

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

March 27, 2018

The Council convened at 7:32 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazzy, Byrnes, Herrick, O'Donnell, Sareini and President of the Council Dabaja; absent, none. A quorum being present, the Council was declared in session.

Reverend Colleen Nieman of St. Paul Lutheran Church delivered the invocation.

By Bazzy supported by Herrick.

3-118-18. RESOLVED: That the minutes of the previous special closed meeting of March 8, and regular meeting of March 8, 2018, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

3-119-18. WHEREAS: The Michigan Department of Transportation (M-DOT) Contract No. 18-5063 provides for:

PART A - FEDERAL PARTICIPATION

Concrete pavement roadway construction work along Cherry Hill Road from Telegraph Road to Outer Drive; including pavement removal, storm sewer, drainage structure, concrete driveway; concrete sidewalk repair, concrete sidewalk ramp, permanent pavement marking, and traffic control work, and all together with necessary related work.

PART B -NO FEDERAL PARTICIPATION

Water main installation work within the limits as described in PART A; and all together with necessary related work,

and

WHEREAS: The project cost and the respective shares of the parties, after Federal Aid is estimated as follows:

	Total Estimated Cost	Federal Aid	City Share
Part A (construction)	\$2,097,200.00	\$806,687.50	\$1,290,512.50
Part B (construction)	\$ 549,500.00	\$ 00.00	\$ 549,500.00
Total	\$2,646,700.00	\$806,687.50 (cap)	\$1,840,012.50

and

WHEREAS: The City Engineer has requested that City Council approve this Contract subject to review by the Legal Department. It is also requested that the Mayor be authorized to sign the contract on behalf of the City, and

WHEREAS: This project is already bid out by MDOT with construction to begin in early May of 2018. The MDOT will administer the project with City of Dearborn responsible to provide for construction engineering and inspection, and

WHEREAS: The City's participation to be encumbered for the project will be as follows:

Part A construction, Q62510, Major Street Fund	\$370,512.50
Part A construction, Q62510, Sewer Fund	\$860,000.00
Part B construction, Q62510, Water Fund	\$609,500.00

therefore be it

RESOLVED: That the Michigan Department of Transportation (MDOT) Contract No. 18-5063 for concrete pavement roadway construction, storm sewer work and water main work along Cherry Hill Road from Telegraph Road to Outer Drive be and is hereby approved subject to review by the Legal Department; be it further

RESOLVED: That the estimated cost of the City's share will be \$1,840,012.50,

RESOLVED: That the Mayor be and is hereby authorized to sign the contract; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

3-120-18. WHEREAS: The construction of a 16" diameter water main on Greenfield Road from Michigan Avenue to Ford Road is proposed to replace the existing two 6" diameter water mains which are old, observing frequent water main breaks and have been calcified over the years. Greenfield Road is under the jurisdiction of Wayne County, therefore the water main construction requires Wayne County review and approval, and

WHEREAS: It is normal practice to replace a water main with a parallel pipe concept in which new water main is constructed parallel to and away from the existing water main. Once the new water main is pressure tested, a bacteriological test performed, and all services are transferred, the old water mains are abandoned, and

WHEREAS: In recent years Wayne County has changed their requirements with regards to underground utility installations. Wayne County now requires that all utility replacement be undertaken at the same location of the existing utility by replacing the existing utility. The purpose of this new requirement is to minimize unused/abandoned pipes within the right of way, and

WHEREAS: Wayne County's concept is reasonable for protecting the rights of way; however, it is impractical for water main construction. The newly constructed water main will not be functional for at least two to three months until it is hydrostatically and bacteriologically tested. Uninterrupted water flow is required for household/business use and fire protection. Therefore, the concept of parallel water main has been in practice for many years, and

WHEREAS: The alternative to the parallel water main concept is to construct temporary above ground water main between the curb and sidewalk, which are not practical in winter months, and temporarily connecting domestic services to the temporary water main. Connection of water services 2-inches and larger in diameter and fire hydrant, are still in question, and

WHEREAS: After communication with Wayne County, it was determined that they will approve the parallel water main concept provided the City of Dearborn is willing to remove the existing two 6" water mains which are within the pavement. The removal of water mains requires removal of 15" thick pavement, excavation, removal of excavation material, backfilling with sand, and pavement restoration. The cost of mere removal of existing water main is approximately 50% of the cost of the water main construction, and

WHEREAS: Upon further communication with Wayne County, and based on Dearborn's financial hardship, Wayne County has finally agreed to the parallel water main concept provided the City Council adopt a resolution that the City of Dearborn will abide by the following conditions:

1. City of Dearborn shall maintain ownership and responsibility for the abandoned water mains within the Greenfield Road rights-of-way (ROW).
2. City of Dearborn shall fill all abandoned water mains, conduits, and structures with flowable fill material.
3. City of Dearborn shall maintain detailed records of the abandoned water mains including, but not limited to, the locations, depths, sizes and type of material. A copy of these records shall be submitted to the Wayne County Permit Office.
4. City of Dearborn must notify "Miss Dig" to record the abandoned water mains as dead/inactive water mains.
5. At the discretion of Wayne County, City of Dearborn shall remove the abandoned water mains and restore all areas to conditions satisfactory to Wayne County,

and

WHEREAS: The Engineering Division has no objection to the first four Wayne County conditions; however the division has a concern on agreeing to Condition No.5. However, keeping in mind that it is unlikely that Wayne County will direct the City to remove the abandoned water main unless significant changes are proposed within the right of way in the future such as depressing the pavement, reconstructing the pavement, or vacating the right of way, the City Engineer has no objection to agreeing with Condition No.5, and

WHEREAS: The resurfacing of Greenfield Road is also scheduled by Wayne County immediately following the completion of the water main replacement, and

WHEREAS: Based on the above mentioned fact, and not to delay the water main project and the subsequent resurfacing project, the City Engineer recommends that the City Council adopt a separate resolution stating that the City of Dearborn, as part of the Greenfield Water Main Replacement Project from Michigan Avenue to Ford Road, Wayne County Review #R17-469, will abide by the Wayne County conditions as stated above; therefore be it

RESOLVED: That the City of Dearborn, as part of the Greenfield Water Main Replacement Project from Michigan Avenue to Ford Road, will abide by the conditions set forth by Wayne County as stated above; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Byrnes.

3-121-18. WHEREAS: The City Engineer has submitted an Intergovernmental Agreement between the Charter County of Wayne and the City of Dearborn prepared and reviewed mutually by both the City of Dearborn and the Wayne County staff related to ownership, operation and maintenance of the City of Dearborn's proposed storm sewer on Oakwood Boulevard, and

WHEREAS: Oakwood Boulevard is within the jurisdiction of Wayne County; therefore a construction permit from Wayne County is required and the City is required to abide by their requirements. Unfortunately, some of the requirements Wayne County has initially imposed will significantly increase the project cost. The Engineering Department met with the Wayne County staff and they suggested executing an Intergovernmental Agreement (IGA) making the City of Dearborn more accountable for its storm sewer on Oakwood Boulevard. Execution of the IGA may help Wayne County waive some of their requirements for the project, and

WHEREAS: The City Engineer has requested that the City Council authorize the Mayor to execute this agreement subject to review by the Legal Department; therefore be it

RESOLVED: That the Intergovernmental Agreement (IGA) between the Charter County of Wayne and the City of Dearborn related to ownership, operation and maintenance of the City of Dearborn's proposed storm sewer on Oakwood Boulevard, Job #2015-034 be and is hereby approved; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute the IGA, subject to review by the Legal Department; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Bazy.

3-122-18. RESOLVED: That the proposed resolution by Councilmembers Bazy and Byrnes denying the request of Dearborn Superior Hospitality LLC to rezone the properties located at 19000, 19060, 19080 and 19100 Ford Road from a Residential A (One Family Residential District) to a Business C (General Business District) zoning classification be and is hereby tabled.

Roll call on the resolution was as follows:
Yes: Abraham, Bazy, and O'Donnell (3). No: Byrnes, Dabaja, Herrick and Sareini (4). Absent: None.

The resolution was declared lost.

By Bazy supported by Byrnes.

3-123-18. RESOLVED: That the request of Dearborn Superior Hospitality LLC to rezone the properties located at 19000, 19060, 19080 and 19100 Ford Road from a Residential A (One Family Residential District) to a Business C (General Business District) zoning classification be and is hereby denied.

By O'Donnell supported by Bazy.

3-124-18. Call for question.

Call for question was unanimously adopted.

The original resolution was unanimously adopted.

By Sareini supported by Bazzy.

3-125-18. WHEREAS: Section 2-568 (b)(6)1, authorizes alternative procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for a single or best source procurement; be it

RESOLVED: That Applied Science, Inc. (ASI) be designated as a best source for purchase of Construction Services for the Dearborn-Oakwood Hospital Project in an amount not to exceed \$222,488 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from the Sewer Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted

By Bazzy supported by Herrick.

3-126-18. RESOLVED: That all bids received for Video Surveillance Equipment and Emergency Call Station Systems for Wagner Parking Deck are hereby rejected except the bid of Identify, Inc. in the amount of \$71,778.15, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Brownfield Redevelopment Authority Fund, Wagner Place BRA Plan #13, Bond and State Grant Funding; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

3-127-18. RESOLVED: That all bids received for Ball Field Fence Replacements at Hemlock and Crowley Parks are hereby rejected except the bid of Motor City Fence in the amount of \$43,499, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Capital Improvement Fund, Recreation and Parks, Construction Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Bazzy.

3-128-18. RESOLVED: That the bid from Wade Shows, Inc. received for Full-Service Carnival for the Dearborn Homecoming Festival is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract is a revenue contract with a percentage of the sales going to the City. Wade Shows, Inc. has agreed to a 25% of Ride Gross revenue split to the City along with \$250 for each Food Concession Stand; be it further

RESOLVED: That this contract is for one year with four (4), one-year renewal options for each consecutive Homecoming Festival upon mutual consent of both parties.

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

3-129-18. RESOLVED: That the bid from GNJ Services, LLC received for Apartment Modernizations at Hubbard Manors East and West is hereby accepted in the amount of \$186,334 for FY18 and \$146,220 for FY19, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be for a term of two years with up to three, one-year renewal options; be it further

RESOLVED: That this contract shall be financed from the Senior Apartments Operating Fund, Housing, Repair and Maintenance budget with future year's funding contingent upon adoption of the respective Fiscal Year budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

3-130-18. RESOLVED: That all bids received for Emergency Operations Center Equipment are hereby rejected except the bid of AVI System, Inc. in the amount of \$86,078.85, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Facilities Fund, Fire, Public Works, Capital Project Support, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

3-131-18. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6 (b), authorizes sole source procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for a sole source procurement; be it

RESOLVED: That Motorola Solutions be designated as a sole source for purchase of Motorola Radios in the amount of \$67,065.97 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate \$2,757 in the MIS fund from the General Fund, Fire Department budget; be it further

RESOLVED: That this purchase order shall be financed from MIS Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

3-132-18. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6 (b), authorizes sole source procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for sole source procurements; be it

RESOLVED: That AT&T, Turnkey, Verizon, WOW Cable TV, Sprint, Lighttower Communications, and Comcast be designated as a sole sources for Utility Burials at Wagner Place in the following amounts: AT&T - \$161,542.02, Turnkey - \$61,431.57, Verizon - \$37,176.06, WOW Cable TV - \$38,398.38, Sprint - \$18,650.15, Lighttower Communications - \$41,524.25, and Comcast - \$88,515.78 and that the Purchasing Agent be authorized to enter into purchase orders for the aforementioned items; be it further

RESOLVED: That the Mayor is hereby authorized to execute the related agreements with each utility company subject to final review by Corporation Counsel; be it further

RESOLVED: That this purchase order shall be financed from Bond Proceeds and the Facilities Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

3-133-18. WHEREAS: Council Resolution 12-579-17 approved Roncelli, Inc. for construction manager services for the Wagner Place Streetscape Project, and

WHEREAS: Purchasing has received a request from the Economic and Community Development Department to authorize Roncelli's competitively solicited sub-contractors to complete the project; be it therefore

RESOLVED: That City Council hereby authorizes Roncelli's competitively solicited sub-contractors to complete the Wagner Place Streetscape Project at a Guaranteed Maximum Price (GMP) of \$1,977,763; be it further

RESOLVED: That this contract shall be financed from Bond Proceeds and the Facilities Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

3-134-18. WHEREAS: The City presently has a contract with Prudential Retirement Insurance (C.R. 3-120-13) for Deferred Compensation and Defined Contribution Provider; therefore be it

RESOLVED: That the contract for Deferred Compensation and Defined Contribution provider is hereby extended with Prudential Retirement Insurance at the existing terms and conditions for a three-month period expiring June 30, 2018; be it further

RESOLVED: That the contract is hereby renewed for two (2) years with negotiated terms, effective July 1, 2018 in the amount of \$12,000 per year; be it further

RESOLVED: That the Finance Director be and is hereby authorized to execute all documents related to these services; be it further

RESOLVED: That this contract shall be financed from the General Fund, Finance Department, Contractual Services for participant consultation; all other fees are participant paid.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

3-135-18. WHEREAS: The City presently has a contract with Rowe Professional Services (C.R. 7-368-17 and 1-12-18) for Construction Engineering Services for the Cherry Hill Reconstruction Project, Job No. 2017-019, CIP Q62510, and

WHEREAS: The Engineering Department is requesting to increase the contract in an amount not to exceed \$154,482.46 for Construction Engineering Services for the Cherry Hill Reconstruction Project, Job No. 2017-019, CIP Q62510, bringing the total contract to \$295,207.46; therefore be it

RESOLVED: That the contract for Construction Engineering Services for the Cherry Hill Reconstruction Project, Job No. 2017-019, CIP Q62510 with Rowe Professional Services is hereby increased in the amount of \$154,482.46, bringing the total contract to \$295,207.46; be it further

RESOLVED: That a contingency in the amount of \$35,000 is hereby approved to provide for any unforeseen conditions encountered during the execution of the project; be it further

RESOLVED: That the City Engineer be and is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

RESOLVED: That this contract increase shall be financed from the Major Street & Trunk Line, CSO, and Water Funds.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

3-136-18. RESOLVED: That Change Order No. 1 with Chester Pool Systems, Inc. which provides for the Dunworth Pool Repair Project - Phase III, Diving Well Conversion in the amount of \$38,773 be and is hereby approved, bringing the new total of the contract to \$562,702; be it further

RESOLVED: That this Change Order shall be financed from the Dunworth Pool Complex Budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

3-137-18. WHEREAS: The State of Michigan is compiling usage figures to include in their 2018/2019 winter salt solicitation and has inquired if it is the City's intention to continue procuring road salt through the MiDeal Program. All quantities submitted represent a commitment to participate in the State of Michigan road salt solicitation. Pricing for the 2018/2019 salt will be available September 2018, and

WHEREAS: Most counties and municipalities in Michigan rely on the state contract. The City has realized benefits from this program over the past several seasons when salt availability was limited and prices skyrocketed. The state contracted vendors have always held firm to their commitment to supplying participating communities before releasing salt for sale on the open market. Dearborn has participated in salt purchases under the MiDeal Program since 2000, and

WHEREAS: The Director of Public Works has requested City Council authorize the Purchasing Agent to make a commitment to the State of Michigan under the MiDeal Program to purchase 9,000 tons of salt for "early delivery" and 3,000 tons as "seasonal back-up" for the 2018/2019 winter period. Current season MiDeal salt prices are \$30.68 per ton for "early delivery" and \$30.97 per ton for "seasonal backup"; 2016/2017 season pricing was \$38.89 per ton and \$42.37 per ton respectively; therefore be it

RESOLVED: That City Council hereby authorizes the Purchasing Agent to make a commitment to the State of Michigan under the MiDeal Program to purchase 9,000 tons of salt for "early delivery" and 3,000 tons as "seasonal back-up" for the 2018/2019 winter period; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

3-138-18. WHEREAS: As a result of budget discussions last year over \$10 million of repairs and replacements were identified and \$2 million from the General Fund operating budget was allocated to address parking lot and alley maintenance that had previously been deferred due to economic challenges, and

WHEREAS: The City's current fund balance status is \$29.9 million as of 6/30/17 and \$33.4 is projected for 6/30/18. Therefore the Administration has asked to expedite capital projects and previously deferred maintenance and repairs, continue to pay down the retiree health care unfunded liability, and payoff the remaining parking bonds as follows:

General Fund fund balance FY2018 appropriation request:

- \$2 million fiscal year 2019 to accelerate parking lot repairs.
- \$500 thousand fiscal year 2019 to accelerate alley repairs.
- \$2 million fiscal year 2020 to accelerate parking lot repairs.
- \$2 million contribution for the post-employment health care unfunded accrued liability that was last estimated to be in excess of \$160 million. The City Council supported a \$2 million supplemental contribution last year to pay down this obligation. The same supplemental contribution of \$2 million this year.
- The City and the WDDDA have handled the burden of the west parking system debt for the West Village Commons project. The tax dollars from the WDDDA Capture have not offset the cost of this debt. The downtown area needs resources to continue to support the positive development activity and therefore it is recommended the debt repayment of approximately \$4 million to pay-off this obligation which will save the City over \$600,000 in interest costs,

and

WHEREAS: Capital reinvestment and paying down liabilities are both considered favorable uses of fund balance. The General Fund will retain a good fund balance and this activity will be viewed positively by rating agencies and the State, and

WHEREAS: The proposal accelerates funding of \$2.5 million from FY2019 and \$2 million from FY2020 for the parking and alley projects. The payoff of the parking bonds will reduce annual debt services costs of approximately \$500 thousand per year from FY2019 through FY2026. Accelerating the funding to pay down the retiree health care liability and investing the funds reduces the liability and funding requirements prospectively. If these appropriations are approved, the projected fund balance at June 30, 2018 will be \$23 million; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to appropriate the General Fund fund balance FY2018 in the amount up to \$10.5 million to accelerate \$4 million in parking lot repairs, \$500,000 to accelerate alley repairs, \$2 million for the post-employment health care unfunded accrued liability, and \$4 million to pay-off the west parking system debt for the West Village Commons project; be it further

RESOLVED: That the Finance Director be and is hereby authorized to establish revenue budgets and appropriate in the receiving funds as necessary to complete the funding actions; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

3-139-18. WHEREAS: The City purchased the house at 7555 Coleman from the Wayne County Treasurer in September 2016 for \$3,505.04, and

WHEREAS: The Property Maintenance and Development Services Department performed an inspection and recommended that the house be rehabilitated rather than demolished, and

WHEREAS: In January 2017, the City attempted to sell several City-owned houses by advertisement, but no bids were received, and

WHEREAS: In an attempt to gain more exposure, it was recommended that the City consider utilizing a professional real estate broker to assist the City in managing the listing of the properties for sale, including 7555 Coleman, and

WHEREAS: Pursuant to Council Resolutions 8-426-17 and 1-25-18, City Council authorized the Mayor to enter into an agreement with the Dearborn Area Board of Realtors for the marketing of City-owned homes that require rehabilitation and repair, and

WHEREAS: Andrea Fitzgerald was the chosen real estate broker and listed 7555 Coleman for sale at \$59,900, beginning on February 28, 2018, and

WHEREAS: The City Assessor determined that the minimum value for the house, in its current condition, is \$55,000, and

WHEREAS: Five offers were received as follows:

- | | | |
|--------------------------|-------------------|------------------------------------|
| 1. Ali Hasan | \$85,000 mortgage | Intends to occupy
(EMD \$1,000) |
| 2. Rabih Elroum | \$67,000 mortgage | Intends to occupy
(EMD \$5,000) |
| 3. Yasser Ali
Shemman | \$66,500 cash | Intends to occupy
(EMD \$1,000) |

- | | | | |
|----|---------------|---------------|--|
| 4. | Edres Altairi | \$65,500 cash | Intends to occupy
(EMD \$5,000) |
| 5. | Ghassan Aoun | \$61,300 cash | Intends to rehab and
sell to owner-occupant
(EMD \$20,000) |

and

WHEREAS: Mr. Hasan submitted the best offer for \$85,000, paid by conventional mortgage, and

WHEREAS: Mr. Hasan has been notified and has agreed to rehabilitate the house to comply with current City Code requirements and must obtain a Certificate of Occupancy within one year of the date of closing, and

WHEREAS: He intends to repair the house and to occupy it once it is rehabilitated, and

WHEREAS: Mr. Hasan has agreed to the following conditions pertaining to this transaction:

1. Purchaser may not assign his purchase option without approval of the Dearborn City Council.
2. Rehabilitation of the Property must be completed within one year of closing and must comply with current Code requirements. Rehabilitation is deemed completed when the Property is approved to receive a Certificate of Occupancy. Repairs must be performed by a licensed contractor.
3. Once the Property is rehabilitated, it must be owner-occupied for a minimum of 10 years.
4. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council resolution which authorizes the sale of the Property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.

5. If Purchaser wishes to sell the Property before the rehabilitation is completed, the Property must be offered for sale to the City for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn. Any improvements will become the property of the City of Dearborn.
6. The Purchaser accepts the Property "AS IS", "WHERE IS". The City makes no warranties or representations as to its condition.
7. Conditions of the sale will be noted on the deed as a right of reverter in favor of the City of Dearborn if conditions are not met. The City will retain a right to repurchase the Property for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn,

and

WHEREAS: The City has no further need for said Property and this Council believes that said offer is a fair and reasonable price for said Property and it is in the best interest of the City to accept said offer; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale of the Property described as:

Lot 134, Warren Vineyards Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 45, page 59 of Plats, Wayne County records.

Commonly known as 7555 Coleman
Tax I.D. #82-10-063-20-034

to Ali Hasan for \$85,000, paid by conventional mortgage; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said Property to Ali Hasan upon delivery to the City of the above purchase price and full compliance with the conditions outlined above, subject to adjustments, if any, as shown on the Closing Statement, approved by Corporation Counsel and based upon Ali Hasan closing within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That the sale is contingent upon the satisfaction of the terms contained in the Purchase Agreement; be it further

RESOLVED: That the sale of the Property for rehabilitation and owner-occupancy for a minimum of 10 years will serve a public purpose by revitalizing and stabilizing the neighborhood and will serve a public purpose by adding the property to the tax rolls to generate revenue for the City; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

3-140-18. WHEREAS: Ahmed Aldhaheri is the owner of the property located at 5280 Hartwell (30' x 100'), a two-family, registered rental with a valid C of O, with no garage or driveway. TBJ A2, LLC, by Maria Mateo, its Member, is the owner of the vacant lot located at 5268 Hartwell (30' x 100'), and

WHEREAS: Both property owners have requested that the City split and sell them the vacant lot located between their lots and have agreed to pay \$2,100 each. Mr. Aldhaheri would like to purchase the North 15 ft. of the vacant lot at 5274 Hartwell to combine with his existing lot in order to install a driveway. Ms. Mateo would like to purchase the South 15 ft. of 5274 Hartwell and combine it with the vacant lot she owns at 5268 Hartwell and hold it for possible future development, and

WHEREAS: The Assessor's Department valued the unbuildable lot at \$4,200, and

WHEREAS: Sale of the lot is recommended and conditioned on the following:

1. Purchasers must close simultaneously.
2. Purchasers may not assign their purchase option without approval of the Dearborn City Council.
3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council resolution which authorizes the sale of the property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The Purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the Purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.

6. Lots may not be resplit or combined with other land for a re-splitting as two buildable lots. Lot may only be sold or developed in combination with Purchasers' adjacent land.
7. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their right to seek any variances.
8. If Purchasers violate any of the restrictions imposed, they are obligated to sell the property back to the City for \$2,100, less 10% and less costs associated with the transfer of property back to the City.
9. As to the property at 5280 Hartwell, Purchaser **must** install off-street parking within 5 years from the date of closing. When the City property is sold to Purchaser for side yard, the deed will contain a restriction containing the requirements set forth herein. Installation of off-street parking is deemed completed when all permits have been finalized by the Property Maintenance & Development Services Department. Once installation of off-street parking has been completed and when all permits have been finalized by the Property Maintenance & Development Services Department, Purchaser may request a \$1,000 refund of the purchase price, or request a refund of the actual purchase price of the lot, whichever is less,

and

WHEREAS: The City has no further need for said land and this Council believes that said offer is a fair and reasonable price for said land and it is in the best interest of the City to accept said offer; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$2,100 to Ahmed Aldhaheri of the parcel described as:

North 15 ft. of Lot 27, Woodbridge Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 30, Page 59 of Plats, Wayne County records.

Tax I.D.: Part of 82-10-171-15-008

and to effect the sale at a price of \$2,100 to TBJ A2, LLC of the parcel described as:

South 15 ft. of Lot 27, Woodbridge Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 30, Page 59 of Plats, Wayne County records.

Tax I.D.: Part of 82-10-171-15-008

and that the Mayor be and is hereby authorized to execute a deed for said land to Ahmed Aldhaheri and TBJ A2, LLC, upon delivery to the City of the above purchase price and full compliance with the conditions outlined above, subject to adjustments, if any, as shown on the Closing Statement, prepared by Corporation Counsel and based upon Ahmed Aldhaheri and TBJ A2, LLC closing simultaneously within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That the sale is contingent upon the above-referenced conditions being satisfied, and upon the satisfaction of the terms contained in the Offer to Purchase Real Estate; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That the sale of the vacant lot at 5274 Hartwell as side yard for the expansion of lots is consistent with the public purpose identified when the City originally purchased the property through the Neighborhood Stabilization Program, serves a public purpose by promoting lot expansion to enhance the neighborhoods, and serves a public purpose by adding the property back to the tax roll.

The resolution was unanimously adopted.

By Herrick supported by Bazzy.

3-141-18. WHEREAS: The City purchased the house at 1050 S. Highland and adjacent vacant lot from the Wayne County Treasurer in August 2015 for a total of \$12,116.35, and

WHEREAS: The Property Maintenance and Development Services Department performed an inspection and recommended that the house be rehabilitated rather than demolished, and

WHEREAS: In January 2017, the City attempted to sell several City-owned houses by advertisement, but no bids were received, and

WHEREAS: In an attempt to gain more exposure, it was recommended that the City consider utilizing a professional real estate broker to assist the City in managing the listing of the properties for sale, including 1050 S. Highland and adjacent vacant lot, and

WHEREAS: Pursuant to Council Resolutions 8-426-17 and 1-25-18, City Council authorized the Mayor to enter into an agreement with the Dearborn Area Board of Realtors for the marketing of City-owned homes that require rehabilitation and repair, and

WHEREAS: Sally Mrozowski was the chosen real estate broker and listed 1050 S. Highland and adjacent vacant lot for sale at \$154,900, beginning on February 28, 2018, and

WHEREAS: The City Assessor determined that the minimum value for the house and adjacent vacant lot, in its current condition, is \$150,000, and

WHEREAS: Five offers were received as follows:

- | | | |
|---------------------------|----------------|--|
| 1. Maribel Molina | \$165,000 | Purchaser to occupy
(EMD \$1,000) |
| 2. Ali Beydoun | \$161,000 cash | Demo and rebuild
(EMD \$20,000) |
| 3. Fatin & Jehan
Saleh | \$160,000 | Rehab & daughter will
occupy
(EMD \$5,000) |

- | | | |
|--------------------------|----------------|---|
| 4. Spec Green Homes, LLC | \$154,900 cash | Rehab & sell to owner occupant
(EMD \$5,000) |
| 5. B&M Acquisitions | \$145,000 cash | Rehab & sell to owner occupant
(EMD \$1,000) |

and

WHEREAS: Maribel Molina submitted the best offer for \$161,000, conventional mortgage, and

WHEREAS: She has been notified and has agreed to rehabilitate the house to comply with current City Code requirements and must obtain a Certificate of Occupancy within one year of the date of closing, and

WHEREAS: She intends to hire a licensed contractor to perform the work and intends to occupy the home once it is rehabilitated, and

WHEREAS: Maribel Molina has agreed to the following conditions pertaining to this transaction:

1. Purchaser may not assign her purchase option without approval of the Dearborn City Council.
2. Rehabilitation of the Property must be completed within one year of closing and must comply with current Code requirements. Rehabilitation is deemed completed when the Property is approved to receive a Certificate of Occupancy. Repairs must be performed by a licensed contractor.
3. Once the Property is rehabilitated, it must be owner-occupied for a minimum of 10 years.
4. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council resolution which authorizes the sale of the Property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.

5. If Purchaser wishes to sell the Property before the rehabilitation is completed, the Property must be offered for sale to the City for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn. Any improvements will become the property of the City of Dearborn.
6. The Purchaser accepts the Property "AS IS", "WHERE IS". The City makes no warranties or representations as to its condition.
7. Conditions of the sale will be noted on the deed as a right of reverter in favor of the City of Dearborn if conditions are not met. The City will retain a right to repurchase the Property for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn,

and

WHEREAS: The City has no further need for said Property and this Council believes that said offer is a fair and reasonable price for said Property and it is in the best interest of the City to accept said offer; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale of the Property described as:

Lots 375 and 376, Hannan's Dearborn Hills Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 56, page 8 of Plats, Wayne County records.

Commonly known as 1050 S. Highland and adjacent vacant lot

Tax I.D. #82-09-211-22-003 and 82-09-211-22-002

to Maribel Molina, paid by conventional mortgage; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said Property to Maribel Molina upon delivery to the City of the above purchase price and full compliance with the conditions outlined above, subject to adjustments, if any, as shown on the Closing Statement, approved by Corporation Counsel and based upon Maribel Molina closing within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That the sale is contingent upon the satisfaction of the terms contained in the Purchase Agreement; be it further

RESOLVED: That the sale of the Property for rehabilitation and owner-occupancy for a minimum of 10 years will serve a public purpose by revitalizing and stabilizing the neighborhood and will serve a public purpose by adding the property to the tax rolls to generate revenue for the City; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

3-142-18. WHEREAS: The City purchased the house at 1746 Kingsbury from the Wayne County Treasurer in September 2016 for \$6,572.32, and

WHEREAS: The Property Maintenance and Development Services Department performed an inspection and recommended that the house be rehabilitated rather than demolished, and

WHEREAS: In January 2017, the City attempted to sell several City-owned houses by advertisement, but no bids were received, and

WHEREAS: In an attempt to gain more exposure, it was recommended that the City consider utilizing a professional real estate broker to assist the City in managing the listing of the properties for sale, including 1746 Kingsbury, and

WHEREAS: Pursuant to Council Resolutions 8-426-17 and 1-25-18, City Council authorized the Mayor to enter into an agreement with the Dearborn Area Board of Realtors for the marketing of City-owned homes that require rehabilitation and repair, and

WHEREAS: Ted Easterly was the chosen real estate broker and listed 1746 Kingsbury for sale at \$99,900, beginning on February 28, 2018, and

WHEREAS: The City Assessor determined that the minimum value for the house, in its current condition, is \$80,000, and

WHEREAS: Seven offers were received as follows:

1. H & AA Properties, LLC	\$110,000 cash	Rehab & sell to owner occupant.
2. Huda Alfatlawi	\$109,000 cash	Rehab for sister. Proof of funds in another family member's name.
3. Nezar Abusalah	\$108,000 cash	Rehab & occupy himself.

4. Frank Alsaghir	\$106,000 cash	Rehab & sell to owner occupant.
5. Hussein Diab	\$105,000 cash	Rehab & sell to owner occupant.
6. Sara Alrayyashi	\$102,000 mtg.	Rehab & occupy herself.
7. Lynda & Kent Murray	\$61,000 cash	Rehab & occupy themselves.

and

WHEREAS: H & AA Properties, LLC, by Abbas Eldirani, its Member, submitted the best offer for \$110,000, cash sale, and

WHEREAS: Mr. Eldirani has been notified and has agreed to rehabilitate the house to comply with current City Code requirements and must obtain a Certificate of Occupancy within one year of the date of closing, and

WHEREAS: He intends to hire a licensed contractor to perform the work and intends to sell the house to an owner-occupant once it is rehabilitated, and

WHEREAS: Mr. Eldirani has agreed to the following conditions pertaining to this transaction:

1. Purchaser may not assign its purchase option without approval of the Dearborn City Council.
2. Rehabilitation of the Property must be completed within one year of closing and must comply with current Code requirements. Rehabilitation is deemed completed when the Property is approved to receive a Certificate of Occupancy. Repairs must be performed by a licensed contractor.
3. Once the Property is rehabilitated, it must be owner-occupied for a minimum of 10 years.

4. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council resolution which authorizes the sale of the Property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
5. If Purchaser wishes to sell the Property before the rehabilitation is completed, the Property must be offered for sale to the City for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn. Any improvements will become the property of the City of Dearborn.
6. The Purchaser accepts the Property "AS IS", "WHERE IS". The City makes no warranties or representations as to its condition.
7. Conditions of the sale will be noted on the deed as a right of reverter in favor of the City of Dearborn if conditions are not met. The City will retain a right to repurchase the Property for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn,

and

WHEREAS: The City has no further need for said Property and this Council believes that said offer is a fair and reasonable price for said Property and it is in the best interest of the City to accept said offer; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale of the Property described as:

Lot 256, Cummings Park Annex Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 56, page 8 of Plats, Wayne County records.

Commonly known as 1746 Kingsbury
Tax I.D. #82-09-172-11-010

to H & AA Properties, LLC for \$110,000 cash; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said Property to H & AA Properties, LLC upon delivery to the City of the above purchase price and full compliance with the conditions outlined above, subject to adjustments, if any, as shown on the Closing Statement, approved by Corporation Counsel and based upon H & AA Properties, LLC closing within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That the sale is contingent upon the satisfaction of the terms contained in the Purchase Agreement; be it further

RESOLVED: That the sale of the Property for rehabilitation and owner-occupancy for a minimum of 10 years will serve a public purpose by revitalizing and stabilizing the neighborhood and will serve a public purpose by adding the property to the tax rolls to generate revenue for the City; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

3-143-18. WHEREAS: City Council adopted CR 9-469-17, authorizing South Ford Road Investments, LLC to purchase the City-owned property located on Ford Rd. between Wyoming and Miller Rd. for \$400,000, and

WHEREAS: The closing took place on September 27, 2017, and

WHEREAS: Currently, the northern portion of the property which has frontage on Ford Rd. is zoned B-C - General Business and the south portion of the property is zoned I-C - Intensive Industrial, and

WHEREAS: City Council had imposed several conditions pertaining to the sale, including the requirement to commence the construction for an approximately 10,000 sq. ft. strip mall no later than March 11, 2018 and to complete construction by September 26, 2019, and

WHEREAS: Joe Guido, architect for the project, submitted a request to extend the time in which to commence construction by 6 months, until September 10, 2018, and

WHEREAS: According to Mr. Guido, South Ford Road Investments, LLC wishes to increase the scope of the project to include a 40-unit rental apartment building on the south half of the site which is currently zoned I-C - Intensive Industrial, and

WHEREAS: In order construct an apartment building on the property, South Ford Road Investments, LLC is required to request a rezoning of the property from I-C - Intensive Industrial to B-C - General Business zoning and to request approval of a special land use, and

WHEREAS: Mr. Guido contends that the civil engineering for the entire site should be done for the whole development project so that the storm water management and other site utilities can be property engineered to accommodate both uses. The civil engineering cannot commence until rezoning is requested and approved, and

WHEREAS: The City Planning Division has reviewed the request and has been reviewing iterations of the project plans over the past several months, and

WHEREAS: The Senior Planner opined that the proposed new development may be constructed without the need to obtain variances from the Code requirements and does not object to a 6-month extension of time in which to commence construction, and

WHEREAS: It is recommended that the request for a 6-month extension of time in which to commence construction for the property located on Ford Rd. between Wyoming and Miller Rd. be approved. The new date to commence construction shall be September 10, 2018; therefore be it

RESOLVED: That the request submitted on behalf of South Ford Road Investments, LLC to extend the time in which to begin construction on the property located on Ford Rd. between Wyoming and Miller Rd. is approved; be it further

RESOLVED: That the new deadline in which South Ford Road Investments, LLC is required to begin construction is September 10, 2018; be it further

RESOLVED: That all other terms and conditions contained in the Offer to Purchase and CR 9-469-17 shall remain in full force and effect; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

3-144-18. WHEREAS: Public Act 202 of 2017 was enacted to protect local government retirement and benefits act. The Act requires an annual filing of form 5572 Retirement System Annual Report of the units most recent audited financial statement reporting the units liability for retirement pension benefits and retirement health care benefits as determined under the applicable Governmental Accounting Standards Board, and

WHEREAS: The filing of the City's 2017 Health Care (OPEB) report resulted in a preliminary review by the Department of Treasury of an underfunded status as established under 32.2805 Sec(5) which reads as follows:

(4) The state treasurer shall determine that a local unit of government is in underfunded status if any of the following apply:

(a) The actuarial accrued liability of a retirement health system of the local unit of government is less than 40% funded, according to the most recent annual report, and, if the local unit of government is a city, village, township, or county, the annual required contribution for all of the retirement health systems of the local unit of government is greater than 12% of the local unit of government's annual general fund operating revenues, based on the most recent fiscal year,

and

WHEREAS: In accordance with Public Act 202, the City can apply for a waiver of underfunded status for each system not meeting the definition of the Act, and

WHEREAS: The application process for Waiver and Plan of Underfunded status and application to the Department of Treasury is due by April 16, 2018, and

WHEREAS: It is requested that the City Council approve form 5583 Application for Waiver and Plan for the City of Dearborn's Post Employment Health Care plan; therefore be it

RESOLVED: That Form 5583 Application for Waiver and Plan for the City of Dearborn's Post Employment Health Care Plan be and is hereby approved; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

3-145-18. WHEREAS: On July 18, 2017 the City of Dearborn, County of Wayne, State of Michigan (the "City") approved a notice of intent to issue bonds in an amount not to exceed Twenty Million Dollars (\$20,000,000) in one or more series for the Project (as described below). The City Council approved the notice in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication of the latter notice, and

WHEREAS: Pursuant to the notice and Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), the City issued its Capital Improvement Bonds, Series 2017B in the aggregate principal amount of \$3,500,000 to finance a portion of the Project, and

WHEREAS: The City now intends to issue and sell a second series of bonds in an aggregate principal amount not to exceed Fourteen Million Five Hundred Thousand Dollars (\$14,500,000) for the purpose of paying part of the cost of acquiring, constructing, furnishing and equipping renovations and improvements to City facilities, including recreation improvements and Powerhouse distribution system and facility improvements, including all related site improvements, appurtenances and attachments (the "Project"); therefore be it

RESOLVED: That Bonds of the City designated Capital Improvement Bonds, Series 2018 (Limited Tax General Obligation) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Fourteen Million Five Hundred Thousand Dollars (\$14,500,000) for the purpose of paying part of the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration. The Bonds will be dated as of the date of delivery (or such other date as determined at the time of sale thereof), be payable on May 1 (or such other date as determined at the time of sale thereof) in the years and in the annual amounts determined at the time of sale by the Mayor or Finance Director (each

an "Authorized Officer", and together the "Authorized Officers"). The Bonds shall be subject to redemption prior to maturity as provided herein in the form of the Bond and Notice of Sale herein.

The Bonds shall be sold at public sale at a price not less than 100% or more than 105% of the principal amount thereof.

The Bonds shall be subject to redemption prior to maturity in the manner and at the times and prices set forth in the form of the Bond and Notice of Sale herein.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at the designated office of a bank or trust company to be selected by the City prior to the publication of the notice of sale for the Bonds as the transfer agent for the Bonds (the "Transfer Agent"); be it further

RESOLVED: That the Bonds shall be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the Finance Director is hereby authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this resolution as may be required to accomplish the foregoing; be it further

RESOLVED: That the Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and City Clerk of the City and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond executed by facsimile signatures shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the Finance Director upon

payment of the purchase price for the Bonds in accordance with the bid therefor when accepted; be it further

RESOLVED: That the Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein; be it further

RESOLVED: That the City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the City subject to applicable constitutional,

statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year; be it further

RESOLVED: That the Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the City Council, to be designated Capital Improvement Bonds, Series 2018 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein; be it further

RESOLVED: That the Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the City Council, to be designated Capital Improvement Bonds, Series 2018 CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds; be it further

RESOLVED: That the Bonds shall be in substantially the following form with such changes as may be required to conform to the final terms of the Bonds established in the Sale Order:

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF WAYNE**

CITY OF DEARBORN

**CAPITAL IMPROVEMENT BOND, SERIES 2018
(LIMITED TAX GENERAL OBLIGATION)**

<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Date of</u> <u>Original Issue</u>	<u>CUSIP</u>
	May 1, _____	_____, 2018	

Registered Owner:

Principal Amount: _____ Dollars

The City of Dearborn, County of Wayne, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on November 1, 2018 and semiannually thereafter. Principal of this bond is payable at the corporate trust office of

_____, _____, _____, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$_____, issued for the purpose of paying the cost of certain capital improvements for the City. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and a duly adopted resolution of the City.

Bonds of this issue maturing in the years 2019 to 2027, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 2028 and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after May 1, 2027, at par and accrued interest to the date fixed for redemption.

[Insert mandatory sinking fund redemption/term bond provisions, if purchaser requires]

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Dearborn, by its City Council, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF DEARBORN
County of Wayne
State of Michigan

By: _____
Its: Mayor

(SEAL)

By: _____
Its: City Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

_____, _____
Transfer Agent

By: _____
Authorized Signature

[Bond printer to insert form of assignment]

RESOLVED: That the Authorized Officers are each authorized to fix a date of sale for the Bonds and to publish a notice of sale of the Bonds in ***The Bond Buyer***, New York, New York, which notice of sale shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$14,500,000*

CITY OF DEARBORN

COUNTY OF WAYNE, STATE OF MICHIGAN

CAPITAL IMPROVEMENT BONDS, Series 2018

(LIMITED TAX GENERAL OBLIGATION)

**Subject to adjustment as set forth in this Notice of Sale*

SEALED BIDS for the purchase of the above bonds will be received by the Finance Director at the Finance Department offices, Dearborn Administrative Center, 16901 Michigan Avenue, Dearborn, Michigan 48126 on _____, the ____ of _____, 2018 until _____ .m., prevailing Eastern Time, at which time and place said bids will be publicly open and read.

SEALED BIDS will also be received in the alternative on the same date and until the same time at the offices of the Municipal Advisory Council of Michigan (the "MAC"), Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan 48226, when, simultaneously, the bids will be opened and read.

FAXED BIDS: Signed bids may be submitted by fax to the City at fax number (313) 943-2148, Attention: City Clerk and by MAC members only to the MAC at (313) 963-0943, provided that faxed bids must arrive before the time of sale and the bidder bears all risks of transmission failure and the GOOD FAITH DEPOSIT MUST BE MADE AND RECEIVED as described in the Section "GOOD FAITH" below.

ELECTRONIC BIDS: Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or CLIENT SERVICES, 1359 Broadway, Second Floor, New York, New York 10010, (212) 849-5021. IF ANY PROVISION OF THIS NOTICE OF SALE SHALL CONFLICT WITH INFORMATION PROVIDED BY BIDCOMP/PARITY, AS THE APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE SHALL CONTROL. Bidders may choose any means or location to present bids but a bidder may not present a bid in more than one location or by more than one means.

BOND DETAILS: The bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, originally dated as of the date of initial delivery, numbered in order of registration, and will bear interest from their date payable on November 1, 2018, and semiannually thereafter.

The bonds will mature on the 1st day of May in each of the years, as follows:

2019	\$530,000
2020	530,000
2021	550,000
2022	565,000
2023	585,000
2024	610,000
2025	630,000
2026	650,000
2027	675,000
2028	700,000
2029	720,000
2030	745,000
2031	775,000
2032	800,000
2033	830,000
2034	860,000
2035	890,000
2036	920,000
2037	950,000
2038	985,000

*ADJUSTMENT OF TOTAL PAR AMOUNT OF BONDS AND PRINCIPAL MATURITIES: The City reserves the right to decrease the aggregate principal amount of the bonds after receipt of the bids and prior to final award, if necessary, so that the purchase price of the bonds will provide an amount determined by the City to be sufficient to construct the project and to pay costs of issuance of the bonds. The adjustments, if necessary, will be in increments of \$5,000. The purchase price will be adjusted proportionately to the increase or decrease in issue size, but the interest rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

*ADJUSTMENT TO PURCHASE PRICE: Should any adjustment to the aggregate principal amount of the bonds be made by the City, the purchase price of the bonds will be adjusted by the City proportionally to the adjustment in principal amount of the bonds. The adjusted purchase price will reflect changes in the dollar amount of the underwriter's discount and original issue discount/premium, if any, but will not change the per-bond underwriter's discount as calculated from the bid and initial reoffering prices.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at rate or rates not exceeding 5% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/100 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rates bid shall not exceed three percent (3%) per annum. THE INTEREST RATE FOR EACH SERIAL OR TERM BOND MATURITY SHALL BE EQUAL TO OR GREATER THAN THE PRECEDING SERIAL OR TERM BOND MATURITY. No proposal for the purchase of less than all of the bonds or at a price less than 100% or more than 105% of their par value will be considered.

PRIOR REDEMPTION OF BONDS: Bonds maturing in the years 2019 to 2027 inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 2028 and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after May 1, 2027, at par and accrued interest to the date fixed for redemption. In case less than the full amount of an outstanding bond is called for redemption, the transfer agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption. Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the transfer agent to redeem said bond or portion thereof.

TERM BOND OPTION: The initial purchaser of the bonds may designate any one or more maturities from May 1, 2019 through the final maturity as term bonds and the consecutive maturities on or after the year 2019 which shall be aggregated in the term bonds. The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on May 1 of the years and in the amounts set forth in the above maturity schedule at a redemption price of par, plus accrued interest to the date of mandatory redemption. Term bonds or portions thereof mandatorily redeemed shall be selected by lot. Any such designation must be made at the time bids are submitted and must be listed on the bid.

BOOK-ENTRY ONLY: The bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in bonds purchased. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the bonds.

TRANSFER AGENT AND REGISTRATION: Principal shall be payable at the principal corporate trust office of _____, _____, _____, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check mailed to the registered owner of record as shown on the registration books of the City as of the 15th day prior to an interest payment date. The bonds will be transferred only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are authorized for the purpose of paying the cost of acquiring and constructing certain capital improvements for the City. The bonds will be a first budget obligation of the City, payable from the general funds of the City including the collection of ad valorem taxes on all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations. The rights or remedies

of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

GOOD FAITH: A good faith deposit in the form of a certified or cashier's check drawn upon an incorporated bank or trust company, or wire transfer, in the amount of \$_____ (1% of principal) payable to the order of the Treasurer of the City will be required of the successful bidder. The successful bidder is required to submit its good faith deposit to the City as instructed by the City not later than Noon, prevailing Eastern Time, on the next business day following the sale. The good faith deposit will be applied to the purchase price of the Bonds. In the event the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the City. No interest shall be allowed on the good faith check. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the Bonds shall be made at the closing.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on May 1, 2018 and semi-annually thereafter) necessary to discount the debt service payments from their respective payment date to _____, 2018, in an amount equal to the price bid, excluding accrued interest. Each bidder shall state in its bid the true interest cost to the City, computed in the manner specified above.

TAX MATTERS: In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants, interest on the bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation by the State of Michigan or any taxing authority within the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.

ISSUE PRICE: [to be added]

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through DTC in New York, New York, or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the bonds shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

OFFICIAL STATEMENT: A preliminary Official Statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission, has been prepared and may be obtained from PFM Financial Advisors LLC, financial advisors to the City, at the address and telephone listed under FINANCIAL ADVISOR below. PFM Financial Advisors LLC will provide the winning bidder with 100 final Official Statements within 7 business days from the date of sale to permit the purchaser to comply with Securities and Exchange Commission Rule 15c2-12. Additional copies of the Official Statement will be supplied by PFM Financial Advisors LLC, upon request and agreement by the purchaser to PFM Financial Advisors LLC, within 24 hours of the time of sale.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any and all increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that if the City has requested and received a rating on the Bonds from a rating agency, the City shall pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.

CONTINUING DISCLOSURE: As described more fully in the Official Statement, the City has agreed to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, on or prior to the sixth month after the end of each fiscal year commencing with the fiscal year ended June 30, 2018, (i) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the bonds, (ii) timely notice of the occurrence of certain material events with respect to the bonds and (iii) timely notice of a failure by the City to provide the required annual financial information on or before the date specified in (i) above.

BIDDER CERTIFICATION: NOT "IRAN-LINKED BUSINESS" By submitting a bid, the bidder shall be deemed to have certified that it is not an "Iran-Linked Business" as defined in Act 517 Michigan Public Acts of 2012, being MCL 129.311 et. seq.

FINANCIAL CONSULTANT: Further information relating to the bonds may be obtained from PFM Financial Advisors LLC, 555 Briarwood Circle, Suite 333, Ann Arbor, Michigan 48108. Telephone (734) 994-9700. Fax (734) 994-9710.

ENVELOPES containing the bids should be plainly marked "Proposal for Capital Improvement Bonds, Series 2018 (Limited Tax General Obligation)."

James J. O'Connor
Finance Director
City of Dearborn

be it further

RESOLVED: That the estimated period of usefulness of the Project is hereby declared to be not less than twenty-one (21) years; be it further

RESOLVED: That the City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds; be it further

RESOLVED: That the Authorized Officers are each hereby authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to procure qualification of the Bonds for a policy of municipal bond insurance, if deemed appropriate by the City's financial advisor and bond counsel; and to obtain ratings on the Bonds; be it further

RESOLVED: That the City agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and the Authorized Officers are each hereby authorized to execute such undertaking prior to delivery of the Bonds; be it further

RESOLVED: That the Authorized Officers are each hereby authorized to adjust the final Bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing are authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to, determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters within the parameters described in this resolution. The Authorized Officers are each authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, including the Michigan Department of Treasury, to enable the sale and delivery of

the Bonds as contemplated herein, *provided that* the principal amount of Bonds issued shall not exceed \$14,500,000, the interest rate per annum on the Bonds shall not exceed 5%, the Bonds shall mature in not more than 21 annual installments, and the difference between the highest and lowest interest rates shall not exceed 3% per annum; be it further

RESOLVED: That the Authorized Officers are each hereby authorized on behalf of the City to award the sale of the Bonds to the bidder whose bid meets the requirements of law and which produces the lowest true interest cost to the City computed in accordance with the terms of the Official Notice of Sale as published. If fewer than three (3) bids are received from underwriters (as defined by the Code) at the time set for sale, the City may reject all bids and carry out a negotiated sale to comply with the regulations of Treas. Reg. § 1.148-1(f). The City has considered the option of selling the Bonds through a negotiated sale, and, pursuant to the requirements of Act 34, based on the advice of its financial advisor, has determined that if fewer than three bids are received, to proceed with the sale of the Bonds by means of a negotiated sale because of the flexibility and efficiency provided by a negotiated sale to select and adjust the terms for the Bonds to best achieve the most favorable terms and advantageous interest rates and obtain the lowest issuance costs and interest costs for the City; be it further

RESOLVED: That all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazy, Byrnes, Dabaja, Herrick, O'Donnell, and Sareini (7). No: None. Absent: None.

By Herrick supported by Bazy.

3-146-18. WHEREAS: In July 2017, the City exercised its right of first refusal and purchased properties from the Wayne County Treasurer through the tax foreclosure process set forth in state law, and

WHEREAS: The City received deeds to the properties from the Wayne County Treasurer on September 13, 201, and

WHEREAS: At a Special Meeting of the City Council on July 24, 2017, the Council discussed the following objectives for acquiring property being offered to the City by the Wayne County Treasurer to help stabilize neighborhoods: (1) purchase the substandard homes for demolition and/or repair to improve the neighborhoods, (2) purchase rental houses that do not possess certificates of occupancy so that they may be restricted to owner-occupied use, (3) purchase houses that appear to be vacated/abandoned, and (4) purchase vacant lots so they may be offered to adjacent property owners for side yard, for new construction on a future lot list, or for combination with other City-owned property, and

WHEREAS: Among the list of recommended purchases from the tax foreclosure sale was 7645 Theisen, and

WHEREAS: The City Assessor's records show 0% PRE since 2012, and

WHEREAS: In November 2013, an owner-occupied certificate of occupancy was issued to the owner at the time (Ali Alawieh). The Property Maintenance & Development Services Department created a registered rental case in June 2014 (not completed by owner) because the property owner did not claim principal residency, and

WHEREAS: There were no significant maintenance issues with the house. The former owner complied with two notices of violation for tall grass in 2017, and

WHEREAS: It was recommended that the City Council approve the acquisition of 7645 Theisen because there was a change in private ownership In March 2016 without obtaining a certificate of occupancy. Neither the buyer nor the seller obtained a sales inspection or executed a compliance agreement, and

WHEREAS: Currently, the house appears to be occupied by a tenant of the former owner, and

WHEREAS: Amir Makled, attorney for Ali Alawieh has approached the City, requesting to buy the house, on behalf of one of the previous owners Kim All Estates Investments, LLC, and

WHEREAS: Mr. Alawieh is requesting that the City deed the property to Kim All Estates Investments, LLC because he claims that he was a victim of fraud by his CPA who was his agent responsible for collection of rent and payment of taxes, and

WHEREAS: Mr. Alawieh purchased 7645 Theisen in Jan. 2012, and

WHEREAS: Wayne County issued Certificates of Forfeiture for tax year 2012, 2013, and 2014, and

WHEREAS: Mr. Alawieh executed a quit claim deed in March 2016, transferring 7645 Theisen to Kim All Estates Investments, LLC, and

WHEREAS: There were several changes in membership, management, and partnerships within Kim All Estates Investments, LLC between 2015 - 2017, and

WHEREAS: Wayne County Circuit Court entered a Judgment of Foreclosure for unpaid 2014 taxes, and

WHEREAS: The Wayne County Treasurer executed a quit claim deed to the City of Dearborn in August 2017, and

WHEREAS: The City pursued eviction proceedings in September 2017, and

WHEREAS: Ali Alawieh filed a police report in Dearborn Heights alleging fraud against his CPA, Khalil Ibrahim Makhzoum on March 27, 2017, and

WHEREAS: Police did not make contact with Makhzoum because Alawieh asserted that Makhzoum is incapacitated due to medical issues, and

WHEREAS: In the past, requests for redemption have been considered on a case-by-case basis, taking the following criteria into consideration: reason for non-payment, proximity to other City-owned properties, occupancy status, status as rental property, history of maintenance, condition of property, size of property, and public purpose for the City retaining the property, and

WHEREAS: Applying the goals cited by the City Council when it voted to acquire 7645 Theisen, it is recommended that the request by Mr. Alawieh to purchase 7645 Theisen should be denied, and

WHEREAS: The City may then offer it for sale and restrict its use for owner-occupancy, and

WHEREAS: Ali Alawieh as a private, owner-occupant, neglected to timely pay his taxes (2012-2015), and

WHEREAS: When the property was transferred to a business entity in 2016 and the alleged fraud took place, the property was already in the tax foreclosure process at Wayne County; therefore be it

RESOLVED: That the request to sell the property located at 7645 Theisen to Ali Alawieh on behalf of Kim All Estates Investments, LLC is hereby denied; be it further

RESOLVED: That a public purpose will be further served by the City denying Mr. Alawieh's request to purchase 7645 Theisen because it is a non-owner occupied house, the previous owner failed to keep the taxes current, and did not comply with the City Code provisions pertaining to transfers of ownership and registration as a non-owner occupied house.

The resolution was adopted as follows: Yes: Bazzy, Byrnes, Herrick, O'Donnell and Sareini (5). No: Abraham and Dabaja (2). Absent: None.

By Bazzy supported by Herrick.

3-147-18. RESOLVED: That Saint Sebastian Parish be and they are hereby granted permission to conduct their Annual Spring Festival and Parade over the weekend of May 18-20, 2018, subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the parade held on Saturday May 19, 2018 shall be as follows: Beginning at 11:00 A.M. in the Saint Sebastian Parish parking lot at the intersection of Merrick and Dartmouth, parade participants will proceed south on Merrick to Annapolis; west on Annapolis to Monroe; north on Monroe to Carlisle; east on Carlisle to Merrick; then continue south on Merrick returning to the parish parking lot; be it further

RESOLVED: That City Council hereby authorizes assistance from the Police, Recreation & Parks and Public Works Departments with traffic safety/control and the provision of various materials/services (sound truck, barricades, trash containers and picnic tables); be it further

RESOLVED: That this event is contingent upon Saint Sebastian Parish reimbursing the City of Dearborn for incurred cost, resulting from the provision of the materials and services listed above for the 2018 Spring Festival and Parade.

The resolution was unanimously adopted.

By Abraham supported by Bazzy.

3-148-18. WHEREAS: The Wayne County Treasurer's Office notified the City on March 26, 2018 that the vacant lot located at 3236 Monroe was tax-foreclosed and not sold by the Treasurer at public auction, and

WHEREAS: The lot will be transferred to the City, at no cost, unless the City objects to the transfer by March 30, 2018, and

WHEREAS: The Property Maintenance and Development Services Department and the Department of Law reviewed the request and recommend that the City accept the lot, and

WHEREAS: Information pertaining to the lot is as follows:

<u>Address</u>	<u>Acq. Cost</u>	<u>Lot Size</u>	<u>Estimated Appurtenant Costs</u>
3236 Monroe 82-09-284-15-018 (vacant lot)	\$0	40'x128'	\$10,000

and

WHEREAS: The house was fire damaged, ordered demolished by the Demolition Board of Appeals, and ultimately demolished in 2016, using fire withholding proceeds provided by the insurance company, and

WHEREAS: There are several other outstanding maintenance invoices, some of which have been transferred to taxes because they were not paid (approximately \$4,500), and

WHEREAS: It has been the City's past practice to accept tax-foreclosed properties that were not sold at public auction if there is a public purpose, and

WHEREAS: Since it is a 40 ft. lot, the lot may be sold for future development; therefore be it

RESOLVED: That the City of Dearborn does hereby accept the deed for 3236 Monroe, at \$0 purchase price, be it further

RESOLVED: A public purpose will be served because the property will be offered for sale for future development, put back on the tax rolls once the City sells it, and will be regularly maintained; be it further

RESOLVED: That funding will be from the Neighborhood Stabilization Program, C05500, Account #401 12994357110; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:52 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk