

GARLAND S. DOYLE, M.P.A.  
Interim City Clerk  
FOIA Coordinator

SHEILA GRANDISON  
Deputy City Clerk



OFFICE OF THE CITY CLERK  
47450 Woodward Avenue  
Pontiac, Michigan 48342  
Phone: (248) 758-3200  
Fax: (248) 758-3160

**NOTICE OF PONTIAC CITY COUNCIL MEETING**  
**May 26, 2020**  
**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 May 26, 2020 at 6:00 p.m. This meeting will be held electronically pursuant to the Open Meetings Act and Governor Whitmer's Executive Order 2020-76. The agenda of the formal meeting is attached Pursuant to Executive Order 2020-76, the Pontiac City Council gives notice of the following:

1. **Reason for Electronic Meeting.** The Pontiac City Council is meeting electronically because Executive Order 2020-76 requires that City Hall be closed to the public on the date of the meeting. Therefore, the public cannot be physically present and provide comment in City Hall.
2. **Procedures.** The public may view the meeting electronically through the following method.  
<http://pontiac.mi.us/council/pontiactv/index.php>
3. **Public Comment.** For individuals who desire to make a public comment, please submit your name and comment in writing to [publiccomments@pontiac.mi.us](mailto:publiccomments@pontiac.mi.us) no later than 5:30 p.m. on May 26, 2020. Public comments are limited to three (3) minutes. The City Clerk will read your comments during the public comment section of the meeting.
4. **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](mailto:clerk@pontiac.mi.us) at least 24 hours in advance of the meeting.

Dated 5-22-2020, 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://pontiac.mi.us/council/meeting\\_agendas\\_and\\_minutes/index.php](http://pontiac.mi.us/council/meeting_agendas_and_minutes/index.php)

## FORMAL MEETING

May 26, 2020

6:00 P.M.

158<sup>th</sup> Session of the 10<sup>th</sup> Council

**Call to order**

**Invocation**

**Pledge of Allegiance**

**Roll Call**

**Authorization to Excuse Councilmembers**

**Amendments to and Approval of the Agenda**

**Approval of the Minutes**

1. May 14, 2020 Special Meeting
2. May 18, 2020 Special Meeting Public Hearing
3. May 18, 2020 Special Meeting
4. May 19, 2020 Study Session

**Subcommittee Reports**

5. Public Safety- April 2020

**Closed Session**

6. Resolution to go into closed session to discuss an attorney-client privileged memorandum regarding the Phoenix Center Settlement Agreement, information exempt from disclosure by statute, specifically an attorney client privileged memorandum exempt from disclosure pursuant to MCL 15.243(1) (g).

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

Office of the City Clerk 47450 Woodward Pontiac, Michigan 48342 Phone (248) 758-3200

Website: <http://pontiaccityclerk.com>

**Discussion**

7. Next Steps for Phasing Construction of Phoenix Center Settlement Agreement Improvements, including Options and Commitment.

Presentation Presenters: Matt Gibb, Special Counsel, Economic Development, Dave Dicuccio, IDS; Vince DeLeonardis, CEO/President, AUCH; Mayor Waterman, and Ronald Liscombe, Miller Canfield.

**Special Presentation (Time limit: 10 minutes.)**

8. Park Place Little City

Presentation Presenter: Larry Jasper, CEO, Omega Investments Ltd

**Recognition of Elected Officials**

**Agenda Address**

**Public Comment**

**Mayor, Clerk and Council Closing Comments**

**Adjournment**

**#1**

**MINUTES**

**5-14-20**

May 14, 2020 Special

**Official Proceedings  
Pontiac City Council  
153<sup>rd</sup> Session of the Tenth Council**

**Call to order**

A Special Meeting of the City Council of Pontiac, Michigan was called to order electronically on Thursday, May 14, 2020 at 12:00 p.m. by Council President Kermit Williams.

**Roll Call**

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

Mayor Waterman was present.

Clerk announced a quorum.

**Discussion**

Coronavirus Aid, Relief and Economic Security Act (CARES Act) Public Law 116-36 Community Development Block Grant Coronavirus (CDBG-CV) Application with Oakland County Executive Office, Economic Development and Community Affairs and Community and Home Improvement Division.

**Public Comment**

None

**Adjournment**

Council President Kermit Williams adjourned the meeting at 12:39 p.m.

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GARLAND S DOYLE  
INTERIM CITY CLERK

**#2**

**MINUTES**

**5-18-20**

**Public Hearing**

May 18, 2020 Special Meeting Public Hearing

**Official Proceedings  
Pontiac City Council  
154<sup>th</sup> Session of the Tenth Council**

**Call to order**

A Special Meeting of the City Council of Pontiac, Michigan was called to order electronically on Monday, May 18, 2020 at 10:05 a.m. by Council President Kermit Williams.

**Roll Call**

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

**Public Hearing**

Community Black Grant Coronavirus (CDBG-CV) Program Year 2019 application to fund eligible project. The Mayor's Office has recommended that the grant to the City of Pontiac in the amount of \$906,268.00 be allocated to the following four application priorities:

- |  |           |
|--|-----------|
| 1. Oakland County Consortium for Rent/Mortgage and Utility Assist. | \$450,000 |
| 2. Voucher Programs for Food and Employment                        | \$300,000 |
| 3. Business Support Grants   | \$120,000 |
| 4. Public Space Safety Improvements                                | \$36,268  |

Council President Williams opened the public hearing at 10:08 a.m.

Two (2) individuals addressed the body during public hearing with written comments read by the City Clerk.

1. Billie Swazer (Comments are attached as Exhibit A)
2. Larry Jasper (Comments are attached as Exhibit B)

Council President Williams closed the public hearing at 10:14 a.m.

**Public Comments**

None

**Adjournment**

Council President Kermit Williams adjourned the meeting at 10:14 a.m.

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GARLAND S DOYLE  
INTERIM CITY CLERK



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**From:** B Swazer  
**Sent:** Sunday, May 17, 2020 8:52 PM  
**To:** Public Comments; Kermit Williams; Randolph Carter; Patrice Waterman; Mary Pietila; Doris Taylor Burks; Gloria Miller; spradlin@oak.gov.com  
**Cc:** Mayor Deirdre Waterman; Jane Bais-DiSessa  
**Subject:** CDBG Special and Public Hearing

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

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

Dear City of Pontiac,

I have reviewed the documents for the CDBG hearings for May 18, 2020. I am Billie Swazer, a Pontiac resident.

I am totally opposed to this use of the CDBG monies. First, the May 15, 2020 document from Mayor Deidre Waterman, Deputy Mayor Jane Bais DiSessa and Matthew Gibb, Counselor to the CDBG mentions that this is for **THE CITY OF LYNCHBURG**. **This is the City of Pontiac, Michigan.** There is a City of Lynchburg in Tennessee and another in Virginia. It appears that this document was from the City of Lynchburg's documents.

Further, I object to this use of the monies as it is my understanding of the CARES Act that no monies can be used for rents or mortgage payments. Why is the City even considering outlining monies for things that are prohibited expenditures under the CARES Act? It is bad enough that during Mayor Waterman's terms as Mayor, Deputy Mayor Bais DiSessa and her have used the City of Pontiac's CBDG monies to tear down building that belong to Oakland County and then these persons turn around and use Oakland County as the CDBG agent, paying them twice. We could have used those monies to tear down and build the Ewalt Center.

Are these monies for the CARES Act going to any currently established businesses like our barbers and beauticians or any similarly situated businesses or is this just a political scam?

Councilpersons, please turn down this funding for the CDBG.

Billie Swazer

Dear Voters of Pontiac,

The Coronavirus has eliminated many jobs, and the roll out in Michigan is going to be slow and has not even begun yet, the aftermath is going to be challenging. Many Citizens have suffered, through loss of jobs, food shortages, basic utilities bills, and childcare, because of the virus and shutdown created by the National Emergency. We must help them by supporting services to the local community that represents the City. Omega is proposing a partnership with the City of Pontiac to purchase the Ottawa Towers and combine it with the Phoenix Center, creating a new thriving activity center downtown called Park Place Little City, which shall be Coronavirus protected.

This partnership proposal eliminates the threat of default created by the Settlement Agreement, and provides us the ability to use the vacant 3 floors in Building B for needed services to help voters. Job placement, paid education and childcare with necessary administration help in getting these and other resources working for the voter of the community, while creating profit for all of our partners and helping the community in the same stroke. Using Grants like this to benefit the community in the best way.

The partnership creates the remodeling of the Ottawa Towers and repairs for the Phoenix Center that will be completed at the same time reducing cost and providing collateral for the City Bonds. It also provides opportunity for voters like high paying jobs, in house childcare, entertainment, education, healthcare, and needed businesses like grocery and drug stores, spa's, salons, nails with digital services and protective ultraviolet lighting against Coronavirus, as we move into what they call the NEW NORMAL.

The purpose of Omega's franchise is to revitalize the City and the local economy by providing business owners opportunities and ability to rebuild and/or restart their businesses on site with a 50/50 percentage leases, to pay the Voters to be educated for new good paying jobs on site and for those businesses attached to the Little City operations. To provide leadership and insurance for small and self-employed construction crews that will be used in the remodel and repairs, while bidding on other jobs. Additionally, creating a thriving downtown in the Woodward loop to attached others to the City of Pontiac with a New 5-star hotel, and a digital signature, which increases the profit for the local business attached through Omega's franchise systems, benefiting the community as the whole, not just a few pockets.

It is imperative in the development of Pontiac's economy that we are safe and controlled. We must protect the Voters and their Children. The digital services the Little City Franchise offer us opportunity to interact with the City's public entities, educational institutions, Medical facilities, and local business to better the community. We have a unique opportunity in Pontiac to lead the County and State into a new ERA. We should take every opportunity to help our neighbors and hold its leadership accountable. The City Council is considering the Partnership with Omega to help the Voters, while the Mayor wants to outsource these jobs and benefits to others! We can do it ourselves with the TALENT within this City and should not allow others to tell us what to do. WE THE PEOPLE MUST STAND UP FOR OUR NEIGHBORS AND PROTECT THE CHILDREN WHILE BUILDING OUT THE LOCAL ECONOMY for the People and by the People. WE THE PEOPLE RUN THE EXECUTIVE BRANCH OF THE CITY, ITS NOT THE OTHER WAY AROUND! SUPPORT THE COUNCIL. Omega's Proposed Partnership does this for Pontiac and sets an example of how we can do it for ourselves and for other communities. Bringing back services, manufacturing, and mass transit for the community.

P.S. The primary objectives of the use of the funds is to assist in meeting the emergency needs within the City of Pontiac, **not Lynchburg** as written in THE Memorandum related to the Coronavirus in order to prevent, prepare for and respond to the virus.

Larry Jasper

**#3**

**MINUTES**

**5-18-20**

**Special**

**Meeting**

May 18, 2020 Special

**Official Proceedings  
Pontiac City Council  
155<sup>th</sup> Session of the Tenth Council**

**Call to order**

A Special Meeting of the City Council of Pontiac, Michigan was called to order electronically on Monday, May 18, 2020 at 11:01 a.m. by Council President Kermit Williams.

**Roll Call**

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

**Discussion**

Resolution to authorize the Mayor's Office to apply for the use of grant funds awarded to the City of Pontiac from the CARES Act - Community Development Block Grant-CV to fund eligible projects. The total grant to the City of Pontiac is \$906,268.00 and shall be allocated to the following four application priorities: (1) Oakland County Consortium for Rent/Mortgage and Utility Assist.\$450,000; (2) Voucher Programs for Food and Employment \$300,000; (3) Business Support Grants \$120,000; and (4) Public Space Safety Improvements \$36,268.00

20-198            **Motion to recess until 9:00 a.m. on May 19, 2020 with a notice on the door and on City's website.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

**Public Comments**

None

**Recess**

Council President Kermit Williams recessed the meeting at 12:03 p.m.

**\*\*Continuation of May 18, 2020 meeting on May 19, 2020 at 9:00 a.m. \*\***

**Roll Call**

Members Present: Miller, Pietila, Shramski, Taylor-Burks, Waterman and Williams  
Members Absent: Carter.  
Clerk announced a quorum.

20-199            **Excuse Councilperson Randy Carter for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Waterman.

May 18, 2020 Special

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

No: None

**Motion Carried.**

Councilman Randy Carter arrived at 9:03 a.m.

**Resolution**

**Economic/Community Development**

20-200 **COVID Amended Resolution to authorize the Mayor's Office to apply for the use of grant funds awarded to the City of Pontiac from the CARES Act - Community Development Block Grant-CV to fund eligible projects. The total grant to the City of Pontiac is \$906,268.00.** Moved by Councilperson Pietila and second by Councilperson Miller.

Whereas, in December 2019, a new coronavirus known as SARS-CoV-2 was detected causing outbreaks of the coronavirus disease COVID-19 that has now spread globally; and

Whereas, on March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (CARES), Public Law 116-136 was signed by the President of the United States; and

Whereas, per the CARES Act Oakland County Community & Home Improvement consulted with the Oakland County Health Department to develop an Urban County level response to the COVID-19 pandemic (coronavirus); and

Whereas, the City of Pontiac CDBG-CV amount of \$906,268 as report by HUD, is based upon the City's Joint Agreement with Oakland County; and

Whereas, as an Urban County subrecipient the City of Pontiac will apply for \$906,268 in CDBG-CV funds. The Program Year 2019 Oakland County Annual Action Plan will be amended per CARES Act requirements.

Now, Therefore, the City of Pontiac authorizes the Mayor's Office to apply for the use of grant funds awarded to the City of Pontiac from the CARES Act - Community Development Block Grant-CV to fund eligible projects. The total grant to the City of Pontiac is \$906,268.00 and shall be allocated to the Oakland County Consortium for Rent/Mortgage and Utility Assistance. The \$906,268.00 shall be earmarked for Pontiac residents. The City shall mail to all Pontiac households explaining all COVID assistance programs available to Pontiac residents. The mailer must be approved by City Council prior to being mailed. The City Council shall appoint a representative to the COVID Advisory Committee to oversee the use of the grant funds. The Council shall receive monthly reports of the use of how COVID grant dollars were allocated.

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

No: Carter

**Resolution Passed.**

**Adjournment**

Council President Kermit Williams adjourned the meeting at 10:01 a.m.

May 18, 2020 Special

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GARLAND S DOYLE  
INTERIM CITY CLERK

**#4**

**MINUTES**

**5-19-20**

**Study Session**

May 19, 2020 Study

**Official Proceedings  
Pontiac City Council  
156<sup>th</sup> 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, May 19, 2020 at 6:00 p.m. by Council President Kermit Williams.

**Roll Call**

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

Mayor Waterman was present.

Clerk announced a quorum.

**Amendments to the Agenda**

20-201           **Motion to move public comment after item #15.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

20-202           **Motion to defer item #12 to DPW Budget Hearing.** Moved by Councilperson Taylor-Burks and second by Councilperson Waterman.

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

No: None

**Motion Carried.**

20-203           **Motion to remove item #2 from the agenda.** Moved by Councilperson Pietila and second by Councilperson Waterman.

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

No: None

**Motion Carried.**

**Approval of the Agenda**

20-204           **Approve agenda as amended.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**



May 19, 2020 Study

**Suspend the Rules**

20-205 **Suspend the rules. (To vote on items #3-#11)** Moved by Councilperson Waterman and second by Councilperson Pietila.

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

No: None

**Motion Carried.**

**Approval of the Minutes**

20-206 **Approve meeting minutes of May 12, 2020.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: Shramski

**Motion Carried.**

**Resolutions**

**City Council**

20-207 **Resolution to approve Budget Hearings Schedule.** Moved by Councilperson Pietila and second by Councilperson Waterman.

Now, Therefore, Be It Resolved that the City Council of the City of Pontiac approves the 2020-2021 Fiscal Year Budget Schedule.

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

No: None

**Resolution Passed.**

**\*\*Budget Hearings Schedule attached as Exhibit A\*\***

20-208 **Resolution to schedule Special Meeting on the Budget for Thursday, May 21, 2020 at 9:30 a.m.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Now, Therefore, Be It Resolved that the City Council for the city of Pontiac schedules a Special Meeting on the Budget for May 21, 2020 at 9:30 a.m.

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

No: None

**Resolution Passed.**

20-209 **Resolution to schedule Special Meeting on the Budget for Wednesday, May 27, 2020 at 9:30 a.m.** Moved by Councilperson Pietila and second by Councilperson Shramski.

May 19, 2020 Study

Now, Therefore, Be It Resolved that the City Council for the city of Pontiac schedules a Special Meeting on the Budget for May 27, 2020 at 9:30 a.m.

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

No: None

**Resolution Passed.**

20-210 **Resolution to schedule Special Meeting on the Budget for Thursday, May 28, 2020 at 10:00 a.m.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Now, Therefore, Be It Resolved that the City Council for the city of Pontiac schedules a Special Meeting on the Budget for May 28, 2020 at 10:00 a.m.

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

No: None

**Resolution Passed.**

20-211 **Resolution to schedule Special Meeting on the Budget for Wednesday, June 3, 2020 at 9:30 a.m.** Moved by Councilperson Pietila and second by Councilperson Shramski.

Now, Therefore, Be It Resolved that the City Council for the city of Pontiac schedules a Special Meeting on the Budget for June 3, 2020 at 9:30 a.m.

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

No: None

**Resolution Passed.**

20-212 **Resolution to schedule Special Meeting on the Budget for Thursday, June 4, 2020 at 10:00 a.m.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Now, Therefore, Be It Resolved that the City Council for the city of Pontiac schedules a Special Meeting on the Budget for June 4, 2020 at 10:00 a.m.

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

No: None

**Resolution Passed.**

20-213 **Resolution to schedule Public Hearing on the Budget for Tuesday, June 9, 2020 at 5:00 p.m.** Moved by Councilperson Pietila and second by Councilperson Shramski.

Whereas, pursuant to MCL 141.412 and 141.413, the City of Pontiac is required to publish a public hearing notice for the City's proposed City tax Rate;

May 19, 2020 Study

Now, Therefore, Be It Resolved, that the City Council sets Tuesday, June 9, 2020 at 5:00 p.m. during the regular City Council Meeting as the date, time, and place to hold a public hearing for the City's proposed City Tax Rate to support the proposed annual budget for FY 2020-2021.

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

No: None

**Resolution Passed.**

20-214      **Resolution to schedule Special Meeting on the Budget for Wednesday, June 10, 2020 at 10:00 a.m.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Now, Therefore, Be It Resolved that the City Council for the city of Pontiac schedules a Special Meeting on the Budget for June 10, 2020 at 10:00 a.m.

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

No: None

**Resolution Passed.**

20-215      **Resolution to schedule Special Meeting on the Budget for Thursday, June 11, 2020 at 10:00 a.m.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Now, Therefore, Be It Resolved that the City Council for the city of Pontiac schedules a Special Meeting on the Budget for June 11, 2020 at 10:00 a.m.

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

No: None

**Resolution Passed.**

**Public Comment**

One (1) individual submitted a public comment that was read by the City Clerk.

**Adjournment**

Council President Kermit Williams adjourned the meeting at 6:36 p.m.

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GARLAND S DOYLE  
INTERIM CITY CLERK

Exhibit A

GARLAND S. DOYLE, M.P.A.  
*Interim City Clerk*  
*FOIA Coordinator*

SHEILA GRANDISON  
*Deputy City Clerk*



OFFICE OF THE CITY CLERK  
 47450 Woodward Avenue  
 Pontiac, Michigan 48342  
 Phone: (248) 758-3200  
 Fax: (248) 758-3160

**MEMORANDUM**

TO: Honorable City Council

FR: Garland S. Doyle, Interim City Clerk

DA: May 15, 2020

RE: Proposed 2020-21 Fiscal Year Budget Hearings, Public Hearing and Discussion Schedule

<b>Thursday, May 21, 2020</b>	
Departments	Start Time
Fire (Waterford Regional)	9:30 a.m.
Public Safety (Oakland County Sheriff)	10:00 a.m.
50 <sup>th</sup> District Court	10:30 a.m.
Department of Public Works (DPW)	11:00 a.m.
<b>Wednesday, May 27, 2020</b>	
Departments	Start Time
Building (Wade Trim)	9:30 a.m.
Planning/Code Enforcement	10:30 a.m.
Law (Giarmarco, Mullins and Horton)	11:30 a.m.
<b>Thursday, May 28, 2020</b>	
Departments	Start Time
Clerk, Elections and Medical Marihuana	10:00 a.m.
Youth Recreation	11:00 a.m.
Senior Citizens	11:30 a.m.
<b>Wednesday, June 3, 2020</b>	
Departments	Start Time
Finance	10:00 a.m.
Human Resources	
Information Technology (I.T.)	
Income Tax	
Treasury	
Economic/Community Development	11:00 a.m.
Cable	11:30 a.m.

<b>Thursday, June 4, 2020</b>	
Departments	Start Time
Mayor	10:00 a.m.
City Council	10:30 a.m.
<b>Tuesday, June 9, 2020</b>	
Public Hearing on the Budget	5:00 p.m.
<b>Wednesday, June 10, 2020</b>	
City Council Budget Discussion (Proposed Adjustments to the Budget)	10:00 a.m.
<b>Thursday, June 11, 2020</b>	
City Council Budget Discussion (Proposed Adjustments to the Budget)	10:00 a.m.

Now Therefore Be It Resolved that the City Council of the City of Pontiac approves the 2020-21 Fiscal Year Budget Schedule.

**#5**

**SUB**

**COMMITTEE**

**REPORT**



# WATERFORD REGIONAL FIRE DEPARTMENT

2495 Crescent Lake Road • Waterford, MI 48329

Phone: 248.673.0405 • Fax: 248.674.4095

[www.waterfordmi.gov](http://www.waterfordmi.gov)

Matthew J. Covey *Fire Chief* • Carl J. Wallace *Deputy Fire Chief*

## MONTHLY FIRE DEPARTMENT REPORT

For the City of Pontiac

April 2020

Total Pontiac Fire Station calls - month: **299** Average Response Time **5.16** per call

Total calls for Pontiac Stations - YTD: **1383**

City Calls: Fires: **31** EMS: **157** False Alarms: **17** Other: **94**

Pontiac YTD, Fires: **63** 4.86% EMS: **847** 61.24% False Alarms: **111** 8.03% Other: **362** Total: **1383**

Month Count	Response Times month average	YTD Count
FS-6: Fires – 6	4.58	14
EMS – 49	5.05	183
FS-7: Fires – 10	5.45	24
EMS – 101	5.16	337
FS-8: Fires – 6	5.27	9
EMS – 39	5.11	185
FS-9: Fires – 5	5.28	8
EMS – 43	4.41	136

Fire Injuries to personnel: 2 positive Covid-19

Fire Injuries to civilian: 0

### Incidents for month:

Call volume has decrease year to date -8%, due to the COVID-19 Pandemic.

### Notable Event:

- We continue to see donations from the Public and Businesses in Waterford and Pontiac. Such as food and other items for our personnel.
- Fire Station Locked down to the public to prevent the spread of COVID-19
- Additional supplies from Federal and State agency being delivered to the FD
- Supply order placed for the City through the County Emergency Operations Center
- Parade through the City of Pontiac Fire and Police agencies throughout the County, went past Pontiac General, McLaren Oakland and St. Josephs Oakland Hospitals in recognition of our amazing Hospital workers.

DISPATCH	Dec-19	Jan-20	20-Feb	Mar-20
Abdominal Pain	53	24	25	23
airmedical transport				
ALLergies	8	3	8	6
ALTERED MENTAL STATUS	4	7	7	6
Animal bites	1	1	2	1
Assault	27	34	24	27
Invalid assist	5	8	7	4
Pedestrian struck by Auto				
Back Pain	14	10	14	6
Breathing Problems	71	142	125	151
Burns	2	1	1	3
Cardiac Arrest	18	18	14	15
Chest pain	52	85	76	83
Choking	2	3	5	1
CO poisoning	1		2	1
Seizures	124	55	39	54
Diabetic Issues	28	22	27	25
Drowning	1			
Electrocution				
Eye issues	3	3		1
Fainting				56
Fall Victim	61	60	66	
Fever	3			
Fire	1			
Headache	4	4	8	5
Heart Problems	11	13	11	10
Heat/Cold Exposures		3	2	
Hemorrhage from Laceration	18	26	17	20
Industrial Accident				
Medical alarms	12	17	11	13
MCI				
Ingested Poison				
Non Emergent requests				11



Overdose	39	27	32	37
Pregnancy/Childbirth	5	14	7	14
Psychiatric Problems	43	36	24	34
Respiratory Arrest				
"Sick" Person	224	185	152	224
Standby				
stab/Gunshot Wound	3	5	5	5
Stroke/CVA	14	22	20	21
Traffic Accidents	33	61	34	41
Palliative care	31	33	36	22
Traumatic Injury	15	13	6	3
Unconscious/unknown cause	44	54	38	42
UNKNOWN	13	9	23	23
"Person DOWN"		23	14	
Sexual Assault				
Well Person Ck	1	1	2	
total	989	1022	884	

# *Waterford Regional Fire Department*



## *2019 Annual Report*



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# FIRE DEPARTMENT ADMINISTRATION

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Matt Covey  
**Fire Chief**  
25 Years of Service



Carl Wallace  
**Deputy Fire Chief**  
21 Years of Service



Ann Ostrom  
**Administrative Assistant**  
34 Years of Service



Diane Beedle  
**Account Clerk**  
25 Years of Service

## **FIRE SUPPRESSION AND EMS OPERATIONS**

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Steve Bridger  
**Battalion Chief**  
29 years of Service



Blake Nelson  
**Battalion Chief**  
22 years of Service



Josh Dorman  
**Battalion Chief**  
17 years of Service



## **FIRE PREVENTION DIVISION**

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John Phebus  
**Fire Marshal**  
29 years of Service



Mark Trager  
**Lt. Fire Inspector**  
32 years of Service



Wayne Peruski  
**Lt. Fire Inspector**  
24 years of Service



## FIRE DEPARTMENT **TRAINING DIVISION**

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Jim Cooper  
**Capt. EMS Coordinator**  
**EMS Academy**  
17 Years of Service



Josh Dorman  
**Fire Training Coordinator**  
17 years of Service



## FIRE DEPARTMENT **CHAPLAINS**

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Linda Living-Hawley



Ron Rayner





### **Waterford Regional Fire Department Mission Statement**

The mission of the Waterford Regional Fire Department is to protect the lives and property of the residents, businesses and visitors of **Waterford Township**, the **City of Pontiac** and the **City of Lake Angelus** through:

Public education in fire safety and hazard recognition

Aggressive fire suppression and rescue

Professional emergency medical treatment of the sick and injured

Efficient pre-incident planning and emergency management

Hazardous materials control and mitigation

## From the Fire Chief's Office...

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It is my honor and privilege to serve the residents of Waterford Township, The City of Pontiac and the City of Lake Angelus. I work alongside 107 well-trained and highly skilled professional firefighters, paramedics, fire officers, inspectors, chiefs and office staff. Together, we provide incredible emergency services in a regional, multi-jurisdictional setting. There are over 130,000 residents and 60 square miles in our first response area. The pages of this 2019 annual report is full of important information, statistics and photos highlighting the various aspects that make up the Waterford Regional Fire Department. The service and dedication on display each and every day by all our fire department personnel is represented in this annual report.

The big impact items in 2019 were the purchase of two new fire trucks with an expected delivery in mid-2020; additionally, we ordered two new fire investigation vehicles and two remounted transporting rescue-ambulances. These accomplishments were possible with funds from our newly voted in Special Assessment District. We are greatly appreciative the continued support of our community.

In September of 2019 the 3 years 2015 SAFER grant through the United States Department of Homeland Security, that provided 39 firefighters expired and reduced our staffing from 141 firefighters to 107 firefighters. The Special Assessment District added 5 budgeted firefighter positions.

The Special Assessment District has made a positive impact the Fire Department as a portion of the funding is used to support five firefighter positions, fund fire apparatus, equipment and other operating expenses.

2019 calls for service totaled 13,813 a 1.6% increase over 2018, 9,860 or 71% of those calls were for EMS, traffic accidents and other rescue calls, that number is 2.9% over 2018. Fires, hazardous situations, and other calls accounted for 28.6% of the 2019 calls. Fire calls as a whole were down 15.5%, with structure fires seeing a decrease of 19.27% from 2018 total fire calls were 337 which a 176 structure fire calls were residential and multi-residential structures, 78 vehicle fires, 16 grass fires, 28 refuse fires and 38 other fires. The fire department transported 5,174 patients in 2019.

Our fire units responded nearly 24,000 times during the year. Response times for priority calls were at 5 minutes and 25 seconds for 2019. Out of the nine fire stations that we operate out of, the busiest fire station was station #3 with 2,822 calls. The busiest fire engine and rescue were both out of Fire Station #3 with Engine 3 responding to 2,867 calls and Rescue 3 responding to 2,422 calls.

This document as it does every year serves as a historical account of our department. We hope everyone who reads this will find it informative and enlightening to the diverse responsibilities that we handle every day.

A handwritten signature in black ink that reads "Matthew J. Covey". The signature is written in a cursive style.

Matthew J. Covey  
Fire Chief





**Purchase and remount of 2 new rescue/ambulance from EVP+ Wheeled Coach**

The Fire Department purchased 2 new rescue/ambulance. This again was a greatly needed truck as they are replacing aging vehicles with high millage. This remount process has the manufacture take the ambulance box or EMS Area off an old ambulance and places it back on a new Chassis after repainting and repairing the EMS Box.



**Ordering of 2 fire inspector-fire investigation units**

The Fire Department expects delivery of 2 new 2019 GMC 1500 pickup Trucks in February of 2020. These trucks will be driven by the Fire Marshal and a Fire Inspector and will carry specialized equipment for fire investigations and inspection.



**Promotional Testing**

Testing and promotional list for Fire Chief and Deputy Fire Chief were established. The testing procedure involves a written test and oral interviews. We thank Arlene Ward at HR for her assistance.

**Fire Cadet Program**

During 2019 the Waterford Regional Fire Department had 7 high school students from within Oakland County attend our program. These students work with our firefighters and training division on a daily basis. The program goal is upon successful completion of the cadet program that they leave with the knowledge, skills and experience necessary to pursue a career as a professional fire fighter and give them an advantage in becoming a success in whatever their life's endeavor.

This program was originally created at the Fire Department in the 1970's, intended to offer local area high school seniors the opportunity to experience first-hand what a career in the fire service was like. It was designed to prepare young, ambitious students for a career as a fire fighter. Since then many of the cadets that have participated in the program have gone on to become professional fire fighters with fire departments around the country. One former cadet became a smoke jumper battling the enormous wildfires in the western United States while others have chosen to enter the EMS field or the medical profession. Several fire fighters currently employed with the Waterford Regional Fire Department are former cadets.

### **Fire Academy Sponsorship**

The Waterford Regional Fire Department sponsored 3 students to the 2019 Oakland Community College Fire Academy. These individuals were supplied personnel protective clothing (turnout gear) and self-contained breathing apparatus (air packs). This option had zero out of pocket expense to the fire department but offered a huge discounted rate for these 3 individuals.



### **Purchase of 10 sets of turnout gear**

The fire department replaced 10 sets of fire turnout gear in 2019. This gear is what protects our fire fighters during emergency runs and fires. It is made up of multiple layers. The outside coat protects against cuts and abrasions, the next layer works as a vapor barrier and the next layer insulates against high temperatures.

### **Active Shooter Ballistic Protection**

Our equipment has steadily been coming in as available and training has been conducted for our members in situations that such equipment is needed with the Waterford Township Police Department. Policies have been written and implemented following the appropriate national standards. All equipment will be on the trucks and our personnel properly trained to assist when need to better protect the needs of our communities if such a situation should arise.

### **Future Capital Projects for 2020**

With the approval of the 2020 Fire Department budget, we will be working on the following capital improvements and purchases.

- Re-mount 1 rescue truck (ambulance) through EVP+ a Michigan based company.
- Purchase of 1 Fire Engine from Sutphen Corp. to replace fire engine at fire station 5.
- Generator upgrade at Fire Station 5
- Bryx 911 fire dispatching software
- Antenna upgrades fire station 1
- Fire Station 1 roof repair
- Fire Station 1 parking lot repair
- Steel columns repair at fire station 4 and 5
- Exterior painting at fire stations 4 and 5
- 10 Sets of firefighter turnout gear
- 4 Positive Pressure Firefighting Fans
- Painting and carpet replacement fire station 2

### **Future Projects City of Pontiac**

We are working closely with the City of Pontiac DPW to complete needed repairs of the fire stations.

Some of the projects for the year 2020 are:

- Fuel tank repair at station 7
- Upgrade to the Bryx system
- Interior door repairs to multiple stations separating living quarters from apparatus floor.
- Exterior and interior painting

## Fire Department Promotions

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Matthew Covey  
Promoted to Chief  
25 Years of Service



Carl Wallace  
Promoted to Deputy Chief  
21 Years of Service



## Fire Department Retirements

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Chief John H. Lyman retired with 30 years of service.

A luncheon was held in his honor. His family, friends, firefighters and public figures attended the event.



## 2019 Recognition and Honors

In January, Lt. Paramedic Larry Carrier, Engineer Jess Coon, Firefighter Alec Marino-Bill, Firefighter/Paramedic Greg Mathiak, Firefighter/Paramedic Keith Larson and Dispatcher Allison Geary were awarded the Silver Life Saving Award by Fire Chief John Lyman at the Charter Townships of Waterford Board meeting. These fine first responders responded to a cardiac arrest. Upon arrival high quality, CPR and Advanced Cardiac Life Support Protocols were initiated. Based on these efforts Pulses were returned and the Patient was discharged from the Hospital and made a full recovery.



On April 13<sup>th</sup> 2019 fire crews from fire station 3 were dispatched to a Cardiac Arrest at Waterford Mott High School Pool and Fitness Center. Upon arrival to the Pool and Fitness Center firefighter/paramedics found a 72 yr. old pt. that was in cardiac arrest. Fire crews reported that two citizens and three fitness center lifeguards were performing CPR and using the fitness centers Automatic External Defibrillator and had delivered two shocks. Shortly after the patient vitals were checked and the patient had a pulse and was breathing on his own. Prior being transported the 72 year old male patient was awake and talking to the fire department paramedics. We proudly recognized these wonderful citizens for their quick actions that saved a life. Mitzi Amelon, Ann Ward, Jarod Rutnber, Seth Caspers and Frank Gamez.



Waterford Township recognizes the longevity of its employees on an annual basis. Diane Beedle for 25 years of service. These are the last three remaining from the 1980's.



Angela Corliss from Farmer's Insurance for the 3<sup>rd</sup> year in a row, honored the fire department by her contribution of station supplies to our fire stations.



We honor **Pontiac Firefighter Tracey Williamson** who died in the line of duty 21 years ago. A ceremony at the cemetery with Chaplain Rayner followed by a visit to the downtown location where his life ended during a structure fire and building collapse.



**We stand proud of the efforts of all our firefighters for their brave and selfless service**

**To all the residents that we serve.**

## Public Events

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The **Waterford Regional Fire Department** proudly participated in multiple public events in Waterford and Pontiac.

### Woodward Dream Cruise and the RoadKill Nights

Fire and EMS standby in Pontiac



The **Holiday Extravaganza Parade** in Pontiac. Waterford Township is a sponsor for this event.



### Public Events continued...

**Memorial Day Parade** moving down Dixie Hwy. in Waterford.





**Annual Waterford Township Christmas Tree Lighting and delivery of Santa**



**Fire Department Open House at Fire Department Headquarters**

Jim Christopher from Leo's Coney serving up Coney Dogs to our visitors as he does every year for us. Many thanks to Jim for his many years of support and commitment to **Waterford and the Fire Department.**





Owner Operator of Leo's Coney of Waterford  
Jim Christopher and Leanne Christopher  
Serving our Residents.



Annual Mentors Plus Picnic Lt James Todd, Firefighter Paramedic Eric Mclean and Engineer Owen



## OAKWAY and Mutual Aid

Mutual Aid is an essential component of any fire department in keeping its residents and firefighter safe from all hazards. Waterford Regional has been a member of the OAKWAY Mutual Aid Organization since 2000. OAKWAY is comprised of 10 fire departments working together to provide the best in emergency services to over 600,000 residents. Together we have nearly 520 career firefighters that train together to be ready when an OAKWAY Fire Department is overwhelmed and resources exhausted. OAKWAY responses include structure fires, EMS mutual aid and fire station coverage. OAKWAY also serves to provide hazardous materials and technical rescue teams and responses in a collaborative effort. The OAKWAY Chiefs meet monthly at Waterford Regional's Headquarters to discuss matters important to the entire group and to continue to improve relationships between all of our departments, which in turn enhances the emergency services provided to all our communities in Oakway.



Mutual Aid has developed nationally in the several years ago to what is referred to now as the Mutual Aid Box Alarm System (MABAS). OAKWAY and its fire departments, including Waterford Regional are designated by the State as MABAS 3202. OAKWAY member Fire Departments include: Birmingham, Bloomfield Township, Farmington Hills, Ferndale, Madison Heights, Rochester Hill, Royal Oak, Southfield, Waterford Regional and West Bloomfield Township.

In November of 2018, OAKWAY Chiefs approved the addition of two fire departments in, Farmington Hills and Rochester Hills Fire Departments. In 2019, Both Farmington Hills and Rochester Hills officially joined the OAKWAY Group.

We do respond outside of OAKWAY to neighboring fire departments for Mutual Aid as requested. Our adjacent neighboring departments of Auburn Hills, White Lake and Independence called for assistance from WRFD, to which we were very quick to respond.

## MUTUAL AID - OAKWAY Fire OPS 101

October 2019 brought OAKWAY Firefighters together to bring the 2<sup>nd</sup> annual Fire OPS 101 program to our area. This program is designed to bring together elected officials and others leaders in each community covered by OAKWAY Fire Departments. The program planning began early in the year, as the Training Coordinators worked together to put on a quality program. The plan was for 18 participants to experience the day in the life of a firefighter/paramedic. Each participant used full fire gear including SCBA.



They started in a “clean” classroom for an explanation of what they would be experiencing and how the program would work, and then it was off to the hands on classroom. Each participant would experience a car fire, a car accident requiring the use of the Jaws of Life, a house fire and a medical emergency.



Representing Waterford Regional Fire was Trustee Arthur Frasca and Human Resources Director Mark Similar. Representing Waterford Firefighters Local 1335 was Captain Dan Dumas, Lieutenant Jeremy Grundy, Firefighter Paramedic Steve Meier and Fire Chief Matt Covey.



## Apparatus Division – Lee Warded and Blake Nelson



2019 was another challenging year for the Apparatus Division at Waterford Regional Fire Department. However, there is a sliver of silver lining- 2019 marks the first full-year with the new apparatus that was put into service in 2018 and we would also add to that with our first ever, re-mounted rescue truck. By February, we experienced our first major setback when another engine was found to have a hole in the frame. Another setback came in April, when an engine was involved in a traffic accident. We continue to face more and more challenges with an aging fleet, putting excessive amounts of money into vehicles just to simply keep them on the road. Currently, we are responsible for the repair and maintenance of a fleet including: (13) fire engines, (2) 100 ft. aerial trucks, (1) 75 ft. quint, (7) rescues/ambulances, (3) specialized equipment trucks, (6) trailers, (14) staff cars, (3) command trucks, (1) 6x6 Ranger and (1) rescue boat.

With the new apparatus on the road, we decided to focus our efforts on some major repairs, while some reserve apparatus were for sale. Unfortunately, after spending many days repairing engine 209, a leak was found in the fuel tank. While attempting to remove the fuel tank, rust holes were discovered in the trucks frame and forced it to be taken out of service indefinitely. With many good parts on this truck and 6 more almost identical trucks in the fleet, we were able to salvage the good parts and use the engine 209 as a parts truck. In February 2020, we will be sending engine 209 to auction. Additionally, Engine 208 spent the entire year parked and is still waiting on a decision to be made between the City of Lake Angelus and EOne. In April, engine 205 was involved in an accident that should have totaled the truck out because repairs were in excesses of value of the truck. However, MMRMA decided to repair the truck instead of totaling it out. This truck was sent back to manufacture in Wisconsin and was out of service for remainder of the year.

Having one new Rescue and one remount in-service rescue, reliability increased in 2019 with fewer than five days in a row of not having the standard five trucks on the road. For a few days, Rescue 4 was shut down due to the lack of availability of parts caused by the GM strike. The Apparatus Division had to work hard in order to find an alternative solution.

The last major problem for 2019 was Tower 1, a 1991 Sutphen, sat out of service waiting on parts in order to fix the aerial ladder. This particular truck is almost 30 years old, which means parts must be custom made by the manufacture and are currently on backorder.

A trend that we hope will decrease is the high repair cost with our older rescues and staff cars. Both 2009 rescues and several 2009 staff cars, saw repair cost at or above 50% of the vehicles residual value. Unfortunately, repairs must be made in order to keep things status quo. Decommissioning and or remounts, in 2020 should greatly reduce these burdens.

**The positive aspects to 2019 are:**

The new Apparatus in the fleet worked well in 2019, some minor repairs were made while the truck were in service and regular maintenance intervals, was something we haven't seen in several years. Crews have given great feedback on the new fleet and helped make minor changes to the design of the future apparatus, which was ordered in 2019.

Heated power washer was acquired from DPW to clean under-carriage of apparatus to help with corrosion prevention.

Quint 7 that was for sale for over a year with no bids. Subsequently, it was donated to Oakland Community College in exchange for \$25,000 worth of training.

Going forward, our main focus in 2020, will be to continue with strategic plan to replace the fleet with funding from the SAD, which has been held up in court, an additional remount rescue, and new engine, will be delivered early 2<sup>nd</sup> quarter of 2020. In March, a pre-build will be done for another additional engine, to be delivered at the end of 2020. Implement a Garage Management Software and upgrade shop equipment to better service new Apparatus. Despite these challenges, we will continue our pursuit of excellence in the maintenance of our fleet and all apparatus needed to protect the citizens and property covered by Waterford Regional Fire Department.



## Waterford Regional Firefighters in Action in 2019

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Plastic Fire in Auburn Hills



House Explosion Pontiac



Structure Fire Highland Road Waterford



House Fire City of Pontiac







## EMS Coordinators Report – **Captain Jim Cooper**



The Waterford Regional Fire Department Emergency Medical Services has provided Advanced Life Support/Paramedics since the late 1970's, when the first millage was approved by voters. We continue to provide highly skilled and professional pre-hospital care to the residents of Waterford, Pontiac and Lake Angleur which does include EMS Transporting. We have five Advanced Life Support/Paramedic units that respond to calls in Waterford and Lake Angleur. In Pontiac, our fire trucks do respond to EMS calls as Basic Life Support as the City has contracted Star EMS for ALS/Paramedic service.

Photo of very first rescue truck in Waterford



WRFD responded to over 13,813 calls in 2019. Of that total, 9,860 were EMS related. This represents a 2.91% increase over 2018. 71.40% of all calls that WRFD responded to were EMS related. 5,174 transports to area hospitals were logged in 2019.

Career personnel are licensed with the Michigan Department of Health & Human Services – Emergency Medical Services and Trauma System Section, as a Medical First Responder, Basic EMT or Paramedic.



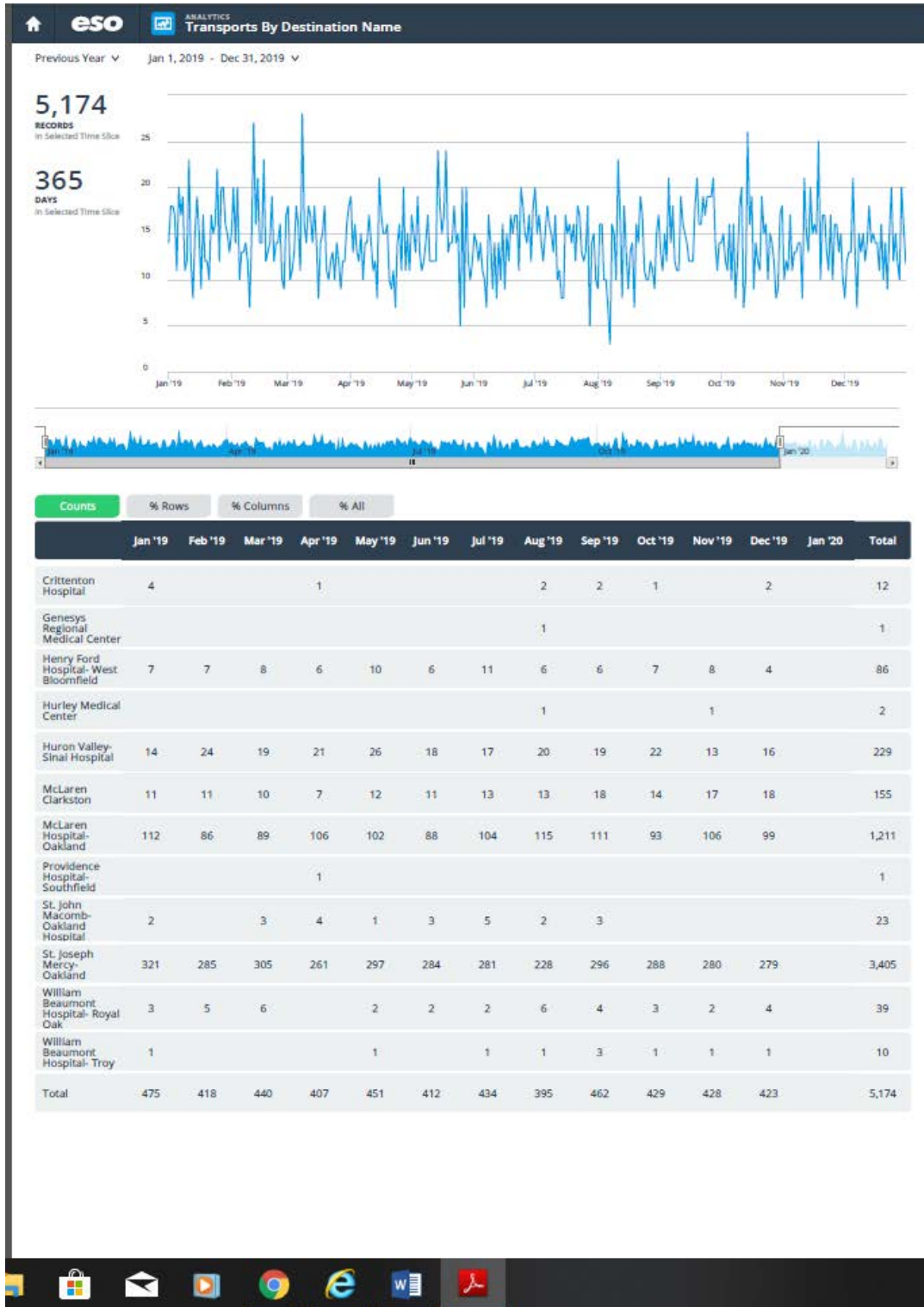


3 - Rescue & Emergency Medical Service Incidents	0	0.0 %
300 - Rescue, emergency medical call (EMS) call, other	104	1.05 %
311 - Medical assist, assist EMS crew	489	4.96 %
32 - Emergency medical service (EMS)	0	0.0 %
320 - Emergency medical service, other	60	0.61 %
321 - EMS call, excluding vehicle accident with injury	8,229	83.46 %
3211 - EMS call, excluding vehicle accident with injury at Senior Living	90	0.91 %
322 - Vehicle accident with injuries	757	7.68 %
3221 - Vehicle accident with injuries and extrication	4	0.04 %
323 - Motor vehicle/pedestrian accident (MV Ped)	21	0.21 %
324 - Motor vehicle accident with no injuries	81	0.82 %
3241 - Vehicle accident with no injuries, with extrication	0	0.0 %
342 - Search for person in water	0	0.00 %
353 - Removal of victim(s) from stalled elevator	11	0.11 %
356 - High Angle Rescue	2	0.02 %
360 - Water & ice related rescue, other	5	0.05 %
361 - Swimming/recreational water areas rescue	1	0.01 %
365 - Watercraft rescue	1	0.01 %
381 - Rescue or EMS standby	3	0.03 %
<b>Total - Rescue &amp; Emergency Medical Service Incidents</b>	<b>9,860</b>	<b>71.40 %</b>

In 2019, The Waterford Regional Fire Transported 5,174 Patient to the hospital

**\*Percentage of Medical Incidents transported- 52%**

## Waterford Regional Fire Department Destination Location Breakdown 01/01/2019 – 12/31/2019



Career personnel are licensed with the Michigan Department of Community Health – Emergency Medical Services and Trauma System Section, as a Medical First Responder, Basic EMT or Paramedic.

**Personnel**

1. Medical First Responder	3 personnel
2. Basic EMT	33 personnel
3. <u>Paramedic</u>	<u>99 personnel</u>
<b>Total</b>	<b>135 personnel</b>

**\*Personnel numbers decreased to 107 as of September 25, 2019 due to ending of the 2015 FEMA SAFER Grant.**

All career personnel are licensed with the American Heart Association in CPR/AED as a Basic Life Support Healthcare Provider (BLS). All paramedic are licensed with the American Heart Association in Advanced Cardiac Life Support (ACLS) and have completed mandatory Oakland County Med Control Authority protocol training and testing.

A total of 58 Continuing Education (CE) classes were held for career personnel with 14.0 CE were available for career personnel,

There were approximately 23 BLS classes, 25 CPR classes, 21 First-aid classes and 12 Bloodborne Pathogen classes provided to the public, Waterford Township employees and the Waterford School district teachers. A total of 213 people attended BLS classes, 496 people attended the CPR classes, 381 people attended the First-aid classes and 17 people attended the Bloodborne Pathogens classes for a total of 1,107 people. This is an increase from 1,027 in 2018.



- Two (2) Basic EMT classes in 2019.
- The Basic EMT program had 28 students graduate
- One PEPP Course

McLaren Regional Medical Center remains as our base hospital, with Dr. Tressa Gardner serving as the Physician Medical Director for the Waterford Regional Fire Department and Waterford EMS Academy.

The Waterford Regional Fire Department Emergency Medical Services continued in 2018 to provide skilled and professional pre-hospital care to the residents of Waterford, Pontiac and Lake Angelus.

## Fire Radios – Driver/Engineer/Paramedic Chris Petres



### Radio and Communications Division

### 2019 Annual Report

The Waterford Regional Fire Department uses a mix of [Harris OpenSky](#) 800MHz digital trunking radios and a [Legacy Analog VHF-HI](#) system. OpenSky is the primary radio system and is provided by Oakland County. Our VHF system is used for tone alerting, state MEDCOM requirements (for ALS rescuers) and as a fully operational backup to OpenSky. This backup design is built with NFPA 1221 and ISO requirements in mind.

RADIO EQUIPMENT	Qty in service	Qty in reserve*
OpenSky portables	129	0
OpenSky mobiles	44	0
OpenSky control stations	12	0
VHF Portables	20	1
VHF Mobiles	11	4
VHF Base Stations	3	-
VHF Control station	1	-
Station Alert systems (Informer)	9	3
Unication dual band pagers	4**	10**
Minitor VHF pagers	5	15
NOAA alert receivers	5	1

\*reserve includes ready spare (NFPA required), broken, and not currently used in storage

\*\* New equipment, currently mid-deployment

Station alert systems include a VHF tone activated receiver, OpenSky radios, power supply, battery backup (UPS) and audio amplifiers and speakers. Police dispatch operates our VHF radios via a private phone line link between their consoles and the radio tower site. In addition to dispatch at PD, station 1 has a backup radio with mini-console capable of transmitting tones and includes an instant recall recorder for playback of recent transmissions.

Our radios allow us to communicate on numerous talk groups and channels - departmental and shared. This allows for interoperability with other agencies for larger scale incidents, such as our OAKWAY mutual aid partners.

### **Notable Accomplishments in Radio Division**

Repairs and maintenance is a never-ending job. These typically include replacement or repair of damaged radios, lapel microphones, antennas, batteries, station alert systems, and other miscellaneous parts.

	<b>Complaints</b>	<b>Preventative Maintenance Repairs</b>	<b>Total Repairs</b>
2017	68	No data	68
2018	114	No data	114
2019	79	57	136

\*Other smaller, quick repairs not reflected in above.

The radio division is also responsible for training new hires how to use our radios, refresher training for existing personnel, tower site radio updates, attending conferences and meetings, and keeping up to date with regulatory issues involving radios.

All portable radio batteries are tested / conditioned to ensure acceptable runtime and performance. We aim to service each of the estimated 300+ batteries in the fleet at least biannually. This is very time consuming, but seems to have had a positive impact on radio reliability and run time. The number of unsubstantiated radio complaints has gone down, this may be attributed to better battery performance. Batteries deemed substandard, too old, or show questionable performance are replaced. We exchange faulty batteries with the county at no cost to the department.

Staff attended several Oakland County CLEMIS radio / 911 advisory board meetings. Staff also attended the [Southeastern Association of Fire Chiefs tradeshow in Novi](#) and the 2019 Statewide Interoperable Communications Conference in Traverse City.



Training on radio interconnection gateways; used to link users of incompatible systems.

Class held at 2019 Statewide Interoperable Communications Conference in Traverse City.

Modern construction tends to block radio signals. Codes (IBC 510 and NFPA 72, 1212) require building owners to ensure acceptable radio performance within their structures for fire/police/EMS. If needed, this can be through the use of an Emergency Responder Radio Coverage System (ERRCS). Several developers have inquired to inspectors about this, and radio division has assisted when needed.

Obsolete and non-serviceable radio equipment was given to Oakland County Amateur Radio Public Service Corps, a division of Oakland County Homeland Security. While it no longer has any value or use to police/fire, gear has been recycled and is still serving the community. Uses include SkyWarn weather spotters, disaster hospital communications, outdoor siren testing and Woodward Dream Cruise communications.

FCC radio station licensing was renewed and updated. Cost savings were realized doing this in-house.

Staff tested all ALS units prior to the state licensing inspection. Testing revealed a VHF communication failure. Staff determined department equipment was fully functional and in compliance. Staff investigated further and found a problem with hospital equipment. We were able to quickly rectify the issues for them. We have also aided in testing and making repairs to hospital's radios at other times as well.



Radio console at hospital.

Radio found inoperable. Staff corrected issue and restored EMS to Hospital communications.



Preventative-maintenance inspections find and fix problems before disruption to service.

Damaged apparatus antenna and station generator failure alarm shown here.

NOAA weather alert radios were purchased, programmed and placed in command officer offices, backup dispatch, and HQ / administration offices.

VHF radios in ALS rescues were reprogrammed for expanded interoperability and to communicate with additional hospitals, both in and out of county.

### Ongoing Projects

Staff has created a preventive maintenance program. The goal is to have scheduled quarterly inspections and tests of critical dispatch system components, including tower sites, station alerting equipment, and backup power systems. While this has caused more overtime, it has proven to improve our system reliability, reduce unexpected downtime, and lower costs and hassle associated with unexpected failures. *Since inception of the program there has been a significant reduction in downtime and equipment failures of station alerting.* Quarterly inspection and testing is required for full ISO credits. Notable findings during preventive maintenance include failing / weak UPS batteries, generator alarms, and damaged antennas. These would surely cause a failure at an inopportune time if not caught early. Some apparatus were found to have broken antennas; likely combination of becoming brittle with age and exposure, and falling victim to low hanging branches. Repairs were triaged and all have been replaced over a two-year span. Staff has recently begun differentiating between repairs prompted by complaints vs repairs prompted by preventative maintenance inspections. The division believes it will be important to document the number of problems found and corrected prior to any user noticing and making a subsequent complaint.

Preventative maintenance is critical in keeping equipment operational. Air conditioning unit coils at tower equipment shelter are cleaned with the aid of an engine.

Installation of backup HVAC unit at radio tower site.





New apparatus has kept the division very busy. Staff drafted electrical specifications for factory pre-wiring for radio units. This greatly speeds install of equipment once apparatus is delivered. Radios and Knox boxes were provided for new units. New rescues are now utilizing dual-head radios. This allows one radio to be utilized in both the cab and back patient compartment, saving costs over two separate units. User have previously indicated difficulty communicating on portable radios while inside; this dual head design should aid in ease of communicating. Apparatus mechanic division and County radio/vehicle shop helped greatly with these projects.

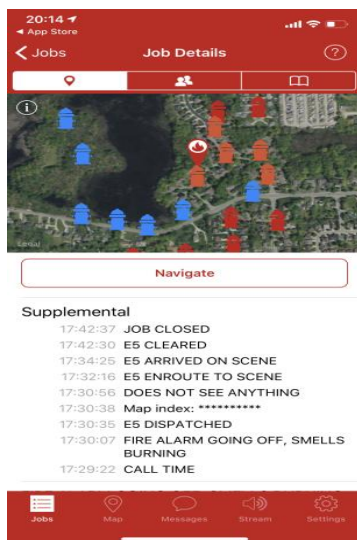


Improvements have been made to the department's radio tower site. HVAC system was cleaned to ensure system efficiency and reliability. Emergency AC was installed due to a primary system failure. This unit will remain as a backup. Backup heating was installed in a prior year. Proper temperature and environmental conditions are critical to keep equipment and batteries above freezing or overheating, prolonging life. Environmental and security monitoring is planned to be upgraded as recommended by NFPA 1221, 72, 731.

The division offers FirstNet, the new public safety wireless broadband system to members. The system provides priority voice and data service to first responders ensuring reliable communications in cases of network congestion, such as large special events or disasters. We have offered subscriber-paid plans to employees, several have joined.

The Division assisted Township IT staff in deploying a new telephone system and township-wide overhead voice paging. This project revealed a data and communications cabling plant in desperate need of modernization and upgrades. All fire stations have or are in the process of receiving updates. This project includes future-proofing for anticipated future needs including station alert systems. The audio and dispatch alert system at HQ has been completely replaced.

**Bryx 911 mobile** app was implemented. Bryx is a software as a service that interfaces to CLEMIS CAD and allows for call alerting, call mapping and routing, AVL / GPS, hydrant mapping, pre-plan viewing, and other dispatcher added notes. This app was installed on existing apparatus iPads and also available to department members' personal devices. This is a no-cost service for basic functionality. To date 91% of staff have voluntarily adopted this system on their devices. This system offers more information and is more secure than previously used systems. Hydrants and water main sizes within Waterford have been added to the system. Hydrants in Pontiac will be added if water system information becomes available. The vendor has indicated several coming improvements which may be of interest to the department; some of these may be premium options.



Radio division has assisted department IT staff with implementing Bryx station boards. This is similar to the mobile app, but displayed on large screens within the stations. These boards include a turnout timer, route mapping and street view to size up a building prior to arrival.

Special response team leaders have mentioned they would welcome portable radio battery chargers on their units, as they often operate for extended time frames. We were able to outfit the HAZMAT and Tech Rescue apparatus with bank chargers and spare batteries.

New radios were assigned to Marine 1 and Ranger 1. Boat radios were equipped with 'Gear Keeper' retractable lanyard to prevent loss overboard.

The division has begun to replace the Federal Signal Informers with Unication G5 pagers. Dealer and manufacturer support for informers has been lacking and alternatives were evaluated. The new G5 pagers are dual band receivers that will operate now and with the future P25 radio system with a programming update. Custom alert tones can be uploaded and can now be customized to achieve rudimentary heart-saver functions. SAD monies were used for procurement and installation is ongoing.

A Unication G5 pager was provided to PD for dispatchers to verify proper transmission of dispatch alert tones.

### **Future Plans and Goals**

Oakland County is currently in the process of replacing the OpenSky radio system. The county awarded the contract to Motorola in June 2019. The system is a 700MHz APCO Project 25 phase II simulcast system with 31 sites. This system will be a joint venture with the Michigan Public Safety Communications System (MPSCS). Specified coverage includes 97% street-level portable coverage with a standard antenna while on user's hip. In-building coverage is proposed at 95% with same conditions. Coverage should extend 3 miles beyond the county's borders. Radios to be used are the Motorola APX series. Motorola was chosen as the vendor for ease of interoperability with the rest of the state / MPSCS. Current estimate of project completion is 18-24 months. Infrastructure components were delivered to the local vendor in December. We can expect significant man-hours to be devoted to planning, installation, training, and testing of the new system. There may also be incidental costs such as accessories and options not covered by the scope of the project. Some ongoing maintenance costs of this new system will be shifted to member departments, such as replacement batteries. Estimated lifespan of this system is 15 years.

As our OpenSky system ages, we can expect to continue to see an increase in repair and labor costs. Harris officially stopped supporting our portable radios in 2017. We will continue to work with the county to keep our fleet operational; however a shortage may be possible as radios become non-repairable. Luckily, this has not been a problem yet. Used radios have been obtained from online sources to reduce costs of part / repairs.

Uninterruptible Power Supplies (UPS) / battery backups are aging and are the leading cause of failures within our station alert systems. We have experienced several premature failures of recently replaced batteries. Alternative vendors have been found for better quality parts. Additionally, the division is working with Township IT to replace all UPS units with upgraded models. This will include remote monitoring and diagnostic capabilities. In most cases, these units will be shared between radio and IT gear reducing purchase and maintenance costs.

There are some educational conferences / tradeshow within the state that may be beneficial. These include Michigan's Annual Statewide Interoperable Communications Conference in February in Traverse City.

Radios are not just a radio anymore. Many new communication systems are really an IT / IP device with an RF (radio) component. We expect to need to work closely with IT staff on future projects.

FirstNet is still a very new network. We will continue to evaluate it for potential operational and financial benefits to the department as it matures. We plan to obtain demonstration devices to test and evaluate.

Staff will continue to look at station alerting systems, with an emphasis on ‘heart-saver’ features such as ramped tones and lighting. These systems, especially when CAD-integrated, may have the added benefit of reduced ‘received to dispatch’ times, free up radio airtime, allow dispatch to focus on other tasks, provide crews with additional information, mobile apps, and aid in NFPA 1221 and ISO compliance. Staff has had conversations with a few possible vendors. It may be prudent to watch the development of the county’s new radio system before committing to a vendor or design. Bryx support has been very helpful with this and may be easiest to work with. Numerous other area departments have switched to Bryx as well.

The Division would like to continue to work with Township IT staff to enhance physical safety of the township’s networks with improved lighting / surge protection and grounding. Additional physical security measures at the remote tower site would also be welcomed. We may want to add backup control telephone lines between the dispatch consoles found at PD and station 1 which lead to our base stations. This would provide a fully redundant ‘always on’ backup and eliminate a manual switching system which could be a point of failure. The county radio shop indicated this is feasible with existing hardware.

New Special Assessment District funds will aid in enhancement and upkeep of our communications systems. This includes replacing battery backups and improvements to dispatch antenna system at HQ.

Ability to manually open station speakers to hear all radio traffic is a common request. Feasibility of this is being investigated.

Possible additional future improvements may include outfitting all stations with NOAA weather alert radios and/or county emergency alert radios.

NOAA weather radio receives alerts from local National Weather Service office.

Units have been placed in all command offices, backup dispatch at station 1, and admin offices.



## **Fire Gear – Lt. Eric Steinhebel**

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The WRFD has 192 sets of turnout firefighting coats and pants in service. There are also 19 new & used different size coats and 32 new & used different size pants in inventory.

In 2018, 94 of our 192 in service sets of gear were inspected and approved for use and all stock gear was inspected as well.

We were able to get most of our gear that needed inspection and re-certification in 2018 done. All the gear can never get done in a year's time. This is because the majority of our personnel only have 1 set of gear and our work schedules don't allow it to happen. Most of our gear gets done every 1.5 years, which is really good.

14 new sets of gear were ordered in 2018. All 14 sets were to replace in-service gear that was over 10 years old or older. 4 additional pair of pants and 2 coats were also ordered and placed in stock inventory.

In May of 2018, we started inspecting our own gear which gave us an estimated savings of \$23,000, allowing us to reallocate those funds for purchase of new turnout gear. Along with that, on January 14, 2019, Tom Hanson and Matt Blom and I will be attending an NFPA 1851 Turnout inspection class certifying us to inspect gear, while being NFPA compliant. This will be done at no cost to the department as it was part of a deal made with First Due Fire Supply and Globe Turnout Gear when we Purchased 10 sets of gear at the end of 2018.

### **Future Requirements:**

Both 2018 R&M account numbers with the additional monies from the SAD should be able to work in 2019. This will help us continue on our NFPA approved safety inspection, cleaning and repair services needed.

Due to a 10 year age requirement, 10 front line sets of gear will be getting replaced in 2019. There will also need to be 6 new sets ordered for our stock to replace aging gear we have. The estimated cost will be around \$1,750 per set for new bunker gear orders in 2019.

Additionally, we have 44 sets of in-service gear that was purchased in 2012. Forward thinking suggest that instead of replacing all 44 sets at the same time in 2022. 10 new sets should be ordered per year up until 2022. This would keep the future safety of our personnel in check and up to date without adding a big drain on the department's future budgets. The added cost for this will be \$17,500 in 2019 with the cost going up every year after that.



## **Fire Marshal and Fire Prevention Division – Asst. Chief John Phebus**

The Fire Prevention Division consists of two Fire Inspector/Lieutenants, and one Fire Inspector/Captain and the Fire Marshal. All four employees are certified Fire Investigators and State of Michigan Certified Fire Inspectors. The Fire Marshal and Captain/Inspector are also State of Michigan Public Act 54 Registered Inspectors of Fire Protection Systems and Plan Reviewers of Fire Protection System Plans by the Michigan Bureau of Construction Codes.

The Fire Prevention Division continues to conduct fire inspections, site plan reviews, fire alarm system plan reviews, fire suppression system plan reviews, fire safety inspections, fire investigations, assigns addresses and performs other activities as required. We continue to make our priority assembly occupancies, commercial buildings that have special fire systems, high hazards occupancies, new construction and buildings with occupancies changes.

2019 was a busy year for Fire Prevention with an increase in new building projects in both the Township and the City of Pontiac, which in turn increased the number of man hours dedicated to plan reviews and new construction inspections conducted by our Inspectors. This is a good sign for the economy of both communities. However, at current staffing levels day to day operations limit our ability to be proactive with our Annual Life Safety Inspections. Easing the stress of the increased work load is a good working relationship with both the Waterford Township Department of Development Services and The City of Pontiac Building and Safety Department.

### **Inspections and Plan Review:**

The Fire Prevention Division performed 770 fire inspections, processed and reviewed 327 plans in 2019. These plans include site plans, hood system plans, fire alarm plans, fire suppression (sprinkler) plans and special suppression agent plans. We reviewed and verified inspection reports on various fire safety systems throughout Waterford Township and The City of Pontiac. All acceptance tests are done cooperatively with the building department inspectors. The Waterford Regional Fire Department continues to handle all reviews for fire suppression and fire alarm systems in the Township and reviews/assists in the review process with the City of Pontiac Building Department. The building departments and fire department continue to work well together in the best interest of the citizens of Waterford Township and the City of Pontiac.



**Fire Investigation:**

Fire Prevention Division personnel were called upon for 66 Origin and Cause after hours Investigations and numerous on duty hours investigations throughout Waterford and Pontiac. Each member is on call one week out of the month for “after hour’s investigations” and is backed up by a second investigator on each fire scene. The Waterford Township Police Department has assigned a Detective to assist with fires within Waterford Township when the assistance of a detective has been required. In addition, The Oakland County Sheriff’s, Fire Investigation Unit was activated on occasion in both the City of Pontiac and Waterford Township. Several of this investigation’s lead to the arrest and conviction suspects.



**Addresses:**

The Fire Prevention Division assigned 31 addresses in Waterford Township in 2019. The Fire Prevention Division issues and processes all new address throughout the Township to aid in the quick response of emergency services.

### **Freedom of Information Act: (FOIA)**

The Fire Prevention Division processed 169 FOIA requests in 2019. Most of these were for information regarding underground storage tanks or hazardous materials at commercial businesses. This also included requests for information regarding fire reports and fire investigation reports/ files.

### **Training:**

Training has always been a large part of the Fire Prevention Division as it is in all aspects of the fire services. The division must remain current in all disciplines of the fire service in case we are needed for firefighting and EMS activities in addition to our fire inspections and fire investigations work load. All division members are required to attend continuing education classes throughout the year to maintain certifications in the disciplines of Fire Inspection, Fire Investigation, Firefighting and EMS.

### **Pre Fire Surveys:**

Pre Fire Surveys are being conducted by our on duty fire suppression crews when time allows. This is a very important part of protecting not only our citizens and businesses but also allows our personnel to familiarize themselves with building to ensure their personal safety.

### **302 Sites:**

Waterford Township and the City of Pontiac currently have a number of sites designated as 302 sites. These are occupancies that store or use hazardous materials over a specified amount. These facilities must file an annual report to the Local Emergency Planning Committee (LEPC) which is Oakland County in our jurisdiction. These reports are compiled and are carried on each fire apparatus. This “book” (tablet information) is updated when we receive the reports from the LEPC. All fire department personnel have been given “site specific” training. Training is coordinated with our Hazardous Material Team Leader and the Training Division. The Fire Department Operations Assistant also assists with the 302 site program within our communities.

### **Smoke Detector Program:**

When it is discovered that a residence has no working smoke detector, the fire department will provide and install a free smoke detector. These detectors are installed by on-duty personnel or a Fire Inspector. Statistics have shown that having one working smoke alarm in a home will reduce the risk of death in a fire by 50%. We feel this program is a cheap investment for the protection of our residents in all three communities. All eight fire stations have smoke detectors on their front line fire engine and tools to install them. Some of the smoke detectors have been donated to our department by local businesses after hearing of our detector program.

### **Fireworks:**

The Fire Prevention Division reviewed, inspected and supervised all fireworks displays conducted in Waterford Township and the City of Pontiac. All of the shows were conducted following NFPA 1123 standards. The majority of the shows were conducted from the water on barges. This significantly reduced the fallout and danger for the spectators. 2019, we issued five permits with standby's, four in Waterford and one in the City of Pontiac







## **Fire Prevention Education – Driver/Engineer/Paramedic Kurt Vine**

We continue to work hard for the Waterford Regional Fire Department as we represent the department to the schools and community groups in our area. Former Fire Chief John Lyman, Fire Chief Matt Covey and Fire Marshall/Deputy Chief Carl Wallace have allowed us to be very aggressive and creative in our efforts to educate the citizens about the fire hazards that they can encounter in their daily lives.

We are very pleased with the relationships we have cultivated with parents, students and school staff in our communities. Our program is in cooperation with the citizens and school districts of Waterford and Pontiac and numerous private and charter schools within our jurisdiction. It is estimated that over ten thousand children and adults were exposed to our Fire Prevention Education Program in some manner for 2019.

### **THE FIRE SAFETY HOUSE**



### **THE FIRE SAFETY HOUSE**

The Fire Safety House was involved in numerous events this past year and was seen continually and consistently all over the community. This portable training tool made an appearance at every elementary school in both Waterford and Pontiac School Districts this past year. This program is focused toward third and fourth grade students. Inside the Fire Safety House we are maintaining written reports for each use. Weather permitting, we use the months of April, May, June, September, October, November to get this unit to each school. Within the Fire Department, teams of firefighters are trained and responsible for the instruction of our students in both Waterford and Pontiac communities.

- Team personnel Kurt Vine, Chris Webster, Matt Blom, Aaron Lewis
- The Fire Safety House was used in the Waterford Memorial Day parade for 2019



### **FIRE SAFETY CLASSROOM PRESENTATIONS**

Fire safety presentations are done during the winter months while the fire safety house is in storage. Throughout the winter months, Kurt Vine and Matt Blom visited every elementary school in Waterford and Pontiac. These presentations deal specifically with kindergarten through second grade. Children are taught about smoke detectors, the dangers of matches and lighters, escape plans and who to call when they have an emergency. These presentations instill knowledge at an early age how to handle an emergency and teach life safety skills they can share with their parents when they return home from school.



### **FIRE DEPARTMENT OPEN HOUSE**

The Fire Prevention Week Open House was held this year at Station #1. This is an annual event for the communities. Literature, station tours, fire safety presentations, live burn demonstration and the Smoke House were used to educate our citizens. Career and Volunteer firefighters come together to talk with citizens and discuss the message of fire safety to young and old. Our community event was augmented by local businesses: Leo's Coney Island provided food. Stars and Stripes provided mats for Stop, Drop and Roll activities. Genisys Credit Union sponsored face painting and McLaren Oakland provided a bicycle safety station to fit and donate hundreds of bike helmets.

### **LONGEST BREAKFAST TABLE**

This annual event occurs at Fire Station #1. Station tours were given, breakfast is provided and the Smoke House was available for presentations. This event is very popular with the citizens and is a good representation for the Township, Police and Fire Departments. Funds raised are donated to both Departments' respective Benevolent Funds.

### **HOME DEPOT OPEN HOUSE**

In creating stronger partnerships with local businesses, the Fire Safety Team committed several fire trucks and personnel to interact with the public at this event. Fire Safety literature was distributed and tours of the apparatuses were given.

### **OAKLAND COUNTY SHERIFF'S OFFICE'S 4TH ANNUAL HARVEST FESTIVAL ANGELS NIGHT**

This event was in its seventh year and the Pontiac School District is heavily involved. The Waterford Regional Fire Safety team provided a number of fire trucks, including Engine 7 and Tower 8. On duty personnel provided tours of the trucks and a demonstration of the aerial truck in addition to providing Fire Safety materials to children. This event is attended by hundreds of families in the area and is one of the larger events that fire safety staffs.

### **AIRPORT OPEN HOUSE**

This annual event is the largest attended by the fire safety team. We staff the event with a "display" engine as well as an on duty rescue. Fire Safety literature was distributed and tours of the fire engine were given to the public. The fire engine provided for display remains one of the most popular attractions at the show. It is estimated that near 1,000 people tour the fire engine. Families are allowed to climb into the cab of the truck. It is there that they can take family photos, ask questions and receive fire safety tips from personnel.

### **FIRE STATION TOURS**

We have hosted numerous tours of Station #1 throughout the year with many area scouting, school and other citizen groups. Kurt Vine, Greg Mathiak and on duty personnel were utilized to handle tours from the schools and other contacts. Other tours of the fire station are coordinated between Fire Department secretaries and the Battalion Chief on duty.



### **SCOUT GROUPS**

Numerous scouting groups came to the Fire Department for station tours and fire safety presentations to earn first aid and fire safety merit badges.

### **PONTIAC NIGHT OUT EVENT**

This was our eighth year in attendance at this event which was held at the Oakland County Sheriff's Department substation in Pontiac. On duty personnel attended this event with a variety of fire trucks. Fire Safety informational literature was passed out at this event.

### **HARVEST HAPPENINGS AT HESS HATHAWAY**

This was a large community event to which the Fire Department supplied a Fire Engine for community education on fire safety and to answer any questions the public may have about service or equipment.

### **SCHOOLCRAFT ELEMENTARY CARNIVAL**

This was also our fourteenth year attending this event. A fire engine was sent with Fire Safety team members. Tours of the engine were given and fire hose was taken off the truck for children to spray water.



### **VARIOUS COMMUNITY EVENTS**

The fire safety team attended numerous church events as well as local neighborhood outreach programs. The team spent time at the Salvation Army summer camp answering questions about fire safety as well as teaching them how you can become a firefighter.

### **SENIOR CITIZEN FIRE SAFETY**

Numerous events were held at local assisted care and independent living facilities for senior citizens. The seniors who attended these events were given literature on fire safety. A question and answer session was held to discuss how to handle different emergencies weather related as well as medical.

### **HOLIDAY FIRE SAFETY EVENT**

Greg Mathiak organized a holiday fire safety event at Beaumont Elementary school. This event was held to give adults fire safety tips for the holidays. The event was very successful and we are looking to expand it in 2019.

### **SPECIAL THANKS**

It is truly a pleasure for all of us to be a part of this program. We view ourselves as the “front line” of fire prevention and public relations in these communities. We are so very appreciative of the commitment that the Chief has made to this program, and we are sure that our 2019 programs achieved what the Chief had envisioned for this program.

## **Training Division – Battalion Chief Josh Dorman**



The main purpose of the Waterford Regional Fire Department, Training Division is to provide a system of regular structured training programs of sufficient content and duration, designed to keep personnel informed of and proficient in performing the duties associated with their job and to provide training that is required by mandating authorities and current with industry standards. The efficient operation of this department depends on a high degree of skill that can only be maintained by constant practice and professional effort.

Additionally, we are graded by the Insurance Service Office for our ability to put out a fire. The grading has an impact on the insurance rates in the communities that we serve. There are three main categories on which we are graded, of which, training is a large component.

Further, we are required to fulfill state and federal training requirements to ensure our readiness to serve the public. It is imperative that our personnel are trained to a degree of proficiency that keeps them and the public safe. Many lives are riding on our ability to respond to emergencies and there are many requirements that we must meet.

### **RESPONSIBILITIES**

The Training Officer and/or Chief are responsible for monthly on-going educational training programs involving subjects required by law and recognized as national standards, including but, not limited to: fire suppression, rescue, hazardous material, driver training, fire fighter safety & survival, professional development, post-incident debriefings, department policies and guidelines, and new equipment in-services.



**Eastern Michigan Fire Command & Staff 2019**

### **2019 GOALS**

In 2019 we looked to maintain a high standard for maintaining and improving our professional skill sets. Our goals included: reacting to locally important training topics, active assailant, mutual aid, company level training, hazardous material incidents, emphasis on SAFER grant personnel, and emphasis on meeting state, federal, and ISO standards.

## SUCSESSES

The goals that we had great success in meeting were all of the following: high risk/low frequency events, disaster preparedness, active assailant, driver training, OAKWAY (mutual aid preparedness), continuing education for leadership, and adjusting to accommodate unforeseen training needs. It is challenging to provide training for a full time professional fire department. We continue to adjust daily to accomplish our training needs. Our personnel do an amazing job of working to be involved and complete all necessary training; specifically, the training we attempt to plan that is required by the state.

The details of our 2019 goals are as follows; we will continue to follow our 36 month training plan based upon MIOSHA part 74 as required by law. The plan guides us in accomplishing our annual training requirements and goals. We will also focus on other incidents that we refer to as high risk/low frequency events.

Recognizing our stated goals, continuing education for our leadership continues to be of major importance for us. In 2019 we updated our 2018 audit of our officer's training records. We then continued to pursue our goal of completing specific state and federally mandated Fire Officer training. The classes include ICS 300 and ICS 400 where officers learn how to handle escalating and large scale incidents. To help with our understanding of local needs as it relates to potential large scale incidents we toured GM Propulsion. The GM facility does research and development and has a large container of hydrogen on site. The amount of hydrogen it contains could be a serious threat to the community and involve multiple agencies if a response were required. In Waterford we worked to maintain the same level of preparedness by doing a site visit of Heat Treat Services of America on Waterford drive. Both of these facilities present their own level of danger. Additionally, we are required to be knowledgeable of both by SARA Title III.

High risk/low frequency events that needed special attention in 2019 were hazardous materials incidents. HAZMAT can be overlooked at times because; it is not necessarily a daily occurrence. Incidents in the Waterford and Pontiac areas usually consist of spills. The picture below is an incident which occurred in Waterford near a waterway: the Clinton River Watershed has many tributaries which lead beyond our borders. This was a small spill which didn't require extensive clean up; several hundred square feet were affected by roughly 50 gallons of oil. However, it did drain toward a small creek and required hours of investigation, mitigation, and manpower by WRFD, WTPD, DEQ, Young's Environmental, and an OAKWAY mutual aid response. Recognizing our need to maintain our skills for hazardous materials responses we updated our foam equipment and spent time training on foam application techniques; foam is used to suppress vapors at a flammable liquid spill. Foam was not needed at the incident pictured below but, is commonly used for spills when there are other threats.



2019 Hazardous Materials Incident in Waterford

### **CHALLENGES**

In 2019 we recognized that we must get our company officers more involved in training due to state, federal, and ISO standards. As in 2018, we identified more ways to incorporate NFPA standards into company level training. This time we highlighted our own Standard Operating Guidelines (SOG) and Standard Operating Procedures (SOP). The annual training plan described in the 2018 Training Report was implemented in the second half of 2019. Each month company officers are expected to review the scheduled SOP and SOG with their crews and submit a training record. This is designed to help increase awareness and compliance with departmental standards.

Another challenge we were facing was the expected change in leadership within WRFD. Fire Chief John Lyman was expected to retire in 2019 and did. He was the main contributor for grant development which helped staff our department for a number of years. Recognizing this possibility in advance two of our department leaders were the first in our organization to attend the Eastern Michigan Fire Staff and Command program. This program creates connections throughout the Michigan fire service and develops leaders in a multitude of ways. The EMU program is recognized as the top program in Michigan for leadership development. In 2020 we are sending two more fire department leaders to the class to ensure our organization develops quality leaders for the future.

An additional area of concern was our lack of a department policy regarding lock out/tag out (LOTO); a procedure identified as required by MIOSHA. The training division developed a new policy for LOTO and provided department wide training on the subject. The most common and dangerous occurrences necessitating LOTO are pulling electrical meters and elevator responses. We already had a policy which discussed meters but, an all-encompassing SOP for any mechanical rescue situation, including elevators, was needed; we respond regularly for elevator rescue in Waterford and Pontiac.

### **EFFECTIVENESS**

The true effectiveness of our training is measured by our performance during emergency response. However, another method to measure our effectiveness is to track our training hours. The total hours of



training captured in 2019 is 6,371 individual hours. Due to our loss of SAFER grant personnel this is a significant decrease in training hours. In 2018 we completed roughly 9,000 hours. We continue to emphasize company level training, as well our personnel's attention to detail in completing training records.

Ultimately our goal is to maintain high level of professionalism and safety during an emergency response. We will do that by encouraging company level involvement, building annual training plans, encouraging post-incident analysis, providing high quality training for high risk/low frequency events, training thoroughly on safety and by educating more instructors to assist the training needs of the department. Our proficiency in our response relies on knowledge, practice, and safety. Our effectiveness is improved immeasurably when we are able to do live evolutions which make training more realistic. Many of the live training events that we put on this year were documented with pictures and are included in this report.

### **FIRE CADETS**

Fire cadets were again part of our public education program. We helped students at several local schools learn about our profession. The program is focused on providing exposure to our profession not necessarily teaching them how to perform it. As personnel are available to assist the program we try to meet the higher standard of providing fundamental firefighter and EMS training. Some of the fundamental training cadets have been part of in 2018 includes: donning and doffing, search and rescue, air emergencies, fire extinguisher use, and emergency response.

Cadets are required to be self-starters and follow an agenda when our personnel are not available to interact with them. Each semester their performance is reviewed according to documentation provided by the school they attend. We also require them to become CPR, First Aid, and Blood borne pathogen certified, all the certifications are provided free by WRFD. The 2019/2020 school year has included up to 8 cadets that are participating in the program. It is our goal to continue to provide young adults an opportunity to be exposed to the emergency services profession.



## **2019 TRAINING TOPICS**

- Active assailant
  - SOG review
- Air management
- After Action Reviews
  - Discussed at OAKWAY command officer's meeting
- Building Construction
- Company Level Training
- Driver training
- Elevator rescue
- Engine company drills
- FEMA/MIOSHA required officer courses
  - Fire officer I, II, III
- Fire command
  - Two members attended Blue Card Command online and practical events
- Fire ground communications
- Fire Scenarios (H.O.T.)
  - First due company operations
  - Saving our own
- Foam application
- Forcible entry
- Hose Testing
- Lake Angelus water supply
- Large scale disaster table tops
  - Metroplex: Pontiac
- Leadership program
  - EMU Staff and Command
- Personal protective equipment
- Pump operator course
- Rapid Intervention Training
  - Certified course
  - Used OCC resources
- SARA Title site visits
  - GM Propulsion
  - Heat Treat Services of America
- Step up and Lead
  - Leadership training event with a nationally recognized speaker
- SOP/SOG company level training
- Technical Rescue
  - Trench operations
  - Confined Space
  - Deployments (OAKWAY)

- Building Collapse
- Rope Rescue
- Truck Company Evolutions
  - OAKWAY training event at OCC Crest Center
- Vehicle Extrication
  - Adler's Towing in Waterford
- Water Supply

**2020 Goal**

The WRFD Training Division will continue to work to plan and provide high quality training that includes hands on training topics, classroom preparation, and required training. We will continue to make it a collaborative effort that benefits our personnel as well as the communities we serve.

**2019 PROJECTED TRAINING TOPICS**

- Active assailant joint agency training with WTPD
- Driver Training Refresher
- Elevator rescue
- Emphasis on our 36 month training plan
- Extrication
- Fire Officer Education (FEMA/MIOSHA required)
- Fire pre planning
- Hose Testing
- Lake Angelus water supply practical evolution
- Lock Out/Tag Out
- Officer development
- Operating power saws
- Response areas
- Station 4 area water supply
- SARA TITLE III Occupancy walk-through

**DRIVER TRAINING – REFRESHER**



## TRAININGS – Vehicle Extrication & Saving Our Own



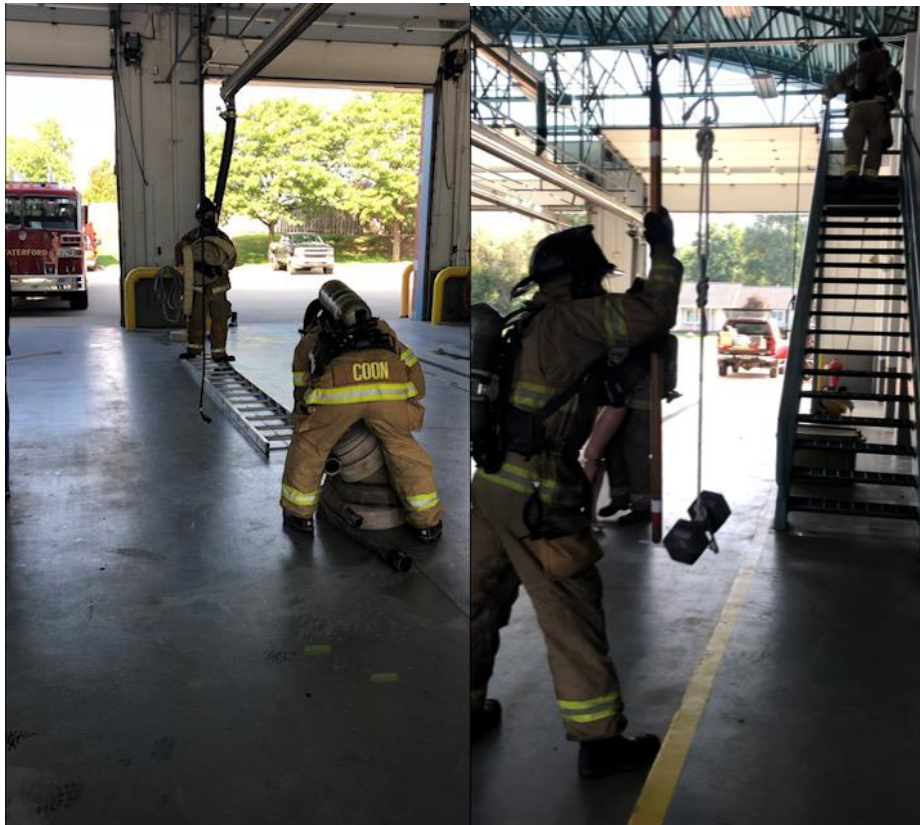
## 2019-Eastern Michigan Staff and Command Graduates



## Hands on Training at 2831 Barkman, Waterford



## Air Management



## Building Construction



## OAKWAY TRAINING – Saving Our Own



## TRAINING – Ice Rescue and Bus Extrication

## **Hazardous Materials Team Report – Lt. Paul Dallas**

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The Waterford Regional Hazmat team is responsible for providing life safety and emergency mitigation of hazardous material situations. The team is responsible for Waterford Township, City of Lake Angelus, and the City of Pontiac. The WRFD Hazmat Team is part of the Oakland County Hazardous Materials Team South. The South Team has been comprised in the past of 8 area Fire Departments going up and down Woodward Ave and relies on mutual aid with each other for large-scale responses. This past year the cities of Rochester Hills and Farmington Hills have joined our OAKWAY mutual aid pact making our team larger and brings even more resources to our team. The first response area for the Waterford Regional Hazmat team handles smaller scale incidents on their own, in which the coverage area consists of highways, railways, an international airport, residential, commercial, and industrial areas. There are also several SARA Title III sites that have hazardous materials on site at all times. With the volume of truck traffic, rail traffic, and air traffic there is always a high potential for an emergency.



For the year 2019, we sent two more of our existing Ops level personnel on the team to technician school bringing up our total numbers of technicians on our department. Existing technicians have continued to attend all of our monthly trainings in better numbers, held within OAKWAY as well as attended other outside agency classes like rail car classes involving hazardous material mitigation as well as many other classes involving homeland security type issues offered by FEMA and Oakland County. WRFD has the most Hazardous Materials Technicians on the OAKWAY team consisting of almost a 1/3 of the total team roster. With some small changes to the WRFD hazmat team, our roster currently has 20-Hazmat Techs, and 6-Ops level members bringing our team to a total of 26-members. We are continuing to evaluate the needs of the team and the levels of training that the personnel are involved.

As the team leader I am tasked with scheduling trainings, motivation, recruitment of members, finding grants, coordinating with the OAKWAY hazmat team leaders, and other related duties.

The objectives of the 2020 WRFD Hazmat team are to:

- Protect the citizens and responders in Waterford, Lake Angelus, and the City of Pontiac.
- Provide team members with adequate training, and maintain minimum training required for members under OSHA 29 CFR 1910.120.
- Maintain participation with mutual aid agreement, OAKWAY.
- Assist the WRFD Training Division with yearly training for the fire department.
- Properly use allocated funds to maximize objectives of the Hazmat Team.



The goals of the WRFD Hazmat team are to:

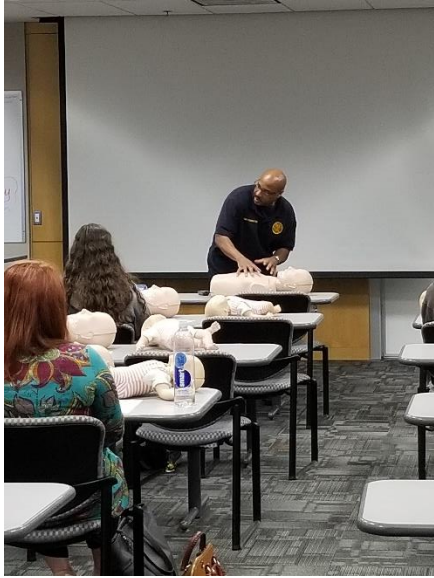
- Increase participation among team members.
- Continued search for grants that allow for training, or needed materials.
- Increase participation with OAKWAY by attending monthly trainings.
- Provide hazmat training once every few months to the WRFD personnel to improve first response awareness and efficiency.
- Educate members to a higher level of training as needed.
- Hope to increase the WRFD hazmat budget from 5000\$ to a suitable amount to run the team properly.
- Get all existing team members into Technician school before the SAFER manpower grant expires.



# Waterford Regional Fire Department in Action in 2019

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CPR Training Captain Jim Cooper EMS Coordinator

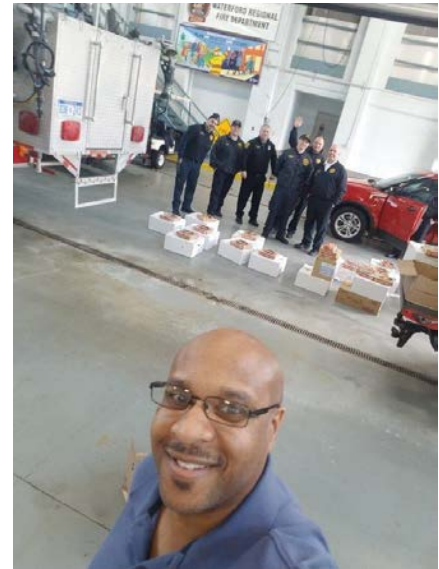


Shop with a Hero Waterford Police and Fire



## Waterford Regional Fire Department in Action in 2019

Firefighters provided 22 Thanksgiving meals to both Waterford and Pontiac Residents. Thanks to the Leadership from Captain Jim Cooper.



### Drivers training



## Waterford Regional Fire Department 2019

### Trunk or Treat



This is an amazing story this young lady was involved in a serious car accident in the late months of 2018 several of our firefighters were honored by Oakland County Medical Control for their life saving efforts and an amazing outcome.





## Information & Technology – Driver/Engineer Don Claeys

The Fire Department's Computer & Technology Team continues to work closely with the Waterford Township Information Services Department, to keep the department's complex network of desktops, laptops, mobile devices, printers, projectors, and cellular equipment fully operational.

Having a network environment that is both stable and functional allows the employees to more effectively and efficiently provide the services that the residents have come to expect. This functionality does however come at a cost and this year was no exception. As both internet and intranet expectations increase as far as speed and performance equipment becomes obsolete and incompatible requiring increased service, maintenance and at times replacement.

Most communities' fire stations are satellite centers of local municipal government and require similar access to information. Providing these locations the network security is paramount and requires the use of firewalls. 4 of the 9 fire stations had this equipment upgraded in 2019. While fire walls are an intricate part, other network equipment like routers and switches, computer aided dispatch equipment and monitors were also maintained or replaced.

We continue to enhance the user experience with both, Aladtec, our scheduling software, and CFIRS, county run National Fire Incidents Reporting System or NFIRS. Aladtec, while originally having a very steep learning curve, has proven to be very manageable and diverse. Currently Aladtec is managing our daily schedule including employee information, vacation, sick and comp time, as well as different events on calendar, classroom use, and payroll.



Not only was Aladtec successful in the scheduling, its primary purpose, but it is also being used to manage our different forms including apparatus inspections, apparatus work orders, comp time and overtime forms, absence reports, department SOP's, SOG's, station repair request, and probationary employee evaluations.

CFIRS-NFIRS reporting software has been an ongoing development with the county and shows continued improvement and understanding for our end users. We have also begun to train additional members on the Business Objects software that is used to extract information out of the newly developed CFIRS.

Our patient record keeping software, ESO Suites has been an outstanding addition from 4 years ago with numerous upgrades and enhancements with no significant performance interruptions. While the software functions as a web based program, compatible with computer platforms and devices, our iPads have been the most stable and provide the best area coverage. In their 4<sup>th</sup> year now we continue upgrading and replacing our older iPads with new units, while continuing to provide our teams with loads of other information needed to mitigate emergencies like Hazmat, Consumers Energy, DTE and our train yard information in ASK Rail.

This year new software “Bryx 911” was pursued as a replacement for an old Rube Goldberg type program that was serving as our CAD monitor and was obsolete. This equipment was unveiled to all of our apparatus and personnel after a test period showing its ability to rapidly disseminate information from dispatch to our devices.

The past year showed a continued improvement as far as our 50+ PC’s were concerned as our scheduled maintenance program limits work slowdowns or stoppages. The IT department continued its contract with Applied Imaging that procures the maintenance and replacement of our printer inventory as well as our ink cartridges and as in the past we completed our annual upgrade of 25% of the department’s computers.

With continued support from the administration I look forward to enhancements in 2020 to our mobile command abilities, enabling our officers to meet the expectations of not only our community but also the neighboring communities that count on us in either high demand or on large scale incidents.

While the financial software that was started 3 years ago provides some records of expenses per apparatus and other cost/expenses, a mechanic or service based software is still of great interest and importance. The mechanics are in search of a program that could take the information from our truck inspection forms and have it automatically trigger the need for maintenance based on mileage or hours, and send this to all parties that are to be notified, thus enhancing the apparatus maintenance with hopes of increased service time and lower overall cost.

We completed the upgrades to all pc’s to Windows 10 and Microsoft Office 2016, and continue to work toward the completion of our phone upgrade that has triggered the revitalization of the computer rooms at all stations. This revitalization has included replacement of old equipment and battery backups, the re-cabling of most of the Waterford district stations as well as improved wifi.

With over 130 pieces of equipment and upwards of 110 personnel in the fire department, the IT department within town hall, should be commended for their due-diligence in the background of the quality programs that we share in and provide to the citizens of this community. We look forward to the continued growth and challenges that each New Year brings.



## SCBA Equipment – Driver/Engineer/Paramedic Kevin Fletcher



Lt. Jon Johnson and Engineer Kevin Fletcher serve as our SCBA Technicians. WRFD has over 80 Self Contained Breathing Apparatus used to protect our firefighters when they are fighting any type of fire. We also have 2 air compressors/cascade systems used to fill the SCBA cylinders after use. This team also has charge over our oxygen cascade system used in providing EMS services. Our SCBA Technicians provide training on SCBA for all new hires. As we do every year, all Waterford Firefighters were FIT tested to determine proper SCBA mask sizing to meet NIOSH and NFPA standards. We are also responsible to fit test Waterford Water Department employees annually. In 2019, we provided three students with SCBA and Masks for fire academy

43 MSA Firehawk M-7 SCBA's were flow tested and repaired (as needed) in order to meet NIOSH and NFPA standards. 38 MSA Firehawk M-7XT SCBA's were flow tested and repaired (as needed) in order to meet NIOSH and NFPA standards.

In addition, the following equipment was tested and upgraded as needed for proper certification: Posi-Check for flow and function testing, PortaCount FIT Testing machine.

Air quality tests were done quarterly on the air compressor systems at Station 1 and 7 as required by NFPA standards. Compressor maintenance was performed as needed on both compressors. Cylinder Hydro Testing was performed on SCBA and Oxygen cylinders as needed by NIOSH.

All 8 of our Four Gas Monitors were serviced, including the replacement of oxygen sensors. Three new Four Gas Monitors were purchased.



All fire extinguishers were serviced and inspected. Three CO2 extinguishers were replaced due to age.

Four supplied air tanks were purchased for the Technical Rescue truck

### Future Requirements:

- Replacing the supplied air hose for Technical Rescue truck for confined space.
- Bauer compressor class that will allow us to provide service on station 7's compressor
- Start replacing Four Gas Monitors due to their age.
- In 2019 all SCBA cylinders will need Hydro Testing.



## Station Maintenance – Battalion Chief Steve Bridger

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Battalion Chief Steve Bridger watches over all of our buildings. He receives building maintenance requests, schedules the repairs, and makes some repairs himself. He has charge over furniture and fixtures in the buildings as well. This is a big task having nine fire stations, and the barn at FS-8. For the fire stations in Pontiac, Steve works with John Blient at Pontiac's DPW, as those buildings need repair and maintenance. Pontiac is responsible to pay for R & M at their stations.

**Fire station 1:** Station 1 had general maintenance throughout the year, we had to have repairs made to the water heater, and some maintenance to the boilers. We had a safety system installed on the bay doors with a red light green light that lets the driver know if the door is fixed in an up or down position. Some painting was done on the administration side along with the carpets being cleaned. We were approved to have parking lot repairs made to the failing concrete. That was pushed off until spring of 2020 due to weather in late 2019.

**Fire station 2:** Fire station 2 did not have any major repairs made in 2019, the safety door system was installed. We had some minor plumbing issues with drains and had to have some repairs made to the door openers and bay doors. Though it was installed in 2020 it fell under the 2019 budget was a new station generator that will power the entire building and all its components.

**Fire station 3:** Fire station 3 had had general maintenance throughout the building that includes work done to the bay doors, openers and plumbing repairs. The bay door safety system was also installed. The big ticket item at station 3 was the new generator had to be installed due to the original one failing.

**Fire station 4:** Fire station 4 had general maintenance throughout building. The generator that was originally installed was under sized and would not power all the stations systems, so it was replaced with a new properly sized generator that now powers the entire building. The bay door safety system was installed on all doors.

**Fire station 5:** Fire station 5 did not have any major repairs this past year. General maintenance was performed which includes some plumbing issues. The bay door safety system was installed. We had to replace some appliances at the station.

**Fire station 6:** Fire station 6 had a new boiler installed that replaced the original boiler to the building from the 1950's. The new boiler is a high efficient unit that should save the department a considerable amount of money on utility cost. Station 6 was plagued with numerous roof leaks that had to be repaired. The engine bay was completely painted along with the dorm room and the front office. New flooring was installed in the dorm and office.

**Fire station 7:** Fire station 7 did not receive any major maintenance in the 2019 year, we did have to have some work done to hvac system for some heating and cooling failures. General maintenance throughout the rest of the building.

**Fire station 8:** Fire station 8 had a pretty severe roof leak that did damage to the drywall ceiling in the locker room and bathroom. The roof was professionally repaired, and then the drywall was removed and replaced with new and finished off with new paint. The station was tested for mold and air quality after the leak was repaired. General maintenance throughout the rest of the building.

**Fire station 9:** Fire station 9 also had a new high efficient boiler installed to replace the original 1950's boiler. It will save the fire department considerable operating cost. General maintenance throughout the rest of the building.

## Technical Rescue Team Report – Driver/Engineer Mike Moshier



The Waterford Regional Fire Department's Technical Rescue Team (TRT), is responsible for responding to and mitigating dangerous incidents of the following nature: confined space rescue, trench rescue, rope or high angle rescue, structural collapse, and machine rescue. Any incident involving one of these extremely dangerous elements will require a highly trained team of personnel with a large cache of specialized equipment that is not typically found on your standard front line fire apparatus. WRFD's TRT responds in Waterford, Pontiac, and Lake Angelus. The TRT is also part of OAKWAY and will respond anywhere in Oakland County as well as throughout the state of Michigan if needed. Two of the OAKWAY Fire Departments are responsible for maintaining the Heavy Rescues. Those two departments are Southfield and Waterford Regional. With that comes a greater responsibility to maintain a larger cache of equipment as well as maintain a larger number of highly trained personnel. In the event of an incident needing a response from the TRT a small group of qualified personnel from each department in OAKWAY responds and works together to mitigate the hazard and attempt to rescue anyone in danger. The work of the TRT may be low frequency but, is of high risk to the rescuers and high reward to those involved or injured.

The goals for 2018 remained the same as previous years:

- Train as many team members as possible
- Have a good turnout for the training deployments throughout the year
- Respond to any incident that we are called to.

2018 was an overall success considering the goals that were set. We had numerous personnel attend classes for new training. For the training deployments in 2018 we had a total of 8 attend building collapse, 13 attend rope rescue, 7 attend confined space rescue, and 8 attend trench rescue, totaling about 288 hour of refresher training. We had a representative attend all 12 of the monthly Tech Rescue Board meetings in 2018 as well. In 2017 two grants were submitted by Mike Moshier to Oakland County's GAC funding and both were approved. The first was for a Stanley unit with 4 tools that operate off the hydraulics from the Stanley unit (see pictures below) totaling approximately \$25,000. This equipment was received in December of 2018. We also received 18 sets of cold weather gear for the team.





The second grant application was for a new set of medium pressure airbags. This included two sets of air bags, one that will be housed on Waterford's heavy and the other will be placed on another truck in OAKWAY after an assessment is completed. Each set includes all regulators and hoses needed and 3 airbags 1 BK, 1 CK, and 1 DK, totaling approximately \$24,000. We should see this equipment sometime in 2019.



As we look forward to 2019, we as a team are still trying to play catch up from the last 4-5 years where we have seen a number of new members but yet little training prior to 2017. Most of the new team members and many of the previous team members have little to no gear which is a problem we would like to start correcting. We would like to see us increase the number of Rescue Specialists (a rescuer trained to Technician level in all disciplines) in 2019. This would mean sending team members to various different classes. I have begun compiling a list of what classes are needed for what personnel so we can start enrolling in the 2019 classes. We also have a lot of equipment that either needs to be replaced or updated. One of the primary needs for equipment is to replace our trench panels. The current panels are not up to the new standards. We hope to start reconfiguring the tech rescue truck in preparation for the new equipment and make better use of space for the current equipment. Now that we have started to receive some new equipment the process of reconfiguring the compartments on the tech rescue truck has begun. We are also looking to get the TRT truck outfitted with lights and sirens in 2019.

## Emergency runs by type of incident

<u>Fires Incident</u>	<u>Total and percentage of calls</u>	
100 - Fire, other	33	9.91 %
110 - Structure fire, other (conversion only)	1	0.30 %
111 - Building fire	87	26.13 %
112 - Fires in structures other than in a building	4	1.20 %
113 - Cooking fire, confined to container	52	15.62 %
114 - Chimney or flue fire, confined to chimney or flue	3	0.90 %
116 - Fuel burner/boiler malfunction, fire confined	1	0.30 %
118 - Trash or rubbish fire, contained	25	7.51 %
123 - Fire in portable building, fixed location	1	0.30 %
130 - Mobile property (vehicle) fire, other	1	0.30 %
131 - Passenger vehicle fire	73	21.92 %
132 - Road freight or transport vehicle fire	1	0.30 %
134 - Water vehicle fire	1	0.30 %
138 - Off-road vehicle or heavy equipment fire	1	0.30 %
140 - Natural vegetation fire, other	2	0.60 %
142 - Brush, or brush and grass mixture fire	13	3.90 %
150 - Outside rubbish fire, other	9	2.70 %
151 - Outside rubbish, trash or waste fire	8	2.40 %
153 - Construction or demolition landfill fire	1	0.30 %
154 - Dumpster or other outside trash receptacle fire	10	3.00 %
160 - Special outside fire, other	5	1.50 %
170 - Cultivated vegetation, crop fire, other	1	0. %
<b>Total - Fires</b>	<b>333</b>	<b>2.41 %</b>

### **RESCUE & EMS INCIDENTS**

300 - Rescue, emergency medical call (EMS) call, other	104	1.05 %
311 - Medical assist, assist EMS crew	489	4.96 %
320 - Emergency medical service, other	60	0.61 %
321 - EMS call, excluding vehicle accident with injury	8,229	83.46 %
3211 - EMS call, excluding vehicle accident with injury	90	0.91 %
322 - Vehicle accident with injuries	757	7.68 %
3221 - Vehicle accident with injuries and extrication	4	0.04 %
323 - Motor vehicle/pedestrian accident (MV Ped)	21	0.21 %
324 - Motor vehicle accident with no injuries	81	0.82 %
331 - Lock-in (if lock out , use 511 )	1	0.01 %
353 - Removal of victim(s) from stalled elevator	11	0.11 %
354 - Trench/below grade rescue	1	0.01 %
356 - High angle rescue	2	0.02 %
360 - Water & ice related rescue, other	5	0.05 %
361 - Swimming/recreational water areas rescue	1	0.01 %
365 - Watercraft rescue	1	0.01 %
381 - Rescue or EMS standby	3	0.03 %
<b>Total - Rescue &amp; Emergency Medical Service Incidents</b>	<b>9,860</b>	<b>71.40</b>

**HAZARDOUS CONDITION**

400 - Hazardous condition, other	2	0.30 %
410 - Flammable gas or liquid condition, other	1	0.15 %
411 - Gasoline or other flammable liquid spill	10	1.49 %
412 - Gas leak (natural gas or LPG)	100	14.93 %
420 - Toxic condition, other	1	0.15 %
421 - Chemical hazard (no spill or leak)	9	1.34 %
422 - Chemical spill or leak	1	0.15 %
423 - Refrigeration leak	1	0.15 %
424 - Carbon monoxide incident	123	18.36 %
440 - Electrical wiring/equipment problem, other	17	2.54 %
442 - Overheated motor	5	0.75 %
443 - Light ballast breakdown	1	0.15 %
444 - Power line down	381	56.87 %
445 - Arcing, shorted electrical equipment	15	2.24 %
461 - Building or structure weakened or collapsed	1	0.15 %
463 - Vehicle accident, general cleanup	2	0.30 %
<b>Total - Hazardous Conditions (No fire)</b>	<b>670</b>	<b>4.85 %</b>

**SERVICE CALLS**

500 - Service Call, other	38	3.04 %
510 - Person in distress, other	3	0.24 %
511 - Lock-out	2	0.16 %
512 - Ring or jewelry removal	1	0.08 %
520 - Water problem, other	3	0.24 %
522 - Water or steam leak	2	0.16 %
531 - Smoke or odor removal	22	1.76 %
540 - Animal problem, other	1	0.08 %
542 - Animal rescue	2	0.16 %
550 - Public service assistance, other	240	19.23 %
551 - Assist police or other governmental agency	102	8.17 %
552 - Police matter	3	0.24 %
553 - Public service	46	3.69 %
554 - Assist invalid	488	39.10 %
555 - Defective elevator, no occupants	1	0.08 %
561 - Unauthorized burning	294	23.56 %
<b>Total - Service Call</b>	<b>1,248</b>	<b>9.04 %</b>

**GOOD INTENT CALLS**

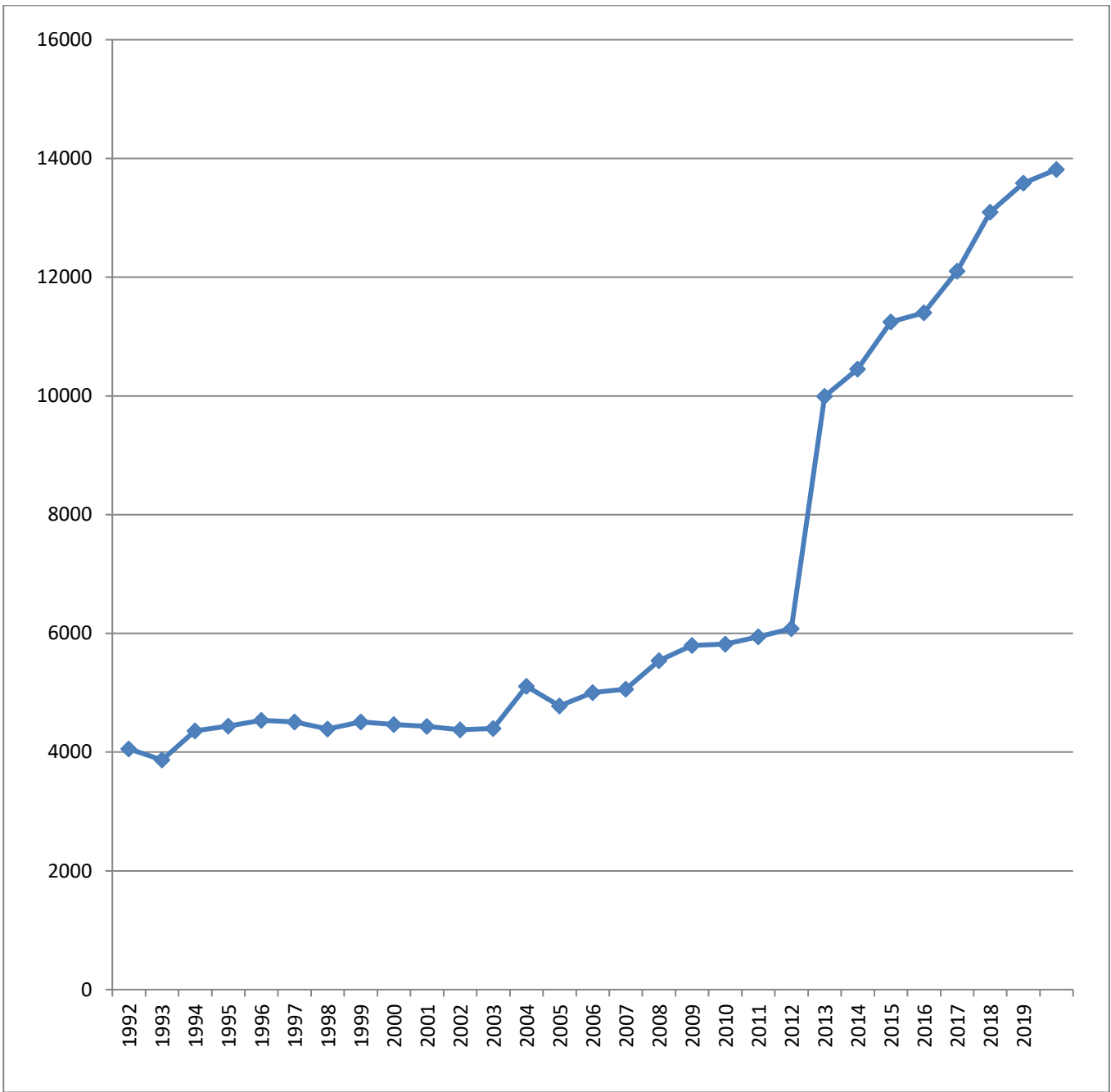
554 - Assist invalid	488	39.10 %
600 - Good intent call, other	195	19.25 %
611 - Dispatched & cancelled en route	661	65.25 %
6111 - Cancelled Prior to Dispatch	38	3.75 %
611E - EMS: Dispatched & cancelled en route	16	1.58 %
622 - No incident found on arrival at dispatch address	36	3.55 %
631 - Authorized controlled burning	6	0.59 %
650 - Steam, other gas mistaken for smoke, other	2	0.20 %
651 - Smoke scare, odor of smoke	56	5.53 %
652 - Steam, vapor, fog or dust thought to be smoke	1	0.10 %
661 - EMS call, party transported by non-fire agency	1	0.10 %
671 - Hazmat release investigation w/ no hazmat	1	0.10 %
<b>Total - Good Intent Call</b>	<b>1,013</b>	<b>7.34 %</b>

**FALSE ALARMS & FALSE CALLS**

700 - False alarm or false call, other	62	9.13 %
710 - Malicious, mischievous false call, other	2	0.29 %
712 - Direct tie to FD, malicious/false alarm	1	0.15 %
714 - Central station, malicious false alarm	1	0.15 %
730 - System malfunction, other	2	0.29 %
731 - Sprinkler activation due to malfunction	2	0.29 %
733 - Smoke detector activation due to malfunction	5	0.74 %
735 - Alarm system sounded due to malfunction	12	1.77 %
736 - CO detector activation due to malfunction	9	1.33 %
740 - Unintentional transmission of alarm, other	2	0.29 %
741 - Sprinkler activation, no fire - unintentional	3	0.44 %
742 - Extinguishing system activation	9	1.33 %
743 - Smoke detector activation, no fire – unintentional	11	1.62 %
744 - Detector activation, no fire - unintentional	60	8.84 %
745 - Alarm system sounded, no fire – unintentional	445	65.54 %
7451 - EMS Alarm system sounded, unintentional	46	6.77 %
746 - Carbon monoxide detector activation, no CO	7	1.03 %
<b>Total - False Alarm &amp; False Call</b>	<b>679</b>	<b>4.92 %</b>

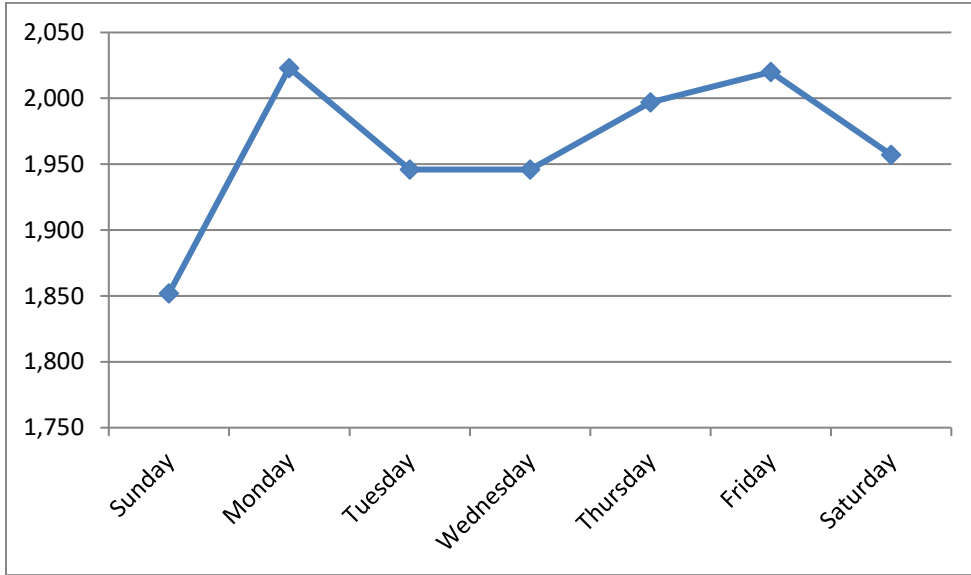
**TOTAL 2019 CALLS FOR SERVICE 13,810 1.67% increase compared to 2018**





**Calls by Day of the Week**

Monday was the busiest day of the week and Sunday is the slowest.



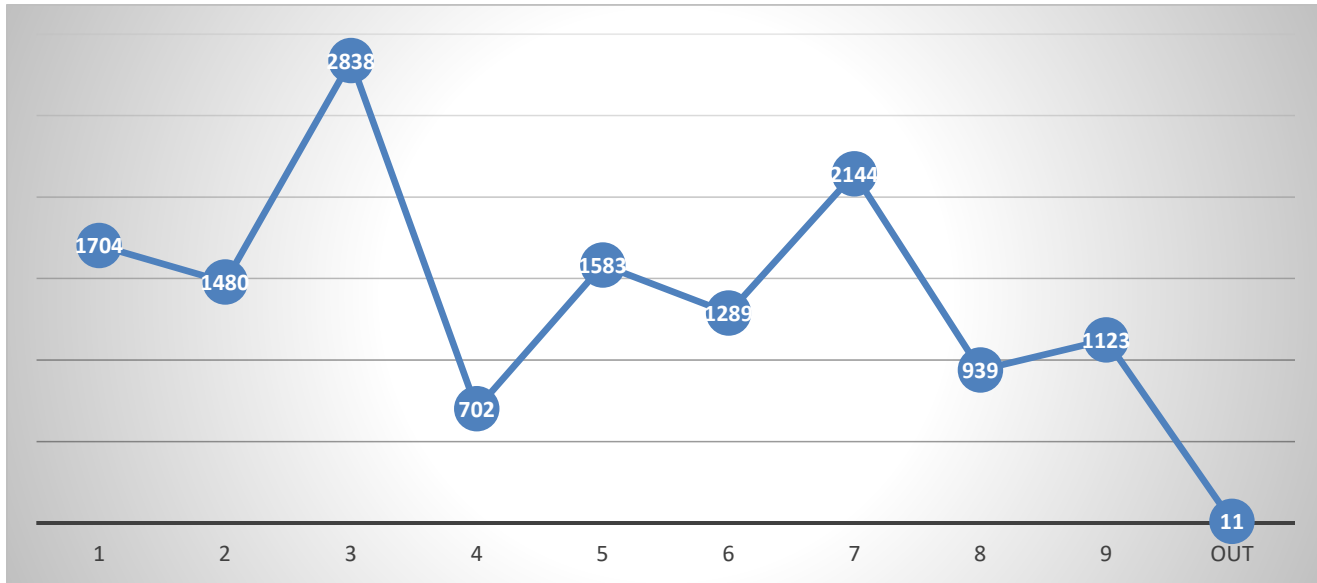
**Calls by time of day**

1 pm is the busiest times during the day, while 4am is the slowest.

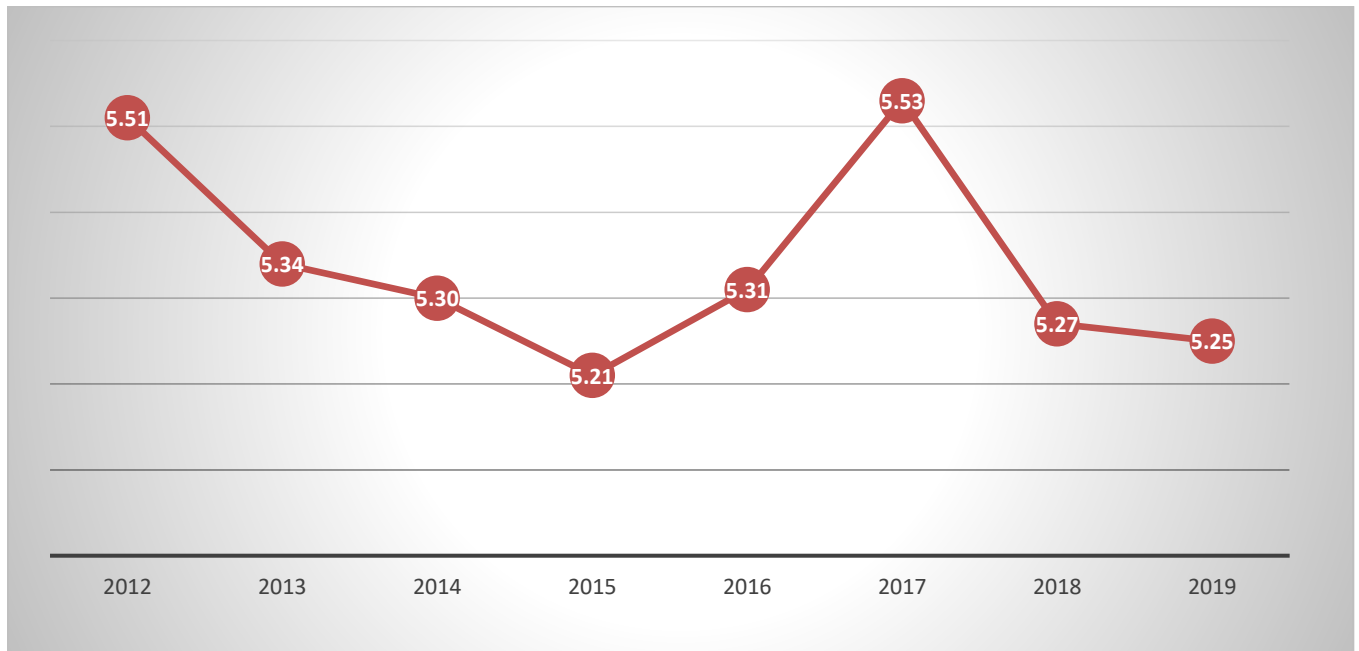
Time of Day	Number of Incidents for the year
00:00:00 to 00:59:59	411
01:00:00 to 01:59:59	367
02:00:00 to 02:59:59	293
03:00:00 to 03:59:59	268
04:00:00 to 04:59:59	251
05:00:00 to 05:59:59	274
06:00:00 to 06:59:59	315
07:00:00 to 07:59:59	429
08:00:00 to 08:59:59	487
09:00:00 to 09:59:59	679
10:00:00 to 10:59:59	742
11:00:00 to 11:59:59	795
12:00:00 to 12:59:59	741
13:00:00 to 13:59:59	842
14:00:00 to 14:59:59	797
15:00:00 to 15:59:59	785
16:00:00 to 16:59:59	777
17:00:00 to 17:59:59	768
18:00:00 to 18:59:59	787
19:00:00 to 19:59:59	703
20:00:00 to 20:59:59	668
21:00:00 to 21:59:59	640
22:00:00 to 22:59:59	540
23:00:00 to 23:59:59	449

## **Calls by Fire Station**

Station #3 is the busiest. Station #4 is the slowest.

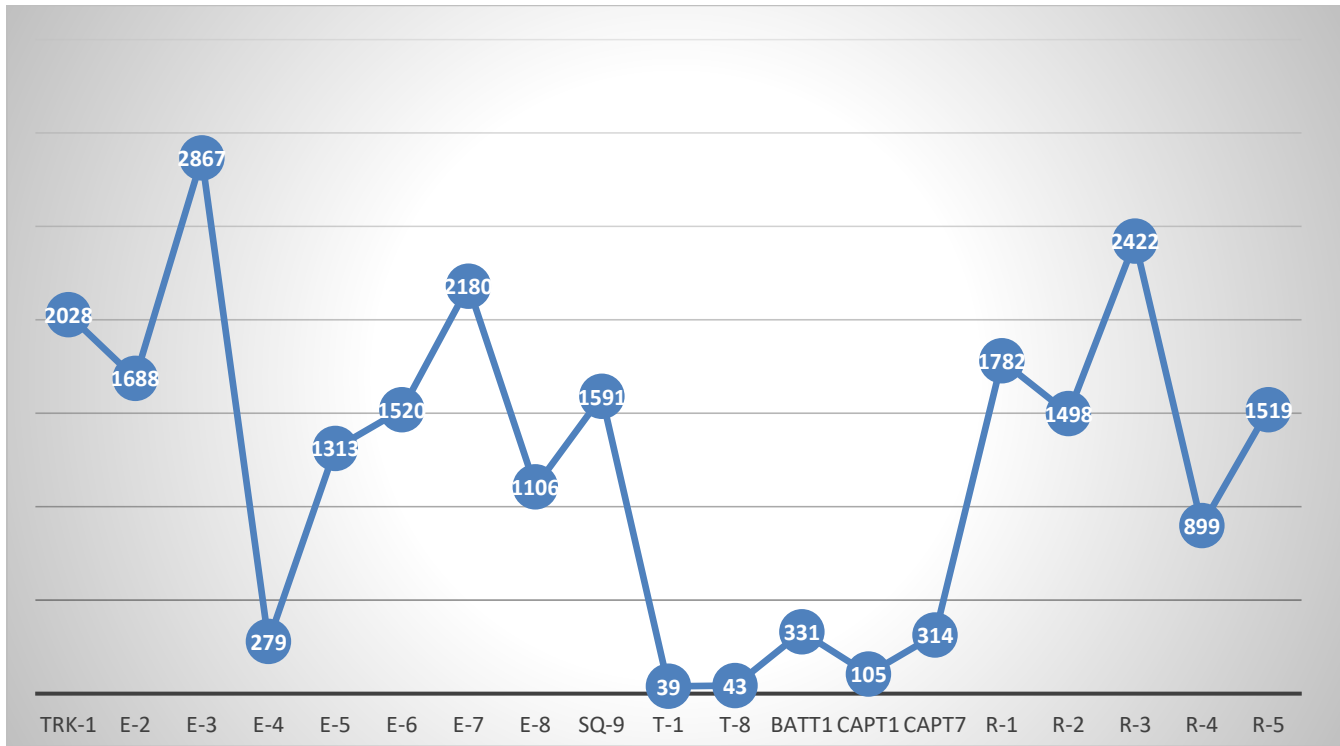


## **Average Response Times by Year**



## **Calls by Fire Department Unit**

Engine 3 is the busiest Engine. Rescue 3 is the busiest Rescue.







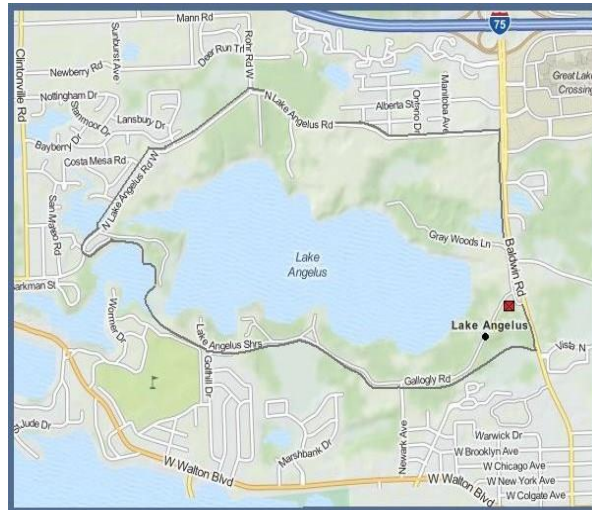
## City of Lake Angelus

The Waterford Regional Fire Department provides fire and paramedic emergency services to the entire City of Lake Angelus. Fire Station 2 serves the West portion and Station 6 for the East portion. However, any of our nine fire stations are capable of providing back up coverage and do so as necessary.

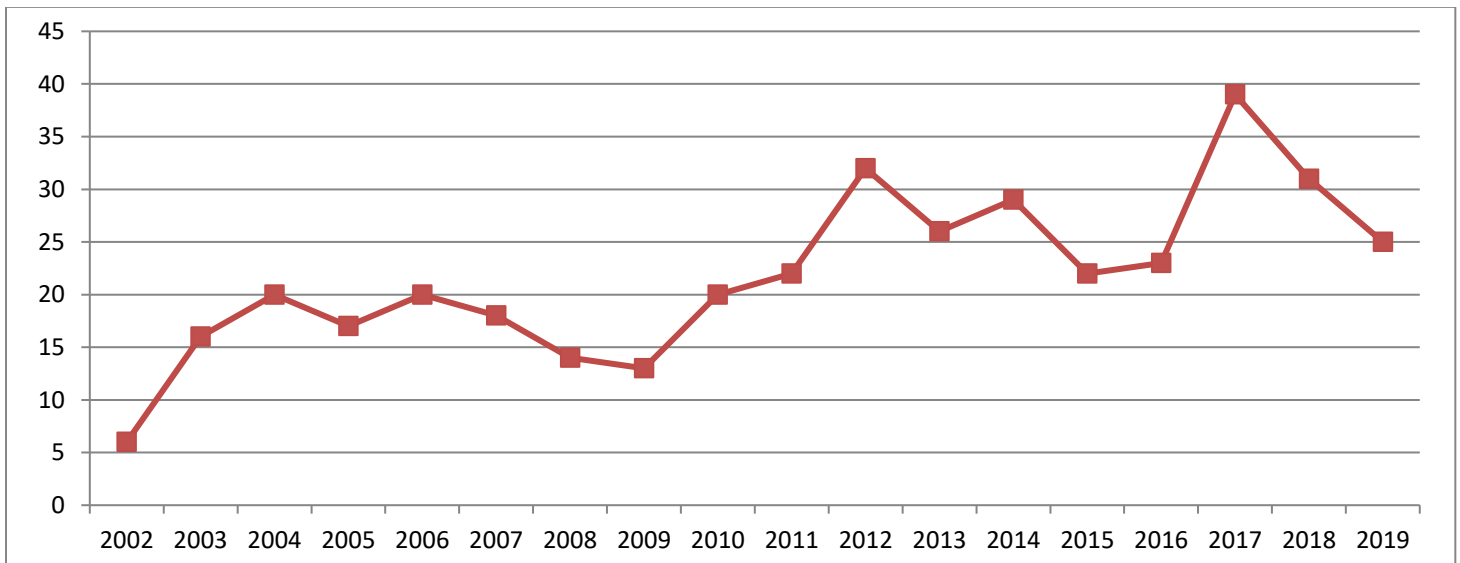
Chief Covey attended a Lake Angelus City Council meeting during the year. The 2018 annual report was presented including a review of the services provided and our commitment to the City of Lake Angelus and its residents.

### 2018 Call Volume for Lake Angelus

House Fire	0
Car Fires	0
Brush fires	2
EMS Calls	9
Power Line Down	2
Public Assist	5
Cancelled Enroute	3
False Alarm	4
<b>TOTAL</b>	<b>25</b>



### Lake Angelus Calls by Year





## City of Pontiac

Waterford Fire Department began providing emergency services to the City of Pontiac on February 1, 2012. Four fire stations are staffed 24/7/365 in Pontiac with 13 firefighters. We continue to provide basic life support to the Pontiac residents for EMS calls, working alongside Star EMS and the Oakland County Sheriff's Office.

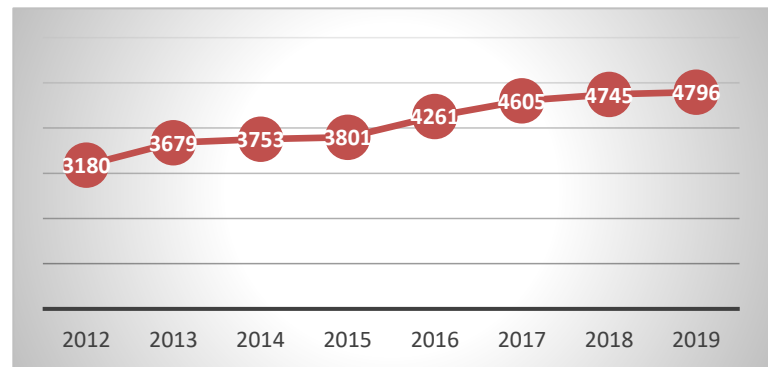
Total alarms for 2019 were at 4,796, which is a 1.1% increase; fire calls declined by nearly 19.71%. 62 fires were single-family homes, 40 were apartment fires, and 55 were car fires.

Fire Chief Covey and Deputy Fire Chief Wallace meet with the Public Safety Sub-committee for City council on a monthly basis.

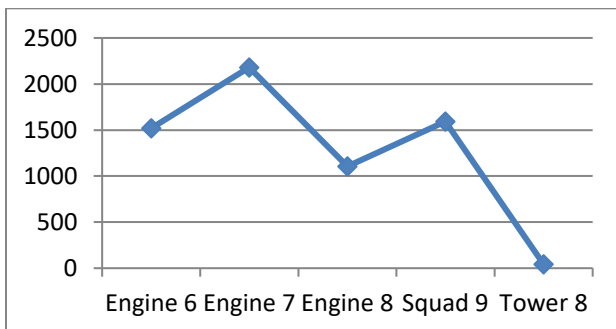
### Call Volume in Pontiac by the year

#### 2019 Incident Types in Pontiac

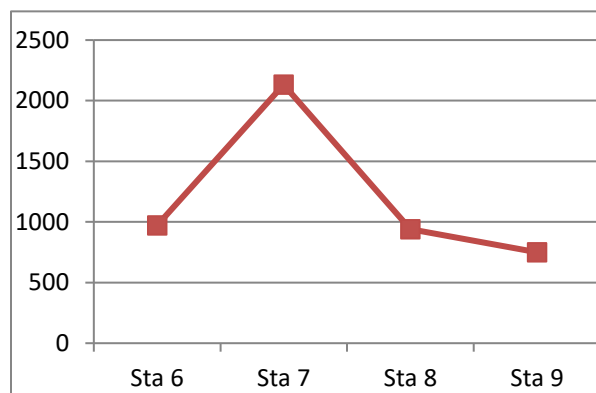
Fires	219
EMS calls	2954
Hazardous Conditions	347
Public Service	362
Good Intent	532
False Alarms	381
Other - Non Fires	3
<b>Total</b>	<b>4798</b>



### 2019 Pontiac Fire Units Response Chart



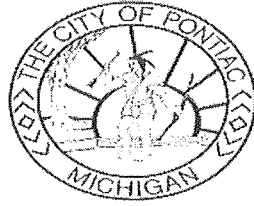
### 2019 Calls by Pontiac Fire Stations



**#6**

**CLOSED  
SESSION**

# Pontiac City Council Resolution



Whereas, Michigan Open Meetings Act Section 8(h), MCL 15.268(h), allows a public body to go into closed session to consider material exempt from discussion or disclosure by state or federal statute; and

Whereas, Michigan Freedom of information Act Section 13(g) exempts from disclosure records subject to the attorney-client privilege.

Now, Therefore, Be It Resolved by the Pontiac City Council that it recess into closed session to discuss an attorney-client privileged memorandum regarding the Settlement Agreement for the Phoenix Center, information exempt from disclosure by statute, specifically an attorney client privileged memorandum exempt from disclosure pursuant to MCL 15.243(1) (g).

**#7**

# **Discussion**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

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

**FROM:** Jane Bais-DiSessa, Deputy Mayor  
Matthew Gibb, Special Counsel for Economic Development

**DATE:** MAY 21, 2020

**RE: **Next Steps for Phasing and Construction of Phoenix Center Settlement Improvements including Cost Options and Commitment****

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At the regular session of City Council on May 12, 2020 the IDS Cost Estimate Report was delivered to the City pursuant to the contract for architectural and engineering services approved by City Council. The report to Council provided cost estimate numbers based on detailed schematics and engineering services which are now available for the Council to use when determining action necessary to resolve matters involving the Phoenix Center.

To establish next steps and position the City of Pontiac to meet the requirements of the Phoenix center Settlement Agreement it is necessary to review in greater detail the industry standards being used to create bid packages to phase the necessary work for the Phoenix Center. This memorandum, and the presentations to be made at the Council meeting on May 26, 2020, are intended to provide information and detail to enable Council to make decisions on implementable next steps, including sources of cost management, and the scope of the four categories of work; Critical, Necessary, Recommended and Plaza.

As time is of the essence in commencing next steps, the following areas will be addressed at the Council meeting:

1. **SCOPE OF WORK LIMITED TO \$7MILLION.** As previously submitted by both Finance and Economic Development the use of general fund balance for funding the next phase of the Phoenix Center Timeline carries both inherent financial risk and exposure to a default of the terms of the Settlement Agreement and damages. The presentation of those items is attached to this memorandum and can be reviewed at the May 26, 2020 council meeting.

As it has been requested, the City's contracted professionals (Auch and IDS) have further examined the work that could be completed using the limited amount of \$7million. That report is attached and they will be available at the May 26, 2020 council meeting.

2. **SCOPE OF WORK BASED ON FULL CONSTRUCTION.** The City has received prior reports on the feasibility and cost of using capital improvement bonds for the entire project. Those reports are attached. Capital improvement bonds do not require a new tax/millage and are paid out of the general obligations of the City's General Fund budget. Using this approach

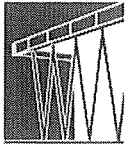
would allow the City the opportunity to spread the cost of work over multiple years.

3. ALTERNATE OPTIONS TO MEET COST OBLIGATIONS. There are available resources that may impact the ability of the City to re-look at an aggressive approach to issuing a renewed request for proposals seeking public/private partnership and investment partners. The city has previously issued a request for proposals that garnered no response.

To renew this approach the City must look to implementing or enhancing three economic incentive tools that must accompany any approach to finding a potential third party to partner in the resolution of the Settlement Agreement:

- a. TRANSFORMATIONAL BROWNFIELD. The entire site, including ancillary properties, should be pre-considered for brownfield eligibility under the States transformational brownfield opportunity.
- b. OBSOLETE PROPERTY/COMMERCIAL REHABILITATION. The property and project could be split, with the Phoenix Center being deemed eligible for brownfield status and the Ottawa Towers and adjacent buildings and property placed in a district eligible for rehabilitation status.
- c. CORRIDOR IMPROVEMEN AUTHORITY. A broader approach could be taken to use a CIA for improvements to the right-of-way and other infrastructure, peeling these cost out of the base estimates, this approach would likely include the Woodward loop project scope and could meet the matching requirements of the project.

Information on these incentive tools is attached.



# AUCH

**AUCH Construction**

Innovative Planners & Construction Managers

*Builders Since 1908*

65 University Drive  
Pontiac, Michigan 48342  
P (248) 334-2000  
F (248) 334-3404  
www.auchconstruction.com

## MEMORANDUM

Date: May 21, 2020

From: Vincent DeLeonardis, AUCH

To: Matt Gibb, City of Pontiac

CC: Gerry McClelland, AUCH; Eric Shumaker, AUCH; Dave DiCuccio, IDS

Reference: City of Pontiac Phoenix Center Renovation

Subject: **Phased Approach, Limited Funding for Initial Partial Scope – Phase 1**

---

### Phased Approach to Phoenix Center Renovation

The team, responding to the request of the City, is working to formulate an approach that would allow progress in the bidding and planned start of work to continue. This while the City finalizes scope and develops a plan that will allow adequate funding of subsequent phases of the project to continue without interruption.

The evaluation of the work scope and schematic cost estimate performed by IDS and AUCH focused on identifying components that could be started, working to an initial partial budget.

Initial partial budget of \$7,000,000 was established by the City.

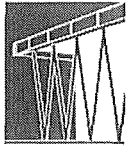
A determination of all costs required to be addressed by this initial budget is essential to determine funds available for construction.

- Settlement Agreement payments
- Other costs administer directly by the City

The City's decision as to the actual scope of project based on the three priorities of work identified in the Schematic Design/Cost Estimate along with commitment of funding is necessary to plan the next phases and minimize added costs to the program.

It is cautioned that this scope of work does NOT satisfy the requirements of the City of Pontiac and Ottawa Towers Settlement Agreement, see AUCH-IDS schematic design report for the design elements and cost estimate for Critical/Necessary items intended to address the Settlement Agreement. It is recommended that prior to releasing the project team, the scope of work be reviewed by all stakeholders to confirm all are in agreement with scope and to establish an understanding of project schedule.





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## **Work activities included in the initial Phase 1:**

### **Estimated cost of design and construction – \$6,900,000**

- Structural – complete scope as defined in the schematic documents
- Storm water/floor drains – complete scope as defined in the schematic documents
- Fire Protection – scope as defined in the schematic documents utilizing new diesel powered fire pump
- Tunnel Lighting – fixtures as shown in the schematic documents fed from Ottawa Towers Utilizing the State of Michigan Grant
- Limited items affected by Phase 1 work:
  - Masonry
  - Architectural
- Items NOT included in the initial Phase 1 scope of work (major items):
  - Completion of work required by the City of Pontiac and Ottawa Towers Settlement Agreement
  - Elevators
  - Mechanical work
  - Electrical infrastructure
  - Lighting beyond fixtures installed in the Orchard Lake Road Tunnel
  - Life Safety
  - Traffic/parking control
  - Work required satisfying current code requirements
  - Architectural enhancements
  - Amphitheater work



# **CITY OF PONTIAC PHOENIX CENTER RENOVATION**

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**SCHEMATIC DESIGN & ESTIMATE REVIEW**

MAY 1, 2020



# Table of Contents

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- Process Flow Chart
- Project Milestone Schedule
- Schematic Plan (Typical Floor Plan Referencing Work Scopes)
- Schematic Cost Estimate
- Commitment of Funds
- Next Steps
- Questions and Answers
- Clarifications

# Process Flow Chart

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Perform Facility Assessment/ Feasibility Study to determine condition of facility and order of magnitude cost opinion

Select Program/ Construction Manager

Program/ Construction Manager assists in establishing necessary processes acting as owner's advocate and ensure goals are identified and meet quality, cost, & schedule

Select Architect/ Engineering Firm

Perform code review and develop design documents in 3 phases: Schematic, Design Development, and Construction Documents

Construction Manager facilitates communication with Owner/A-E, maintains project schedule and timelines, and prepares detailed cost estimates at each phase of design

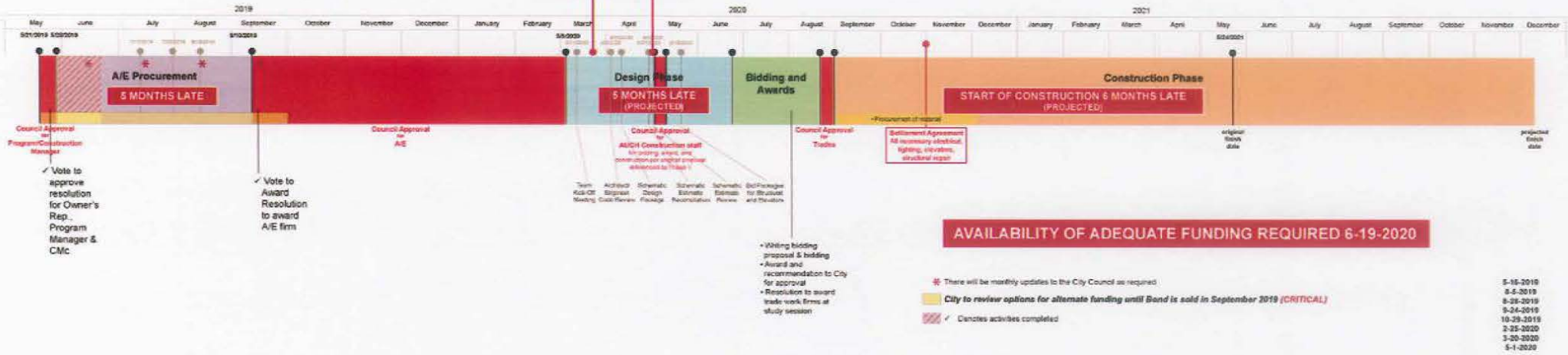
Construction Manager prepares individual trade bid packages, solicits and receives bids, coordinates public bid opening and conducts thorough bid analysis, and prepares recommendation for award for owner approval

Construction Manager oversees construction activities, coordinates with A-E for construction administration, reports progress, schedule, and budget information to owner ensuring on time and on budget delivery

# Project Milestone Schedule

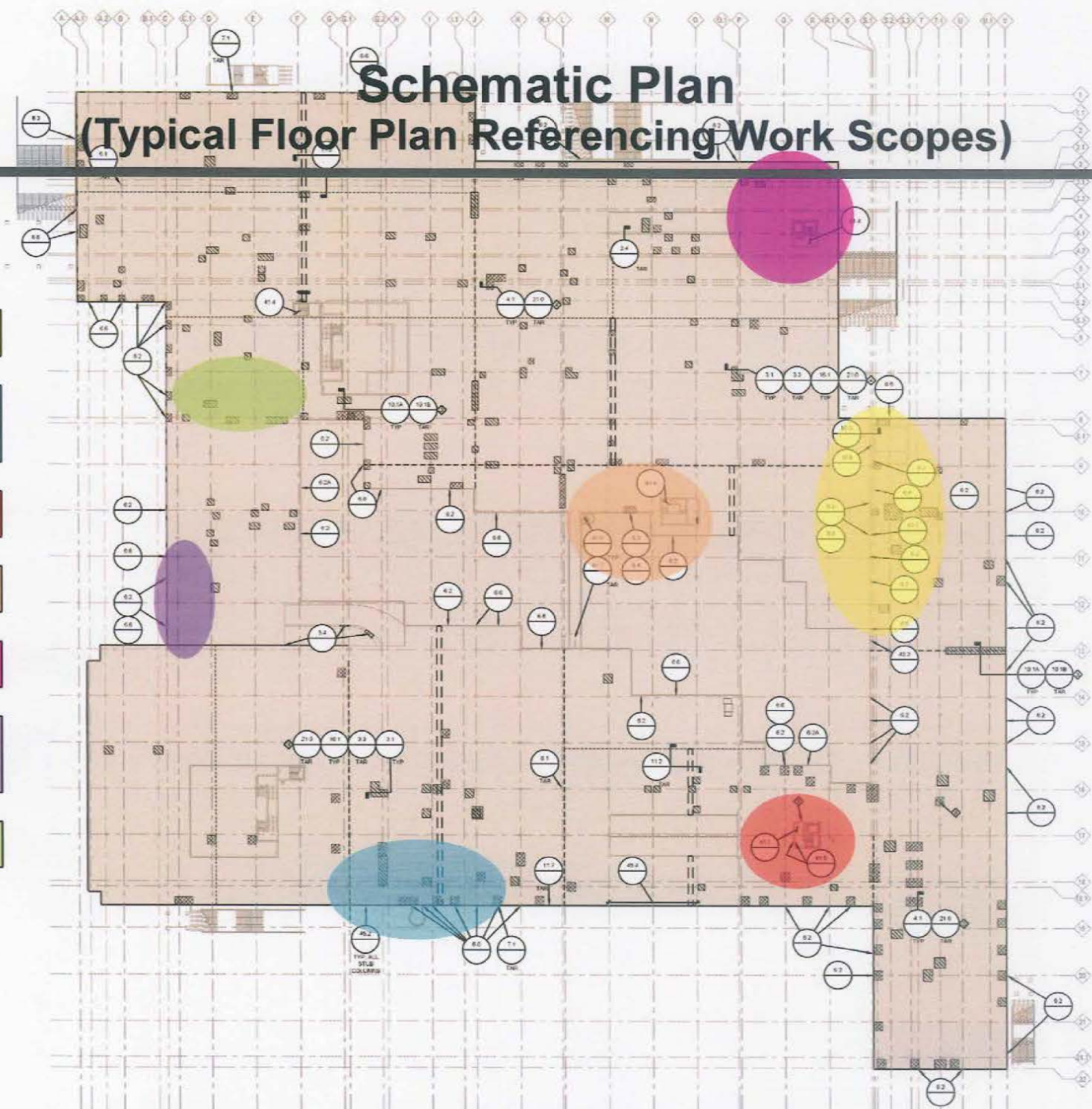
CITY OF PONTIAC PHOENIX CENTER PRELIMINARY RESTORATION TIMELINE  
 UPDATED MARCH 20, 2020 TO SHOW CURRENT STATUS OF CRITICAL ACTIVITIES

**MAR 20 MAY 1**



# Schematic Plan (Typical Floor Plan Referencing Work Scopes)

- Structural
- Architectural Renovation
- Elevators
- Plumbing
- HVAC
- Fire Protection
- Electrical



# Schematic Cost Estimate

The City of Pontiac					
Phoenix Center Renovation					
Cost Summary by Category					
Item Description	Critical Costs	Necessary Costs	Recommended Costs	Plaza Costs	Total Costs
Structural	\$4,796,858	\$0	\$0	\$0	\$4,796,858
Architectural Renovations	\$2,200,015	\$818,454	\$979,804	\$840,322	\$4,838,596
Elevators	\$964,062	\$896,573	\$0	\$504,965	\$2,365,601
Plumbing	\$373,248	\$5,123	\$0	\$347,164	\$725,535
HVAC	\$210,814	\$47,635	\$0	\$118,580	\$377,029
Fire Protection	\$341,296	\$0	\$0	\$0	\$341,296
Electrical	\$5,956,498	\$51,233	\$180,730	\$1,149,108	\$7,337,568
<b>Totals</b>	<b>\$14,842,791</b>	<b>\$1,819,018</b>	<b>\$1,160,534</b>	<b>\$2,960,139</b>	<b>\$20,782,482</b>

# Commitment of Funds

## Limited Funding of \$7M

Activity Name	Start	Finish	2020						21
			Qtr 3			Qtr 4			
			Jul	Aug	Sep	Oct	Nov	Dec	
<b>Pontiac Phoenix Center Renovation Project - Cost Summary</b>									
<b>Project Cash Flow</b>									
<b>Available Funds</b>									
Available Funds - \$7,000,000	7-7-20*	7-28-20	Available Funds - \$7,000,000						
<b>Contracted Funds</b>									
Contracted Funds Structural, Long Lead and Elevator - \$7,612,459	7-7-20	7-28-20	Contracted Funds Structural, Long Lead and Elevator - \$7,612,459						
Contracted Funds Remaining - \$13,170,023	7-29-20*	9-8-20	Contracted Funds Remaining - \$13,170,023						
<b>Bid Packages</b>									
Structural - \$4,796,858	7-7-20	7-7-20	Structural - \$4,796,858						
Long Lead Purchases - \$450,000	7-28-20*	7-28-20	Long Lead Purchases - \$450,000						
Elevators - \$2,365,601	7-28-20*	7-28-20	Elevators - \$2,365,601						
Architectural - \$4,838,596	9-8-20*	9-8-20	Architectural - \$4,838,596						
Plumbing - \$725,535	9-8-20*	9-8-20	Plumbing - \$725,535						
HVAC - \$377,029	9-8-20*	9-8-20	HVAC - \$377,029						
Fire Protection - \$341,296	9-8-20*	9-8-20	Fire Protection - \$341,296						
Electrical - \$6,887,568	9-8-20*	9-8-20	Electrical - \$6,887,568						



# Next Steps

---

Let's take a closer look at the Timeline....

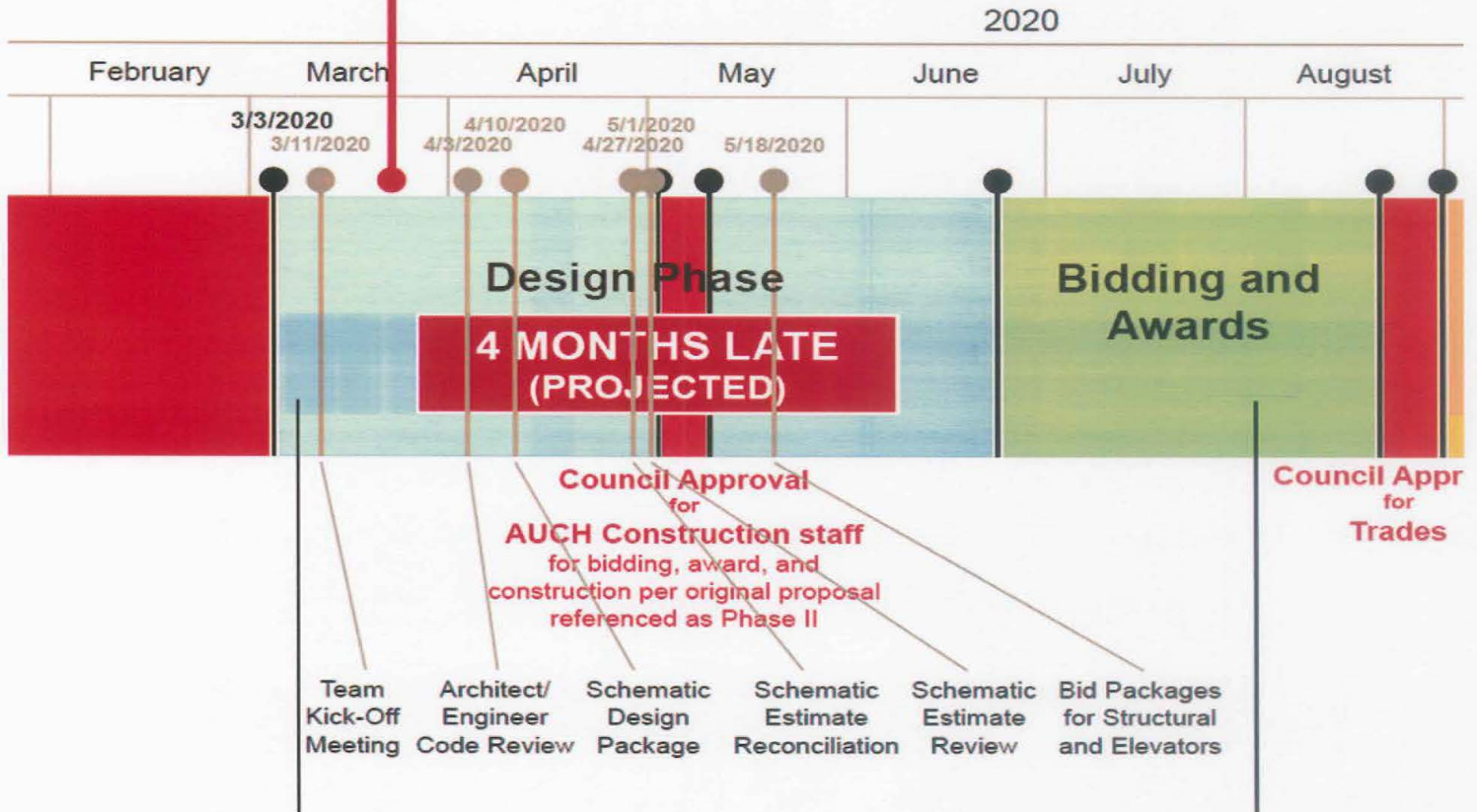
## Important Project Milestones Phoenix Center Garage Renovation

Team Kick-Off Meeting	March 11, 2020
Architect/Engineer Code Review	April 3, 2020
Schematic Design Package	April 10, 2020
Schematic Estimate Reconciliation	April 27, 2020
Schematic Estimate Review	May 1, 2020
Bid Packages for Structural and Elevators	May 18, 2020



AUCH and IDS are available to meet upon request to present/receive input to City Council and Staff

# MAR 20



# Why can't the City just do what it can with what's in the General Fund Balance?

## 1. Maintenance and Improvements.

The City **MUST** do all Maintenance and Improvements necessary to bring the Phoenix Center into conformance with the Michigan Building Code.

## 2. All electrical, lighting, elevator and serious structural repairs.

The City **MUST**, by November 1, 2020, complete all necessary electrical, lighting, elevator and serious structural repairs to the Deck...”.



STEVEN D. SALLEN  
Direct Dial No: (248) 827-1861  
Direct Fax No: (248) 359-6161  
E-Mail: ssallen@maddinhausers.com

26400 Northcrossing Highway, Second Floor, Southfield, MI 48034-1505 | (248) 354-8500 | fax (248) 354-1122 | www.maddinhausers.com

February 10, 2020

### VIA FED EX

City of Pontiac  
Attention: John Balint, Director of Public Works  
47450 Woodward  
Pontiac, Michigan 48342

RE: **Ottawa Tower II, LLC v City of Pontiac**  
Case No. 12-130331-CH

Dear Mr. Balint:

Reference is made to the Settlement Agreement and Release entered into effective as of November 1, 2018, by and among Ottawa Tower II, LLC and the North Bay Drywall Inc. Profit Sharing Plan & Trust ("Ottawa Towers"), and the City of Pontiac, and others (the "Agreement"). As you know, Section 6.0 of the Agreement sets out specific maintenances, capital repair and improvement obligations to be completed by the City of Pontiac within specific time limits. Specifically, Section 6.3 provides that the City of Pontiac undertake "all electrical, lighting,



# Won't that mean we are in "Substantial Compliance"??

---

- The SETTLEMENT AGREEMENT has the same effect as a JUDGMENT
- A JUDGMENT can not be satisfied by "substantially compliance" without the Party that is OWED performance agreeing
- The City is OBLIGATED to pay and perform the work outlined in the SETTLEMENT AGREEMENT

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

OTTAWA TOWER II, LLC, A Michigan Limited Liability Company, and NORTH BAY DRYWALL, INC., PROFIT SHARING PLAN & TRUST, a California Pension and Profit Sharing Trust,

Case No. 12-130331-CH  
Hon. Michael Warren

Plaintiffs/Counter Defendants,

vs.

CONSENT  
JUDGMENT

CITY OF PONTIAC, a Michigan Municipal Corporation, LOUIS SCHIMMEL, an individual acting as the Emergency Manager of the City of Pontiac,

Defendants/Counter-Plaintiffs.

**IF THE COURT SAYS YOU OWE \$100,000, YOU CAN'T SAY..... "WELL, I'LL JUST PAY \$50,000, AND CONSIDER THAT AS SUBSTANTIAL COMPLIANCE"**

**Modified Forecast - \$7,000,000 transfer to Parking Fund in FY 2020**

General Fund	FY 19 Audited							
	(excluding cemetery)	FY 20 Amended Budget	FY 20 Projected	FY 21 Mayor Rec	FY 22 Mayor Rec	FY 23 Mayor Rec	FY 24 Mayor Rec	FY 25 Mayor Rec
Budgeted Revenue	36,158,991	37,173,660	37,750,370	36,559,302	39,342,462	39,982,941	40,562,874	41,226,539
Budgeted Expenditures	39,734,001	46,965,027	42,416,648	41,853,579	40,738,328	42,207,550	42,671,271	44,101,759
Net	<b>(3,575,010)</b>	<b>(9,791,367)</b>	<b>(4,666,278)</b>	<b>(5,294,277)</b>	<b>(1,395,866)</b>	<b>(2,224,609)</b>	<b>(2,108,397)</b>	<b>(2,875,220)</b>
Beginning Fund Balance								
Non-Spendable	30,030		30,030	30,030	30,030	30,030	30,030	30,030
Committed	3,200,000		3,200,000	-	-	-	-	-
Assigned	2,800,000		2,100,000	1,400,000	700,000	-	-	-
Unassigned	12,561,002		8,594,724	7,200,447	6,504,581	4,979,972	2,871,575	(3,645)
Ending Fund Balance	<b>18,591,032</b>		<b>13,924,754</b>	<b>8,630,477</b>	<b>7,234,611</b>	<b>5,010,002</b>	<b>2,901,605</b>	<b>26,385</b>
15% of Budgeted Expenditures	5,960,100		7,044,754	6,278,037	6,110,749	6,331,133	6,400,691	6,615,264
Over/Under Unassigned Fund Balance	6,600,902		1,549,970	922,410	393,832	(1,351,161)	(3,529,116)	<b>(6,618,909)</b>
In compliance with fund balance policy?	Yes		Yes	Yes	Yes	No	No	No

**SUBSTANTIAL  
NEGATIVE  
IMPACT ON  
THE BUDGET  
FORECAST**

	30,030	30,030	30,030
	-	-	-
	-	-	-
	4,979,972	2,871,575	(3,645)
	<b>5,010,002</b>	<b>2,901,605</b>	<b>26,385</b>
	6,331,133	6,400,691	6,615,264
	(1,351,161)	(3,529,116)	<b>(6,618,909)</b>
	<b>No</b>	<b>No</b>	<b>No</b>

# So what needs to Happen NEXT??

## MONTH OF MAY

- IDS/AUCH – Complete the Bid Packages
- PONTIAC – Confirm the scope of work and APPROVE a funding source

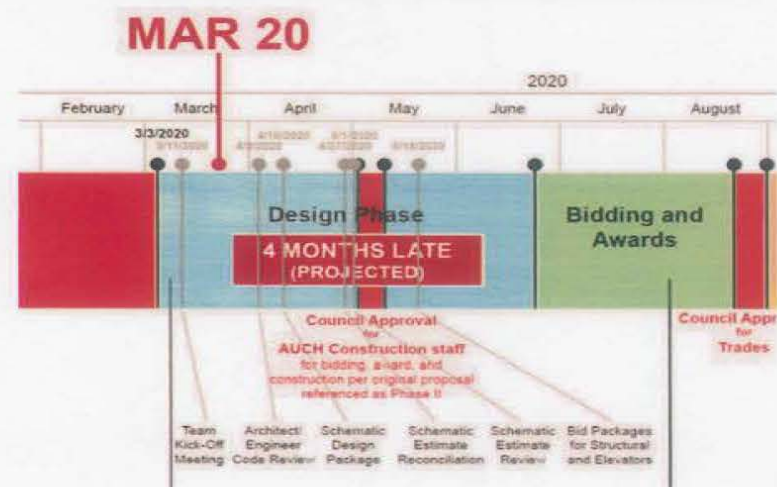
## MONTH OF JUNE

- IDS/AUCH – Release Bids and Time Line
- PONTIAC – SECURE funding source

## MONTH OF JULY

- Award Bids, Start Work, Return to Court

The City of Pontiac					
Phoenix Center Renovation					
Cost Summary by Category					
Item Description	Critical Costs	Necessary Costs	Recommended Costs	Plaza Costs	Total Costs
Structural	\$4,935,211	\$0	\$0	\$0	\$4,935,211
Architectural Renovations	\$2,263,489	\$841,839	\$1,008,207	\$864,682	\$4,978,197
Elevators	\$991,868	\$922,190	\$0	\$519,603	\$2,433,662
Plumbing	\$384,013	\$5,270	\$0	\$357,227	\$746,510
HVAC	\$216,894	\$48,996	\$0	\$122,017	\$387,908
Fire Protection	\$351,140	\$0	\$0	\$0	\$351,140
Electrical	\$6,128,298	\$52,697	\$185,969	\$1,182,419	\$7,549,382
Totals	\$15,270,894	\$1,870,991	\$1,194,176	\$3,045,948	\$21,382,009



# How can Pontiac pay for this??

## GENERAL FUND

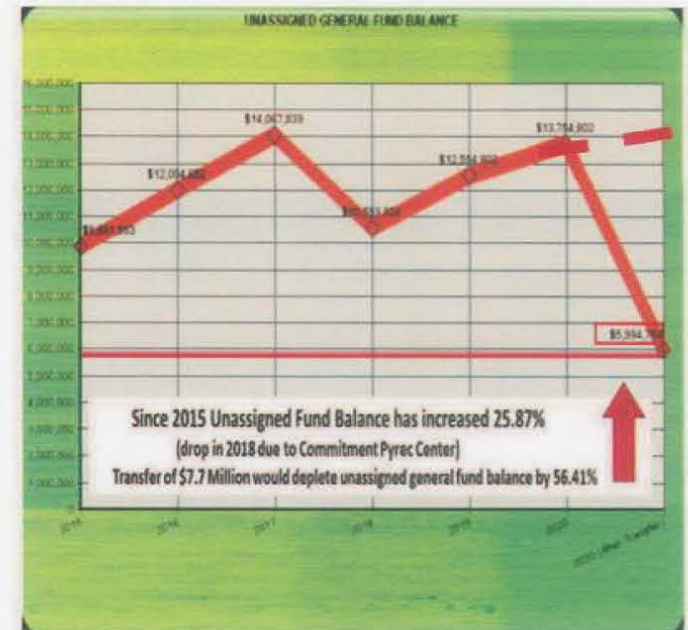
- THERE IS NOT ENOUGH MONEY IN THE CITY'S FUND BALANCE SO TO PAY THIS FROM THE BUDGET WOULD REQUIRE TAX INCREASE

## PRIVATE SALE/PARTNERSHIP

- THE CITY COULD SEEK A PUBLIC/PRIVATE PARTNERSHIP

## BONDS

- THE CITY CAN ISSUE BONDS, USING ITS GOOD CREDIT RATING, AND PAY OFF ALL OBLIGATIONS OVER MANY YEARS, FROM FORECASTED BUDGET REVENUE AND NO ANTICIPATED NEW TAXES



# If the City funds this work, will it start



**AVAILABILITY OF FUNDING 8 1/2 MONTHS LATE**

- \* There will be monthly updates to the City Council as required
- City to review options for alternate funding until Bond is sold in September 2019 (CRITICAL)
- ✓ Denotes activities completed

proposed  
 administration  
 cost  
 start inside  
 early season



# What happens if the City defaults??

---

- The OTTAWA TOWER owners would file to take this back to COURT to demand the COURT find PONTIAC in DEFAULT
- The COURT would then consider TWO areas of penalty against PONTIAC:
  - DAMAGES – Ottawa Towers would argue for and claim damages for BREACH asking for a CASH AWARD exceeding \$10 million
  - PERFORMANCE – Ottawa Towers would argue and demand they be permitted to complete the work NOT done by the CITY, that work estimated today to EXCEED \$17 million and MUST be paid by the CITY
- The COURT could assess these damages PLUS all cost and attorney fees of returning the COURT incurred by Ottawa Towers
- **PONTIAC COULD BE ASSESSED DAMAGES IN EXCESS OF \$30 MILLION**
- **PAYMENT COULD BE ORDERED IMMEDIATELY – A ONE TIME LEVY AGAINST EVERY TAXPAYER IN PONTIAC**

# Clarifications

---

- Amphitheater Canopy Fabric Repairs are not included in the design, work scope, or cost estimate
- Schematic Cost Estimate is based on work activities being released together, should any work be deferred, cost estimates will need to be updated to show the increase in cost.
- The total replacement of traffic coatings and other alternate repairs not required by the settlement agreement are not included in the design, work scope, or cost estimate. The budget for this work is approximately \$2,830,000.
- The design, work scope, and cost estimate does not include security cameras.
- This cost estimate represents the work of professionals cost estimators and is not a trade contractor bid. Individual trade contractor bids will be solicited with the issuance of the Construction Manager's Bid Package upon release and confirmation of adequate funding by the City.

# Structural



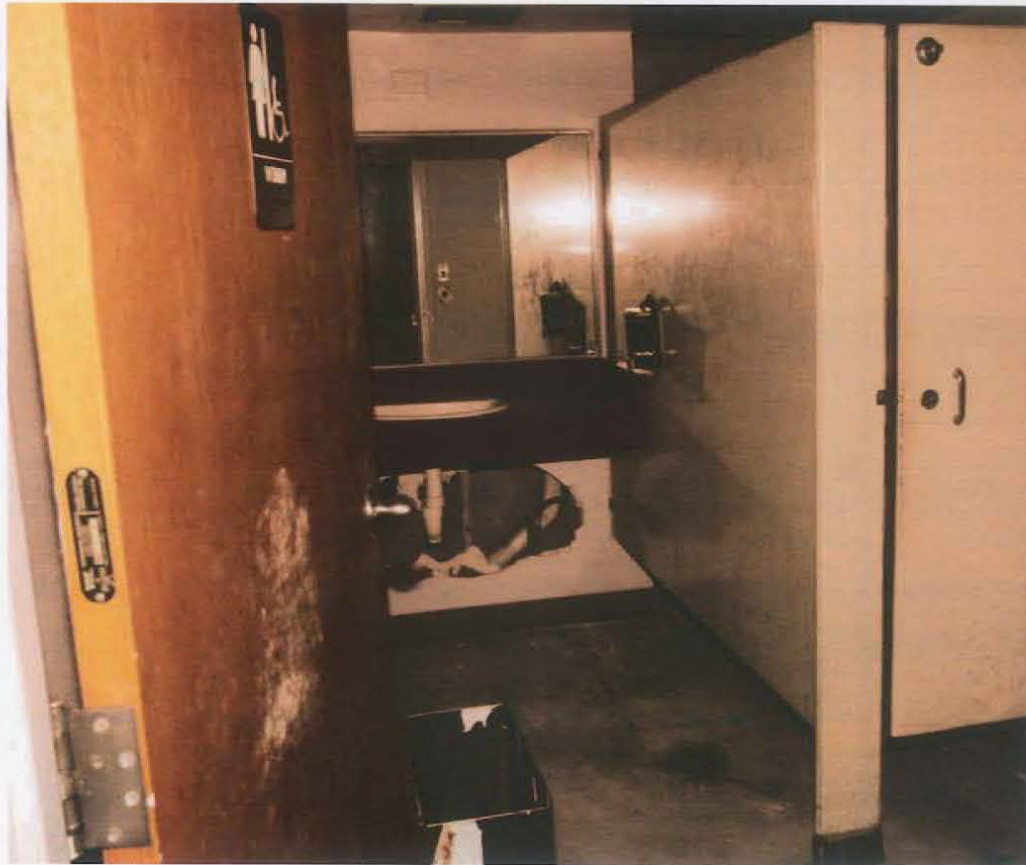
# Architectural Renovation



# Elevators



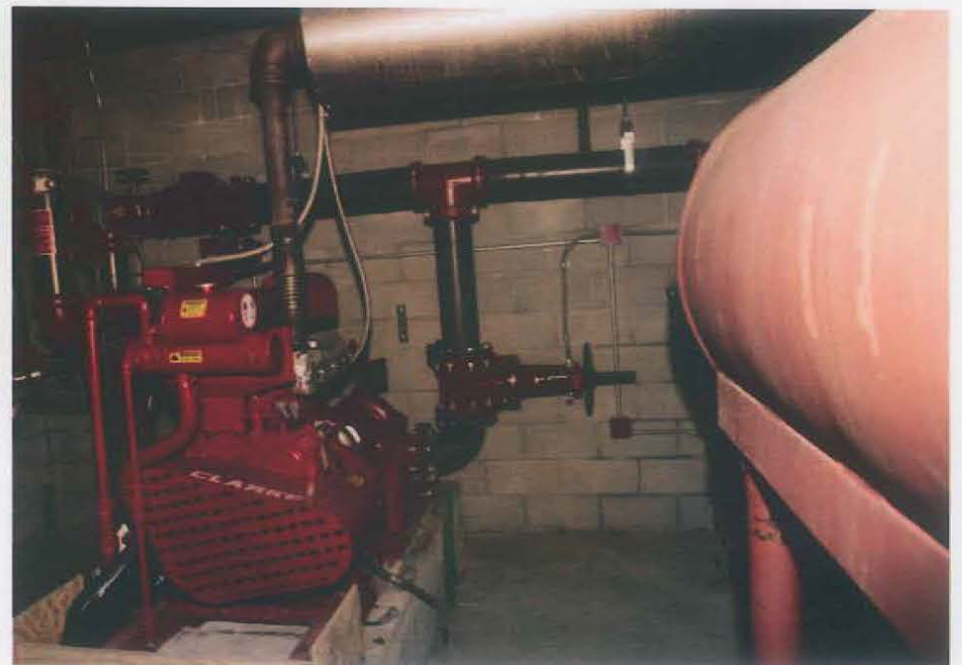
# Plumbing



# HVAC



# Fire Protection





# Electrical



Founded in 1852  
by Sidney Davy Miller

# MILLER CANFIELD

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TEL (313) 496-7906  
FAX (313) 496-8451  
E-MAIL [liscombe@millercanfield.com](mailto:liscombe@millercanfield.com)

Miller, Canfield, Paddock and Stone, P.L.C.  
150 West Jefferson, Suite 2500  
Detroit, Michigan 48226  
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FAX (313) 496-7500  
[www.millercanfield.com](http://www.millercanfield.com)

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NEW YORK: New York

OHIO: Cincinnati • Cleveland

CANADA: Windsor

CHINA: Shanghai

MEXICO: Monterrey

POLAND: Gdynia  
Warsaw • Wrocław

March 21, 2019

## VIA EMAIL

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

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

Dear Mayor Waterman:

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

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

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

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

Mayor Deirdre Waterman

-2-

March 21, 2019


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

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

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

Very truly yours,

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

By:   
\_\_\_\_\_  
Ronald C. Liscombe

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

# TRANSFORMATIONAL BROWNFIELD PLAN PROGRAM GUIDELINES

## **PROGRAM OVERVIEW**

The Brownfield Redevelopment Financing Act, 1996 Public Act (PA) 381, as amended (Act 381), effective July 24, 2017, incorporates Transformational Brownfield Plans (TBP), which affords developers the opportunity to capture a portion of specific incremental taxes generated from large-scale transformational projects for a specified time period.

A TBP is defined under Act 381 as a Brownfield Plan that, among other requirements, will have a transformational impact on local economic development and community revitalization based on the extent of brownfield redevelopment and growth in population, commercial activity, and employment that will result from the plan. The plan must be a mixed-use development project with planned integration of some combination of retail, office, residential, or hotel uses. Other requirements include minimum thresholds of capital investment depending on the population size of the municipality in which the development is proposed.

A TBP allows for the capture of five new sources of tax revenues associated with a project, in addition to incremental revenue from property taxes. The additional tax revenues available include the following: (1) Construction Period Income Tax; (2) Construction Period Sales Tax Exemptions, (3) Construction Period Use Tax Exemptions; (4) Income Tax Capture; and (5) Withholding Tax Capture. These tax revenues can be used in financing a wide array of eligible activities, specifically including as new activities, any demolition, construction, restoration, alteration, renovation, or improvement of buildings or site improvements on eligible property, including infrastructure improvements that directly benefit eligible property. Capture of the new sources of revenue is limited to up to 20 years.

The Michigan Strategic Fund (MSF) is the project-authorizing entity, and can approve no more than five TBPs in a calendar year statewide and no more than five TBPs in any individual local unit for the duration of the program, which ends December 31, 2022. In the event the MSF approves fewer than five plans in a calendar year, the unused approval authority shall carry forward into future calendar years and remain available until December 31, 2022. No new TBPs can be approved after December 31, 2022, and no unused plans can carry over past that date. A TBP approved prior to that date would remain in effect and could be amended.

An equitable geographic distribution of plans is required, balancing the needs of municipalities of different sizes and geographic areas with a target that at least 35% of all TBPs over the life of the program be located in cities, villages, and townships with populations under 100,000. The MSF will reserve 15% of the funds for these projects.

## **AMENDMENTS**

A TBP may be amended to add parcels of property, increase or reduce capture, or change project scope of work. Any amendment that proposes to change the project so that it would no longer be transformational, will result in the TBP being revoked. Each amendment must be approved by both the local unit of government and the MSF, and must be consistent with approval requirements of a TBP. Amendments are not considered new plans and plans may be amended beyond December 31, 2022.

**FEES**

The MSF will charge and collect application fees, amendment fees, transfer fees and annual administrative fees<sup>1</sup>. Annual administrative fees are estimated to be between 0.8 and 0.9 percent of TBP awards. For TBP requested awards greater than or equal to \$1.5 million a non-refundable application fee of \$208,000 will be charged and collected by the MSF<sup>2</sup>. This application fee includes the estimated costs of statutorily required third-party economic impact analysis and third-party underwriting analysis. In the event that the third-party analysis costs exceed the application fee, the costs of the independent third-party fiscal and economic impact analysis shall be paid by the owner or developer of the eligible property. In the event that an amendment is required for TBP awards greater than or equal to \$1.5 million, a non-refundable amendment fee of \$208,000 will be charged and collected by the MSF. This amendment fee includes the estimated costs of statutorily required third-party economic impact analysis and third-party underwriting analysis. In the event that the third-party analysis costs exceed the application fee, the costs of the independent third-party fiscal and economic impact analysis shall be paid by the owner or developer of the eligible property. For TBP requested awards less than \$1.5 million a non-refundable application fee of \$30,000 will be charged and collected by the MSF. In the event that an amendment is required for TBP requested awards less than \$1.5 million, a non-refundable amendment fee of \$30,000 will be charged and collected by the MSF. For any transfer of a TBP award the MSF will charge and collect a \$7,000 transfer fee.

**ELIGIBLE APPLICANTS**

A project may be located in any community but must involve a minimum level of capital investment based on the size of the community, as follows:

Population	Investment
Greater than or equal to 600,000	\$500,000,000
150,000 - 599,999	\$100,000,000
100,000 - 149,999	\$75,000,000
50,000 - 99,999	\$50,000,000
25,000 - 49,999	\$25,000,000
Less than 25,000	\$15,000,000

These limitations can be waived by the MSF to allow TBPs in certain areas where:

- the population is under 25,000, if the development would not be economically feasible otherwise;
- the Michigan State Housing Development Authority has approved the expenditure of federal blight elimination funds;
- the municipality is subject to a state of emergency for drinking water contamination; or
- the eligible property is a historic resource and would not otherwise be transformed.

**ELIGIBLE ACTIVITIES**

TBP eligible activities include any demolition, construction, restoration, alteration, renovation, or improvement of buildings or site improvements on eligible property, including infrastructure improvements that directly benefit eligible property, along with eligible activities currently allowed under Act 381.

**ELIGIBLE PROPERTY**

<sup>1</sup> PA 46 of 2017 Sec. 8a. (3)(a),(i),(ii),(iv) (p. 7)

<sup>2</sup> MSF Act 270 of 1984, 125.2007 Powers and duties of fund, Sec. 7. (j)

Documentation that the project is located on an eligible property is required at the time the application is submitted. Eligible property includes one or more of the following:

1. Facility: As defined in Public Act 451 of 1994, MCL 324.20101, means any area, place, or property where a hazardous substance in excess of concentrations that satisfy the cleanup criteria for unrestricted residential use has been released, deposited, disposed of, or otherwise comes to be located. A Phase I and Phase II Baseline Environmental Assessment is used to determine whether the property is a facility. The MEDC will confirm with the Michigan Department of Environment, Great Lakes and Energy (DEGLE) who will certify the property as a facility after adequate documentation is received from the developer.
2. Historic Resource: A publicly or privately owned historic building or structure, individually listed, or located within a historic district designated by the National Register of Historic Places, the State Register of Historic Sites, or a local unit acting under the Local Historic Districts Act, 1970 PA 169. Documentation is required to verify any of the above designations.
3. Functionally Obsolete: Property that is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from overcapacity, changes in technology, deficiencies or super adequacies in design, or other similar factors that affect the property itself, or the property's relationship with other surrounding property as determined by a Michigan Advanced Assessing Officer or a Michigan Master Assessing Officer.
4. Blighted: Property that meets any of the following criteria as determined by the respective unit of government, building official, or assessor when applicable:
  - Has been declared a public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance;
  - Is an attractive nuisance to children because of physical condition, use, or occupancy;
  - Is a fire hazard, or is otherwise dangerous to the safety of persons or property;
  - Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use;
  - Is tax reverted property owned by a qualified local governmental unit (QLGU), by a county, or by the state of Michigan. Tax-reverted property that is sold, leased, or transferred after the property is in a Brownfield Plan is still considered blighted property for purposes of Act 381;
  - Is property owned, by or under the control of, a land bank fast track authority (LBFTA) under the Land Bank Fast Track Act, 2003 PA 258, whether or not it is located within a QLGU. Property that is sold, leased or transferred by a LBFTA after the property is in a Brownfield Plan is still considered blighted property for purposes of this act; and
  - Has substantial subsurface demolition debris buried on site so that the property is unfit for its intended use.
5. Transit-oriented Property: Property that houses a transit station in a manner that promotes transit ridership or passenger rail use.
6. Transit-oriented Development: Infrastructure improvements that are located within ½ mile of a transit station or transit-oriented property that promotes transit ridership or passenger rail use as determined by the municipality.

7. Undeveloped Property: Property that was eligible property in a previously approved brownfield plan abolished under section 14(8).

### **PROGRAM KEY COMPONENTS**

1. The project must be a mixed-use development, defined as a real estate project with planned integration of some combination of retail, office, residential, or hotel uses. The project can be a single development on eligible property, or consist of a series of developments on eligible properties (even if they are not contiguous) that are part of a related program of investment meeting the following requirements:
  - The developments are proposed to be undertaken concurrently or in reasonable succession.
  - For developments under affiliated ownership, the developments are reasonably contiguous and are a part of a program investment in a logically defined geographic area, including, but not limited to, a Downtown District (as defined in the Downtown Development Authority Act) or a principal shopping district or business improvement district (as defined in the Shopping Areas Redevelopment Act). Other areas related to those districts that will promote infill development may also be considered.
  - For developments with unrelated ownership, projects must meet the provisions above, and are part of a master development plan, area plan, sub-area plan, or similar development plan that has been approved or adopted by resolution of the governing body.
  - The designation of the developments as a related program of investment is consistent with the purposes of this act and is not a combination of unrelated or minimally related projects calculated to meet the minimum investment threshold.
2. The TBP allows for five kinds of revenue from income tax and withholding tax capture and exemptions from sales tax and use tax as follows:
  - Construction Period Income Tax Capture Revenues: Funds equal to the amount of income tax levied and imposed in a calendar year on wages paid to individuals physically present and working within the eligible property for the construction, renovation, or other improvement of eligible property that is an eligible activity within the TBP. Excluded are wages paid to employees of the owner or developer of the project.
  - Construction Period Sales Tax and Use Tax Exemptions:
    - a. A sales tax exemption for the purchase of tangible personal property for use in eligible brownfield redevelopment activities on eligible property included in a TBP, to the extent that the tangible personal property will be affixed and made a structural part of the real property or infrastructure improvements included within the TBP.
    - b. A use tax exemption on tangible personal property acquired by a person engaged in the business of altering, repairing, or improving real estate for others, or to the manufacture of a specific product if the property or product is to be affixed or made a structural part of the real property included within a TBP, to the extent that those improvements are eligible activities on eligible property within a TBP.

The MSF shall require the owner or developer of the eligible property to report the actual value of the sales and use tax exemptions each tax year of the construction period and at the end of the construction period.
  - Income Tax Capture Revenues: Funds equal to the amount for each tax year by which the aggregate income tax from individuals domiciled within the eligible property subject to a TBP exceeds the initial income tax value (the value in the tax year when the resolution

adding TBP property is adopted). A TBP cannot propose to use more than 50% of the income tax capture revenues.

- Withholding Tax Capture Revenues: The amount for each calendar year by which the income tax withheld from individuals employed within the eligible property subject to a TBP exceeds the initial withholding tax value. Excludes those domiciled within the eligible TBP property and construction period tax capture revenues. A TBP cannot propose to use more than 50% of the withholding tax capture revenues.

These tax increment revenues can be used in financing a wide array of eligible activities, specifically including as new activities, any demolition, construction, restoration, alteration, renovation, or improvement of buildings or site improvements on eligible property, including infrastructure improvements that directly benefit eligible property. Capture of the new sources of revenue is limited to up to 20 years.

3. A TBP that proposes to use more than \$1.5 million in any one year in withholding tax capture revenues and income tax capture revenues require the developer or owner to:
  - Pay for an independent, third-party economic and fiscal impact analysis to determine whether the plan will result in an overall positive fiscal impact to the state;
  - Pay for an independent, third-party underwriting analysis to determine whether the amount of captured taxable value, construction period tax capture revenues, withholding tax capture revenues and income tax capture revenues estimated to result from the plan are reasonable; and
  - Verify with the MSF that the State Treasurer concurs with the third party fiscal and economic analysis determination that the project will result in an overall positive fiscal impact to the state.
4. Projects that are requesting consideration for a TBP will not be eligible if other MSF program assistance is available to fill the financing gap. If the MSF supports a TBP, that project(s) is not eligible for funding under the Michigan Community Revitalization Program (MCRP).
5. Project construction must start within 12 months of MSF Board approval.
6. The owner or developer must certify the actual capital investment upon completion of TBP construction, or completion of a specific phase, prior to the MSF initiating reimbursement from the construction period income tax capture, income tax capture, and withholding tax capture. If the actual capital investment is less than the amount included in the plan, the MSF has the right to modify the amount of reimbursement and take other recourse.
7. The MSF is required to approve a proposed change in ownership of eligible property subject to a transformational brownfield plan for which reimbursement will continue, prior to the assignment or transfer of the development and reimbursement agreement.

### **PROGRAM LIMITS**

The MSF may authorize incentives for large development projects totaling up to \$1.0 billion across all TBPs for the duration of the program.



1. Income Tax and Withholding Tax:

- Commitments and disbursements of income and withholding tax capture revenue are limited to a total of up to \$800 million over the life of the program.
- Commitments and disbursements of income and withholding tax capture revenue are limited to \$40 million annually across all TBPs. If the \$40 million threshold is not reached in a given year, the remaining balance will be carried forward into subsequent years for disbursement.
- A TBP cannot use more than 50% of the income and withholding tax capture revenues to reimburse eligible activities.
- A TBP cannot award more than 25% of the annual allocation to any one project per year, not including amendments. With amendments, no more than a total 50% of annual allocation.
- The available tax revenue from any source for a TBP will be limited to an amount that is needed to make the project economically viable.
- No tax capture will occur after the permitted costs under the TBP are met or after 20 years from the start of capture.

2. Construction Period Tax Capture Revenue and Exemptions:

- A total of up to \$200 million can be captured and exempted from a combination of construction period tax capture revenue in the TBP and sales and use tax exemptions on certain tangible personal property. A TBP can capture 100% of the construction period tax capture for transmittal to the brownfield authority or developer.
- Disbursements of construction period tax capture revenue and the value of the sales and use tax exemptions do not have an additional annual reimbursement cap.
- The available tax revenue from any source for a TBP is limited to an amount that is needed to make the project economically viable.
- No tax capture will occur after the permitted costs under the TBP are met or after 20 years from the start of capture.

**ECONOMIC AND FISCAL IMPACT ANALYSIS CRITERIA**

MSF must determine that a TBP will result in an overall positive fiscal impact to the state before it is approved. In making that determination, the following will be taken into account:

- The potential displacement of tax revenue from other areas of the state, and
- The effects of the TBP on economic development in the surrounding area.

TBPs proposing to use more than \$1.5 million in any year in withholding and income tax capture revenues require an independent economic and fiscal impact analysis conducted by a third-party, paid for by the developer via the application fees or amendment fees. MSF will determine the third-parties eligible to conduct such an analysis. Developer must provide all necessary information (details of which will be relayed to the developer at the time of the project) to the appropriate MEDC contact before the analysis is conducted. TBPs proposing to use less than \$1.5 million in annual withholding and income tax capture will undergo analysis through the MEDC, in participation with the State Treasurer.

If the TBP proposes to use more than \$1.5 million in any one year in withholding and income tax capture then the State Treasurer must concur with the conclusions of the third-party analysis before a recommendation is made to MSF for project approval.

**UNDERWRITING CRITERIA**

TBPs will be awarded based on financial need for the incentive and the award amount will be determined based on a demonstrated gap in financing.

TBPs proposing to use more than \$1.5 million in any one year in withholding and income tax capture revenues require an independent underwriting analysis conducted by a third-party, paid for by the developer via the application fees or amendment fees. MSF will determine the third-parties eligible to conduct such an analysis. Developer must provide all necessary information (details of which will be relayed to the developer at the time of the project) to the appropriate MEDC contact before the analysis is conducted. TBPs proposing to use less than \$1.5 million in annual withholding and income tax capture will undergo analysis through the MEDC, in participation with the State Treasurer.

If a TBP proposes to use more than \$1.5 million in any one year in withholding and income tax capture, then the State Treasurer must concur with the conclusions of the third-party analysis before a recommendation is made to MSF for project approval.

1. Evaluation of specific underwriting criteria, including at minimum the following:
  - Assessment of how much traditional debt the project should be able to support/attract
  - Developer and consultant fees limited to 4% of the total development cost of the project
  - Reasonableness assessment of any related-party costs and expenses
  - Minimum Owner Equity Investment: 20% of Total Development Costs (net of developer and consulting fees). Deferred fees will not be counted in the calculation
  - Minimum Debt Service Coverage Ratio: 1.20:1.00, calculated based on all scheduled debt service requirements following stabilization and conversion to permanent financing
  - Returns in relation to the land use mix, location, size and complexity of the project and the risk involved. Unleveraged IRR and yield on cost will be evaluated if financing is preliminary. If financing term sheets are provided, leveraged IRR and cash on cash return will be evaluated. Average annual return metrics will be for the first three years following project stabilization.
2. Reasonableness assessment of the proposed rental structure and assumptions
3. Reasonableness assessment of the proposed operating expenses
4. Reasonableness assessment of the proposed development costs
5. Process conducted to analyze and determine the project's economic viability
6. A full financial and underwriting review will be completed on any future amendments and requests for project support.

### **PROJECT EVALUATION, PROCESS AND MSF SUPPORT**

The process below is a high level overview of the Transformational Brownfield Plan (TBP) consideration process from project identification through execution of a final agreement. TBP projects require the approval of the Brownfield Redevelopment Authority (BRA), the local unit of government, and the Michigan Strategic Fund (MSF). If environmental activities are included in the project, approval of the Michigan Department of Environment, Great Lakes and Energy (DEGLE) is also required.

1. Local partners, developers, or the BRA engage early with the Michigan Economic Development Corporation (MEDC) Community Assistance Team (CAT) staff for initial project evaluation and determination of appropriate incentive match. CAT will collect intake evaluation documentation including, but not limited to, project investment summary

and a projected tax increment revenue table.

2. Project will undergo an internal review and an initial determination of appropriate TBP fit. CAT staff will issue a soft commitment letter outlining potential MSF support and inviting an application.
3. Development team and BRA prepare a TBP combined Brownfield/Work Plan package, including the application fee, and submit to MEDC staff for review.
4. MEDC will evaluate the full TBP package and will conduct underwriting and economic impact analyses. Projects anticipating more than \$1.5 million of annual tax capture are required to undergo 3<sup>rd</sup> party underwriting and economic impact analyses and the applicant will pay the necessary 3<sup>rd</sup> party fees as part of their application fee. Following analyses results, MEDC staff and the Michigan Department of Treasury (Treasury) must evaluate and concur on a recommended TBP tax capture package before it is forwarded to the MSF Board.
5. After confirming the TBP package is administratively complete<sup>3</sup>, MEDC staff will provide a Summary of Terms to the development team outlining the business terms for the proposed incentive.
6. Following feedback from MEDC (and potentially based on 3<sup>rd</sup> party analyses) the TBP documents will be updated and submitted for local BRA and governing body approval; then the TBP final package is submitted to MEDC for MSF consideration.
7. MEDC conducts civil and criminal background checks and a business suitability review. MEDC then presents the TBP recommendation to the MSF Board with the community, development team and a representative from Treasury. Following MSF action, a final agreement will be drafted by the MEDC and executed between MSF, Treasury, the BRA and the development entity(ies).
8. Reporting is required throughout the construction period, as well as annually through the reimbursement period.

#### **ADDITIONAL TERMS AND CONDITIONS**

1. Owners or developers that receive a TBP designation will be subject to the MSF Background Review Policy, as may be revised from time to time by the MSF. Additional due diligence may be required at the discretion of the MSF.
2. Owners or developers that receive a TBP designation from the MSF will be required to execute a development agreement with the MSF. The Development Agreement will be performance-based and will set forth the terms and conditions of the TBP designation including, but not limited to, the term of the plan, the total amounts of tax capture the owner or developer may receive, periodic reporting requirements.
3. Owners or developers are expected to maintain detailed records demonstrating that the award recipient incurred and paid the required investment at the project location. Failure to maintain adequate records may result in adverse action by the MSF, up to and including termination of the reimbursement agreement. In addition, the MSF, MEDC, Auditor General, and the

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<sup>3</sup> Administratively complete means the TBP and all required supporting documentation is determined to be complete by MEDC staff and the underwriting and economic impact analyses are complete and a determination of a positive fiscal impact to the state has been confirmed.

Department of Technology, Management, and Budget shall have access to all records related to the project and reserve the right to conduct on-site reviews and inspections to confirm compliance with the terms and conditions of the agreement.

## CORRIDOR IMPROVEMENT AUTHORITY

The Corridor Improvement Authority (CIA), Public Act 57 of 2018, is designed to assist communities with funding improvements in commercial corridors outside of their main commercial or downtown areas.

*Note: This document is offered as a general guide only and the legislation should be reviewed by local officials.*

### WHO IS ELIGIBLE?

Any city, village or township may establish an authority.

### HOW DOES IT WORK?

The authority would be created and operated in a similar manner to a Downtown Development Authority (DDA). Once created, a Corridor Improvement Authority may hire a director, establish a tax increment financing plan, levy special assessments and issue revenue bonds and notes. A corridor, as defined as a development area, must comply with the following criteria:

1. The corridor must have at least 51 percent of existing first floor space classified as commercial.
2. The corridor must have been in existence for the past 30 years.
3. The corridor must be adjacent or is within 500 feet of a road classified as an arterial or collector according to the Federal Highway Administration.
4. The corridor must contain at least 10 contiguous parcels or at least five contiguous acres.
5. The corridor must be zoned to allow for mixed-use and high density residential.
6. The corridor must presently be served by municipal water or sewer.
7. The municipality must also agree to expedite the local permitting and inspection process in the development area and to modify its master plan to provide for walkable nonmotorized connections, including sidewalks and streetscapes throughout the area.

### WHAT IS THE PROCESS?

1. Municipalities may have multiple authorities and an authority may contain multiple municipalities.
2. The governing body determines that it is necessary in the best interests of the public to redevelop its commercial corridors and to promote economic growth.
3. The governing body sets a public hearing, based upon its resolution of intent, to create a CIA.
4. Notice must be given of a public hearing by public posting, publication and mail to taxpayers within a proposed district and to the governing body of each taxing jurisdiction levying taxes that would be subject to capture of tax increment revenues.
5. Public hearing is held.
6. Not less than 60 days following the public hearing, the governing body may adopt by resolution the creation of the CIA and designate the boundaries of the development area.
7. The resolution must be published at least once in the local newspaper and filed with the Secretary of State.
8. The governing body of the municipality that has created an authority may enter into an agreement with an adjoining municipality that also has created an authority to jointly operate and administer those authorities under an interlocal agreement.

### OTHER IMPORTANT NOTES

While this program is similar in nature to a Downtown Development Authority, differences between a DDA and Corridor Improvement Authority include:

- More than one authority is permitted within a municipality.
- A Corridor Improvement Authority cannot levy an ad valorem tax.

### SUPPORTING STATUTE

[Public Act 57 of 2018: Recodified Tax Increment Financing Act](#)

### CONTACT INFORMATION

For more information on Corridor Improvement Authorities, contact the [Community Assistance Team \(CAT\) specialist](#) assigned to your territory or visit [www.miplace.org](http://www.miplace.org).

## COMMERCIAL REHABILITATION ACT

Public Act 210 of 2005, as amended, encourages the rehabilitation of commercial property by abating the property taxes generated from new investment for a period up to 10 years. As defined, commercial property is a qualified facility that includes a building or group of contiguous buildings of commercial property that is 15 years or older, of which the primary purpose is the operation of a commercial business enterprise or multifamily residential use. A qualified facility may also include vacant property or other commercial property which, within the immediately preceding 15 years, was commercial property. Types of commercial business enterprises include office, engineering, research and development, warehousing, parts distribution, retail sales, and other commercial activities. Multi-family residential is housing that consists of five or more units. Commercial properties allocated new market tax credits are also considered a qualified facility.

Qualified retail food establishments are considered a qualified facility for purposes of granting the tax abatement. These establishments include a retail supermarket, grocery store, produce market, or delicatessen that offer unprocessed USDA-inspected meat and poultry products or meat products that carry the USDA organic seal, fresh fruits and vegetables, and dairy products for sale to the public. The qualified retail food establishment must be located in a “core community” as defined in the Obsolete Property Rehabilitation Act (PA 146 of 2000) or in an area designated as rural as defined by the United States Census Bureau and is located in an underserved area.

Commercial property does not include property that is to be used as a professional sports stadium or a casino. Land and personal property are not eligible for abatement under this act.

*Note: This document is offered as a general guide only and the legislation should be reviewed by local officials.*

### WHO IS ELIGIBLE?

“Qualified local government units” mean any city, village or township.

### WHAT IS REHABILITATION?

Rehabilitation is defined as changes to qualified facilities that are required to restore or modify the property, together with all appurtenances, to an economically efficient condition. The new investment in the rehabbed property must result in improvements aggregating to more than 10 percent of

the true cash value of the property at commencement of the rehabilitation of the qualified facility. Rehabilitation includes the following: improvement of floor loads, correction of deficient or excessive height, new or improved fixed building equipment including heating, ventilation, and lighting, reducing multistory facilities to one or two stories, improved structural support including foundations, improved roof structure and cover, floor replacement, improved wall placement, improved exterior and interior appearance of buildings, and other physical changes required to restore or change the property to an economically efficient condition.

Rehabilitation also includes new construction on vacant property from which a previous structure has been demolished and if the new construction is an economic benefit to the local community as determined by the qualified local governmental unit.

Rehabilitation for a qualified retail food establishment also includes new construction.

### WHAT IS THE PROCESS?

Before the Commercial Rehabilitation Exemption Certificate (i.e., property tax abatement) can be granted to the commercial property owner, the city, village or township by resolution of its legislative body, must establish a Commercial Rehabilitation District. The establishment of the district may be initiated by the local government unit or by owners of property comprising 50 percent of all taxable value of the property in the proposed district. The district must be at least three acres in size unless it is located in a downtown or business area or contains a qualified retail food establishment.

The city, village or township must hold a hearing to establish a Commercial Rehabilitation District. Notification of the hearing must be given to the county board of commissioners and all real property owners in the proposed district.

After the hearing is held and the local unit of government determines the district meets the requirements of the act, a copy of the resolution adopting the district shall be provided to the county where the district is established. Within 28 days, the county may accept or reject the establishment of the district. In a county with a county executive, the executive can write a letter rejecting the establishment of the district. In all other counties, the county board of commissioners can pass a resolution rejecting the establishment of the district.

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## MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

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Once the district is established, the property owners may file an application with the local clerk for a commercial rehabilitation exemption certificate. Applications are available from the Michigan Department of Treasury. The local clerk shall provide written notification to the assessor of the local unit of government and each taxing jurisdiction that levies ad valorem property taxes of the application hearing. The city, village or township has 60 days after receipt of the application to either approve or disapprove the application. If denied, a reason must be given in the resolution. The assessor and applicant shall be sent a copy of the unapproved resolution by certified mail. If approved, the application and resolution must be sent to the State Tax Commission, which will certify or deny the application within 60 days. A resolution is not effective unless approved by the State Tax Commission.

### COMMERCIAL REHABILITATION EXEMPTION CERTIFICATE

Upon approval by the State Tax Commission, a commercial rehabilitation certificate is issued. The property owner must pay a Commercial Rehabilitation Tax rather than the normal property tax. The certificate must be issued for a period of at least one year, but cannot exceed 10 years. Certificates initially issued for less than 10 years may be extended, but shall not exceed 10 years. The criteria for extensions must be included in the resolution approving the abatement.

The Commercial Rehabilitation Tax freezes the taxable value of the building and exempts the new investment from local taxes. The school operating tax and the State Education Tax (SET) are still levied on the new investment. Land and personal property cannot be abated under this act.

### DISCUSSION

In addition to the Commercial Rehabilitation Act (PA 210 of 2005), several other property tax abatements are available for the rehabilitation of commercial property in Michigan, including the Commercial Redevelopment Act (PA 255 of 1978) and the Obsolete Property Rehabilitation Act (PA 146 of 2000). Each act has unique eligibility requirements, processes, and lengths and terms of the abatement. Please refer to the Michigan Economic Development Corporation (MEDC) fact sheet for more information on each program and consult the authorizing statute to determine the best fit for your project needs.

### SUPPORTING STATUTE

*Public Act 210 of 2005: Commercial Rehabilitation Act*

### CONTACT INFORMATION

For more information on the Commercial Rehabilitation Act, contact the Community Assistance Team (CAT) specialist assigned to your territory or visit [www.miplace.org](http://www.miplace.org).

Pontiac City Council Resolution



WHEREAS, the Emergency Manager seeking to cut costs, sought to demolish the Phoenix Center which triggered a lawsuit with Ottawa Towers; and,

WHEREAS, the city's Legal Department, after several unsuccessful appeals, advised the Pontiac City Council to enter into a settlement agreement with Ottawa Towers; and,

WHEREAS, the City of Pontiac entered into a settlement agreement with Ottawa Tower II, LLC and the North Bay Drywall, Inc. Profit Sharing Plan & Trust on November 1, 2018; and,

WHEREAS, the parties participated in mediation and agreed upon the material terms of the settlement of their disputes; and,

WHEREAS, in consideration of the immediate discharge of all liens and encumbrances on the Phoenix Center, the City was required to pay Three Million Five Hundred Thousand (\$3,500,000.00) Dollars upon execution of all settlement documents in addition to Three Hundred and Fifty Thousand (\$350,000.00) Dollars in full and final reimbursement for all attorney fees and costs; and,

WHEREAS, the section entitled Maintenance, Repair and Improvements to the Phoenix Center and Tunnel, more specifically, section 6.2 of the settlement agreement, requires that in addition to the payments set forth in the Agreement, the City shall pay up to Six Million (\$6,000,000.00) Dollars over a ten (10) year period beginning as of the Effective Date of the Agreement for the maintenance and capital repair of and improvements to the Phoenix Center necessary to bring and maintain the Phoenix Center into conformance with the requirements of the International Property Maintenance Code (2015 edition), as referenced in the Michigan Building Code and the Michigan Rehabilitation Code (2015 edition).

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council desires to comply with the settlement agreement and to restore the Phoenix Center to working order.

BE IT FURTHER RESOLVED, that the Pontiac City Council in satisfaction of the Settlement Agreement as well as being good stewards and overseers of the funds of the city; hereby requests a budget amendment and that Seven Million (\$7,000,000.00.) Dollars be taken from the general fund (101) and allocated to the Phoenix Center (585-564-974.035) for parking structure repairs.





# PHOENIX CENTER FREQUENTLY ASKED QUESTIONS

## What is going on with the Phoenix Center? Why am I hearing about a default?

*In 2012, the City of Pontiac was under State Receivership and an Emergency Manager tasked with handling the City's financial affairs leaving local elected officials without governing authority. The Emergency Manager privatized City services, sold off City assets, and planned to demolish the Phoenix Center. Private owners of the adjoining Ottawa Towers in turn filed a lawsuit against the City to prevent the Emergency Manager from moving forward with these plans therefore subjecting the City to costly and lingering litigation.*

*In 2017, the City exited receivership and Home Rule under the Pontiac City Charter was restored to local elected officials. After six years and four mediations, the City ended the Phoenix Center litigation by entering into a Settlement Agreement. This was a victory for the City as the Phoenix Center would not be demolished and the City would maintain ownership of the Phoenix Center as a city-owned asset. The Settlement Agreement further mandates that the Phoenix Center be brought up to Michigan Building code by November 1, 2020. Despite voting in favor of the Settlement Agreement, the Pontiac City Council is now failing to act under the terms of the Settlement Agreement and therefore subjecting the City to the possibility of a default.*

## What happens if the City of Pontiac defaults on the Settlement Agreement?

*Default on the Settlement Agreement would take the City back to Court. The Judge could place a levy judgment on every taxpayer and business in the City of Pontiac. This levy could be higher than \$30 million dollars---which taxpayers would have to pay within 1 year, and/or the City would have to declare bankruptcy.*

## Who approved the Settlement Agreement and who is legally bound to comply with it?

*In 2018, the Pontiac City Council voted to approve the Settlement Agreement. The Mayor then signed the Settlement Agreement and effectively ended the Phoenix Center litigation, legally binding us to the settlement terms. The Settlement Agreement does not designate a difference between the Mayor or Council as both are elected officials of the City of Pontiac and negotiated and approved the agreement on behalf of the citizens of Pontiac.*

## How am I affected by this?

*All financial obligations of the City are the financial obligations of its residents as taxpayers. If the terms of the Settlement Agreement – a legally binding contract – are not met, you as a resident or business owner may be liable to cover the costs (currently estimated at \$30 Million) imposed by the default. For example—if you default on your signed contract for say, your personal vehicle, home, and, etc., the Court allows the Creditor to take back the item you defaulted on. You cannot go back and renegotiate the terms of an original agreement.*

## Is there a difference between a Court Ordered Judgment and a Settlement Agreement? Which one did the Mayor sign and Council approve in 2018?

*Yes. A Settlement Agreement outlines details of an agreement reached mutually between two parties. A Court Ordered Judgment is a court order by a judge. Both the Mayor and City Council agreed to a Settlement Agreement on behalf of the City.*

## Are there any other possible outcomes from the City not complying with the terms of the Settlement Agreement other than a default judgment in favor of Ottawa Towers?

*It is highly unlikely. The Pontiac City Council approved the current Settlement Agreement negotiated by the City's legal team and the Mayor, thus binding it on the City for compliance to its terms. Any outcome other than enforcing the agreement would rely on the owners of Ottawa Towers to agree not to enforce or collect what would be otherwise owed to them from the City's non-compliance of the agreement.*

## Will the State support a bailout of the Settlement Agreement amount since it was initiated by the State Appointed Emergency Manager?

*As it stands today there is no legal precedent for the State or the Federal Government to bailout local municipalities from legal Settlement Agreements it willfully and knowingly entered by its elected officials on behalf of its citizens.*

## How can we leverage the Phoenix Center as an asset for the City? What can I do to help?

*The Phoenix Center is an asset. The land, parking deck, plaza and amphitheater all have immense value that make for an immeasurable part of Pontiac's downtown culture. The last event held atop of the Phoenix Center in 2012, was sold-out with over 7,000 attendees. The City owns the Phoenix Center outright and the site is poised to serve as catalyst to shore up our downtown business district. Owning the Phoenix Center gives the City leverage for its citizens to have a say in how this development occurs, as well as, its impact.*

## Are bonds the only option available to finance the required construction at the Phoenix Center?

No. The following options are available:

Supported By:

Results of Citywide Survey:

No. The following options are available:	Supported By:	Results of Citywide Survey:
1. Public/Private Partnership		Issue Bonds 85%
2. Sale		Issue Bonds plus Surplus 10%
3. Default & Taxpayers Pay Up		No Nothing 4%
4. Bonds to fix up Phoenix Center	Mayor, Finance Director & 85% of residents polled	Use Surplus 1%
5. Bonds to buy Ottawa Towers & buy out Settlement Agreement		*436 Pontiac residents were polled and responded to this survey
6. Default & Bring Back the Emergency Manager	Councilwoman Gloria Miller	
7. Use \$7 Million of City's Surplus Savings Fund	Council President Kermit Williams	

## Has the City considered sending out a Request for Proposal (RFP) to lease and/or establish a public/private partnership agreement?

*Yes. An RFP was recently administered by the City, however, no qualifying proposals were received.*

## Can the Phoenix Center be sold?

*Due to the court order and parking restrictions required by the Ottawa Towers easements, this option is not viable at this time.*

## If the City defaults on its Settlement Agreement, could it have any financial impact on me?

*Yes. Potential default on the settlement could cost the taxpayers \$19.3 Million and could add over \$770 to each taxpayer's tax bill in one year. Additionally, court costs, penalties, fees and damages due to non-compliance with the Settlement Agreement estimated between \$20 - \$30 million would eliminate the City's General Fund balance and place the City into bankruptcy and/or add \$1,500 to each taxpayer's tax bill.*

## Is this a good time to issue bonds?

*Yes. Interest rates and cost to finance bonds are low and due to sound fiscal policies the city is now bondable.*

## Should the City simply wait to default as stated by Councilwoman Gloria Miller and bring back the Emergency Manager?

*This option would devastate the City. All decisions placed in the hands of Emergency Manager could potentially cost taxpayers \$19.3 million and could add over \$770 to the average taxpayer's tax bill in one year. The City could also lose ownership of the Phoenix Center.*

## Why taking \$7 Million of our City's Surplus Savings Fund is Financially Risky?

*This \$7 Million proposal was introduced by Council President Kermit Williams at the 4/21/20 City Council Meeting and falls short of meeting the legal obligations of the Settlement Agreement to repair the Phoenix Center and bring it up to Michigan Building Code &*

*Safety standards. \$7 Million from the City's Surplus Savings Fund would only cover roughly less than half of the mandated repairs and would still leave the City in need of additional funds required for compliance. For a City that recently reemerged from state oversight and receivership, this option would be financially risky as it significantly drains our fund balance and jeopardizes our good credit standing without thought to long-term financial sustainability.*

## Can the City afford to Bond for the Phoenix Center?

*Yes. Repayment of bonds would be readily supported by the City's General Fund balance and financial resources.*

## What type of Bonds may be issued?

*Capital Improvement Bonds could be issued for this type of project. Capital Projects Bonds are used to fund the acquisition, construction, and/or improvement of capital assets including real and/or personal property (i.e., land, buildings, furniture/fixtures, equipment, etc.).*

## Is a Capital Improvement Bond different from a School Bond?

*Yes! Capital Improvement Bonds are used to raise money for important projects in the City and are very different from School Bonds. If Capital improvement Bonds are issued, the City manages the payment of those bonds in its general fund and as part of the annual budget. There is not a new millage and you as a taxpayer will not see any new taxes on your tax bill. The City would use its good financial practices and the positive effects of reopening of the Phoenix Center to manage the bonds and complete the improvements without an additional financial ask of our residents and businesses.*

## Will Bond payments reduce City services?

*No. Bond payments will not reduce City services. As stated above, bond payments would come out of the General Funds' accumulated surplus, not the City's operating budget.*

## Will there be added property tax fees by using Bonds?

*No. Again, funds will be taken from the General Fund balance. We will have up to 30 years in which bonds may be repaid.*

## I've heard various amounts as to what the settlement agreement will cost?

*As of March 1, 2020, the total ESTIMATED cost to meet the terms of the Settlement Agreement remained \$19,385,039. This cost was estimated to the city in October 2018 and has not changed; \$16,585,039 is required to bring the Phoenix Center up to Building Code and meet all of the express terms of the binding Settlement Agreement, and \$2,800,000 is the additionally required Ottawa Towers Settlement payment. A statement of final cost is scheduled to be provided to the City in May 2020 and the Settlement Agreement mandates that nearly all the required work must be completed by November 1, 2020.*

