac		
State	Michigan		
ZIP Code	48342		
Telephone	Main:	Cell: 248.760.8791	Fax:
E-Mail	randlaw87@aol.com		

Are you the _____ Owner Agent/rep. of the owner _____ Other _____

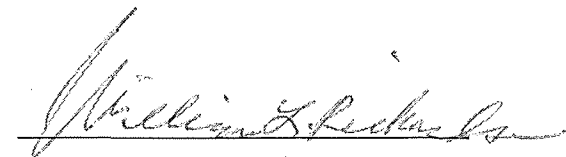
The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

The site will be redeveloped in two phases. Phase I will consist of 14 two story condominiums consisting of 3 bedroom, 2 bathrooms, and a 2 car garage. Phase II shall consist of renovating the existing Mark Twain School into (26) 2 bedroom, 2 bathroom and (1) 1 bedroom, 1bathroom apartments with a community Basketball gym, gameroom, and other outdoor amenities.

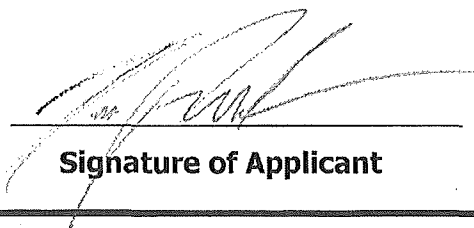
State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.

The zoning amendment will provide additional sources of tax revenues and will provide a community gym for the residents in the vicinity.

The new community will be developed to provide housing opportunities for residents of all incomes. The proposed school renovation will be re-purposed for senior living. While the condominiums will be market rate.



Signature of Owner



Signature of Applicant

State of Michigan
County of Oakland

On this ____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____

ZMA 20-07 Zoning Map Amendment

Terence Anderson

729 Linda Vista Drive [former Mark Twain Elementary School]

Parcel No. 64-24-451-002

Zoning Map Amendment Request:

R-1 One Family Dwelling to R-3 Multiple Family Dwelling Zoning
District

ZMA 20-07 Zoning Map Amendment

1. The former Mark Twain School would be renovated and repurposed for multiple family housing, and the surrounding vacant property will be reconfigured for new townhome residential construction.
2. The suggested proposed uses are principal permitted uses in the R-3 Multiple Family Dwelling zoning district.
3. In accordance with Section 6.802 of the City Zoning Ordinance, the request for Zoning Map Amendment requires a technical review, Public Hearing, recommendation by the Planning Commission, with a final decision by City Council.

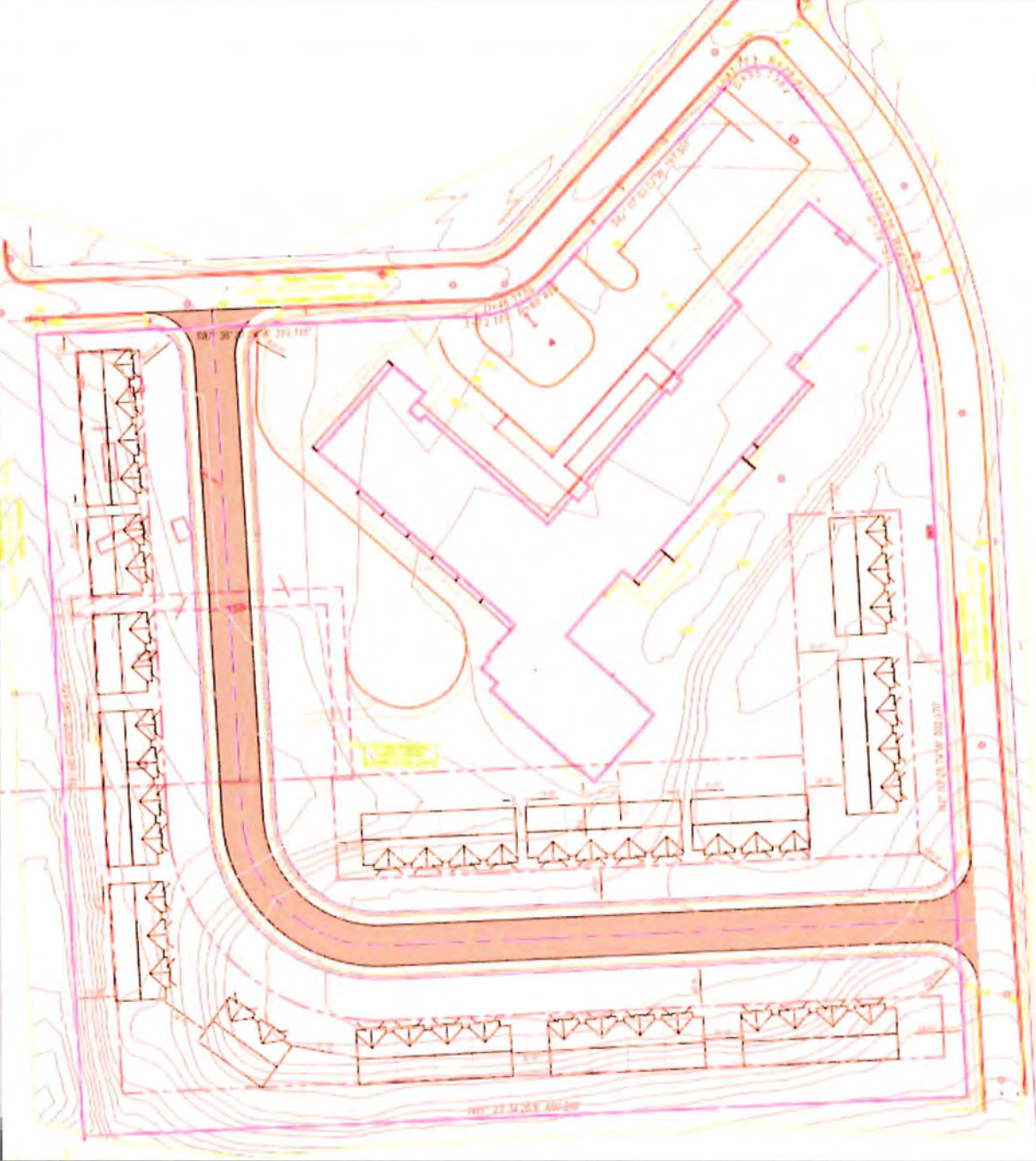
ZMA 20-07 Staff Findings

1. The applicant requests rezoning the subject site from R-1 One Family Residential to R-3 Multiple Family Residential.
2. The Master Plan identifies the subject site as Civic/Public Use. The proposed zoning designation complements the future land use designation in this area.
3. The subject property is compatible with R-3 standards.
4. Any future development must comply with all City standards and zoning procedures.

ZMA 20-07 Site Context



ZMA 20-07 Sketch Plan



1ST FLOOR PLAN



2ND FLOOR PLAN



STREET VIEW

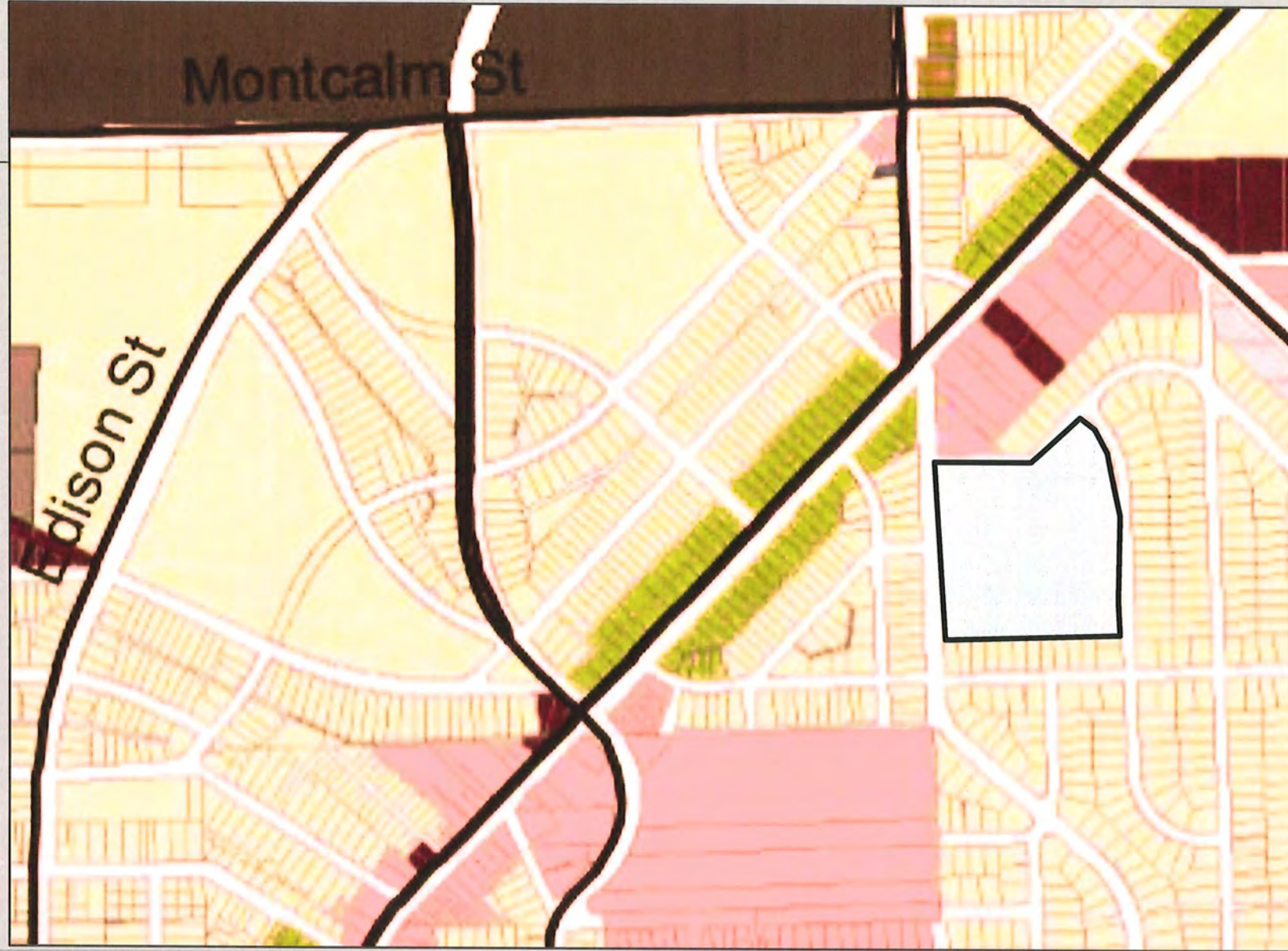


SITE RENDERING

ZMA 20-07
Future Land Use



ZMA 20-07 Zoning Map



ZMA 20-07...Rezoning Criteria Findings

1. As described in the Master Plan, this project is consistent with the goals, policies, and objectives of the City's Master Plan & with current redevelopment trends in urban cities.
2. The site is fully developed, so environmental features are no longer present on the site.
3. The applicant did not provide evidence that they could develop the 9.46 acre parcel for a one family dwelling unit subdivision. It is clear that demolition, development and construction costs will not provide a reasonable return on investment.

ZMA 20-07...Rezoning Criteria Findings

4. The proposed use is compatible with uses allowed within the R-3 Multiple Family dwelling and will not negatively impact neighborhood density, traffic or property values.
5. Existing City utilities are provided and have sufficient capacity.
6. Joslyn Road is a Major Road under the City's jurisdiction. The proposed development will not impact the ability of this street and adjoining First, Barkell and Beverly local roads to handle potential traffic.

ZMA 20-07...Rezoning Criteria Findings

7. The boundaries of the rezoning are reasonable in relationship to surroundings and zoning district dimensional requirements.
8. With all the previous findings of fact, the boundaries of the proposed R-3 zoning district are reasonable from the City's perspective and comply with the vision found in the City's Master Plan.
9. It would be inappropriate to amend the permitted and special land use regulations in a R-1 zoning district with its intent to establish multiple family in the R-1 zoning district.
10. The proposed rezoning does not create an incompatible zone within this residential neighborhood.

#11

**Mayoral
Monthly
Report**



**CITY OF PONTIAC
FINANCE DEPARTMENT
HUMAN RESOURCES DIVISION
47450 Woodward Avenue
Pontiac, Michigan 48342**

TO: Honorable Mayor, Council President, and City Council Members
FROM: Kiearha Davidson, Human Resources Manager
DATE: January 28, 2021
RE: January New Hire Report

There are no new permanent hires for January..

#12

**Mayoral
Monthly
Report**

12-31-2020

Check Register

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
Bank CONS CONSOLIDATED						
Check Type: CheckStub						
12/23/2020	11(S)	00001101	Blue Care Network Of SE Michigan	286401-0001-0121	7,498.63	Open
				286401-0001-0121	(7,498.63)	Open
					<u>0.00</u>	
				Total CheckStub:	<u>0.00</u>	
Check Type: EFT Transfer						
12/20/2020	809(E)	10004301	PNC Bank	Receipt#GCI201027-T182118	299.00	Open
				Receipt#1078-1034	60.00	Open
				Receipt#1093-9375	35.00	Open
				Receipt#1100-7864	30.00	Open
				Receipt#1371-2897	30.00	Open
				82301753	20.00	Open
					<u>116.39</u>	Open
					590.39	
12/28/2020	810(E)	00000603	Oakland County Treasurer	14-21-452-021-1220	1,624.27	Open
12/28/2020	811(E)	10003750	WMHIP-W Michigan Health 8890	January 2021	39,670.39	Open
				Total EFT Transfer:	<u>41,885.05</u>	
Check Type: Paper Check						
12/23/2020	529154	10004313	ADT Commercial LLC	137684315	49.95	Open
12/23/2020	529155	REFUND TAX	Alberto-Noyola, Diana	14-17-304-004-113020	261.61	Open
12/23/2020	529156	REFUND TAX	Alisha L. Kincaid	14-20-331-010-113020	5.92	Open
12/23/2020	529157	10003879	Amazon.com LLC	1CY1-QVXF-P6F6	57.56	Open
				1LXM-QQ76-PCYT	578.34	Open
				1TRM-R33C-7YW4	34.97	Open
				1XY1-HLDL-64PX	<u>270.24</u>	Open
					941.11	
12/23/2020	529158	10004305	Ameena Razia Sheikh	9-10-20 200527SM	300.00	Open
				9-24-20 200862SM	75.00	Open
				10-12-20 201378SM	50.00	Open
				10-13-20 201085SM	117.00	Open
				10-14-20 20139SM	50.00	Open
				10-27-20 200698ST	133.00	Open
				10-27-20 200987SM	267.00	Open
				11-6-20 X2554785A	20.00	Open
				11-14-20 201506SM	33.00	Open
				11-15-20 1872807SD	17.00	Open
				11-16-20 201274SM	33.00	Open
				11-19-20 201378SM	50.00	Open
				11-24-20 201390SM	<u>117.00</u>	Open
					1,262.00	

CHECK REGISTER FOR CITY OF PONTIAC
CHECK DATE FROM 12/19/2020 - 12/31/2020

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
12/23/2020	529159	00000050	AT & T	8310007501007-1220	1,294.90	Open
				8310007527298-1220	221.00	Open
					<u>1,515.90</u>	
12/23/2020	529160	00000050	AT & T	250472140-1220	84.66	Open
12/23/2020	529161	00001103	Blue Cross Blue Shield of Michigan	60418-600-0121	54,801.24	Open
				60418-601-0121	10,689.51	Open
				60418-602-0121	32,495.86	Open
				60418-604-0121	2,935.05	Open
				60418-605-0121	6,719.75	Open
					<u>107,641.41</u>	
12/23/2020	529162	00001103	Blue Cross Blue Shield of Michigan	7036880-0004-0121	10,195.76	Open
				7036880-0005-0121	4,765.18	Open
				7036880-0006-0121	172,796.82	Open
				7036880-0007-0121	12,986.16	Open
				7045068-0000-0121	19,342.31	Open
				7045068-0002-0121	29.31	Open
					<u>220,115.54</u>	
12/23/2020	529163	REFUND TAX	Bruce, Michael C	14-17-381-018-113020	11.57	Open
12/23/2020	529164	00010597	Charesa D. Johnson	10-13-20 16-70406SD	470.00	Open
12/23/2020	529165	10004457	Charter Course Legal, P.C.	1001929	9,462.94	Open
12/23/2020	529166	10004429	Cleannet of Greater Michigan	DET0090113	4,030.18	Open
				DET0090963	1,500.00	Open
					<u>5,530.18</u>	
12/23/2020	529167	00001244	Comcast Cablevision	110-679435-1220	11.57	Open
				110-1037575-1220	310.60	Open
				825-946958-1220	334.53	Open
				6180-214665-1220	188.81	Open
				47450-862478-1220	135.45	Open
					<u>980.96</u>	
12/23/2020	529168	00013029	CompOne Administrators, Inc.	174957	5,943.20	Open
12/23/2020	529169	00000206	Consumers Energy	216-97012165-1220	107.95	Open
				350-96873280-1220	27.18	Open
				990-96288609-1220	580.26	Open
					<u>715.39</u>	
12/23/2020	529170	REFUND TAX	CoreLogic Attn: Refund Dept	2019Summer refund	12,663.87	Open
12/23/2020	529171	REFUND TAX	CoreLogic Centralized Refunds	14-22-306-027-113020	1,697.65	Open
12/23/2020	529172	REFUND TAX	CoreLogic Centralized Refunds	13-36-254-014-113020	620.48	Open
12/23/2020	529173	10004348	Cory Westmoreland	9-23-20 200S14074A	200.00	Open
				10-7-20 1920500M	55.00	Open
				10-7-20 2005720M	139.00	Open
				10-7-20 141357120M	95.00	Open
				10-7-20 2001327701	152.00	Open
					<u>641.00</u>	
12/23/2020	529174	10004243	Creative Schools Management, LLC	January 2021	26,000.00	Open

CHECK REGISTER FOR CITY OF PONTIAC
 CHECK DATE FROM 12/19/2020 - 12/31/2020

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
12/23/2020	529175	10004332	Edith Blakney Law Firm, PLLC	11-10-20 2008470M 11-23-20 AM	50.00 100.00 <u>150.00</u>	Open Open
12/23/2020	529176	REFUND DEP	Frank Rewold and Son Inc	R# 215941	21,795.38	Open
12/23/2020	529177	REFUND TAX	Frederick Spann	14-31-208-001-113020	96.09	Open
12/23/2020	529178	00013036	Giarmarco, Mullins & Horton, P.C.	93194-070-17 93194-000-112 93194-080-5 93194-069-17 93194-078-5 93194-023-96 93194-079-5 93194-067-21 93194-016-111 93194-068-12 93194-032-99 93194-057-74	630.00 13,237.50 225.00 1,155.00 300.00 1,260.00 225.00 9,525.00 20,841.00 75.00 1,965.00 4,399.50 <u>53,838.00</u>	Open Open Open Open Open Open Open Open Open Open Open Open
12/23/2020	529179	10000009	Great Lakes Auto Superstore LLC	January 2021 Oct-Nov Util pdDec20	5,833.33 2,228.82 <u>8,062.15</u>	Open Open
12/23/2020	529180	10000784	Gwen Foxx Entertainment	0002	100.00	Open
12/23/2020	529181	00001649	Home Depot/Comm. Credit	Receipt#2701-00097-	291.68	Open
12/23/2020	529182	10004337	Idumesaro Law Firm, PLLC	10-14-20 2007880M 10-14-20 2004130M 11-18-20 2005620M 11-20-20 201581SM	33.00 75.00 343.00 18.00 <u>469.00</u>	Open Open Open Open
12/23/2020	529183	00012982	Insight Public Sector - PCM Sales	1100790671 1100790977 1030025306	1,114.30 557.17 25,750.00 <u>27,421.47</u>	Open Open Open
12/23/2020	529184	10000960	Iron Mountain Incorporated	2022482218 DCYW646 DCYW648 DCYW654	317.68 293.08 248.37 368.44 <u>1,227.57</u>	Open Open Open Open
12/23/2020	529185	10003866	K and Q Law, PC	10-5-20 19-OS02076A 10-17-20 1913560I 11-16-20 20-1533SM 11-16-20 19OS33020A 11-17-20 AM 11-20-20 200361SM	25.00 150.00 20.00 20.00 150.00 400.00 <u>765.00</u>	Open Open Open Open Open Open

CHECK REGISTER FOR CITY OF PONTIAC
 CHECK DATE FROM 12/19/2020 - 12/31/2020

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
12/23/2020	529186	10004157	Karema DeJesus	1472	100.00	Open
12/23/2020	529187	10003942	Law Office of D Ann Parker, PC	10-28-20 201263SM	350.00	Open
12/23/2020	529188	10004388	Law Office of Christophen R Shemke	10-14-20 2002800T 10-15-20 191207ST 10-15-20 201226SM	365.00 125.00 183.00	Open Open Open
					<u>673.00</u>	
12/23/2020	529189	00012690	Law Offices of Paulette Michel, PLLC	10-28-20 200082SM 10-29-20 201171SM	125.00 133.00	Open Open
					<u>258.00</u>	
12/23/2020	529190	00010223	Lisa C Watkins Law Office	10-16-20 20-0922SM	175.00	Open
12/23/2020	529191	REFUND TAX	Margaret J. Flanigan	14-16-426-014-113020	306.34	Open
12/23/2020	529192	00012978	Meadowbrook, Inc.	6056	3,519.00	Open
12/23/2020	529193	00002044	Michigan Municipal League	21505	195.00	Open
12/23/2020	529194	00000551	MISS DIG System, Inc	20210350	4,802.46	Open
12/23/2020	529195	10000359	Noah W. Canales	1	100.00	Open
12/23/2020	529196	00000598	Oakland County	DSA0001785 HRT0000579	3,392.74 50.00	Open Open
					<u>3,442.74</u>	
12/23/2020	529197	00002217	Oakland County Legal News	1723451	73.70	Open
12/23/2020	529198	10000078	Occupational HealthCenters of MI PC	713518083	69.50	Open
12/23/2020	529199	10004333	Pipeline Management Company, Inc.	2020-114 2020-122	29,099.00 39,384.00	Open Open
					<u>68,483.00</u>	
12/23/2020	529200	00002316	Pitney Bowes Inc	3312470220	900.12	Open
12/23/2020	529201	00010593	Praxair Distribution, Inc.	99759369	31.74	Open
12/23/2020	529202	10000814	Professional Instant Printing, Inc.	78016 77845	390.00 305.00	Open Open
					<u>695.00</u>	
12/23/2020	529203	10004007	QRS Court Reporting, LLC	90748	495.00	Open
12/23/2020	529204	00013315	Rapid Shred, LLC	137256	30.00	Open
12/23/2020	529205	10004389	Rucker & Associates, P.C.	10-6-20 18147697OM 10-7-20 18147697OM	20.00 100.00	Open Open
					<u>120.00</u>	
12/23/2020	529206	00013067	Scott C. Kozak, Attorney at Law	9-1-20 201198SM. 10-15-20 190082SD 11-24-20 201198SM	33.00 17.00 108.00	Open Open Open
					<u>158.00</u>	
12/23/2020	529207	00011704	Spencer Oil Company	012300-2030501	3,577.64	Open
12/23/2020	529208	00013050	Stacy A. Drouillard	10-11-20 191401OM 10-14-20 191193OM 10-23-20 191430SD 10-23-20 201435SM 10-28-20 18146831OM	25.00 117.00 25.00 75.00 188.00	Open Open Open Open Open

CHECK REGISTER FOR CITY OF PONTIAC
 CHECK DATE FROM 12/19/2020 - 12/31/2020

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				11-16-20 200379	25.00	Open
				11-18-20 181488590M	360.00	Open
				11-19-20 X1950288A	67.00	Open
					<u>882.00</u>	
12/23/2020	529209	00012256	Staples Business Advantage	8060421110-462556317	112.93	Open
				8060488883-463142401	53.05	Open
				8060569412-463920298	313.52	Open
				8060569412-463920300	41.65	Open
					<u>521.15</u>	
12/23/2020	529210	10004140	Techniserve Inc.	39913	540.75	Open
12/23/2020	529211	00000275	The Law and Mediation Center PLLC	9-15-20 X3694354A	45.00	Open
				10-6-20 190771SM	8.00	Open
				10-6-20 1467660SM	8.00	Open
				10-15-20 200288SM	323.00	Open
				11-17-20 200872SM	97.00	Open
				11-17-20 AM	200.00	Open
					<u>681.00</u>	
12/23/2020	529212	10004239	The Lee Group, MI LLC	1216	1,250.00	Open
12/23/2020	529213	REFUND TAX	Thompson Jr, John H	19-04-179-016-113020	8.98	Open
12/23/2020	529214	10004376	Thomson Reuters Applications, Inc.	843084254	120.00	Open
12/23/2020	529215	10004008	TJA Staffing Services, Inc.	Pontiac2020	10,000.00	Open
12/23/2020	529216	10004268	Trinity Morton	1001	100.00	Open
12/23/2020	529217	00010664	Truck & Trailer Specialties, Inc.	HSO007858	886.56	Open
				HSO007909	526.02	Open
				HSO007924	196.85	Open
					<u>1,609.43</u>	
12/23/2020	529218	00002773	United States Conference Of Mayors	INV000843	5,269.00	Open
12/23/2020	529219	00002783	University Lawn Equipment, Inc.	586167	7.00	Open
				586173	21.00	Open
					<u>28.00</u>	
12/23/2020	529220	10004155	Volte, LLC	INV-0334	1,308.00	Open
12/23/2020	529221	00000851	Wade-Trim/Associates	2019723	140,975.00	Open
				2019728	42,435.00	Open
					<u>183,410.00</u>	
12/23/2020	529222	10004330	Wilkerson Law, PLLC	9-29-20 201014SM	250.00	Open
				10-1-20 1568754SM	317.00	Open
				9-10-20 201050SM	150.00	Open
					<u>717.00</u>	
				Total Paper Check:	<u>805,832.23</u>	
CONS TOTALS:						
Total of 73 Checks:					847,717.28	
Less 0 Void Checks:					0.00	

01/08/2021 03:19 PM

User: JPETERS

DB: Pontiac

CHECK REGISTER FOR CITY OF PONTIAC
CHECK DATE FROM 12/19/2020 - 12/31/2020

Page: 6/6

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
Total of 73 Disbursements:					847,717.28	

1-8-2021

Check Register

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
Bank CONS CONSOLIDATED						
Check Type: EFT Transfer						
01/05/2021	812 (E)	00000603	Oakland County Treasurer	2020-1215COUNTY	228,916.65	Open
01/05/2021	813 (E)	10003903	Pontiac Public Library	2020-1215LIBRARY	6,955.83	Open
01/05/2021	814 (E)	00012890	Pontiac Schools	2020-1215MESSA	1,203.88	Open
01/05/2021	815 (E)	00012890	Pontiac Schools	2020-1215OPERATING	34,811.30	Open
01/05/2021	816 (E)	00012890	Pontiac Schools	2020-1215Sinking	8,313.56	Open
01/08/2021	817 (E)	10004293	North Bay Drywall, Inc	Jan. 2021 Electric	4,374.00	Open
01/08/2021	818 (E)	00012890	Pontiac Schools	2020-1215Debt	967.80	Open
Total EFT Transfer:					<u>285,543.02</u>	
Check Type: Paper Check						
01/08/2021	529223	10001957	Ajax Materials Corporation	256909	145.60	Open
				256993	112.00	Open
					<u>257.60</u>	
01/08/2021	529224	10004050	Alfred Benesch & Company	168401	138,682.80	Open
01/08/2021	529225	10003879	Amazon.com LLC	149H-GFCN-4K6Y	27.56	Open
01/08/2021	529226	10003879	Amazon.com LLC	642589061	166.47	Open
01/08/2021	529227	10004305	Ameena Razia Sheikh	9-28-20 Martinez	33.00	Open
				9-29-20 200852SM	200.00	Open
				10-12-20 201397SM	50.00	Open
				10-27-20 200771SM	108.00	Open
				10-28-20 16142965OM	200.00	Open
				11-5-20 20-0836SM	200.00	Open
				11-18-20 170S03562B	200.00	Open
				11-19-20 201308SM	117.00	Open
				11-19-20 201397SM	117.00	Open
					<u>1,225.00</u>	
01/08/2021	529228	00000050	AT & T	8310005335294-1220	2,231.30	Open
				8310005335298-1220	1,797.97	Open
					<u>4,029.27</u>	
01/08/2021	529229	00000050	AT & T	287269014755x121720	1,147.99	Open
01/08/2021	529230	10004207	Belem Morales Law Office	10-15-20 12OS14190A	25.00	Open
				10-15-20 14OS10947A	100.00	Open
				10-15-20 18OS17257B	25.00	Open
				10-15-20 20OS12697A	33.00	Open
				10-20-20 20OS13565A	50.00	Open
				10-15-20 191556ST	83.00	Open
				10-15-20 200364SM	33.00	Open
				10-15-20 08A938617	25.00	Open
				10-15-20 X2915251B	25.00	Open
				11-3-20 15OS16551C	117.00	Open
				11-3-20 200909SM	133.00	Open
				11-5-20 2074900	212.00	Open
					<u>861.00</u>	

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
01/08/2021	529231	10003781	Bruce E. Crossman	10-12-20 170S36077A	33.00	Open
				10-12-20 2002960M	173.00	Open
				10-12-20 200591SM	247.00	Open
				10-12-20 171449100M	65.00	Open
				10-12-20 141363730M	23.00	Open
				10-13-20 200469SM	255.00	Open
				10-15-20 150S19766A	33.00	Open
				10-15-20 180S14552A	28.00	Open
					<u>857.00</u>	
01/08/2021	529232	00010597	Charesa D. Johnson	10-13-20 200166SD	650.00	Open
				10-29-20 201297SM	288.00	Open
				11-3-20 2005870M	20.00	Open
				11-3-20 2006900M	33.00	Open
				11-3-20 121300000M	25.00	Open
				11-30-20 X3593068A	17.00	Open
				12-3-20 AM	300.00	Open
					<u>1,333.00</u>	
01/08/2021	529233	00001244	Comcast Cablevision	52-812853-121920	296.57	Open
				52-1022718-122720	425.70	Open
				<u>722.27</u>		
01/08/2021	529234	00000206	Consumers Energy	6180-96321407-1220	404.07	Open
01/08/2021	529235	00001267	Contractors Connection	7149924	93.60	Open
				7150021	93.60	Open
				<u>187.20</u>		
01/08/2021	529236	00001269	Contractors Fence Service	S 2579	7,486.45	Open
01/08/2021	529237	10004348	Cory Westmoreland	8-18-20 200S08441A	333.00	Open
				9-1-20 Walker	303.00	Open
				10-6-20 2005650M	315.00	Open
				10-6-20 KenSandfor	203.00	Open
				10-20-20 201093SM	547.00	Open
				11-2-20 180S11076A	170.00	Open
				11-2-20 190S06926B	60.00	Open
				11-2-20 2007980M	147.00	Open
				11-2-20 TR	53.00	Open
				11-6-20 170S35494A	20.00	Open
				11-6-20 2001810M	38.00	Open
				11-6-20 2000890M	42.00	Open
				11-6-20 2004440M	45.00	Open
				11-9-20 170S35494A	20.00	Open
				11-9-20 1915320M	57.00	Open
				11-9-20 2000810M	170.00	Open
11-9-20 2004440M	122.00	Open				
11-9-20 2007890M	43.00	Open				
	<u>2,688.00</u>					
01/08/2021	529238	10003307	Dave's Electric Services, Inc.	15358	609.06	Open
01/08/2021	529239	10000127	Delta Dental of Michigan	RIS0003241769	1,094.18	Open
01/08/2021	529240	REFUND TAX	Dennison, Archie D	13-36-253-005-121520	97.59	Open
01/08/2021	529241	00010679	DLZ Michigan, Inc -Johnson&Andersor144122		1,041.50	Open

CHECK REGISTER FOR CITY OF PONTIAC
 CHECK DATE FROM 01/01/2021 - 01/08/2021

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				144538	48.50	Open
					<u>1,090.00</u>	
01/08/2021	529242	10004332	Edith Blakney Law Firm, PLLC	10-22-20 200549SM	325.00	Open
				11-17-20 200500735B	150.00	Open
				11-17-20 201325SM	193.00	Open
					<u>668.00</u>	
01/08/2021	529243	REFUND TAX	Estate of Jaden R Burnette, A Minor	14-30-383-003-121520	349.05	Open
01/08/2021	529244	10004088	Fidelity Security Life Insurance Co	164624891	511.13	Open
				164625358	345.87	Open
				164624942	151.08	Open
					<u>1,008.08</u>	
01/08/2021	529245	00013073	Florence Cement Company	Pay Est #5	379,329.15	Open
01/08/2021	529246	00013073	Florence Cement Company	Pay Est.#6	218,437.45	Open
01/08/2021	529247	REFUND TAX	Glenda Golden	14-17-377-038-121520	443.15	Open
01/08/2021	529248	10004182	Great Lakes Power & Lighting, Inc	20363	906.03	Open
				20364	565.10	Open
				20365	694.82	Open
				20366	1,639.20	Open
				20397	2,870.78	Open
				20398	1,816.64	Open
				20399	1,556.28	Open
				20400	1,279.19	Open
				20401	2,294.22	Open
				20402	4,422.75	Open
					<u>18,045.01</u>	
01/08/2021	529249	REFUND TAX	Greer, Floyd L Ethel J	14-22-334-004-121520	515.29	Open
01/08/2021	529250	00001591	Guardian Alarm Company of Michigan	21303733	140.96	Open
01/08/2021	529251	REFUND TAX	Guilmette, Aaron	14-30-254-049-121520	423.05	Open
01/08/2021	529252	10000170	Harold Harris	12/15/2020 Meeting	100.00	Open
01/08/2021	529253	10004422	Health Care Cost Management	0013	210.35	Open
01/08/2021	529254	10002431	Henderson Glass Inc.	994968	1,852.00	Open
01/08/2021	529255	10003261	Hillarrie F. Boettger, PLLC	10-27-20 200850SD	13.00	Open
01/08/2021	529256	00001643	Hodges Supply Company	1732940	601.38	Open
				1734541CreditMemo	(248.82)	Open
					<u>352.56</u>	
01/08/2021	529257	00001649	Home Depot/Comm. Credit	1032579	23.94	Open
				2023666	244.64	Open
				2032544	47.44	Open
				2354235	135.67	Open
				3021445	30.71	Open
				3032178	47.52	Open
				5343875	64.18	Open
				8021899	124.85	Open
				8021928	13.96	Open
				8024007	187.12	Open
					<u>920.03</u>	
01/08/2021	529258	10001885	Hubbell, Roth & Clark, Inc.	183826	25,884.28	Open

CHECK REGISTER FOR CITY OF PONTIAC
 CHECK DATE FROM 01/01/2021 - 01/08/2021

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				183827	6,349.50	Open
				183828	9,842.10	Open
				183829	17,311.11	Open
				183830	6,111.74	Open
				183831	1,481.00	Open
					<u>66,979.73</u>	
01/08/2021	529259	10004337	Idumesaro Law Firm, PLLC	10-8-20 191652SM	513.00	Open
				11-2-20 190S37871A	63.00	Open
				11-10-20 190353SM	177.00	Open
				11-18-20 190536OM	275.00	Open
					<u>1,028.00</u>	
01/08/2021	529260	10003866	K and Q Law, PC	10-5-20 20-1246SM	42.00	Open
				10-5-20 20-1270SM	33.00	Open
				10-13-20 20-0001SM	75.00	Open
				10-14-20 201247SM	75.00	Open
				10-17-20 20-0171OM	400.00	Open
				10-17-20 20-1062SM	200.00	Open
				11-1-20 200873SM	267.00	Open
				11-1-20 201270SM	383.00	Open
				11-20-20 200134SM	425.00	Open
				11-20-20 200920SM	417.00	Open
					<u>2,317.00</u>	
01/08/2021	529261	REFUND TAX	Kirstin Bennett	14-31-203-007-121520	717.73	Open
01/08/2021	529262	10003942	Law Office of D Ann Parker, PC	7-22-20 200903SM	25.00	Open
				9-30-20 200S17146A	75.00	Open
				9-30-20 200S17146B	100.00	Open
				9-30-20 2009903SM	400.00	Open
				11-10-20 200559SM	150.00	Open
					<u>750.00</u>	
01/08/2021	529263	10004388	Law Office of Christopher R Shemke	10-22-20 201447SM	25.00	Open
				10-29-20 2077234	150.00	Open
				10-29-20 191579SM	50.00	Open
				10-29-20 201290SM	75.00	Open
				10-29-20 201454SM	8.00	Open
				11-10-20 190S36552B	433.00	Open
				11-10-20 200S16181B	225.00	Open
				11-9-20 200823OM	183.00	Open
				11-12-20 19195846OM	158.00	Open
				12-2-20 AM	183.00	Open
					<u>1,490.00</u>	
01/08/2021	529264	10002474	Law offices of Moneka L. Sanford PLLC	10-11-20 190179SM	500.00	Open
				10-11-20 191606SM	300.00	Open
				10-26-20 201356SM	100.00	Open
				11-17-20 130S21591A	100.00	Open
				11-17-20 X3615668A	100.00	Open
					<u>1,100.00</u>	
01/08/2021	529265	10003741	Law Offices of Nadine R.Hatten, PLLC	6-23-20 18-74061SM	58.00	Open

CHECK REGISTER FOR CITY OF PONTIAC
 CHECK DATE FROM 01/01/2021 - 01/08/2021

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				11-2-20 20-00010M	100.00	V Open
				11-13-20 190353SM	88.00	V Open
					<u>246.00</u>	
01/08/2021	529266	00012690	Law Offices of Paulette Michel, PLI	12-1-20 200401SM	150.00	Open
				2309 - OCT. 2020	3,750.00	Open
				2310 NOV 2020	3,750.00	Open
				2311 DEC 2020	3,750.00	Open
					<u>11,400.00</u>	
01/08/2021	529267	10003972	Linda D. Watson	Dec. 15, 2020 Meetin	100.00	Open
01/08/2021	529268	00010223	Lisa C Watkins Law Office	10-7-20 150S14723A	75.00	Open
				10-7-20 180S2159A	67.00	Open
				10-7-20 190S01608A	125.00	Open
				10-7-20 200S11163A	67.00	Open
				10-13-20 191413SM	250.00	Open
				11-2-20 1912040M	125.00	Open
				11-14-20 2005820M	53.00	Open
				11-18-20 AM	100.00	Open
				11-18-20 PM	250.00	Open
				12-2-20 AM	150.00	Open
				12-3-20 201199SM	225.00	Open
					<u>1,487.00</u>	
01/08/2021	529269	10001585	Mattie Lasseigne	Dec. 15, 2020meeting	100.00	Open
01/08/2021	529270	REFUND TAX	McGhee, Tara	19-05-205-022-121520	400.00	Open
01/08/2021	529271	00010549	Mutual of Omaha Insurance Company	1153240573	9,793.56	Open
01/08/2021	529272	00000596	NTH Consultants, Ltd	624502	15,651.37	Open
				624505	2,590.00	Open
					<u>18,241.37</u>	
01/08/2021	529273	00002221	Oakland County Executive Office	2020-1215Brownsfield	37,980.49	Open
01/08/2021	529274	00002229	Oakland County Road Commission	100594	5,189.10	Open
				100606	10,237.00	Open
					<u>15,426.10</u>	
01/08/2021	529275	00011236	PreCise MRM LLC	200-1028438	94.95	Open
01/08/2021	529276	00002381	Primo Crafts, LLC	32889	1,367.50	Open
01/08/2021	529277	10004389	Rucker & Associates, P.C.	10-2-20 1920560T	100.00	Open
				10-5-20 190S16836A	50.00	Open
				10-5-20 195056,57	50.00	Open
					<u>200.00</u>	
01/08/2021	529278	00013067	Scott C. Kozak, Attorney at Law	9-25-20 19-15464SM	25.00	Open
				11-17-20 191564SM	50.00	Open
					<u>75.00</u>	
01/08/2021	529279	REFUND TAX	Springall, Carol	14-07-432-013-121520	218.91	Open
01/08/2021	529280	00013050	Stacy A. Drouillard	5-4-20 181473040M	408.00	Open
				11-9-20 2007330M	317.00	Open
					<u>725.00</u>	

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
01/08/2021	529281	10004140	Techniserve Inc.	39791 39936	540.75 540.75	Open Open
					<u>1,081.50</u>	
01/08/2021	529282	00000275	The Law and Mediation Center PLLC	10-3-20 201242SM 10-6-20 200986SM 10-20-20 19OS05065B 10-20-20 191034SM 10-20-20 200948SM 11-10-20 201342SM 11-10-20 19H007505B	15.00 292.00 100.00 382.00 275.00 25.00 25.00	Open Open Open Open Open Open Open
					<u>1,114.00</u>	
01/08/2021	529283	10004376	Thomson Reuters Applications, Inc.	843601233	121.20	Open
01/08/2021	529284	00013076	Turner Sanitation	A-52963 MurphyPark A-52964 JayceePark A-52965 OaklandPark A-52966BeaudettePark A-52967GallowayLkPk A-52968HawthornePark A-52969MurphyCricket A-52970NorthsideSocc A-52971NorthsidePk A-52972AaronPerryPk	60.97 121.94 121.94 121.94 60.97 121.94 121.94 60.97 60.97 267.58	Open Open Open Open Open Open Open Open Open Open
					<u>1,121.16</u>	
01/08/2021	529285	10003813	Water Resource Commissioner	10-80898-00-1220 52-69413-00-1220 70-81022-00-1220 70-81023-00-1220 110-81011-00-1220 216-80907-01-1220 216-80908-00-1220 216-80909-03-1220 786-80882-09-1220 825-80806-02-1220 47450-81007-00-1220	42.64 213.20 802.18 42.64 879.78 19.80 106.60 19.80 341.12 2,477.00 1,136.55	Open Open Open Open Open Open Open Open Open Open Open
					<u>6,081.31</u>	
01/08/2021	529286	00002846	Wells Fargo Vendor Financial Svcs	104436400	1,284.38	Open
01/08/2021	529287	10004330	Wilkerson Law, PLLC	11-18-20 191992OM	500.00	Open
01/08/2021	529288	00002895	Young Supply Co.	2020184-00	271.50	Open
				Total Paper Check:	<u>969,587.03</u>	

CONS TOTALS:

Total of 73 Checks:	1,255,130.05
Less 1 Void Checks:	246.00
Total of 72 Disbursements:	<u>1,254,884.05</u>

Bank PNCMM PNC MONEY MARKET

01/12/2021 09:40 AM
User: JPETERS
DB: Pontiac

CHECK REGISTER FOR CITY OF PONTIAC
CHECK DATE FROM 01/01/2021 - 01/08/2021

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
Check Type: EFT Transfer						
01/05/2021	159(E)	00013053	City of Pontiac	2020-1215City	254,006.75	Open
				Total EFT Transfer:	<u>254,006.75</u>	
PNCMM TOTALS:						
Total of 1 Checks:					254,006.75	
Less 0 Void Checks:					0.00	
Total of 1 Disbursements:					<u>254,006.75</u>	
REPORT TOTALS:						
Total of 74 Checks:					1,509,136.80	
Less 1 Void Checks:					246.00	
Total of 73 Disbursements:					<u>1,508,890.80</u>	

1-15-2021

Check Register

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
Bank CONS CONSOLIDATED						
Check Type: Paper Check						
01/15/2021	529289	00011679	Accident Fund Worker's Comp	WCV6082992-0121	21,317.50	Open
01/15/2021	529290	10004066	Action Traffic Maintenance, Inc.	1245328	9,959.75	Open
01/15/2021	529291	10004305	Ameena Razia Sheikh	10-22-20 200243SD 10-26-20 201231ST 12-1-20 201231ST	50.00 50.00 133.00	Open Open Open
					<u>233.00</u>	
01/15/2021	529292	10004322	Animal Xtractors	936 945	250.00 200.00	Open Open
					<u>450.00</u>	
01/15/2021	529293	REFUND DEP	Armstrong Sewer Services, LLC	R197942	438.00	Open
01/15/2021	529294	00000050	AT & T	80025874118-0121	1,745.22	Open
01/15/2021	529295	00000050	AT & T	248253002601-21	638.06	Open
01/15/2021	529296	REFUND DEP	Audrik, Inc. DBA Roto-Rooter Plumbing	R188459	570.00	Open
01/15/2021	529297	10004207	Belem Morales Law Office	11-30-20 20-72957 11-30-20 20-75355 11-30/20 200367SM 11-30-20 200560SM 12-01-20-75417	225.00 100.00 50.00 50.00 300.00	Open Open Open Open Open
					<u>725.00</u>	
01/15/2021	529298	00000123	Boys & Girls Club of SE Michigan	#1	19,000.00	Open
01/15/2021	529299	10003781	Bruce E. Crossman	2-20-20 WJ 6-7-20 200441SM 8-14-20 201032OM 9-9-20 201123SM 10-28-20 201032OM 10-28-20 201123SM 11-11-20 200205SM 11-11-20 200441SM 11-19-20 200S07806A 11-30-20 200509OM	17.00 20.00 30.00 22.00 198.00 172.00 237.00 398.00 27.00 117.00	Open Open Open Open Open Open Open Open Open Open
					<u>1,238.00</u>	
01/15/2021	529300	00010597	Charesa D. Johnson	9-25-20 200780SM 12-8-20 201300SM 12-8-20 200587OM 12-8-20 201375SM 12-9-20 200780SM	33.00 228.00 108.00 102.00 392.00	Open Open Open Open Open
					<u>863.00</u>	
01/15/2021	529301	10003346	City of Auburn Hills	71000518575-1220	19,634.21	Open
01/15/2021	529302	00001244	Comcast Cablevision	990-1024326-0121	426.98	Open
01/15/2021	529303	00013029	CompOne Administrators, Inc.	175136 175145	21,075.57 7,575.00	Open Open
					<u>28,650.57</u>	

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
01/15/2021	529304	00000206	Consumers Energy	10-95261074-0121	15.00	Open
				52-96422630-0121	689.84	Open
				70-96511412-0121	1,901.19	Open
				110-98711686-0121	2,069.30	Open
				216-97012719-0121	162.01	Open
				825-97397342-0121	4,212.71	Open
				47450-96189951-0121	3,284.93	Open
				216-97012719-0121CR	(162.01)	Open
					<u>12,172.97</u>	
01/15/2021	529305	10004348	Cory Westmoreland	12-7-20 1904660M	400.00	Open
01/15/2021	529306	10001598	Covenant Academy in the Hills	CovenantAcademy 6-19	2,500.00	Open
01/15/2021	529307	REFUND DEP	Cranbrook Contractual Services	R#201254	747.50	Open
01/15/2021	529308	00001299	Culligan of Ann Arbor / Detroit	649399	15.50	Open
				647856	44.74	Open
					<u>60.24</u>	
01/15/2021	529309	00001353	Detroit Elevator Co.	190616	184.00	Open
				190618	185.00	Open
					<u>369.00</u>	
01/15/2021	529310	00000247	DTE Energy	52-7080527-1220	537.18	Open
				60-8830604-1220	10,811.12	Open
				70-4941404-1220	3,757.21	Open
				216-7484267-0121	51.90	Open
				435-7849547-1220	68.54	Open
				575-5880980-1220	38.21	Open
				786-2776558-1220	27.47	Open
				827-5543457-1220	65.70	Open
				827-7082417-1220	1,213.32	Open
				990-7078596-1220	522.24	Open
				6180-5436439-1220	427.49	Open
				6180-5436464-1220	769.34	Open
				910040679979-1220	92,245.73	Open
				440-2777841-1220	55.01	Open
					<u>110,590.46</u>	
01/15/2021	529311	REFUND DEP	DTE Energy - Electric	R187241	1,725.00	Open
01/15/2021	529312	10004332	Edith Blakney Law Firm, PLLC	8-31-20 200784SM	492.00	Open
				10-1-20 200479SM	100.00	Open
				11-25-20 200744OM	242.00	Open
				12-1-20 190334SM	40.00	Open
				12-2-20 170S36784A	20.00	Open
				12-2-20 AM	100.00	Open
					<u>994.00</u>	
01/15/2021	529313	00000284	Elam Service Group	122020	9,980.00	Open
01/15/2021	529314	10004397	Empyrean Benefit Solutions, Inc.	SINV10011883	6,017.00	Open
01/15/2021	529315	EMP. REIMB	Eric Brimm	12-29-20 & 1-5-21	272.95	Open
01/15/2021	529316	10004306	Erika D. Morgan Law, PLLC	8-19-20 2005640T	67.00	Open
				9-28-20 201324SM	50.00	Open
				10-12-20 201316SM	50.00	Open
				12-7-20 2005640T	175.00	Open

CHECK REGISTER FOR CITY OF PONTIAC
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Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				12-7-20 201316SM	225.00	Open
				12-7-20 201324SM	267.00	Open
					<u>834.00</u>	
01/15/2021	529317	00010341	Fathom Studios, LLC	1393	2,500.00	Open
01/15/2021	529318	00000436	Gracey Law Firm, PLLC	11-20-20 200S18970B	8.00	Open
				11-20-20 190268ST	17.00	Open
				11-20-20 190384SM	8.00	Open
				11-20-20 200255SD	8.00	Open
				11-20-20 200596SM	92.00	Open
				11-24-20 AM	300.00	Open
				11-30-20 201523SM	50.00	Open
				11-30-20 201578SM	17.00	Open
				11-30-20 201587SM	100.00	Open
				11-30-20 201589SM	8.00	Open
				11-30-20 201591SM	50.00	Open
				11-30-20 201611SM.1	17.00	Open
				11-30-20 201611SM	50.00	Open
				11-30-20 201612SM	100.00	Open
				12-1-20 200606SD	20.00	Open
				12-1-20 AM	300.00	Open
				12-9-20 201589SM	25.00	Open
				12-9-20 200606SD	50.00	Open
				12-9-20 201523SM	25.00	Open
				12-9-20 201587SM	117.00	Open
				12-9-20 201591SM	17.00	Open
					<u>1,379.00</u>	
01/15/2021	529319	00001591	Guardian Alarm Company of Michigan	21285880	200.00	Open
01/15/2021	529320	10003261	Hillarie F. Boettger, PLLC	12-2-20 18-73238SM	177.00	Open
01/15/2021	529321	10004337	Idumesaro Law Firm, PLLC	11-30-20 201607SM	38.00	Open
				12-1-20 AM	187.00	Open
				12-8-20 AM	250.00	Open
					<u>475.00</u>	
01/15/2021	529322	00013088	Innovative Software Services, Inc.	2445	17,676.92	Open
				2464	20,507.99	Open
					<u>38,184.91</u>	
01/15/2021	529323	10000960	Iron Mountain Incorporated	202270132	318.05	Open
				DGNV257	318.75	Open
				DGNV261	248.37	Open
				DGNV279	368.44	Open
					<u>1,253.61</u>	
01/15/2021	529324	10003866	K and Q Law, PC	11-23-20 190S25113A	25.00	Open
				11-23-20 191514SM	33.00	Open
				11/24/20 AM	100.00	Open
				11-30-20 AM	100.00	Open
				12-3-20 AM	100.00	Open
				12-4-20 201246SM	92.00	Open
					<u>450.00</u>	
01/15/2021	529325	10003942	Law Office of D Ann Parker, PC	11-30-20 201196SM	425.00	Open

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CHECK REGISTER FOR CITY OF PONTIAC
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Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
01/15/2021	529326	10004388	Law Office of Christophen R Shemke	11-19-20 201504SM 11-24-20 201453SD 11-30-20 200S09848A 12-1-20 201454SM 12-2-20 180S04433A 12-2-20 200075OM 12-2-20 201167SM 12-2-20 20-73139 12-2-20 AM 12-8-20 20-74502 11-25-20 201593SM	20.00 33.00 50.00 283.00 20.00 33.00 323.00 133.00 100.00 350.00 20.00	Open Open Open Open Open Open Open Open Open Open Open
					<u>1,365.00</u>	
01/15/2021	529327	10002474	Law offices of Moneka L. Sanford PI	11-19-20 160S18292A	525.00	Open
01/15/2021	529328	10003741	Law Offices of Nadine R.Hatten, PLLC	6-23-20 18-74061SM 8-27-20 19-1362SM 8-27-20 20-1087SM 11-2-20 19-1362SM 12-2-20 18-74061SM	58.00 25.00 83.00 320.00 148.00	Open Open Open Open Open
					<u>634.00</u>	
01/15/2021	529329	REFUND DEP	Lecom Communications	R193025	2,275.30	Open
01/15/2021	529330	00010223	Lisa C Watkins Law Office	12-3-20 20-0846OM 11-12-20 150S32999A 11-12-20 20-0712OM 11-13-20 18-148111OM 11-13-20 180S14598B 11-13-20 200S21254A 11-14-20 190S20902A 11-6-20 20-0758OM 11-14-20 17-145825OM 11-16-20 18-146846OM	20.00 33.00 33.00 33.00 33.00 33.00 33.00 20.00 33.00 33.00	Open Open Open Open Open Open Open Open Open Open
					<u>304.00</u>	
01/15/2021	529331	00001592	Loomis	12734472	1,080.69	Open
01/15/2021	529332	10000123	Marilyn D.Walker	12-5-20 200941SD 12-5-20 201576SM 12-5-20 1569221SM 12-8-20 200655OD 12-8-20 200707SM 12-8-20 20-1466ST	25.00 25.00 25.00 108.00 200.00 125.00	Open Open Open Open Open Open
					<u>508.00</u>	
01/15/2021	529333	10000675	Michigan Joint Sealing, Inc.	16691	45,853.32	Open
01/15/2021	529334	10003957	Mona Storm - Storm Reporting	January 5 2021	80.00	Open
01/15/2021	529335	REFUND DEP	N.C. Design & Contracting	R#221848	8,625.00	Open
01/15/2021	529336	10004329	Nachawati Law, PLLC	11-13-20 190353SM	88.00	Open
01/15/2021	529337	10001088	Nelco Supply Co.	10109439 10109440 10109441 10109661 10109662 10109692 10109738	49.60 35.60 49.60 47.80 23.00 314.95 103.50	Open Open Open Open Open Open Open

CHECK REGISTER FOR CITY OF PONTIAC
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Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				10110034	5,245.00	Open
				10110297	95.20	Open
				10110298	95.20	Open
					<u>6,059.45</u>	
01/15/2021	529338	00000598	Oakland County	SHF00063760T	191,106.63	Open
				SHF0006376	1,031,509.20	Open
					<u>1,222,615.83</u>	
01/15/2021	529339	00002217	Oakland County Legal News	1724903	95.15	Open
				1724904	95.15	Open
				1724905	95.15	Open
					<u>285.45</u>	
01/15/2021	529340	10004333	Pipeline Management Company, Inc.	2020-131	27,098.50	Open
				2020-137	28,150.75	Open
					<u>55,249.25</u>	
01/15/2021	529341	REFUND DEP	Positive Energy	R222557	4,814.00	Open
01/15/2021	529342	00011236	PreCise MRM LLC	200-1028771	150.00	Open
01/15/2021	529343	10004007	QRS Court Reporting, LLC	90763	495.00	Open
01/15/2021	529344	10001111	R. J. Hoffman Mgmt. Inc.	103706	450.00	Open
01/15/2021	529345	10003996	Racer Properties LLC	2477-IN	156.30	Open
01/15/2021	529346	10004173	Seasonal Property Maintenance LLC	2090	575.00	Open
				2091	575.00	Open
				2092	575.00	Open
				2093	300.00	Open
				2094	300.00	Open
				2096	1,500.00	Open
				2097	2,325.00	Open
				2099	250.00	Open
				2100	489.00	Open
				2101	249.00	Open
				2102	249.00	Open
				2103	249.00	Open
				2104	90.00	Open
				2105	1,095.00	Open
					<u>8,821.00</u>	
01/15/2021	529347	REFUND DEP	SES	R#188194	500.00	Open
01/15/2021	529348	00013050	Stacy A. Drouillard	12-3-20 200S10310A	25.00	Open
				12-3-20 200S18226A	25.00	Open
				12-3-20 B232905X	25.00	Open
				12-3-20 160S22471A	25.00	Open
				12-7-20 AM	100.00	Open
					<u>200.00</u>	
01/15/2021	529349	00013060	The Bank of New York Mellon, N.A.	252--2345858	750.00	Open
01/15/2021	529350	00000275	The Law and Mediation Center PLLC	12-1-20 AM	150.00	Open
01/15/2021	529351	00013076	Turner Sanitation	A-52764MurphyPk	90.00	Open
				A-52765MurphyCricket	180.00	Open
				A-52766JayceePk	180.00	Open
				A-52767OaklandPk	180.00	Open

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CHECK REGISTER FOR CITY OF PONTIAC
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Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				A-52768BeaudettePk	180.00	Open
				A-52769GollowayLkPk	90.00	Open
				A-52770HawthornePk	180.00	Open
				A-52771AaronPerryPk	395.00	Open
				A-52774NorthsidePk	90.00	Open
				A-52775NorthsideSocc	90.00	Open
				A-52785	90.00	Open
				A-53075	90.00	Open
					<u>1,835.00</u>	
01/15/2021	529352	00002761	Uhan's Department Store	316044	300.00	Open
				316045	300.00	Open
					<u>600.00</u>	
01/15/2021	529353	00002783	University Lawn Equipment, Inc.	60443	148.56	Open
01/15/2021	529354	10003813	Water Resource Commissioner	440-80918-08-1220	341.12	Open
				440-80919-02-1220	99.00	Open
				990-78699-00-1220	341.12	Open
					<u>781.24</u>	
01/15/2021	529355	00002832	Waterford A Charter Township	December 18, 2020	2,038,682.39	Open
01/15/2021	529356	00002846	Wells Fargo Vendor Financial Srvcs	104541913	1,284.38	Open
				Total Paper Check:	<u>3,702,963.09</u>	
CONS TOTALS:						
Total of 68 Checks:					3,702,963.09	
Less 0 Void Checks:					0.00	
Total of 68 Disbursements:					<u>3,702,963.09</u>	

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Check Register

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
Bank CONS CONSOLIDATED						
Check Type: EFT Transfer						
01/19/2021	819 (E)	00000603	Oakland County Treasurer	2020-1231 County	770,897.31	Open
01/19/2021	820 (E)	10003903	Pontiac Public Library	2020-1231Library	6,962.49	Open
01/19/2021	821 (E)	00012890	Pontiac Schools	2020-1231MESSA	2,829.84	Open
01/19/2021	822 (E)	00012890	Pontiac Schools	2020-1231Operating	77,684.38	Open
01/19/2021	823 (E)	00012890	Pontiac Schools	2020-1231Sinking	20,309.17	Open
Total EFT Transfer:					<u>878,683.19</u>	
Check Type: Paper Check						
01/22/2021	529357	REFUND TAX	61 Ann Arbor LLC	14-17-255-032-011921	158.88	Open
01/22/2021	529358	10004313	ADT Commercial LLC	138184591	49.95	Open
01/22/2021	529359	10003879	Amazon.com LLC	11N1-7RXJ-713W 13LG-FRK3-MCQ3	909.04 <u>71.54</u>	Open Open
					980.58	
01/22/2021	529360	00000050	AT & T	8310007501007-0121 8310007527298-0121	1,294.90 <u>221.00</u>	Open Open
					1,515.90	
01/22/2021	529361	00000050	AT & T	250472140-010821	85.81	Open
01/22/2021	529362	00000050	AT & T	287269014755x011721	1,149.24	Open
01/22/2021	529363	10003274	AT & T Long Distance	821555420-010421	27.44	Open
01/22/2021	529364	00001103	Blue Cross Blue Shield of Michigan	60418-600-0221 60418-601-0221 60418-602-0221 60418-604-0221 60418-605-0221	54,801.34 10,689.51 32,495.86 2,935.05 <u>7,065.45</u>	Open Open Open Open Open
					107,987.21	
01/22/2021	529365	00001103	Blue Cross Blue Shield of Michigan	7045068-0000-0221 7045068-0002-0221 7036880-0004-0221 7036880-0005-0221 7036880-0006-0221 7036880-0007-0221	18,752.72 1,613.01 12,276.52 4,009.94 169,813.70 <u>12,256.60</u>	Open Open Open Open Open Open
					218,722.49	
01/22/2021	529366	REFUND DEP	C.E. Gleeson Constructor's	R242729	26.40	Open
01/22/2021	529367	00001244	Comcast Cablevision	110-1037575-0121 825-946958-0221 6180-214665-0121 47450-862478-0121 110-679435-0121	310.96 335.31 189.35 134.81 <u>11.20</u>	Open Open Open Open Open
					981.63	
01/22/2021	529368	00000206	Consumers Energy	216-97012165-0121	86.94	Open

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CHECK REGISTER FOR CITY OF PONTIAC
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Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				350-96873280-0121	26.26	Open
				990-96288609-0121	780.02	Open
					<u>893.22</u>	
01/22/2021	529369	REFUND DEP	Cooper & Sons Plumbing	R#241513	300.00	Open
01/22/2021	529370	10004243	Creative Schools Management, LLC	February 2021	26,000.00	Open
01/22/2021	529371	REFUND TAX	German, Tammy	14-16-106-015-011921	5.45	Open
01/22/2021	529372	00001563	Government Finance Officers Association	Notice#2023006	595.00	Open
01/22/2021	529373	00012982	Insight Public Sector - PCM Sales	1100792414	47.44	Open
				1100792983	212.62	Open
				1100795120	2,113.50	Open
				1100800115	325.22	Open
					<u>2,698.78</u>	
01/22/2021	529374	REFUND TAX	Jones, Mary A	14-28-205-005-011921	7.63	Open
01/22/2021	529375	00001788	Joyce A Taylor	9/24-10/22/2020	880.00	Open
01/22/2021	529376	REFUND TAX	Lareta, LLC	14-31-328-005-011921	160.55	Open
				14-33-229-009-011921	85.05	Open
					<u>245.60</u>	
01/22/2021	529377	REFUND TAX	Lareta, LLC	13-36-252-040-011921	94.56	Open
01/22/2021	529378	REFUND TAX	Lareta, LLC	14-31-206-034-011921	118.49	Open
01/22/2021	529379	10003741	Law Offices of Nadine R.Hatten, PLLC	11-2-20 20-00010M	100.00	Open
01/22/2021	529380	10004472	Main Street Pontiac	018MS	2,665.00	Open
01/22/2021	529381	REFUND TAX	May, George	14-22-130-001-011921	13.58	Open
01/22/2021	529382	00000534	Michigan Municipal Treasurers Assoc	3480	69.00	Open
01/22/2021	529383	00002221	Oakland County Executive Office	2020-1231Brownsfield	10,380.08	Open
01/22/2021	529384	10001573	Oakland Schools	GR20122316777	8,092.31	Open
				GR20122316777T	10,041.84	Open
					<u>18,134.15</u>	
01/22/2021	529385	10000078	Occupational HealthCenters of MI PC	713454886	1,176.50	Open
01/22/2021	529386	REFUND TAX	Parks, Ruth Ann	14-15-376-006-011921	9.01	Open
01/22/2021	529387	REFUND DEP	Pontiac Plains Apartment	R239237	5,002.25	Open
01/22/2021	529388	REFUND DEP	R. J. Hoffman Mgt. Inc.	R#233656	500.00	Open
01/22/2021	529389	00000716	S&S Worldwide, Inc.	IN100655027	175.42	Open
01/22/2021	529390	10004173	Seasonal Property Maintenance LLC	2075	1,325.00	Open
				2076	875.00	Open
				2077	450.00	Open
				2078	75.00	Open
				2079	600.00	Open
				2080	750.00	Open
				2081	355.00	Open
				2082	750.00	Open
				2083	300.00	Open
				2084	900.00	Open
				2085	1,750.00	Open
				2087	600.00	Open
				2088	300.00	Open
				2089	370.00	Open
					<u>9,400.00</u>	
01/22/2021	529391	00002594	Sonya H Moore	SM2598R1	3,800.00	Open
01/22/2021	529392	00012256	Staples Business Advantage	8060645197-464406884	38.99	Open

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				8060645197-464406886	47.98	Open
					86.97	
01/22/2021	529393	00002625	State Of Mich/Mgmt & Budget	MIDEAL-461 2021	270.00	Open
01/22/2021	529394	00002630	State of Michigan	2020-1231SET	60,045.30	Open
01/22/2021	529395	00010277	State of Michigan- MI Dept of Treas	2020-Escheatment	3,946.46	Open
01/22/2021	529396	REFUND TAX	Title One, Inc	14-15-378-037-011921	10.25	Open
01/22/2021	529397	REFUND DEP	Universal Plumbing	R240405	977.50	Open
				Total Paper Check:	480,285.73	

CONS TOTALS:

Total of 46 Checks:	1,358,968.92
Less 0 Void Checks:	0.00
Total of 46 Disbursements:	1,358,968.92

Bank COURT FIFTH THIRD-COURT OPERATING

Check Type: Paper Check

01/20/2021	8373	10002889	50th District Court	1/5/2021 DEPOSIT	605.00	Open
				1/8/2021 DEPOSIT	25.00	Open
					630.00	
01/20/2021	8374	00000050	AT & T	248857950112	36.69	Open
01/20/2021	8375	10004225	Business Information Systems, INC.	81084	1,325.00	Open
01/20/2021	8376	10004429	Cleannet of Greater Michigan	DET0091680	4,021.07	Open
01/20/2021	8377	10003425	K&K Mechanical Contractors LLC	6667	550.00	Open
01/20/2021	8378	BOND	LISA KING	MCAAAMR 2020 KING	75.00	Open
01/20/2021	8379	10003909	Maria Fabiana Valy Gialdi	201599FY I	70.00	Open
				201582FY I	70.00	Open
				200362SM I	70.00	Open
				210037SM I	70.00	Open
				200S24257A I	70.00	Open
				201582FY I	83.80	Open
				201582FY I	70.00	Open
					503.80	
01/20/2021	8380	00000776	MICHIGAN DEPARTMENT OF TREASURY	DECEMBER 2020	47,433.06	Open
01/20/2021	8381	00000603	Oakland County Treasurer	DECEMBER 2020	10,270.11	Open
01/20/2021	8382	00000641	Pitney Bowes Global Financial	8000909006502145	2,710.96	Open
01/20/2021	8383	10004108	Ricardo Caceres	2008670M I	70.00	Open
01/20/2021	8384	00002483	ROSE PEST SOLUTIONS	30900485	50.00	Open
01/20/2021	8385	BOND	SCI FLOOR COVERING, INC.	CG023700	16,847.00	Open
				CG025323	5,968.00	Open
					22,815.00	
01/20/2021	8386	00012362	STAPLES CREDIT PLAN	2695299601	799.90	Open
				2699788421	414.20	Open
				2703108781	586.06	Open
				2703109011	192.98	Open
				271246471	51.63	Open

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CHECK DATE FROM 01/16/2021 - 01/22/2021

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				2712466261	2,781.32	Open
				2720237451	49.95	Open
					<u>4,876.04</u>	
				Total Paper Check:	<u>95,366.73</u>	
COURT TOTALS:						
				Total of 14 Checks:	95,366.73	
				Less 0 Void Checks:	0.00	
				Total of 14 Disbursements:	<u>95,366.73</u>	
Bank PNCMM PNC MONEY MARKET						
Check Type: EFT Transfer						
01/19/2021	160(E)	00013053	City of Pontiac	2020-1231 City TD	558,338.13	Open
				Total EFT Transfer:	<u>558,338.13</u>	
PNCMM TOTALS:						
				Total of 1 Checks:	558,338.13	
				Less 0 Void Checks:	0.00	
				Total of 1 Disbursements:	<u>558,338.13</u>	
REPORT TOTALS:						
				Total of 61 Checks:	2,012,673.78	
				Less 0 Void Checks:	0.00	
				Total of 61 Disbursements:	<u>2,012,673.78</u>	