AGENDA – CITY COUNCIL MEETING
April 24, 2012
7:00 p.m.

1. Call to Order.


3. Roll Call.

4. Adoption of Agenda.

5. Citizen Comments. (3-Minute Limit)

6. Presentations/Proclamations.

7. Consent Calendar.
   A. Approval of the minutes of the regular City Council meeting of April 10, 2012.
   B. Approval of City license renewals for the year ending April 30, 2013, in accordance with the recommendation of the City Clerk.
   C. Approval of the request from the Crazy Cowboy, for authorization for temporary added space on June 15-17, July 27-29, and August 17-19, 2012, for a series of events. (Recommended approval received from Police, Fire, Engineering Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
   D. Approval of the request from United Way of Jackson County to conduct the Most Teens Don’t Lipdub Video in downtown streets, Blackman Park, and Bucky Harris Park on Sunday, April 29, 2012, from 1:00 p.m. to 6:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
   E. Approval of the request from Family Service and Children’s Aid to conduct their annual Run for Fun 5K on City streets on Saturday May 5, 2012, from 8:30 a.m. to 11:00 a.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)
   F. Approval of the request from Katie Phelan to conduct Step Up for Mental Health at City Hall on Saturday, May 12, 2012, from 10:00 a.m. to 1:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
   G. Approval of the request from the Jackson Downtown Development Authority to conduct the annual DDA Day Downtown Jackson and in Bucky Harris Park on Saturday, May 12, 2012, from 11:00 a.m. to 2:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been received.)
H. Approval of the request from the Jackson Downtown Development Authority to conduct the annual Planting Day Downtown Jackson on Saturday, May 19, 2012, from 9:00 a.m. to 11:00 a.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)

I. Approval of the request from the Jackson County Parks Department to conduct their annual Cascades Summer Kick-off Celebration at Sparks Park (Cascades) on Saturday, May 26, 2012, from 5:00 p.m. to 10:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)

J. Approval of the request from the American Cancer Society to conduct Bark for Life at Sparks Park (Cascades) on Saturday, July 7, 2012, from 9:00 a.m. to 12:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)

K. Approval of the request from the Jackson Downtown Development Authority to conduct Picnic in the Park at Bucky Harris Park on Tuesdays, July 10, 17, 24, 31, and August 7, 14, 21, and 28, 2012, from 12:00 p.m. to 1:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)

L. Approval of the request from the Crazy Cowboy, LLC, to conduct their 10 year Anniversary Party on Mechanic Street between Cortland and Washington on July 27 and 28, 2012, from 5:00 p.m. to 1:00 a.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)

M. Approval of the request from the Jackson Downtown Development Authority to conduct Cruise Ins on downtown streets on May 25, June 22, July 27, August 24, and September 28, 2012, from 6:00 p.m. to 9:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)

N. Approval of the request from Southside Reunion, Inc., to conduct their 2012 Jackson Southside Reunion at 1107 Adrian Street on August 10 and 11, 2012, from dawn to dusk. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)

O. Approval of the request from Slipped Disc, LLC, to conduct the Bikes and BBQ fundraiser for the American Cancer Society on Michigan Avenue between Jackson Street and Mechanic Street, and Jackson Street between Pearl Street and Cortland Street on Saturday, August 18, 2012, from 2:00 p.m. to 7:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)

P. Approval of the request from the American Cancer Society to conduct Making Strides Against Breast Cancer at the Riverwalk Amphitheater and City streets on Saturday, October 6, 2012, from 7:00 a.m. to 12:00 p.m. (Recommended approval has been received from Police, Fire, Parks & Recreation, Public Works and Engineering Departments, and the Downtown Development Authority. Insurance coverage has been approved.)

Q. Approval of a concrete saw purchase from Ace Cutting Equipment & Supply, Novi, in the amount of $19,813.00, and authorization for the City Engineer/Director of Public Works to execute the appropriate document(s), in concurrence with the Purchasing Agent.
R. Approval of the final funding allocations for the 2012-2013 Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) grants as determined by the City Council.

S. Receipt of a Summons and Complaint filed in the United States District Court in Detroit, Peter Bormuth vs. City of Jackson, et al, and referral of this matter to the City Attorney for handling.

T. Receipt of a Summons and Complaint filed in the Jackson County Circuit Court, Carol L. Konieczki vs. City of Jackson, et al, and referral of this matter to the City Attorney for handling.

U. Receipt of the Community Development Block Grant (CDBG) and HOME Financial Summaries through March 31, 2012.

V. Receipt of the City Engineer’s Report for street paving on Hibbard Street from Wildwood Avenue to the Norfolk Southern Railroad, and establishment of May 22, 2012, at the City Council meeting as the time and place to hold a public hearing of necessity.

W. Receipt with regret the resignation of Deborah Herbert from the Jackson District Library Board.

X. Receipt of the City of Jackson’s summary of revenue and expenditures for nine (9) months ended, March 31, 2012.

Y. Approval of the request to extend support for funding of the annual police awards banquet to be held on May 18, 2012, in accordance with the recommendation of the Chief of Police.

Z. Receipt of notification by Councilmember Schlecte regarding her pecuniary interest in the sale of real estate (acting as real estate agent) for the following properties:
   - 810 W. Washington
   - 806 W. Washington
   - 702 S. Grinnell

8. Committee Reports.
   A. Receipt of the City Affairs/Rules & Personnel Committee Report.

   *A. Consideration of the Mayor’s recommendation to be replaced on the City Affairs/Rules & Personnel Committee by Councilmember Daniel P. Greer.

    A. Public hearing on the request from the Greater Bible Way Temple to vacate a 124 foot long portion (north and south) of a 25 foot wide (east and west) alley running north and south in Hillside Subdivision, said portion running north from the north line of Jefferson St., lying east of Lot 63 and west of Lot 64 in said Hillside Subdivision, City of Jackson, Jackson County, State of Michigan.
       1. Consideration of a resolution approving the vacation.
    B. Public hearing to receive comment on the proposed amendments to Chapter 28 (Zoning), City Code, which adds Sec. 28-159 – building design standards, and proposed amendments to accommodate the new provisions.
       1. Consideration of an ordinance amending Chapter 28 (Zoning), City Code, by adding Sec. 28-159 – building design standards, and proposed amendments to accommodate the new provisions, and authorization for the City Attorney to make minor modifications, if necessary, for finalization. (City Planning Commission and staff recommend approval.)
    C. Public hearing to receive comment on the proposed amendments to Chapter 28 (Zoning), City Code, by replacing Sec. 28-152 (site plan review procedures and requirements) and amending Sec. 28-118 (performance guarantees for improvements) to accommodate those new provisions.
       1. Consideration of an ordinance amending Chapter 28 (Zoning), City Code, by replacing Sec. 28-152 (site plan review procedures and requirements), and
amending Sec. 28-118 (performance guarantees for improvements) to accommodate those new provisions. (City Planning Commission and staff recommend approval.)

D. Public hearing on the request to rezone property located at 1052 Cooper Street, 111 W. Argyle Street, 1037 Hamilton Street, and 1039 Hamilton Street from R-1 (One-Family Residential) to C-2 (Community Commercial).
   1. Consideration of an ordinance amending Chapter 28, Section 28-32, City Code, to rezone property located at 1052 Cooper Street, 111 W. Argyle Street, 1037 Hamilton Street, and 1039 Hamilton Street from R-1 to C-2. (City Planning Commission and staff recommend approval).

11. **Resolutions.**

12. **Ordinances.**
   A. Consideration of an ordinance amending Sections 16-510 through 16-514 of Chapter 16, City Code, and adding Sections 16-515 through 16-526 to Chapter 16, City Code, to provide for the health, welfare and safety of citizens of the City of Jackson by permitting and regulating the growth and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered caregivers may grow medical marihuana for their qualifying patients.
   
   B. Consideration of an ordinance amending Sections 18-151 through 18-159 to Chapter 18, City Code, to provide for health, welfare, and safety to the citizens of the City of Jackson by providing an exception to the possession of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act.
   
   C. Final adoption of Ordinance No. 2012.7, amending Article I, Section 5.3 – Demolition of Structures, of Chapter 5, City Code, to update the section to be in harmony with local, state, and federal environmental requirements; to address proper abandonment of City utilities; to restore City sidewalks, curbs and gutters, and to require proper site restoration for clean, level, seeded, buildable sites that are free of debris and vegetation.

13. **Other Business.**
   A. Consideration of the request to approve the bid award to Quality Asphalt, Homer, for a total cost of $90,910.75, for the Inter City Trail Repaving Contract, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the Purchasing Agent and the City Engineer/Director of Public Works.

14. **New Business.**
   A. Consideration and approval of the actuarial valuations as of June 30, 2011, communication from the Boards of Trustees of the City of Jackson Employees Retirement System, Act 345 Retirement System, and the City of Jackson Policemen’s and Firemen’s Pension System, and certification of funding necessary for fiscal year 2012-2013.
   
   B. Consideration of the request to approve License Agreements with Norfolk Southern Railway Company for the Hibbard Street Sewer and Water Main Project, authorization for the Mayor and City Clerk to sign the Agreements, and instruct the City Attorney to have the required insurance certificates prepared.
   
   C. Consideration of the request from the City/County Director of Human Resources to amend the Personnel Policy (Community Development Restructuring and Neighborhood Stabilization Program Support) as follows:
      1. (a) Amend Section V-2.C. by adding class title Code Enforcement Officer I, Class Grade 7; (b) Amend Section V-2.C. class title Code Enforcement Officer II
(c) Amend Section V-2.C. class title Code Enforcement Officer III to Class Grade 9; (d) Delete from Section V-2.C. the current classification of Code Enforcement Officer I Class Grade 9, and (e) Amend Section VI-2.A. by adding class title Community Relations Liaison.

2. To approve the reclassification and wage red-circling of Kurt Fritz from Code Enforcement Officer II to Code Enforcement Officer III, and of Timothy Pickett from Code Enforcement Officer I to Code Enforcement Officer II in accordance with Personnel Policy Article XI, Section XI-1 Salary Schedules, effective May 10, 2012.

3. To approve the creation of the classification of Property Registration Assistant, Class Code 304 into the collective bargaining agreement between the City of Jackson and the Michigan Association of Public Employees effective May 10, 2012.

D. Consideration of the request to approve the bid award to Bailey Excavating, Inc., for a total cost of $580,445.50, for the Durand Street Reconstruction and Water Main Replacement Contract, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the Purchasing Agent and the City Engineer/Director of Public Works.

15. City Councilmembers’ Comments.

16. Manager’s Comments.

17. Executive Session regarding labor negotiations.

18. Return to Open Session.

19. Adjournment.

*Items Added, Deleted or Changed
CALL TO ORDER.

The Jackson City Council met in regular session in City Hall and was called to order at 7:00 p.m. by Mayor Martin J. Griffin.

PLEDGE OF ALLEGIANCE – INVOCATION.

The Council joined in the pledge of allegiance. The invocation was given by Councilmember Frounfelker.

ROLL CALL.


Also present: City Manager Larry Shaffer, City Attorney Julius A. Giglio, City Clerk Lynn Fessel, Deputy Fire Chief Dave Wooden, Police Chief Matt Heins, City Assessor David Taylor, City Engineer Jon Dowling and Deputy City Manager/Community Development Director Patrick Burtch.

AGENDA.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to adopt the agenda, as amended, with speeches presented prior to Citizen Comments. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer--1.

PRESENTATIONS/PROCLAMATIONS.

A. PRESENTATION OF SPEECHES BY THREE FIRST PLACE WINNERS OF THE HUMAN RELATIONS COMMISSION 22ND ANNUAL TERESSA T. DELPH ESSAY/ORATORICAL CONTEST.

3RD & 4TH GRADES – NATHAN ROSENBERG, 4TH GRADE, DIBBLE ELEMENTARY SCHOOL.

5TH & 6TH GRADES – SOFIA SILVESTRI, 6TH GRADE, NAPOLEON MIDDLE SCHOOL.
8TH – 12TH GRADES – AVERY BLANKS, 12TH GRADE, JACKSON HIGH SCHOOL

Nathan Rosenberg and Sofia Silvestri presented their award winning speeches. Avery Blanks was not present.

CITIZEN COMMENTS.

Mark Baker of Career Quest Learning Centers announced that they have been approved to offer their first associates program, which gives them college status. He introduced Tamiko Ogburn, Executive Director of their Jackson Campus.

CONSENT CALENDAR.

Councilmember Frounfelker requested Items D and E be removed for separate consideration. Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the following Consent Calendar, with Items D and E removed for separate consideration. The motion was adopted by the following vote. Yea: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer--1.

Consent Calendar

A. Approval of the minutes of the regular City Council meeting of March 27, 2012.
B. Approval of the request from Daryl’s Downtown LLC, for authorization for temporary added space and temporary entertainment permit on May 25, June 22, June 29, July 6, July 13, July 20, July 27, August 3, August 10, August 17, August 24, and September 28, 2012, for a series of events. (Recommended approval received by the Police, Fire, Parks & Recreation Departments, and the Downtown Development Authority. Proper insurance has been obtained.)
C. Approval of the request from The Crazy Cowboy to conduct their annual Big Truck Event on Mechanic Street between Cortland and Washington, and Cortland between Francis and Jackson, on Saturday, June 16, 2012, from 2:00 p.m. to 4:00 p.m. (Recommended approval received by the Police, Fire, Engineering, Public Works, Parks & Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
D. Item removed for separate consideration.
E. Item removed for separate consideration.
F. Approval of the request to award an owner occupied rehabilitation contract to Concept Construction in the amount of $21,731.00, for property located at 416 Dewey Street.
G. Receipt of a petition circulated by Donald Bendzinski to vacate a 16.5 foot wide alley running east & west 232 feet from the east line of N. Blackstone Street to the west line of Blackman Avenue and lying south of lots 10 & 13 and north of lots 9 & 27, Block 2 Durand’s Addition and referral to staff for appropriate action.

CONSENT CALENDAR ITEM D.

Approval of the request from The Crazy Cowboy to conduct their Annual Race Weekend Event on Mechanic Street between Cortland and Washington on June 15-17, 2012, from 6:00 p.m. to 1:00 a.m., and 8:00 p.m. to 1:00 a.m. (Recommended approval received by the Police, Fire, Engineering, Public Works, and Parks & Recreation Departments and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
Motion was made by Councilmember Frounfelker and seconded by Councilmember Schlecte to approve the request from The Crazy Cowboy to conduct their Annual Race Weekend Event on Mechanic Street between Cortland and Washington on June 15-17, 2012, from 6:00 p.m. to 1:00 a.m., and 8:00 p.m. to 1:00 a.m. This event is contingent upon receipt of the proper insurance coverage, as the insurance company requires purchase of non-refundable special event insurance. Also add the following conditions: Any markings on the pavement/sidewalk must be done in a temporary marker, such as chalk. Applicant is responsible for the removal/clean-up of trash, garbage and debris. All expenses realized by the City for set-up and take-down not associated with a community event will be reimbursed to the City by the applicant. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer—1.

CONSENT CALENDAR ITEM E.

Approval of the request from The Crazy Cowboy to conduct their Annual Race Weekend Events on Mechanic Street between Cortland and Washington on August 17-19, 2012, from 6:00 p.m. to 1:00 a.m., and 8:00 p.m. to 1:00 a.m. (Recommended approval received by Police, Fire, Engineering, Public Works, and Parks & Recreation Departments and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the request from The Crazy Cowboy to conduct their Annual Race Weekend Event on Mechanic Street between Cortland and Washington on August 17-19, 2012, from 6:00 p.m. to 1:00 a.m., and 8:00 p.m. to 1:00 a.m. This event is contingent upon receipt of the proper insurance coverage, as the insurance company requires purchase of non-refundable special event insurance. Also add the following conditions. Any markings on the pavement/sidewalk must be done in a temporary marker, such as chalk. Applicant is responsible for the removal/clean-up of trash, garbage and debris. All expenses realized by the City for set-up and take-down not associated with a community event will be reimbursed to the City by the applicant, and finally reimbursement for the June event is to be paid prior to this event. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer—1.

COMMITTEE REPORTS

A. RECEIPT OF THE FINANCE/TAX POLICY COMMITTEE REPORT.

Councilmember Frounfelker highlighted the March 28 report and gave a verbal report of the April 10 Committee meeting. Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to receive the reports. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer—1.

B. RECEIPT OF THE CITY AFFAIRS/RULES AND PERSONNEL COMMITTEE REPORT.

Motion was made by Councilmember Breeding and seconded by Councilmember Schlecte to receive the report and that, respectively, the City Attorney and the City Clerk be assigned as staff support for the City Affairs/Rules and Personnel Committee. The motion
was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer--1.

APPOINTMENTS.

None.

PUBLIC HEARINGS.

A. PUBLIC HEARING ON THE APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FILED BY DIE-NAMIC TOOL & DESIGN, LLC, 147 HOBART STREET.

Mayor Griffin opened the public hearing. Robert Whiting, owner of Die-Namic Tool & Design, discussed the addition of jobs and stated that this is just the first step of an expansion plan. The Mayor closed the public hearing.

1. RESOLUTION APPROVING THE APPLICATION. (CITY FINANCE/TAX POLICY COMMITTEE RECOMMENDS APPROVAL.)

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer--1.

B. PUBLIC HEARING ON THE APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FILED BY ALRO RIVERSIDE, LLC, 2425 E. HIGH STREET.

Mayor Griffin opened the public hearing. Chris Leavitt, from Alro Steel, and Chris Miller, from Alro Riverside, briefly discussed their project and asked the Council for their support. The Mayor closed the public hearing.

1. RESOLUTION APPROVING THE APPLICATION. (CITY FINANCE/TAX POLICY COMMITTEE RECOMMENDS APPROVAL.)

Motion was made by Councilmember Jaquish and seconded by Councilmember Schlecte to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer--1.

RESOLUTIONS.

A. CONSIDERATION OF A CORRECTIVE RESOLUTION FOR SPECIAL ASSESSMENT ROLL NO. 4205 FOR DELINQUENT MISCELLANEOUS GENERAL FUND ACCOUNTS RECEIVABLE, CONFIRMED ON MARCH 27, 2012.

Motion was made by Councilmember Breeding and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer--1.
B. CONSIDERATION OF A RESOLUTION TO APPROVE AN APPLICATION TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) FOR LOCAL BRIDGE PROGRAM FUNDING, AND AUTHORIZATION FOR THE CITY CLERK TO EXECUTE THE RESOLUTION, AND FOR THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS TO FILE AN APPLICATION FOR THE LEWIS STREET BRIDGE OVER THE GRAND RIVER.

Motion was made by Councilmember Breeding and seconded by Councilmember Dobies to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Schlecte, Frounfelker and Dobies—6. Nays: 0. Absent: Councilmember Greer—1.

ORDINANCES.

A. CONSIDERATION OF AN ORDINANCE REVISING CHAPTER 5, SECTION 5-3, CITY CODE, REGULATION OF THE DEMOLITION OF STRUCTURES.

Motion was made by Councilmember Frounfelker and seconded by Mayor Griffin to approve the ordinance and place it on the next regular City Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Schlecte, Frounfelker and Dobies—5. Nays: Councilmember Breeding—1. Absent: Councilmember Greer—1.

1. CONSIDERATION OF A RESOLUTION ESTABLISHING FEES ASSOCIATED WITH THE DEMOLITION OF STRUCTURES SECTION OF THE BUILDINGS AND BUILDING REGULATIONS, IN CHAPTER 5 OF THE CITY OF JACKSON CODE OF ORDINANCES.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Schlecte to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Schlecte, Frounfelker and Dobies—4. Nays: Councilmembers Breeding and Jaquish—2. Absent: Councilmember Greer—1.


Motion was made by Councilmember Dobies and seconded by Councilmember Schlecte to adopt Ordinance No. 2012.5. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Schlecte, Frounfelker and Dobies—4. Nays: Councilmembers Breeding and Jaquish—2. Absent: Councilmember Greer—1.

C. FINAL ADOPTION OF ORDINANCE NO. 2012.6, AMENDING CHAPTER 17, ARTICLE IX, CITY CODE, TO DEFINE GRAFFITI OFFENSES, TO PROVIDE FOR THE REMOVAL OF GRAFFITI, AND TO PROVIDE PENALTIES FOR
GRAFFITI. (CITY AFFAIRS/RULES & PERSONNEL COMMITTEE RECOMMENDS APPROVAL AND FINAL ADOPTION.)

Motion was made by Councilmember Schlecte and seconded by Councilmember Dobies to adopt Ordinance No. 2012.6. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Schlecte, Frounfelker and Dobies—5. Nays: Councilmember Jaquish—1. Absent: Councilmember Greer—1.

OTHER BUSINESS.

None.

NEW BUSINESS.


Motion was made by Councilmember Schlecte and seconded by Councilmember Dobies to approve the recommendation. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Schlecte, Frounfelker and Dobies—5. Nays: Councilmember Breeding—1. Absent: Councilmember Greer—1.

B. CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO QUALITY ASPHALT PAVING, INC., HOMER, FOR A TOTAL COST OF $90,910.75, FOR THE INTER CITY TRAIL REPAVING CONTRACT, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S), IN ACCORDANCE WITH THE RECOMMENDATION OF THE PURCHASING AGENT AND THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS.

Motion was made by Councilmember Schlecte and seconded by Councilmember Frounfelker to approve the request. The motion was lost due to the following tie vote. Yeas: Mayor Griffin and Councilmembers Schlecte and Frounfelker—3. Nays: Councilmembers Breeding, Jaquish and Dobies—3. Absent: Councilmember Greer—1.

CITY COUNCILMEMBERS’ COMMENTS.

Councilmember Frounfelker asked if we are prepared for grass mowing this year and if the islands on Michigan and Steward can be kept up all season long. He inquired if MDOT is considering reconstructing W. Michigan Avenue from Brown to the Washington/Steward Street entrance to downtown, would this be the time to look at making Michigan Avenue 2-way coming out of downtown. He also asked if voter registration information has been updated to reflect changes due to the redistricting. The Clerk reported that all of our redistricting changes have been submitted to the State Bureau of Elections and when they complete those changes, we will send new ID cards to every registered voter.

Councilmember Schlecte asked if additional “No Thru Traffic” signs could be put up on dead end streets such as Carr and Grinnell due to the West Avenue detour. She reminded everyone that a pancake breakfast will be held on Saturday, April 14, at 9:00 a.m. at St. Mary’s School in honor of Officer James
Bonneau. She asked everyone to frequent those businesses that are probably losing business, due to the West Avenue construction.

Councilmember Jaquish congratulated Kelli Hoover on her appointment and asked for updates on the Durand Street construction project. Councilmember Breeding reported that the City Affairs/Rules & Personnel Committee decided that Durand Street should be 26 feet in width, with parking on 1 side of the street and will recommend to the Council that a workable task force be appointed or selected to formalize a standardized street policy. She inquired about the Celena Charles’ invoice/special assessment matter and the excess trash at the home located behind the Charles’ residence. Deputy City Manager/Community Development Director Burtch reported that the Charles’ clean-up notice was sent to the last property owner of record and the other property is on a list to cite. Councilmember Jaquish inquired about excessive garbage at 1504 Deyo and Mr. Burtch reported that the property has been cited and condemned. Councilmember Jaquish asked for an update on railings for the West Avenue bridge. In response, Councilmember Schlecte reported that she attended a task force meeting earlier in the day, an MDOT employee took her information and will be in contact with her.

Mayor Griffin congratulated Kelli Hoover on her appointment, stating she certainly earned it and she does an excellent job. The City is known for its recreation programs and Kelli is the face of these programs. He has received many phone calls supporting this appointment and believes her parents are looking down on her with pride.

**MANAGER’S COMMENTS.**

None.

**ADJOURNMENT.**

No further business being presented, Mayor Griffin adjourned the meeting at 7:35 p.m.

Lynn Fessel
City Clerk
CITY COUNCIL MEETING
April 24, 2012

DATE: April 17, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: City License Approvals for the Year Expiring April 30, 2013

MOTION: APPROVAL OF CITY LICENSE RENEWALS FOR THE YEAR ENDING APRIL 30, 2013, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY CLERK.

The listing below represents companies that returned renewal applications for City business licenses. All department approvals, insurance certificates and fees have been received.

If Council approves this request, the City Clerk will issue the appropriate licenses.

Exterminators

Aardvark Pest Control
2932 Page Ave.

JaXson Pest Control
1220 E. South St.

Swain’s Pest Control Service
3130 McCain Rd.

Gasoline

Consumers Energy
One Energy Plaza

Convenience King Group
1502 Cooper St.
Convenience King Group  
815 Lansing Ave.

Convenience King Group  
918 N. Wisner St.

Heat Controller  
1900 Wellworth Ave.

Jackson Public Transportation  
2350 E. High St.

Kelly Fuels, Inc.  
740 E. South St.

Meezo Express  
1504 E. Michigan Ave.

PS Food Mart  
1301 S. West Ave.

West & High Mobil  
1240 S. West Ave.

Zimmerman Oil Co.  
2200 Enterprise Dr.

Laundromat

Sud-Z Coin Laundry  
2108 E. Michigan Ave.

C: City Manager
CITY CLERK’S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
April 24, 2012

DATE: April 18, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk
SUBJECT: Approval of the request from The Crazy Cowboy for authorization for temporary added space.


The Crazy Cowboy is requesting authorization for temporary added space on June 15-17, July 27-29, August 17-19, 2012 for a series of events.

Recommended approvals have been received from Police, Fire, Engineering Departments and the Downtown Development Authority.

If Council approves this request, the City Clerk will sign the application indicating approval of the request by the City, because the proposed added space is located on city property. The application will then be forwarded to the Michigan Liquor Control Commission for final approval.

C: City Manager
Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

APPLICATION FOR TEMPORARY AUTHORIZATION
[Authorized by R 436.1023 (2) (3), R 436.1403 (2), R 436.1407 and R 436.1419 of the M.A.C.]
Effective March 1, 2010 a non-refundable inspection fee of $70.00 is required with the submission of your application

PART 1. APPLICANT INFORMATION
1. Name of License (Corporation, Individual, Limited Liability Company, Limited Partnership):
   Crazy Cowboy LLC

2. Street Address, City or Village, Township (if applicable), County, and Zip Code:
   215 S. Mechanic St, Jackson 49201

3. Type of License and Number:
   C 114753

4. Business Telephone Number:
   517 877 1910
   Fax Number:
   Kim Cell 517 32-1037

5. Email Address:
   info@thecrazycowboy.com

PART 2. TYPE OF EVENT Describe the Type of Event(s) Being Held:
   Annual race weekend Event (June & August)
   10 year Annv. Celebration (July 27-29)

PART 3. TYPE OF AUTHORIZATION REQUESTED
Check only the types of authorization needed and answer the questions required for the authorization requested:
   □ TEMPORARY OUTDOOR SERVICE OR □ TEMPORARY ADDED SPACE
   Please enclose a diagram showing proposed outdoor service or added space area, existing licensed premises, any streets and all dimensions requested below:
   1. Dates requested:
      July 27-29, 2012
   2. What is the size of the proposed outdoor service area or added space area?
      50 feet x 160 feet
   3. Describe the barrier that will be used to enclose the outdoor service or added space area.
      [Include the type of barrier and the height of the barrier. Ropes, tape, and banners are NOT acceptable barriers.]
      4' high orange fencing around requested temporary added space
   4. Does your license currently include an existing Additional Bar? □ Yes □ No
      If NO, Temporary Additional Bar will be needed unless there will only be table service of alcoholic beverages. See General Instruction 9 for more information
   5. Describe the type of security that will be used for the event:
      Security personal will be stationed every 20' along fenced outdoor area + additional security inside premises.
   6. Is the proposed outdoor service area or added space area directly next to the licensed premises?
      □ Yes □ No
      If NO, indicate how many feet there is between the proposed outdoor service or added space and the licensed premises?
   7. Are there any dedicated streets within the proposed outdoor service or added space area or is there any intervening property between the licensed premises and outdoor service or added space area?
      □ Yes □ No
      If YES, explain and include on the diagram: Mechanic Street between Washington Ave + Courtland St.
   8. Is the proposed outdoor service area, added space and/or any intervening property owned, rented, or leased by the licensee? □ Yes □ No
      If NO, a lease for the outdoor service, added space and/or any intervening property must be provided with this application. City of Jackson applications attached.
   9. Is the proposed outdoor service area or added space located on property owned by the city, village, or township?
      □ Yes □ No
      If YES, the city, village, or township clerk must sign the application indicating approval of the request by city, village or township.
10. Is all of the proposed outdoor service or added space area in the same governmental unit as the licensed premises?  
   ☐ Yes ☑ No  If NO, please explain.  
   
   City Street

☐ TEMPORARY OFFICIAL PERMIT FOR DIFFERENCE IN HOURS OF OPERATION  (Check each specific type of activity requested in #2)

1. Dates requested:
2. Type of Activity:
   ☐ Bowling  Do you operate the bowling center?  ☐ Yes ☑ No  If NO, please explain.

   ☐ Dance  Do you have a Dance Permit?  ☐ Yes ☑ No  If NO, Temporary Dance will be needed

   ☐ Entertainment  Do you have an Entertainment Permit?  ☐ Yes ☑ No  If NO, Temporary Entertainment will be needed

   ☐ Food  Do you operate a full service kitchen?  ☐ Yes ☑ No  If NO, please explain.

   ☐ Golf  Do you operate the golf course?  ☐ Yes ☑ No  If NO, please explain.

   ☐ Other Special Event Activity  Please describe and explain the type of event.

3. The licensed premises may not be occupied by anyone except the licensee and bona fide employees who are working between the hours of 2:30 A.M. and 12:00 Noon on any Sunday or from 2:30 A.M. until 7:00 A.M. on any other day. Please indicate the extended hours you are applying for to conduct the activities indicated above.
   
   Weekdays: _______ A.M. to _______ A.M.  Sundays: _______ A.M. to _______ A.M./P.M.

☐ TEMPORARY ADDITIONAL BAR*  Fee is $350.00  
   * A Temporary Additional Bar is not needed if there will be table service only or a currently issued Additional Bar will be utilized.

   Dates requested:

☐ TEMPORARY DANCE  
   It is required that the Dance Floor be at least 100 square feet, clearly marked, and shall not have tables, chairs and other obstacles on the dance floor while customers are dancing.

   Dates requested:
   Weekdays: _______ A.M. to _______ A.M.  Sundays: _______ A.M. to _______ A.M./P.M.

☐ TEMPORARY ENTERTAINMENT  OR  ☐ TEMPORARY TOPLESS ACTIVITY

1. Dates requested:
   Weekdays: _______ A.M. to _______ A.M.  Sundays: _______ A.M. to _______ A.M./P.M.

2. Describe the type of entertainment to be provided.
   Local Band + DJs

3. If the entertainment includes a contest with prizes totaling over $250 in value, please complete the following questions:
   a. Explain in detail rules of the contest. Attach another page, if needed.

   b. Describe and state the retail value of each prize to be awarded.  
      N/A

   c. Specify who will be paying for and supplying the prizes.

   d. Will there be any alcoholic beverage items with a brand name logo used as prizes for part of the contest?  ☐ Yes ☑ No

   IMPORTANT: No alcoholic beverages may be used as part of any contest or as a prize for a contest.  No licensee may receive anything of value from another licensee without prior MLCC approval.
PART 4. WARNING, AUTHORIZED SIGNATURES, AND LAW ENFORCEMENT/LOCAL APPROVALS

WARNING: Section 1003 of the Liquor Control Code of 1998, being MCL 436.2003, provides in part as follows: "A person who makes a false or fraudulent statement to the commission, orally or in writing, for the purpose of inducing the commission to act or refrain from taking action, or for the purpose of enabling or assisting a person to evade the provisions of this act is guilty of a violation of this act and is punishable in the manner provided for in section 909..."

I hereby swear that I have read all of the above answers and that they are true and further that I have read and understand the warning.

THE LICENSEE, AN AUTHORIZED CORPORATE OFFICER, OR MEMBER OF A LIMITED LIABILITY COMPANY MUST SIGN THIS APPLICATION.

Licensee Signature

Kimberly Giannone
Owner

Print Name and Title

Kimberly Giannone

Print Contact Name

Date of Application 2-7-12

Area Code and Phone Number 517-812-1037

THE POLICE CHIEF OR SHERIFF WHO HAS JURISDICTION RECOMMENDS THIS REQUEST.

Date of Application 2-22-12

Police Chief or Sheriff Signature

Matthew R. Heims

Print Name of Police Agency

JACKSON PD

Street Address

JACKSON, MI 49201

City and Zip Code

Area Code and Telephone Number 517-786-4127

IF REQUESTING TEMPORARY TOPLESS ACTIVITY, OFFICIAL PERMIT FOR DANCE, OFFICIAL PERMIT FOR ENTERTAINMENT, OR THE TEMPORARY OUTDOOR SERVICE AREA IS LOCATED ON PROPERTY OWNED, BY THE CITY, VILLAGE OR TOWNSHIP, THIS APPLICATION MUST BE SIGNED BY THE CLERK.

This request was approved by the

Print Name of City, Village Council or Township Board On Date

City, Village, Township Clerk Signature

Print Name of City, Village, Township Clerk

Street Address

City and Zip Code

Area Code and Telephone Number
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Most Teens Don’t Lipdub Video

MOTION Approval of the request from United Way of Jackson County to conduct the Most Teens Don’t Lipdub Video in Downtown streets, Blackman Park, and Bucky Harris Park on Sunday, April 29th, 2012 from 1:00 p.m. to 6:00 p.m. Insurance approval has been granted by the City Attorney.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

<table>
<thead>
<tr>
<th>Department</th>
<th>Approval</th>
<th>Denial</th>
<th>Economic Impact</th>
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<tbody>
<tr>
<td>Police</td>
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<td>Fire</td>
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<td>DDA</td>
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</table>

**Conditions and Considerations:**
- Receipt of approval from neighboring church, First Congregational

**Insurance Status:** Approved

att: Special Event Application: Most Teens Don’t Lipdub Video
Map of Street Closures

JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
Downtown Development Authority - 161 W. Michigan Avenue - Jackson, MI 49201
(517) 768-6410

Date Received: By DDA Office: Time: ___ p.m. By: ___

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the
Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: United Way of Jackson County
Organization Address: 536 N. Jackson St, Jackson, MI 49201
Organization Agent: Wendy Murdock. Title: DDC Coordinator
Phone: (work) 796-5129 Phone: (home) ________ Phone: (during the event) 9145-1589
Agent's Address: Same
Agent's E-Mail Address: wmurdock@uwjackson.org
Event Name: Most Teens Don't Lie Club Video

Please give a brief description of the proposed special event:
Taping of Most Teens Don't Lie Club Video. Teens/Adults will be fm. Various locations
between Blackman and Bucky Harris Parks, on Jackson Street
between Pearl and Michigan Avenue.
Memorizing in Motion video will be filming. All youth will have parent
permission and release forms.

Event Day(s) & Date(s) Sunday, April 29, 2012 (rain date: May 20, 2012)
Event Time(s) 1-6 pm
Set-Up Date & Time Tear-Down Date & Time 1:00 pm 6:00 pm
Event Location Blackman & Bucky Harris Parks & Jackson St between Pearl &
Michigan Ave.

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? __

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please
attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or
parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must
be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time 4/29 - 1 PM through Date/Time: 4/29 - 6 PM
RESERVED PARKING: Are you requesting reserved parking? YES NO
If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO
DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO
If yes, please attach liquor license and liquor liability insurance.
If yes, what time? __________ until __________
ENTERTAINMENT: Are there any entertainment features related to this event? YES NO
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 100 or fewer

AMUSEMENT: Do you plan to have any amusement or carnival rides? YES NO

REST ROOMS: Are you planning to provide portable rest rooms at the event? YES NO I will look into this when I return from Spring Break April 9th.
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
We would love to have cameo appearances from ANY fire and police agencies. This would be very fun for our youth as well as great visibility. Additionally, we will need power on at Buckey Harris Park. (For audio?)
Also, can you tell me if the fountains will/can be turned on?

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.
A $25 Special Event Application fee must be submitted along with this Special event Application.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

3-21-12
Date
Signature of Sponsoring Organization’s Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE  JACKSON, MI 49201

2
LIPDUB FILMING
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Run for Fun 5K

MOTION Approval of the request from Family Service and Children’s Aid to conduct their annual Run for Fun 5K on City streets on Saturday, May 5th, 2012 from 8:30 a.m. to 11:00 a.m. Insurance approval has been granted by the City Attorney.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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<tr>
<td>Engineering</td>
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<td>Public Works</td>
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<td>DDA</td>
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Conditions and Considerations:
- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk
- Storyfest, a previously approved event, is scheduled for the same day. Departments are working to ensure cohesion of both and minimize any potential conflicts.

Insurance Status: Approved

att: Special Event Application: Run for Fun 5K
Route Maps
JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
City Clerk's Office * 161 W. Michigan Avenue * Jackson, MI 49201
(517) 788-4025

Date Received By Clerk's Office: 3/29/12 DNA Time: 4 pm By: ______________

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the City Clerk at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Family Service & Children's Aid

Organization Address: 330 West Michigan Avenue, Post Office Box 6128, Jackson, Michigan 49204-6128

Organization Agent: Bruce A. Inosencio, Jr. Title: Race Director

Phone: Work (517) 796-1444 Home (517) 750-1992 During event (517) 745-1405

Agent's Address: 4935 Stonewood Creek Drive, Jackson, Michigan 49201

Agent's E-Mail Address: bruce@inosencio.com

Event Name: Run for Fun 5K

Please give a brief description of the proposed special event: 5K run and walk to benefit a local non-profit agency. Family Service & Children's Aid; this is the 10th annual FSCA Run for Fun 5K.

Event Day(s) & Date(s): Saturday, May 5, 2012 Event Time(s): 8:30 a.m.

Set-Up Date & Time: Saturday, May 5, 2012 Tear-Down Date & Time: Saturday, May 5, 2012 at 11:00 a.m.

Event Location: 330 West Michigan Avenue; downtown Jackson; Historic District; see attached map

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 9

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time: May 5, 2012, 7:00 a.m. through Date/Time: May 5, 2012, 11:30 a.m.

RESERVED PARKING: Are you requesting reserved parking? YES NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO

If yes, are liquor license and liquor liability insurance attached? YES NO

If yes, what time? ___________________________ until ___________________________
ENTERTAINMENT: Are there any entertainment features related to this event? YES □ NO □
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 250-500

AMUSEMENT: Do you plan to have any amusement or carnival rides? YES □ NO □
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? YES □ NO □
If yes, how many? 2
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

   2. Please see attached letter.

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy or
I am requesting that City Council waive the insurance requirement for this Low Hazard Event as identified in paragraph above
related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City
of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements or limitations, based on the City’s review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be
considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above
understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and
all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event
Application, I declare I am 21 years of age or older.

March 28, 2012
Date

Signature of Sponsoring Organization's Agent
Bruce A. Inconocio, Jr., Race Director

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
CITY CLERK’S OFFICE - ATTN: ANGELA ARNOLD
161 W. MICHIGAN AVENUE - JACKSON, MI 49201
APRIL 24, 2012

MEMO TO:  Honorable Mayor and City Council Members

FROM:  Jonathan Greene, Executive Director

SUBJECT:  Special Event Application: Step up for Mental Health

MOTION Approval of the request from Katie Phelan to conduct Step Up for Mental Health at City Hall on Saturday, May 12th, 2012 from 10:00 a.m. to 1:00 p.m. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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$222.30

Conditions and Considerations:
- Applicant is responsible for removal/cleanup of trash, garbage, and debris
- Climb must begin on 3rd floor, rather than 1st, and proceed to 14th, due to safety concerns in narrow stairwell

Insurance Status:  Pending

att:  Special Event Application: Step up for Mental Health
JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
Downtown Development Authority ~ 161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 768-6410

Date Received By DDA Office: 3/23/12  Time: 8am  By: J

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Katie Phelan
Organization Address: 409 Magnolia Pkwy. Jackson, MI 49201
Organization Agent ___________________________ Title: ___________________________
Phone: (work) ___________________ Phone: (home) ___________________ Phone: (during the event) 517.242.0004
Agent's Address ___________________________
Agent's E-Mail Address phelan.k@email.gvsu.edu
Event Name Step Up for Mental Health

Please give a brief description of the proposed special event: Participants will climb the stairs of City Hall and receive a t-shirt at the top. The t-shirt will support mental health. There will be art on the 2nd floor, a speaker from Lifesavers, and a gospel group from St. Peter's. Lifesavers' firefighters will be on site. The event is a recreational challenge, not a race. Participants will take the elevator down.

Event Day(s) & Date(s) MAY 12, 2012 (saturday)
Event Time(s) 10:00 AM - 1:00 PM
Set-Up Date & Time Fri, May 11, 4-5 PM  Tear-Down Date & Time Sat, May 12, 1-3:00 PM
Event Location City Hall Promenade

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES [ ] NO [X]
How many years has this event occurred? [ ]

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time __________________ through Date/Time: __________________

RESERVED PARKING: Are you requesting reserved parking? YES [ ] NO [X]
If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES [ ] NO [X] Other Vendors? YES [ ] NO [X]

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES [ ] NO [X]
If yes, please attach liquor license and liability insurance.
If yes, what time? __________________ until __________________

[Handwritten note: Signatures required for approval]
ENTEERTAINMENT: Are there any entertainment features related to this event? YES NO
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 150

AMUSEMENT: Do you plan to have any amusement or carnival rides? YES NO
If yes, you are required to obtain a permit through the City Clerk's Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? YES NO
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
We would like to have an easel and a chalk board. If possible, we would also like to have music from the Speakeasy on Michigan Ave.

USE OF ROLLING CHALK BOARD AND 3 EASELS.

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.
A $25 Special Event Application fee must be submitted along with this Special Event Application.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

2/13/12
Date

[Signature]
Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE  JACKSON, MI 49201
APRIL 24, 2012

MEMO TO:   Honorable Mayor and City Council Members

FROM:       Jonathan Greene, Executive Director

SUBJECT:    Special Event Application: DDA Day

MOTION Approval of the request from the Jackson Downtown Development Authority to conduct the annual DDA Day Downtown Jackson and in Bucky Harris Park on Saturday, May 12th, 2012 from 11:00 a.m. to 2:00 p.m. This event is covered under the City of Jackson insurance policy.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

<table>
<thead>
<tr>
<th>Department</th>
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<tr>
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<td>DDA</td>
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Conditions and Considerations:
None.

Insurance Status: Approved

att: Special Event Application: DDA Day

JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
Downtown Development Authority ~ 161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 768-6410

Date Received By DDA Office: 31/28/12  Time: 10 am  By: 

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Downtown Development Authority

Organization Address: 161 W. Michigan Avenue, Jackson, MI 49201

Organization Agent: Jennifer Tucker  Title: Assistant Director

Phone: (work) (517) 768-6410  Phone: (home)  Phone: (during the event) (517) 768-6410

Agent's Address: 161 W. Michigan Avenue, Jackson, MI 49201

Agent's E-Mail Address: jtucker@cityojackson.org

Event Name: "DDA DAY"  Discover Downtown Again featuring the Merchants' Artist Walking Tour

Please give a brief description of the proposed special event: Discover Downtown Again (DDA Day) featuring an Artist Walking Tour will take place on Saturday, May 12th from 11:00 a.m. to 4:00 p.m. Participation businesses will offer special promotions or activities with a randomly selected artist inside shop. Community vote on their favorite artist and winner will be awarded prizes. The DDA and various businesses will also be stationed at Bucky Harris Park from 11:00 a.m. to 2:00 p.m.

Event Day(s) & Date(s): Saturday, May 12th, 2012

Event Time(s): 11:00 a.m. – 2:00 p.m.

Set-Up Date & Time: 10:30 a.m.  Tear-Down Date & Time: 2:30 p.m.

Event Location: Bucky Harris Park and Downtown District

ANNUAL EVENT: Is this event expected to occur next year? (circle one) Yes  NO

How many years has this event occurred? 6

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time through Date/Time:

RESERVED PARKING: Are you requesting reserved parking? YES  NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES  NO  Other Vendors? YES  NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES  NO

If yes, please attach liquor license and liquor liability insurance.

If yes, what time?  until
ENTERTAINMENT: Are there any entertainment features related to this event? YES NO
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 250 People

AMUSEMENT: Do you plan to have any amusement or carnival rides? YES NO
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? YES NO
If yes, how many? 
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.) None.

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.
A $25 Special Event Application fee must be submitted along with this Special event Application.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City’s review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

Date
Signature of Sponsoring Organization’s Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE JACkSON, MI 49201
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Summer Planting Day

MOTION Approval of the request from the Jackson Downtown Development Authority to conduct the annual Planting Day Downtown Jackson on Saturday, May 19th, 2012 from 9:00 a.m. to 11:00 a.m. This event is covered under the City of Jackson insurance policy.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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Conditions and Considerations:
None.

Insurance Status: Approved

att: Special Event Application: Summer Planting Day
JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
Downtown Development Authority ~ 161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 768-6410

Date Received By DDA Office: 3/28/12 Time: 10am By: 

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization’s Legal Name: Downtown Development Authority

Organization Address: 161 W. Michigan Avenue, Jackson, MI 49201

Organization Agent: Jennifer Tucker Title: Assistant Director

Phone: (work) (517) 768-6410 Phone: (home) Phone: (during the event) (517) 768-6410

Agent’s Address: 161 W. Michigan Avenue, Jackson, MI 49201

Agent’s E-Mail Address: jtucker@cityofjackson.org

Event Name: Summer Planting Day

Please give a brief description of the proposed special event:
Registration at Bucky Harris Park on Saturday, May 19th, 2012 at 9:00 a.m. Participants will disperse throughout the downtown district, and plant perennials in designated planters.

Event Day(s) & Date(s): Saturday, May 19th, 2012

Event Time(s): 9:00 a.m. – 11:00 a.m.

Set-Up Date & Time: 8:30 a.m. Tear-Down Date & Time: 11:30 a.m.

Event Location: Bucky Harris Park and Downtown District

ANNUAL EVENT: Is this event expected to occur next year? (circle one) Yes NO

How many years has this event occurred? 12

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time through Date/Time:

RESERVED PARKING: Are you requesting reserved parking? YES NO
If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO
If yes, please attach liquor license and liquor liability insurance.
If yes, what time? until

ENTERTAINMENT: Are there any entertainment features related to this event? YES NO
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 400 People

AMUSEMENT: Do you plan to have any amusement or carnival rides? YES NO
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? YES NO
If yes, how many? As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
None.

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy
A $25 Special Event Application fee must be submitted along with this Special event Application.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City’s review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

Date

Signature of Sponsoring Organization’s Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE   JACKSON, MI 49201
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Cascades Summer Kick-off Celebration

MOTION Approval of the request from the Jackson County Parks Department to conduct their annual Cascades Summer Kick-off Celebration at Sparks Park (Cascades) on Saturday, May 26th, 2012 from 5:00 p.m. to 10:00 p.m. This event is contingent upon receipt of proper insurance coverage, as well as appropriate documentation pertaining to fireworks insurance and permitting.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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$2,456.00

Conditions and Considerations:
None.

Insurance Status: Pending

att: Special Event Application: Cascades Summer Kick-off Celebration
JG/jt
Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the City Clerk at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Jackson County Parks Department

Organization Address: 1992 Warren Avenue, Jackson, MI 49203

Organization Agent: Becky Humphrey Title: Administrative Assistant

Phone: Work 517-768-2801 Home — During event 612-887-3267

Agent's Address: 1992 Warren Avenue, Jackson, MI 49203

Agent's E-Mail Address: bhumphrey@jacksonmi.gov

Event Name: Cascades Summer Kick-off Celebration

Please give a brief description of the proposed special event:

Fireworks, Live Entertainment, Food Vendors

Rain date: Sun., May 20, 2012

Event Day(s) & Date(s): Sat., May 19, 2012 Event Time(s): Starts 5pm

Set-Up Date & Time: Sat., May 19, 9 a.m. Tear-Down Date & Time: Sat., May 19, 11 p.m.

Event Location: Cascades Park

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 01 +

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time: May 18, Noon through Date/Time: May 20, 11 pm

RESERVED PARKING: Are you requesting reserved parking? YES NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO

If yes, are liquor license and liquor liability insurance attached? YES NO

If yes, what time? n/a until n/a
ENTERTAINMENT: Are there any entertainment features related to this event? **YES** NO on County Property
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 8,000 - 10,000

AMUSEMENT: Do you plan to have any amusement or carnival rides? **YES** NO
If yes, you are required to obtain a permit through the City Clerk's Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? **YES** NO If yes, how many? 12
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
Street Closure: at Brown & Randolph and at Brown & Denton
Police Dept for crowd control and traffic in the park

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy or I am requesting that City Council waive the insurance requirement for this Low Hazard Event as identified in paragraph above related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements or limitations, based on the City's review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

03.27.12
Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
CITY CLERK'S OFFICE - ATTN: ANGELA ARNOLD
161 W. MICHIGAN AVENUE - JACKSON, MI 49201
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Bark for Life

MOTION Approval of the request from the American Cancer Society to conduct Bark for Life at Sparks Park (Cascades) on Saturday, July 7th, 2012 from 9:00 a.m. to 12:00 p.m. Insurance approval has been granted by the City Attorney.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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Conditions and Considerations:
• Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk

Insurance Status: Approved

att: Special Event Application: Bark for Life
JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
Downtown Development Authority - 161 W. Michigan Avenue - Jackson, MI 49201
(517) 768-6410

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: American Cancer Society
Organization Address: 1755 Abbey Rd. East Lansing, Mi. 48823
Organization Agent: Catina Lowe Title: Community Representative
Phone: (work) 517-664-1353 Phone: (home) 517-463-9073 Phone: (during the event) 517-403-9023
Agent's Address: 1755 Abbey Rd. East Lansing, Mi. 48823
Agent's E-Mail Address: catina.lowe@cancer.org
Event Name: Back for Life

Please give a brief description of the proposed special event:
Back for Life is an event to honor cancer's caregivers.

Event Day(s) & Date(s): July 7, 2012
Event Time(s): 9am-12pm
Set-Up Date & Time: 8:00 am 7/7/2012 Tear-Down Date & Time: Noon 7/7/2012
Event Location: Cascade Falls Park

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? 4

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time N/A through Date/Time N/A

RESERVED PARKING: Are you requesting reserved parking? YES (NO)
If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES (NO) Other Vendors? YES (NO)

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES (NO)
If yes, please attach liquor license and liquor liability insurance.
If yes, what time? until
CITY OF JACKSON
SPECIAL EVENT APPLICATION, Page 2
Downtown Development Authority
161 W. Michigan ~ Jackson, MI 49201 ~ (517) 768-6410

ENTERTAINMENT: Are there any entertainment features related to this event? YES NO
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 200

AMUSEMENT: Do you plan to have any amusement or carnival rides? YES NO
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? YES NO
If yes, how many? ______
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $600,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.
A $25 Special Event Application fee must be submitted along with this Special event Application.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City’s review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

3/27/2012
Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE  JACKSON, MI 49201
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Picnic in the Park

MOTION Approval of the request from the Jackson Downtown Development Authority to conduct Picnic in the Park at Bucky Harris Park on Tuesdays, July 10, 17, 24, 31 and August 7, 14, 21, and 28, 2012 from 12:00 p.m. to 1:00 p.m. This event is covered under the City of Jackson insurance policy.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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Conditions and Considerations:
None.

Insurance Status: Approved

att: Special Event Application: Picnic in the Park
JG/jt
Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Downtown Development Authority

Organization Address: 161 W. Michigan Ave, Jackson, MI 49201

Organization Agent: Jennifer Tucker Title: Assistant Director

Phone: Work 768-6410 Home During event 768-6410

Agent's Address: 161 W. Michigan Ave, Jackson, MI 49201

Agent's E-Mail Address: jtucker@cityofjackson.org

Event Name: Picnic in the Park

Please give a brief description of the proposed special event: An hour of music to provide lunchtime entertainment on stage at Ruckie Harris Park each Tuesday afternoon in July and August.

Event Day(s) & Date(s): July 10, 17, 24, 31 and August 7, 14, 21, 28 Event Time(s): 12:00-1:00pm

Set-Up Date & Time: Each event day - 11:00am Tear-Down Date & Time: Each event day - 1:30pm

Event Location: Ruckie Harris Park

ANNUAL EVENT: Is this event expected to occur next year? Yes No How many years has this event occurred? 11

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time: N/A through Date/Time: N/A

RESERVED PARKING: Are you requesting reserved parking? Yes No

If yes, list the number of street spaces, City lots or locations where parking is requested: Request 2 parallel spaces on Jackson St next to Park for ease of loading/unloading for performers and elderly attendees.

VENDORS: Food Concessions? Yes No Other Vendors? Yes No

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? Yes No

If yes, are liquor license and liquor liability insurance attached? Yes No

If yes, what time? until
ENTERTAINMENT: Are there any entertainment features related to this event? [ ] YES [ ] NO [ ] TBD
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 50 people

AMUSEMENT: Do you plan to have any amusement or carnival rides? [ ] YES [ ] NO
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? [ ] YES [ ] NO
If yes, how many?
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

None

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

Covered under City’s Insurance Policy

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy or
I am requesting that City Council waive the insurance requirement for this Low Hazard Event as identified in paragraph above related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements or limitations, based on the City’s review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

__________________________
Date

__________________________
Signature of Sponsoring Organization’s Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE - JACKSON, MI 49201
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Crazy Cowboy 10yr Anniversary Party

MOTION Approval of the request from the Crazy Cowboy, LLC to conduct their 10 yr Anniversary Party on Mechanic Street between Cortland and Washington on July 27 and 28, 2012 from 5p.m. to 1 a.m. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

<table>
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<td>DDA</td>
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Total: $825

Conditions and Considerations:
- Applicant is responsible for removal/cleanup of trash, garbage, and debris
- All expenses realized by the City for setup/take down not associated with a community event will be reimbursed to the City by the applicant

Insurance Status: Pending

att: Special Event Application: Crazy Cowboy 10yr Anniversary Party
JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
Downtown Development Authority ~ 161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 768-6410

Date Received By DDA Office: 3/20/12 Time: 3:30 pm By: 

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Crazy Cowboy LLC
Organization Address: 215 S Mechanic St
Organization Agent: Kimnamed Title: Owner
Phone: (work) 817-1910 Phone: (cell) 817-1031 Phone: (during the event)
Agent's Address: 3916 S South St 49201
Agent's E-Mail Address: thercraycowboy@hotmail.com
Event Name: Crazy Cowboy 10 yr Annv party

Please give a brief description of the proposed special event:

Celebrate 10 yrs in Jackson! Weekend event held into cruise night.

Event Day(s) & Date(s): July 27-29, 2012
Event Time(s): July 27 5pm-1am July 28 5pm-1am
Set-Up Date & Time: July 27 3pm Tear-Down Date & Time: July 29 3am
Event Location: Mechanic St between Courtland and Washington

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? Similar street closures YES

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time: July 27 3pm through Date/Time: July 30 1am

RESERVED PARKING: Are you requesting reserved parking? YES NO
If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO
If yes, please attach liquor license and liquor liability insurance.
If yes, what time? July 27 5pm-1am until July 28 5pm-1am
ENTERTAINMENT: Are there any entertainment features related to this event? [YES] [NO]
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? [500-800 ppl]

AMUSEMENT: Do you plan to have any amusement or carnival rides? [YES] [NO]
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? [YES] [NO]
If yes, how many? [4]
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.
A $25 Special Event Application fee must be submitted along with this Special event Application.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City’s review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

Date: 3-14-12
Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE  JACKSON, MI 49201
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Cruise In

**MOTION** Approval of the request from the Jackson Downtown Development Authority to conduct Cruise Ins on Downtown streets on May 25, June 22, July 27, August 24, and September 28, 2012 from 6:00 p.m. to 9:00 p.m. This event is covered under the City of Jackson insurance policy.

**DEPARTMENTAL APPROVAL SUMMARY**

Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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<td>Fire</td>
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<td>DDA</td>
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**Conditions and Considerations:**

- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk
- No stakes may be impaled into road or parking lot surface

**Insurance Status:** Approved

att: Special Event Application: Cruise In
Street Closure Map
JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
DDA * 161 W. Michigan Avenue * Jackson, MI 49201
(517) 788-4355

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Downtown Development Authority

Organization Address: 161 W. Michigan Ave., Jackson, MI 49201

Organization Agent: Jennifer Tucker Title: Assistant Director

Phone: Work 768-6410 Home During event 768-6408

Agent's Address: 161 W. Michigan Ave., Jackson, MI 49201

Agent's E-Mail Address: jtucker@cityofjackson.org

Event Name: Cruise In

Please give a brief description of the proposed special event: Cruise In's are family-oriented events featuring cars on display throughout Downtown streets, as well as food vendors and potentially DJ music or live bands on stage at Rucky Harris Park

Event Day(s) & Date(s): 5/25, 6/22, 7/27, 8/24, 9/28 Event Time(s): Friday 6-9pm

Set-Up Date & Time: each event date at 3pm Tear-Down Date & Time: each event date at 9pm

Event Location: Downtown: Map Attached

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 13

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/ Time: 5:15pm each Friday through Date/ Time: 9:30pm each Friday

RESERVED PARKING: Are you requesting reserved parking? YES NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO

If yes, are liquor license and liquor liability insurance attached? YES NO

If yes, what time? _______________ until ____________________
ENTERTAINMENT: Are there any entertainment features related to this event? Yes ☑ No
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 4,000-5,000 people

AMUSEMENT: Do you plan to have any amusement or carnival rides? Yes ☑ No
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? Yes ☑ No If yes, how many? 2
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

- 10 garbage cans near City Hall to disperse as needed
- Engineering: 20 - No Parking Tripods for food vendors parking spots and no parking signs for center lane

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

- Covered under City’s Insurance Policy

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy or
I am requesting that City Council waive the insurance requirement for this Low Hazard Event as identified in paragraph above related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements or limitations, based on the City’s review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

__________ Date

[Signature]
Signature of Sponsoring Organization’s Agent
2012 Cruise In

Street Closure from 5:15 p.m. to 9:30 p.m.
May 25th, June 22nd, July 27th, August 24th, and September 28th

Michigan Avenue from Blackstone to Francis Street
Jackson Street from Cortland to Louis Glick Hwy.
Mechanic Street from Washington Avenue to Pearl Street
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: 2012 Jackson Southside Reunion

MOTION Approval of the request from Southside Reunion, Inc. to conduct their 2012 Jackson Southside Reunion at 1107 Adrian Street on August 10th and 11th, 2012 from dawn to dusk. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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<tr>
<td>Police</td>
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<tr>
<td>Fire</td>
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$654

Conditions and Considerations:
None.

Insurance Status: Pending

att: Special Event Application: 2012 Jackson Southside Reunion

JG/jt
Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the City Clerk at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Southside Reunion Inc.
Organization Address: 242 Damon St., Jackson, MI 49203
Organization Agent: Eugene H. Hurd Title: President
Phone: Work 780-6408 Home 784-0214 During event 795-8048
Agent's Address: 242 Damon St., Jackson, MI 49203
Agent's E-Mail Address: HURD DELON @ YAHOO.COM
Event Name: 2012 Jackson Southside Reunion

Please give a brief description of the proposed special event: Gathering of families and friends for games, music, grilling, exhibits, just having a great time!

Event Day(s) & Date(s): Aug. 16th/17th 2012 Event Time(s): Dawn to Dusk.
Set-Up Date & Time: Aug. 16th 2012 @ 7:00 AM Tear-Down Date & Time: Aug. 17th, 2012 @ 9:00 PM
Event Location: 1107 Adrian St., Jackson, Michigan 49203

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred?

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time: N/A through Date/Time: N/A

RESERVED PARKING: Are you requesting reserved parking? YES NO
If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO
If yes, are liquor license and liquor liability insurance attached? YES NO
If yes, what time? N/A until
ENTERTAINMENT: Are there any entertainment features related to this event? (YES) NO
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 1000 to 1200 people.

AMUSEMENT: Do you plan to have any amusement or carnival rides? (YES) NO
If yes, you are required to obtain a permit through the City Clerk's Office. (upon further review)

REST ROOMS: Are you planning to provide portable rest rooms at the event? (YES) NO
If yes, how many? 6
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.
Howard Woods Complex, MLK Facilities, several picnic tables, trash barrels, large portable stage, generated electricity.

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies for Low Hazard because:

(will submit upon receipt).

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy or I am requesting that City Council waive the insurance requirement for this Low Hazard Event as identified in paragraph above related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements or limitations, based on the City's review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

3/29/12
Date

[Signature of Sponsoring Organization's Agent]

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
CITY CLERK'S OFFICE - ATTN: ANGELA ARNOLD
161 W. MICHIGAN AVENUE - JACKSON, MI 49201
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Bikes and BBQ

MOTION Approval of the request from Slipped Disc, LLC to conduct the Bikes and BBQ fundraiser for the American Cancer Society on Michigan Avenue between Jackson Street and Mechanic Street, and Jackson Street between Pearl Street and Cortland Street on Saturday, August 18th, 2012 from 2:00 p.m. to 7:00 p.m. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

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Conditions and Considerations:
- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk
- Applicant is responsible for removal/cleanup of trash, garbage, and debris
- No stakes may be impaled into road or parking lot surfaces
- Event organizer must notify Downtown businesses of event and related street closures

Insurance Status: Pending

att: Special Event Application: Bikes and BBQ
      Map of Street Closures

JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
Downtown Development Authority ~ 161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 768-6410

Date Received By DDA Office: 3-1-12 Time: 9am By: JF

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization’s Legal Name: Slipped Disc Productions
Organization Address: 6549 N. Sandstone Rd Jackson, Mi 49201
Organization Agent: Cindy Hayden Fuller Title: Founder
Phone: (work) 517.962.5939 Phone: (home) 517.796.9368 Phone: (during the event) 517.745.2935
Agent’s Address: 6549 N. Sandstone Rd Jackson, Mi 49201
Agent’s E-Mail Address: Slippeddiscproductions@yahoo.com
Event Name: Bikes & BBQ

Please give a brief description of the proposed special event: BBQ competition, motorcycle show, w/crafters/vendors as a fundraiser for the American Cancer Society.

Event Day(s) & Date(s) Saturday, Aug 18
Event Time(s) 2 pm - 7 pm
Set-Up Date & Time Aug 18 10AM Tear-Down Date & Time Aug 18 7-8 PM
Event Location S. Jackson or Michigan Ave

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? 3 years

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time Aug 18 10AM through Date/Time: Aug 18 8 PM

RESERVED PARKING: Are you requesting reserved parking? YES NO
If yes, list the number of street spaces, City lots or locations where parking is requested: Parking lot 8

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO
If yes, please attach liquor license and liquor liability insurance. only by downtown businesses
If yes, what time? ___________________________ until ___________________________
ENTERTAINMENT: Are there any entertainment features related to this event? [YES] [NO] [TBD] 
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? [1000] 

AMUSEMENT: Do you plan to have any amusement or carnival rides? [YES] [NO] 
If yes, you are required to obtain a permit through the City Clerk's Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? [YES] [NO] 
If yes, how many? [4] 
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.) 
S. Jackson from Pearl St to Corryland 
5 Jackson from Pearl St to Corryland 
No parking for reserved parking on Mich Ave + Jackson St, cut on Friday 
Electricity available on both Mich Ave + Jackson St. (attached map) 
Electricity @ Bucky Harris Park 

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that: 
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy. 
A $25 Special Event Application fee must be submitted along with this Special event Application. 
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy. 
The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application. 
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications. 
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

2/28/12 [Date] 
Cindy Hayden Fuller [Signature of Sponsoring/Organization's Agent]

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to: 
DOWNTOWN DEVELOPMENT AUTHORITY 
161 W. MICHIGAN AVENUE JACkSON, MI 49201
Downtown Jackson Parking Map

Street Closures
10 am - 7 pm
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Making Strides Against Breast Cancer

MOTION Approval of the request from the American Cancer Society to conduct Making Strides Against Breast Cancer at the Riverwalk Amphitheater and City streets on Saturday, October 6th, 2012 from 7:00 a.m. to 12:00 p.m. Insurance approval has been granted by the City Attorney.

DEPARTMENTAL APPROVAL SUMMARY
Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

<table>
<thead>
<tr>
<th>Department</th>
<th>Approval</th>
<th>Denial</th>
<th>Economic Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>x</td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Fire</td>
<td>x</td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Engineering</td>
<td>x</td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Public Works</td>
<td>x</td>
<td></td>
<td>$114</td>
</tr>
<tr>
<td>Recreation</td>
<td>x</td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>DDA</td>
<td>x</td>
<td></td>
<td>$0</td>
</tr>
</tbody>
</table>

$114

Conditions and Considerations:
- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk

Insurance Status: Approved

att: Special Event Application: Making Strides Against Breast Cancer
Rout Map
JG/jt
CITY OF JACKSON
SPECIAL EVENT APPLICATION
Downtown Development Authority ~ 161 W. Michigan Avenue ~ Jackson, MI 49201
(517) 768-6410

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: American Cancer Society
Organization Address: 1755 Abbey Rd. East Lansing, Mi 48823
Organization Agent: Catherine Lowe, Title: Community Representative.
Phone: (work) 517-464-1353 Phone: (home) 517-483-763 Phone: (during the event) 517-483-8073
Agent's Address: 1755 Abbey Rd, East Lansing, Mi 48823
Agent's E-Mail Address: catherine Lowe@cancer.org
Event Name: Making Strides Against Breast Cancer - For Jackson

Please give a brief description of the proposed special event: Non-competitive 5K walk around downtown. This is a breast cancer awareness event.

Event Day(s) & Date(s) October 6, 2012
Event Time(s) 7am - 12 pm
Set-Up Date & Time Oct 6, 2012 7am Tear-Down Date & Time 12 pm Oct 6, 2012
Event Location Begins at the Amphitheater and finishes at the Amphitheater.

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? 5

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time through Date/Time:
RESERVED PARKING: Are you requesting reserved parking? YES NO
If yes, list the number of street spaces, city lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO
If yes, please attach liquor license and liquor liability insurance.
If yes, what time? until

______________________________
CITY OF JACKSON
SPECIAL EVENT APPLICATION, Page 2
Downtown Development Authority
161 W. Michigan ~ Jackson, MI 49201 ~ (517) 768-6410

ENTERTAINMENT: Are there any entertainment features related to this event? **YES**
If yes, providing an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? _____

AMUSEMENT: Do you plan to have any amusement or carnival rides? **YES**
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? **YES**
If yes, how many? _____ As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

Electricity hook up available on stage.

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least $500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.
A $25 Special Event Application fee must be submitted along with this Special event Application.
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City’s review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

3/21/12
Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE ~ JACKSON, MI 49201

2
ROUTE DIRECTIONS

October 6, 2012

After leaving the Riverwalk Amphitheater go:
South on Francis
West on Franklin
North on Seventh
East on Washington
North on Blackstone
East on Cortland
North on Mechanic
West on Michigan
North on Blackstone
East on Pearl
South on Mechanic
East on Michigan returning to the Riverwalk Amphitheater
MEMO TO:  Honorable Mayor and City Councilmembers  
FROM:  Jon H. Dowling, P.E., City Engineer/Director of Public Works  
SUBJECT:  Recommendation for Purchase of Concrete Saw from Ace Cutting Equipment  

MOTION:  APPROVAL OF CONCRETE SAW PURCHASE FROM ACE CUTTING EQUIPMENT & SUPPLY OF NOVI, MICHIGAN, IN THE AMOUNT OF $19,813.00, AND AUTHORIZATION FOR THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS TO EXECUTE THE APPROPRIATE DOCUMENT(S), IN CONCURRENCE WITH THE PURCHASING AGENT.

The Purchasing Department requested bids for a self propelled, walk behind concrete saw for the Department of Public Works. The original request did not specify a brand name, but was for a concrete saw which included a 65 HP, gas powered engine with a 36” blade capacity. At the pre-bid meeting the suppliers pointed out that the EPA prohibited the gas engines due to emissions controls and the diesel engines were all that was available on the concrete saws. Since the department had budgeted only $22,000 for the saw, we thought that even though the 65 HP was a better concrete saw, the 65 HP diesel would be too expensive and exceed our budget. We then issued an addendum allowing 48HP concrete saws and that used or demo models with less than 40 operating hours on the saw may be considered.

The bids received are in the following table:

<table>
<thead>
<tr>
<th>Company</th>
<th>Saw Model</th>
<th>Size (horsepower)</th>
<th>Bid Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ace Cutting Equipment &amp; Supply</td>
<td>Core Cut 6550XLS-36</td>
<td>48HP Diesel</td>
<td>$18,459</td>
</tr>
<tr>
<td>Novi, MI</td>
<td>Core Cut 6560XLS-36</td>
<td>65HP Diesel</td>
<td>$19,813</td>
</tr>
<tr>
<td>Cougar Sales and Rental, Inc</td>
<td>Husqvarna FS4800D-36</td>
<td>48HP Diesel</td>
<td>$20,889</td>
</tr>
<tr>
<td>Novi, MI</td>
<td>Husqvarna FS6600D-36</td>
<td>66HP Diesel</td>
<td>$26,818</td>
</tr>
<tr>
<td>Hammersmith Equipment Co</td>
<td>Husqvarna FS4800D-36</td>
<td>48 HP Diesel-Used</td>
<td>$19,800</td>
</tr>
<tr>
<td>Grand Rapids, MI</td>
<td>Husqvarna FS4800D-36</td>
<td>48HP Diesel</td>
<td>$20,900</td>
</tr>
<tr>
<td></td>
<td>Husqvarna FS4800D-36</td>
<td>48HP Diesel</td>
<td>$23,095</td>
</tr>
<tr>
<td></td>
<td>Husqvarna FS6600D-36</td>
<td>66HP Diesel</td>
<td>$26,535</td>
</tr>
<tr>
<td>W.H. Duffill, Inc</td>
<td>Husqvarna FS4800D-36</td>
<td>48HP Diesel</td>
<td>$21,176</td>
</tr>
<tr>
<td>Hazel Park, MI</td>
<td>Husqvarna FS6600D-36</td>
<td>66HP Diesel</td>
<td>$23,688</td>
</tr>
<tr>
<td>United Rentals</td>
<td>Husqvarna FS6600D-36</td>
<td>66HP Diesel</td>
<td>$30,450</td>
</tr>
<tr>
<td>Romulus, MI</td>
<td>MK-Model 165147-36</td>
<td></td>
<td>Non-responsive</td>
</tr>
<tr>
<td>MK Diamond Products</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Torrance, MI</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The bids received are in the following table:
Ace Cutting Equipment & Supply had the lowest bid price for both the 48 HP and the 65 HP concrete saws. The 65 HP concrete saw bid price is within our budget amount and meets our original specifications.

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Public Works that a purchase of a concrete saw from Ace Cutting Equipment & Supply of Novi, Michigan, with model Core Cut 6560XLS-36 at their bid price of $19,813.00 be submitted to City Council for their approval, and the City Engineer/Director of Public Works be authorized to sign the purchase order. This purchase will be paid for out of Motor Pool funds.

JHD:ms

C: Laurence R. Shaffer, City Manager
    Lynn Fessel, City Clerk/Purchasing Agent
    Shelly Allard, Purchasing Coordinator
    Lucinda Schultz, Accounting Manager
TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director

SUBJECT: Final Allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Funds for Fiscal Year 2012-2013

MOTION
Approve final funding allocations for the 2012-2013 CDBG and HOME grants as determined by City Council.

On February 1, 2012, the Department of Housing and Urban Development (HUD) published the level of funding the City of Jackson would receive as an entitlement community for fiscal year 2012-2013 as follows:

CDBG
$1,147,952 actual formula allocation + $75,000 estimated program income = $1,222,952

HOME
$262,391 actual formula allocation

On February 21, 2012, City Council made the following preliminary allocations of CDBG and HOME based on the actual funding levels:

<table>
<thead>
<tr>
<th>CDBG</th>
<th>Preliminary Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Services</strong></td>
<td></td>
</tr>
<tr>
<td>King Center Summer Youth Program</td>
<td>$40,000</td>
</tr>
<tr>
<td><strong>Subtotal Public Services:</strong></td>
<td>$40,000</td>
</tr>
<tr>
<td><strong>Administration/Planning</strong></td>
<td>$215,000</td>
</tr>
<tr>
<td><strong>Subtotal Administration/Planning:</strong></td>
<td>$215,000</td>
</tr>
<tr>
<td><strong>Other Projects</strong></td>
<td></td>
</tr>
<tr>
<td>Community Development – Code Enforcement</td>
<td>$535,000</td>
</tr>
<tr>
<td>Community Development – NES Demolition</td>
<td>$225,952</td>
</tr>
<tr>
<td>Community Development – Residential Rehabilitation</td>
<td>$145,000</td>
</tr>
<tr>
<td>City Attorney’s Office – Code Enforcement</td>
<td>$  52,000</td>
</tr>
<tr>
<td>Dept. of Public Works – Handicap Curb Ramps</td>
<td>$ 10,000</td>
</tr>
<tr>
<td><strong>Subtotal Other Projects:</strong></td>
<td><strong>$967,952</strong></td>
</tr>
<tr>
<td><strong>Total CDBG Allocations:</strong></td>
<td><strong>$1,222,952</strong></td>
</tr>
<tr>
<td>HOME</td>
<td>Preliminary Allocation</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Community Development – Residential Rehabilitation</td>
<td>$184,391</td>
</tr>
<tr>
<td>Community Development – Administration</td>
<td>$ 25,500</td>
</tr>
<tr>
<td>Community Action Agency – CHDO Reserve</td>
<td>$ 40,000</td>
</tr>
<tr>
<td>Community Action Agency – CHDO Operating Expenses</td>
<td>$ 12,500</td>
</tr>
</tbody>
</table>

**Total HOME Allocations:** $262,391

**HOME Restrictions**

1. Admin - no more than 10% ($26,239)
2. CHDO Reserve (mandatory) at least 15% ($39,359)
3. CHDO Operating Expenses (optional) - no more than 5% ($13,119)

According to the City of Jackson’s Citizen Participation Plan, no activities may be added or deleted between the preliminary and final allocation phases. Further, Council may not change funding amounts between activities by more than $122,295 in CDBG and $26,239 in HOME funds without triggering “substantial change” requirements. Doing so would require staff to prepare a substantial amendment to the Action Plan, which has been available for public comment from March 20 to April 20, 2012. This would put the City four to six weeks behind schedule of beginning the fiscal year on July 1, 2012.

As stated, April 20 marks the end of the required 30-day public comment period for the 2012-2013 Action Plan. All citizen comments received, if any, will be incorporated into the final Action Plan before requesting authorization to submit to HUD at City Council’s May 15, 2012 regular meeting.
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Julius A. Giglio
SUBJECT: Peter Bormuth v. City of Jackson, et al
DATE: April 4, 2012

REQUESTED ACTION: The requisite action is to refer this matter to the City Attorney for handling.

Attached is a copy of a Summons and Complaint that was served on the City. The suit was filed in the United States District Court in Detroit.

The requisite action is to refer this matter to the City Attorney for handling.

JAG/dn
Enc.

cc Laurence Shaffer, City Manager
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

PETER BORMUTH,

Plaintiff,

V

CITY OF JACKSON,
JACKSON COMMUNITY COLLEGE,
& JOHN YOHE, WRITING INSTRUCTOR

Defendants.

Peter Bormuth, Plaintiff
In Pro Per
142 West Pearl Street
Jackson, Michigan 49201
(517) 787-8097
wardance@live.com

RECEIVED
CITY OF JACKSON
MAR 21 2012
ATTORNEY'S OFFICE

Case: 2:12-cv-11235
Judge: Cleland, Robert H.
MJ: Michelson, Laurie J.
Filed: 03-20-2012 At 11:54 AM
CMP BORMUTH V CITY OF JACKSON, ET AL (EB)
PLAINTIFF’S COMPLAINT

1. STATEMENT OF THE CASE

On October 25th, 2011, John Yohe, Writing Instructor at Jackson Community College, had the Plaintiff Peter Bormuth arrested by the Jackson City Police for trespassing at Bella Notte Ristorante, a place of public accommodation, when the Plaintiff attempted to exercise his right to attend a poetry reading hosted by Jackson Community College, a municipal corporation. The event was advertised as open to the general public with an open mike available to students and general community members. The Plaintiff believes this action by Jackson Community College was a violation of his First Amendment rights as applied to the States through the Fourteenth Amendment (Free Speech). This action also violated the Civil Rights Act of 1964 (Religion) since a similarly situated Christian woman was allowed to attend the event and read her Christian poetry open mike while the Plaintiff, who is a Animist and Pagan, was arrested and prevented from reading his Pagan poetry. Mr. Yohe, in his official capacity as Writing Instructor, also made false and defamatory statements about the Plaintiff in an article published in the Jackson Citizen Patriot on January 11th, 2012. Meanwhile City Prosecutor Gilbert Carlson deliberately delayed the Plaintiff’s arraignment in this case. The Plaintiff has suffered irreparable harm to his reputation, his future livelihood, and his health from these actions by John Yohe, Jackson Community College, and the City of Jackson. And most significantly, his free speech was silenced and his religion disrespected.
2. BACKGROUND INFORMATION

The Plaintiff wrote his first poem in seventh grade at Frost Junior High in Jackson, Michigan. At Parkside High School he was exposed to the Michigan poet, Max Ellison, who gave a reading. Max had some fine poems. The Plaintiff still remembers some lines from his poem 'October'. "October you are like a painted woman and I love you..." As a freshman in College the Plaintiff discovered T.S. Eliot: 'The Love Song of J. Alfred Prufrock; The Wasteland; The Four Quartets'. Even today the Plaintiff utilizes several techniques he learned from reading Eliot. The next poet to impress the Plaintiff was Pablo Neruda. His images were astonishing. Mary Oliver’s poetry taught the Plaintiff a perspective to be used with nature. Rainer Maria Rilke taught the Plaintiff the importance of taking the inner world of the imagination seriously. And Rilke can make German sing, which is a difficult thing. Yusef Komunyakaa taught the Plaintiff a method for writing poetic biographies. Yusef is perhaps our finest living poet and his poetic biography of Charlie Parker is unsurpassed. Reggie Gibson, the National Poetry Slam champion, expanded the Plaintiff’s idea of the possibilities of performance. The Plaintiff first heard Reggie do his ‘Hendrix’ poem at the Graystone Jazz Museum in Detroit and was in awe of how superior his work was. And the Plaintiff’s friendly competition with Hamtramck poet Kim Webb inspired him to put his poetry to music. The Plaintiff must also mention Eduardo Galeano’s ‘Memory of Fire’. Though prose, this 3 vol. history of the Americas is the most significant work of the 20th century. And Robert Graves’s speculations on the poetic muse in, ‘The White Goddess’, has been invaluable to the Plaintiff. These people have been the Plaintiff’s influences.
Currently poetry in the United States is conducted in Colleges and Universities. Poets teach, which is to say they read a lot of bad writing. They have sold their poetic souls for the security and comfort of academia. They go to expensive writing conferences in the summer (paid for by the school) and have poets with greater reputations assign them writing exercises. Or they take vacations and write superficial poems about their travels. This is now known as the creative process. The poetry produced is almost universally dull and mediocre. And certain students are selected to continue this process. They win little awards, publish in college reviews, and go on to be hired as writing instructors. Poetry has become a teaching career. This was not always the case. Even 50 years ago very few poets made their living in academia. None of the great older poets ever taught.

The poetry slam movement was in part a response to this situation. Poets from the street, poets of color, poets who could not afford college, English teachers in high school, high school students, and poets who just wanted to experiment joined in the movement. A few of the most successful slam poets leapt into academia, their careers secure. Moderately successful poets went on the road, going from slam venue to slam venue. Lots of self-publishing was done to have “product” to sell or trade at the venues. Ultimately most slam poets just faded back into the obscurity from which they came. But the slam movement had one extremely positive effect: poets started working off the page. The old bardic tradition of memorizing and performing a poem was revived.

The Plaintiff participated in the poetry slam movement in a marginal way. He memorized about 200 poems (only thirty of them his own) and developed his own original style of

After a three year creative hiatus the Plaintiff began working on a history called ‘GOD DID IT: the words and deeds of the followers of Jesus Christ’. During this time period he started going to the library at JCC. One day he saw a flyer advertising a poetry reading hosted by JCC, open to the general public, to be held at Darryl’s, a downtown restaurant, with an open mike for students and community members. The flyer advertised that the featured reader was the poet laureate of the Detroit Public Schools. This interested the Plaintiff since he knows many fine poets from Detroit, so on a whim, he decided to attend. He arrived early and politely helped the waiter and John Yohe the host, set up the room. He signed up for the open mike and noticed that there was already a name on the sign-up sheet. Presently another man arrived and from the conversation that ensued the Plaintiff gleaned that this man was a student of John Yohe’s, that he had just come from attending church, and that he intended to read a poem from memory (using flashcards as an aid), and that he had studied architecture and photography. The Plaintiff seated himself at a side/front table and quietly awaited the beginning of the event. Two young female JCC students joined him at his table.
The Plaintiff listened politely to all the open mike readers. He took the stage when his name was called. He performed two original pieces from memory. The first piece he introduced was 'Steelhead', an animist poem that utilizes the technique of moving back and forth in alternating stanza’s between the consciousness of a fish and human consciousness to explore the ecological effects of Christian pollution on the Great Lakes ecosystem. The second poem he read, 'From A Whisper To A Moan', is a poetic biography of the singer Janis Joplin, of interest because she was the first white woman to do the black blues shouter thing and therefore a crossover artist of some significance in the history of American popular music. The Plaintiff then sat back down to polite applause and listened to the rest of the open mike poets. After a short break, the visiting poet from Detroit read some exceptional work, including a longer prose piece on her migraine headaches that contained imagery of exceptional quality. Then the second featured poet, a JCC instructor, gave a twenty minute reading on how to self-publish, while she rushed around the stage, trying to brush away the energy that had been left behind by the previous readers.

After the reading was over, the JCC student at the Plaintiff’s table (who had read open mike), asked the Plaintiff to listen to another poem of hers. The room was cacophonous with loud echoed conversation but the Plaintiff politely obliged. Here the Plaintiff must digress and mention that he is not a teacher of poetry and has no desire to become one. He feels that poetry springs from a deep well of inner experience and has never found any value in writing groups or writing exercises. The only teaching he does is by modeling possibilities through his own work. But he is sensitive to the need to offer encouragement to beginners. He allowed the student to read her poem and when she asked for comment the Plaintiff wrote in her notebook S.
his distilled advice from over 40 years of creative effort in the field of poetry: “Think in images. Find an image for each idea or emotion you want to convey. Leap from image to image like jumping over a small stream.”

As the Plaintiff was leaving John Yohe came up to him and asked for some way to contact him. The Plaintiff politely warned John Yohe that the Plaintiff was not socially acceptable because he would not cease his criticisms of Christianity. Mr. Yohe then expressed that he was an atheist and gestured to the audience in the room saying that, “no one likes Christianity here”. The Plaintiff found this odd since the early sign up reader had mentioned coming from Church and another open mike reader had been a woman who read overtly Christian poems with juvenile rhyme schemes in a sing song voice. But the Plaintiff politely gave Mr. Yohe his e-mail and later made contact with him by e-mail because he wanted to offer his editing services to the featured reader from Detroit. While having no desire to teach, the Plaintiff is an editor of some skill and enjoys working with other talented people. Like all writers, poets are attached to their own words and sometimes it is easier for another person to see what language is superficial or extraneous in a piece. The Plaintiff does not know if Mr. Yohe ever communicated this offer to the poet from Detroit but he never received any response to his offer.

In January of 2011 the Plaintiff again attended a reading put on by JCC and hosted by John Yohe, this time in Bella Notte Ristorante instead of Darryl’s. The Plaintiff signed up for the open mike, sat quietly through the other open mike participants including the young female JCC student whose notebook he had commented in, the male student of architecture, the Christian woman who reads in a sing song voice, and a new female JCC student who read a poem about
books. The Plaintiff took the stage when called upon and read three poems. First a very short piece by the Cree storyteller, Samuel Makidemewa'be, called ‘Quiet Until The Thaw’ (translated by Howard Norman). Then he performed ‘Death Camp’, a short piece about the experience of a Jewish woman in the Christian Nazi gas chambers. And finally he read ‘Slow Down’, an original rap piece about the ecological consequences of actions based on the Christian religion and Christian morality. Then the Plaintiff sat down and listened to the rest of the readers, including John Yohe. Mr. Yohe was one of the featured readers and read a fine poem about a fire crew while another JCC instructor read poems about her travels in Greece and the American Southwest. When the last poet had finished, the Plaintiff left.

The Plaintiff sent John Yohe an e-mail later that week congratulating him on his poem about the fire crew. The Plaintiff also sent along a poem by Yusef Komunyakaa called ‘A Break From The Bush’ because of a similar device used in the construction of the poem. Mr. Yohe responded with an e-mail telling the Plaintiff that one student, the girl who read the ‘book’ poem, liked the Plaintiff’s work. This e-mail accidentally was stored in the Plaintiff’s Junk file so he didn’t see it for a couple of weeks. When he did find it, he responded immediately, telling Mr. Yohe to thank the student for her positive response to the Plaintiff’s work. The Plaintiff has read to many hostile audiences and is always pleased when someone appreciates his work. He also relayed an antidote from Lester Young, the tenor saxophone player in the Count Basie Orchestra, who told a female singer complaining about inattentive audiences that, “if you have one person listening, and maybe that guy is in the bathroom, you have an audience.”
Before the February 2011 reading the Plaintiff sent Mr. Yohe an e-mail asking him to sign the Plaintiff up for the open mike. Mr. Yohe responded curtly telling the Plaintiff that no one got special favors and that if the Plaintiff wanted to sign up, he should get there early. So the Plaintiff arrived at Bella Notte early and went upstairs. There were only two people in the room, neither one of them readers. The Plaintiff looked around but there was no sign-up sheet so he took a seat and waited while the room filled up. Someone mentioned that Mr. Yohe had been sick that day and remarked that another instructor had taught his writing class at JCC. When Mr. Yohe finally arrived, he had the sign-up sheet, but it was full except for one spot which the Plaintiff took. On this occasion the Plaintiff read three pieces. A very short poem by Samuel Makademewa’be called ‘Took Honey With His Face’ (translated by Howard Norman), a short original piece called ‘Trees’ about the consciousness and role of the tree people on this planet, and a longer original poetic biography of George Washington called ‘Aliquando Dormitat’, Latin for “someone is sleeping.” While he was reading the piece Mr. Yohe and the architectural student began turning their heads and making facial gestures to distract the Plaintiff. This caused him to forget a line at one point since this was a new piece that he had just memorized that week. The Plaintiff finished his piece and sat down. He listened to all the other readers including the two featured poets from JCC. Then he left.

When he got home he sent Mr. Yohe an e-mail asking clarification on the sign up policy. The Plaintiff’s tone was polite and enquiring. He did not mention the head turning. Mr. Yohe’s response was rude and antagonistic and during the exchange of e-mails he called the Plaintiff “an arrogant asshole” and told the Plaintiff that he was banned from the readings. Here the Plaintiff must mention that he despises Jesus’s advice to “turn the other cheek” and Gandhi’s
comment that “an eye for an eye will make the whole world blind.” The Plaintiff believes in
Pagan living pride, not Christian humility, and follows Chandras Bose, Gandhi’s charismatic rival
in the Indian Independence Movement, who said: “if someone slaps you once, slap them
twice!” The Plaintiff feels like this is a superior morality since the obvious goal is not to be
slapped. Now certainly when names start getting called, the level of the conversation will
deteriorate. The Plaintiff remained fairly civil in his exchange with Mr. Yohe, and noting that he
was currently in a prose mood and had a major work to finish, expressed that he was fine with
not attending Mr. Yohe’s readings for the time being.

The Plaintiff worked on his history (“GOD DID IT: the words and deeds of the followers of
Jesus Christ”) all through the spring and summer of 2011, finally finishing the work in early
September. He then decided that he wished to attend the poetry readings again. Banned from
the September reading, he contacted Mr. Yohe’s English Department Chairperson Gerald Jacobs by e-mail on September 27th, 2011 explaining the situation and telling her that he would
take JCC to court if he continued to be excluded. Ms. Jacobs never responded to this e-mail but
forwarded it to Todd Butler, Dean of Arts and Sciences at JCC and the Plaintiff received an e-
mail from Mr. Butler on October 5th, 2011. Mr. Butler’s e-mail was ambiguous. He expressed
regret for the situation, said no one should be excluded, but then suggested the Plaintiff should
find another venue to read his poetry, insinuated that the reason for the Plaintiff’s exclusion
was space or time frame related, and concluded that Mr. Yohe was the final arbiter of who
could sign up for the open mike. The Plaintiff responded that if a Christian woman from the
general community was allowed to read her overtly Christian poetry, JCC could not discriminate
against the Plaintiff’s Pagan poetry.
The Plaintiff wishes to make one final observation for the Court. All poetry readings contain bad poetry. Any regular attendee must be prepared to sit civilly and politely through work they do not like, either because of the ideas and values expressed in the poem, the imagery and language used in the poem, the style of presentation, or perhaps even irritation with the quality of a poet’s voice. This is normal. It is ok that there are people who dislike the Plaintiff’s poetry. They can sit through it politely, just as the Plaintiff sits politely through poets he does not care for. Dislike of a poet’s message or language or personality is not legal ground for their removal from the event. Nor is there any requirement for individual readers to associate beyond being civil and polite at the event.

The Plaintiff also wishes to relate the background of his relationship with the City of Jackson for the Court. In July 2011 he sent two letters to the Department of Public Works complaining about the Department’s use of Monsanto’s herbicide “Roundup” in the City cemeteries. The Plaintiff quoted the Jackson City Ordinances, section 7-11, which contains the following wording “No person shall...do any act upon the grounds of such cemeteries which shall amount to a desecration...” Desecration is defined in Webster’s as: “(1) the act of depriving something of its sacred character (2) Or the disrespectful or contemptuous treatment of that which is held sacred of holy by a group or individual.” The Plaintiff’s second letter dated July 7th, 2011 stated “...precisely what you have done to the spirits and graves of the ancestors by spraying Roundup on them, is robbed them of their sacred character and through your disrespectful treatment turned their holy nature into a problem of worker convenience or economic efficiency. I cannot speak for other groups, but as a Pagan and Animist, I personally hold the ancestors to be sacred and your actions to be a desecration.” Mr. Larry Shaffer, the City Manager, who holds ultimate
responsibility for the cemeteries spoke with the Plaintiff on the phone about this issue on July
11th, 2011 and stated that he had not given permission for the use of Roundup on cemetery
plots and that he had not given permission for the spraying of Roundup around the base of old
trees. He stated that he had only been on the job for 5 weeks and would undertake a review of
the DPW procedures. Mr. Shaffer approached the issue as an economic issue – Roundup is
expensive – while the Plaintiff approached it as a spiritual issue. At the end of the month review
(8-23-11) Mr. Shaffer requested an additional week. During this week the DPW dumped
Roundup on the roads, graves, and trees in the Mt. Evergreen cemetery. At the end of the week
Mr. Schaffer sent the Plaintiff an e-mail stating that “I agree the use of Roundup is not good and
have instructed that it not be used again.” The Plaintiff then sent Mr. Schaffer pictures of the
results of the DPW’s dumping of Roundup during the last week of August. Mr. Shaffer
responded that, “I want to assure you that Roundup will no longer be used in our cemeteries”
but did not address the dumping. The Plaintiff does not know if there was an inquiry into the
DPW dumping undertaken by Mr. Shaffer or whether he approved the action.

On September 29th, 2011 the Plaintiff sent Mr. Shaffer an e-mail with attached photos noting
that a tree in the cemetery had been damaged in a wind storm three weeks previously and
while the DPW had trimmed the side branches off the damaged branch, they had not returned
to remove the damaged branch itself. Since this was the fall when mushroom spores are
prevalent, a fungus could easily enter this perfectly healthy tree. Mr. Schaffer responded the
same day saying he would ask Mr. Dowling, Director of the DPW, to take care of the issue. A
week later the DPW removed the damaged branch but deliberately put a scar on the trunk of
the tree with a chain saw. The Plaintiff sent Mr. Shaffer photos of this vindictive action. Once
again, the Plaintiff does not know if there was an inquiry into the deliberate scarring by the DPW work crew undertaken by Mr. Shaffer or whether he approved the action.

On October 12th, 2011 around 4pm the Plaintiff went down to the Grand River to make his daily prayer and offering and noticed an oil sheen covering the surface of the river. He immediately went to the City Police Department to report this spill. He brought a sample of the river water and was instructed by the Police to take it to the Fire Department. A fire truck had arrived on the scene in the meantime and after some searching for the crew, the Plaintiff left the sample with the truck. He then went home, got his canoe, and put in the river sometime between 6pm and 6:30pm in an effort to locate the source of the spill. The Plaintiff found liquid discharge with traces of oil coming from the DPW drain pipe behind the DPW buildings and yard. Thinking he had found the source of the spill he turned around and paddled back upstream, not wanting to get his canoe in the oil fouled water. At 10pm he sent Mr. Shaffer an e-mail complaining about this action of the DPW dumping oil into the river. The following day he read a report in the Jackson Citizen Patriot that said a crew from the DPW was responsible for the spill. The report also said that Mr. Dowling would not discipline or terminate the employees responsible for the spill. The Plaintiff complained about this irresponsible management to Mr. Shaffer in an e-mail sent on 10-13-11. Mr. Shaffer responded that “the source of the oil would be researched and mitigation shall occur.” In a report filed with the Michigan Department of Environmental Quality on 10-21-11 Jon Dowling notified Rachel Matthews that, “The cause of the oil release was a faulty seal on the hydraulic oil in a submersible pump used during a water main repair.” Mr. Dowling claimed that the oil came from a catch basin connected to the storm sewer that empties into the Grand River on the
north side of E. Morrell St. And he claimed the City Engineer (himself) and the Public Works Assistant checked the outfall pipe from the DPW complex sometime between 4pm and 5:30pm on 10-12-11 and found it dry with no discharge of any kind.

The Plaintiff would like to point out that in his second letter to the DPW dated 7-7-11, he identified himself as a Pagan and Animist. Therefore the subsequent actions by the DPW in dumping Roundup on the cemetery, the deliberate damaging of a tree after the Plaintiff’s request to use proper forestry practices to “protect” it, and the “accidental” spilling of oil near the site where the Plaintiff goes to pray can all be regarded as potentially discriminatory actions.

3. STATEMENT OF FACTS

The Plaintiff arrived at Bella Notte Ristorante at approximately 6:30 pm on October 25th, 2011. For the last two years the Plaintiff has often stopped in Bella Notte on nights when they offer live music. He has never had any incident with another customer, staff, or ownership. The Plaintiff enjoys listening to the musical imagination of the players. Despite having his own band, he is no prima donna and has never asked to sit in with the musicians. He respects other people’s gigs. Similarly, the Plaintiff goes to poetry readings to see what the imagination of the poets has to offer and would never ask to read at a poetry event unless it advertised an open mike. The Plaintiff saw Mr. Yohe seated at a front window table with a party eating dinner when he entered. Not wanting to interrupt, the Plaintiff went upstairs to see if Mr. Yohe had left the sign-up sheet in the room that JCC’s English Department rents for these events. The JCC flyer for the event advises the audience to “take elevator to the mezzanine”. There was no sign-
up sheet so the Plaintiff came back downstairs and politely sat at the bar. He had an ice water. He was approached by Mr. Greg Walker, co-owner of Bella Notte, who said, “I saw you go upstairs.” The Plaintiff replied “Does that mean you don’t want me up there?” Mr. Walker replied “There is no one up there yet, you would be bored.” The Plaintiff responded that he is never bored and Mr. Walker walked away. After a period of time Mr. Yohe got up from his table and approached the bar. The Plaintiff politely spoke to him saying, “I would like to sign up for the open mike.” Mr. Yohe said no and that he would have the Plaintiff barred from the event. The Plaintiff quietly insisted on his right to sign up. Mr. Yohe said “I’m sorry you are doing this” and walked around the bar to speak with Mr. Walker. At this point a party of around twenty female JCC students walked in Bella Notte to attend the poetry reading. The Plaintiff left the bar and went upstairs to the event location so that he would be in the space JCC rented from Bella Notte when the police came. He assumed they were calling the police. The bartender came and spoke with him and asked him to leave. The Plaintiff refused. After a short period of time Officer J. Lillie/038 of the City of Jackson Police Department arrived with a second officer (Name/badge no. unknown) and asked the Plaintiff to leave. Mr. Yohe was also present. The Plaintiff informed the officers that JCC was a municipal corporation and as such the First Amendment as applied to the States through the Fourteenth Amendment guaranteed his right to attend the reading. He also pointed out that Bella Notte was a place of public accommodation and the Civil Rights Act prevented discrimination in such venues. The policemen were not convinced and once again told the Plaintiff to leave. The Plaintiff refused and said that he would have to be arrested if his right to attend the reading was denied. The Plaintiff claimed that he had e-mailed Todd Butler, JCC Dean, and been told he could attend.
Mr. Yohe spoke up and said “that is not true.” The second officer said “get the owner to come so our bases are covered.” Mr. Walker was found and gave the officers permission to arrest the Plaintiff for Trespassing. Mr. Walker also stated that the Plaintiff was welcome to come back to Bella Notte anytime, except when JCC was having their poetry readings. The officers then handcuffed the Plaintiff and paraded him through the large crowd downstairs. The Plaintiff saw an orange flyer at the front entrance advertising the event and told the officers they needed to read it. One responded “we don’t need to do anything’ and they took the Plaintiff to their squad car and transported him to the Jackson County Jail. The Plaintiff was booked, given a breathalyzer which read 0.00, fingerprinted, photographed, and released upon signing a bond paper and paying a $12 booking fee.

The Plaintiff contacted the Michigan Department of Civil Rights and filed complaint #429218 against Jackson Community College on October 31st, 2011. The Plaintiff’s bond paper set his arraignment for November 1st, 2011. The Plaintiff arrived promptly at 12:00 but was told by the clerk that his paperwork had not arrived, and his bond paper was stamped by the clerk. The Plaintiff then went to the City of Jackson Police Department and made a request for his police report. Report # 11-028635 was provided to him on November 2nd, 2011 and also sent to the Prosecutor’s office. On November 10th, 2011, the Plaintiff filed a MDCR complaint (#429545) against the City of Jackson. On November 18th, 2011 he contacted City Prosecutor Gilbert Carlson by telephone to see why his paperwork had still not been sent to the Court. The bond paper contained an unconstitutional provision (Item #2) preventing him from consuming alcohol. The Plaintiff had already been forced to miss celebrating his best friend’s birthday and Halloween (the major Pagan Holiday of the year). Since his birthday, Thanksgiving, and the
Solstice holiday season were approaching, the Plaintiff sought to be arraigned so that he could make a motion to void the unconstitutional bond requirement. Mr. Carlson indicated that he had seen the complaint, that he had read it, that it indicated that the Plaintiff had deliberately tried to get arrested and commented that such complaints were a low priority and he had more important matters to attend to, like cases involving domestic violence. The Plaintiff immediately contacted City Attorney Julius Giglio to complain about this behavior. He also contacted the MDCR and on December 2nd, 2011 filed an additional complaint (#430058) against the City of Jackson for retaliation. On December 1st, 2011 he again went to the Court and was again told by a clerk that his paperwork had not arrived and once again he had his bond paper stamped. Finally on December 3rd, 2011 a card arrived from the Court announcing that his arraignment had been set for January 18th, 2012 at 8:00am.

On Wednesday, January 11th, 2012, John Yohe, in an article published on the front page of the Jackson Citizen Patriot (also on-line on Mlive.com) made false and defamatory statements about the Plaintiff. Mr. Yohe claimed that the Plaintiff sent him “critical e-mails regarding how the readings were conducted” and that “he was getting belligerent and rude...” Mr. Yohe stated that the Plaintiff’s complaints were about “why he read second instead of first during open mike.” Mr. Yohe also claimed that the Plaintiff “said he was an atheist at the readings...” This deliberate lie in an effort to avoid the charge of religious discrimination is a total affront to the Plaintiff and an examination of the e-mails will show every one of these statements to be false.

The Plaintiff was arraigned before the Hon. Michael J. Klaeren, 12th District Court Judge on January 18th, 2011. The Plaintiff pled not-guilty to the charge of Trespassing. The Judge granted
the Plaintiff's motion to waive item #2 of his bond provision. The Judge also set a pre-trial conference for February 23\textsuperscript{rd}, 2012. The Plaintiff notes that coincidentally February 23\textsuperscript{rd}, 2012 was 121 days from the date of his arrest on October 25\textsuperscript{th}, 2011. Jackson City Ordinance Article 19, 19.1 (Liability) states that a person must serve the City clerk, mayor, or attorney with an "intent to file a claim" letter within 120 days of the date of the incident. The Plaintiff was ignorant of this requirement and stumbled upon it by accident in the middle of February. At the Plaintiff's pre-trial hearing on February 23\textsuperscript{rd}, 2012 he told the Prosecutor that he wished to make a verbal motion to dismiss. The Hon. Michael J. Klaeren set a hearing for the Motion to be held on March 22, 2012. The Plaintiff noted in his filing with this Court that the 12\textsuperscript{th} District Court criminal action (Case # 111213JP) is still ongoing.

4. ARGUMENT ON CONSTITUTIONAL GROUNDS OF PROTECTED PUBLIC SPEECH

The Plaintiff claims that the First Amendment of the Constitution ("Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, ...") as applied to the States through the Fourteenth Amendment ("No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.") must be applied to this case. Jackson Community College is a municipal corporation. JCC was founded as Jackson Junior College in 1928 and operated as a division of the Jackson Union School District, sharing lab and library facilities with the high school until 1962 when Jackson County voters created Jackson Community College as a separate legal entity. In 1964
voters passed a charter millage which still helps fund JCC today. Through their English Department, Jackson Community College rented the mezzanine space at Bella Notte Ristorante for their Poetry Night on October 25, 2011. This event was advertised on JCC’s website, in the Jackson Citizen Patriot, and on flyers posted on-campus and around town as open to the general public with a half hour open mic for JCC students and community members. The instructions on the posted flyers inform potential attendees to “take elevator to the mezzanine.” This was not a private gathering from which the Plaintiff could be excluded but a forum for the oldest form of public speech for which we have a historical record: poetry. Nor was there any lapse of decorum in the Plaintiff’s behavior at previous readings or in his communications with Mr. Yohe that could justify his exclusion. The Plaintiff notes that the Supreme Court in Connick v. Myer 461 U.S. 138 (1983) held that: “speech on public issues occupies the highest rung of the hierarchy of first amendment values and is entitled to special protection” In San Diego v. Poe 543 U.S. 77 (2004) the Court concluded that speech is of public concern when it can be: “fairly considered as relating to any matter of political, social, or other concern of the community” or when it “is a subject of general interest and of value and concern to the public.” The Plaintiff notes that the entire body of his poem and communication must be considered by the Court and that offending lines cannot be isolated from their context in the poem. In Dun & Bradstreet, Inc v. Greenmoss Builders, Inc, 472 U.S. 749 (1985) the Court ruled that to determine whether speech is of public or private concern a Court must examine the: “content, form, and context” of the speech “as revealed by the whole record.” In Rankin v. McPherson 438 U.S. 378 (1987) the Court held that a statement’s: “inappropriate or controversial character...is irrelevant to the question of whether it deals with a matter of public concern.” And in Snyder v. Phelps (09-751) (2011) the Supreme Court specifically ruled that: “...this nation has chosen to protect even
hurtful speech on public issues to insure that public debate is not stifled. " Neither the Plaintiff's poetry, which attacks Christian values and morality and suggests replacing them with an ecological morality and consciousness, nor his demeanor which embraces Pagan living pride instead of Christian humility, are legitimate grounds for silencing his public speech at a forum hosted by a municipal corporation.

5. ARGUMENT ON STATUTORY GROUNDS

The Plaintiff argues that he has been excluded from reading his poetry on the basis of his religious views and his exercise of free speech in expressing those views in his poetry. The Civil Rights Act of 1964, Title II, Sec. 201 reads: "All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, and privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin."

The Plaintiff is an animist and pagan. Webster's dictionary defines animism as:

"1) a doctrine that the vital principal of organic development is immaterial spirit

2) attribution of conscious life to objects in and phenomena of nature or to inanimate objects

3) belief in the existence of spirits separable from bodies"

The Online Dictionary observes that pagan comes from Latin meaning "rural dweller", connoting a "non-christian" or "follower of a polytheistic religion" but notes that the word:

"has recently evolved to become a general term for the followers of magical, shamanistic, and polytheistic religions which hold a reverence for nature as a central characteristic of their belief system."
The Plaintiff notes that these are legitimate beliefs under the law and that the Plaintiff has held these views publicly and sincerely since 1978, publishing books, essays, poetry, & music on the subject. The Civil Rights Act of 1964 states: “To be a bona fide religious belief entitled to protection under either the First Amendment or Title VII, a belief must be sincerely held, and within the believer’s own scheme of things religious.” (USCA Const. Amend 1: Civil Rights Act 1964 701 et seq., 717 as amended 42 USCA 2000-16).

The Plaintiff offers the following examples to attest to the sincerity of his beliefs: (1) He has gone down to a body of water in whatever watershed he found himself in daily for the last 34 years and offered tobacco to pray for the purity of the water and for all the beings who have need of it and then he takes a sip to show that he too is dependent on that common water which is the bloodstream of the living conscious Mother Earth. (2) For the last 34 years he has daily made a tobacco offering at a “sacred” tree, prayed for the health of the tree people, and given thanks for their regulation of the atmosphere, their gift of oxygen, their storing of water and bringing of rain. (3) Daily for the last 34 years the Plaintiff has made an offering of tobacco at a “sacred” stone or outcrop on a mountain and prayed for the health of the Earth Mother. (4) For the last 20 years he has performed a drumming meditation lasting between 15 and 45 minutes on a daily basis. For the Plaintiff, the drum is the equivalent of the Christian’s Bible. It is how he prays. Both Paganism and Animism originated as pre-literate forms of religion. While there are myths and songs and chants and stories and ceremonies, there is no sacred written text in Paganism. A person is supposed to have their own original experience of nature and the sacred archetypes. Traditionally Pagans did not have churches or regular weekly services held indoors though some contemporary pagans have adopted this practice. The Plaintiff is not among them. Paganism was a religion practiced outside on mountains, at rivers and lakes, in
sacred groves, in open fields, in caves, in graveyards, and later in its development, in open air
temples and sacred enclosures. The Plaintiff is a traditionalist and follows this practice. (5) The
Plaintiff’s father, Carl Bormuth, taught him to use a tobacco pipe in a sacred manner. The
Plaintiff is well aware that this ritual was borrowed by the Europeans from the Native
Americans. Europe had neither tobacco, nor pipes, but since his Father followed this path, the
Plaintiff also honors this ritual practice.

Mr. Yohe may dislike and denigrate the Plaintiff’s beliefs but in U.S. v. Ballard 322 US 78
(1944), William O. Douglass writing for the majority stated: ‘The law knows no heresy, and is
committed to the support of no dogma, the establishment of no sect.’ Watson v. Jones, 13 Wall.
679, 728. The First Amendment has a dual aspect. It not only ‘forestalls compulsion by law of
the acceptance of any creed or the practice of any form of worship’ but also ‘safeguards the free
S.Ct. 900, 903, 128 A.L. R. 1352.... Freedom of thought, which includes freedom of religious
belief, is basic in a society of free men. West Virginia State Board of Education by Barnette, 319
U.S. 624, 63 S.Ct. 1178, 147 A.L.R. 674. it embraces the right to maintain theories of life ...
which are rank heresy to followers of the orthodox faiths. Heresy trials are foreign to our
Constitution. Men may believe what they cannot prove. They may not be put to the proof of
their religious doctrines or beliefs. Religious experiences which are as real as life to some may be
incomprehensible to others. [322 U.S. 78, 87] Yet the fact that they may be beyond the ken of
mortals does not mean that the can be made suspect before the law...The Fathers of the
Constitution were not unaware of the varied and extreme views of religious sects, of the
violence of disagreement among them, and of the lack of any one religious creed on which all

21.
men would agree. They fashioned a charter of government which envisaged the widest possible toleration of conflicting views. Man's relation to his God was made no concern of the state. He was granted the right to worship as he pleased and to answer to no man for the verity of his religious views... The First Amendment does not select any one group or any one type of religion for preferred treatment.”

Following Ballard the Plaintiff argues that no particular form of religious belief or morality is established in the United States separate from the law. Mr. Yohe's contention that the Plaintiff is an atheist and that the Plaintiff has no religion because he does not believe in the Christian deity cannot be sustained by this Court. This absurd argument is based on the preamble of the Michigan Constitution which refers to “ALMIGHTY GOD”. This must be regarded as a figure of speech and the Plaintiff's right to believe in multiple deities or to worship a Feminine deity like the Mother Earth is not compromised by this language. Like Pagans, Hindus are polytheistic believers, and their religious rights are acknowledged. Also Buddhists, while philosophically denying a deity, in practice utilize multiple deities (White Tara, Green Tara, etc), and their beliefs are also acknowledged as a religion. The Supremacy Clause of the U.S. Constitution (Article 6, clause 2) states: “All treaties made, or which shall be made, under the authority of the United States, shall be the supreme Law of the Land, and the judges of every State shall be bound thereby...” The Treaty of Tripoli (1797), Article 11, debated and ratified by the U.S. Senate and signed into law by President John Adams clearly addresses the religious issue: “... the Government of the United States of America, is not in any sense, founded on the Christian Religion;” This legally binding statement is collaborated by the writings and statements of our Founders with regard to their intentions. John Adams wrote in one of his last letters to Thomas
Jefferson, "Do you think that a Protestant Popedam is annihilated in America? Do you recollect, or have you ever attended to the ecclesiastical Strifes in Maryland, Pennsylvania, New York, and every part of New England? What a mercy it is that these people cannot whip and crop and pillory and roast, as yet in the United States! If they could they would." James Madison, the 'Father of the Constitution' was extremely clear about the Founders views on an established religion. Madison wrote: "During almost fifteen centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the clergy; ignorance and servility in the laity; in both superstition, bigotry, and persecution. What influence in fact have ecclesiastical establishments had on civil society? In some places they have been seen to erect a spiritual tyranny on the ruins of the civil authority. In many instances they have been seen upholding the throne of political tyranny. In no instance have they been seen the guardians of the liberties of the people. Rulers who wished to subvert the public liberty have found an established clergy convenient auxiliaries." Thomas Jefferson wrote, "It matters not to me if my neighbor worships twenty gods or no god. It neither picks my purse nor breaks my leg." And he also said, "I find nothing of value in orthodox Christianity." And Jefferson explained the view of the Founders on the expected behavior of Federal officials in his letter to the Danbury Congregation of twenty six Baptist churches written while he was sitting President in 1802: "Believing with you that religion is a matter which lies solely between man and God(s), that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, and not opinions. I contemplate with sovereign reverence that act of the whole American people which declared that their (federal) legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between church and state." Therefore a strict interpretation of the preamble of the Michigan Constitution is clearly
unconstitutional and the Plaintiff's sincerely held beliefs must be regarded as a religion by the Court. The United States is not a Christian theocracy.

The appellant claims he set forth a tenable claim of religious discrimination. Bella Notte Ristorante is clearly an entity that meets the requirements of Title II (3), the Public Accommodations Statute which guarantees that, "[a]ll persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined [herein]," irrespective of their race, religion, or color. 42 U.S.C. § 2000a(a). The Supreme Court has recognized that the Statute's "overriding purpose" is "to remove...discriminatory denials of access to facilities ostensibly open to the general public." Daniel v. Paul, 395 U.S. 298, 307-08, 89 S.Ct. 1697, 23 L.Ed.2d 318 (1969). Accordingly, the Court has mandated that we read the Statute carefully, in a manner consistent with its broad purpose and language. Section 2000a(b) includes, as a place of public accommodation, "any motion picture house, theater, concert hall, sports arena, stadium or other place of exhibition or entertainment." See § 2000a(b)(3). And the Supreme Court, in addressing the Statute's breadth, has determined that "the statutory language 'place of exhibition or entertainment' should be given full effect according to its generally accepted meaning." Daniel, 395 U.S. at 308, 89 S.Ct. 1697. As the Plaintiff mentioned in his background information, Bella Notte Ristorante has live music on Thursday, Friday, & Saturday nights as well as serving food and beverages throughout the week. Clearly it is a place of public accommodation under the statue. And just as clearly, JCC's event was not a private gathering like a wedding party or even a party for JCC employees from which the Plaintiff could be legally excluded. It was an occasion of public speech, open to the general community.
In *Jeung v. McKrow*, 264 F Supp. 2d 557 (E.D.Mich 2003) the Court found that "the Plaintiff must come forward with evidence sufficient to create a question of fact upon which reasonable minds might differ on the issue of pretext." citing *Anderson* 477 U.S. at 252; *Celotex Corp.*, 477 U.S. at 322-23. The Plaintiff claims that he was silenced because his poetry attacks Christianity. In an article in the Jackson Citizen Patriot (1-11-12), JCC writing instructor John Yohe is quoted as saying the Plaintiff was banned because he was rude and belligerent in his e-mails enquiring about the sign up policy for the open-mic. An examination of the e-mails will show that it was Mr. Yohe who was rude and belligerent, calling the Plaintiff "an arrogant asshole" while the Plaintiff was polite and enquiring. In his e-mails, Todd Butler, Dean of Arts and Science at JCC seemed to insinuate that John Yohe was banning the Plaintiff because of sign-up sheet space and time related issues, but a Christian woman, who is also a member of the general community and not a JCC student or employee, was allowed to sign up and read her poetry at every event and she read as many poems as the Plaintiff did. Nor did Mr. Yohe ever communicate to the Plaintiff that there was a space or time issue. The Plaintiff believes that everyone who wanted to sign up and read open-mike was able to do so. And at poetry readings you do not ban someone the first time they exceed the time limit by a minute or two. You just remind them of the time constraints they are reading under. Since this was never done by John Yohe, it is obvious that these feeble excuses are being brought forward simply to obscure the real reason for the Plaintiff's exclusion: his work is good and it attacks Christianity intelligently and relentlessly. Since there was a Christian woman who was not banned from the readings, but allowed to read her overtly Christian poems praising the Christian Deity and advocating a Christian morality, it is clear that the Plaintiff has met all the requirements of the similarly
situated standard which requires a Plaintiff to be "similarly situated in all relevant respects."
The Plaintiff and this woman dealt with the same people (John Yohe), engaged in the same
conduct, utilized the same sign up process, and acted alike in every fashion. See, e.g., Younis v.
Pinnacle Airlines, Inc., 610 F.3d 359, 364 (6th Cir. 2010) (same testing standards) (citing
Mitchell v. Toledo Hospital, 964 F.2d 577, 583 (6th Cir. 1992); JDC Mgmt., LLC v. Reich, 644 F.
Supp. 2d 905, 926 (W.D. Mich. 2009) ("Generally, an equal protection plaintiff must show that
he was treated differently from at least one similarly situated individual, and [t]o satisfy this
threshold inquiry, it must allege that it and other individuals who were treated differently were
similarly situated in all material respects") (citations omitted). The facts of this case clearly
show that the Plaintiff was similarly situated in all relevant respects and that Jackson
Community College and John Yohe deliberately discriminated against the Plaintiff because of
the religious beliefs expressed in his poetry. Since the Plaintiff was perfectly polite both to
everyone at the readings and in his communication with Mr. Yohe, no other possible
explanation exists for his exclusion.

6. CONCLUSION & REQUEST FOR COMPENSATION

The Plaintiff seeks the sum of Four Million dollars ($4,000,000.) from John Yohe and Jackson
Community College for their silencing his free speech, discriminating against his religion,
subjecting him to public humiliation, slander, and physical trauma (IBS). The action by the
defendants also permanently damaged the Plaintiff's artistic reputation and he will never get
future opportunities as a poet or musician in Michigan again. The Plaintiff seeks the sum of
Three Hundred Thousand dollars ($300,000.) from the City of Jackson for their role in his arrest
and their retaliatory discrimination in prolonging his arraignment.

26.
WHEREFORE, the Plaintiff Requests Compensation for Public Humiliation, Slander, Pain & Suffering, and the Silencing of his Free Speech & Discrimination Against his Religion.

Respectfully submitted by,

[Signature]

Dated: March 20, 2012

Peter Bormuth, Plaintiff

142 West Pearl Street

Jackson, Michigan 49201

(517) 787-8097
CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2012, I mailed copies of this complaint to the City of Jackson, Julius Giglio, City Attorney, 161 West Michigan Ave., Jackson, MI 49201, also to Jackson Community College, Rebecca Woods, Executive Dean, 2111 Emmons Rd., Jackson, MI 49203, and to John Yohe, English Department, Jackson Community College, 2111 Emmons Rd., Jackson, MI 49203 by certified mail.

By: Peter Bormuth

In Pro Per

142 West Pearl Street
Jackson, MI 49201

(517) 787-8097

wardance@live.com

Dated: March 20, 2012
Exhibit A
APPENDIX A

JCC Flyers & On-line Advertising of Poetry Events.
JCC Poetry Night
at Belle Nano.

Featuring:
Heather Ahner
Tim Lane

Tuesday, October 25th
7:00 - 8:30 PM
Jackson Community College
News
517.787.0800, M-Th 7:30 a.m. to 6:30 p.m.,
F 7:30 a.m. to 5:30 p.m.
Media Contact: Marilynn Fryer, 517.796.8466
e-mail: FryerMarilynT@jccmi.edu
October 12, 2011
For immediate release

October Poetry Night features regional poets

Jackson Community College’s October Poetry Night will be held at 7 p.m. Tuesday, Oct. 25 at Bella Notte Ristorante of Jackson.

Poetry Night will be hosted by John Yohe, JCC writing instructor, and will feature Heather Abner, who holds master’s degrees in poetry writing and library science and is a former JCC instructor, and Tim Lane, director of Scene Metropace in Lansing.

There will also be a semi-open mic before featuring JCC students and community. Space is limited, so please come early to sign up.

Bella Notte Ristorante is located at 137 W. Michigan Ave., Jackson, 517.782.5727. Poetry Night will be held on the mezzanine.
JCC Poetry Night
at Bella Notte
Featuring
Maria Orlowski
and
Martha Petry

Tuesday, September 27th
7:00 - 8:30 PM

A half-hour open mic for JCC students and community members starts things off. Limited space, so come early to sign up!

Hosted by John Yake, JCC Writing Instructor.

Bella Notte Ristorante
127 W. Michigan Ave, Jackson, MI
49201
(517) 792-5777
Take elevator to the mezzanine
Jackson Community College

News
517.787.0800, M-Th 7:30 a.m. to 6:30 p.m.,
F 7:30 a.m. to 5:30 p.m.
Media Contact: Marilynn Fryer, 517.796.8466
e-mail: FryerMarilynT@jccmi.edu
September 19, 2011
For immediate release

Poetry Night returns in September to Bella Notte

Hear the work of two JCC faculty members at Jackson Community College’s September Poetry Night, at 7 p.m. Tuesday, Sept. 27 at Bella Notte Ristorante of Jackson.

Poetry Night will be hosted by John Yohe, JCC writing instructor, and will feature Maria Orlowski and Professor Martha Petry. Orlowski has been an adjunct instructor at JCC since 1980 and author of the memoir “Trains: A Memoir of a Hidden Childhood During and After World War II.” Petry is a professor of Language, Literature and Arts at JCC and a poet.

There will also be a semi-open mic before featuring JCC students and community. Space is limited, so please come early to sign up.

Bella Notte Ristorante is located at 137 W. Michigan Ave., Jackson, 517.782.5727. Poetry Night will be held on the mezzanine.
Exhibit B
APPENDIX B

City of Jackson Police Report & Jackson County Sheriff's Basic Arrest Sheet.
November 2, 2011

Mr. Peter Bormuth
6096 Brown Lake Road
Jackson, Michigan  49203

Re:  Report # 11-028635

Dear Mr. Bormuth:

This letter is in response to your request seeking records under the Freedom of Information Act. The Act requires that a public body, such as the City of Jackson, provide you with copies of nonexempt existing public records pertaining to your inquiry. The City is granting your request in part and denying it in part. Please note that the address, date of birth, and phone numbers of the alleged victim have been deleted. These deletions were made pursuant to the Michigan Freedom of Information Act, MCL 15.243, Sections (1)(a), (1)(b)(iii), and (1)(d).

Similarly, the address, date of birth, and phone numbers of any third party witnesses have been deleted pursuant to the Michigan Freedom of Information Act, MCL 15.243, Section (1)(a), and (1)(b)(iii). Finally, the identifying characteristics, address, date of birth, and phone numbers of the alleged suspect have been deleted. These were deleted pursuant to the Michigan Freedom of Information Act, MCL 15.243, Sections (1)(a) and (1)(b)(iii). To the extent that we have partially denied your request, we enclose your appeal rights.

The cost associated with responding to your request is **$3.00**. These costs are based on time and materials expended to process your request. Time is assessed at the rate of $18.50 per hour and duplicating material at the rate of $.05 per page. The documents will be released upon payment of the costs. Accordingly, please issue a check/money order made payable to THE CITY OF JACKSON in the amount of **$3.00** and send it to the attention of the Jackson Police Department, Records Section, 216 E. Washington Avenue, Jackson, Michigan 49201.

Very truly yours,

KayCe Parsons

Enclosure
Case Report
Summary

Print Date/Time: 11/02/2011 08:57
Login ID: KPARSONS
Case Number: 2011-00028635

Jackson City Police Department
ORI Number: MI3849700

Case

Case Number: 2011-00028635
Location: 137 W MICHIGAN AVE
          JACKSON, MI 49201
Reporting Officer ID: 038 - Lillie

Incident Type: Trespassing
Occurred From: 10/25/2011 18:43
Occurred Thru: 10/25/2011 18:43
Disposition: Closed
Disposition Date: 10/25/2011
Reported Date: 10/25/2011 18:43 Tuesday

Offenses

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<td>Male</td>
<td>54</td>
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<tr>
<td>Suspect</td>
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<td>BORMUTH, PETER CARL</td>
<td>6098 BROWNS LAKE RD</td>
<td>(517)787-8037</td>
<td>White</td>
<td>Male</td>
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<tr>
<td>Victim</td>
<td>1</td>
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Arrests

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Property

Date | Code | Type | Make | Model | Description | Tag No. | Item No.
-----|------|------|------|-------|-------------|---------|----------

Vehicles

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Routing:
11-028635
REPORTING OFFICER: OFFICER J. LILLIE/038
10/25/11

INCIDENT TYPE: TRESPASSING
INCIDENT LOCATION: 137 W. Michigan Avenue

CIRCUMSTANCES:

I was dispatched to 137 W. Michigan Avenue, Belle Notte's restaurant for a subject refusing to leave. Upon arrival, I made contact with one of the owners; Gregory Anthony Walker.

COMPLAINANT INTERVIEW: GREGORY ANTHONY WALKER

Gregory Walker stated a subject at his restaurant was refusing to leave, that he had already asked the subject to leave prior to calling the police and the subject refused to do so.

Walker advised on the second floor of the restaurant, Jackson Community College rented the space in order to host a poetry reading. Walker states JCC does this once a month.

Walker advised in September, they had issues with this same subject and had asked him not to return for the poetry reading. Walker states when the subject arrived, he stopped him at the elevators and told him not to go upstairs. The subject told Walker that it was open to the public, that he could not stop him from going to the poetry reading and continued upstairs. Walker states he advised the subject that if he did not leave, he would call the police; the subject refused to leave, Walker contacted the police and I responded.

CONTACT WITH SUSPECT: PETER CARL BORMUTH

I made contact with Peter Bormuth on the second floor of Belle Notte's restaurant. I instructed Peter Bormuth that the restaurant personnel did not want him there and that he needed to leave. Bormuth advised this officer that he would not be leaving, that they could not make him leave because the poetry was open to the public and he believed they were discriminating against him by asking him to leave.

I informed Peter Bormuth that if he did not leave the restaurant upon the request of the owner, he would be arrested. Peter Bormuth advised he wanted to be arrested, so he could file a lawsuit against Jackson Community College and Belle Notte's for discrimination.

ACTION TAKEN:

I had the owner; Gregory Walker, tell Mr. Bormuth, in my presence, that he wanted him to leave. Walker did tell Mr. Bormuth to leave the premises, Mr. Bormuth again refused to leave and at that time, I placed him into custody for Trespassing.

Peter Carl Bormuth, a white male, was arrested and lodged at the Jackson County Sheriff Department for Trespassing.
A Warrant Request, CCH and Probable Cause Sheet were completed and turned in to the shift supervisor.

11-028636
OFFICER J. LILLIE/038:Ikw
10/26/11, 0942 Hours
Peter Bornuth  
6096 Browns Lake Road  
Jackson, Michigan 49203  

Re: Your recent FOIA request.

Dear Sir:

I have enclosed the basic arrest sheet that you have requested. The "PBT Result" location in highlighted in YELLOW and reads “B.A.C. at Arrest”. As you see, the results are listed as “N/A”.

If you need anything further from the jail records, please feel free to contact me.

Respectfully,

Lt. Howard F. Tanner II, MPA  
Jail Commander  
Jackson County Sheriff Office
JACKSON COUNTY JAIL
BASIC ARREST INFORMATION

NAME: Bormuth, Peter Carl

DOB: 11-25-55  RACE: W  SEX: M

CHARGES/HOLDS
1. Trespass  5707
   FELONY  MISDEMEANOR  ORDINANCE  CIVIL

COMPLAINT NUMBER: 11-028635

HOLDS:  CONFIRMED: YES  NO

FILE CHECKED IN LEIN: YES  NO

B.A.C. AT ARREST: N/A  B.A.C. AT BOOKING

CHEMICAL AGENT / USE OF FORCE
CHEMICAL AGENT USED TO MAKE ARREST?: YES  NO  TIME USED:  
PHYSICAL FORCE USED? YES  NO
TASER USED DURING ARREST? YES  NO

VEHICLE / OPERATORS LICENSE DISPOSITION
VEHICLE TOWED: YES  NO  LOCATION TOWED TO:
VEHICLE REGISTRATION SEIZED: YES  NO
OPERATORS LICENSE CONFISCATED: YES  NO

ARRESTING OFFICER INFORMATION
OFFICER: Lillie  ID# 038

OFFICER:  ID#  

AGENCY: J.P.D.

DATE: 10-25-11  TIME: 1915
Exhibit C
APPENDIX C

Michigan Department of Civil Rights Complaints (#429218, #429269, #429545, & #430058)
STATE OF MICHIGAN
DEPARTMENT OF CIVIL RIGHTS

COMPLAINT

CLAIMANT  
Mr. Peter Bormuth

ADDRESS  
6096 Brown Lake Road
Jackson, MI 49203

TELEPHONE  
(517) 787-8097

Area of Discrimination:  
Public Access / Service

Statement of Alleged Discrimination:

I am a pagan/animist, and I allege I was subjected to other terms and conditions on October 25, 2011, based on my religion.

I attempted to attend and participate in Respondent's poetry night held at Bells Notte Ristorante on October 25, 2011.

RESPONDENT  
Jackson Community College

ADDRESS  
2111 Emmons Road
Jackson, MI 49202

TELEPHONE  
(517) 787-0806

Date of Discrimination:  
October 25, 2011

Other terms & conditions  
10/25/2011  
Religion

On October 25, 2011, I attempted to attend and participate in an event hosted by Respondent's writing instructor and advertised as "open to the general public." However, I was forcibly removed from the location of the event and denied the opportunity to participate, while a Christian member of the community was allowed to attend and participate. Therefore, I allege I was denied the full and equal enjoyment of the event and the privilege of participation based on my religion.

This complaint is based on the following law:
Elliott-Larsen Civil Rights Act No 453, Public Act of 1976, as amended

I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief. I have notified the department of all other civil or criminal actions pending with regard to the allegations in this complaint.

Peter Bormuth

SIGNATURE OF CHARGING PARTY / CLAIMANT

Complaint Taken by:  
Cynthia Thornton

Subscribed and sworn to before me
This 31st day of Oct., 2011
at Jackson, Michigan

My Commission expires (dd/mm/yyyy) 4/23/2012

Linda Samon

SIGNATURE OF NOTARY PUBLIC

Commissioned in  
Jackson County.

Linda Samon

Notary Public Jackson County, MI
My Commission Expires Apr 23, 2012

Page 1 of 1
STATE OF MICHIGAN
DEPARTMENT OF CIVIL RIGHTS

COMPLAINT

CLAIMANT
Mr. Peter Bornuth
6096 Brown Lake Road
Jackson, MI 49203

TELEPHONE
(517) 787-8097

Area of Discrimination: Public Accom / Service

Date of Discrimination: October 25, 2011

RESPONDENT
Bella Notte Ristorante
137 W Michigan Ave
Jackson, MI 49201

TELEPHONE
(517) 782-5727

Statement of Alleged Discrimination:
I am a pagan/feminist, and I allege I was subjected to other terms and conditions on October 25, 2011, based on my religion.

I attempted to attend and participate in a poetry night held at Respondent's facility on October 25, 2011.

Other terms & conditions 10/25/2011 Religion

On October 25, 2011, I attempted to attend and participate in an event hosted at Respondent's facility and advertised as "open to the general public." However, I was forcibly removed from the facility and denied the opportunity to participate, while a Christian member of the community was allowed to attend and participate. Therefore, I allege I was denied the full and equal enjoyment of the event and the privilege of participation based on my religion.

This complaint is based on the following law:
Elliott-Larsen Civil Rights Act No 453, Public Act of 1976, as amended

I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief. I have notified the department of all other civil or criminal actions pending with regard to the allegations in this complaint.

SIGNATURE OF CHARGING PARTY / CLAIMANT

Cynthia Thornton

Subscribed and sworn to before me
This 31st day of Oct., 2011 at Jackson, Michigan

My Commission expires (dd/mm/yyyy) 4/23/2012

SIGNATURE OF NOTARY PUBLIC

Commissioned in Jackson

Linda Samon
Notary Public Jackson County, MI
My Commission Expires Nov 23, 2012
STATE OF MICHIGAN
DEPARTMENT OF CIVIL RIGHTS

COMPLAINT

CLAIMANT
Mr. Peter Bomuth

RESPONDENT
City of Jackson

ADDRESS
6096 Brown Lake Road
Jackson, MI 49203

ADDRESS
Police Department
216 E. Washington Ave.
Jackson, MI 49201

TELEPHONE
(517) 787-8097

TELEPHONE
(517) 788-4100

Area of Discrimination: Law Enforcement

Date of Discrimination: October 25, 2011

Statement of Alleged Discrimination:
I am a pagan/animist, and I allege I was arrested on October 25, 2011, based on my religion.
I was arrested by Respondent's officers on October 25, 2011, at a place of public accommodation while seeking to equally attend and participate in an event advertised as open to the public.

Arrest 10/25/2011 Religion

On October 25, 2011, Respondent's officers arrested me after I was denied the opportunity to attend and participate in an event advertised as "open to the general public" and hosted at an establishment of public accommodation. This was done despite the public nature of the event and my trying to explain the governing civil rights law. Because Respondent's officers did not give heed to the violation of my civil rights based on religion, I allege I was arrested based on my religion.

This complaint is based on the following law:
Elliott-Larsen Civil Rights Act No 453, Public Act of 1976, as amended

I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information, and belief. I have notified the department of all other civil or criminal actions pending with regard to the allegations in this complaint.

Peter Bomuth
SIGNATURE OF CHARGING PARTY/CLAIMANT

Complaint Taken by: Cynthia Thornton

Subscribed and sworn to before me
This 10th day of November, 2011
at Jackson, Michigan

My Commission expires (dd/mm/yyyy) 03/25/17

SIGNATURE OF NOTARY PUBLIC

Commissioned in Jackson County.
STATE OF MICHIGAN
DEPARTMENT OF CIVIL RIGHTS

COMPLAINT

CLAIMANT
Mr. Peter Bormuth

ADDRESS
6096 Brown Lake Road
Jackson, MI 49203

TELEPHONE
(517) 787-8097

Area of Discrimination: Public Accommodation/Service

Date of Discrimination: November 18, 2011

RESPONDENT
City of Jackson

ADDRESS
City Attorney, City Hall - 12th Floor
161 West Michigan Avenue
Jackson MI 49201

TELEPHONE
(517) 788-4050

Statement of Alleged Discrimination:

I am a pagan/animist who has an open complaint against Respondent, and I allege I am being denied equal service on an ongoing basis beginning on or about November 18, 2011, due to my religion and as an act of retaliation for filing a previous civil rights complaint (MDCR 429545).

My arraignment scheduled for November 1, 2011, was postponed because Respondent's prosecutor did not forward the required paperwork to the court.

Unequal service 11/18/2011 Religion, Retaliation

On November 1, 2011, Respondent's prosecutor failed to forward my paperwork to the court so that my arraignment had to be postponed. Said postponement has resulted in my continuing to be subject to the standard restrictions imposed on persons who have been released on bond. These restrictions have adversely affected my ability to participate in activities of my choosing, including religious celebrations. Because Respondent's prosecutor indicated to me on or about November 18, 2011, that he had seen my complaint and that the delay in processing it was deliberate, I allege that I was provided unequal service due to my religion and in retaliation for filing a prior civil rights complaint against Respondent.

This complaint is based on the following law:
Elliott-Larsen Civil Rights Act No 453, Public Act of 1975, as amended

I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief. I have notified the department of all other civil or criminal actions pending with regard to the allegations in this complaint.

Peter Bormuth
SIGNATURE OF CHARGING PARTY / CLAIMANT

Complaint Taken by
Cynthia Thornton

Subscribed and sworn to before me
This 2nd day of December 2011
at Jackson, Michigan
My Commission expires (dd/mm/yyyy) 31-12-17
Commissioned in Jackson County

Amber Pittard
SIGNATURE OF NOTARY PUBLIC
APPENDIX D

Plaintiff's Bond Sheet (showing check-in on 11-1-11 & 12-1-11), Arraignment Notice
& Pre-trial Conf. Notice (showing 121 days elapsed from date of arrest)
STATE OF MICHIGAN

THE PEOPLE OF

The State of Michigan

Defendant's/Juvenile's name, address, and telephone no.

Barnhill, Peter Carl

6096 Browns Lake Rd., Jackson MI 49203 517-787-9097

Date of birth

11/23/1959

Arresting agency

Jackson Police Department

Agency file no.

11-028655

Date of arrest

10/25/11

Type of offense

Misdemeanor

Statute/ordinance citation(s)

Trespassing

Purpose of next appearance

Arraignment

Time of appearance

1200

Place of appearance

At the court address above

Date of appearance

11/01/11

Type of bond

Personal recognizance

Full bail amount

1000.00

Bond set by Judge/Magistrate

Policy

I have read and agree to the terms and conditions as specified on the other side of this bond and as follows:

I will abide by the other conditions specified in Items: 1, 2 & 3

Item #1 Make report to a court agency as are specified by the court or the agency.

Item #2 No use of alcohol/controlled substances.

Item #3 Submit to test for alcohol and/or controlled substances upon the request of a probation or police officer.

which are listed on the back of this bond. I understand if I fail to perform all the terms and conditions of this bond, my release may be revoked and I will be subject to arrest, and the full amount of the bond may be forfeited and judgment entered for the entire amount of the bond.

10/25/11

Date

Defendant's signature

12th District Court

ON

Checked in

By

12th District Court

Date

Defendant's signature

12th District Court

Date

By

checked in

12th District Court

Date

By

The bond deposited by Defendant: if all the terms and conditions of this bond are met, it will be used to pay any fine, state minimum costs, restitution, statutory assessments, and other costs imposed and any balance will be returned to me as authorized by statute and court rule.

Date

Defendant's signature

Signature of depositor/surety/agent and identification (i.e. DLN)

Name of depositor/surety/agent

Address

City, state, zip

ACCEPTANCE - Bond is accepted. 

Received deposit of $
Plaintiff  

JACKSON CITY

V

Defendant  

BORMUTH/PETER/CARL
6096 BROWNS LAKE RD
JACKSON, MI  49203

Pltf Atty/People  

(517) 788-4023  P-26103
GILBERT W. CARLSON
161 W MICHIGAN AVE
JACKSON, MI  49201

Defendant's Atty  

Judge  

MICHAEL J. KLAAREN  P-32163

FOR THE FOLLOWING PURPOSE:

{X}Arraignment  WED 1/18/12  8:00 AM

{X}Arraignment

{X}The above matter is adjourned from

{X}The court address above, courtroom

{X}Pre-trial Conf.

{X}Prelim Exam.

{X}Jury Selection

{X}Jury Trial

{X}Non-Jury Trial

{X}Sentencing

{X}Motion

{X}Informal Hrg.

{X}Formal Hearing

{X}No case may be adjourned except by

{X}authority of the judge for good

{X}cause shown.

{X}Failure of the defendant to appear

{X}in a civil case may cause a default

{X}judgment to be entered. FAILURE OF

{X}THE PLAINTIFF TO APPEAR may result

{X}in a dismissal of the case.

{X}Failure to appear in a criminal case

{X}may subject you to the penalty for

{X}contempt of court, and a bench

{X}warrant may be issued for your arrest.

{X}If you intend to employ a lawyer, s/he

{X}should be notified of the date at once.

{X}If you require special accommodations

{X}to use the court because of disabilities,

{X}please contact the court immediately to

{X}make arrangements.

I certify that on this date, copies of this notice were served upon the

parties/attorneys by ordinary mail at the addresses shown above.

Date  

MC 06 (6/96)  NOTICE TO APPEAR  

Clerk/Administrator

Case # 111213JP  

Offense: 1) TRESPASSING

1) TRESPASSING

Officer: JACKSON CITY POLICE

Clerk/Administrator
STATE OF MICHIGAN
12TH JUDICIAL DISTRICT

Court Address: 312 S. JACKSON STREET
JACKSON, MI 49201

NOTICE TO APPEAR

Plaintiff: Personal service
JACKSON CITY

YOU ARE DIRECTED TO APPEAR AT:

(X) The court address above, courtroom 2

Judge: MICHAEL J. KLAEREN

FOR THE FOLLOWING PURPOSE:

(X) Pre-trial Conf. THU 2/23/12 2:00 PM

(_,) Prelim Exam.

(_,) Jury Selection

(_,) Jury Trial

(_,) Non-Jury Trial

(_,) Sentencing

(_,) Motion

(_,) Arraignment

(_,) Informal Hrg.

(_,) Formal Hearing

(_,) The above matter is adjourned from

IMPORTANT: READ THIS CAREFULLY
1. Bring this notice with you.
2. No case may be adjourned except by authority of the judge for good cause shown.
3. FAILURE OF THE DEFENDANT TO APPEAR in a civil case may cause a default judgment to be entered. FAILURE OF THE PLAINTIFF TO APPEAR may result in a dismissal of the case.
4. FAILURE TO APPEAR in a criminal case may subject you to the penalty for contempt of court, and a bench warrant may be issued for your arrest.
5. If you intend to employ a lawyer, s/he should be notified of the date at once.
6. If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

I certify that on this date, copies of this notice were served upon the parties/attorneys by ordinary mail at the addresses shown above.

Date: MC 06 (6/96)

Clerk/Administrator
Exhibit E
APPENDIX E

Plaintiff's Letter to the Department of Public Works dated 7-7-11 & John Dowling, City Engineer/Director of Public Works, Spill Notification to MDEQ dated 10-21-11
7 - 7 - 2011

Department of Public Works
City of Jackson

This is a follow up letter to my earlier letter notifying you of my concern that the City of Jackson was using Monsanto’s Roundup, a powerful herbicide, on the graves of the ancestors buried in Mt. Evergreen and Woodlawn Cemeteries.

In the Jackson City Ordinances I would refer to Sec. 7-11, with particular reference to the wording:

“No person shall...do any act upon the grounds of such cemeteries which shall amount to a desecration...”

While the beginning of Sec. 7-11 specifically approves work done by a city employee under the direction of the City Manager it certainly can be argued that even a city employee does not have the right to commit desecration.

Desecration is defined as: “1) the act of depriving something of its sacred character
2) Or the disrespectful or contemptuous treatment of that which is held sacred or holy by a group or individual”

The obvious argument is that precisely what you have done to the spirits and graves of the ancestors by spraying Roundup on them is robbed them of their sacred character and through your disrespectful treatment turned their holy nature into a problem of worker convenience or economic efficiency. I cannot speak for other groups, but as a Pagan and Animist, I personally hold the ancestors to be sacred and your actions to be a desecration.

Moreover Section 7-11 continues on to state that no person “shall cut down or disturb any tree therein without permission of the City Manager”.

Has the City Manager been informed and given permission to allow city employees to spread Roundup around the base of old trees to control grass and weed growth? Spraying herbicide on a tree constitutes a “disturbance”, a serious one. The ordinance clearly states that the City Manager must give permission for such actions.

Also I have photos taken on July 4, 2011 and on July 4th, 1998 of the cemetery grounds and monument sites. The 2011 photos show the brown rings from your most recent application of Roundup. They also show the growth of noxious weeds and crabgrass around the graves where Roundup has been applied over the last few years, but not yet this season. The repeated applications of Roundup have killed the bluegrass and other desirable grass types while the weeds are stronger colonizers and return in greater numbers each year. The older photos clearly show healthier sod around the graves (if the
desired result is graves free of noxious weeds and crab grass). Essentially your decision to employ Roundup has deteriorated the quality of the ground cover around the gravestones and monuments thus requiring a continued application of Roundup to stem the problem that herbicide use created in the first place.

The Chicora Foundation Inc, a standard setting foundation specializing in cemetery maintenance, posts these pictures on its website as examples of inappropriate use of herbicides. They mirror exactly the photos I took on July 4, 2011 after your last application.
I also note that Section 20.7. - Care of the Cemetery Lot and Monument of Ella W. Sharp suggests that her site must “show proper regard for her memory.” As you know the Ella Sharp Park & Museum was founded on a tradition that was prior to the chemical revolution of the 1940’s and 1950’s and the Museum has always maintained elements of that farmcraft tradition. They might not be pleased with the idea of using Roundup if it was brought to their attention. Since I have the ability to speak with the spirits, I know Ella is not happy about it. And every other person buried in Mt. Evergreen, especially the unknown soldiers of our Union Civil War dead, deserve the same respect and consideration that Ella receives by special Ordinance.

Before concluding I would have you reflect that the statements of Sec. 17-1. – Nuisance Defined – could be applied:

“Whatever annoys, injures or endangers the safety, health, comfort or repose of the public; offends public decency; interferes with, obstructs or renders dangerous any street, highway, navigable lake or stream; or in any way renders the public insecure in life or property is hereby declared to be a public nuisance. Public nuisances shall include, but not be limited to, whatever is forbidden by any provision of this chapter. No person shall commit, create or maintain any nuisance.”

Roundup is a known carcinogen and runoff pollutant of waterways. I can easily make the argument that the runoff through the city storm sewers “renders dangerous” the Grand River and with much greater difficulty possibly show that Roundup endangers public health.

I hope you will use this time of transition at Public Works to review your procedures and terminate the use of herbicides on cemetery graves. While any argument can be challenged, I would suspect that some jurors might not be sympathetic to the City’s position. However slight the possibility of these arguments I make prevailing; it would be very embarrassing for Jackson to be known as the party in the case defending the right to put herbicide on their ancestor’s graves. I hope you will not choose that course of action.

Thank you for your time and consideration.

Peter Bornuth
wardance@live.com

cc: City Manager
   City Attorney
   Ella Sharp Park Board of Trustees
October 21, 2011

Ms. Rachel Matthews  
MDEQ  
301 E Louis Glick Hwy.  
Jackson, MI 49201

RE: Spill Notification: City of Jackson, October 12, 2011

Dear Ms. Matthews:

The cause of the oil release was a faulty seal on the hydraulic oil in a submersible pump used during a water main repair. The crew was replacing a broken valve at Adrian and Redwood in the City of Jackson. The water crew consisting of a Maintenance Worker III operating the backhoe, a Maintenance Worker II, performing the pipe repair and a Maintenance Worker I, as the truck driver and top man. The DPW Water Foreman was also out checking on the crew at the time of the oil release at approximately 1:30pm, October 12, 2011.

The pump works off of the backhoe hydraulics to operate the motor. The leaking oil was pumped out of the hole with the water. The release of hydraulic oil was discovered when the backhoe would no longer function. The crew called for the DPW mechanics to assist with the situation. The crew had a filter on the catch basin to block soil and sediment from going to the river and thought that would contain the oil. The mechanics had to put 10 gallons of hydraulic oil into the backhoe and then helped soak up the oil on the street. The catch basin that the water was being discharged into connected to the storm sewer system that emptied into the Grand River on the west bank, on the north side of E. Morrell Street. The filter did not contain the oil as the crew thought.

About 4:00pm the Department of Public Works was notified by the MDEQ that an oil sheen was on the river. Since our field crews go home at 3:30pm we needed to call in some staff and started with the Public Works Foreman. In the meantime the City Engineer and the Public Works Assistant went to see where the oil sheen was coming from. The outfall from the Public Works complex out to the river was checked and found to be dry and no discharge of any kind coming out. Also, due to the timing with our crews having left for the day, the MDEQ placed booms across the river at the S. Cooper Street Bridge to soak up the oil.

On Thursday, October 13th, the Public Works Foreman and the City Engineer met with all the Public Works field crews and restated the importance of containment during spills and notifying the office staff no matter the size of the incident. The Public Works
mechanics are testing the hydraulic pressures on the backhoes to see if they are within the operating pressures of the pumps. The pump that was in use is the departments newest with a urethane bowl and a metal motor plate. The older pumps were all metal and we did not have this problem with them. We have tried to order an all metal pump after this incident and have not found any. It seems suppliers have all gone to a plastic and metal pump.

We will continue checking the backhoe pressures and working with the supplier of the pump to prevent a recurring problem. If you have any questions regarding this incident please feel free to call me at 517-788-4170.

Sincerely,

Jon H. Dowling, P.E.
City Engineer/Director of Public Works

Cc:  Laurence R. Shaffer, City Manager
     Julius Giglio, City Attorney
Exhibit F
APPENDIX F

Plaintiff’s Letters of Notification of Intent to Sue sent to City of Jackson (dated 2-10-12)

& Jackson community College (dated 2-13-12)
February 10, 2012

City of Jackson

Julius Giglio – City Attorney

161 W. Michigan Ave

Jackson, MI 49203

Dear Mr. Giglio

This is official notice under Article 19, Sec. 19.1 of the Jackson City Ordinances (Liability) that I, Peter Bormuth, do intend to file suit and hold the City of Jackson and Jackson Community College liable for their actions against me on October 25, 2011 at Bella Notte Ristorante at 137 W. Michigan Ave, Jackson, MI., 49201, a place of public accommodation, where I was arrested by the Jackson City Police for trespassing while attempting to attend a poetry reading held by Jackson Community College, a municipal corporation, advertised as open to the general public, with an open mike advertised as available to students and general community members. The City of Jackson further aggravated my injury when the City Prosecutor, Mr. Carlson, failed to forward my paperwork to the Court in a timely manner in retaliation for my “deliberately getting myself arrested”. These actions by the City were violations of the First Amendment to the U.S. Constitution as applied to the States through the Fourteenth Amendment (Free Speech), violations of the Civil Rights Act of 1964 (Religion), violations of the Michigan Constitution Article 1, Sec. 2 & Sec. 5, and violations of P.A. 453 of 1976 as amended.

Witnesses to be called:

1). John Yohe, JCC Writing Instructor – 2111 Emmons Rd.

2). Gerald Jacobs, Chairperson JCC English Dept – 2111 Emmons Rd.

3). Todd Butler, JCC Dean of Arts & Sciences – 2111 Emmons Rd.


9). Unknown Christian woman reader at all JCC events I attended.

10). Unknown JCC female student reader at all JCC events I attended.

I retain the right to call further witnesses as their names and addresses are made available to me through discovery and in no way relinquish my right to call any witness by the making of this list.

Please respond promptly as required. You may contact me by e-mail or by post. Thank you for your time and consideration.

Sincerely,

Peter Bormuth
6096 Browns Lake Rd.
Jackson, MI 49203
(517) 787-8097
wardance@live.com
February 13, 2012

Jackson Community College

Rebecca Woods

2111 Emmons Rd.

Jackson, MI 49203

Dear Dean Woods,

This is official notice under all applicable laws that I, Peter Boruth, do intend to file suit and hold Jackson Community College liable for their actions against me on October 25, 2011 at Bella Notte Ristorante at 137 W. Michigan Ave, Jackson, MI, 49201, a place of public accommodation, where I was arrested by the Jackson City Police for trespassing while attempting to attend a poetry reading held by Jackson Community College, a municipal corporation, advertised as open to the general public, with an open mike advertised as available to students and general community members. These actions by JCC were violations of the First Amendment to the U.S. Constitution as applied to the States through the Fourteenth Amendment (Free Speech), violations of the Civil Rights Act of 1964 (Religion), violations of the Michigan Constitution, Article 1, Sec. 2 & Sec. 5, and violations of P.A. 453 of 1976 as amended. The City of Jackson further aggravated my injury when the City Prosecutor, Mr. Carlson, failed to forward my paperwork to the Court in a timely manner in retaliation for my "deliberately getting myself arrested". As you know, I had previously contacted Gerald Jacobs and exchanged e-mails with Todd Butler in an effort to avoid precisely this situation for which you are liable.

Witnesses to be called:

1). John Yohe, JCC Writing Instructor – 2111 Emmons Rd.

2). Gerald Jacobs, Chairperson JCC English Dept – 2111 Emmons Rd.

3). Todd Butler, JCC Dean of Arts & Sciences – 2111 Emmons Rd.


9). Unknown Christian woman reader at all JCC events I attended.
10). Unknown JCC female student reader at all JCC events I attended.


13). Laurence Shaffer, City Manager, 161 W. Michigan Ave.

I retain the right to call further witnesses as their names and addresses are made available to me through discovery and in no way relinquish my right to call any witness by the making of this list.

Thank you for your time and consideration.

Sincerely,

[Signature]

Peter Bormuth

6096 Browns Lake Rd.

Jackson, MI 49203

(517) 787-8097

wardance@live.com
APPENDIX G

Jackson Citizen Patriot (Mlive.com) Article by Zeke Jennings Published on 1-11-12
containing JCC Writing Instructor John Yohe’s Official Public Statements.
Summit Township man involved in discrimination lawsuit against Dahlem Center also arrested at Jackson Community College poetry reading

Published: Wednesday, January 11, 2012, 6:30 AM

Zeke Jennings | Jackson Citizen Patriot

A Summit Township man who is suing the Dahlem Conservancy also was arrested at a Jackson Community College-sponsored poetry reading, leading those events to be canceled.

On Oct. 25, Peter Carl Bormuth, 57, was arrested for trespassing at Bella Notte Ristorante, 137 W. Michigan Ave., where the readings were held, after refusing to leave. According to the police report, Bormuth told the arresting officer he wanted to be arrested so he could file a lawsuit against the college and Bella Notte for discrimination. However, there is no record that he has done so in Jackson County or Michigan’s federal courts.

A JCC representative declined to comment.

Bormuth has filed at least two lawsuits against the Dahlem Conservancy, a private nonprofit organization that leases property from JCC. That includes one seeking $75,000 that was dismissed and has been appealed to the U.S. Court of Appeals for the Sixth Circuit in Cincinnati.

Bormuth vs. Dahlem

Bormuth’s case against the Dahlem Center stems from his criticism of management for having the staff use diesel-fueled motorized carts as transportation. He voiced some of his complaints in a Voice of the People letter in the Citizen Patriot on Sept. 29, 2010.

Bormuth declined to comment on the lawsuit or his arrest for this story.

Bormuth’s ongoing correspondence with Dahlem Executive Director Brad Whaley on the matter eventually led Whaley to ban Bormuth from the property. According to court papers, Whaley thought Bormuth made a threatening comment toward an employee in an email sent through the conservancy’s website.

Bormuth’s comment was included in the Dahlem Center’s motion to dismiss:

http://blog.mlive.com/citpat/news_impact/print.html?entry=/2012/01/summit_township_m... 1/12/2012
"tell your groundsman that the next time I see him driving that diesel cart just because he is too lazy (sic) to walk I will either have the spirits drop a widow maker on him putting him in a wheel chair the rest of his life or since diesel fuel is a known cause of bladder cancer I will have the spirits send him an appropriate dose."

When Whaley questioned Bormuth about his statement via email, Bormuth stated he was a Pagan, and what he said was "symbolic speech or prayer (that) is known as a curse in Pagan terminology," Bormuth went on to write:

"I fully assure you that I will take no physical action to harm anyone at the Dahlem, nor would I ever suggest that anyone else do so."

At Whaley's request, he and Bormuth met to discuss the matter Dec. 29, 2010, and Bormuth refused to apologize, Whaley said. That led Whaley to notify Bormuth via email Jan. 21 that he was no longer allowed on Dahlem Center property.

Bormuth soon filed a lawsuit against the Dahlem Center in 12th District Court. Attorney Robert Grover, who also is the president of the Dahlem Center board of directors, represented the organization.

Grover filed a motion to dismiss the lawsuit. However, Bormuth dropped the case himself before that motion was heard.

"(Bormuth) didn't make any allegation of illegal discrimination in that," Grover said. "He had the mistaken impression that it was public property and he had the right to be there.

"That's when he came up with this religious claim and filed in federal court."

Bormuth filed the lawsuit in federal court April 1. He stated that he had been walking the grounds at the Dahlem Center since 1975 "without any problems or violations of the rules."

It was dismissed July 26 by a judge, who ruled that Bormuth made a violent threat and so the ban was not discrimination. Bormuth appealed soon thereafter.

Grover said this is the first time the Dahlem Center has banned someone from its property, and the first time it has been involved in a lawsuit. The Dahlem Center has insurance that has covered its legal expenses, Grover said.

**Poetry night**

Bormuth was once a regular at the Jackson Community College poetry readings, according to language professor John Yche, who administered the gatherings.
That stopped in February, however, when Yohe informed Bormuth he was no longer welcome to attend. This came after Bormuth began sending Yohe critical emails regarding how the readings were conducted.

"He was getting belligerent and rude, and I was perfectly within my rights to ask him not to come anymore," Yohe said. "The JCC lawyer confirmed that."

Yohe said he didn't hear anything from Bormuth until September, when he was informed Bormuth had written the college alleging religious discrimination for not being able to attend the readings.

Yohe said he was surprised by the allegation, because the emails that led to his decision to ask Bormuth to no longer attend were not religious in nature.

"That was a bizarre assertion," Yohe said. "He'd said he was an atheist at the readings, and I had told him I was, too.

"The emails were about how I was running things or why he read second instead of first during open-mic. Stuff like that."

After Bormuth’s Oct. 25 arrest at Bella Notte, Yohe said he disagreed with his superiors over whether Bormuth should be allowed to attend the readings in the future. So, Yohe chose to stop running them.

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APPENDIX H

E-mail from Plaintiff to Julius Giglio, City Attorney, dated 11-19-11
Exhibit H
RE: meeting

From: peter bormuth (wardance@live.com)
Sent: Sat 11/19/11 5:36 AM
To: julius giglio (gilioja@cityofjackson.org)

Mr. Giglio,

I spoke with Mr. Carlson yesterday (11-18-11) because despite being arrested by the City Police Department on 10/25/11 and released on bond my paperwork from the City Prosecutors office has still not arrived at the Court and i have still not had an arraignment. Mr. Carlson indicated that he had seen the complaint cross his desk, that it indicated that i deliberately tried to get arrested, and that such complaints were a low priority and he had more important matters to attend to like cases involving domestic violence. While i agree that victims of domestic violence deserve priority and protection Mr. Carlson's statement to me on the phone suggests that the delay in processing my paperwork is deliberate on his part and thus a further issue of discrimination on the part of the City.

Mr. Carlson's assumption that i deliberately sought to get myself arrested is also false. Prior to the poetry reading i had contacted two JCC administrators in an effort to see that my First Amendment and Civil Rights were respected. When i arrived at Bella Notte on the night of October 25th, 2011, my hope was that i would be allowed to sign up for the open mike and be allowed to attend the event and read my poetry. I had prepared two poems to read and was looking forward to listening to the featured readers. Unfortunately JCC chose to ban me from the reading and the City Police were called to arrest me. Since then i received an e-mail from Rebekah Woods, Executive Dean of Instruction, on 11-2-11 informing me that i would be allowed to attend all future JCC Poetry readings, so it is clear that JCC admits their discriminatory error in this case. Three complaints have already been filed by me with the Michigan Department of Civil Rights in this matter. Such acceptance by that Department indicates that the MDCR after review of the facts presented believe an act of discrimination to have taken place.

Mr. Carlson seems to feel that my being stuck in limbo with no Judge being assigned to the case so that i can make a motion to waive bond is appropriate punishment for having myself arrested in this matter. As you undoubtably know, people out on bond are not allowed to consume alchohol and i am a home brewer. I think this is additional discrimination and would appreciate your passing this e-mail on to him since i do not have his e-mail address.

Peter Bormuth

Subject: RE: meeting
Date: Thu, 3 Nov 2011 09:14:49 -0400
From: giglioja@cityofjackson.org
To: wardance@live.com
CC: gcarlson@cityofjackson.org; jdowling@cityofjackson.org; dnoga@cityofjackson.org

Mr. Bormuth:

You will need to meet with Mr. Carlson regarding your criminal prosecution. Mr. Carlson is the city prosecutor and is responsible for all criminal prosecutions.
It is my understanding that we have fully responded to your FOIA request. If you believe we have not provided records, please identify which records you believe we have failed to provide and I will make inquiry.

The attorney's office does not deal with employee discipline issues.

Regards,

Julius Giglio

Julius A. Giglio

161 West Michigan Avenue, 12th Floor

Jackson, MI 49201

517.788.4050

CONFIDENTIALITY NOTICE:

This email message and any attachments to it, is intended only for the individual or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. If you are the intended recipient, but do not wish to receive communication through this medium, please so advise the sender immediately.

From: peter bormuth [mailto:wardance@live.com]
Sent: Wednesday, November 02, 2011 7:38 AM
To: Julius Giglio
Subject: meeting

Mr. Giglio

I stopped by your office yesterday to request a meeting when you have time in your schedule - this week, next week, or whenever is convenient for you.

There are several issues I would like to address.

1) The DPW has not complied fully with my FOIA request.
2) The report the DPW submitted to the MDEQ contains a statement that contradicts my own eyewitness observation on the day of the spill.

3) the employees who created the spill were not disciplined by the DPW or the City. I would like them fired or at least suspended for a week without pay.

4) In an act of civil disobedience, i was arrested by the City Police Department on October 25, 2011 in Bella Notte Ristorante for trespassing when i quietly and peacefully tried to attend an event paid for by JCC (a municipal corporation), hosted by JCC, advertised as open to the general public by JCC, with an open mike advertised as "open to JCC students and community members". This occurred in a place of public accommodation, Bella Notte, and a christian woman, who like me is not a JCC student but a simply a member of the general community, was allowed to attend the event and read her christian poetry open mike. I believe my arrest was a violation of both the First Amendment as applied to the States through the Fourteenth (Free speech) and a violation of the Civil Rights Act and i am going to file a lawsuit in Federal Court. The City of Jackson could be listed as a party in this suit because they were the arresting agency.

If i could have a short appointment to discuss these issues with you it would be greatly appreciated.

Peter Bormuth
Exhibit I
APPENDIX I

List of Poems Performed by the Plaintiff in Order of Reading & Text of Steelhead:

the First Poem the Plaintiff Read, Identifying Himself as an Animist and Pagan:
List of Poems:

October 2010

1) Steelhead
2) From A Whisper To A Moan

January 2011

3) Quiet Until The Thaw
4) Death Camp
5) Slow Down

February 2011

6) Took Honey With His Face
7) Trees
8) Aliquando Dormitat
Steelhead

I want to rub my belly on rock,
swish my tail in sand,
feel the clean silk of water
stream along my sides.

It is night & I am thinking of the fish
as they move through the darkness
of their sidereal day. They don’t sleep,
do they?

I linger in eddies under logs,
feed in the rhythmic wash of small
whirlpools, watch fingers of sweepers
scratch the opaque plasma of river.

Remnants of a dam, the femurs
of old cedars jam Beaver Creek.
They once floated logs out from Beaver
Lake in the high runoff of spring.

The moonlight is rolling.
Shadows of branches are pulsing.
I smell the rain from two night’s ago,
The molecules laced tight in the water.
Today I saw an old rusted cum-a-long hook
lodged in a cedar. History is all around us,
written in the landscape. Everyday I see it
in people’s eyes: a haunted wariness.

The frost aster is blooming. I taste
the pollen on the smooth ribbon
of surface. The raccoon is prowling,
each paw placement a soft echoed compression.

Global distillation brings toxaphene to Michigan.
Fish in the Great Lakes also contain concentrates of DDT,
Dieldren, Heptachlor, Chlordane, and Mirex.
The wind and the rain now come with poison.

I suck snatch a stable fly
someone flicked in the water,
then play chase with a female
whose smell is like starshine.

Dioxin kills trout eggs in concentrations as low
as forty parts per trillion. Lake Ontario surpassed
that dosage by 1950. Today trout barely reproduce
in any Lake but Superior. It wasn’t the lamprey.
Two smelt slide in slick swirl
of creek mouth from swarm feeding
offshore on the rich effluent of liquid.
I eat them.

Women who consume Great Lakes fish have babies
that are hyper-reactive to stress & lag behind
in neurological development. They may also be sterile.
The umbilical cord now comes with poison.

The northern lights are arcing. My cousin,
the salmon, spawns in the gravels. Yanked by
the throb of the moonlight, I arch my spine
into the delicate tickle of air.

I wake up, having dreamt of my father’s face
underwater. It’s morning, and I want to paddle
Lake Superior. I collect the smooth cobbles of glaciers,
trace a geometric pattern in the white sand.

The Silver & Gold Ones stream what is holy.
Your Christ has brought poison. Steelhead
remembers. Steelhead is a people. What
happens to Steelhead, will happen to you.

By Peter Bormuth – from the Ngagspa CD, track 2.
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Julius A. Giglio
SUBJECT: Carol L. Konieczki v. City of Jackson, et al
DATE: April 17, 2012

REQUESTED ACTION: The requisite action is to refer this matter to the City Attorney for handling.

Attached is a copy of a Summons and Complaint that was served on the City. The suit was filed in the Jackson County Circuit Court.

The requisite action is to refer this matter to the City Attorney for handling.

JAG/dn
Enc.

cc Laurence Shaffer, City Manager
STATE OF MICHIGAN
JUDICIAL DISTRICT
4th JUDICIAL CIRCUIT
COUNTY PROBATE

SUMMONS AND COMPLAINT

Court address
312 S. Jackson St., Jackson, MI 49201

Hon. Richard N. LaFlamme
P32641

CASE NO.
12- 854 -CD

Court telephone no.
(517) 788-4382

Plaintiff's name(s), address(es), and telephone no(s).
Carol L. Konieccki

v

Defendant's name(s), address(es), and telephone no(s).
City of Jackson

Plaintiff's attorney, bar no, address, and telephone no.
James K. Fett (P39461)
805 E. Main St.
Pinckney, MI 48169
734-954-0100

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:
1. You are being sued.
2. YOU HAVE 21 DAYS after receiving this summons to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111(C))
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 3/23/12
This summons expires 6/23/12

Court clerk
Amber Pritchard
Deputy County Clerk

COMPLAINT Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.

Family Division Cases
☐ There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.
☐ An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in Court.
The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no. ____________________________ Judge ____________________________

General Civil Cases
☐ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in Court.
The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no. 12-10187 Judge Bernard A. Friedman

VENUE

Plaintiff(s) residence (include city, township, or village)
Jackson County

Defendant(s) residence (include city, township, or village)
Jackson County

Place where action arose or business conducted
Jackson County

3-20-12

Date

Signature of attorney/plaintiff

If you require special accommodations to use the court because of disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

MC 01 (308) SUMMONS AND COMPLAINT MCR 2.102(B)(11), MCR 2.104, MCR 2.105, MCR 2.107, MCR 2.113(C)(2)(a), (b), MCR 3.206(A)
CAROL L. KONIECZKI,

Plaintiff,

v

CITY OF JACKSON,

Defendant.

James K. Fett (P39461)
Fett & Fields, PC
805 E. Main St.
Pinckney, MI 48169
734-954-0100
Attorneys for Plaintiff

COMPLAINT AND JURY DEMAND

A case between the parties was previously filed in federal court and assigned case no. 12-10187 to Judge Bernard A. Friedman.

James K. Fett
Attorney for Plaintiff
COMPLAINT AND JURY DEMAND

PLAINTIFF, through counsel, Fett & Fields, P.C., states the following complaint against Defendant:

Jurisdiction and Parties

1. This is an action for gender-based and retaliatory discharge under the Elliott-Larsen Civil Rights Act.

2. The events giving rise to this cause of action occurred in Jackson County and the amount in controversy exceeds $25,000.00, exclusive of costs, interest and attorney fees.

3. Plaintiff resides in Jackson County.

4. Defendant is a municipal corporation within the County of Jackson and is subject to the jurisdiction of this court.


Background Facts

6. Plaintiff is female.

7. Defendant hired Plaintiff as its community development director on November 7, 2005.

8. Throughout her employment with the Defendant, Plaintiff performed her job duties in a satisfactory or better manner.

9. At various times during her employment Plaintiff reported to her superiors, including City Manager Warren Renando ("Renando"), that human resources director Christopher Lewis was sexually harassing her secretary, Sandy Collins.

11. Renando assured Plaintiff that there would be an investigation; however, the matter was covered up and the victim pressured into signing a “false” letter that there had been no sexual harassment.

12. Throughout her employment her supervisor Warren Renando, City Manager, treated Plaintiff differently from similarly situated male employees with respect to terms, conditions and benefits of employment; this was particularly so after she reported Lewis’ sexual harassment.

13. During the period that Plaintiff was reporting the sexual harassment she was the caregiver for her dying ex-husband and took time off work to care for him.

14. Plaintiff was harassed about this time off despite male employees who routinely left early (to play golf) and came in late without consequences.

15. Renando told Plaintiff:
   a. “You should stay home...your honey has enough money to take care of you.”; and
   b. “Go out and buy yourself something new.”

16. Male employees routinely used course, crude, vulgar language in the work place but if Plaintiff used any similar language she was admonished that it was “unlady-like”.

17. On September 20, Plaintiff emailed Renando about several topics, including his disparate treatment (see Exhibit A).

18. In response Renando told Plaintiff “I wish you had not sent me that email, but now that you did, I will have to respond, and you aren’t going to like it”.

19. On September 24, 2010 Plaintiff was issued a letter of reprimand that, inter alia, demanded she “show up for work on time, and account for all of her work time”, despite no such
letter being given to her male counterparts who continued to come in late, leave early, golf and “work out” on employer work time; Plaintiff’s absences were mostly related to her “caregiver” status.


**Count I: Gender Discrimination**

21. Plaintiff incorporates by reference the previous paragraphs.

22. At all material times, Plaintiff was an employee and Defendant was an employer, covered by and within the meaning of the Michigan Elliott-Larsen Civil Rights Act, MCL 37.2101 et seq.

23. Plaintiff’s sex/gender was a factor that made a difference in the Defendant’s decisions to subject her to the wrongful and discriminating treatment described above, including the discharge; accordingly this is a mixed motives case governed by the analysis set forth in *White v. Baxter Health Care*, 533 F.3d 381 (6th Cir. 2008).

24. Defendant, by its agents, representative and employees, was predisposed to discriminate on the basis of sex/gender and acted in accordance with that predisposition.

25. Defendants actions were intentional, with reckless indifference to Plaintiff’s rights and sensibilities.

26. If Plaintiff had been a male, she would not have been treated in the manner described.

27. As a direct and proximate result of Defendant’s wrongful acts and omissions, Plaintiff has sustained loss of earnings, earning capacity, and fringe benefits and has suffered
mental anguish, physical and emotional distress, humiliation, and embarrassment, and loss of professional reputation, and loss of everyday pleasures of life.

WHEREFORE Plaintiff requests that this court enter judgment against Defendant as follows:

1. Legal Relief:
   a. A judgment for lost wages and benefits, past and future, in whatever amount she is found to be entitled;
   b. Compensatory damages in whatever amount she is found to be entitled;
   c. Punitive and exemplary damages commensurate with the wrong and Defendant’s ability to pay; and
   d. An award of interest, costs, and reasonable attorney fees.

2. Equitable Relief:
   a. An order reinstating Plaintiff to the position she would have held if there had been no discrimination and retaliation by Defendant;
   b. An injunction prohibiting any further acts of retaliation or discrimination;
   c. An award of interest, costs, and reasonable attorney fees; and
   d. Whatever other equitable relief appears appropriate at the time of trial.

Count II: Retaliation

28. Plaintiff incorporates by reference the previous paragraphs.

29. Defendants retaliated against Plaintiff for having reported sexual harassment of her secretary by the human resources director.

30. The retaliation included a bad-faith reprimand and a bad-faith retaliatory termination based on pretextual reasons because of Plaintiff’s protected activities.

31. Defendant’s actions were intentional, with reckless indifference to Plaintiff’s rights and sensibilities.
32. As a direct and proximate result of Defendant's wrongful acts, Plaintiff has sustained, including but not limited to, loss of earnings, earning capacity, and fringe benefits and has suffered mental anguish, physical and emotional distress, humiliation, and embarrassment, loss of professional reputation and loss of everyday pleasures.

WHEREFORE Plaintiff requests that this court enter judgment against Defendant as follows:

1. Legal Relief:
   a. A judgment for lost wages and benefits, past and future, in whatever amount she is found to be entitled;
   b. Non-economic damages in whatever amount she is found to be entitled;
   c. An award of interest, costs, and reasonable attorney fees.

2. Equitable Relief:
   a. An order reinstating Plaintiff to the position she would have held if there had been no discrimination and retaliation by Defendant;
   b. An injunction prohibiting any further acts of retaliation or discrimination;
   c. An award of interest, costs, and reasonable attorney fees; and
   d. Whatever other equitable relief appears appropriate at the time of trial.

Respectfully submitted,

FETT & FIELDS, P.C.

By: James K. Fett (P39461)
895 E. Main St.
Pinckney, MI 48169
734-954-0100
Attorneys for Plaintiff

Dated: March 20, 2012
JURY DEMAND

NOW COMES the Plaintiff, through counsel, and hereby demands trial by jury in the above captioned matter.

Respectfully submitted,

FETT & FIELDS, P.C.

By: James K. Fett (P39461)
805 E. Main St.
Pinckney, MI 48169
734-954-0100
Attorneys for Plaintiff

Dated: March 20, 2012
Warren,

Last week we discussed several matters regarding my employment with the City, one of which was my use of an inappropriate word in conversation with you, that you stated was unladylike. I was somewhat surprised by your comment, since the word is something which I have heard in other conversation with you, but I apologized immediately for using what you considered to be unfeminine language. As you know I have been under a lot of personal stress in the last few months caring for my dying former husband and helping my children deal with the death of their father. I have had some time to think about our discussion, and what to emphasize that I am dedicated to my job, and have still been able to perform my daily duties, as well as the extra tasks you have asked me to handle particularly with regard to finding funding for the demolition of the 212 W. Michigan Ave. bldg, and working on purchase and development agreement language for the Hayes bldg with the Gillespie Group.

I have been one of your most ardent supporters and value your expertise, believing you could help turn around a bad situation that we have been experiencing in the city, which was the reason I turned to you for advice on a personnel matter involving Mr. Lewis and Ms. Collins, who as you know is one of my subordinates. Once you became City Manager this issue was investigate and resolved, which was a great relief to me. However, now that Mr. Lewis has taken a position elsewhere, I realize his leaving will add additional stress in the organization. Although this is unfortunate, I sincerely appreciate your action in investigating the situation. I hope that the investigation did not precipitate his leaving the organization, and that his departure will not lead to adverse consequences for me, however, I felt that my duties as Ms. Collins' supervisor required my full cooperation in the investigation of the situation.

In spite of all the stress I have been under recently, both personally and professionally, I believe I have handled my daily tasks and extra assignments competently. You have previously had a great deal of confidence in my abilities to put together financing for difficult economic development deals, and stated as much as recently as six weeks ago, when we were discussing financing mechanisms to assist the Gillespie Group to redevelop the 212 W. Michigan Ave. site, once the bldg was demolished.

I look forward to discussing with you organizational goals that can be accomplished in the coming months and working with you to accomplish these goals.

Carol K.
CITY COUNCIL MEETING
April 24, 2012
NEW BUSINESS

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director

RE: CDBG and HOME Financial Summaries through March 2012

MOTION: Receipt of the CDBG and HOME Financial Summaries through March 2012

Attached please find Financial Summaries for CDBG and HOME funds for the nine months ended March 31, 2012.

Cc: Heather Soat, Accounting Manager
    Michelle Pultz, Records Management Coordinator
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<th>Percent Spent</th>
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<td>15,000</td>
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<td>-</td>
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<td>5,500</td>
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<td>128</td>
<td>7,865</td>
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<tr>
<td><strong>4</strong> Center for Family Health</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
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<td>10,000</td>
<td>-</td>
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<td><strong>5</strong> Partnership Park-After School Programs (FY 2010/2011)</td>
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<td>2,690</td>
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<td><strong>6</strong> United Way - 211 Services</td>
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<td><strong>7</strong> Salvation Army - Heating Assistance</td>
<td>55,954</td>
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<td>Administration</td>
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<td><strong>8</strong> Administration &amp; Planning</td>
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<td><strong>9</strong> City Code Enforcement Division</td>
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<td>386,244</td>
<td>-</td>
<td>117,101</td>
<td>503,345</td>
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<td>32,904</td>
<td>212,211</td>
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<td>City Attorney Office</td>
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<td><strong>10</strong> City Attorney Office</td>
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<td>7,455</td>
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<td>Housing Rehabilitation Projects</td>
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<td><strong>11</strong> Owner Occupied Housing Rehabilitation</td>
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<td>33,345</td>
<td>-</td>
<td>2,539</td>
<td>35,884</td>
<td>23,096</td>
<td>± 60.8%</td>
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<tr>
<td>FY 2009/2010</td>
<td>88,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
<td>60,000</td>
<td>0.0%</td>
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<td>FY 2011/2012</td>
<td>50,027</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>50,027</td>
<td>0.0%</td>
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<tr>
<td><strong>12</strong> City Emergency Hazard Repair Program</td>
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<td>Project Description</td>
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<td>FY 2011/2012</td>
<td>Percent Spent</td>
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<tr>
<td>FY 2010/2011</td>
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<td>75.4%</td>
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<td>New Neighbor Program (FY 2005/2006)</td>
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<td>FY 2010/2011</td>
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<td>95.3%</td>
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<td>World Changers</td>
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<td>FY 2010/2011</td>
<td>45,585</td>
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<td>73.2%</td>
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<tr>
<td>Cleanup (FY 2010/2011)</td>
<td></td>
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<td>FY 2010/2011</td>
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<tr>
<td>City Rehab Administration (Denied Loans)</td>
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<td>FY 2008/2009</td>
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<td>75.7%</td>
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<td>0.0%</td>
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<tr>
<td>FY 2011/2012</td>
<td>1,000</td>
<td></td>
<td>0.0%</td>
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<tr>
<td>John George Home - building repairs</td>
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<tr>
<td>FY 2010/2011</td>
<td>10,000</td>
<td></td>
<td>96.6%</td>
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<td></td>
<td>0.0%</td>
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<tr>
<td>DDA - Façade Loans (FY 2008/2009)</td>
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<td></td>
<td>27.9%</td>
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<tr>
<td>Street Projects</td>
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<tr>
<td>Mason - Jackson to Francis (FY 2009/2010)</td>
<td>141,910</td>
<td>73,118</td>
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<td>Loomis - Leroy to North (FY 2009/2010)</td>
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<td>18,715</td>
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<td>Loomis - North to Argyle (FY 2009/2010)</td>
<td>47,000</td>
<td></td>
<td>100.0%</td>
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<tr>
<td>Monroe Street Sidewalk (FY 2009/2010)</td>
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<td>25,049</td>
<td>100.0%</td>
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<tr>
<td>Special Assessments (FY 2009/2010)</td>
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<td>820</td>
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<tr>
<td>Wilkins - Jackson to Williams (FY 2010/2011)</td>
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<td>897</td>
<td>67.1%</td>
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<tr>
<td>Wilkins - Williams to Mechanic (FY 2010/2011)</td>
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<td>Wilkins - Mechanic to Francis (FY 2010/2011)</td>
<td>136,000</td>
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<td>100.0%</td>
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<td>Special Assessments (FY 2010/2011)</td>
<td>10,000</td>
<td></td>
<td>0.0%</td>
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<tr>
<td>Biddle - Jackson to Williams</td>
<td>53,000</td>
<td></td>
<td>8.5%</td>
<td></td>
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<tr>
<td>Forest - Bend to Edgewood</td>
<td>106,000</td>
<td></td>
<td>0.1%</td>
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<tr>
<td>Homewild - Ellery to Edgewood</td>
<td>119,000</td>
<td></td>
<td>0.1%</td>
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<td>Special Assessments</td>
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Other Projects

Public Works - curb ramps
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<th>Budgeted</th>
<th>Expended Prior Year</th>
<th>Actual Month-to-Date</th>
<th>Actual Year-to-Date</th>
<th>Total Funds Expended-to-Date</th>
<th>Balance</th>
<th>Percent Spent</th>
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<td><strong>Total Funds</strong></td>
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<tr>
<td>FY 2009/2010</td>
<td>67,523</td>
<td>57,655</td>
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<td>9,868</td>
<td>67,523</td>
<td>-</td>
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<tr>
<td>FY 2010/2011</td>
<td>20,000</td>
<td>-</td>
<td>-</td>
<td>20,000</td>
<td>20,000</td>
<td>-</td>
<td>100.0%</td>
</tr>
<tr>
<td>FY 2011/2012</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
<td>1,714</td>
<td>1,714</td>
<td>8,286</td>
<td>17.1%</td>
</tr>
<tr>
<td><strong>33 Tree Removal/Replacement</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>FY 2009/2010</td>
<td>25,000</td>
<td>18,751</td>
<td>-</td>
<td>6,249</td>
<td>25,000</td>
<td>-</td>
<td>100.0%</td>
</tr>
<tr>
<td>FY 2010/2011</td>
<td>14,000</td>
<td>-</td>
<td>-</td>
<td>14,000</td>
<td>14,000</td>
<td>-</td>
<td>100.0%</td>
</tr>
<tr>
<td>FY 2011/2012</td>
<td>15,000</td>
<td>-</td>
<td>-</td>
<td>5,575</td>
<td>5,575</td>
<td>9,425</td>
<td>37.2%</td>
</tr>
<tr>
<td><strong>Economic Development</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>34 Job Creation Loans</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2010/2011</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>50,000</td>
<td>-</td>
<td>0.0%</td>
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<tr>
<td>FY 2011/2012</td>
<td>20,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>20,000</td>
<td>*</td>
<td>0.0%</td>
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<tr>
<td><strong>Public Improvements</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>35 JPD Equipment (FY 2010/2011)</strong></td>
<td>7,752</td>
<td>7,606</td>
<td>-</td>
<td>-</td>
<td>7,606</td>
<td>* 146</td>
<td>98.1%</td>
</tr>
<tr>
<td><strong>36 Demolition (FY 2010/2011)</strong></td>
<td>38,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>38,000</td>
<td></td>
<td>0.0%</td>
</tr>
</tbody>
</table>

NOTE: All funds are FY 2011/2012 allocations unless otherwise indicated.

Balances denoted with an asterisk have been identified as possible demolition funding for the Neighborhood Economic Stabilization program.
# City of Jackson

## HOME

### Monthly Financial Summary

For the Nine Months Ended March 31, 2012

<table>
<thead>
<tr>
<th>Program Description</th>
<th>Budgeted</th>
<th>Expended Prior Year</th>
<th>Actual Month-to-Date</th>
<th>Actual Year-to-Date</th>
<th>Total Funds Expended-to-Date</th>
<th>Balance</th>
<th>Percent Spent</th>
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</thead>
<tbody>
<tr>
<td><strong>1 Rehabilitation Assistance Program</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>FY 2009/2010</td>
<td>547,129</td>
<td>460,727</td>
<td>22,427</td>
<td>64,365</td>
<td>525,092</td>
<td>22,037</td>
<td>96.0%</td>
</tr>
<tr>
<td>FY 2010/2011</td>
<td>216,617</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>216,617</td>
<td>0.0%</td>
</tr>
<tr>
<td>FY 2011/2012</td>
<td>185,453</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>185,453</td>
<td>0.0%</td>
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<tr>
<td><strong>2 HOME Administration</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2010/2011</td>
<td>30,400</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>30,400</td>
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<tr>
<td>FY 2011/2012</td>
<td>32,189</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>32,189</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>3 JAHC - Downpayment Assistance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2010/2011</td>
<td>40,000</td>
<td>-</td>
<td>2,000</td>
<td>16,456</td>
<td>16,456</td>
<td>23,544</td>
<td>41.1%</td>
</tr>
<tr>
<td><strong>4 JAHC - CHDO Operating Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2009/2010</td>
<td>15,000</td>
<td>5,856</td>
<td>-</td>
<td>1,045</td>
<td>6,901</td>
<td>8,099</td>
<td>46.0%</td>
</tr>
<tr>
<td>FY 2010/2011</td>
<td>18,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>18,000</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>5 CAA - CHDO Operating Expenses (FY 2011/2012)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2009/2010</td>
<td>73,072</td>
<td>55,477</td>
<td>-</td>
<td>17,595</td>
<td>73,072</td>
<td>-</td>
<td>100.0%</td>
</tr>
<tr>
<td>FY 2010/2011</td>
<td>90,000</td>
<td>89,670</td>
<td>-</td>
<td>(16,764)</td>
<td>72,906</td>
<td>17,094</td>
<td>81.0%</td>
</tr>
<tr>
<td><strong>6 JAHC - CHDO Acquisition/Rehab/Resale</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2009/2010</td>
<td>53,250</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>53,250</td>
<td>0.0%</td>
</tr>
<tr>
<td>FY 2010/2011</td>
<td>6,000</td>
<td>4,600</td>
<td>-</td>
<td>394</td>
<td>4,994</td>
<td>1,006</td>
<td>83.2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>City of Jackson HOME</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Monthly Financial Summary</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For the Nine Months Ended March 31, 2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
TO:    Honorable Mayor and City Councilmembers
FROM:   Jon H. Dowling, P.E., City Engineer/Director of Public Works
SUBJECT:  Engineer’s Report for Hibbard Street from Wildwood Avenue to Norfolk Southern Railroad


The Department of Public Works - Engineering requests that City Council establish a public hearing of necessity to be held May 22, 2012, for street repaving on Hibbard Street from Wildwood Avenue to the Norfolk Southern Railroad. This report is prepared for City Council per the Assessment Policy regarding the necessity of street construction.

The Department of Public Works - Engineering is preparing a project to replace the water main and storm sewer on Hibbard Street from Wildwood Avenue to the Norfolk Southern Railroad and across the railroad right-of-way to the south end of Hibbard on the north side of the railroad tracks. The storm sewer will also be extended along the railroad right-of-way to the south end of Alma Place. Proposed construction is to repave Hibbard Street at the same time.

Storm Sewer - Proposed storm sewer reconstruction on Hibbard Street will extend the sewer to the north side of the railroad. This will allow storm drains on Hibbard Street and Alma Place to be disconnected from the sanitary sewer system, improve surface drainage, and provide subgrade drainage that may lower ground water levels and reduce basement flooding in that area. The attached August 1, 2011 letter to residents of Hibbard Street provides more information about a study that was performed and proposed construction.

Water Main - Proposed water main construction is part of the replacement program to improve water quality and pressure in the City. The cast iron water main on Hibbard Street was built nearly 100 years ago and is susceptible to main breaks. Current water pressure provides marginal fire protection. Proposed water main construction will improve reliability and pressure. The railroad crossing will eliminate two dead end mains. Dead end water mains are prone to water quality issues because of low water flow.

Pavement - Department of Engineering records show that Hibbard Street from Wildwood Avenue to the railroad right-of-way was constructed in 1965 with asphalt pavement and concrete curb and gutter. The pavement was overlaid in approximately 1979 and chip sealed in 1998. The pavement is in fair condition but is almost fifty years old. The water main and sewer construction would have trench replacement of the pavement in excellent condition and only a portion of the remaining street in fair to near poor condition, if the complete repaving is not performed at this time. Proposed construction is to replace the remaining pavement. The attached photographs 1 through 3 show the current pavement conditions.
Curb and Drive approaches - The existing curb and gutter on Hibbard Street is in Fair condition. A Fair condition rating indicates that the curb is essentially sound with some deterioration. Based upon an inspection of the existing curb it has been determined that approximately 200 feet of curb (10 percent of the total) will need to be replaced to install ADA compliant sidewalk ramps at Vernon Street and to repair settled and broken curb. Existing curb provides good drainage. Existing drive approaches meet current standards for width and slope, and all but a few are in good condition. The attached photographs 4 and 5 show examples of curb conditions. It is recommended that Hibbard Street be repaved with curb and gutter repairs.

Street Width Cost Comparison - The current width of Hibbard Street is 32 feet. With complete reconstruction, the road width could be reduced to 26 feet wide. Approximate costs of the recommended repaving and full reconstruction are listed below:

<table>
<thead>
<tr>
<th>Construction Option</th>
<th>Total Street Cost</th>
<th>Total Assessment Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Repave with spot curb repairs (Recommended)</td>
<td>$137,000</td>
<td>$18,803</td>
</tr>
<tr>
<td>Reconstruct with 100% curb replacement, 26 feet wide</td>
<td>$232,000</td>
<td>$40,190</td>
</tr>
</tbody>
</table>

If all curb is not replaced, property owners could elect to have their drive approach replaced during construction and have the cost of the drive approach and associated curb replacement added to their assessment for street construction. The approximate cost to the property owner to replace a drive approach would be $1,000.

The Water Fund and the Sewer Fund will pay for seventy-five percent the pavement cost. Twenty-five percent of the pavement costs will be charged to the Local Street Construction Fund and assessed to adjacent property owners. Estimated project costs are as follows:

- Water Fund: $179,000.00
- Sewer Fund: $244,000.00
- Local Street Fund: $36,197.38
- Street Paving (Assessments): $18,802.62

Total Project Cost: $478,000.00

The established individual assessment information has been reviewed by the City Assessor and includes corner lot benefits where applicable. According to the City Code, the City Assessor determines if corner lot benefits are granted. Associated costs are shown on the attached assessment map. If this project is ordered, the assessment roll can be spread over a period of time. The number of years is based on the highest individual assessment amount that produces the longest period of time allowed for payment. Based on a schedule of assessments adopted by resolution on July 21, 1998, and on the highest individual assessments for this project, the number of annual installment periods will be six.

If you have questions, please contact me.

RTM:sms

c: Randall T. McMunn, P.E., Assistant City Engineer
Dave Taylor, City Assessor
Lynn Fessel, City Clerk
Photo 1: Hibbard, looking south at Vernon

Photo 2: Hibbard, looking south midblock between Vernon & Wildwood
Photo 3 Hibbard, looking south toward Wildwood

Photo 4: Typical Curb in Fair Condition
Photo 5: Example of Proposed Curb Repair
August 1, 2011

Hibbard Street Resident:

On July 11, at a meeting hosted by Councilmember Gaiser, the Department of Engineering presented the results of our investigation into drainage issues on Hibbard Street. This letter provides a summary of the study conclusions and our plans for storm sewer construction on Hibbard Street in 2012.

Review of Conditions and Conclusions:
The Engineering Department inspected basements at four homes on Hibbard Street. Water problems were similar at all locations. Residents said that very soon after heavy rain and during snow melt, water starts coming into the basement through the walls and cracks in the floor. Water then continues to enter the basement for days afterward. The inspections verified the moisture problems, even though there had not been any precipitation immediately prior to the visits.

The most severe basement flooding described by one resident occurred in 1995. On that occasion, water came in through basement windows and flooded the basement. City records show that during a storm in August, 1995, the City of Jackson received 3.0 inches of rain in one hour. That amount exceeds the rainfall rate for a “100-year” rain event.

Soil borings taken for water main construction several years ago indicated sandy soils and groundwater at 5-6 feet below grade. The sandy soils in the area probably allow quick infiltration of surface water into the ground and the corresponding quick rise in ground water level following heavy rain. We believe that the high ground water is the primary cause of basement flooding.

Catch basins at the end of Hibbard Street connect to a sanitary sewer that is not large enough for the amount water that ends up in the street. Residents report that recent construction by the City to improve storm drainage on Hibbard Street have not resolved street flooding or basement water problems. We have concluded that street drainage is inadequate and a new storm sewer is needed.

Proposed Storm Sewer Construction:
The Department of Engineering is proposing to build a new storm sewer to improve drainage on Hibbard Street and Alma Place. The sewer will be routed under the Norfolk Southern railroad from the south end of your street to Wildwood Avenue. Connecting to the Wildwood storm drain will greatly improve drainage on your street and will allow the proposed sewer to be built deeper than basement floors on Hibbard. Installation of underdrains or other drainage features at the end of Hibbard Street may help draw
down the water table in the immediate area. Contingent upon our ability to acquire the necessary permits from Norfolk Southern Railroad in the necessary time frame, the work will be done in the spring or summer of 2012.

The new storm sewer will improve street drainage and eliminate the storm water connection to the sanitary sewer. You should understand that the new sewer may not resolve all drainage problems:

- **It is not feasible to design storm sewers to prevent flooding during extreme weather events like the storm that occurred in 1995. On rare occasions, some short term flooding may still occur.**
- **Installation of underdrains or other drainage features at the end of Hibbard Street might help lower the water table in the area, but may not help basement water problems.**

If you have any questions or comments about our investigation or sewer construction, please give me a call at 788-4160.

Sincerely,

Randy McMunn, P.E.
Assistant City Engineer

RTM/rtm

cc: Laurence R. Shaffer, City Manager
Kenneth Gaiser, Councilmember
Jon H. Dowling, P.E., City Engineer/Director of Public Works
223 Bates Street
49202

April 3, 2012

Honorable Mayor Martin Griffin –

Please accept my resignation from the Jackson District Library Board.

It has been a joy and a privilege to work with the Library.

[Signature]

Deborah Herbert
City of Jackson, Michigan
Financial Statements

As of and For the 9 Months Ended March 31, 2012
(Unaudited)

<table>
<thead>
<tr>
<th>INDEX</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund Expenditure Summary</td>
<td>1-2</td>
</tr>
<tr>
<td>All Other Funds - Expenditure Summary</td>
<td>3-4</td>
</tr>
<tr>
<td>All Funds - Revenue Summary</td>
<td>5-6</td>
</tr>
<tr>
<td>Notes to Revenue &amp; Expenditure Summaries</td>
<td>7</td>
</tr>
</tbody>
</table>
## City of Jackson, Michigan
### General Fund Expenditure Summary
#### As of and For the 9 Months Ended March 31, 2012
(Prepared on the Adopted Budget-Basis)

<table>
<thead>
<tr>
<th>Function Department</th>
<th>2011/12 Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Original</td>
<td>Amended</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Legislative:</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>101-101 City Council</td>
<td>78,582</td>
<td>78,582</td>
<td>5,431</td>
<td>61,720</td>
<td>78.54% 16,862</td>
</tr>
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</tr>
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<td>101-137 Administrative Hearings Bureau</td>
<td>22,851</td>
<td>22,851</td>
<td>2,228</td>
<td>16,943</td>
<td>74.15% 5,908</td>
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<td><strong>General Government:</strong></td>
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<td>101-172 City Manager</td>
<td>248,315</td>
<td>248,315</td>
<td>17,767</td>
<td>171,768</td>
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<td>151,568</td>
<td>150,988</td>
<td>22,143</td>
<td>129,712</td>
<td>85.91% 21,276</td>
</tr>
<tr>
<td>101-201 Finance</td>
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<td>425,263</td>
<td>32,056</td>
<td>311,950</td>
<td>73.35% 113,313</td>
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<td>294,777</td>
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<td>16,943</td>
<td>74.15% 5,908</td>
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<tr>
<td>101-210 City Attorney</td>
<td>393,824</td>
<td>393,824</td>
<td>30,542</td>
<td>273,596</td>
<td>69.47% 120,228</td>
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<tr>
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<td>197,369</td>
<td>13,909</td>
<td>138,436</td>
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<tr>
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<td>166,545</td>
<td>4,721</td>
<td>116,441</td>
<td>69.92% 50,104</td>
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<tr>
<td>101-233 Purchasing</td>
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<td>89,294</td>
<td>10,612</td>
<td>66,674</td>
<td>74.67% 22,620</td>
</tr>
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<td>101-253 City Treasurer</td>
<td>279,341</td>
<td>277,503</td>
<td>21,131</td>
<td>204,499</td>
<td>73.69% 73,004</td>
</tr>
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<td>101-254 City Income Tax</td>
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<td>209,607</td>
<td>12,390</td>
<td>134,933</td>
<td>64.37% 74,674</td>
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<td>101-258 Management Information Services</td>
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<td>329,517</td>
<td>10,948</td>
<td>266,330</td>
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<td>101-265 City Hall &amp; Grounds</td>
<td>338,657</td>
<td>338,657</td>
<td>25,063</td>
<td>255,659</td>
<td>75.49% 82,998</td>
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<td>101-276 Cemeteries</td>
<td>186,363</td>
<td>186,363</td>
<td>21,837</td>
<td>173,396</td>
<td>93.04% 12,967</td>
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<td>101-299 Unallocated</td>
<td>694,527</td>
<td>694,527</td>
<td>46,970</td>
<td>448,518</td>
<td>64.58% 246,009</td>
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<td><strong>Police Department:</strong></td>
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</tr>
<tr>
<td>101-301 Police</td>
<td>7,268,805</td>
<td>7,250,955</td>
<td>520,313</td>
<td>5,401,347</td>
<td>74.49% 1,849,608</td>
</tr>
<tr>
<td>101-308 STEP Grants</td>
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<td>0</td>
<td>0</td>
<td>13,132</td>
<td>N/A (13,132) Note 2</td>
</tr>
<tr>
<td>101-311 JCCEA Grant</td>
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<td>12,000</td>
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<td>4,963</td>
<td>41.36% 7,037</td>
</tr>
<tr>
<td>101-312 OHSP Grant</td>
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<td>0</td>
<td>2,302</td>
<td>4,863</td>
<td>N/A (4,863) Note 2</td>
</tr>
<tr>
<td>101-313 Consortium Training</td>
<td>11,485</td>
<td>11,485</td>
<td>924</td>
<td>11,497</td>
<td>100.10% (12) Note 2</td>
</tr>
<tr>
<td>101-314 In-Service Training</td>
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<td>8,478</td>
<td>375</td>
<td>6,262</td>
<td>73.86% 2,216</td>
</tr>
<tr>
<td>101-315 MCOLES Training</td>
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<td>33,283</td>
<td>0</td>
<td>0</td>
<td>0.00% 33,283</td>
</tr>
<tr>
<td><strong>Fire Department:</strong></td>
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<td></td>
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<tr>
<td>101-340 Fire Suppression</td>
<td>3,327,889</td>
<td>3,322,609</td>
<td>227,865</td>
<td>2,377,078</td>
<td>71.33% 955,531</td>
</tr>
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<td><strong>Other Public Safety:</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101-350 Public Safety - Unallocated</td>
<td>1,684,850</td>
<td>1,684,850</td>
<td>145,270</td>
<td>1,331,278</td>
<td>79.01% 353,572</td>
</tr>
<tr>
<td>101-401 Planning</td>
<td>28,213</td>
<td>28,213</td>
<td>2,257</td>
<td>48,273</td>
<td>171.10% (20,060)</td>
</tr>
<tr>
<td>101-426 Office of Emergency Measures</td>
<td>64,601</td>
<td>64,601</td>
<td>4,661</td>
<td>40,619</td>
<td>62.88% 23,982</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>4,012,940</td>
<td>4,002,549</td>
<td>316,095</td>
<td>2,914,073</td>
<td>72.81% 1,088,476</td>
</tr>
</tbody>
</table>

( Continued -)

* See Notes on Page 7

Page 1
# City of Jackson, Michigan

## General Fund Expenditure Summary

As of and For the 9 Months Ended March 31, 2012

(Prepared on the Adopted Budget-Basis)

## Public Works:

<table>
<thead>
<tr>
<th>Function Department</th>
<th>2011/12 Budget</th>
<th>Actual Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Original</td>
<td>Amended</td>
</tr>
<tr>
<td>Tax Property Maintenance</td>
<td>8,000</td>
<td>8,000</td>
</tr>
<tr>
<td>Civic Affairs</td>
<td>43,765</td>
<td>43,765</td>
</tr>
<tr>
<td>Grounds Maintenance</td>
<td>42,600</td>
<td>42,600</td>
</tr>
<tr>
<td>Sidewalk Construction</td>
<td>52,000</td>
<td>52,000</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>454,458</td>
<td>454,458</td>
</tr>
<tr>
<td>Weed Control</td>
<td>39,300</td>
<td>39,300</td>
</tr>
<tr>
<td>Forestry</td>
<td>186,363</td>
<td>186,363</td>
</tr>
</tbody>
</table>

### Note 2

| Total | 826,486 | 55,872 | 664,552 | 80.41% | 161,934 |

## Recreation & Culture:

<table>
<thead>
<tr>
<th>Function Department</th>
<th>2011/12 Budget</th>
<th>Actual Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Original</td>
<td>Amended</td>
</tr>
<tr>
<td>Parks, Recreation &amp; Grounds Admin.</td>
<td>616,109</td>
<td>615,528</td>
</tr>
<tr>
<td>Parks &amp; Facilities Maintenance</td>
<td>539,350</td>
<td>538,188</td>
</tr>
<tr>
<td>Lt. Nixon Memorial Pool</td>
<td>131,735</td>
<td>131,735</td>
</tr>
<tr>
<td>Sharp Park Swimming Pool</td>
<td>94,877</td>
<td>94,877</td>
</tr>
<tr>
<td>Historical District</td>
<td>11,973</td>
<td>11,973</td>
</tr>
</tbody>
</table>

### Note 2

| Total | 1,394,044 | 82,450 | 983,762 | 70.66% | 408,539 |

## Health & Welfare:

<table>
<thead>
<tr>
<th>Function Department</th>
<th>2011/12 Budget</th>
<th>Actual Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Original</td>
<td>Amended</td>
</tr>
<tr>
<td>Human Relations</td>
<td>57,691</td>
<td>57,691</td>
</tr>
</tbody>
</table>

## Contributions to Other Funds:

<table>
<thead>
<tr>
<th>Function Department</th>
<th>2011/12 Budget</th>
<th>Actual Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Original</td>
<td>Amended</td>
</tr>
<tr>
<td>Contributions to Other Funds</td>
<td>21,500</td>
<td>246,500</td>
</tr>
</tbody>
</table>

## Total General Fund Expenditures

| Total General Fund Expenditures | 18,808,415 | 1,594,317 | 14,159,231 | 74.31% | 4,894,203 |
### Special Revenue Funds:

<table>
<thead>
<tr>
<th>Fund Type/Fund Name</th>
<th>Original</th>
<th>Amended</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable</th>
</tr>
</thead>
<tbody>
<tr>
<td>202 Major Street</td>
<td>4,103,574</td>
<td>4,103,574</td>
<td>186,498</td>
<td>2,557,067</td>
<td>62.31%</td>
<td>3,917,076</td>
</tr>
<tr>
<td>203 Local Street</td>
<td>2,025,823</td>
<td>2,025,823</td>
<td>56,623</td>
<td>1,131,663</td>
<td>55.86%</td>
<td>1,975,200</td>
</tr>
<tr>
<td>208 Ella W. Sharp Park Operating</td>
<td>675,998</td>
<td>674,067</td>
<td>29,677</td>
<td>435,439</td>
<td>64.60%</td>
<td>644,390</td>
</tr>
<tr>
<td>210 Land Acquisition Fund</td>
<td>50,000</td>
<td>50,000</td>
<td>1,840</td>
<td>19,996</td>
<td>39.99%</td>
<td>48,160</td>
</tr>
<tr>
<td>211 Housing Initiative Fund</td>
<td>15,000</td>
<td>15,000</td>
<td>0</td>
<td>1,813</td>
<td>12.09%</td>
<td>15,000</td>
</tr>
<tr>
<td>245 Public Improvement</td>
<td>1,145,597</td>
<td>1,145,597</td>
<td>4,810</td>
<td>164,017</td>
<td>14.32%</td>
<td>1,140,787</td>
</tr>
<tr>
<td>249 Building Department</td>
<td>558,342</td>
<td>556,911</td>
<td>33,929</td>
<td>390,821</td>
<td>70.18%</td>
<td>166,090</td>
</tr>
<tr>
<td>252 Building Demolitions Fund</td>
<td>0</td>
<td>225,000</td>
<td>1,661</td>
<td>1,661</td>
<td>0.74%</td>
<td>223,339</td>
</tr>
<tr>
<td>257 Budget Stabilization</td>
<td>16,000</td>
<td>16,000</td>
<td>0</td>
<td>1,813</td>
<td>12.09%</td>
<td>16,000</td>
</tr>
<tr>
<td>265 Drug Law Enforcement</td>
<td>45,517</td>
<td>45,517</td>
<td>2,698</td>
<td>25,432</td>
<td>55.87%</td>
<td>20,085</td>
</tr>
<tr>
<td>268 BYRNE/JAG Grants</td>
<td>167,386</td>
<td>196,729</td>
<td>7,919</td>
<td>91,658</td>
<td>46.59%</td>
<td>105,071</td>
</tr>
<tr>
<td>269 COPS Hiring Recovery Prog. Grant</td>
<td>196,246</td>
<td>196,246</td>
<td>48,675</td>
<td>150,714</td>
<td>76.80%</td>
<td>45,532</td>
</tr>
<tr>
<td>270 LAWNET Grant</td>
<td>35,475</td>
<td>35,475</td>
<td>514</td>
<td>4,970</td>
<td>14.01%</td>
<td>30,505</td>
</tr>
<tr>
<td>289 Neighborhood Stabilization Grant</td>
<td>265,000</td>
<td>265,000</td>
<td>2,777</td>
<td>92,701</td>
<td>34.98%</td>
<td>172,299</td>
</tr>
<tr>
<td>295 2008 Brownfield Assessment Grant</td>
<td>25,000</td>
<td>25,000</td>
<td>0</td>
<td>12,133</td>
<td>48.53%</td>
<td>12,867</td>
</tr>
<tr>
<td>296 Recreation Activity</td>
<td>245,706</td>
<td>245,706</td>
<td>16,089</td>
<td>150,108</td>
<td>61.09%</td>
<td>95,598</td>
</tr>
<tr>
<td>297 JPS Recreation Millage Program</td>
<td>239,000</td>
<td>239,000</td>
<td>16,371</td>
<td>157,295</td>
<td>65.81%</td>
<td>81,705</td>
</tr>
<tr>
<td>298 2008 Brownfield Revolving Loan</td>
<td>96,200</td>
<td>96,200</td>
<td>0</td>
<td>9,624</td>
<td>10.00%</td>
<td>86,576</td>
</tr>
</tbody>
</table>

### Debt Service Funds:

<table>
<thead>
<tr>
<th>Fund Type/Fund Name</th>
<th>Original</th>
<th>Amended</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable</th>
</tr>
</thead>
<tbody>
<tr>
<td>324 2003 MTF Bond D/S</td>
<td>283,235</td>
<td>283,235</td>
<td>0</td>
<td>283,010</td>
<td>99.92%</td>
<td>225</td>
</tr>
<tr>
<td>365 City Hall D/S</td>
<td>653,071</td>
<td>653,071</td>
<td>3</td>
<td>202,789</td>
<td>31.05%</td>
<td>450,282</td>
</tr>
<tr>
<td>368 Building Authority D/S</td>
<td>133,360</td>
<td>133,360</td>
<td>0</td>
<td>132,910</td>
<td>99.66%</td>
<td>450</td>
</tr>
<tr>
<td>395 2001 DDA TIF D/S</td>
<td>550</td>
<td>550</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
<td>550</td>
</tr>
<tr>
<td>396 2011 DDA TIF Refinancing D/S</td>
<td>5,624,828</td>
<td>5,624,828</td>
<td>0</td>
<td>5,368,212</td>
<td>95.44%</td>
<td>256,616</td>
</tr>
<tr>
<td>398 2002 BRA TIF D/S</td>
<td>637,703</td>
<td>637,703</td>
<td>0</td>
<td>223,726</td>
<td>35.08%</td>
<td>413,977</td>
</tr>
<tr>
<td>399 2007 BRA TIF Refunding D/S</td>
<td>446,529</td>
<td>446,529</td>
<td>0</td>
<td>208,102</td>
<td>46.60%</td>
<td>238,427</td>
</tr>
</tbody>
</table>

### Capital Projects Funds:

<table>
<thead>
<tr>
<th>Fund Type/Fund Name</th>
<th>Original</th>
<th>Amended</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable</th>
</tr>
</thead>
<tbody>
<tr>
<td>401 Capital Projects Fund</td>
<td>635,000</td>
<td>635,000</td>
<td>6,578</td>
<td>198,741</td>
<td>31.30%</td>
<td>436,259</td>
</tr>
<tr>
<td>402 Water Equipment and Replacement</td>
<td>1,698,995</td>
<td>1,698,995</td>
<td>48,073</td>
<td>856,175</td>
<td>50.39%</td>
<td>842,820</td>
</tr>
<tr>
<td>404 Sanitary Sewer Maintenance Fund</td>
<td>517,165</td>
<td>517,165</td>
<td>29,973</td>
<td>222,654</td>
<td>43.05%</td>
<td>294,511</td>
</tr>
<tr>
<td>405 Sanitary Sewer Replacement</td>
<td>745,500</td>
<td>745,500</td>
<td>55,579</td>
<td>362,975</td>
<td>48.69%</td>
<td>382,525</td>
</tr>
<tr>
<td>406 Wastewater Equip. Replacement</td>
<td>1,095,000</td>
<td>1,095,000</td>
<td>132,460</td>
<td>1,023,309</td>
<td>93.45%</td>
<td>71,691</td>
</tr>
<tr>
<td>494 Brownfield Redevelopment Auth.</td>
<td>1,342,648</td>
<td>1,342,648</td>
<td>7,545</td>
<td>490,562</td>
<td>36.54%</td>
<td>852,086</td>
</tr>
<tr>
<td>496 DDA Project</td>
<td>539,069</td>
<td>539,069</td>
<td>1,428</td>
<td>99,829</td>
<td>18.52%</td>
<td>439,240</td>
</tr>
</tbody>
</table>

### Enterprise Funds:

<table>
<thead>
<tr>
<th>Fund Type/Fund Name</th>
<th>Original</th>
<th>Amended</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable</th>
</tr>
</thead>
<tbody>
<tr>
<td>583 Sharp Park Golf Practice Center</td>
<td>66,151</td>
<td>66,151</td>
<td>734</td>
<td>22,602</td>
<td>34.17%</td>
<td>43,549</td>
</tr>
<tr>
<td>585 Auto Parking System</td>
<td>28,563</td>
<td>28,563</td>
<td>877</td>
<td>16,396</td>
<td>57.40%</td>
<td>12,167</td>
</tr>
<tr>
<td>586 Parking Assessment</td>
<td>150,043</td>
<td>150,043</td>
<td>3,742</td>
<td>64,312</td>
<td>42.86%</td>
<td>85,731</td>
</tr>
<tr>
<td>589 Stormwater Utility</td>
<td>792,148</td>
<td>792,148</td>
<td>18,267</td>
<td>510,516</td>
<td>64.45%</td>
<td>281,632</td>
</tr>
<tr>
<td>590 Sewer</td>
<td>6,942,700</td>
<td>6,928,166</td>
<td>382,736</td>
<td>3,429,446</td>
<td>49.50%</td>
<td>3,498,720</td>
</tr>
<tr>
<td>591 Water</td>
<td>7,491,560</td>
<td>7,465,288</td>
<td>469,529</td>
<td>4,066,654</td>
<td>54.47%</td>
<td>3,398,634</td>
</tr>
<tr>
<td>599 Parking Deck Fund</td>
<td>719,251</td>
<td>719,251</td>
<td>10,294</td>
<td>146,202</td>
<td>20.33%</td>
<td>573,049</td>
</tr>
</tbody>
</table>

(Continued -)
### City of Jackson

**All Other Funds - Expenditure Summary**

As of and For the 9 Months Ended March 31, 2012

(Prepared on the Adopted Budget-Basis)

- Continued -

<table>
<thead>
<tr>
<th>Fund Type/Fund Name</th>
<th>2011/12 Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent (Favorable)</th>
<th>Variance - (Unfavorable)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal Service Funds:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>641 Public Works Administration</td>
<td>617,445</td>
<td>599,558</td>
<td>63,978</td>
<td>387,317</td>
<td>64.60%</td>
</tr>
<tr>
<td>642 Engineering Administration</td>
<td>385,888</td>
<td>381,343</td>
<td>25,341</td>
<td>274,689</td>
<td>72.03%</td>
</tr>
<tr>
<td>643 Local Site Remediation Revolving</td>
<td>201,000</td>
<td>201,000</td>
<td>0</td>
<td>10,534</td>
<td>5.24%</td>
</tr>
<tr>
<td>661 Motor Pool and Garage</td>
<td>1,474,726</td>
<td>1,467,285</td>
<td>763,867</td>
<td>72.03%</td>
<td>703,418</td>
</tr>
<tr>
<td>662 Equipment Revolving Fund</td>
<td>72,136</td>
<td>72,136</td>
<td>0</td>
<td>76,593</td>
<td>65.66%</td>
</tr>
<tr>
<td>677 Workers' Compensation</td>
<td>208,500</td>
<td>208,500</td>
<td>8,555</td>
<td>88,343</td>
<td>42.37%</td>
</tr>
<tr>
<td>678 Prescription Drug</td>
<td>864,600</td>
<td>864,600</td>
<td>8,555</td>
<td>88,343</td>
<td>42.37%</td>
</tr>
<tr>
<td>679 Health Care Deductible Reimb.</td>
<td>44,200</td>
<td>44,200</td>
<td>6,783</td>
<td>28,044</td>
<td>63.45%</td>
</tr>
<tr>
<td>680 Health Care Deductible Reimb.-Fire</td>
<td>163,500</td>
<td>163,500</td>
<td>11,428</td>
<td>65,080</td>
<td>39.80%</td>
</tr>
<tr>
<td><strong>Trust &amp; Agency Funds:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>702 County &amp; School Tax Collection</td>
<td>35,000</td>
<td>35,000</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>711 Cemetery Perpetual Maintenance</td>
<td>64,500</td>
<td>64,500</td>
<td>0</td>
<td>4,706</td>
<td>7.30%</td>
</tr>
<tr>
<td>718 Ella W. Sharp Endowment</td>
<td>45,050</td>
<td>45,050</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>731 Employees' Retirement System</td>
<td>3,270,000</td>
<td>3,270,000</td>
<td>243,887</td>
<td>2,602,421</td>
<td>79.58%</td>
</tr>
<tr>
<td>732 Policemen's/Firemen's Pension</td>
<td>1,040,000</td>
<td>1,040,000</td>
<td>258,466</td>
<td>691,347</td>
<td>66.48%</td>
</tr>
<tr>
<td>733 Policemen's/Firemen's Pens.-345</td>
<td>4,750,000</td>
<td>4,750,000</td>
<td>957,147</td>
<td>3,861,559</td>
<td>81.30%</td>
</tr>
<tr>
<td>736 Public Employees Health Care</td>
<td>10,000</td>
<td>10,000</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Special Assessment Funds:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>895 Special Assessment</td>
<td>324,149</td>
<td>324,149</td>
<td>0</td>
<td>343,536</td>
<td>105.98%</td>
</tr>
</tbody>
</table>

* See Notes on Page 7

Page 4
### City of Jackson

**All Funds - Revenue Summary**

**As of and For the 9 Months Ended March 31, 2012**

(Prepared on the Adopted Budget-Basis)

<table>
<thead>
<tr>
<th>Fund/Fund Name</th>
<th>2011/12 Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Fund:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Taxes</td>
<td>6,898,278</td>
<td>6,898,278</td>
<td>143,128</td>
<td>6,055,226</td>
</tr>
<tr>
<td>Income Taxes</td>
<td>7,250,000</td>
<td>7,250,000</td>
<td>11,081</td>
<td>5,329,963</td>
</tr>
<tr>
<td>Licenses &amp; Permits</td>
<td>252,725</td>
<td>252,725</td>
<td>1,092</td>
<td>130,423</td>
</tr>
<tr>
<td>Federal Grants</td>
<td>2,585</td>
<td>14,585</td>
<td>2,561</td>
<td>7,524</td>
</tr>
<tr>
<td>State Grants</td>
<td>12,465</td>
<td>45,748</td>
<td>0</td>
<td>5,678</td>
</tr>
<tr>
<td>State Revenue Sharing</td>
<td>2,286,500</td>
<td>2,286,500</td>
<td>651,623</td>
<td>1,996,729</td>
</tr>
<tr>
<td>Contributions From Local Units</td>
<td>29,665</td>
<td>29,665</td>
<td>0</td>
<td>24,946</td>
</tr>
<tr>
<td>Charges For Goods &amp; Services</td>
<td>1,185,949</td>
<td>1,185,949</td>
<td>16,557</td>
<td>416,315</td>
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<td>Fines &amp; Forfeits</td>
<td>237,580</td>
<td>237,580</td>
<td>1,092</td>
<td>130,423</td>
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<td>Investment Income</td>
<td>50,000</td>
<td>50,000</td>
<td>0</td>
<td>5,678</td>
</tr>
<tr>
<td>Contributions From Other Funds</td>
<td>171,500</td>
<td>171,500</td>
<td>0</td>
<td>141,308</td>
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<tr>
<td>Miscellaneous</td>
<td>278,034</td>
<td>278,034</td>
<td>(28,904)</td>
<td>311,064</td>
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<td><strong>Total General Fund Revenues</strong></td>
<td>18,655,281</td>
<td>18,700,564</td>
<td>844,141</td>
<td>14,569,408</td>
</tr>
<tr>
<td><strong>Special Revenue Funds:</strong></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>202 Major Street</td>
<td>3,912,693</td>
<td>3,912,693</td>
<td>150,364</td>
<td>2,125,763</td>
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<td>203 Local Street</td>
<td>2,007,167</td>
<td>2,007,167</td>
<td>77,817</td>
<td>900,783</td>
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<tr>
<td>208 Ella W. Sharp Park Operating</td>
<td>677,950</td>
<td>677,950</td>
<td>20,658</td>
<td>272,350</td>
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<td>210 Land Acquisition Fund</td>
<td>50,000</td>
<td>50,000</td>
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<td>211 Housing Initiative Fund</td>
<td>15,000</td>
<td>15,000</td>
<td>2</td>
<td>21</td>
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<td>245 Public Improvement</td>
<td>1,057,500</td>
<td>1,057,500</td>
<td>9,560</td>
<td>927,118</td>
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<td>249 Building Inspection</td>
<td>554,520</td>
<td>554,520</td>
<td>43,635</td>
<td>312,733</td>
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<tr>
<td>252 Building Demolitions Fund</td>
<td>0</td>
<td>225,000</td>
<td>225,000</td>
<td>225,000</td>
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<tr>
<td>257 Budget Stabilization</td>
<td>16,000</td>
<td>16,000</td>
<td>510</td>
<td>4,584</td>
</tr>
<tr>
<td>265 Drug Law Enforcement</td>
<td>31,250</td>
<td>31,250</td>
<td>9,316</td>
<td>15,281</td>
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<td>268 BYRNE/JAG Grants</td>
<td>167,386</td>
<td>196,729</td>
<td>34,909</td>
<td>65,677</td>
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<tr>
<td>269 COPS Hiring Recovery Prog. Grant</td>
<td>196,246</td>
<td>196,246</td>
<td>0</td>
<td>102,039</td>
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<td>270 LAWNET Grant</td>
<td>35,475</td>
<td>35,475</td>
<td>374</td>
<td>3,513</td>
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<td>289 Neighborhood Stabilization Grant</td>
<td>265,000</td>
<td>265,000</td>
<td>(182)</td>
<td>88,545</td>
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<td>295 2008 Brownfield Assessment Grant</td>
<td>25,000</td>
<td>25,000</td>
<td>0</td>
<td>0</td>
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<td>296 Recreation Activity</td>
<td>300,500</td>
<td>300,500</td>
<td>50,786</td>
<td>182,742</td>
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<td>297 JPS Recreation Millage Program</td>
<td>240,000</td>
<td>240,000</td>
<td>0</td>
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<tr>
<td>298 2008 Brownfield Revolving Loan</td>
<td>96,200</td>
<td>96,200</td>
<td>0</td>
<td>0</td>
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<td><strong>Debt Service Funds:</strong></td>
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<tr>
<td>324 2003 MTF Bond D/S</td>
<td>283,235</td>
<td>283,235</td>
<td>0</td>
<td>283,010</td>
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<tr>
<td>365 2003 City Hall D/S</td>
<td>657,500</td>
<td>657,500</td>
<td>5,919</td>
<td>599,567</td>
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<tr>
<td>368 Building Authority D/S</td>
<td>133,360</td>
<td>133,360</td>
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<td>132,910</td>
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<tr>
<td>395 2001 DDA TIF D/S</td>
<td>550</td>
<td>550</td>
<td>0</td>
<td>0</td>
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<tr>
<td>396 2011 DDA TIF Refinancing D/S</td>
<td>5,624,828</td>
<td>5,624,828</td>
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<td>5,368,643</td>
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<td>398 2002 BRA TIF D/S</td>
<td>637,703</td>
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<td>223,726</td>
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<tr>
<td>399 2007 BRA TIF Refunding D/S</td>
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<td>446,529</td>
<td>0</td>
<td>208,102</td>
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<td><strong>Capital Projects Funds:</strong></td>
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<td>401 Capital Projects Fund</td>
<td>635,000</td>
<td>635,000</td>
<td>0</td>
<td>3,117</td>
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<td>402 Water Equipment and Replacement</td>
<td>1,014,000</td>
<td>1,014,000</td>
<td>83,900</td>
<td>755,140</td>
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<tr>
<td>404 Sanitary Sewer Maintenance Fund</td>
<td>517,165</td>
<td>517,165</td>
<td>29,973</td>
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<td>405 Sanitary Sewer Replacement</td>
<td>663,000</td>
<td>663,000</td>
<td>54,695</td>
<td>492,036</td>
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<td>406 Wastewater Equip. Replacement</td>
<td>643,000</td>
<td>643,000</td>
<td>52,345</td>
<td>471,985</td>
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<td>494 Brownfield Redevelopment Auth.</td>
<td>1,272,500</td>
<td>1,272,500</td>
<td>817</td>
<td>8,224</td>
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<td>496 DDA Project</td>
<td>1,046,602</td>
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(Continued-)

4/19/2012

* See Notes on Page 7

Page 5
City of Jackson

All Funds - Revenue Summary

As of and For the 9 Months Ended March 31, 2012

(Prepared on the Adopted Budget-Basis)

- Continued -

<table>
<thead>
<tr>
<th>Fund/Fund Name</th>
<th>2011/12 Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Collected</th>
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<tr>
<td></td>
<td>Original</td>
<td>Amended</td>
<td></td>
<td></td>
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<tr>
<td><strong>Enterprise Funds:</strong></td>
<td></td>
<td></td>
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<tr>
<td>583 Sharp Park Golf Practice Center</td>
<td>68,200</td>
<td>68,200</td>
<td>4,588</td>
<td>20,592</td>
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<tr>
<td>585 Auto Parking System</td>
<td>28,250</td>
<td>28,250</td>
<td>1,169</td>
<td>10,217</td>
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<tr>
<td>586 Parking Assessment</td>
<td>91,839</td>
<td>91,839</td>
<td>1,848</td>
<td>88,876</td>
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<td>589 Stormwater Utility</td>
<td>773,000</td>
<td>773,000</td>
<td>91,834</td>
<td>885,086</td>
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<td>590 Sewer</td>
<td>5,171,900</td>
<td>5,171,900</td>
<td>441,887</td>
<td>3,396,214</td>
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<td>591 Water</td>
<td>6,795,327</td>
<td>6,795,327</td>
<td>564,116</td>
<td>4,740,842</td>
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<td>599 Parking Deck Fund</td>
<td>256,932</td>
<td>256,932</td>
<td>566</td>
<td>256,299</td>
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<td><strong>Internal Service Funds:</strong></td>
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<td>641 Public Works Administration</td>
<td>617,445</td>
<td>599,558</td>
<td>44,688</td>
<td>469,281</td>
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<tr>
<td>642 Engineering Administration</td>
<td>385,888</td>
<td>381,343</td>
<td>24,389</td>
<td>230,535</td>
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<td>643 Local Site Remediation Revolving</td>
<td>165,000</td>
<td>165,000</td>
<td>224</td>
<td>1,802</td>
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<td>661 Motor Pool and Garage</td>
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<td>1,341,764</td>
<td>89,774</td>
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<td>663 Equipment Revolving Fund</td>
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<td>677 Workers' Compensation</td>
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<td>265,000</td>
<td>16,469</td>
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<td>678 Prescription Drug</td>
<td>810,300</td>
<td>810,300</td>
<td>56,980</td>
<td>691,213</td>
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<td>679 Health Care Deductible Reimb.</td>
<td>93,000</td>
<td>93,000</td>
<td>12,227</td>
<td>75,459</td>
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<td>680 Health Care Deductible Reimb.-Fire</td>
<td>170,000</td>
<td>170,000</td>
<td>13,284</td>
<td>127,708</td>
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<td><strong>Trust &amp; Agency Funds:</strong></td>
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<td></td>
<td></td>
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<tr>
<td>702 County &amp; School Tax Collection</td>
<td>35,000</td>
<td>35,000</td>
<td>(3,371)</td>
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</tr>
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<td>711 Cemetery Perpetual Maintenance</td>
<td>89,500</td>
<td>89,500</td>
<td>4,290</td>
<td>60,242</td>
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<td>718 Ella W. Sharp Endowment</td>
<td>85,050</td>
<td>85,050</td>
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<td>0</td>
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<tr>
<td>731 Employees' Retirement System</td>
<td>4,183,000</td>
<td>4,183,000</td>
<td>622,902</td>
<td>2,333,740</td>
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<td>732 Policemen's/Firemen's Pension</td>
<td>885,000</td>
<td>885,000</td>
<td>530,342</td>
<td>425,831</td>
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<tr>
<td>733 Policemen's/Firemen's Pension-345</td>
<td>7,168,528</td>
<td>7,168,528</td>
<td>3,118,593</td>
<td>2,954,165</td>
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<tr>
<td>736 Public Employees Health Care</td>
<td>40,000</td>
<td>40,000</td>
<td>0</td>
<td>(17,109)</td>
</tr>
<tr>
<td><strong>Special Assessment Funds:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>895 Special Assessment</td>
<td>324,149</td>
<td>324,149</td>
<td>(3,144)</td>
<td>343,041</td>
</tr>
</tbody>
</table>

4/19/2012

* See Notes on Page 7
City of Jackson
Notes to Revenue & Expenditure Summaries
As of and For the 9 Months Ended March 31, 2012
(Prepared on the Adopted Budget-Basis)

Note 1: Revenues do not include budgeted appropriations from fund balance. These appropriations, together with budgeted revenues, are sufficient to fund budgeted expenditures, in accordance with State law.

Note 2: A budget amendment to correct this variance is pending.

Financial Summary Narrative:

General Fund
Expenditures in the General Fund are, for the most part, tracking at expected levels through the first nine months of this fiscal year. Three activities - Cemeteries, Forestry and Planning - will have their budget allocation increased as part of the FY 2013 budget process. In addition, the Fire Department has already exceeded its overtime budget and will require additional funds before fiscal year end that will be added through the annual budget process.

The City's income tax revenues show improvement on a month-to-month basis over last fiscal year and should meet or exceed the budget estimate. In addition, the City has also been receiving statutory revenue sharing under the State's EVIP Program. These funds are contingent upon the City complying with three criteria, two of which have already had their certifications filed with the State Treasury. The third criteria certification will be filed by the City by May 1st.

Other Funds
Other major funds are also, for the most part, at revenue and expense levels that are expected at this point in the fiscal
CITY COUNCIL MEETING
April 24, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Matthew R. Heins
Chief of Police

SUBJECT: Police Department Awards Banquet

The Police Department will be holding our annual Awards Banquet on Wednesday, May 18, 2012. The banquet recognizes the bravery and accomplishments of our sworn and civilian personnel, as well as citizens who have aided in an arrest or criminal investigation.

Over the past few years due to economic conditions we have considerably reduced the scale of this event. At this time we are requesting permission to expend a $1,000, which we have in our budget, on the Police Department’s 2012 Awards Banquet.
TO: Honorable Mayor and City Councilmembers

FROM: Laura Dwyer Schlecte, Councilmember 4th Ward

DATE: April 13, 2012

SUBJECT: Disclosure regarding doing business with the city.

This is notification that Laura Dwyer Schlecte is a partner and broker for the company Thinking Real Estate which has and is negotiating purchase agreements on properties that the City of Jackson intends to buy, rehabilitate using HOME funds, and resell them. Thinking Real Estate is representing the City as a Buyer’s Agent and will be receiving compensation from the Sellers when these properties close.

This would include but not be limited to the following properties:

- 810 W. Washington
- 806 W. Washington
- 702 S. Grinnell

This notice is intended to give the Council a minimum of 7 days notice prior to these agreements being on any Council meeting agendas.
April 18, 2012

Report #2 from the Chairperson of the City Affairs/Rules and Personnel Committee:

To: City Council

The City Affairs/Rules & Personnel Committee met on Tuesday, April 10, 2012, at 6:00 p.m.

All members were present and voting. The Committee with a unanimous vote recommends the following:

1) That the Council utilize the same Appointed Officials’ evaluation forms as used in the past and adopt the 2012 evaluation process timetable shown below.

- Appointed Officials complete self-evaluations by April 24
- Mayor and Councilmember complete evaluations by April 24
- City Affairs/Rules & Personnel Committee review self-evaluations and individual Mayor/Councilmember evaluations forms prior to May 8
- Evaluations to be shared with appointed officials May 22
- Final Committee evaluation forms to be shared with Council May 29

2) That the Council approve and adopt the Draft PF1 – “Home Use & Grow Location” Marijuana Ordinance, with one change to Sec. 16-515 – License Fees.

The change is: Page 3, line 3 of Sec. 16-515 License Fee shall read “as determined by the City Council” and NOT “as determined by the City Clerk.”

3) Although the Durand street specifications were not referred to it, the Committee recommends that the Street’s width be reconstructed at 26 feet, with parking on one side of the street and that a workable task force be appointed or selected to formalize a standardized street policy.

Committee members: Laura Dwyer Schlecte, Mayor Martin J. Griffin, Carl L. Breeding, Chairperson
MEMO TO: City Councilmembers  
FROM: Martin J. Griffin, Mayor  
DATE: April 20, 2012  
SUBJECT: City Affairs/Rules & Personnel Committee

Councilmember Dan Greer has expressed desire to serve on the City Affairs/Rules & Personnel Committee. Since Mr. Greer was a past member of the City Affairs Committee, and has knowledge of this committee, I am, therefore, resigning my position from the City Affairs/Rules & Personnel Committee, and recommending the appointment of Councilmember Daniel Greer to the committee filling the vacancy. Your consideration and approval of this recommendation is appreciated.

MJG:skh
DATE: April 16, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Public Hearing and Consideration of a Resolution to Vacate an Alley

MOTION: PUBLIC HEARING ON THE REQUEST FROM THE GREATER BIBLE WAY TEMPLE TO VACATE A 124 FOOT LONG PORTION (NORTH & SOUTH) OF A 25 FOOT WIDE (EAST & WEST) ALLEY RUNNING NORTH AND SOUTH IN HILLSIDE SUBDIVISION, SAID PORTION RUNNING NORTH FROM THE NORTH LINE OF JEFFERSON ST, LYING EAST OF LOT 63 AND WEST OF LOT 64 IN SAID HILLSIDE SUBDIVISION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN.

1. CONSIDERATION OF A RESOLUTION APPROVING THE VACATION.

Attached please find the subject resolution, with supporting documentation, including the staff’s recommendation of approval and the City Planning Commission action to recommend approval of the vacation to the City Council.

Requested action is to adopt the resolution after the public hearing is held.

Thank you.

C: City Manager
RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, a petition has been filed by all of the persons, firms, corporations, and entities owning property abutting on or located in, under or over an alley in the City of Jackson, Michigan, for the vacation of said alley, more particularly described as:

A 124 FOOT LONG PORTION (NORTH & SOUTH) OF A 25 FOOT WIDE (EAST & WEST) ALLEY RUNNING NORTH AND SOUTH IN HILLSIDE SUBDIVISION. SAID PORTION RUNNING NORTH FROM THE NORTH LINE OF JEFFERSON ST, LYING EAST OF LOT 63 AND WEST OF LOT 64 IN SAID HILLSIDE SUBDIVISION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN

WHEREAS, it is determined that all persons, firms, corporations, and entities who will be affected by said vacation have filed with the City Council their written consent to the same, and that it is necessary for the health, welfare, comfort, and safety of the people of the City to vacate and discontinue such alley;

NOW, THEREFORE, BE IT RESOLVED that the above-described alley be, and the same is hereby vacated, and the land shall revert to the abutting property free from any claim or right on the part of the public and, except as otherwise provided herein, all public claims and rights in and to said alley are hereby forever barred.

BE IT FURTHER RESOLVED that the vacation of the above-described alley is upon the condition that title to all water, sewer, gas, electric, and communication poles, wires, conduits, cables, pipes, lines, and their respective appurtenances and facilities now or hereafter in, under or over said alley are reserved to and shall remain in the respective owners thereof and their successors or assigns, together with an easement and continued right to occupy said alley within the previous right-of-way thereof for public utility purposes, with present and additional facilities, and to operate, repair, maintain, replace or remove the same to the same effect and in the same manner as if said alley remained a public way.

BE IT FURTHER RESOLVED that any abutting property owner, and their respective successors, heirs or assigns who wish to erect any structure on, or cause construction to, or otherwise modify or improve the now vacated right-of-way, shall first obtain the written permission of any utility owner who retains a right of occupancy and easement in said vacated right-of-way. Said written permission is required to ensure noninterference with the utility owner's easement and right of occupancy.

*   *   *   *   *

State of Michigan)
County of Jackson) ss
City of Jackson )

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 24th day of April, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the Seal of the City of Jackson, Michigan, on this 25th day of April, 2012.

Lynn Fessel, City Clerk
MEMO TO: Honorable Mayor and City Councilmembers

FROM: City of Jackson Planning Commission
Patrick Burtch, Deputy City Manager
Barry Hicks, Planning Director

DATE: April 17, 2012

SUBJECT: Petition to Vacate an Alley Located East of 400 Jefferson Street (Parcel #1-071000000) and West of 338 Jefferson Street (Parcel #1-071100000).

MOTION 1: Open a Public Hearing on the Request to Vacate A 124 Foot Long Portion (North & South) of a 25 Foot Wide (East & West) Alley Running North and South in Hillsdale Subdivision.

MOTION 2: Consideration of a Petition to Vacate a 124 Foot Long Portion (North & South) of a 25 Foot Wide (East & West) Alley Running North and South in Hillsdale Subdivision. Said Portion Running North from the North Line of Jefferson St., Lying East of Lot 63 and West of Lot 64 in Said Hillsdale Subdivision, City of Jackson, Jackson County, State of Michigan (Planning Commission and staff recommends approval).

At their April 4, 2012 meeting the Planning Commission held a public hearing and considered a request to vacate an alley located east of 400 Jefferson Street (Parcel #1-071000000) and west of 338 Jefferson Street (Parcel #1-071100000). It is a 124’ (North & South) x 25’ (East & West) alley running North and South in Hillsdale Subdivision, running north from the north line of Jefferson Street. The Planning Commission recommends APPROVING the applicant’s request to vacate the alley as follows:

Commissioner Mauldin moved, with support from Commissioner Dobies to RECOMMEND that City Council Vacate a 124 Foot Long Portion (North & South) of a 25 Foot Wide (East & West) Alley Running North and South in Hillsdale Subdivision. Said Portion Running North from the North Line of Jefferson St., Lying East of Lot 63 and West of Lot 64 in Said Hillsdale Subdivision, City of Jackson, Jackson County, State of Michigan.

Yeas- 6 (Stark, Shaffer, Dobies, Troxel, Mauldin, and Culver); Nays- 0; Abstain- 0; Absent- 3 (Griffin, Polaczyk, and Kubish)

The request to vacate the alley now comes to City Council for consideration.

Att’: Staff Report
Petition
Public Notice
MEMO TO: Planning Commission
FROM: Barry Hicks, Planning Director
DATE: March 30, 2012
SUBJECT: Staff Report: Petition to Vacate an Alley Located East of 400 Jefferson Street (Parcel #1-071000000) and West of 338 Jefferson Street (Parcel #1-071100000).

MOTION 1: Receive the Staff Report.

MOTION 2: Open a Public Hearing on the Request to Vacate A 124 Foot Long Portion (North & South) of a 25 Foot Wide (East & West) Alley Running North and South in Hillsdale Subdivision.

MOTION 3: Consideration of Recommending that City Council Approve a Petition to Vacate a 124 Foot Long Portion (North & South) of a 25 Foot Wide (East & West) Alley Running North and South in Hillsdale Subdivision. Said Portion Running North from the North Line of Jefferson St., Lying East of Lot 63 and West of Lot 64 in Said Hillsdale Subdivision, City of Jackson, Jackson County, State of Michigan (staff recommends approval).

Overview and Applicable Zoning Criteria

Applicant: Greater Bible Way Temple
Location: Alley located east of 400 Jefferson Street (Parcel #1-071000000) and west of 338 Jefferson Street (Parcel #1-071100000)
Application Received Date: January 10, 2012
Latest Revisions: N/A
Zoning: R-1, one-family residential
Applicant Requested: Petition to Vacate an Alley
Staff Recommendation: Approve Request

Property Location

The alley is located east of 400 Jefferson Street (Parcel #1-071000000) and west of 338 Jefferson Street (Parcel #1-071100000). It is a 124' (North & South) x 25' (East & West) alley running North and South in Hillsdale Subdivision, running north from the north line of Jefferson Street.
Maps

Subject Location Maps

Subject Location Air Photo
The following is the process that a petitioner must follow to vacate a street or an alley:

In order for the City Council to vacate a street or alley a petition to do so must be circulated. The following information must be provided by the applicant on the petition. It is suggested that the petition circulator follow the steps that are set forth below:

1. Obtain this procedure form from the City Clerk’s Office
2. Visit the City Assessor's office on the 9th floor of City Hall. The Assessor’s office will:
   a. Determine if the street/alley is public or private. If the street/alley is private, no City Council action is required.
   b. Prepare and place the legal description on a petition.
   c. Provide the petition circulator with a listing of all title owners of record for each lot or parcel abutting the street or alley to be vacated, including the names of any land contract purchasers of record, and a copy of a plat map showing the affected properties. (Completion of this process may take a few days.)
3. Review the records of the Jackson County Register of Deeds to confirm that the names of persons with interest in the affected parcels, as supplied by the City Assessor's office, are complete and accurate. In lieu of searching the records, the petition circulator may wish to request a search by a title company. There will be a charge for this service. (FAILURE TO LIST ALL PERSONS WITH INTEREST IN THE AFFECTED PROPERTIES MAY INVALIDATE THE PETITION.)
4. Obtain the signatures of each of the persons listed in the above-described records on the petition provided.
   a. Signatures must be in the name of each individual with an interest; i.e., Jane Doe and John Doe, not Mr. and Mrs. John Doe.
   b. Corporations must be signed for by the Chief Executive Officer or authorized person. An authorization or other corporate document naming the individual with authority to sign on behalf of the corporation or entity must be provided to the City with the signed petition.
5. File the completed petition with the City Clerk, and the following steps will be taken by the City of Jackson:
   a. The City Clerk will place the petition on the City Council agenda for receipt and referral to staff.
   b. The petition will be reviewed by the City Attorney's office to verify its legality, then forwarded to the City Planning Commission.
   c. The City Planning Commission staff will conduct their investigation and make a recommendation to the City Planning Commission who will consider the petition.
   d. The City Clerk's office will receive the recommendation from the City Planning Commission, prepare a resolution, and place the item on the City Council agenda for consideration.

NOTE: Any Vacation by the City of Jackson will be subject to a reservation of utility rights-of-way in the street or alley. Therefore, any building or structure erected may not be permitted if it infringes upon the utility rights-of-way. Further, if you plan to erect a building or structure on a vacated street or alley, make certain that it complies with the City’s Zoning Ordinance.
Conclusion

Staff has confirmed that the applicant has followed the procedures as outlined above and received the necessary approvals. The Planning Commission’s review of this request will satisfy item 5.c.

The following comments are based on staff’s review and findings:

- The owner of property on either side of the alley is the applicant. There are no other interested parties.
- The Engineering Department has confirmed that the City does not have any utilities in this alley. The City Engineer did note that if the proposed portion of alley is closed off, that the portion of the alley directly north should not be closed as some residents on Madison and Jefferson Streets may still need access to the rear portions of their property.
- The Fire Department confirmed that there would be no fire safety concerns as a result of vacating the alley.
- Utility companies were notified by staff and given sufficient time to respond. No concerns were expressed regarding the applicant’s request.

Recommendation

Based on the preceding investigation and conclusions, staff recommends that the Planning Commission present their findings to City Council to approve the petitioners request to vacate the alley.

Barry Hicks, Planning Director

Att’: Petition
Public Notice

Cc: Applicant
Notice of Public Hearing

Jackson’s Planning Commission and City Council will hold a public hearing on an Alley Vacation.

The request was made by:
Greater Bible Way Temple
322 Madison Street
Jackson, MI 49202

The location of the alley is:
“An alley that is approximately 25’x125’ located north of Jefferson Street between 400 Jefferson Street (Parcel ID#1-0712000) and 338 Jefferson Street (Parcel ID#1-0711000).”

The Request:
The petitioner is requesting that the City of Jackson vacate a portion of an unimproved platted alley.

The Effect of the Request:
The alley would be vacated by the City and the right of way would be split between the adjacent property owners. The property owner on both sides of the property is the petitioner, Greater Bible Way Temple.

You are invited to attend the public hearings before the City Planning Commission and City Council to be held on:
Planning Commission – Wednesday, April 4, 2012 at 6:30 pm
City Council – Tuesday, Tuesday April 24 at 7:00 pm
The meetings will be held in the
City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

You received this notice because you own property or reside within the general area of the properties listed above. You are not required to attend the public hearing or respond to this notice. However, if you are interested in this request, please attend the hearing and/or contact Barry Hicks at (517) 768-6433 or bhicks@cityofjackson.org. Written comments can also be sent to his office, which is located at 161 W. Michigan Avenue, Jackson, MI 49201.

By: Barry Hicks
Planning Director
MEMO TO:       Honorable Mayor and City Council members
FROM:          Lynn Fessel, City Clerk
SUBJECT:       Alley Vacation Petition

MOTION: RECEIPT OF A PETITION CIRCULATED BY ANTHONY
RADUAZO TO VACATE A 124 FOOT LONG PORTION OF
A 25 FOOT WIDE ALLEY RUNNING NORTH AND SOUTH
IN HILLSIDE SUBDIVISION AND REFERRAL TO STAFF
FOR APPROPRIATE ACTION

Attached please find the petition to vacate, map and letter authorizing Anthony Raduazo
to sign the petition on behalf of the Greater Bible Way Temple of Jackson.

Requested action is to receive the petition and refer it to staff for appropriate action.

C: City Manager
PETITION FOR STREET/ALLEY CLOSING

To the Honorable Mayor
and Members of the City Council
City of Jackson, Michigan:

We the undersigned, being all of the persons owning property abutting on the street or alley, more particularly described as:

A 124 FOOT LONG PORTION (NORTH & SOUTH) OF A 25 FOOT WIDE (EAST & WEST) ALLEY RUNNING NORTH AND SOUTH IN HILLSIDE SUBDIVISION. SAID PORTION RUNNING NORTH FROM THE NORTH LINE OF JEFFERSON ST, LYING EAST OF LOT 63 AND WEST OF LOT 64 IN SAID HILLSIDE SUBDIVISION, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN,

do hereby respectfully petition your honorable body to close and vacate said street or alley. The said street or alley has been dedicated as a public street or alley.

With respect to any taxes or special assessments levied or assessed against any property included in said street or alley, we and each of us do hereby waive any and all questions, claims or controversies relative to such taxes or special assessments which have or may hereafter be levied or assessed upon any part of the lands embraced in said street or alley, and we hereby assume and agree to pay all such taxes or special assessments thereon, and we further hereby consent to the vacating of the aforesaid street or alley.

NOTE: All persons interested either jointly or individually by deed or contract in relation to any property abutting on the street or alley proposed to be vacated are required to sign and date the above petition:

<table>
<thead>
<tr>
<th>OWNER OF PROPERTY &amp; SIGNATURE/DATE</th>
<th>DESCRIPTION OF PROPERTY</th>
<th>LINEAL FEET OF FRONTAGE*</th>
</tr>
</thead>
<tbody>
<tr>
<td>GREATER BIBLE WAY TEMPLE</td>
<td>LOT 63 HILLSIDE SUBDIVISION</td>
<td>50.00 FT</td>
</tr>
<tr>
<td>322 MADISON ST</td>
<td>1-0710, 400 JEFFERSON ST</td>
<td></td>
</tr>
<tr>
<td>JACKSON, MI 49202</td>
<td>L/P 1646-524</td>
<td></td>
</tr>
</tbody>
</table>

GREATER BIBLE WAY TEMPLE
322 MADISON ST
JACKSON, MI 49202

| GREATER BIBLE WAY TEMPLE          | LOT 64 HILLSIDE SUBDIVISION | 50.00 FT                |
| 322 MADISON ST                    | 1-0711, 338 JEFFERSON ST   |                          |
| JACKSON, MI 49202                 | L/P 1646-524               |                          |

*Needed for street vacations only.

Petition Circulated By:

Name: [Signature]
Address: 1339 Hazelton
City, State, Zip: Jackson, Mich 49203
Date: 6-23-11
Signature: [Signature]
Phone: 517-782-6001

SYSCODE: 35C00010ALLEY VACATIONHILLSIDE SUBDIVISION
BOARD OF DIRECTORS’ RESOLUTION AUTHORIZING BOARD ATTORNEY TO ACT ON BEHALF OF CORPORATION

Upon a duly made, seconded and unanimously carried motion, the Board of Trustees of the Greater Bible Way Temple of Jackson adopted the following resolution:

WHEREAS, the Greater Bible Way Temple of Jackson is a non-profit corporation registered with the State of Michigan Corporation and Securities Bureau, and also with the Internal Revenue Service as a 501(c)(3), N.P., and

WHEREAS, the Board of Trustees of the Corporation holds in trust and authorizes from time to time representation for this Corporation’s property and assets, real or personal, tangible or intangible, upon such terms and conditions as the Board of Trustees shall determine are in the best interests of the Corporation, and

WHEREAS, it has become necessary for Greater Bible Way Temple authorize Attorney Anthony Raduazo to act on behalf of said corporation in executing and signing all necessary documents required relating to a petition to vacate the alley between Lots 63 and 64 on Jefferson Street, Jackson, Michigan,

THEREFORE BE IT RESOLVED, that Attorney Anthony Raduazo has full authority to act on the behalf of the Greater Bible Way Temple to sign and execute all corporate and administrative documents related to vacating the alley between Lots 63 and 64 on Jefferson Street, Jackson, Michigan.

The undersigned certifies that we are the duly appointed Board Secretary and Board of Director(s) of the Greater Bible Way Temple and that the above is a true and correct copy of a resolution duly adopted at a meeting of the Directors thereof, convened and held in accordance with law and the bylaws of said Corporation on Tuesday, November 22, 2011.

IN WITNESS THEREOF, we have affixed our names as Board Secretary and Board of Trustees of the Greater Bible Way Temple.

[Signatures]

Board Secretary

Date 11/22/2011

Director

Date 11-22-11

Director

Date

On this 22nd day of November, 2011, Jackson County, Michigan, before me personally appeared the above persons known to me to be the persons named in and who executed the above instrument for the intents and purposes therein mentioned.

My commission expires:

Lucinda Treadway
Notary Public

NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF JACKSON
My Commission Expires: May 15, 2016
Acting in the County of Jackson
MEMO TO: Honorable Mayor and City Councilmembers  
FROM: City of Jackson Planning Commission  
      Patrick Burtch, Deputy City Manager  
      Barry Hicks, Planning Director  
DATE: April 17, 2012  
SUBJECT: Proposed Ordinance Amendments to Chapter 28 (Zoning) Regarding Building Design Standards  

MOTION 1: Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances which adds Sec. 28-159 – building design standards; and proposed amendments to accommodate the new provisions.  

MOTION 2: Consideration of an ordinance amending Chapter 28 (Zoning) of the City Code by adding Sec. 28-159 – building design standards; and proposed amendments to accommodate the new provisions; and authorization for the City Attorney to make minor modification if necessary, for finalization (Planning Commission and staff recommend approval).  

The proposed building design standards provide the City with a needed tool to improve the physical appearance of Jackson, thereby protecting the health, safety, and general welfare of its residents and business owners. The ordinance also continues the ongoing effort to make it easier to administer the Zoning Ordinance by streamlining approval procedures and reducing the number of Planning Commission and Zoning Board of Appeals approval requests. The companion ordinance regarding site plan review procedures (Sec. 28-152) and performance guarantees for improvements (Sec. 28-118) are also part of that effort.  

The Zoning Ordinance Revisions Task Force (ZORTF) is comprised of Barry Hicks (Planning Director), Patrick Burtch (Deputy City Manager), Bethany Smith (Deputy City Attorney), Frank Donovan (Chief Building Official), and Grant Bauman (Principal Planner, Region 2 Planning Commission). The ZORTF was also joined by Jonathan Greene (Downtown Development Authority Director) to provide input from downtown merchants regarding design standards in the C-3 (central business) zoning district. The proposed building design standards ordinance was drafted by formatting that document to fit into the existing structure of the City Code. Once that was complete, City staff commenced editing Sec. 28-159 into its current form over the course of several meetings with the assistance of a Region 2 planner.  

The remainder of this memo summarizes the organization of the proposed ordinance as well as its salient points:  

- Organizational summary:  
  o Subsections (a) and (b) clearly state the intent of the standards and under what circumstances they apply.  
  o The “Table of Acceptable Exterior Wall Materials” located in Subsection (c) identifies what materials are allowed in each zoning district and the maximum portion of a building façade they can cover, while allowing for the use of other materials if approved by the Zoning Administrator.
Subsection (d) addresses standards for roof design, including graphics which clearly identify the various types of roof styles.

Subsection (e) addresses minimum standards for windows, including a graphic which should aid the reader in understanding the intent of the regulations.

General building design accent standards and sidewalks are addressed in Subsection (f) and residential driveway standards are contained in Subsection (g).

Subsection (g) contains separate standards for one-family and two-family dwellings and associated accessory structures.

- **Salient points:**
  - The table allows applicants to easily identify the types and amount of acceptable materials for cladding exterior walls. The graphics included in the ordinance aid in the understanding of certain standards.
  - The ordinance allows the Zoning Administrator to approve exterior wall materials not explicitly allowed if certain criteria are met.
  - General building design accent standards prohibit walls facing a public street from being blank and to be pedestrian friendly.
  - A separate process for one-family and two-family dwellings helps to protect and enhance the City’s residential neighborhoods while allowing greater flexibility for home owners and landlords.

The Planning Commission reviewed and considered this ordinance at their April 4, 2012 meeting and is recommending that Council adopt the revisions as proposed to Chapter 28 of the City of Jackson Code of Ordinances.

**Att**: Proposed Ordinance

**Public Notice**
ORDINANCE 2012.__

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to create Sec. 28-159, which deals with building design standards.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

To create standards for building design which preserves and protects the traditional urban form of the City of Jackson, enhances the economic vitality of its various commercial areas, prevents blight, and protects property values.

Section 2. That Article IV of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

ARTICLE IV. SUPPLEMENTAL PROVISIONS

Sec. 28-159. Building design standards.

(a) Intent. The intent of these regulations is to provide specific design guidelines that achieve the following:

(1) Encourage development and redevelopment that protects and enhances the traditional character of neighborhoods and other areas of the City, fits within its traditional urban form, and creates a character that reinforces a sense of community identity;

(2) Encourage a form of development that will achieve the physical qualities necessary to maintain and enhance the economic vitality of the various business districts, maintain the desired character of the City, prevent the creation of blight, and protect property values;

(3) Promote the preservation and renovation of historic buildings and sites and ensure new buildings are compatible with, and enhance the character of, the City's cultural, social, economic, and architectural heritage;

(4) Implement objectives of the Comprehensive Plan.

(b) Applicability. All uses except one-family and two-family residential shall comply with the design standards of Subsections (c), (d), and (e) under the following circumstances.

(1) New buildings: All uses, except one-family and two-family residential, that receive site plan approval for construction of a new building after the effective date of this Section must fully comply with its design standards. Refer to Subsection (g) for building design standards for one-family and two family dwellings.
Insertion of Sec. 28-159. Building design standards

(2) **Expansions to buildings:** For buildings existing prior to the effective date of this Section, major building improvements or expansions that require site plan approval may be permitted by the Planning Commission without a complete upgrade to meet the standards of this Section, provided there are reasonable improvements to the building in relation to the scale and construction cost of the building improvements or expansion. Major exterior renovations must be consistent with the building design standards herein to the extent deemed practical.

(3) **Minor improvements to Buildings:** For buildings existing prior to the effective date of this Section, minor changes, improvements, and modifications that are approved administratively will be permitted, provided the improvements do not increase non-compliance with the requirements of this Section.

(c) **Exterior wall design standards.**

(1) **Wall materials.** The use of exterior wall materials on walls that are visible from a public road or alley or a parking lot must be in compliance with the maximum percentages permitted in the “Table of Acceptable Exterior Wall Materials.”

<table>
<thead>
<tr>
<th>Building Materials</th>
<th>R-3</th>
<th>R-4</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>C-4</th>
<th>I-1</th>
<th>I-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brick or face brick</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Stone (cut)</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>Split face block</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>50% (f)</td>
<td>50% (f)</td>
<td>50% (f)</td>
<td>50% (f)</td>
<td></td>
</tr>
<tr>
<td>Cast stone (see Subsection (e))</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Precast concrete</td>
<td>NP</td>
<td>NP</td>
<td>NP (g)</td>
<td>NP (g)</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Concrete formed in place</td>
<td>NP</td>
<td>NP</td>
<td>NP (g)</td>
<td>NP (g)</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Metal</td>
<td>NP</td>
<td>NP</td>
<td>NP (h)</td>
<td>NP (h)</td>
<td>75% (c)</td>
<td>75% (c)</td>
<td>75% (c)</td>
<td>75% (c)</td>
</tr>
<tr>
<td>Reflective glass</td>
<td>NP</td>
<td>NP</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Glass block</td>
<td>25%</td>
<td>25%</td>
<td>NP</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Wood siding (see Subsection (i))</td>
<td>100%</td>
<td>100%</td>
<td>NP</td>
<td>50%</td>
<td>75%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Vinyl siding</td>
<td>100%</td>
<td>50%</td>
<td>NP</td>
<td>25%</td>
<td>50%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Finishes (see Subsection (d))</td>
<td>50%</td>
<td>25%</td>
<td>25%</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
</tr>
</tbody>
</table>

Key: NP = not permitted

a. Does not include façade areas consisting of doors and windows.

b. All walls exposed to public view from a public street or alley or an adjacent residential area shall be constructed of not less than seventy-five (75%) brick, face brick, stone or cast stone.

c. Flat sheets and seamed or ribbed panels, including aluminum, porcelain and stainless steel and similar material. Such materials cannot be used where contact with vehicles may occur, such as parking areas, traffic ways, and loading areas, unless such walls are adequately protected to prevent damage.

d. Includes fiberglass, reinforced concrete, polymer plastic (fypon), exterior insulation and finishing systems (EIFS), plaster, stucco and similar materials. Such
materials cannot be used where contact with vehicles may occur, such as parking areas, traffic ways, and loading areas, unless such walls are adequately protected to prevent damage.

(2) **Allowance for other materials.** The Planning Commission may waive strict compliance with the Subsection (c)(1) when the following qualities can be demonstrated. Review and consultation by the appropriate design professional is encouraged before a final determination is made. The proposed building design and materials schedule must be accompanied by a written design statement which describes how the selected wall materials and material combinations will be consistent with and enhance the building design.

a. The design and materials are found to be in keeping with the character and history of the neighborhood or other area of the City.

b. The materials are found to be permanent and durable.

c. The design and materials are compatible with the type of use and development proposed.

d. The design and materials can easily be adapted to another use in the future.

e. The design and materials meet the intent of this Section.

(3) **Mixture of materials.** The application of these standards promotes integration and mixture of materials where more than one (1) material is used on a building. If only one (1) material is used, architectural detailing and articulation, massing, texture and form must be introduced into the building design. Building roof materials must be in harmony with the style and material used on the building walls.

(4) **Long walls.** When building walls are one hundred (100) feet or greater in length, design variations must be applied to assure that the building is not monotonous in appearance. Such variations include but are not limited to the following:

a. Recess and projections along the building façade. Variations in depth should be a minimum of ten (10) feet.

b. Architectural details or features.

c. Enhanced ornamentation around building entryways.

d. Landscaping.

e. Streetscape elements.

f. Variations in building height.

(5) **Colors.** Information on building colors must be submitted with the site plan and considered to be part of any site plan approval under Section 28-152. Colors must be compatible with the surrounding area.

(d) **Roof design standards.**
(1) **Compatible Design Character.** Roof design and materials are considered to be key elements to the City character, and thus must be consistent with the character of the neighborhood or other area of the City. As a part of building design, roofs must be designed in keeping with the overall architecture of the building.

(2) **Roof materials.** The following regulations apply to roof materials:
   a. Asphalt, fiberglass, tile, slate or cedar shingles may be used in all districts.
   b. Standing seam metal roof systems will be permitted only in the C-1, C-2, C-4, I-1, and I-2 districts.
   c. In the I-1 and I-2 Districts, asphalt, fiberglass, tile, slate, cedar or standing seam metal roofing are permitted.
   d. Asphalt shingles must be heavily textured with colors that are compatible with the building architecture.
   e. When permitted, the color of standing metal seam roof systems must be subtle and compatible with exterior building materials.

(3) **Roof style in the R-3, R-4 and R-6 Districts.** These districts are intended to maintain a residential character in the City and to be compatible with nearby one-family and two-family neighborhoods. To meet this intent the following roof style elements are required:
   a. Pitched roofs are required.
   b. All roofs must be gambrel, hip or gable roof styles.
   c. The slope of the roof must not be less than nine on twelve (9:12).
   d. Additional roofline treatments are encouraged and may be required by the Planning Commission in order to minimize the mass of the roof and in order to promote the residential character. These

<table>
<thead>
<tr>
<th>Roof Styles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flat Roof</td>
</tr>
<tr>
<td>Hip Roof</td>
</tr>
<tr>
<td>Gable Roof</td>
</tr>
<tr>
<td>Gambrel Roof</td>
</tr>
<tr>
<td>Mansard Roof</td>
</tr>
<tr>
<td>Shed Roof</td>
</tr>
</tbody>
</table>
treatments include, but are not limited to offset rooflines, dormer windows, cupolas, additional accent gables and covered entryways.

(4) *Roof style in the C-3 District.* New building construction must blend with the existing established building line of the Central Business District. The buildings must be a minimum of two stories or have the appearance of multiple stories. Roofs must be flat with decorative cornices, in keeping with the historic architecture of the Central Business District. An enclosure must be provided that is at least forty-two (42) inches high to screen rooftop mechanical equipment.

(5) *Roof style in the C-1, C-2, I-1, and I-2 Districts.* New building construction in these districts should attempt to emulate the design character and history of the City. At the same time, the buildings must accommodate the types of uses and sites proposed. As such, the following roof styles are required:

a. A pitched roof is required.

b. The slope of the roof shall be at least nine on twelve (9:12).

c. Additional roofline treatments are encouraged and may be required by the Planning Commission in order to minimize the mass of the roof and in order to promote the residential character. These treatments include, but are not limited to dormer windows, cupolas, additional accent gables and covered entryways.

d. The Planning Commission may allow a flat roof if it is consistent with the design standards of Subsection (d)(4).

(6) *Screening rooftop equipment.* Rooftop equipment must be screened from view of adjacent properties and public rights-of-way. The method to screen rooftop equipment must be compatible with the building through color, scale, materials, and architectural style. The Planning Commission may require cross-section details to confirm compliance.

(e) *Fenestration of nonresidential buildings in the R-4, R-6, C-1, C-2, C-3 and C-4 Districts.*

(1) Windows and doors must comprise at least forty percent (40%) of the first floor front facade of a building.

(2) The window area of a facade above the first floor cannot exceed thirty-five percent (35%) of the total facade area of that floor.

(3) Windows above the first floor must be vertical in proportion. Large windows shall be broken-up to maintain a vertical proportion.

(4) Window areas must be non-reflective glass and clear or lightly tinted in color.

(5) Double or fixed hung windows must be used in all retail applications.
(6) Sliding windows and doors will not be permitted in the C-3 District.

(7) The window encasement cannot have exposed metal in the C-3 District.

(8) Window areas cannot be permanently blocked in a manner that obstructs views into the buildings, such as shelving, unless it is used as a display case for products sold on-site.

(f) General building design accent standards.

(1) Front facade. Blank walls cannot face a public street. Walls facing a public street must include windows and architectural features customarily found on the front facade of a building, such as awnings, cornice work, edge detailing or other decorative finish materials. A prominent and usable public building entrance must be provided at the front of the building. Wall massing must be broken up with vertical pilasters or other architectural elements to reduce scale.

(2) Pedestrian orientation. Buildings must be designed at a pedestrian scale with relationship to the street and sidewalk. Buildings must include windows that face the sidewalk and street. Convenient and safe pedestrian access must be provided between the public sidewalk and the building entrance.

(3) Awnings. Awnings with straight sheds may supplement facades. Awnings cannot be cubed or curved except over doorways. Awnings must be of an opaque material. Translucent or internally lit awnings shall not be permitted.

(4) Canopies. Canopies, such as over gasoline pumps or drive-through structures, shall be designed to be consistent with the approved building materials and colors. Support columns must be brick or comprised of materials compatible with the principal structure. The Planning Commission or Community Development Director (or designee) may require a peaked roof to complement the principal building. Any canopy lighting must be flush with the canopy.

(5) Neon. Exposed neon will not be permitted on a building.

(6) Quality and workmanship. This Section is not intended to regulate the quality, workmanship and requirements for materials relative to strength and durability.

(g) Building design standards for One-Family and Two-Family Dwelling Units. The following are building design standards for one-family and two-family dwelling units.

(1) Applicability. The regulations of this Subsection apply to one-family and two-family dwelling unit construction under the following circumstances:

a. New dwellings: All new one-family and two-family dwelling construction that requires a building permit after the effective date of this Section must fully comply with the design standards of this Subsection.

b. Expansions to dwellings: For dwellings existing prior to the effective date of this Section, major improvements or expansions that require a building permit may be permitted without a complete upgrade to meet the standards of this Subsection. Reasonable improvements are required in relation to the scale and construction cost of the project. Major exterior renovations must be consistent with the building design standards herein to the extent deemed practical.
c. *Minor improvements to Dwellings:* For dwellings existing prior to the effective date of this Section, minor changes, improvements, and modifications that require a building permit will not be required to comply with this Subsection, provided the improvements do not increase noncompliance with the requirements of this Subsection.

(2) **Intent.** The purpose of this Subsection is to establish standards and regulations governing the location and appearance of one-family and two-family dwelling units in the City of Jackson that are either developed as a new neighborhood or as in-fill housing in an existing neighborhood. It is the intent of these regulations to allow a mix of housing types and living styles in a manner that will not adversely affect existing neighborhoods. For this reason, standards have been set that will regulate the appearance of one-family and two-family dwellings, allowing only those that are compatibly similar in appearance to houses on individual lots in all zoning districts that allow one-family and two-family residences. These regulations will not apply to one-family dwellings located within a state licensed manufacturing housing community.

(3) **Permits:** Prior to the construction or installation of a one-family or two-family dwelling unit on a residential lot, the individual must obtain a building permit from the Chief Building Official (or designee).

(4) **General appearance and site standards.** To ensure the compatibility in appearance of one-family and two-family dwelling units, such units must meet the following design and site standards:


b. Have a minimum dimension of twenty (20) feet.

c. Comply with the gross floor area and lot coverage standards for one-family or two-family dwelling units set forth in Section 28-73. To ensure that neighboring dwellings are compatible in scale and mass, the City may require units to be not less than 90% and no more than one hundred and thirty-five percent (135%) of the average floor area and lot coverage of other one-family or two-family dwelling units within three hundred (300) feet of the subject lot, including dwelling units on both sides of the street of the same block.

d. Have two (2) exterior doors (front and rear, or front and side), and where there is a difference in ground elevation, steps must be permanently attached, on a frost depth foundation, either to the perimeter wall, as outlined in Subsection (f) below, or to porches connected to the perimeter wall.

e. Have a roof with a minimum four on twelve (4:12) pitch and minimum eight (8) inch eave, and with a drainage system that will collect and concentrate the discharge of storm water or snow away from the sides of the dwelling. The
rooftop must have wood shake, asphalt or other acceptable shingles, and meet the snow load standards for this portion of the State of Michigan.

f. Have an exterior finish architecturally compatible to that of other similar homes in the surrounding area.

g. Be firmly attached to a permanent foundation constructed on the site in accordance with Chapter 5 of the City Code and must have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for one-family or two-family dwellings. In the event that the dwelling is a manufactured home, as defined herein, such dwelling must be installed pursuant to the manufacturer's setup instructions and must be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Manufactured Housing Commission and must have a perimeter wall as required above.

h. Design and appearance determined compatible by the Zoning Administrator upon review of the plans submitted for a particular dwelling. An aggrieved party may appeal the Zoning Administrator’s decision to the Board of Appeals as required by Section 28-239.

i. Be determined compatible, based upon the character, design and appearance of one (1) or more residential dwellings within two thousand (2,000) feet of the subject dwelling provided the surrounding existing dwellings considered are located outside of a manufactured housing community. The foregoing will not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard design homes.

j. Be connected to a public sewer or water system and/or waste treatment or portable water supply system approved by the City of Jackson, or other applicable agencies such as the Michigan Department of Environmental Quality.

k. Orient all dwelling units toward the public right-of-way such that the façade that faces the street contains a door, windows and other architectural features customary of the front facade of a residence.

l. Provide concrete sidewalks in accordance with the City sidewalk policy within the dedicated right-of-way along the frontage length of all parcels. An inclined approach is required where sidewalks intersect curbs for barrier free access. The inclined approach must comply with grades established by MDOT. Required sidewalks may be installed following the construction of the dwelling unit. However, a certificate of occupancy will not be issued until the sidewalk is installed along the individual lot fronts. If the Zoning Administrator determines that due to weather conditions, sidewalk installation should be delayed, a certificate of occupancy may be issued. In which case, a performance guarantee must be provided to the City as required by Section 28-118. The sidewalk must be installed within six months of issuance of the certificate of occupancy. The Zoning Administrator will schedule a follow-up inspection.
m. All residential driveways must have a concrete approach and a hard-surfaced driveway of concrete or plant-mixed bituminous material in accordance with specifications of the City or other applicable agencies such as the Michigan Department of Transportation. Approaches must be six (6) inches thick, concrete, with the sidewalk floating separate from approaches. The minimum asphalt depth for driveways must be three (3) inches. The minimum concrete depth for driveways must be four (4) inches. Up to two (2) dwellings may be permitted to share a driveway provided it complies with these construction standards.

n. The provisions of this Subsection will not apply to manufactured homes situated in licensed manufactured housing communities.

o. Accessory structures must comply with the standards of Section 28-132 and the building design shall match that of the dwelling on the site.
Notice of Public Hearing

The Jackson City Planning Commission and Jackson City Council will hold public hearings to consider text amendments to the City's planning and zoning ordinances. This notice was prepared and distributed in accordance with Sec. 103 of the Michigan Zoning Enabling Act (MCL 125.3103).

The request was made by:
The City of Jackson
161 W. Michigan Avenue
Jackson, MI 49201

The proposed text amendments:
The proposed amendments to the zoning ordinance (Chapter 28) include changes to: The addition of a new section: Sec. 28-159. – Building design standards. Additional amendments to other sections of the zoning ordinance may be made for the purpose of keeping the language throughout the ordinance consistence with the proposed text amendments to the aforementioned section.

The reason for the text amendments:
The proposed amendments will create standards to which building designs and architectural elements will be held, including but not limited to the types of building material standards and architectural standards that are context sensitive and consistent with the City's various residential, commercial, and industrial neighborhoods.

The effect of adopting the text amendments:
The proposed changes will require that minimum architectural standards are met when new developments or structures are proposed or when alterations or expansions are made to existing sites or structures.

The public hearings before the City Planning Commission and City Council will be held on:

Planning Commission – Wednesday, April 4, 2012 at 6:30 pm
City Council – Tuesday, April 24, 2012 at 7:00 pm

The meetings will be held in the
City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

The meetings will be held in the
City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

Please contact Barry Hicks at (517) 768-6433 to view, ask questions about, or comment upon the proposed text amendments.

By: Barry Hicks
Planning Director
CITY COUNCIL MEETING
APRIL 24, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: City of Jackson Planning Commission
Patrick Burtch, Deputy City Manager
Barry Hicks, Planning Director

DATE: April 17, 2012

SUBJECT: Proposed Ordinance Amendments to Chapter 28 (Zoning) Regarding Site Plan Review Procedures and Requirements

MOTION 1: Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City Code by replacing Sec. 28-152 (site plan review procedures and requirements) and amending Sec. 28-118 (performance guarantees for improvements) to accommodate those new provisions.

MOTION 2: Consideration of an ordinance amending Chapter 28 (Zoning) of the City Code by replacing Sec. 28-152 – site plan review procedures and requirements; and amending Sec. 28-118 – performance guarantees for improvements, to accommodate those new provisions; and authorization for the City Attorney to make minor modification if necessary, for finalization (Planning Commission and staff recommend approval).

The proposed overhaul of the City’s site plan review procedures and requirements (Sec. 28-152) provide the City with updated tools needed to improve the physical appearance of Jackson, thereby protecting the health, safety, and general welfare of its residents and business owners. The ordinance also continues the ongoing effort to make it easier to administer the Zoning Ordinance by streamlining approval procedures and reducing the number of Planning Commission and Zoning Board of Appeals approval requests. The companion ordinance regarding building design standards (Sec. 28-159) is also part of that effort.

The Zoning Ordinance Revisions Task Force (ZORTF) is comprised of Barry Hicks (Planning Director), Patrick Burtch (Deputy City Manager), Bethany Smith (Deputy City Attorney), Frank Donovan (Chief Building Official), and Grant Bauman (Principal Planner, Region 2 Planning Commission). An initial draft was created by formatting that document to fit into the existing structure of the City Code. Once that was done, City staff commenced editing Sec. 28-152 into its current form over the course of several meetings with the assistance of a Region 2 planner. Amendments to Sec. 28-118 are also recommended in order to accommodate regulations regarding performance guarantees.

The remainder of this memo summarizes the organization of the proposed ordinance as well as its salient points:

- Organizational summary:
  - The “Table of Required Review Process” located in Subsection (a) identifies those situations or uses that require review by the planning commission (PCR) and those that can be review administratively (AR). The table also identifies those situations or uses that require a full site plan (FSP) and those that only require a plot site plan (PSP).
The submittal and review procedure required for planning commission review (PCR) and administrative review (AR) are outlined in Subsection (b) and Subsection (c), respectively. Subsection (d) contains the submittal and review procedure for condominiums and site condominiums.

The “Table of Required Site Plan Data” located in Subsection (e) identifies the minimum data that must be included on a full site plan (FSP) or a plot site plan (PSP).

Subsection (f) contains the criteria upon which the approval or disapproval of a site plan must be based. Those standards are the same for site plans requiring review by the planning commission (PCR) or administratively (AR).

- Salient points:
  - The tables allow applicants to easily identify the type of site plan review procedure their project requires as well as the data that must be included on the site plan. This is similar to the table of permitted and conditional uses located in Sec. 28-71 of the ordinance.
  - The various review procedures are tailored to streamline the approval process for site plan whenever possible, while protecting the health, safety, and general welfare of the public.
  - Pre-application meetings are required for planning commission reviews (PCR) and encouraged for administrative reviews (AR). These meetings identify issues early in the process so that they don’t unexpectedly delay approval unnecessarily.
  - The ability to administratively review (AR) site plans that don’t trigger the need for a public review (for whatever reason(s)) speeds up the process for those projects, allowing them to move forward quickly and efficiently.
  - Changes regarding performance guarantees provide City staff the authority needed to ensure that projects are developed as they are approved.

The Planning Commission reviewed and considered this ordinance at their April 4, 2012 meeting and is recommending that Council adopt the revisions as proposed to Chapter 28 of the City of Jackson Code of Ordinances.

Att’; Proposed Ordinance
Public Notice
ORDINANCE 2012.___

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to consolidate and replace Sec. 28-152, which deals with site plan review and to amend Section 28-118 of the zoning ordinance in order to accommodate the new provisions.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

To revise the site plan review process, making it easier to administer the Zoning Ordinance while protecting the health, safety, and general welfare of the residents and business owners of the community.

Section 2. That Article IV of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

ARTICLE IV. SUPPLEMENTAL PROVISIONS

Section 28-152. Site plan review procedures and requirements.

(a) Statement of purpose.

(1) The site plan review procedures and standards set forth herein provide a consistent and uniform method of review of proposed development plans, to ensure full compliance with the standards contained in this Chapter, other applicable chapters of the City Code, standard engineering practices; and county, state, and Federal rules and laws. The procedures set forth herein are further intended to:

a. Achieve efficient use of the land;

b. Protect the traditional character of the City;

c. Minimize adverse impacts on adjoining or nearby properties;

d. Provide a mechanism for review of new development and redevelopment or reuse of existing site to ensure compliance with current standards; and,

e. Encourage cooperation and consultation between the City and the applicant to facilitate development in accordance with the City’s land use objectives

(2) Prior to the creation of a use, erection of a building, and those conditions cited below, a site plan or administrative plan must be submitted for approval, in accordance with this Section. The extent of review for various types of projects is classified into
three (3) types generally described below. The Table of Required Review Process provides a specific listing of review classifications:

a. *Planning Commission review (PCR).* Most new development and major expansions will require a full site plan (FSP) under Subsection (b), site plan submittal and review procedures. The establishment of a condominium project will require the submission of a comprehensive site plan (CSP) and must also comply with Subsection (d), Condominium and Site Condominium Development Review Procedures.

b. *Administrative review (AR).* Select projects and expansions or changes in use to existing sites will undergo a less formal review and approval process by the Zoning Administrator (or designee), and any others deemed necessary. The Zoning Administrator always reserves the right to send any administratively reviewed plans to the Planning Commission for final determination, especially when it relates to aesthetics and architecture.

1. *Full site plan (FSP).* Select medium- and small-scale projects and expansions, or changes in use to existing sites, are permitted to provide less detailed information than a comprehensive site plan (CSP). The level of information is intended to be proportionate to the extent of the change and yet insure adequate review for compliance with applicable requirements.

2. *Plot site plan (PSP).* Select projects, such as one-family and two-family dwellings on an individual lot, only require the submission of a plot plan (PP) given their relatively low level of impact on adjacent land uses, and given that compliance with applicable zoning regulations can be addressed during the building permit review process. Other applicable approvals are still required such as zoning compliance permit, building permits and inspections.

<table>
<thead>
<tr>
<th>Table of Required Review Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>SITUATION/USE</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>FSP</td>
</tr>
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</table>

**NEW DEVELOPMENT:**

| Construction of any nonresidential use or building. | X |
| Construction of essential public service buildings and storage areas. | X |
| Construction of a multiple family dwelling. | X |
| Construction of a one-family or two-family dwelling unit on one (1) lot in a residential zoning district. | X |
| Establishment of a condominium project, in accordance with the process outlined in the Condominium Act (PA 59 of 1978, MCL 559.101 et sec). | X |
**Revision of Sec. 28-121. Site plan review procedures and requirements**

<table>
<thead>
<tr>
<th>SITUATION/USE</th>
<th>PCR</th>
<th>AR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor changes during construction required by municipal, state, or federal departments or agencies.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>Planned Unit Developments (PUDs) in accordance with this Chapter (see Sections 28-48, -137, and -153).</td>
<td>FSP</td>
<td>X</td>
</tr>
</tbody>
</table>

**EXPANSIONS:**

<table>
<thead>
<tr>
<th></th>
<th>PCR</th>
<th>AR</th>
</tr>
</thead>
<tbody>
<tr>
<td>An increase in parking or loading area of up to fifty (50%) or 10,000 square feet of pavement area without any building changes.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>An increase in parking or loading area of more than (50%) or 10,000 square feet of pavement area without any building changes.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>Changes to building height that do not add additional floor area nor exceed the maximum height requirements of this Chapter.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>Expansion of a one-family or two-family dwelling unit on one (1) lot in a residential zoning district.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>For non-residential, an increase in the floor area up to fifty (50%) of the existing floor area in the event of no impact to other site improvements.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>For non-residential, an increase in the floor area greater than that specified above.</td>
<td>FSP</td>
<td>X</td>
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</table>

**CHANGES IN USE:**

<table>
<thead>
<tr>
<th></th>
<th>PCR</th>
<th>AR</th>
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<tbody>
<tr>
<td>A change in use to a similar or less intense use provided the site will not require any significant changes in the existing site facilities such as parking, landscaping, lighting, signs, non-motorized pathways or sidewalks.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>A change from a nonconforming use to a conforming use, if required by the Zoning Administrator (or designee).</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>Any change in the use of land or a building to a more intensive use, in terms of parking needs, noise, traffic volumes, and similar impacts.</td>
<td>FSP</td>
<td>X</td>
</tr>
</tbody>
</table>

**OTHER TYPES OF PROJECTS:**

<table>
<thead>
<tr>
<th></th>
<th>PCR</th>
<th>AR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory buildings and structures constructed or erected accessory to a permitted one-family or two-family dwelling unit.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>Accessory buildings associated with multiple-family and non-residential uses.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>Accessory open air businesses.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>Aesthetic and architectural changes buildings other than one family and two-family residential structures.</td>
<td>FSP</td>
<td>X</td>
</tr>
<tr>
<td>Non-motorized pathways or sidewalk construction or relocation.</td>
<td>FSP</td>
<td>X</td>
</tr>
</tbody>
</table>
### Table of Required Review Process

<table>
<thead>
<tr>
<th>SITUATION/USE</th>
<th>PCR</th>
<th>AR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction of an entrance feature associated with a residential development.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Home occupations.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Internal construction or change in the floor plan that does not increase gross floor area, increase the intensity of use or affect parking requirements on a site which meets all site design standards of this Chapter.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Landscape changes consistent with the standards of this Chapter.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Modifications to upgrade a non-single family residential building to improve barrier-free design, or to comply with the Americans with Disabilities Act or other federal, state or county regulations.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Parking lot improvements provided the total number of spaces will remain constant.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Sign relocation or replacement meeting the dimensional and location standards of this Chapter.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Site improvements such as installation of walls, fences, lighting or curbing consistent with the standards of this Chapter.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Temporary uses, sales and seasonal events.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Utility system improvements.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Waste receptacle relocation or installation of screening around the waste receptacle.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Any use requiring a conditional use permit (CUP) not covered by one of the above situations/uses (see Section 28-71).</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Key: **PCR** = Planning Commission review; **AR** = administrative review; **FSP** = full site plan; **PSP** = plot site plan.

(b) **Full site plan (FSP) submittal and review procedures for Planning Commission review (PCR).**

When a full site plan (FSP) is required for planning commission review (PCR), the following procedure will apply, unless otherwise noted in the Table of Required Review Process.

1. **Pre-Application Meeting.** For the purposes of identifying major issues related to a project and to discuss questions related to this Chapter and other chapters of the City Code, the applicant must attend a pre-application meeting with the Zoning Administrator (or designee), and any others deemed necessary. Sufficient information must be submitted prior to the meeting that describes the proposed project. Discussion at this meeting is in no way a formal approval or decision on any aspect of a proposed project.
(2) **Application.** Any person with legal interest in a lot or parcel may apply for planning commission review (PCR) of a full site plan (FSP) by filing a completed application form, review fee and digital (electronic) and hard copies (size and number to be determined by the Zoning Administrator (or designee)) of the FSP, according to the submittal schedule prepared by the Zoning Administrator at the beginning of every calendar year. Required site plan contents are listed in Subsection (e).

(3) **Final approval of a full site plan (FSP).** A full site plan requiring approval by the Planning Commission must complete the following process:

a. **Planning Commission approval.** The Planning Commission and appropriate City staff will review the full site plan (FSP) for compliance with the standards of this Chapter and other appropriate chapters of the City Code and statutes. Based upon this review the Planning Commission may either:

1. Approve the FSP.
2. Approve the FSP with conditions which the Planning Commission determines are reasonable and necessary to ensure conformance with applicable chapters of the City Code and statutes. These conditions must be listed in the motion and noted on the FSP, with the Planning Commission Chairperson’s signature.
3. Table the FSP upon determining that it does not meet the standards, spirit and intent of this Chapter and other appropriate chapters of the City Code and statutes. The Planning Commission will direct the applicant to make modifications and resubmit the FSP. The applicant will be required to prepare a revised FSP, accompanied by a complete list of all changes with a certification (by the applicant or his/her design professional), that no other changes have been made.
4. Deny the FSP upon determining that it does not meet the standards, spirit and intent of this Chapter and other appropriate chapters of the City Code and statutes.

b. **Implementation of Planning Commission approval.** The following provisions apply to a full site plan (FSP) which has received the approval of the Planning Commission but not the administrative approval required by Subsection (e) of this Subsection:

1. The adopted minutes of the Planning Commission, and the report of the Zoning Administrator (or designee), will serve as the official record of the Planning Commission’s decision on a full site plan (FSP), including any conditions of approval. The applicant will be responsible for obtaining a copy of the adopted minutes, and submittal of a revised FSP and related documents which demonstrate compliance with any conditions to the Zoning Administrator (or designee). Any question on the decision
may be made in writing to the Planning Commission prior to the adoption of the minutes.

2. Upon receipt of approval of the full site plan (FSP) by the Planning Commission, the applicant will have up to six (6) months to submit a final FSP to the Zoning Administrator (or designee). However, the Planning Commission may grant a single one extension up to one (1) year provided the request is received in writing prior to the expiration date and presents reasonable evidence to the effect that the development has encountered unforeseen non-self-created difficulties. Should neither of the aforementioned provisions be fulfilled, or an extension has expired without construction activity underway, the FSP will be considered null and void.

3. Full site plan (FSP) approval by the Planning Commission does not preclude the Zoning Administrator (or designee) from enforcing the standards of this Chapter and other appropriate chapters of the City Code and statues, as well as the City’s engineering standards.

c. Administrative approval. Upon the receipt of approval of the full site plan (FSP) by the Planning Commission, the Zoning Administrator (or designee) will review the (FSP) for compliance with the standards of this Chapter and other appropriate chapters of the City Code and statues, as well as the City’s engineering standards. Based upon this review the Zoning Administrator (or designee) may either:

a. Approve the FSP.

b. Refer the FSP back to the applicant or his/her design professional for revision because it does not meet the standards, spirit and/or intent of this Chapter, other appropriate chapters of the City Code and statues, or the City’s engineering standards. The applicant or his/her design professional will be required to prepare a revised FSP, accompanied by a complete list of all changes and certification that no other changes have been made.

c. Deny the FSP upon determining that the plans do not meet the standards, spirit and/or intent of this Chapter, other appropriate chapters or the City Code and statues, or the City’s engineering standards.

The Zoning Administrator (or designee) is the only City official who can approve a change to a full site plan (FSP) that has received the approval of the Planning Commission.

(4) Following approval of the FSP, a digital (electronic) file determined by the Zoning Administrator (or designee) must be provided to the City on disk or via email.

(5) A zoning compliance permit will also be required following approval of the final FSP, but prior to issuance of a Certificate of Occupancy.
(6) Changes to a full site plan (FSP) that has received final approval. The holder of a FSP that has received final approval will notify the Zoning Administrator (or designee) of any proposed change to an approved site plan. Documentation outlining conditions necessitating the changes will be provided. Changes to the approved site plan will be permitted only under the following circumstances:

a. Minor Amendments. Minor changes may be approved by the Zoning Administrator (or designee) upon determining that the proposed revisions(s) will not alter the basic design nor any specific conditions imposed as part of the FSP as originally approved. Minor changes may include the following:

1. Change in the building size, up to twenty-five percent (25%) in total floor area in the event of no impact to other site improvements.
2. Movement of buildings or other structures by not more than twenty (20) feet.
3. Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.
4. Changes in building materials to a comparable or higher quality.
5. Changes in floor plans which do not alter the character of the use
6. Changes required by outside agencies such as the County, State or Federal departments.

b. Major Amendments. A proposed change not determined by the Zoning Administrator (or designee) to be minor must be submitted to the Planning Commission as site plan amendment and will be reviewed in the same manner as the original application.

The Zoning Administrator (or designee) is the only City official who can approve a change to a full site plan (FSP) that has received the approval of the Planning Commission.

(7) Performance Guarantee. The City may require a performance guarantee, as authorized by Section 28-118 of this Chapter, to assure the completion of any improvements shown on the site plan. For the purposes of this section, improvements subject to performance guarantees must include features and actions associated with a project that are considered necessary by the City to protect the natural resources or the health, safety, and welfare of the residents of the City and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage.

(c) Administrative Submittal and Review Procedures.

Those applications that qualify for Administrative Review in accordance with the Table of Required Review Process must comply with the following procedure.
(1) **Pre-Application Meeting.** For the purposes of identifying major issues related to a project and to discuss questions related to this Chapter and other chapters of the City Code, the applicant is encouraged to attend a pre-application meeting with the Zoning Administrator (or designee), and any others deemed necessary. Sufficient information must be submitted prior to the meeting that describes the proposed project. Discussion at this meeting is in no way a formal approval or decision on any aspect of a proposed project.

(2) **Application.** Any person with legal interest in a lot or parcel that qualifies for administrative review under the criteria set forth in Subsection (a) may apply by filing a completed application form, a review fee, a digital (electronic) file determined by the Zoning Administrator (or designee), and hard copies (size and number to be determined by the Zoning Administrator (or designee)) of the full site plan (FSP) or plot site plan (PSP) with the Zoning Administrator (or designee). Required plan contents are listed in Subsection (e).

(3) **Approval.** Upon review of the application the Zoning Administrator (or designee) will either:
   a. Request specific revisions and re-submittal of the application upon a finding the application does not meet information requirements or does not meet the intent and regulations of this Chapter;
   b. Approve the administrative plan, with or without conditions;
   c. Upon determining that the administrative plan does not meet the standards, spirit and intent of this Chapter and other appropriate chapters of the City Code and statutes, the Zoning Administrator must deny the administrative plan.

(4) **Effectiveness.** Upon administrative plan approval, each project must be under construction within six (6) months after the date of final approval by the Zoning Administrator and be diligently carried on towards completion. If the applicant does not fulfill this provision, the Zoning Administrator may grant one (1) one (1) year extension provided the applicant makes application in writing prior to the expiration date and presents reasonable evidence to the effect that the development has encountered non-self-created unforeseen difficulties but is then ready to proceed. Should neither of the aforementioned provisions be fulfilled or the one (1) year extension has expired without construction activity underway, the administrative plan will be considered null and void.

(5) **Changes to the Approved Administrative Plan.** The holder of an approved administrative plan must notify the Zoning Administrator of any proposed change to an approved administrative plan. Documentation outlying conditions necessitating the changes must be provided. The Zoning Administrator (or designee) has the authority to review and approve any changes, per Subsection (3) of this subsection.

(6) **Performance Guarantee.** The City may require a performance guarantee, as authorized by Section 28-118 of this Chapter, to assure the completion of any improve-
ments shown on the site plan. For the purposes of this section, improvements subject to performance guarantees must include features and actions associated with a project that are considered necessary by the City to protect the natural resources or the health, safety, and welfare of the residents of the City and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage.

(d) **Condominium and Site Condominium Development Review Procedures.**

All plans for all newly created condominium, expansions of existing condominiums and conversion of condominiums in accordance with the Condominium Act, Public Act 59 of 1978, as amended, will be reviewed under the following procedure:

1. **Pre-Application Meeting.** For the purposes of identifying major issues related to a project and to discuss questions related to this Chapter and other chapters of the City Code, the applicant must attend a pre-application meeting with the Zoning Administrator (or designee), and any others deemed necessary. Sufficient information must be submitted prior to the meeting that describes the proposed project. Discussion at this meeting is in no way a formal approval or decision on any aspect of a proposed project.

2. **Application.** Any person with legal interest in a lot or parcel may apply for planning commission review (PCR) of a full site plan (FSP) for a proposed condominium or site condominium development by filing a completed application form, review fee and digital (electronic) and hard copies (size and number to be determined by the Zoning Administrator (or designee)) of the FSP, according to the submittal schedule prepared by the Zoning Administrator at the beginning of every calendar year. Required site plan contents are listed in Subsection (e).

3. **Preliminary Approval.** A full site plan meeting the information requirements of Subsection (e) and review criteria of Subsection (f), must be submitted for preliminary condominium site plan approval by the Planning Commission. The Planning Commission will review the site plan following the procedures of this Article and must take action to approve, approve with conditions or deny. If a condominium site plan is incomplete, the Planning Commission may table the request and direct the applicant to prepare additional information or revise the plan. Within a phased project, the final plan will constitute only that portion of the approved preliminary plan that the proprietor proposes to record and develop at that time.

An application for final condominium site plan must be submitted within six (6) months after the date of preliminary condominium site plan approval by the Planning Commission, or such preliminary approval will be deemed null and void. However, the applicant may be granted one (1) one (1) year extension by the Planning Commission provided the request is received in writing prior to the expiration date and presents reasonable evidence to the effect that the development has encountered unforeseen non—self-created difficulties but is then ready to proceed. Should neither of the aforementioned provisions be fulfilled or the one (1) year extension has expired
without construction activity underway, the preliminary condominium site plan will be considered null and void.

No installation or construction of any improvements or land balancing or grading can be made or begun until the final condominium site plan has been approved. No removal of trees and/or other vegetation can be started at this time except for minor clearing required for surveying and staking purposes.

(4) **Agency Reviews.** Upon receipt of preliminary site plan approval, the proprietor must submit the preliminary condominium site plan to all authorities for necessary permits, as required by City and state regulations, and must deliver two (2) copies of the preliminary condominium site plan to the Superintendent of the school.

(5) **Administrative Final Approval.** The Zoning Administrator (or designee), must review and approve the final site plan if in compliance with all applicable chapters of the City Code, statutes, and regulations. The following information must be submitted for final condominium site plan approval by the Planning Commission.

1. A full site plan meeting the requirements of this Article.
2. Necessary County permits.
3. Condominium master deed, bylaws and restrictive covenants.

(6) **Performance Guarantee.** The City may require a performance guarantee, as authorized by Section 28-118 of this Chapter, to assure the completion of any improvements shown on the site plan. For the purposes of this section, improvements subject to performance guarantees must include features and actions associated with a project that are considered necessary by the City to protect the natural resources or the health, safety, and welfare of the residents of the City and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage.

(e) **Required Site Plan Contents.**

The following data must be included with, and as part of, all applications requiring site plan review:

<table>
<thead>
<tr>
<th>Table of Required Site Plan Data</th>
<th>FSP</th>
<th>PSP</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICATION FORM: The application form must contain the following information:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name and address of the applicant and property owner;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Address and common description of property and complete legal description;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Dimensions of land and total acreage;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Zoning on the site and all adjacent properties;</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>
### Table of Required Site Plan Data

| Description of proposed project or use, type of building or structures, and name of proposed development, if applicable; | FSP | PSP |
| Name and address of firm or individual who prepared site plan; | X | X |
| Proof of property ownership, or the written authorization of the property owner; and. | X | X |
| A signed statement granting the Zoning Administrator (or designee) to enter the site for the purpose of conducting site improvement inspections. | X | X |
| Grid sheet for plot plans | | X |

**SITE PLAN DESCRIPTION AND IDENTIFICATION DATA:**

| Site plans (not to exceed 24 inch x 36 inch) must consist of an overall plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 20 feet for property less than 3 acres, 1 inch = 50 feet for property 3 acres or more in size up to 49 acres; or 1 inch = 100 feet for 50 acres or more; | FSP | PSP (1) |
| Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions; | X | |
| Scale and north-point; | X | (1) |
| Location map drawn to a separate scale with north-point, showing surrounding land, water features, zoning and streets within a quarter mile; | | X |
| Legal and common description of property; | X | |
| Identification and seal of architect, landscape architect, engineer, or land surveyor who prepared the drawings; | X | |
| Zoning classification of petitioner's parcel and all abutting parcels; | X | X |
| Proximity to section corner and major thoroughfares; and | X | |
| Total area in acres and square feet. | X | X |

**SITE DATA:**

| Existing and proposed lot lines, building lines, structures, parking areas and other improvements on the site and within 100 feet of the site; | FSP | PSP |
| Topography on the site and within 100 feet of the site at two-foot contour intervals, referenced to a U.S.G.S. benchmark; | X (2) | |
| Location of existing drainage courses, streams and wetlands; | X | |
| All existing and proposed easements; | X | X |
| Location of exterior lighting (site and building lighting); | X | X |
| Location of trash receptacle(s) and transformer pad(s) and method of screening; | X | X |
## Table of Required Site Plan Data

<table>
<thead>
<tr>
<th></th>
<th>FSP</th>
<th>PSP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recent aerial of the site and surrounding area; and</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Extent of any outdoor sales or display area.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>ACCESS AND CIRCULATION:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access agreements/easements;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Opposing driveways and intersections within 250 feet of site;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Cross section details of proposed roads, driveways, parking lots, sidewalks and non-motorized paths illustrating materials and thickness;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Dimensions of acceleration, deceleration, and passing lanes (see Section 28-106);</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Dimensions of parking spaces, islands, circulation aisles and loading zones (see Sections 28-106, -107, and -117);</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Calculations for required number of parking and loading spaces (see Sections 28-106 and -107);</td>
<td></td>
<td>X (3)</td>
</tr>
<tr>
<td>Designation of fire lanes;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Traffic regulatory signs and pavement markings;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Location of existing and proposed sidewalks/pathways within the site or right-of-way; and</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Location, height, and outside dimensions of all storage areas and facilities.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>LANDSCAPE PLANS:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General location of existing trees;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Location, sizes, and types of existing trees six (6) inches or greater in diameter, with an identification of materials to be removed and materials to be preserved;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Description of methods to preserve existing landscaping;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>The location of existing and proposed lawns and landscaped areas;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Landscape plan, including location and type of proposed shrubs, trees, and other plant material;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Landscape irrigation plan; and</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Planting list for proposed landscape materials with caliper size or height of material, method of installation, botanical and common names, and quantity.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>CONCEPTUAL DETAILS OF BUILDING AND STRUCTURE DETAILS:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location, height, and outside dimensions of all proposed buildings or structures;</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Building floor plans and total floor area;</td>
<td></td>
<td>X (3)</td>
</tr>
</tbody>
</table>
### Table of Required Site Plan Data

<table>
<thead>
<tr>
<th>Requirement</th>
<th>FSP</th>
<th>PSP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Details on accessory structures;</td>
<td></td>
<td>X (4)</td>
</tr>
<tr>
<td>Location, size, height, and material of construction for all hedges, fences, wall, and berms utilized to meet the screening requirements of this Chapter (see Section 28-117);</td>
<td>X (4)</td>
<td></td>
</tr>
<tr>
<td>Location, size, height, and material of construction for general fencing (see Section 28-135);</td>
<td>X (4)</td>
<td>X (4)</td>
</tr>
<tr>
<td>Location and material of construction for swimming pools (see Section 28-132);</td>
<td>X (4)</td>
<td>X (4)</td>
</tr>
<tr>
<td>Building facade elevations for all sides, drawn at an appropriate scale (see Section 28-159);</td>
<td>X (5)</td>
<td>X (5)</td>
</tr>
<tr>
<td>Description of exterior building materials and colors (details to be provided during the final site plan review process); and</td>
<td>X (5)</td>
<td>X (5)</td>
</tr>
<tr>
<td>Information related to hazardous materials including containment, storage, use, location and any level of involvement.</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**CONCEPTUAL DETAILS CONCERNING UTILITIES, DRAINAGE AND RELATED ISSUES:**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>FSP</th>
<th>PSP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of existing sanitary sewers or septic systems and preliminary location of proposed systems;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Location and size of existing water mains, well sites, water service, storm sewers loads, and fire hydrants and conceptual information for proposed water service;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Preliminary site grading, finished building grades, drainage patterns;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>General location and size of stormwater retention and detention ponds;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>General location of underground storm sewers and drains;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>General location of above and below ground gas, electric and telephone lines;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>General location of transformers and utility boxes;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Size, height and method of shielding for all site and building lighting; and</td>
<td>X (6)</td>
<td></td>
</tr>
<tr>
<td>Location, size, height, and lighting of all proposed signs;</td>
<td>X (6)</td>
<td></td>
</tr>
</tbody>
</table>

**ADDITIONAL INFORMATION FOR MULTIPLE-FAMILY RESIDENTIAL**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>FSP</th>
<th>PSP</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number and location of each type of residential unit (one bedroom units, two bedroom units);</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Density calculations by type of residential unit (dwelling units per acre);</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Garage and/or carport locations and details, if proposed;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Mailbox clusters;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Location, dimensions, floor plans and elevations of common building(s), if applicable;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Swimming pool fencing detail, including height and type of fence, if applicable;</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
Revision of Sec. 28-121. Site plan review procedures and requirements

<table>
<thead>
<tr>
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<th>PSP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location and size of recreation and open space areas; and</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Indication of type of recreation facilities proposed for recreation areas.</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Key:  FSP = full site plan and PSP = plot site plan.

1) A plot plans may be drawn on the grid sheet contained in the application.
2) Only if required by the Zoning Administrator (or designee).
3) If needed to determine park and loading requirements (see Sections 28-106 and -107).
4) If applicable.
5) If building design standards apply.
6) Requires a photometric study, to the satisfaction of the Zoning Administrator (or designee).

(f) Site Plan Review Criteria.

In the process of reviewing a site plan, the Planning Commission or Zoning Administrator (or designee) must consider the following criteria and assure that these conditions are met to the extent practicable.

1) Adequacy of Information. The site plan must include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses(s) and structures.
2) Uses. The site plan must state that all proposed uses are permitted in the zoning district in which the site is located.
3) Site Design Characteristics. All elements of site design must be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property, and the type and size of buildings. The site must be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this Chapter. The site must be designed to conform to all provisions of this Chapter. Redevelopment of existing sites must be brought into conformance with all site improvement provisions of this Chapter which are relative to and proportionate to the extent of redevelopment, as determined by the Planning Commission or Zoning Administrator (or designee).
4) Traditional City Character/Historic Preservation. The City of Jackson is a traditional community with many historic characteristics and features. All site plans within the City must demonstrate that they are in keeping with the character and history of the surrounding residential, commercial, industrial, or mixed-use neighborhood.
(5) **Buildings.** Buildings and structures will meet or exceed setback standards, height and other dimensional standards, and be consistent with applicable building design standards.

(6) **Emergency Vehicle Access.** All buildings or groups of buildings must be arranged so as to permit emergency vehicle access by some practicable means to all vehicles.

(7) **Ingress and Egress.** Every structure or dwelling unit must be provided with adequate means of ingress and egress via public streets, private roads and walkways.

(8) **Pedestrian and Vehicular Orientation.** The site plan must provide a system for pedestrian circulation that allows pedestrians to safely access the site, circulate within the site, and access adjacent sites and development areas such as neighborhoods. The arrangement of vehicular and pedestrian circulation must respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the City. The width of streets and drives must be appropriate for the volume of traffic they will carry.

(9) **Drainage.** Stormwater management system and facilities must preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible. Measures must be taken to ensure stormwater management techniques follow safe practices to treat drainage before it enters the system.

(10) **Soil Erosion.** The proposed development must include measures to prevent soil erosion and sedimentation.

(11) **Exterior Lighting.** Exterior lighting must be designed so that it is aimed downward and deflected away from adjacent properties and so that it does not impede the vision of drivers on public streets, adversely impact abutting properties or adversely impact the natural evening sky. Lighting levels may not exceed half (0.5) a foot-candle beyond any perimeter (exterior) lot line.

(12) **Preservation of Natural Areas.** The landscape must be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Insofar as practical, natural features and the site topography, viewsheds, historical markers and environmental areas must be incorporated into the proposed site design.

(13) **Public Services.** The scale and design of the proposed development must facilitate the adequate provision of services currently furnished by or that may be required of the City or other public agency including, but not limited to, fire and police protection, stormwater management, sanitary sewage removal and treatment, traffic control and administrative services. All new utilities must be installed underground.

(14) **Traffic Impact.** The expected volume of traffic to be generated by the proposed use cannot adversely impact existing roads and the circulation thereon. Driveways must be located to minimize conflict with traffic operations on the adjoining road. The number of driveways must be the minimum needed to provide reasonable access to the site.
Revision of Sec. 28-121. Site plan review procedures and requirements

(15) Master Plan. Sites must be designed to be compatible with and in accordance with the goals and objectives of the City of Jackson Comprehensive Plan.

Section 2. That Article IV of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan be further amended to read as follows:

ARTICLE IV. SUPPLEMENTAL PROVISIONS

Sec. 28-118. - Performance guarantees for improvements.

(a) Prior to the issuance of a temporary or permanent certificate of occupancy is issued, the Zoning Administrator (or designee) may require, as a condition to the issuance of the certificate, the following:

(1) A deposit with the city clerk of cash, certified check, or irrevocable letter of credit covering the cost of improvements associated with the activity or project for which the certificate is sought.

(2) An easement allowing the City access to the property to make the required improvement(s) associated with the activity or project for which the certificate is sought, if that becomes necessary.

(b) The deposit requirement shall not be mandated if and to the extent a like deposit has been made pursuant to the Land Division Act (PA 288 of 1967, MCL 560.101, et seq.).

(c) The applicant may propose to the Zoning Administrator (or designee) a schedule pursuant to which portions of the deposit are to be returned in relation to the ratio of work completed on the required improvements as work progresses. The Zoning Administrator (or designee) will review the proposal, and, if reasonable, may establish a schedule as submitted by the applicant or as modified as the Zoning Administrator (or designee) deems appropriate.

(d) In establishing the requirement for the performance guarantee, a specific number of days for completion of the improvements and the amount of the security shall be specified by the planning commission.

(e) If the improvements have not been completed on or before the date specified for completion by the Zoning Administrator (or designee), all or part of the performance guarantee posted by the applicant, as needed for completion. Any and all costs incurred by the city in completing the improvements shall be taken from the performance guarantee. Any balance remaining following completion of the improvements shall be returned to the applicant.
Published in the Jackson Citizen Patriot on March 20, 2012

Notice of Public Hearing

The Jackson City Planning Commission and Jackson City Council will hold public hearings to consider text amendments to the City's planning and zoning ordinances. This notice was prepared and distributed in accordance with Sec. 103 of the Michigan Zoning Enabling Act (MCL 125.3103).

The request was made by:
The City of Jackson
161 W. Michigan Avenue
Jackson, MI 49201

The proposed text amendments:
The proposed amendments to the zoning ordinance (Chapter 28) include changes to: the deletion of the following sections: Sec. 28-152. – Site plan review and approval; The addition of a new section: Sec. 28-152. – Site plan review standards and requirements. Additional amendments to other sections of the zoning ordinance may be made for the purpose of keeping the language throughout the ordinance consistence with the proposed text amendments to the aforementioned section.

The reason for the text amendments:
The proposed amendments will 1) define when site plans are required; 2) outline what information is required with site plan submissions; and 3) identify varying levels of approval to the degree in which a plan may be approved administratively or when it will require review by an appointed or elected body.

The effect of adopting the text amendments:
The proposed changes will require the submission of complete site plans with varying degrees of information depending on the type of use being proposed. For example, One- and Two- Family Homes will have minimal requirements for site alterations, whereas multi-family apartments, commercial, and industrial developments may require a more intensive submission and review. Conditional, Controversial, or intense uses may require a public hearing and consideration by the Planning Commission or City Council.

The public hearings before the City Planning Commission and City Council will be held on:

Planning Commission – Wednesday, April 4, 2012 at 6:30 pm
City Council – Tuesday, April 24, 2012 at 7:00 pm

The meetings will be held in the
City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

The meetings will be held in the
City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

Please contact Barry Hicks at (517) 768-6433 to view, ask questions about, or comment upon the proposed text amendments.

By: Barry Hicks
Planning Director
CITY COUNCIL MEETING
APRIL 24, 2012

MEMO TO:  Honorable Mayor and City Councilmembers

FROM:      City of Jackson Planning Commission
Patrick Burtch, Deputy City Manager
Barry Hicks, Planning Director

DATE:      April 17, 2012

SUBJECT:   Request for a District Change (Rezoning) at 1502 N. Cooper Street and adjacent parcels.

MOTION 1:  Open a Public Hearing on the Request to Rezone Property Located at 1052 Cooper Street (ID# 8-240300000); 111 W. Argyle St. (ID# 8-240100000); 1037 Hamilton St. (ID# 8-240200000); and 1039 Hamilton St. (ID# 8-240000000) from R-1 to C-2.

MOTION 2:  Consideration of an Ordinance Amending Chapter 28 Section 28-32, City Code, to Rezone Property located at 1052 Cooper Street (ID# 8-240300000); 111 W. Argyle St. (ID# 8-240100000); 1037 Hamilton St. (ID# 8-402000000); and 1039 Hamilton St. (ID# 8-240000000) from R-1 to C-2. (Planning Commission and staff recommends approval).

At their April 4, 2012 meeting the Planning Commission held a public hearing and considered a request to rezone four (4) properties located at 1052 Cooper Street (ID# 8-240300000), 111 W. Argyle St. (ID# 8-240100000), 1037 Hamilton St. (ID# 8-402000000), and 1039 Hamilton St. (ID# 8-240000000) near the intersection of N. Cooper Street and Argyle Street. The Planning Commission recommends APPROVING the applicant’s request to rezone the properties as follows:

Commissioner Dobies Moved, with Support from Commissioner Collver to RECOMMEND that City Council Adopt an Ordinance Amending Chapter 28 Section 28-32, City Code, to Rezone Property located at 1052 Cooper Street (ID# 8-240300000); 111 W. Argyle St. (ID# 8-240100000); 1037 Hamilton St. (ID# 8-402000000); and 1039 Hamilton St. (ID# 8-240000000) from R-1 to C-2.

Yeas- 6 (Stark, Shaffer, Dobies, Troxel, Mauldin, and Culver); Nays- 0; Abstain- 0; Absent- 3 (Griffin, Polaczyk, and Kubish)

The request to rezone the property now comes to City Council for consideration.

Att':  Staff Report
       Ordinance
       Public Notice
MEMO TO: Planning Commission
FROM: Barry Hicks, Planning Director
DATE: March 30, 2012
RE: Staff Report for a Request for a District Change (Rezoning) at 1502 N. Cooper Street and adjacent parcels.

SUBJECT: Staff Report: Consideration of an Ordinance Amending Chapter 28, Section 28-32, City Code, to Rezone Property Located at 1052 N. Cooper Street and Adjacent Properties from R-1 (One-Family Residential) to C-2 (Community Commercial).

MOTION 1: Receive the Staff Report.

MOTION 2: Open a Public Hearing on the Request to Rezone Property Located at 1052 Cooper Street (ID# 8-240300000); 111 W. Argyle St. (ID# 8-240100000); 1037 Hamilton St. (ID# 8-240200000); and 1039 Hamilton St. (ID# 8-240000000) from R-1 to C-2.

MOTION 3: Consideration of Recommending that City Council Adopt an Ordinance Amending Chapter 28 Section 28-32, City Code, to Rezone Property located at 1052 Cooper Street (ID# 8-240300000); 111 W. Argyle St. (ID# 8-240100000); 1037 Hamilton St. (ID# 8-40200000); and 1039 Hamilton St. (ID# 8-240000000) from R-1 to C-2. (Staff Recommends Approval).

Overview and Applicable Zoning Criteria

Applicant: Crem Real Estate, LLC
Location: 1052 Cooper Street (ID# 8-240300000)
111 W. Argyle St. (ID# 8-240100000)
1037 Hamilton St. (ID# 8-240200000)
1039 Hamilton St. (ID# 8-240000000)

Application Received Date: February 29, 2012
Latest Revisions: N/A
Zoning: R-1, one-family residential district
Applicant Requested: District Change from R-1 (one-family residential) to C-2 (community commercial)
Staff Recommendation: Approve Request
Property Location

There are four (4) properties included in this request which are located at 1052 Cooper Street (ID# 8-240300000) 111 W. Argyle St. (ID# 8-240100000), 1037 Hamilton St. (ID# 8-402000000), and 1039 Hamilton St. (ID# 8-240000000) near the intersection of N. Cooper Street and Argyle Street.

District Changes

Sec. 28-183.1. Procedure for change

By application. Any person, firm or corporation desiring a change in the zoning classification of property shall file with the city clerk an application for zoning change. When the application for zoning change appears to be in accordance with public necessity, convenience, safety and the general welfare of the city, the city council shall refer such application to the city planning commission.

Maps

Subject Location Maps
The easternmost portion of 1052 Cooper Street, approximately a 122’ x 66’ portion of the property, is currently zoned C-2. The remaining portion of the property is zoned R-1. 111 W. Argyle St., 1037 Hamilton St., and 1039 Hamilton St. are zoned R-1. The applicant is requested that all four properties be zoned C-2 in their entirety.

The C-2 (community commercial) district is composed of certain land and structures used primarily to provide all types of "convenience goods" to service the daily and weekly household or personal needs of abutting residential neighborhoods. It permits the retailing of commodities classed by merchants as "convenience goods," such as groceries and drugs, and the furnishing of certain personal services such as beauty and barber shops as well as limited types of "durable shoppers goods," such as household furnishings, hardware, and apparel. The district also permits services such as gasoline stations and branch banks. The district usually occupies more area than a C-1 district, is located on or near arterial streets, and is designed to serve more than one (1) neighborhood.

The future land use plan shows 1052 N. Cooper Street as a local commercial type use. The other parcels in this request are shown as remaining a single-family neighborhood. The general vicinity of this corridor along N. Cooper Street shows a mix of future land uses ranging everywhere from single-family residential, to commercial,
or as parks and institutional areas. While the future land use map strictly shows only one of the three parcels as potentially being some type of commercial use, the inclusion of 111 W. Argyle St., 1037 Hamilton St., and 1039 Hamilton St. seems logical to allow for a parcel to be large enough to accommodate the type of commercial use desired in the area. The homes on Hamilton St. to the west could be buffered from a future commercial use with walls, fences, and vegetation.

### Neighboring Zoning and Land Use

The subject parcels are partially zoned C-2, community commercial district and R-1, one-family residential district and contain a commercial building (former restaurant), a parking lot, vacant land. The surrounding parcels are zoned as follows:

- **North:** R-1, one-family residential; C-2 community commercial
- **South:** R-1, one-family residential; C-2 community commercial
- **East:** C-2 community commercial
- **West:** R-1, one-family residential

The surrounding parcels are used as follows:

- **North:** Residence that is zoned commercial
- **South:** Commercial property used as a retail store
- **East:** Residence that is zoned commercial
- **West:** Single-family residential neighborhood.

The predominant land uses around the subject properties include some single-family residential neighborhoods and some commercial properties. The westernmost potion of the property in this request as well as some of the property to the south of the subject properties is vacant land.

### Development Potential

The current zoning, C-2 and R-1, allow for the development of certain businesses which provide service or sell durable goods, or for the development of single-family homes respectively. Rezoning all of the parcels would allow for a larger community commercial type development, such as a general store or restaurant. The a larger parcel size may also be more accommodating for a business to facilitate parking needs for the types of developments permitted in a C-2 district.

### Conclusion and Recommendation

#### Conclusion

The Cooper Street Corridor is located along a State trunkline (M-106), which is a 3-lane highway designed to accommodate semi trucks and moderate traffic. The entire corridor runs from the northern edge of the City to downtown and features one of the most eclectic varieties of land-uses and zoning districts in a single corridor in the City.

The request to rezone the properties does not strictly follow the Future Land Use Map, which indicates that only the parcel located at 1052 Cooper Street (ID# 8-240300000) should be utilized as a commercial. The intent of the master plan is to promote commercial and mixed use development along Cooper Street. Additionally, the City has
formed several ad hoc committees and task forces over the years to discuss how to improve the aesthetics of the corridor as it is a main entry into the City’s downtown. While no formal action has been taken, there has always been an interest in focusing on the aesthetics of the corridor and less on the use.

Recommendation

Staff recommends approving the request. As development continues to fill in along Cooper Street, higher intensity uses, such as commercial uses, should be located along Cooper Street and should be predominantly oriented towards Cooper Street and away from residential streets that run parallel to it. Staff will work with developers to assure that any future improvements to these properties will achieve this objective.

Barry Hicks, Planning Director

Att': Proposed Ordinance
Public Notice

Cc: Applicant
ORDINANCE NO. 2012-___

An Ordinance to amend Section 28.183, of Chapter 28, of the Code of Ordinances of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Sections 28-32 of Chapter 28, of the Code of Ordinances, City of Jackson, Michigan, be, and the same hereby is, amended by changing the map of the use districts required by said Section and said Chapter, and incorporated therein by reference as follows:

Change four (4) properties known legally as the following from R-1 (one-family residential) to C-2 (community commercial):

- Legal description for Parcel 8-240300000 (1052 Cooper St.)
  2404, 2405 LOTS 3, 4 & 5 BLK 3 WALKER'S ADD

- Legal description for Parcel 8-240100000 (111 W. Argyle St.)
  E 42 FT OF N 82.1 FT OF LOT 2 BLK 3 WALKER'S ADD

- Legal description for Parcel 8-240200000 (1037 Hamilton St.)
  2406 S 40 FT OF LOTS 1 & 2 & ALL OF LOT BLK 3 WALKER'S ADD

- Legal description for Parcel 8-240000000 (1039 Hamilton St.)
  N 82.1 FT OF LOTS 1 & 2 EX E 42 FT BLK 3 WALKER'S ADD

Section 2. This ordinance shall take effect thirty (30) days from date of adoption.

* * * * *

Adopted:
Jackson’s City Planning Commission will hold a public hearing on a rezoning request (as provided for in Sec. 28-183 of the City’s Zoning Ordinance).

The request was made by:
Crem Real Estate, LLC
307 Marshall St.
Jackson, MI 49202

The location of the properties is:
1052 Cooper Street (ID# 8-240300000)
111 W. Argyle St. (ID# 8-240100000)
1037 Hamilton St. (ID# 8-240200000)
1039 Hamilton St. (ID# 8-240000000)

The Rezoning Request:
To rezone the properties from R-1 (one-family residential) to C-2 (community commercial).

The Effect of the Rezoning Request:
The east portion of 1052 Cooper Street (ID# 8-240300000), approximately a 122’ x 66’ portion of the property is currently zoned C-2. The applicant is requesting that the remaining portion of the property, as well as three other adjacent properties as listed above, be rezoned from R-1 (one-family residential) to C-2 (community commercial). Rezoning the properties would allow them to be used for all types of convenience goods and limited types of durable shopping goods stores, such as household furnishings, hardware, and apparel. The C-2 district also may permit services such as gasoline stations and branch banks with restrictions.

You are invited to attend the public hearings before the City Planning Commission and City Council to be held on:
Planning Commission – Wednesday, April 4, 2012 at 6:30 pm
City Council – Tuesday, April 24, 2012 at 7:00 pm
The meetings will be held in the City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

You received this notice because you own property or reside within the general area of the properties listed above. You are not required to attend the public hearing or respond to this notice. However, if you are interested in this request, please attend the hearing and/or contact Barry Hicks at (517) 768-6433 or bhicks@cityofjackson.org. Written comments can also be sent to his office, which is located at 161 W. Michigan Avenue, Jackson, MI 49201.

By: Barry Hicks
Planning Director
MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Deputy City Attorney

SUBJECT: Revisions to the Medical Marihuana Ordinance

DATE: April 18, 2012

REQUESTED ACTION: Approve the revisions to the Medical Marihuana Ordinance.

Attached please find a clean copy and a black-lined version of a proposed ordinance that revises Sections 16-510 through 16-526 of the City Code of Ordinances regarding medical marihuana. These revisions would end the moratorium and allow for the use of medical marihuana in the primary residence of a qualifying patient or primary caregiver registered to consume or grow medical marihuana by the Michigan Department of Community Health. These revisions would also permit the growing of medical marihuana by qualifying patients or primary caregivers at a non-dwelling grow location. Grow locations will be limited to the C-4 and I-1 districts per separate ordinance.

These revisions to the medical marihuana ordinance will allow patients to use and grow medical marihuana in their primary residences. It will also permit qualifying patients or primary caregivers to grow medical marihuana in either his or her primary residence or at a separate grow location.

The dispensing of marihuana is not permitted in any location. Consumption of medical marihuana is permitted in the patient’s primary residence only.

The City Affairs Committee has reviewed the proposed ordinance and has recommended the ordinance for adoption.

The requisite action is to approve the ordinance and place it on the next regular council meeting agenda for adoption.

If council has any questions, please feel free to contact me.

cc w/att: Larry Shaffer
Matthew Heins
Elmer Hitt
Patrick Buritch
Julius Giglio
Lynn Fessel
Barry Hicks
Grant Bauman
ORDINANCE NO. 2012-______

An ordinance amending Sections 16-510 through 16-514 of Chapter 16 of the Code of Ordinances and adding Sections 16-515 through 16-526 to Chapter 16 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by permitting and regulating the growth and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered caregivers may grow medical marihuana for their qualifying patients.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to permit and regulate the growth and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered caregivers may grow medical marihuana for their qualifying patients.

Section 2. That Article XVIII, Sections 16-510 through Section 16-526 of Chapter 16 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE XVIII. MEDICAL MARIHUANA USES.

Sec. 16-510. Medical Marihuana Uses.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Medical marihuana home use* means a dwelling where a qualifying patient grows or uses medical marihuana for personal consumption in the privacy of their primary residence, and/or where a registered primary caregiver, serving not more than five (5) qualifying patients with whom the primary caregiver is registered to provide medical marihuana to through the Michigan Department of Community Health, grows medical marihuana for the qualifying patients in the privacy of the primary caregiver’s primary residence.

*Medical marihuana grow location* means a structure that is not a residential dwelling or residential accessory structure that is used by one (1) primary caregiver for the purpose of growing medical marihuana plants for up to five (5) registered qualifying
patients with whom the primary caregiver is registered to provide medical marihuana to through the Michigan Department of Community Health, or where a registered qualifying patient grows medical marihuana plants for himself or herself, but where there is no assisting a qualifying patient with the medical use of marihuana at the location or providing a qualifying patient with medical marihuana at the location.

Guest refers to MCL §333.26421 et. seq., known as the Michigan Medical Marihuana Act.

Primary caregiver means an individual, as defined by the MMA and as authorized by and registered through the Michigan Department of Community Health to grow and distribute medical marihuana for up to five (5) qualifying patients.

Primary residence means the one place where a person has his or her true, fixed and permanent home to which, whenever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

Qualifying patient means an individual, as defined by the MMA, that has been diagnosed by a physician as having a medical condition alleviated by the use of medical marihuana, and who is registered through the Michigan Department of Community Health to grow and/or consume medical marihuana.

Sec. 16-511 License required for medical marihuana grow location.
No medical marihuana grow location shall hereafter be established or maintained within the City without first obtaining a license therefore under this Article, and as approved under the City of Jackson Zoning Ordinance, Chapter 28. A license is not transferable.

Sec. 16-512 City Clerk authorized to issue a license for a medical marihuana grow location.
The City Clerk is designated and authorized to issue licenses for persons to operate medical marihuana grow locations pursuant to this Article.

Sec. 16-513 Application and conditions for medical marihuana grow locations.
(a) Application for a medical marihuana grow location license shall be made in writing to the City Clerk, who is authorized to create application forms as provided in this Section, and to receive and process applications and to thereafter grant or deny said licenses as set forth in this Article. Applications shall be on forms supplied by and to be filed with the City Clerk. The application shall contain the following information, plus any other information deemed necessary by the City Clerk:
(1) The location of the medical marihuana grow location;
(2) The maximum number of plants to be grown on the premises;
(3) The name of a contact person and a contact address for purposes of notifications from the City concerning the license; and
(4) If the applicant is not the owner of the proposed location of the medical marihuana grow location, a notarized statement from the owner of the property authorizing submission of the application and operation of the medical marihuana grow location on the premises.

(b) Any primary caregiver who has been under any sentence, including parole, probation, or actual incarceration, for the commission of a felony involving illegal drugs within five (5) years preceding the date of application shall be disqualified from receiving a license to operate a medical marihuana grow location.

(c) The City Clerk shall issue a license to the applicant if the applicant has met the requirements of this Article and all applicable state laws, and the applicant has paid the license fee.

(d) A license issued pursuant to this Article does not eliminate the need for the licensee to obtain other licenses and permits required for the operation of a medical marihuana grow location, including, without limitation, a building, mechanical, plumbing or electrical permit.

Sec. 16-514  Information Exempt from the Freedom of Information Act.

An applicant for a medical marihuana grow location license is not required to submit his or her name or the names of any qualifying patient or primary caregiver with whom he or she is connected to through registration with the Michigan Department of Community Health. If voluntarily submitted to the City, name and other identifying information of any qualifying patient or registered primary caregiver licensed under this Ordinance, or who applied for licensing and was denied, shall be exempt from disclosure pursuant to the MMA and to the extent permitted by law.

Sec. 16-515  License fee.

The license fee shall be set from time to time by the City Council by motion or resolution pursuant to the provisions of this Code. If an application is rejected, a portion of the fee paid, as determined by the City Council, shall be retained by the City Clerk to cover processing costs.

Sec. 16-516  Denial of issuance of license.

If the City Clerk denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to section 16-16 of this Code, as amended, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the City Clerk's decision, the applicant must request a hearing within ten (10) business days of the denial pursuant to section 16-16 of this Code, as amended.

Sec. 16-517  Additional requirements in connection with medical marihuana grow locations.

(a) No more than one person may engage in the activities of a primary caregiver at any medical marihuana grow location.
(b) No change relating to the medical marihuana grow location may occur to the outside appearance of the building, and no signs may be posted on the building or lot advertising the medical marihuana grow location.

(c) A medical marihuana grow location must comply with the requirements of all City building codes, including but not limited to the provisions contained in Chapters 5 and 14 of this Code.

(d) There may be no assisting of a qualifying patient with the medical use of marihuana or providing of medical marihuana to a qualifying patient at the medical marihuana grow location.

(e) For purposes of this subsection, any term defined by 21 USC 860(e) may have the meaning given to it by 21 USC 860(e). No medical marihuana grow location may operate:
   a. Within 1000 feet of the real property comprising a public or private school, college, junior college or university; playground; a church or other structure in which religious services are conducted; a facility at which substance abuse prevention services or substance abuse treatment and rehabilitation services, as those terms are defined in Part 61 of PA 368 of 1978, MCL 333.6101 et. seq. are offered; or
   b. Within 500 feet of a public or private youth center, public swimming pool, or video arcade facility.

(f) This section applies to every person engaging in the activities of a primary caregiver at a medical marihuana grow location regardless of whether or not his or her activities began before the enactment of this section.

Sec. 16-518 No license required for a medical marihuana home use.

No license from the City Clerk is required to operate a medical marihuana home use. A medical marihuana home use is a use by right wherever dwellings are permitted.

Sec. 16-519 Requirements for medical marihuana home uses.

For purposes of a medical marihuana home use, the following shall apply:
(a) A qualifying patient or primary caregiver operating a medical marihuana home use may only grow marihuana plants in his or her primary residence.
(b) The principal use of the dwelling must be residential occupancy and shall be in actual use as such.
(c) The medical marihuana home use must be in compliance with all requirements for home occupations as provided in Sec. 28-150(10), however a medical marihuana home use does not require a conditional use permit.
(d) A medical marihuana home use must comply at all times and in all respects with the Michigan Medical Marihuana Act and all other laws of the State of Michigan.
(e) This section applies to every person engaging in the activities of a qualifying patient or primary caregiver at a medical marihuana home use regardless of whether or not his or her activities began before the enactment of this section.
Sec. 16-520  No other medical marihuana uses authorized. 

Only the medical use of marihuana as defined in the MMA is authorized in the City of Jackson and medical marihuana growing, providing, and using, shall only be permitted in the City if and in the manner expressly authorized in this Article.

Sec. 15-521  Enforcement of federal law. 

As a discretionary matter, the City of Jackson will not enforce federal law concerning possession or consumption of medical marihuana against individuals who are exercising private rights as validly registered qualifying patients with the Michigan Department of Community Health.

Sec. 16-522  Penalty. 

Any person violating any provision of this Article shall, upon conviction thereof, be punished according to the provisions of Section 1-18 of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 16-523  Severability of ordinance. 

If any section, subsection, sentence, clause, or phrase of this Article is for any reason held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of this Article.

Sec. 16-524  Inconsistent provisions repealed. 

Ordinances or parts of ordinances in conflict with the provisions of this Article are hereby repealed.

Sec. 16-525  Savings clause. 

All rights and duties that have matured, penalties that have been incurred, proceedings that have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Sec. 16-526  Reserved.

Section 3.  This Ordinance takes effect thirty (30) days from the date of adoption.
ORDINANCE NO. 2012-______

An ordinance amending Sections 16-510 through 16-514 of Chapter 16 of the Code of Ordinances and adding Sections 16-515 through 16-526 to Chapter 16 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by permitting and regulating the growth and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered caregivers may grow medical marihuana for their qualifying patients.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to permit and regulate the growth and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act, and to further provide for regulations of locations at which registered caregivers may grow medical marihuana for their qualifying patients.

Section 2. That Article XVIII, Sections 16-510 through Section 16-526 of Chapter 16 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE XVIII. MEDICAL MARIHUANA-RELATED ESTABLISHMENTS, MEDICAL MARIHUANA USES.

Sec. 16-510. Definitions. Medical Marihuana Uses.

Reserved.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Medical marihuana home use means a dwelling where a qualifying patient grows or uses medical marihuana for personal consumption in the privacy of their primary residence, and/or where a registered primary caregiver, serving not more than five (5) qualifying patients with whom the primary caregiver is registered to provide medical marihuana to through the Michigan Department of Community Health, grows medical marihuana for the qualifying patients in the privacy of the primary caregiver’s primary residence.

Medical marihuana grow location means a structure that is not a residential dwelling or residential accessory structure that is used by one (1) primary caregiver for
the purpose of growing medical marihuana plants for up to five (5) registered qualifying patients with whom the primary caregiver is registered to provide medical marihuana to through the Michigan Department of Community Health, or where a registered qualifying patient grows medical marihuana plants for himself or herself, but where there is no assisting a qualifying patient with the medical use of marihuana at the location or providing a qualifying patient with medical marihuana at the location.

MMA refers to MCL §333.26421 et. seq., known as the Michigan Medical Marihuana Act.

Primary caregiver means an individual, as defined by the MMA and as authorized by and registered through the Michigan Department of Community Health to grow and distribute medical marihuana for up to five (5) qualifying patients.

Primary residence means the one place where a person has his or her true, fixed and permanent home to which, whenever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

Qualifying patient means an individual, as defined by the MMA, that has been diagnosed by a physician as having a medical condition alleviated by the use of medical marihuana, and who is registered through the Michigan Department of Community Health to grow and/or consume medical marihuana.

Sec. 16-511 Moratorium. License required for medical marihuana grow location.

The city shall neither allow the establishment of any operations that relate to either the cultivation or dispensing of medical marihuana nor shall it approve any permit, license, or other affirmative authorization that would grant any rights to cultivate, dispense, or use marihuana within the City of Jackson.

During the term of this moratorium, patients or caregivers, as defined in the Michigan Medical Marihuana Act, MCL 333.26421 et seq., shall not acquire any vested or nonconforming use rights even if acting in conformity with the Medical Marihuana Act in the privacy of their own home.

No medical marihuana grow location shall hereafter be established or maintained within the City without first obtaining a license therefore under this Article, and as approved under the City of Jackson Zoning Ordinance, Chapter 28. A license is not transferable.

Sec. 16-512 Appeal. City Clerk authorized to issue a license for a medical marihuana grow location.

The city manager may make an exception and issue a temporary permit during the period of this moratorium if, after a hearing on the appeal, the city manager determines it is necessary to protect the public health, safety and welfare. Any such temporary permit issued will not grant the permittee a property interest or a claim to legal nonconforming status based upon the permit issued during the term of the moratorium.
The City Clerk is designated and authorized to issue licenses for persons to operate medical marihuana grow locations pursuant to this Article.

Sec. 16-513  City administration action. Application and conditions for medical marihuana grow locations.

During the period of time this article is effective, city administration will continue to take steps necessary to determine the city's future response to the cultivation, dispensing, and use of medical marihuana.

(a) Application for a medical marihuana grow location license shall be made in writing to the City Clerk, who is authorized to create application forms as provided in this Section, and to receive and process applications and to thereafter grant or deny said licenses as set forth in this Article. Applications shall be on forms supplied by and to be filed with the City Clerk. The application shall contain the following information, plus any other information deemed necessary by the City Clerk:

(1) The location of the medical marihuana grow location;
(2) The maximum number of plants to be grown on the premises;
(3) The name of a contact person and a contact address for purposes of notifications from the City concerning the license; and
(4) If the applicant is not the owner of the proposed location of the medical marihuana grow location, a notarized statement from the owner of the property authorizing submission of the application and operation of the medical marihuana grow location on the premises.

(b) Any primary caregiver who has been under any sentence, including parole, probation, or actual incarceration, for the commission of a felony involving illegal drugs within five (5) years preceding the date of application shall be disqualified from receiving a license to operate a medical marihuana grow location.

(c) The City Clerk shall issue a license to the applicant if the applicant has met the requirements of this Article and all applicable state laws, and the applicant has paid the license fee.

(d) A license issued pursuant to this Article does not eliminate the need for the licensee to obtain other licenses and permits required for the operation of a medical marihuana grow location, including, without limitation, a building, mechanical, plumbing or electrical permit.

Sec. 16-514  Duration. Information Exempt from the Freedom of Information Act.

This article is valid for six (6) months following its effective date or until such time as an appropriate ordinance is enacted that will ensure the legality of such cultivation, dispensing, and use under state and federal law, whichever occurs first.

An applicant for a medical marihuana grow location license is not required to submit his or her name or the names of any qualifying patient or primary caregiver with whom he or she is connected to through registration with the Michigan Department of
Community Health. If voluntarily submitted to the City, name and other identifying information of any qualifying patient or registered primary caregiver licensed under this Ordinance, or who applied for licensing and was denied, shall be exempt from disclosure pursuant to the MMA and to the extent permitted by law.

Sec. 16-515 License fee.
The license fee shall be set from time to time by the City Council by motion or resolution pursuant to the provisions of this Code. If an application is rejected, a portion of the fee paid, as determined by the City Council, shall be retained by the City Clerk to cover processing costs.

Sec. 16-516 Denial of issuance of license.
If the City Clerk denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to section 16-16 of this Code, as amended, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the City Clerk's decision, the applicant must request a hearing within ten (10) business days of the denial pursuant to section 16-16 of this Code, as amended.

Sec. 16-517 Additional requirements in connection with medical marihuana grow locations.
(a) No more than one person may engage in the activities of a primary caregiver at any medical marihuana grow location.
(b) No change relating to the medical marihuana grow location may occur to the outside appearance of the building, and no signs may be posted on the building or lot advertising the medical marihuana grow location.
(c) A medical marihuana grow location must comply with the requirements of all applicable state construction codes and with the Chapter 14 housing maintenance provisions of this Code.
(d) There may be no assisting of a qualifying patient with the medical use of marihuana or providing of medical marihuana to a qualifying patient at the medical marihuana grow location.
(e) For purposes of this subsection, any term defined by 21 USC 860(e) may have the meaning given to it by 21 USC 860(e). No medical marihuana grow location may operate:
   a. Within 1000 feet of the real property comprising a public or private school, college, junior college or university, playground, a church or other structure in which religious services are conducted, a facility at which substance abuse prevention services or substance abuse treatment and rehabilitation services, as those terms are defined in Part 61 of PA 368 of 1978, MCL 333.6101 et. seq. are offered; or
   b. Within 500 feet of a public or private youth center, public swimming pool, or video arcade facility.
(f) This section applies to every person engaging in the activities of a primary caregiver at a medical marihuana grow location regardless of whether or not his or her activities began before the enactment of this section.

Sec. 16-518   No license required for a medical marihuana home use.
   No license from the City Clerk is required to operate a medical marihuana home use. A medical marihuana home use is a use by right wherever dwellings are permitted.

Sec. 16-519   Requirements for medical marihuana home uses.
   For purposes of a medical marihuana home use, the following shall apply:
   (a) A qualifying patient or primary caregiver operating a medical marihuana home use may only grow marihuana plants in his or her primary residence.
   (b) The principal use of the dwelling must be residential occupancy and shall be in actual use as such.
   (c) The medical marihuana home use must be in compliance with all requirements for home occupations as provided in Sec. 28-150(10), however a medical marihuana home use does not require a conditional use permit.
   (d) A medical marihuana home use must comply at all times and in all respects with the Michigan Medical Marihuana Act and all other laws of the State of Michigan.
   (e) This section applies to every person engaging in the activities of a qualifying patient or primary caregiver at a medical marihuana home use regardless of whether or not his or her activities began before the enactment of this section.

Sec. 16-520   No other medical marihuana uses authorized.
   Only the medical use of marihuana as defined in the MMA is authorized in the City of Jackson and medical marihuana growing, providing, and using, shall only be permitted in the City if and in the manner expressly authorized in this Article.

Sec. 15-521   Enforcement of federal law.
   As a discretionary matter, the City of Jackson will not enforce federal law concerning possession or consumption of medical marihuana against individuals who are exercising private rights as validly registered qualifying patients with the Michigan Department of Community Health.

Sec. 16-522   Penalty.
   Any person violating any provision of this Article shall, upon conviction thereof, be punished according to the provisions of Section 1-18 of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 16-523   Severability of ordinance.
   If any section, subsection, sentence, clause, or phrase of this Article is for any reason held to be invalid, illegal, or otherwise unenforceable by a court of competent
jurisdiction, the decision shall not affect the validity of the remaining portion of this Article.

Sec. 16-524 Inconsistent provisions repealed.
Ordinances or parts of ordinances in conflict with the provisions of this Article are hereby repealed.

Sec. 16-525 Savings clause.
All rights and duties that have matured, penalties that have been incurred, proceedings that have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Sec. 16-526 Reserved.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.
MEMO TO:   Honorable Mayor and City Councilmembers
FROM:     Bethany M. Smith, Deputy City Attorney
SUBJECT:  Revisions to the Controlled Substances Ordinance
DATE:     April 18, 2012

REQUESTED ACTION: Approve the revisions to the Controlled Substances Ordinance.

Attached please find a clean copy and a black-lined version of a proposed ordinance that revises Article VI, Division 2 of Chapter 18 of the City Code of Ordinances regarding medical marihuana. These revisions would revise the controlled substances section of Chapter 18 to provide an exemption from the prohibition against the possession of marihuana for validly registered qualifying patients or primary caregivers, as those terms are defined in the Michigan Medical Marihuana Act.

Qualifying patients or primary caregivers validly registered by the Michigan Department of Community Health would be permitted to possess medical marihuana in the amounts set forth in the Medical Marihuana Act. The amounts currently permitted by the Medical Marihuana Act are twelve (12) plants per patient, or two and one-half (2.5) ounces of usable medical marihuana per patient. A primary caregiver may grow up to twelve (12) plants for up to five (5) patients or possess up to two and one-half (2.5) ounces for each of up to five (5) patients.

These revisions are companion revisions to the adoption of changes to the medical marihuana provisions of Chapter 16.

The City Affairs Committee has reviewed the proposed ordinance and has recommended the ordinance for adoption.

The requisite action is to approve the ordinance and place it on the next regular City Council meeting agenda for adoption.

If council has any questions, please feel free to contact me.

cc w/att:   Larry Shaffer
            Matthew Heins
            Elmer Hitt
            Patrick Burch
            Julius Giglio
            Lynn Fessel
            Barry Hicks
            Grant Bauman
ORDINANCE NO. 2012-_____

An ordinance amending Sections 18-151 through 18-159 to Chapter 18 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by providing an exception to the possession of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to provide an exception to the possession of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act.

Section 2. That Article VI, Division 2, Sections 18-151 through Section 18-158 of Chapter 18 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE VI. OFFENSES AGAINST PUBLIC MORALS.

DIVISION 2. MARIHUANA AND DRUG PARAPHERNALIA.

Sec. 18-151. Definition.
The term "drug paraphernalia" as used in this division means any equipment, product or material of any kind or nature whatsoever which is used, intended for use or designed for use in planting, propagating, cultivating, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance as defined by the Controlled Substance Act (MCL 333.1701 et seq.), as amended.
(Code 1977, § 9.202)
Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 18-152. Purpose.
This division is enacted to preserve the health, safety, and welfare of the people of the City by rendering unlawful the use or possession of marihuana or the manufacture, sale, use, delivery, possession or distribution, or the attempt to manufacture, sell, use, deliver, possess or distribute drug paraphernalia.
(Code 1977, § 9.201)

Sec. 18-153. Possession of drug paraphernalia.
It is unlawful for any person, business entity or corporation to illegally use or possess marihuana, or to use, or to possess with intent to use, drug paraphernalia.
(Code 1977, § 9.203(a))
Sec. 18-154. Manufacture, sale, or delivery of drug paraphernalia. It is unlawful for any person to sell, deliver, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, drug paraphernalia. (Code 1977, § 9.203(b))

Sec. 18-155. Advertisement of drug paraphernalia. It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication distributed in the City any advertisement, the purpose of which, in whole or in part, is to promote the sale of any object designed or intended for use as drug paraphernalia. (Code 1977, § 9.203(c))

Sec. 18-156. Possession/use of marihuana. No person shall knowingly and intentionally possess or use marihuana. (Code 1977, § 9.62(22); Ord. No. 2001.12, § 1, 4-24-01)

Sec. 18-157. Exemptions. This division shall not apply to manufacturers, wholesalers, jobbers, licensed medical technicians, technologists, nurses, hospitals, research teaching institutions, clinical laboratories, medical doctors, osteopathic physicians, dentists, chiropodists, veterinarians, law enforcement agencies, pharmacists and embalmers in the lawful course of business or professional activity, nor to persons suffering from any medical condition which requires administering prescribed medication. This division also shall not apply to the possession of medical marihuana by qualifying patients or primary caregivers, as those terms are defined in the Michigan Medical Marihuana Act, MCL 333.26421 et. seq., in the amounts of medical marihuana permitted under the Michigan Medical Marihuana Act, who have a valid medical marihuana registration issued by the Michigan Department of Community Health that permits the qualifying patient or primary caregiver to grow and/or consume medical marihuana. (Code 1977, § 9.204)

Sec. 18-158. Penalty. (a) Any person convicted of a violation of any provision of this division shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed five hundred dollars ($500.00), or by imprisonment not to exceed ninety (90) days, or both. Each day a violation continues shall be considered a separate offense and may be punished accordingly. (b) When an individual who has not previously been convicted of an offense under this division or under any similar state or federal law pleads guilty or is found guilty of a violation hereof, the court, without entering a judgment of guilt, may defer further proceedings and place the individual upon probation subject to whatever terms and conditions it deems appropriate. (c) Upon violation of a term or condition of such probation, the court may enter an adjudication of guilt and sentence the individual. Upon fulfillment of the terms and
conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of any disqualification or disability imposed by law upon conviction of a crime. There may be only one (1) discharge and dismissal under this section as to an individual. The police department records division shall retain a nonpublic record of an arrest and discharge or dismissal under this section. This record shall be furnished to a court or police agency upon request for the purpose of showing that a defendant in a criminal action involving the use of a controlled substance covered herein has previously utilized this section of the division.

(d) If any individual is convicted of a violation of this division, the court, as part of the sentence, during the period of confinement or the period of probation, or both, may require the individual to attend a course of instruction or rehabilitation program on the medical, psychological, and social effects of the misuse of drugs. The court may order the individual to pay a fee for the instruction or program. Failure to complete the instruction or program shall be considered a violation of the terms of probation.

(Code 1977, §§ 9.62(22), 9.205)

Sec. 18-159. Reserved.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.
ORDINANCE NO. 2012-______

An ordinance amending Sections 18-151 through 18-159 to Chapter 18 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by providing an exception to the possession of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City council adopts this ordinance to provide an exception to the possession of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health pursuant to the Michigan Medical Marihuana Act.

Section 2. That Article VI, Division 2, Sections 18-151 through Section 18-158 of Chapter 18 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE VI. OFFENSES AGAINST PUBLIC MORALS.

DIVISION 2. CONTROLLED SUBSTANCES. MARIHUANA AND DRUG PARAPHERNALIA.

Sec. 18-151. Definition.
The term "drug paraphernalia" as used in this division means any equipment, product or material of any kind or nature whatsoever which is used, intended for use or designed for use in planting, propagating, cultivating, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance as defined by the Controlled Substance Act (MCL 333.1701 et seq.), as amended.
(Code 1977, § 9.202)
Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 18-152. Purpose.
This division is enacted to preserve the health, safety, and welfare of the people of the city by rendering unlawful the use or possession of marihuana or the manufacture, sale, use, delivery, possession or distribution, or the attempt to manufacture, sell, use, deliver, possess or distribute drug paraphernalia.
(Code 1977, § 9.201)

Sec. 18-153. Possession of drug paraphernalia.
It is unlawful for any person, business entity or corporation to illegally use or possess marihuana, or to use, or to possess with intent to use, drug paraphernalia.
(Code 1977, § 9.203(a))

Sec. 18-154. Manufacture, sale, or delivery of drug paraphernalia. It is unlawful for any person to sell, deliver, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, drug paraphernalia. (Code 1977, § 9.203(b))

Sec. 18-155. Advertisement of drug paraphernalia. It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication distributed in the city any advertisement, the purpose of which, in whole or in part, is to promote the sale of any object designed or intended for use as drug paraphernalia. (Code 1977, § 9.203(c))

Sec. 18-156. Possession/use of marijuana. No person shall knowingly and intentionally possess or use marijuana. (Code 1977, § 9.62(22); Ord. No. 2001.12, § 1, 4-24-01)

Sec. 18-157. Exemptions. This division shall not apply to manufacturers, wholesalers, jobbers, licensed medical technicians, technicians, nurses, hospitals, research teaching institutions, clinical laboratories, medical doctors, osteopathic physicians, dentists, chiropractors, veterinarians, law enforcement agencies, pharmacists and embalmers in the lawful course of business or professional activity, nor to persons suffering from any medical condition which requires administering prescribed medication. This division also shall not apply to the possession of medical marijuana by qualifying patients or primary caregivers, as those terms are defined in the Michigan Medical Marihuana Act, MCL 333.26421 et. seq., in the amounts of medical marijuana permitted under the Michigan Medical Marihuana Act, who have a valid medical marijuana registration issued by the Michigan Department of Community Health that permits the qualifying patient or primary caregiver to grow and/or consume medical marijuana. (Code 1977, § 9.204)

Sec. 18-158. Penalty. (a) Any person convicted of a violation of any provision of this division shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed five hundred dollars ($500.00), or by imprisonment not to exceed ninety (90) days, or both. Each day a violation continues shall be considered a separate offense and may be punished accordingly. (b) When an individual who has not previously been convicted of an offense under this division or under any similar state or federal law pleads guilty or is found guilty of a violation hereof, the court, without entering a judgment of guilt, may defer further proceedings and place the individual upon probation subject to whatever terms and conditions it deems appropriate.
(c) Upon violation of a term or condition of such probation, the court may enter an adjudication of guilt and sentence the individual. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of any disqualification or disability imposed by law upon conviction of a crime. There may be only one (1) discharge and dismissal under this section as to an individual. The police department records division shall retain a nonpublic record of an arrest and discharge or dismissal under this section. This record shall be furnished to a court or police agency upon request for the purpose of showing that a defendant in a criminal action involving the use of a controlled substance covered herein has previously utilized this section of the division.

(d) If any individual is convicted of a violation of this division, the court, as part of the sentence, during the period of confinement or the period of probation, or both, may require the individual to attend a course of instruction or rehabilitation program on the medical, psychological, and social effects of the misuse of drugs. The court may order the individual to pay a fee for the instruction or program. Failure to complete the instruction or program shall be considered a violation of the terms of probation.

(Code 1977, §§ 9.62(22), 9.205)

Sec. 18-159. Reserved.

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.
CITY COUNCIL MEETING
April 24, 2012

DATE:        April 18, 2012
MEMO TO:     Honorable Mayor and City Councilmembers
FROM:        Lynn Fessel, City Clerk
SUBJECT:     Final Adoption of Ordinance No. 2012.7

MOTION:      FINAL ADOPTION OF ORDINANCE NO. 2012.7
AMENDING ARTICLE I, SECTION 5.3 – DEMOLITION OF STRUCTURES, OF CHAPTER 5 OF THE CODE OF ORDINANCES TO UPDATE THE SECTION TO BE IN HARMONY WITH LOCAL, STATE, AND FEDERAL ENVIRONMENTAL REQUIREMENTS; TO ADDRESS PROPER ABANDONMENT OF CITY UTILITIES; TO RESTORE CITY SIDEWALKS, CURBS, AND GUTTERS; AND TO REQUIRE PROPER SITE RESTORATION FOR CLEAN, LEVEL, SEEDED, BUILDABLE SITES THAT ARE FREE OF DEBRIS AND DEAD VEGETATION.

Attached please find Ordinance No. 2012.7 approved by the Council at the April 10 meeting.

C: City Manager
ORDINANCE NO. 2012-_______

An Ordinance amending Article I, Section 5.3 – Demolition of Structures, of Chapter 5 of the Code of Ordinances to update the section to be in harmony with local, state, and federal environmental requirements; to address proper abandonment of City utilities; to restore City sidewalks, curbs, and gutters; and to require proper site restoration for clean, level, seeded, buildable sites that are free of debris and dead vegetation.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The purpose of this ordinance is to update Section 5-3 to provide clean, level, seeded, buildable sites at the conclusion of the demolition process by or on behalf of private or public interests.

Section 2. That Article I, Section 5-3 of Chapter 5 of the Code of the City of Jackson be, and the same hereby is, amended to read as follows:

Sec. 5-3. - Demolition of structures.

The purpose of this section is to provide a clean, level, seeded, buildable site at the conclusion of the demolition process by or on behalf of a private or public interest. Whenever a structure is demolished or removed, the person, firm, or corporation commencing such demolition or removal must do all of the following:

1. Prior to commencing demolition.

   a. Submit a completed demolition permit application and pay appropriate fees for all activity related to the demolition process including, but not limited to, hazardous material assessment, hazardous material abatement, and demolition.

   b. Arrange for proper abandonment of all utility services.

   c. Conduct a hazardous material assessment and provide a report in accordance with state and federal regulations to the Department of Community Development.

   d. Abate hazardous materials in accordance with local, state, and federal regulations and the hazardous material assessment report.

   e. Provide a bill of lading for disposal of hazardous material in an approved landfill.

   f. Request and confirm a site evaluation by Miss Dig. Provide a copy of the Miss Dig report number and site evaluation to the Department of Community Development before mobilizing equipment on site.

   g. Install appropriate storm water inlet filters on storm drain inlets at the demolition site and the first two (2) storm drain inlets downstream of the demolition site or as directed by the Department of Community Development.
h. Coordinate the closure of any public street with the Department of Public Works if directed by the Department of Community Development.

i. Verify existing condition of streets, sidewalks, curbs, fences, and other infrastructure and site improvements with the Department of Community Development and provide photographs of all damages that exist prior to mobilizing equipment on-site.

j. Install safety measures to limit access to the demolition site if required by the Department of Community Development.

k. Install soil erosion control measures as site conditions warrant when directed by the Department of Community Development.

(2) During demolition.

a. Terminate existing sanitary and storm sewer lateral(s) at the property line closest to the connection to the sewer main. Ensure a watertight termination(s) and record the location(s) with triangulation measurements on the demolition permit checklist.

b. Terminate existing water line(s) at the curb stop(s). Ensure a watertight termination and record the location(s) with triangulation measurements on the demolition permit checklist.

c. Remove and replace sidewalk section(s) required to terminate waterlines at the curb stop. All backfill material must be granular, class 2 sand, compacted to 95% density. Contractor must request and verify inspection by the Department of Community Development prior to backfilling.

d. Water down all structures during demolition and demolition debris during loading into trucks for removal from site, to the satisfaction of the Department of Community Development using a minimum three (3) inch hose. Provide a water truck or contact the City Water Department (517-768-6107) for a metered connection to a City fire hydrant.

e. Demolish the entire structure including all appurtenances attached thereto.

f. Remove all footings, foundations, basement walls, and basement floors.

g. Remove all debris from basements, partial basements, and foundation excavations.

h. Demolish or remove all garages, sheds, and accessory or temporary structures including, but not limited to, poles, decks, fences, retaining walls, carports, pools, and play structures as directed by the Department of Community Development.

i. Remove all trees and shrubs if required and directed by the Department of Community Development.

j. Remove all hard surfaces including, but not limited to, concrete, masonry, asphalt, and hard packed stone or gravel, but excluding public sidewalks. Public sidewalks may be required to be replaced if hazardous conditions exist prior to demolition.
k. Remove all driveway curb and gutter openings and approaches as directed by the Department of Community Development.

(3) After demolition.

a. Request and verify inspection by the Department of Community Development of all basement and foundation excavations prior to backfilling.

b. Excavations shall be backfilled with clean fill acceptable to the Department of Community Development and compacted to 95% to prevent settling. The Department of Community Development reserves the right to require compaction testing paid by the contractor if deemed necessary.

c. Water down sidewalks and streets adjacent to the demolition site at the end of each day of demolition and after loading demolition debris for removal from the site.

d. Install new curb and gutter as directed by the Department of Community Development to replace the driveway curb and gutter openings ordered removed.

e. Grade the site to blend smoothly with surrounding properties, public sidewalks, driveways, and curbs. Final grade shall be executed in a manner that provides a continuous smooth grade free of voids, pockets, and debris including, but not limited to, rocks, roots, plastic, wood, cement, block, brick, and steel or other construction material. Grade shall be completed so as to eliminate pooling or draining of water onto neighboring properties. Install three (3) inches of topsoil if required by the Department of Community Development. Final site restoration may include, but not be limited to, application of slow growing, climate appropriate grass seed, hydro-seed, straw, or sod, as directed by the Department of Community Development.

f. Repair and reseed landscape areas on adjoining properties and the area between the curb and sidewalk damaged during demolition or removal activities consistent with item 3(e) above.

g. Replace all public sidewalks, curbs, driveway approaches, and driveways on the demolition site and adjoining properties damaged during demolition or removal activities in accordance with Department of Community Development standards.

h. Remove all paper, wood, rubbish, and debris from the site before final inspection.

i. Provide a bill of lading for disposal of demolition debris in an approved landfill.

j. Submit a completed demolition permit checklist to the Department of Community Development and Department of Engineering.

(4) Exception. The Director of the Department of Community Development or the Chief Building Official may authorize a deviation from the above standards in the best interest of the City provided however that such deviation complies with the spirit and intent of this ordinance.

(Ord. No. 91-6, § 2, 2-12-91; Ord. No. 2010-02, § 1, 1-26-10)
Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.
MEMO TO: Martin J. Griffin, Mayor  
Members of the City Council  

FROM: Laurence Shaffer, City Manager  

DATE: April 17, 2012  

SUBJECT: Inter City Trail Repaving Project  

MOTION: Consideration of the request to approve the bid award to Quality Asphalt, Homer, for a total cost of $90,910.75, for the Inter City Trail Repaving Contract, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the Purchasing Agent and the City Engineer/Director of Public Works.

Relative to the City Council Agenda item requesting that the City Council authorize the execution of a contract with Quality Asphalt Paving, Inc. of Homer, Michigan, please note that I would ask the City Council to consider the following as it deliberates the item:

- Lynn Fessel, City Clerk serves as the parliamentarian for the City Council. She has determined that the vote of 3-3 at the City Council meeting of April 10, 2012, does not prevent the City Council from considering the motion at its next meeting. A motion to reconsider or a motion to rescind a previous action is neither needed nor appropriate. The City Clerk has determined that the “motion was lost” and, as such, may be considered again.

- The Parks and Recreation Commission, at its meeting of February 15, 2012, heard a presentation from Jon Dowling and Randy McMunn relative to the concept and design of the improvements to the Inter City Bicycle Trail. In a motion, the Parks and Recreation Commission recommended the proposed improvements to the trail.

- I discussed with Mike Tooley of Quality Asphalt Paving, Inc. the prospect of reducing the price for the project. Given that the project was budgeted at $100,000, and also understanding that the project was bid with the thinnest margin, Mr. Tooley stated that he would not be able to reduce the price.

- The improvements to the Inter City Trail have been planned to work in conjunction with a new program designed to provide loaned bicycles to young participants at the Martin Luther King Recreation Center. Bicycles provided by the Bike Union would be loaned to young people who otherwise would not have a bike to enjoy. Training for bike safety,
fitness and recreational opportunities would be conducted. Although the program should and can go forward without the capital improvement program, there is a strong connection between our capital efforts and program initiatives.

Thank you for giving me the opportunity to expand upon my positive recommendation.

LS:skh

cc:  Lynn Fessel, City Clerk  
     Jon Dowling, Director of Public Works  
     Scott TenBrink, Chair, Jackson Fitness Council  
     Kelli Hoover, Director of Parks, Recreation and Grounds
MEMO TO: Honorable Mayor and City Councilmembers  
FROM: Jon H. Dowling, P.E., City Engineer/Director of Public Works  
SUBJECT: Contract Award Request – Inter City Trail Repaving

MOTION: CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO QUALITY ASPHALT, FOR A TOTAL COST OF $90,910.75, FOR THE INTER CITY TRAIL REPAVING CONTRACT, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S), IN ACCORDANCE WITH THE RECOMMENDATION OF THE PURCHASING AGENT AND THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS

On April 3, 2012, bids were opened in the Purchasing Department for the Inter City Trail Repaving contract. This project will repave a portion of the Inter City Trail from Prospect Street to Francis Street, and build a new connection from Merriman Street into the King Center. The Department of Public Works - Engineering presented the proposed project to the Parks Board and received their approval of the plan. The work included in the Base Bid will repave the portion of the trail in the worst condition. Alternate bids were also requested to include repaving the trail from Francis Street to Merriman Street. The Engineer’s estimate for the Base Bid and the Alternate Bid are $97,984.00 and $146,658.00, respectively. The bids are as follows:

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<tr>
<th>Company</th>
<th>Base Bid</th>
<th>Alternate Bid</th>
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<tbody>
<tr>
<td>Quality Asphalt Paving, Inc., Homer, MI</td>
<td>$90,910.75</td>
<td>$133,051.45</td>
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<tr>
<td>Concord Excavating and Grading, Concord, MI</td>
<td>$92,393.22</td>
<td>$136,342.80</td>
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<tr>
<td>Jule Swartz and Sons Excavators, Jackson, MI</td>
<td>$93,083.32</td>
<td>$143,116.32</td>
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<tr>
<td>Rieth Riley Construction Co., Lansing, MI</td>
<td>$93,544.31</td>
<td>$137,215.14</td>
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<tr>
<td>Michigan Paving &amp; Materials, Jackson, MI</td>
<td>$94,261.80</td>
<td>$139,985.20</td>
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Bailey Sand and Gravel also submitted a bid, but it was not read as they did not include Bid Security.

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Public Works - Engineering that the Inter City Trail Repaving Contract be awarded to Quality Asphalt at their base bid of $90,910.75, which is within the budget amount of $100,000, and the Mayor and the City Clerk be authorized to sign the contract documents. This project will be paid from Capital Projects funds.

If you have any questions please do not hesitate to contact me.

RTM: sms

C: Randall T. McMunn, P.E., Assistant City Engineer  
Lynn Fessel, Purchasing Agent  
Shelly Allard, Purchasing Coordinator  
Lucinda Schultz, Accounting Manager
Parks, Recreation and Grounds

MINUTES
Jackson Parks and Recreation Commission
Meeting of Thursday, February 15, 2012 at 4:00 p.m.
at the Ella Sharp Park Golf Course Hall of Fame Room

• PRESENT •

<table>
<thead>
<tr>
<th>COMMISSIONERS</th>
<th>GUESTS</th>
<th>STAFF</th>
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<tbody>
<tr>
<td>Michelle Woods, Chairwoman</td>
<td>Laurence Shaffer, City Manager</td>
<td>Brandon Ransom</td>
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<tr>
<td>Mayor Martin Griffin</td>
<td>John Dowling, City Engineering</td>
<td>Kelli Hoover</td>
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<td>Councilperson Kimberly Jaquish</td>
<td>Randy McMunn, City Engineering</td>
<td>Eric Terrian</td>
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<td>Gerald Rand</td>
<td>Scott Tenbrink, Fitness Council</td>
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<td>Elwyn Rider</td>
<td>Bob Wheaten, Jackson Citizen Patriot</td>
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<td>Arthur Benedetto</td>
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<td>Bobby Thompkins</td>
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<td>Kelly Williams</td>
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1. *Eagle Scout Project-Moved until the next meeting*

2. *Winter Programs Review and Spring Update:* Kelli Hoover went over participant numbers for Winter programs and gave a brief update of registration going on for upcoming spring and summer programs.


4. *Inter-Local Agreement Update:* Brandon Ransom and Kelli Hoover are working on phasing out the agreement by the end of the contract. They felt even though the agreement was ending that a good line of communication exists between the two departments and staff.

*Recreation...the Spirit of our Community*
5. **Engineering presentation on the Inter City Trail:** John Dowling and Randy McMunn from the City of Jackson Engineering Department present the plans for the reconstruction of a portion of the Inter-City trail east of Frances Street. The trail is a much used trail in need of repair and small changes to make the path more recognizable around the Martin Luther King Center. This path would also help kick off an adopt-a-bike program that the Martin Luther King Center had planned to partner with the Fitness Council for summer participants to have an opportunity to use and care for a bike.
   - A motion was made to support the trail connector reconstruction by Arthur Benedetto and a seconded by Gerald Rand. Motion Passed.

6. **New Business:** no comment

7. **Old Business:** no comment

8. Adjournment 4:50 p.m.
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Philip J. Hones, Finance Director
SUBJECT: Consideration and Approval of Pension System Funding Letters

MOTION: Consideration and approval of the actuarial valuations as of June 30, 2011, communication from the Boards of Trustees of the City of Jackson Employees Retirement System, Act 345 Retirement System, and the City of Jackson Policemen’s and Firemen’s Pension System, and certification of funding necessary for fiscal year 2012-2013.

Attached are the following items for the City Council’s receipt, consideration and approval:

1. Letter of Funding requested for the City of Jackson Employees Retirement System for FY2012-2013, and a copy of the latest Actuary Report.

2. Letter of Funding requested for the City of Jackson’s Policemen's and Firemen's Pension System for FY2012-2013, and a copy of the latest Actuary Report.

3. Letter of Funding requested for the City of Jackson Act 345 Retirement System for FY2012-2013, and a copy of the latest Actuary Report.

Copies of the Actuary Reports will also be available for review in the City Clerk’s Office, and will be available in the Reference area of the Jackson District Library downtown branch for a period of six months.

Requested action is to receive the actuarial reports, and approve the letters of funding necessary for fiscal year 2012-2013.

If you have any questions, please contact me at 768-6384.

PJH/ss
April 11, 2012

The Honorable Mayor and
Members of the City Council
Jackson, Michigan

In accordance with the Jackson City Code, Chapter 2, Section 2.534, the Board of Trustees of the City of Jackson Employees Retirement System shall annually certify to the City Council the contributions necessary to meet the requirements for annuities, benefits and other payments of the Retirement System for the ensuing fiscal year.

The actuarial valuation of June 30, 2011 recommends that the 2012/13 contribution be as follows:

**Employer (City) Contribution at 9.92 %**  $880,750

The actuarially recommended City contribution of $880,750 or 9.92% of covered payroll, for fiscal year 2012/13 is a dollar amount increase of $19,616 and a percentage increase of .71% over the recommended contributions for the current fiscal year contribution amount of $861,134 (9.21% of covered payroll).

Actuarial experience was less favorable than expected for the year ended June 30, 2011 as indicated by the experience loss shown on page A-9. The loss was primarily attributable to unfavorable investment return (please refer to page C-7) on a funding value basis. Liability experience was on target in aggregate, with gains due to lower than expected salary increases and higher retiree mortality than expected.

The Board of Trustees of the City of Jackson Employees Retirement System hereby certifies to the City Council the amount of appropriation needed to operate the retirement system.

Sincerely,

[Signature]
Lynn Fesel, Vice Chairman
City of Jackson Employees Retirement System

LF/ss

Attachments
February 22, 2012

The Honorable Mayor and
Members of the City Council
Jackson, Michigan

In accordance with Serial Section 231, Section 19(f) of the City Charter, the Board of Trustees of the City of Jackson Policemen’s & Firemen’s Pension Fund must certify to the City Council each year the amount of public funds needed to meet the requirements for said Fund for the ensuing fiscal year.

Net actual experience for the Pension Fund was unfavorable during the year ending June 30, 2011. Asset losses of $158,378 were offset somewhat by gains of $126,346 attributable to higher than expected mortality experience.

The recommended employer contribution for the fiscal year beginning July 1, 2012 is $599,431. This is an increase of $99,431 from the prior year’s contribution of $500,000.

Subsequent to the June 30, 2010 valuation, the Board adopted a change to the amortization of the unfunded actuarial accrued liability to include fixed employer contributions of $500,000 for the fiscal years ending June 30, 2011 and June 30, 2012 followed by a change in the amortization period to a closed 13-year period effective with the employer contribution for the fiscal year ending June 30, 2013 as determined by this valuation.

The actuary currently lists the funded ratio of accrued liabilities at 40.1% funded by Pension Fund assets.

The Board of Trustees of the City of Jackson’s Policemen’s and Firemen’s Pension Fund hereby certifies to the City Council the amount of appropriation needed to operate said Fund in accordance with the City Charter and the State Constitution and in accordance with the computations of the actuary for the Fund.

Sincerely,

Maurice R. Crawford, Chairman
City of Jackson Policemen's and Firemen's Pension Fund

MRC/ss
February 14, 2012

The Honorable Mayor and
   Members of the City Council
Jackson, Michigan

In accordance with Rule 15.1 of the City of Jackson Act 345 Retirement System, the Board of Trustees must certify to the City Council each year the amount of public funds needed to meet the requirements for annuities, benefits and other payments of the Retirement System for the ensuing fiscal year.

The actuarial valuation of June 30, 2011 recommends the fiscal year 2012/2013 City contribution should be in the amount of $2,870,342 or 57.05% of total gross payrolls of the Police and Fire Department employees who are members of the Act 345 Retirement System. The City contribution currently is $2,843,528, or 43.74% of payroll. The contribution as a dollar amount increased slightly over the prior year. The effect recognized investment losses was offset by a reduction in active membership. The contribution rate increased due to the reduced active member payroll.

Net actual experience of the Retirement System was less favorable than assumed during the year ending June 30, 2011, resulting in a loss of $2.3 million. The overall experience loss was primarily due to recognized investment income which was less than the long-term assumption on a funding basis resulting in a loss of $2.5 million. Note, that on a market basis the rate of return was 23.99%. On a funding basis, it was 0.65% compared to the assumed rate of 7.75%. This loss was partially offset by the effects of lower than expected salary increases. The Retirement System is reporting a funded ratio of 54.1% compared to 57.3% last fiscal year.

The City is presently levying 5.25 mills to finance the Act 345 Retirement System.

The Board of Trustees of the City of Jackson’s Act 345 Retirement System hereby certifies to the City Council the amount of appropriation needed to operate said retirement system.

Sincerely,

[Signature]

John Holda, Chairman
City of Jackson Act 345 Retirement System

JH/ss
Attachment
# OUTLINE OF CONTENTS

**REPORT OF JUNE 30, 2011 ACTUARIAL VALUATION**

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</tr>
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<td>D-1/2</td>
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</tr>
<tr>
<td></td>
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</tr>
</tbody>
</table>
February 21, 2012

The Board of Trustees
City of Jackson Employees Retirement System
Jackson, Michigan

The results of the June 30, 2011 Annual Actuarial Valuation of the City of Jackson Employees Retirement System are presented in this report.

This report was prepared at the request of the Board and is intended for use by the Retirement System and those designated or approved by the Board. This report may be provided to parties other than the System only in its entirety and only with the permission of the Board.

The purpose of the valuation is to measure the System’s funding progress, to determine the employer contribution rate for the fiscal year ending June 30, 2011, and to determine the actuarial information for Governmental Accounting Standards Board (GASB) Statement No. 25.

The actuaries submitting this statement are members of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

Please see the following page for additional disclosures required by the Actuarial Standards of Practice.

This report has been prepared by actuaries who have substantial experience valuing public employee retirement systems. To the best of our knowledge the information contained in this report is accurate and fairly presents the actuarial position of the City of Jackson Employees Retirement System as of the valuation date. All calculations have been made in conformity with generally accepted actuarial principles and practices, and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

Respectfully submitted,

David T. Kausch, FSA, EA, MAAA
Curtis L. Powell, EA, MAAA

DTK/CP:sc
Additional Disclosures Required by Actuarial Standards of Practice

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period or additional cost or contribution requirements based on the plan’s funded status); and changes in plan provisions or applicable law. Due to the limited scope of the actuary’s assignment, the actuary did not perform an analysis of the potential range of such future measurements.

This report should not be relied on for any purpose other than the purpose described in the primary communication. Determinations of the financial results associated with the benefits described in this report in a manner other than the intended purpose may produce significantly different results.

The signing actuaries are independent of the plan sponsor.

The valuation was based upon information furnished by the City, concerning Retirement System benefits, financial transactions, plan provisions and active members, terminated members, retirees and beneficiaries. We checked for internal and year-to-year consistency, but did not otherwise audit the data. We are not responsible for the accuracy or completeness of the information provided by the City.
EXECUTIVE SUMMARY

Valuation Date: June 30, 2010 June 30, 2011
Fiscal Year Ending: June 30, 2012 June 30, 2013

Recommended Employer Contributions:

- Annual Amount $861,134 $880,750
- Percentage of Covered Payroll 9.21% 9.92%
  (Disregarding the Contribution Stabilization Reserve)

Membership

<table>
<thead>
<tr>
<th>Number of</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active Members</td>
<td>182</td>
<td>171</td>
</tr>
<tr>
<td>Retirees and Beneficiaries</td>
<td>167</td>
<td>170</td>
</tr>
<tr>
<td>Inactive, Non-retired Members</td>
<td>23</td>
<td>24</td>
</tr>
<tr>
<td>Total</td>
<td>372</td>
<td>365</td>
</tr>
</tbody>
</table>

Total Pensions Being Paid $2,418,251 $2,596,555

Assets

- Market Value* $29,220,833 $33,636,645
- Actuarial Value* 34,124,162 32,985,594
- Return on Market Value 12.2% 21.0%
- Return on Actuarial Value 0.8% 1.3%
- Ratio - Actuarial Value to Market Value 116.8% 98.1%

Actuarial Information

- Normal Cost % 11.23% 11.16%
- Actuarial Accrued Liability (AAL) $43,283,357 $43,916,224
- Unfunded Actuarial Accrued Liability (UAAL) 9,159,195 10,930,630
- Funded Ratio 78.8% 75.1%
- Amortization Period 30 years 30 years

* Net of Contribution Stabilization Reserve.

Highlights/Changes

- The City is considering a five-year extension to the DROP. The additional employer contribution for the five-year extension of the DROP would be 1.21% of payroll for the 2013 fiscal year. Contribution increase primarily due to investment losses from previous year being phased-in.

The Executive Summary gives an overview of the entire report. It cannot be used as a substitute for a thorough reading of the full report.
EXECUTIVE SUMMARY

Actuarial Valuation

This is the actuarial valuation of the City of Jackson Employees Retirement System, prepared as of June 30, 2011. Valuations are prepared annually, as of July 1 of each year, the first day of plan year.

The primary purposes of the valuation report are to measure the plan’s liabilities; to determine the required employer contribution rate based upon the System’s funding policy and to analyze changes in the System’s actuarial position.

In addition, the report provides information in connection with the Governmental Accounting Standards Board Statement No. 25 (GASB No. 25), and it provides summaries of the member data, financial data, plan provisions, and actuarial assumptions and methods.

Financing Objectives

The System is supported by member contributions, employer contributions, and net earnings on the investments of the fund. The total contribution is determined by the actuarial valuation. The member contribution rate is set at one-half of total computed contribution less amounts for the DROP which are contributed by the City. The employer contribution is the remainder.

The combined member and employer contributions are intended to be sufficient to pay the normal cost and to amortize the Unfunded Actuarial Accrued Liability (UAAL) over a period of 30 years from the valuation date. A thirty-year period is the maximum amortization period allowed by GASB Statement No. 25 in computing the Annual Required Contribution (ARC).

Contribution Requirement

The computed employer contribution for the fiscal year ending June 30, 2013 is $880,750, 9.92% of covered payroll. This compares with an employer contribution for the fiscal year ending June 30, 2012 of $861,134, 9.21% of covered payroll. The City is considering a five-year extension of the DROP. If the DROP extension is adopted, the employer contribution rate for fiscal 2013 will increase 1.21% to 11.13% of payroll for a projected dollar contribution of $988,180.
**EXECUTIVE SUMMARY**

**Funded Status**

As of the valuation date, the Unfunded Actuarial Accrued Liability (UAAL) is $10,930,630, and the funded ratio (the ratio of the Actuarial Value of Assets to the Actuarial Accrued Liability) is 75.1%. At the time of last year’s valuation, the UAAL was $9,159,195, and the funded ratio was 78.8%. See page A-9 for the development of the actuarial gain or loss over the last year and page A-5 for a history of the funded ratios.

The plan experienced a loss of $1,465,622.

**Variability of Future Contribution Rates**

The Actuarial Cost Method used to determine the contribution rate is intended to produce contribution rates which are generally level as a percent of payroll. Even so, when experience differs from the assumptions, as it often does, the employer’s contribution rate can vary significantly from year-to-year.

Over time, if the year-to-year gains and losses offset each other, the contribution rate would be expected to return to the current level.

The Market Value of Assets is greater than the Actuarial Value of Assets by $651,051 as of the valuation date (see page A-6). This difference will be gradually recognized over the next four years in the absence of offsetting losses/gains.


**EXECUTIVE SUMMARY**

**Relationship to Market Value**

If Market Value had been the basis for the valuation, the employer contribution rate would have been 9.72% of payroll and the funded ratio would have been 77%. This is a rough indication of the future status of the System. Market losses from 2008 and 2009 continue to be phased-in as well as gains from 2010 and 2011. See the “Looking Ahead” comment on page A-11 for a discussion on future contribution rates.

**Benefit Provisions**

This valuation reflects benefits promised to members as reported to us by the System’s administrator. There have been no changes to benefit provisions since the prior valuation reported to us.

**Actuarial Assumptions and Methods**

In determining costs and liabilities, actuaries use assumptions about the future, such as rates of salary increase, probabilities of retirement, termination, death and disability, and an investment return assumption. The Retirement Board sets the actuarial assumptions and methods taking into account recommendations made by the plan’s actuary and other advisors. All assumptions and procedures used in this valuation are the same as the prior valuation.

Section C summarizes the current assumptions. The most significant economic assumptions are (i) the assumed investment return, currently set at 8.00%, and (ii) the assumption regarding wage inflation of 4.25% per year.

We believe the actuarial assumptions are internally consistent and are reasonable, based on the actual experience of the System. These actuarial assumptions and methods comply with the parameters for disclosure in GASB Statement No. 25.
EXECUTIVE SUMMARY

The results of the actuarial valuation are dependent on the actuarial assumptions used. Actual results can, and almost certainly will, differ as actual experience deviates from the assumptions. Even seemingly minor changes in the assumptions can materially change the liabilities, calculated contribution rates, and amortization periods.

In addition to the actuarial assumptions, the actuary also makes use of an Actuarial Cost Method to allocate costs to particular years. In common with most public-sector plans, the System uses the Entry Age Normal method. Theoretically, this method produces a level pattern of funding over time, and thereby provides equity between various generations of tax payers. We continue to believe this method is appropriate for the System.

Assets

System assets are held in trust. The System’s administrator provided the asset information used in this valuation.

Page B-14 contains exhibits summarizing the plan’s assets, presents a summary of the Market Value of Assets held by the fund, shows the allocation of assets held for investment and shows a reconciliation of the assets from the last valuation date to the current valuation date.

Page A-6 shows the development of the Actuarial Value of Assets. The Actuarial Value of Assets is a smoothed Market Value. A smoothed value is used in order to dampen some of the year-to-year fluctuations in valuation results that would occur if the Market Value were used instead. The method used phases in differences between the actual and expected market returns over four years. The expected return is determined using the 8.00% assumption and the plan’s Market Value adjusted for contributions received and benefits and refunds paid. Both the actual and expected returns are computed net of expenses.
EXECUTIVE SUMMARY

The Actuarial Value is currently 98.1% of the Market Value. Over any short time period, a disparity between Actuarial Value and Market Value may appear, but in the long run the Actuarial Value and the Market Value are expected to track each other fairly closely.

The investment return rate for the plan year ending June 30, 2011 on Market Value was 21.0%, while it was 1.3% on Actuarial Value. These figures differ because of the asset valuation procedure described above.

GASB Statement No. 25 Disclosure

The Governmental Accounting Standards Board (GASB) Statement No. 25 governs reporting for government-sponsored retirement plans.

For the System, the ARC is defined to the sum of (a) the employer normal cost, and (b) the amount needed to amortize the DROP as a level percentage of payroll over 11 years and the remaining UAAL as a level percentage of payroll over 30 years.
SECTION A
VALUATION RESULTS, COMMENTS AND RECOMMENDATIONS
**Funding Objective**

The funding objective of the Retirement System is to establish and receive contributions, expressed as percents of active member payroll, which will remain approximately level from year-to-year and will not have to be increased for future generations of citizens.

**Contribution Rates**

The Retirement System is supported by member contributions, City contributions and investment income from Retirement System assets.

Contributions which satisfy the funding objective are determined by the annual actuarial valuation and are sufficient to:

1. Cover the actuarial present value of benefits allocated to the current year by the actuarial cost method described in Section C (the normal cost); and
2. Finance over a period of future years the actuarial present value of benefits not covered by valuation assets and anticipated future normal costs (unfunded actuarial accrued liability).

*Computed contribution rates* for the fiscal year beginning July 1, 2011 are shown on page A-2.
## CONTRIBUTIONS TO FUND BENEFITS

**EXPRESSED AS PERCENTS OF ACTIVE MEMBER PAYROLL**

**FOR THE FISCAL YEAR BEGINNING**

<table>
<thead>
<tr>
<th>Contributions for</th>
<th>July 1, 2011</th>
<th>July 1, 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age and Service Allowances</td>
<td>9.26%</td>
<td>9.22%</td>
</tr>
<tr>
<td>Disability and Survivor</td>
<td>0.98%</td>
<td>1.00%</td>
</tr>
<tr>
<td>Refunds of Member Contributions</td>
<td>0.99%</td>
<td>1.02%</td>
</tr>
<tr>
<td><strong>Total Normal Cost</strong></td>
<td>11.23%</td>
<td>11.24%</td>
</tr>
<tr>
<td>Unfunded Actuarial Accrued Liability#</td>
<td>6.09%</td>
<td>7.62%</td>
</tr>
<tr>
<td><strong>Total Computed Contribution</strong></td>
<td>17.32%</td>
<td>18.78%</td>
</tr>
<tr>
<td>Contribution for DROP</td>
<td>1.10</td>
<td>1.06</td>
</tr>
<tr>
<td>Contribution Excluding DROP</td>
<td>16.22</td>
<td>17.72</td>
</tr>
<tr>
<td><strong>Total Contribution Requirement</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Member Portion</strong></td>
<td>8.11%</td>
<td>8.86%</td>
</tr>
<tr>
<td><strong>Employer Portion</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- DROP !</td>
<td>1.10</td>
<td>1.06</td>
</tr>
<tr>
<td>- Remaining</td>
<td>8.11</td>
<td>8.86</td>
</tr>
<tr>
<td>- Total Computed Rate</td>
<td>9.21%</td>
<td>9.92%</td>
</tr>
<tr>
<td>- Total Dollar Contribution !</td>
<td>$861,134</td>
<td>$880,750</td>
</tr>
</tbody>
</table>

# Amortized over 30 years.

* The Members and Employer split the contribution requirement. The contribution requirement can be no less than 2.5% for the Members and 2.5% for the Employer.

! Subsequent to the June 30, 2007 valuation, the Board adopted a DROP to be funded by employer contributions for 15 years beginning July 1, 2008. This percentage is based on a 15-year amortization of the estimated change in UAAL plus the change in normal cost associated with the DROP.

The City is considering a five-year extension of the DROP. If the DROP extension is adopted the fiscal 2013 contribution rate will increase 1.21% to 11.13% of payroll for a projected dollar contribution of $988,180.
In financing the actuarial accrued liability, the valuation assets of $32,985,594 were distributed as shown below. Please see page A-6 for information concerning the derivation of valuation assets.

<table>
<thead>
<tr>
<th>Reserves</th>
<th>Member Actuarial Accrued Liability</th>
<th>Retired Life Actuarial Liability</th>
<th>Contingency Reserve</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employees' Contributions</td>
<td>$ 5,458,835</td>
<td></td>
<td>$ 5,458,835</td>
<td></td>
</tr>
<tr>
<td>Employer Contributions</td>
<td>4,686,843</td>
<td>$ 1,949,808</td>
<td>6,636,651</td>
<td></td>
</tr>
<tr>
<td>Retired Benefit Payments</td>
<td>20,890,108</td>
<td></td>
<td>20,890,108</td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>$10,145,678</td>
<td>$22,839,916</td>
<td>$ none</td>
<td>$32,985,594</td>
</tr>
</tbody>
</table>

Assets were applied against actuarial accrued liability in determining unfunded actuarial accrued liability as follows:

<table>
<thead>
<tr>
<th></th>
<th>Retired Lives</th>
<th>Active Members</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computed Actuarial Accrued Liability</td>
<td>$22,839,916</td>
<td>$21,076,308</td>
<td>$43,916,224</td>
</tr>
<tr>
<td>Unfunded Actuarial Accrued Liability</td>
<td>$ none</td>
<td>$10,930,630</td>
<td>$10,930,630</td>
</tr>
</tbody>
</table>
Although there is no single all-encompassing indicator to measure a retirement system's funding progress and current funded status, an aid in understanding funding progress and status can be achieved using the following indicators.

**INDICATOR (1)** *The ratio of valuation assets to the actuarial accrued liability (AAL)* allocated in the proportion accrued service is to projected total service - a funding level indicator. The ratio is expected to increase in the absence of benefit improvements or strengthening of actuarial assumptions. Prior to 6/30/98, the AAL was computed in accordance with the Pension Benefit Obligation information pursuant to the Governmental Accounting Standards Board (GASB) Statement No. 5, issued November, 1986. Beginning with the 6/30/98 valuation, the accrued liability computed for funding purposes is used in place of the AAL, pursuant to GASB Statement No. 25, which supersedes Statement No. 5.

**INDICATOR (2)** *The ratio of the unfunded actuarial accrued liability to member payroll* - an inflation adjusted funding requirement indicator. In a soundly financed retirement system, the amount of the unfunded actuarial accrued liability will be controlled and prevented from increasing in the absence of benefit improvements or strengthening of actuarial assumptions. However, in an inflationary environment it is seldom practical to impose this control on dollar amounts which are depreciating in value. The ratio is a relative index of condition where inflation is present in both items. The ratio is expected to decrease in the absence of benefit improvements or strengthening of actuarial assumptions.

**INDICATOR (3)** *The actuarial present value of gains or losses realized in the operation of the Retirement System* - an experience indicator. Gains and losses are expected to cancel each other over a period of years (in the absence of double-digit inflation) and sizable year-to-year fluctuations are common. Further details on the derivation of the gain (loss) are shown on page A-9.

The Retirement System's funding objective is to meet long-term benefit promises through contributions that remain approximately level from year-to-year as a percent of active member payroll. If the contributions to the System are level in concept and soundly executed, the System will pay all promised benefits when due -- the ultimate indicator of financial soundness.
### Funding Progress Indicators - Comparative Schedule

($ Amounts in Thousands)

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Valuation Assets</th>
<th>Valuation AAL</th>
<th>Funded Ratio</th>
<th>Valuation UAAL</th>
<th>Member Payroll</th>
<th>Ratio to Payroll</th>
<th>Gain (Loss)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/30/87</td>
<td>$12,562</td>
<td>$8,770</td>
<td>143.2 %</td>
<td>(3,792)</td>
<td>$4,713</td>
<td>- %</td>
<td>$1,910</td>
</tr>
<tr>
<td>6/30/88</td>
<td>13,867</td>
<td>9,369</td>
<td>148.0</td>
<td>(4,498)</td>
<td>5,376</td>
<td>-</td>
<td>796</td>
</tr>
<tr>
<td>6/30/89</td>
<td>14,420</td>
<td>10,060</td>
<td>143.3</td>
<td>(4,360)</td>
<td>5,826</td>
<td>-</td>
<td>(2)</td>
</tr>
<tr>
<td>6/30/90(a)</td>
<td>15,353</td>
<td>11,486</td>
<td>133.7</td>
<td>(3,867)</td>
<td>5,968</td>
<td>-</td>
<td>763</td>
</tr>
<tr>
<td>6/30/91(a)</td>
<td>16,485</td>
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<td>9,691</td>
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<td>(3,368)</td>
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<td>(1,788)</td>
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(a) After changes in benefit provisions and/or actuarial assumptions and actuarial cost methods.

AAL - Actuarial accrued liability computed in accordance with GASB Statement No. 5 prior to 6/30/98; after 6/30/97 computed in accordance with GASB Statement No. 25.

UAAL - Unfunded actuarial accrued liability.
### DEVELOPMENT OF FUNDING VALUE OF RETIREMENT SYSTEM ASSETS

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<td>A. Funding Value Beginning of Year</td>
<td>$35,618,029</td>
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<td>B. Market Value End of Year</td>
<td>27,109,331</td>
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<td>C. Market Value Beginning of Year</td>
<td>33,238,969</td>
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<td>29,220,833</td>
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<td>D. Non-Investment Net Cash Flow</td>
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<td>(1,114,851)</td>
<td>(1,558,300)</td>
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<td>E. Investment Income</td>
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<td>E1. Market Total: B - C - D</td>
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<td>2,753,069</td>
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<td>F. Phased-In Recognition of Investment Income</td>
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<td>F1. Current Year: 0.25 x E3</td>
<td>(2,065,474)</td>
<td>$118,321</td>
<td>$826,628</td>
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<td>F2. First Prior Year</td>
<td>(1,127,344)</td>
<td>(2,065,474)</td>
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<td>$826,628</td>
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<td>F3. Second Prior Year</td>
<td>589,650</td>
<td>(1,127,344)</td>
<td>(2,065,474)</td>
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<td>F4. Third Prior Year</td>
<td>(176,327)</td>
<td>589,649</td>
<td>(1,127,344)</td>
<td>(2,065,474)</td>
<td>118,321</td>
<td>$826,627</td>
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<td>F5. Total Recognized Investment Gain: F1 + F2 + F3 + F4</td>
<td>(2,779,495)</td>
<td>(2,484,484)</td>
<td>(2,247,869)</td>
<td>(1,120,525)</td>
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<td>G. Funding Value End of Year: A + D + E2 + F5</td>
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<td>H. Difference Between Market &amp; Funding Value</td>
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<td>(4,903,329)</td>
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<td>I. Recognized Rate of Return</td>
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<td>J. Market Rate of Return</td>
<td>(16.5)%</td>
<td>12.2%</td>
<td>21.0%</td>
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<td>K. Ratio of Funding Value to Market Value: G / B</td>
<td>129.0%</td>
<td>116.8%</td>
<td>98.1%</td>
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The Funding Value of Assets recognizes assumed investment income (line E2) fully each year. Differences between actual and assumed investment income (line E3) are phased-in over a closed 4-year period. During periods when investment performance exceeds the assumed rate, Funding Value of Assets will tend to be less than Market Value. During periods when investment performance is less than the assumed rate, Funding Value of Assets will tend to be greater than Market Value. The Funding Value of Assets is unbiased with respect to Market Value. At any time it may be either greater or less than Market Value. If actual and assumed rates of retirement income are exactly equal for 4 consecutive years, the Funding Value will become equal to Market Value.
## RECOMMENDED AND ACTUAL CONTRIBUTIONS COMPARATIVE STATEMENT

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<th>Fiscal Year</th>
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<th>Weighted Average</th>
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</tr>
<tr>
<td></td>
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<td>7.65</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7.65</td>
</tr>
<tr>
<td>09/10 (a)</td>
<td>6-30-08</td>
<td>863,777</td>
<td>750,439</td>
<td>7.72</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7.72</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7.72</td>
</tr>
<tr>
<td>10/11</td>
<td>6-30-09</td>
<td>945,179</td>
<td>786,824</td>
<td>8.54</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8.54</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8.54</td>
</tr>
<tr>
<td>11/12 (a)</td>
<td>6-30/10</td>
<td>861,134</td>
<td>9.21</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9.21</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9.21</td>
</tr>
<tr>
<td>12/13</td>
<td>6-30/11</td>
<td>880,750</td>
<td>9.92</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9.92</td>
</tr>
</tbody>
</table>

(a) After changes in benefit provisions and/or actuarial assumptions and valuation methods.

* Minimum employer contributions of 2.5% of payroll pursuant to Ordinance amendments effective July 1, 1990, 1991, and 2007 plus a contribution for Early Retirement Window and for DROP.
## SUMMARY STATEMENT OF SYSTEM RESOURCES AND OBLIGATIONS

### Present Resources and Expected Future Resources

<table>
<thead>
<tr>
<th></th>
<th>June 30, 2010</th>
<th></th>
<th>June 30, 2011</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Water &amp; General</td>
<td>Sewage</td>
<td>Totals</td>
<td>Water &amp; General</td>
</tr>
<tr>
<td>A. Present value of System assets</td>
<td>$22,998,717</td>
<td>$6,285,753</td>
<td>$29,284,470</td>
<td>$27,339,978</td>
</tr>
<tr>
<td></td>
<td>(49,978)</td>
<td>(13,659)</td>
<td>(63,637)</td>
<td>0</td>
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<tr>
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<td>3,850,856</td>
<td>1,052,473</td>
<td>4,903,329</td>
<td>(529,176)</td>
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<tr>
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<td>26,799,595</td>
<td>7,324,567</td>
<td>34,124,162</td>
<td>26,810,802</td>
</tr>
<tr>
<td>B. Present value of expected future employer contributions</td>
<td>$2,382,209</td>
<td>666,874</td>
<td>3,049,083</td>
<td>2,186,451</td>
</tr>
<tr>
<td></td>
<td>5,397,524</td>
<td>3,761,671</td>
<td>9,159,195</td>
<td>5,864,946</td>
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<tr>
<td></td>
<td>7,779,733</td>
<td>4,428,545</td>
<td>12,208,278</td>
<td>8,051,397</td>
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<tr>
<td>C. Actuarial present value of expected future member contributions</td>
<td>4,090,813</td>
<td>1,150,026</td>
<td>5,240,839</td>
<td>3,817,272</td>
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<tr>
<td>D. Total</td>
<td>$38,670,141</td>
<td>$12,903,138</td>
<td>$51,573,279</td>
<td>$38,679,471</td>
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</table>

### Actuarial Present Value of Expected Future Benefit Payments

<table>
<thead>
<tr>
<th></th>
<th>June 30, 2010</th>
<th></th>
<th>June 30, 2011</th>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Water &amp; General</td>
<td>Sewage</td>
<td>Totals</td>
<td>Water &amp; General</td>
</tr>
<tr>
<td>A. To retirants and beneficiaries</td>
<td>$14,884,700</td>
<td>$6,470,290</td>
<td>$21,354,990</td>
<td>$15,944,185</td>
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<tr>
<td>B. To vested terminated members</td>
<td>1,698,038</td>
<td>219,885</td>
<td>1,917,923</td>
<td>2,061,112</td>
</tr>
<tr>
<td>C. To present active members</td>
<td>15,614,381</td>
<td>4,396,063</td>
<td>20,010,444</td>
<td>14,670,451</td>
</tr>
<tr>
<td></td>
<td>6,473,022</td>
<td>1,816,900</td>
<td>8,289,922</td>
<td>6,003,723</td>
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<tr>
<td></td>
<td>22,087,403</td>
<td>6,212,963</td>
<td>28,300,366</td>
<td>20,674,174</td>
</tr>
<tr>
<td>D. Total</td>
<td>$38,670,141</td>
<td>$12,903,138</td>
<td>$51,573,279</td>
<td>$38,679,471</td>
</tr>
</tbody>
</table>
**ACTIVE MEMBER EXPERIENCE GAIN (LOSS)**
**YEAR ENDED JUNE 30, 2011**

<table>
<thead>
<tr>
<th></th>
<th>Actuarial Accrued Liability (A)</th>
<th>Actuarial Value of Assets (B)</th>
<th>Unfunded Actuarial Accrued Liability (C) = (A) - (B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Value at start of year</td>
<td>$43,283,357</td>
<td>$34,124,162</td>
<td>$9,159,195</td>
</tr>
<tr>
<td>(2) Normal Cost from last valuation</td>
<td>1,007,198</td>
<td>N/A</td>
<td>1,007,198</td>
</tr>
<tr>
<td>(3) Actual Contributions</td>
<td>N/A</td>
<td>1,417,700</td>
<td>(1,417,700)</td>
</tr>
<tr>
<td>(4) Disbursements</td>
<td>(2,976,000)</td>
<td>(2,976,000)</td>
<td>-</td>
</tr>
<tr>
<td>(5) Interest Accrual ([1] + [(2)+(3)+(4))]1/2*8%</td>
<td>3,383,916</td>
<td>2,667,601</td>
<td>716,315</td>
</tr>
<tr>
<td>(6) Expected value before changes (1)+(2)+(3)+(4)+(5)</td>
<td>44,698,471</td>
<td>35,233,463</td>
<td>9,465,008</td>
</tr>
<tr>
<td>(7) Increase due to plan amendment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(8) Increase due to revised assumptions</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(9) Expected value after changes (6)+(7)+(8)</td>
<td>44,698,471</td>
<td>35,233,463</td>
<td>9,465,008</td>
</tr>
<tr>
<td>(10) Actual value at end of year</td>
<td>43,916,224</td>
<td>32,985,594</td>
<td>10,930,630</td>
</tr>
<tr>
<td>(11) Gain (loss) (9)-(10) [(10)-(9) for assets]</td>
<td>782,247</td>
<td>(2,247,869)</td>
<td>(1,465,622)</td>
</tr>
</tbody>
</table>
### 10-Year Projection

**30-Year Open Amortization Period**

**8.00% Market Return**

(All $ in Millions)

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Actuarial Valuation Date</th>
<th>Actuarial Accrued Liability</th>
<th>Valuation Assets</th>
<th>Unfunded Actuarial Liability</th>
<th>Fiscal Year Ending</th>
<th>Projected Payroll</th>
<th>Member Dollar Contribution</th>
<th>Member % of Payroll Contribution</th>
<th>Employer Dollar Contribution</th>
<th>Employer % of Payroll Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/30/2011</td>
<td>6/30/2013</td>
<td>$43.92</td>
<td>$32.99</td>
<td>$10.93</td>
<td>6/30/2013</td>
<td>$8.88</td>
<td>$0.76</td>
<td>8.66%</td>
<td>$0.88</td>
<td>9.92%</td>
</tr>
<tr>
<td>6/30/2012</td>
<td>6/30/2014</td>
<td>45.78</td>
<td>33.38</td>
<td>11.28</td>
<td>6/30/2014</td>
<td>9.26</td>
<td>0.82</td>
<td>9.18%</td>
<td>0.95</td>
<td>10.23%</td>
</tr>
<tr>
<td>6/30/2013</td>
<td>6/30/2015</td>
<td>47.73</td>
<td>35.95</td>
<td>12.72</td>
<td>6/30/2015</td>
<td>9.65</td>
<td>0.85</td>
<td>8.77%</td>
<td>0.95</td>
<td>9.81%</td>
</tr>
<tr>
<td>6/30/2014</td>
<td>6/30/2016</td>
<td>49.76</td>
<td>38.63</td>
<td>11.95</td>
<td>6/30/2016</td>
<td>10.06</td>
<td>0.85</td>
<td>8.47%</td>
<td>0.96</td>
<td>9.50%</td>
</tr>
<tr>
<td>6/30/2015</td>
<td>6/30/2017</td>
<td>51.87</td>
<td>40.60</td>
<td>11.27</td>
<td>6/30/2017</td>
<td>10.49</td>
<td>0.88</td>
<td>8.41%</td>
<td>0.99</td>
<td>9.43%</td>
</tr>
<tr>
<td>6/30/2016</td>
<td>6/30/2018</td>
<td>54.08</td>
<td>42.61</td>
<td>11.46</td>
<td>6/30/2018</td>
<td>10.93</td>
<td>0.92</td>
<td>8.37%</td>
<td>1.03</td>
<td>9.38%</td>
</tr>
<tr>
<td>6/30/2017</td>
<td>6/30/2019</td>
<td>56.37</td>
<td>44.72</td>
<td>11.65</td>
<td>6/30/2019</td>
<td>11.40</td>
<td>0.95</td>
<td>8.32%</td>
<td>1.06</td>
<td>9.32%</td>
</tr>
<tr>
<td>6/30/2018</td>
<td>6/30/2020</td>
<td>58.77</td>
<td>46.94</td>
<td>11.83</td>
<td>6/30/2020</td>
<td>11.88</td>
<td>0.98</td>
<td>8.27%</td>
<td>1.10</td>
<td>9.26%</td>
</tr>
<tr>
<td>6/30/2019</td>
<td>6/30/2021</td>
<td>61.27</td>
<td>49.26</td>
<td>12.01</td>
<td>6/30/2021</td>
<td>12.39</td>
<td>1.02</td>
<td>8.22%</td>
<td>1.14</td>
<td>9.20%</td>
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<tr>
<td>6/30/2020</td>
<td></td>
<td>63.87</td>
<td>51.69</td>
<td>12.18</td>
<td>6/30/2022</td>
<td>12.91</td>
<td>1.05</td>
<td>8.17%</td>
<td>1.18</td>
<td>9.15%</td>
</tr>
</tbody>
</table>
COMMENTS AND RECOMMENDATIONS

CONTRIBUTION STABILIZATION: Beginning with the June 30, 2003 valuation, which was the basis for the year ended June 30, 2005 contributions, the Board of Trustees established a Contribution Stabilization Reserve. With the June 30, 2009 Valuation, the Board of Trustees elected to use the remaining contribution stabilization reserve for the fiscal year ending June 30, 2011. As of June 30, 2011, the Contribution Stabilization Reserve is $0.

PLAN EXPERIENCE: Actuarial experience was less favorable than expected for the year ended June 30, 2011 as indicated by the experience loss shown on page A-9. The loss was primarily attributable to unfavorable investment return (please refer to page C-7) on a funding value basis. Liability experience was on target in aggregate, with gains due to lower than expected salary increases and higher retiree mortality than expected.

PLAN AMENDMENTS: The plan provisions remain unchanged since the last valuation. The City is considering a five-year extension of the DROP. If the DROP extension is adopted the fiscal 2013 contribution rate will increase 1.21% to 11.13% of payroll for a projected dollar contribution of $988,180.

PLAN ASSUMPTIONS AND METHODS: Plan assumptions and methods remain unchanged since the last valuation. It has been five years since the System performed an experience study on all actuarial assumptions. We recommend periodic review of assumptions. For a system this size, a full experience study may not be necessary, however certain key assumptions may warrant review such as the rate of salary growth, the expected long-term rate of return on assets, and the mortality rates.

LOOKING AHEAD: Due to the strong market performance this year, the Actuarial Value of Assets is 98.1% of the Market Value of Assets as of June 30, 2011. The 4-year asset smoothing method still has one more year of past losses to be recognized followed by gains. This means that the member and employer contribution rates will likely increase in the 2012 valuation (for the fiscal 2014 rates) and decline thereafter. The projection on page A-10 shows the member rate increasing to 9.18% of payroll and the employer rate increasing to 10.23% of payroll for the fiscal 2014 rates.
AMORTIZATION PERIODS: Actuarial accrued liabilities now exceed accrued assets by $10,930,630. The related amortization period of this amount is 30 years.

RESERVE TRANSFERS: The June 30, 2011 actuarial present value of retirement allowances exceeded the balance in the Reserve for Retired Benefit Payments. In order to maintain a balance between the assets and the liabilities allocated to retired lives, we recommend a transfer to the Reserve for Retired Benefit Payments from the Reserve for Employer Contributions as follows:

| Transfers to Reserve for Retired Benefit Payments from Reserve for Employer Contributions |
|----------------------------------|--|
| General                          | Water and Sewage |
| $1,412,580                       | $ 537,228 |

The above transfer amounts were based on retirement activity by division and were assumed to have been made as of June 30, 2011 for purposes of this valuation.
SECTION B
SUMMARY OF BENEFIT PROVISIONS AND VALUATION DATA
SUMMARY OF BENEFIT PROVISIONS EVALUATED OR CONSIDERED
(JUNE 30, 2011)

VOLUNTARY RETIREMENT (no reduction for age)

Eligibility - 30 or more years of service, or age 55 with 25 or more years of service, or age 60 with 10 or more years of service.

Annual Amount - Total service times 2.0% of Final Average Compensation (FAC).

Final Average Compensation - Average of annual compensations for the period of 3 consecutive years producing the highest average and contained within the last 10 years immediately preceding retirement.

DEFERRED RETIREMENT (vested benefit)

Eligibility - Termination of City employment at any age after 10 years of credited service.

Annual Amount - Payable beginning at age 60 (age 55 with 25 years of service), accrued regular retirement amount based on credited service and FAC at time of termination.

DEFERRED RETIREMENT OPTION PLAN (DROP)

Eligibility - 30 or more years of service, or age 55 with 25 or more years of service, or age 60 with 10 or more years of service.

Annual Amount - Computed as a service retirement but based on service, FAC and plan provisions at the time of DROP election. Monthly pension benefits and annuity withdrawal (if chosen) account value at DROP date accumulate in a board-approved defined contribution retirement plan account managed by a board-approved independent investment company.

DUTY DISABILITY RETIREMENT

Eligibility - Total and permanent disability incurred in line of duty with the City for which worker's compensation is being paid.

Annual Amount - Computed in the same manner as the regular retirement amount based on FAC and credited service at time of disability retirement. Minimum is $150 per month for benefit group (MAPE); minimum is 10% of the first $4,200 of FAC plus 15% of FAC in excess of $4,200 for benefit group general. At expiration of worker's compensation period, amount is recomputed to include years during which worker's compensation was paid.
SUMMARY OF BENEFIT PROVISIONS EVALUATED OR CONSIDERED (JUNE 30, 2011)

NON-DUTY DISABILITY RETIREMENT

Eligibility - Total and permanent disability after 10 or more years of credited service.

Annual Amount - Computed in same manner as the regular retirement amount based on FAC and credited service at the time of disability retirement; minimum is $150 per month for benefit group (MAPE); minimum is 10% of first $4,200 of FAC plus 15% of FAC in excess of $4,200 for other members.

DUTY DEATH BEFORE RETIREMENT

Eligibility - Death in line of duty with the City.

Annual Amount - To the spouse: One-third of member's final compensation. To one or two children: One-fourth of member's final compensation. To three or more children: An equal share of one-half of the member's final compensation. Amount to spouse continues to remarriage or death; amount to children continues to earlier of marriage, adoption, death, or attainment of age 18. Maximum total amount payable - $2,100 per year.

NON-DUTY DEATH BEFORE RETIREMENT

Eligibility - 10 or more years of credited service.

Annual Amount - Computed in the same manner as regular retirement based on credited service and FAC at time of death actuarially reduced for a 100% joint and survivor election. Amount is payable to designated beneficiary; otherwise, automatically to surviving spouse.

MEMBER CONTRIBUTIONS

One-half of total computed contribution less amounts for early retirement windows which are contributed by the City. In no event will the Member or City contribution be less than 2.50%.
SUMMARY OF BENEFIT PROVISIONS EVALUATED OR CONSIDERED
(JUNE 30, 2011)

OTHER BENEFITS

Military Service Buyback – up to six years of military service may be purchased at no cost to the System.

Service Credit Purchase Option – a contractual employee may be eligible to purchase service credits at no cost to the System.

Annuity Withdrawal Option – actuarial reduction of the member’s monthly retirement benefit for such withdrawals.
SUMMARY OF DROP PROVISIONS

Effective Date
July 1, 2008 through June 30, 2012.

Eligibility
A member of the City of Jackson Employees Retirement System who has satisfied the minimum requirements for a normal service retirement. This eligibility is currently 30 or more years of service, or age 55 with 25 or more years of service, or age 60 with 10 or more years of service.

Election of DROP
A member satisfying DROP eligibility conditions would be permitted to either:

1) Retire; or

2) Continue working and retire at a future date with a pension based on credited service and final average compensation (FAC) at date of termination of employment; or

3) Irrevocably elect to participate in the DROP and retire at a date no more than 3 years in the future with a pension based on FAC and service at date of election to participate in the DROP.

DROP Credits
The account of a participating member is credited with:

- The pension payments the member would have been paid if the member had retired on the date of DROP election, and

- The annuity withdrawal funds, if annuity withdrawal option is chosen.

Retirement from DROP
Upon termination of employment the frozen monthly pension begins. The form of payment will be based on the member’s election at the time of the DROP election.
SUMMARY OF DROP PROVISIONS
(CONCLUDED)

Death during DROP Participation
Benefits payable to a member’s beneficiary if death occurs during the DROP participation period will be computed in the same manner as if the member had separated from service the day before the participant’s date of death.

Disability during DROP Participation
Benefits payable to a member if disability occurs during the DROP participation period will be computed in the same manner as if the member had retired and terminated employment when the person commenced participation in the DROP.

Covered Payroll
The payroll of DROP participants will be included in the covered compensation upon which regular City contributions are based. However, member contributions will cease upon election of DROP.
# Retirees and Beneficiaries

## Comparative Schedule

<table>
<thead>
<tr>
<th>Year Ended</th>
<th>Added to Rolls</th>
<th>Removed from Rolls</th>
<th>Rolls End of Year</th>
<th>Active Per Retired</th>
<th>Average Total</th>
<th>Discounted Value of Allowances</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Annual</td>
<td>No.</td>
<td>Annual</td>
<td>No.</td>
<td>Annual</td>
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<tr>
<td>June 30</td>
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<td>Allowances</td>
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<td>1987</td>
<td>12</td>
<td>$ 75,119</td>
<td>4</td>
<td>$ 21,551</td>
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<td>$ 545,385</td>
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<td>4</td>
<td>15,721</td>
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<td>15,490</td>
<td>132</td>
<td>545,616</td>
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<td>64,390</td>
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<td>26,587</td>
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<td>583,419</td>
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<td>1990</td>
<td>6</td>
<td>43,249</td>
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<td>29,220</td>
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<td>597,448</td>
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<td>1991</td>
<td>6</td>
<td>28,222</td>
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<td>51,790</td>
<td>133</td>
<td>573,880</td>
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<td>70,834</td>
<td>10</td>
<td>41,222</td>
<td>128</td>
<td>603,492</td>
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<tr>
<td>1993</td>
<td>5</td>
<td>27,007</td>
<td>10</td>
<td>38,419</td>
<td>123</td>
<td>592,080</td>
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<tr>
<td>1994</td>
<td>29 *</td>
<td>489,759</td>
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<td>16,800</td>
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<td>1,065,039</td>
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<tr>
<td>1995</td>
<td>2</td>
<td>4,384</td>
<td>7</td>
<td>55,124</td>
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<td>1,014,299</td>
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<tr>
<td>1996</td>
<td>2</td>
<td>39,867</td>
<td>3</td>
<td>9,003</td>
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<td>1997</td>
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<td>4</td>
<td>49,203</td>
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<td>1,002,576</td>
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<tr>
<td>1998</td>
<td>8 *</td>
<td>94,502</td>
<td>8</td>
<td>47,606</td>
<td>140</td>
<td>1,049,472</td>
</tr>
<tr>
<td>1999</td>
<td>9</td>
<td>132,738</td>
<td>5</td>
<td>51,966</td>
<td>144</td>
<td>1,130,244</td>
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<td>90,471</td>
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* Reflects retirements due to Early Retirement Window provision.

City of Jackson Employees Retirement System

B-6
### Retirants and Beneficiaries June 30, 2011
Tabulated by Type of Allowances Being Paid

<table>
<thead>
<tr>
<th>Type of Allowances Being Paid</th>
<th>No.</th>
<th>Annual Retirement Allowances</th>
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<td>Regular allowances - benefit terminating at death of retirant</td>
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<tr>
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## RETIRANTS AND BENEFICIARIES JUNE 30, 2011
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<th>Totals</th>
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<td>Annual Allowances</td>
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<tr>
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<td>8,235</td>
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<td>86</td>
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<td>17,200</td>
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<tr>
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<tr>
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<td>$2,468,397</td>
<td>12</td>
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</tbody>
</table>

Average Age at Retirement: 59.8 years
Average Age Now: 71.3 years
Included in the valuation were 24 inactive members. An inactive member is a member who has left City employment with entitlement to a retirement allowance after attaining eligible retirement age.

<table>
<thead>
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<th>Annual Estimated Allowances</th>
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<td>$ 14,068</td>
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<td>28,232</td>
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<td><strong>24</strong></td>
<td><strong>$358,560</strong></td>
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</table>

Average Age at Deferment: 46.0 years

Average Age Now: 52.1 years
ACTIVE MEMBERS JUNE 30, 2011
TABULATED BY VALUATION DIVISIONS

Valuation Divisions | No. | Annual Payroll
--- | --- | ---
General members | 127 | $6,060,234
Water and Sewage members | 44 | 2,109,142
Total Active members* | 171 | $8,169,376

* Seven DROP participants are included in the Active demographic data.

NUMBER ADDED TO AND REMOVED FROM ACTIVE MEMBERSHIP

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<th>Year Ended June 30</th>
<th>Number Added During Year</th>
<th>Normal Retirement A</th>
<th>E</th>
<th>Disability Retirement A</th>
<th>E</th>
<th>Died-in-Service A</th>
<th>E</th>
<th>Other Withdrawal A</th>
<th>E</th>
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<td>27</td>
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<td>0.8</td>
<td>1</td>
<td>0.7</td>
<td>20</td>
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</table>

15 yr total | 199 | 247 | 89 | 49.2 | 9 | 9 | 3 | 6.3 | 146 | 162.2

* Early Retirement Window provision in effect.
A Represents actual number.
E Represents expected number.
^ DROP participants are included in the Active demographic data.
## COMPARATIVE SCHEDULE

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<td>171</td>
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* DROP participants are included in the Active demographic data.
GENERAL ACTIVE MEMBERS AS OF JUNE 30, 2011
BY ATTAINED AGE AND YEARS OF SERVICE

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<th>15-19</th>
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</table>

**Totals**: 23 27 29 11 21 14 2 127 $6,060,234

While not used in the financial computations, the following group averages are computed and shown because of their general interest. Seven active DROP participants are included with the active demographic data.

Age: 47.2 years  
Service: 13.7 years  
Annual Pay: $47,718
WATER AND SEWAGE ACTIVE MEMBERS AS OF JUNE 30, 2011
BY ATTAINED AGE AND YEARS OF SERVICE

<table>
<thead>
<tr>
<th>Attained Age</th>
<th>0-4</th>
<th>5-9</th>
<th>10-14</th>
<th>15-19</th>
<th>20-24</th>
<th>25-29</th>
<th>30 Plus</th>
<th>Valuation No.</th>
<th>Payroll</th>
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<tr>
<td>25-29</td>
<td>2</td>
<td>2</td>
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<td></td>
<td></td>
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<td>4</td>
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<td>35-39</td>
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<td></td>
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<td></td>
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<td>8</td>
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<td>0</td>
<td>44</td>
<td>$2,109,142</td>
</tr>
</tbody>
</table>

While not used in the financial computations, the following group averages are computed and shown because of their general interest. One active DROP participant is included with the active demographic data.

Age: 49.3 years
Service: 11.7 years
Annual Pay: $47,935
### ASSET INFORMATION

**SUBMITTED FOR VALUATION**

<table>
<thead>
<tr>
<th>Reported Assets - Market Value</th>
<th>Reserve for</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash &amp; Equivalents</td>
<td>Employees' Contributions</td>
</tr>
<tr>
<td>Receivables &amp; Accruals</td>
<td>General</td>
</tr>
<tr>
<td>Stocks</td>
<td>Water &amp; Sewage</td>
</tr>
<tr>
<td>Bonds</td>
<td>Total Employee Contributions</td>
</tr>
<tr>
<td>International Securities</td>
<td>Total Employer Contributions</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>Retired Benefit Payments</td>
</tr>
<tr>
<td></td>
<td>Undistributed Investment Income</td>
</tr>
<tr>
<td>Total Current Assets</td>
<td>Total Reserve Accounts</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Reported Assets - Market Value</th>
<th>Reserve for</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$675,280</td>
<td>Employees' Contributions</td>
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<td>374</td>
<td>General</td>
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<td></td>
<td>17,858,831</td>
<td>Water &amp; Sewage</td>
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<tr>
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<td>10,329,126</td>
<td>Total Employee Contributions</td>
</tr>
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<td></td>
<td>4,773,092</td>
<td>Total Employer Contributions</td>
</tr>
<tr>
<td></td>
<td>(58)</td>
<td>Retired Benefit Payments</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Undistributed Investment Income</td>
</tr>
<tr>
<td></td>
<td>$33,636,645</td>
<td>Total Reserve Accounts</td>
</tr>
</tbody>
</table>

### REVENUES AND EXPENDITURES

<table>
<thead>
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<th>Contribution</th>
</tr>
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<tr>
<td></td>
<td>Net Available for Pension</td>
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<tr>
<td>Balance - July 1, 2010</td>
<td>$29,220,833</td>
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<tr>
<td>Revenues</td>
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</tr>
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<td>Employees' Contributions</td>
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<td>Employer Contributions</td>
<td>786,824</td>
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<td>Investment Income</td>
<td>6,168,629</td>
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<td>Expenditures</td>
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<tr>
<td>Benefit Payments</td>
<td>2,893,947</td>
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<tr>
<td>Refund of Member Contributions</td>
<td>82,053</td>
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<tr>
<td>Expenses</td>
<td>194,517</td>
</tr>
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<td>Balance - June 30, 2011</td>
<td>$33,636,645</td>
</tr>
</tbody>
</table>

These amounts do not reflect the funding value adjustment of ($651,051). The derivation of this adjustment is on page A-6.
SECTION C
FUNDING OBJECTIVE, SUMMARY OF VALUATION PROCESS, METHODS AND ASSUMPTIONS
**BASIC FUNDING OBJECTIVE AND OPERATION OF THE RETIREMENT SYSTEM**

*Benefit Promises Made Which Must Be Paid For.* A retirement system is an orderly means of handing out, keeping track of, and financing contingent pension promises to a group of employees. As each member of the retirement system acquires a unit of service credit they are, in effect, handed an "IOU" which reads: "The Employees Retirement System promises to pay you one unit of retirement benefits, payments in cash commencing when you retire."

The principal related financial question is: When shall the money required to cover the "IOU" be contributed? This year, when the benefit of the member's service is received? Or, some future year when the "IOU" becomes a cash demand?

The Constitution of the State of Michigan is directed to the question:

"Financial benefits arising on account of service rendered in each fiscal year shall be funded during that year and such funding shall not be used for financing unfunded accrued liabilities."

This Retirement System meets this constitutional requirement by having the following **Funding Objective:** *To establish and receive contributions, expressed as percents of active member payroll, which will remain approximately level from year-to-year* and will not have to be increased for future generations of taxpayers.

Translated into actuarial terminology, a level percent-of-payroll contribution objective means that the contribution rate must be at least:

*Normal Cost* (the current value of benefits likely to be paid on account of members’ service being rendered in the current year)

... plus ...

*Interest of the Unfunded Actuarial Accrued Liability* (the difference between the actuarial accrued liability and current system assets).
If contributions to the Retirement System are less than the preceding amount, the difference, plus investment earnings not realized thereon, will have to be contributed at some later time, or, benefits will have to be reduced, to satisfy the fundamental fiscal equation under which all retirement systems must operate; that is:

\[ B = C + I - E \]

**Benefit** payments to any group of members and their beneficiaries cannot exceed the sum of:

- **Contributions** received on behalf of the group
- . . . plus . . .
- **Investment** earnings on contributions received and not required for immediate payment of benefits
- . . . minus . . .
- **Expenses** incurred in operating the System.

There are retirement systems designed to defer the bulk of contributions far into the future. Lured by artificially low present contributions, the inevitable consequence of a relentlessly increasing contribution rate -- to a level greatly in excess of the level percent-of-payroll rate -- is ignored. *This method of financing is prohibited in Michigan by the state constitution.*

A by-product of the level percent-of-payroll contribution objective is the accumulation of invested assets for varying periods of time. Investment income becomes a major contributor to the Retirement System, and the amount is directly related to the amount of contributions and investment performance.

*Computed Contribution Rate Needed to Finance Benefits.* From a given schedule of benefits and from the data furnished, the contribution rate is calculated by means of an actuarial valuation - the technique of assigning monetary values to the risks assumed in operating a retirement system.
**THE ACTUARIAL VALUATION PROCESS**

An actuarial valuation is the process by which a balance between revenues (participant contributions, employer contributions and investment income) and obligations (benefits and expenses) is determined and its actuarial condition is measured.

The flow of activity constituting the valuation may be summarized as follows:

A. **Covered person information about:**
   - each person receiving pension payments
   - each former participant with a vested pension not yet payable
   - each former participant who is not vested and has not claimed a member contribution refund
   - each active participant

B. + **Financial Information** (assets, revenues, and expenditures)

C. + **Benefit Provisions** (Retirement Ordinance)

D. + **Experience Estimates** about the volume and incidence of future activities

E. + **Actuarial Cost Method** for allocating costs to time periods

F. + **Mathematically combining the person information, financial information, benefit provisions, experience estimates and actuarial cost method**

G. = Determination of:
   - contribution rate for the plan year
   - current funded condition

Items A, B and C are furnished by the pension office and constitute the current known information about the System. Since the majority of activities will occur in the future, estimates must be made about these future activities (Item D).
Demographic assumptions are generally selected on the basis of the System's historical activity, modified for expected future differences. Past activity of funds which are similar in nature to the fund being valued may be utilized if fund data or activities are insufficient to be reliable.

Fiscal assumptions, on the other hand, do not lend themselves to prediction on the basis of historical activity -- the reason being that both salary increases and investment return are impacted by inflation. Inflation defies reliable prediction. Fiscal assumptions are generally selected on the basis of what would be expected to occur in an inflation-free environment and then both are increased by some provision for long-term inflation.

This is a case where two wrongs may make a right. If inflation is higher than expected it will probably result in actual rates of salary increase and investment return which exceed the assumed rates. Salaries increasing faster than expected result in unexpected costs. Investment return exceeding the assumed rate result in unanticipated assets. To a large degree the additional assets will offset the additional cost over the long-term.

Once items A, B, C and D are available, the actuarial valuation process begins. The first step is to determine the plan's **total actuarial present value** for individuals in each of the 3 covered person categories.

*Retired members* now receiving monthly payments;
*Vested terminated members* not yet at retirement age;
*Active members*.

The actuarial present value is the value today, after taking into account the probabilities of payment and the effect of time, of System promises to pay benefits in the future on the basis of both service already completed and projected future service.
ACTUARIAL COST METHOD

The total actuarial present value is allocated between projected future service and completed service by the actuarial cost method (Item E) -- the individual entry-age method is being utilized for this valuation. The portion of the total actuarial present value allocated to projected future service is the actuarial present value of future normal cost -- normal cost being the series of annual costs, from entry-age to retirement age, which will accumulate to the actuarial present value of the individual's benefit at the time of retirement or death. The remainder of the total actuarial present value is the actuarial accrued liability.

At this stage determination has been made of:

1. The total actuarial present value;
2. The actuarial present value of future normal cost; and
3. The actuarial accrued liability.

In the typical plan, the actuarial accrued liability may not be covered by the plan's accrued assets -- leaving an unfunded actuarial accrued liability. If the plan's accrued assets equal or exceed the actuarial accrued liability, the plan's accrued obligations are said to be "fully funded."

The next step in the valuation process is a determination of the contribution rate (Item G) required to support System benefits in accordance with the funding objective (page A-1).

The contribution rate is determined in two basic components:

1. The normal cost component; and
2. The component which will finance (pay off) the unfunded actuarial accrued liability over the periods indicated on page A-2.

The unfunded actuarial accrued liability (UAAL) was determined using the funding value of assets and actuarial accrued liability calculated as of the valuation date. The UAAL amortization payment (one component of the contribution requirement), is the level percent of pay required to fully amortize the UAAL over a 30 year period beginning on the date contributions determined by this report are scheduled to begin. This UAAL payment reflects any payments expected to be made between the valuation date and the date contributions determined by this report are scheduled to begin.
ACTUARIAL ASSUMPTIONS USED FOR THE VALUATION

Funding objective contribution requirements and actuarial present values are calculated by applying estimates of future System activities (actuarial assumptions) to the benefit provisions and people information of the fund, using the actuarial cost method described on page C-5.

The principal areas of activity which require estimates are:

(i) rates of inflation impacting assets of the System and active member pays
(ii) long-term rates of investment return to be generated by the assets of the System
(iii) rates of salary increases to members
(iv) rates of mortality among members, retirants and beneficiaries
(v) rates of withdrawal of active members
(vi) rates of retirement due to age and service
(vii) rates of disability among members

In making a valuation, the monetary effect of each activity is calculated for as long as a present covered person survives - - - a period of time which can be as long as a century.

____________________________________________________________________________________

Actual activities of the Retirement System will not coincide exactly with estimated activities due to the nature of the activities. Each valuation provides a complete recalculation of estimated future activities and takes into account the effect of differences between estimated and actual activities to date. The result is a continual series of adjustments (usually small) to the computed contribution rate. From time-to-time one or more of the estimates are modified to reflect experience trends (but not random or temporary year-to-year fluctuations).
The investment return rate used for valuation calculations was 8.0% net of expenses, compounded annually. This rate is not the assumed real rate of return (return in excess of inflation) on Retirement System assets. The assumed real rate of return is approximately 3.75% a year.

This assumption is used to equate the value of payments due at different points in time and was first used for the June 30, 1998 valuation. Approximate investment returns, for the purpose of comparisons with assumed returns, have been as follows:

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Nominal rate</td>
<td>1.3%</td>
<td>0.8%</td>
<td>0.1%</td>
<td>5.6%</td>
<td>9.0%</td>
</tr>
<tr>
<td>Inflation rate</td>
<td>3.6%</td>
<td>1.1%</td>
<td>(1.4)</td>
<td>5.0%</td>
<td>2.7%</td>
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<tr>
<td>Real rate</td>
<td>(2.3)%</td>
<td>(0.3)%</td>
<td>1.5%</td>
<td>0.6%</td>
<td>6.3%</td>
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</table>

These rates of return should not be used for measurement of an investment advisor's performance or for comparisons with other systems - to do so will mislead.

Salary increase rates used to project current pays to those upon which a benefit will be based are represented by the following table and were first used for the June 30, 2007 valuation.

<table>
<thead>
<tr>
<th>Sample Ages</th>
<th>Base Economic</th>
<th>Merit and Longevity</th>
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<tr>
<td>20</td>
<td>4.25%</td>
<td>4.00%</td>
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<td>25</td>
<td>4.25</td>
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<td>2.90</td>
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<td>35</td>
<td>4.25</td>
<td>2.30</td>
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</tr>
<tr>
<td>60</td>
<td>4.25</td>
<td>0.00</td>
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</table>
The salary increase assumptions will produce 4.25% annual increases in active member payroll (the base rate) given a constant active member group size. This is the same payroll growth assumption used to amortize unfunded actuarial accrued liability.

Changes actually experienced in average pay and total payroll have been as follows:

<table>
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<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
<th>2008</th>
<th>2007</th>
<th>Average</th>
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<tr>
<td>Average pay</td>
<td>(3.1)%</td>
<td>(1.8)%</td>
<td>3.3%</td>
<td>2.2%</td>
<td>3.6%</td>
<td>0.8%</td>
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<tr>
<td>Total payroll</td>
<td>(8.9)%</td>
<td>(11.9)%</td>
<td>(1.1)%</td>
<td>1.7%</td>
<td>0.3%</td>
<td>(4.0)%</td>
</tr>
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</table>

The mortality table used was the UP-94 Mortality Table set back 2 years for males. This table was first used for the June 30, 2007 valuation. Sample values follow:

<table>
<thead>
<tr>
<th>Sample Ages</th>
<th>Value of $1 Monthly for Life</th>
<th>Future Life Expectancy (Years)</th>
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<tbody>
<tr>
<td></td>
<td>Men</td>
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<td>55</td>
<td>$129.28</td>
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<td>60</td>
<td>120.38</td>
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<td>115.67</td>
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<td>84.75</td>
<td>90.84</td>
</tr>
<tr>
<td>80</td>
<td>70.60</td>
<td>75.87</td>
</tr>
</tbody>
</table>

This assumption is used to measure the probabilities of members dying before retirement and the probabilities of each benefit payment being made after retirement.

This mortality assumption contains no provision for future mortality improvement.

Post-Disabled mortality is set forward 10 years.
The rates of retirement used to measure the probability of eligible members retiring during the next year were as follows:

<table>
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<th>Retirement Ages</th>
<th>Percent Retiring</th>
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<tr>
<td>50</td>
<td>15 %</td>
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<tr>
<td>51</td>
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<td>70</td>
<td>100</td>
</tr>
</tbody>
</table>

Members are eligible for retirement with 30 or more years of service, or age 55 with 25 years of service, or after attaining age 60 with 10 or more years of service.

In conjunction with the DROP, the retirement rates in the first three years of retirement eligibility are 50% of the rates shown above, retirement rates in the following three years are 150% of the rates shown above. For valuation purposes, retirement rates are assumed to apply until a member leaves the active workforce.
Rates of separation from active membership are represented by the following table (rates do not apply to members eligible to retire and do not include separation on account of death or disability): This assumption measures the probabilities of members remaining in employment.

<table>
<thead>
<tr>
<th>Basis</th>
<th>% of Active Members Separating within Next Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Based</td>
<td></td>
</tr>
<tr>
<td>Years of service:</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>20.00 %</td>
</tr>
<tr>
<td>1</td>
<td>15.00</td>
</tr>
<tr>
<td>2</td>
<td>12.00</td>
</tr>
<tr>
<td>3</td>
<td>10.00</td>
</tr>
<tr>
<td>4</td>
<td>7.00</td>
</tr>
<tr>
<td>Age Based</td>
<td></td>
</tr>
<tr>
<td>Sample Ages:</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>6.30</td>
</tr>
<tr>
<td>30</td>
<td>5.77</td>
</tr>
<tr>
<td>35</td>
<td>4.62</td>
</tr>
<tr>
<td>40</td>
<td>1.94</td>
</tr>
<tr>
<td>45</td>
<td>1.31</td>
</tr>
<tr>
<td>50</td>
<td>1.31</td>
</tr>
<tr>
<td>55</td>
<td>1.31</td>
</tr>
<tr>
<td>60</td>
<td>1.31</td>
</tr>
</tbody>
</table>
MISCELLANEOUS AND TECHNICAL ASSUMPTIONS

Marriage Assumption: 90% for purposes of death-in-service benefits and 80% for deaths after retirement.

Pay Increase Timing: Beginning of (Fiscal) year. This is equivalent to assuming that reported pays represent amounts paid to members during the year ended on the valuation date.

Decrement Timing: Decrement rates are used directly from the experience study, without adjustment for multiple decrement table effects.

Eligibility Testing: Eligibility for benefits is determined based upon the age nearest birthday and service nearest whole year on the date the decrement is assumed to occur.

Benefit Service: Exact fractional service is used to determine the amount of benefit payable.

Decrement Relativity: Decrement rates are used directly from the experience study, without adjustment for multiple decrement table effects.

Decrement Operation: Disability and mortality decrements do not operate during the first 5 years of service. Disability and turnover do not operate during retirement eligibility.

Normal Form of Benefit: The normal form of benefit is the straight life form.

Option Factors: Option factors are based upon 6% interest and the GA71 Table set back 5 years for females, with a 90% unisex blend.

Other Liability Adjustments: An adjustment of (3%) is assumed for optional forms of payment elected at retirement and (5%) for death-in-service benefits.
GLOSSARY

ACCRUED SERVICE: Service credited under the System which was rendered before the date of the actuarial valuation.

ACTUARIAL ACCRUED LIABILITY: The difference between the actuarial present value of future benefit payments and the actuarial present value of future normal costs. Also referred to as "accrued liability" or "past service liability."

ACTUARIAL ASSUMPTIONS: Estimates of expected future experience with respect to rates of mortality, disability, turnover, retirement, rate or rates of investment income and salary increases. Decrement assumptions (rates of mortality, disability, turnover and retirement) are generally based on past experience, often modified for projected changes in conditions. Economic assumptions (salary increases and investment income) consist of the underlying rate in an inflation-free environment plus a provision for a long-term average rate of inflation.

ACTUARIAL COST METHOD: A mathematical budgeting procedure for allocating the dollar amount of the "actuarial present value of future benefit payments" between future normal costs and actuarial accrued liabilities. Sometimes referred to as the "actuarial cost method."

ACTUARIAL EQUIVALENT: A single amount or series of amounts of equal actuarial present value to another single amount or series of amounts, computed on the basis of appropriate actuarial assumptions.

ACTUARIAL PRESENT VALUE: The amount of funds currently required to provide a payment or series of payments in the future. It is determined by discounting future payments at predetermined rates of interest, and by probabilities of payment. Also referred to as "present value."
**AMORTIZATION:** Paying off an interest-discounted amount with periodic payments of interest and principal -- as opposed to paying it off with a lump sum payment.

**EXPERIENCE GAIN (LOSS):** The difference between actual costs and assumed actuarial costs -- during the period between two valuation dates.

**FUNDING VALUE (OF ASSETS):** The value of assets used in the actuarial valuation. Typically cost value with an adjustment toward market.

**NORMAL COST:** The actuarial cost allocated to the current year by the actuarial cost method. Sometimes referred to as "current service cost."

**UNFUNDED ACTUARIAL ACCRUED LIABILITY:** The difference between the actuarial accrued liabilities and the actuarial value of system assets. Sometimes referred to as "unfunded past service liability," "unfunded accrued liability" or "unfunded supplemental present value."
This information is presented in draft form for review by the System’s auditor. Please let us know if there are any items that the auditor changes so that we may maintain consistency with the System’s financial statements.
GASB STATEMENT NO. 25
REQUIRED SUPPLEMENTARY INFORMATION

The information presented in the required supplementary schedules was determined as part of the actuarial valuations at the dates indicated. Additional information as of the latest actuarial valuation follows:

<table>
<thead>
<tr>
<th>Valuation date</th>
<th>June 30, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actuarial Cost Method</td>
<td>Entry-Age</td>
</tr>
<tr>
<td>Amortization Method</td>
<td>Level percent</td>
</tr>
<tr>
<td>DROP amortization period</td>
<td>11 years closed</td>
</tr>
<tr>
<td>Remaining UAAL amortization period</td>
<td>30 years open</td>
</tr>
<tr>
<td>Asset valuation method</td>
<td>4 year smoothed market</td>
</tr>
</tbody>
</table>

Actuarial assumption:
- Investment rate of return: 8.00%
- Projected salary increases: 4.25% - 8.25%
- Includes inflation at: 4.25%*
- Cost-of-living adjustments: none

Membership of the plan consisted of the following at June 30, 2011, the date of the latest actuarial valuation:

<table>
<thead>
<tr>
<th>Category</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirees and Beneficiaries receiving benefits</td>
<td>170</td>
</tr>
<tr>
<td>Terminated plan members entitled to but not yet receiving benefits</td>
<td>24</td>
</tr>
<tr>
<td>Active plan members</td>
<td>171</td>
</tr>
<tr>
<td>Total</td>
<td>365</td>
</tr>
</tbody>
</table>
## GASB STATEMENT NO. 25

**REQUIRED SUPPLEMENTARY INFORMATION**

### Schedule of Funding Progress

<table>
<thead>
<tr>
<th>Actuarial Valuation Date</th>
<th>Actuarial Value of Assets</th>
<th>Actuarial Accrued Liability (AAL)</th>
<th>Unfunded AAL (UAAL)</th>
<th>Funded Ratio</th>
<th>Covered Payroll</th>
<th>UAAL as a % of Covered Payroll</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>$35,151,095</td>
<td>$29,371,921</td>
<td>$(5,779,174)</td>
<td>119.7%</td>
<td>$9,256,930</td>
<td>(62.4)%</td>
</tr>
<tr>
<td>2003</td>
<td>33,229,256</td>
<td>29,901,897</td>
<td>(3,327,359)</td>
<td>111.1%</td>
<td>9,691,157</td>
<td>(34.3)%</td>
</tr>
<tr>
<td>2004</td>
<td>32,918,856</td>
<td>31,416,866</td>
<td>(1,501,990)</td>
<td>104.8%</td>
<td>9,599,830</td>
<td>(15.6)%</td>
</tr>
<tr>
<td>2005</td>
<td>32,394,793</td>
<td>33,015,690</td>
<td>620,897</td>
<td>98.1%</td>
<td>9,599,573</td>
<td>6.5%</td>
</tr>
<tr>
<td>2006</td>
<td>31,867,085</td>
<td>35,019,132</td>
<td>3,152,047</td>
<td>91.0%</td>
<td>10,090,797</td>
<td>31.2%</td>
</tr>
<tr>
<td>2007</td>
<td>34,235,883</td>
<td>38,091,410</td>
<td>3,855,527</td>
<td>89.9%</td>
<td>10,119,228</td>
<td>38.1%</td>
</tr>
<tr>
<td>2008</td>
<td>35,618,029</td>
<td>40,906,566</td>
<td>5,288,537</td>
<td>87.1%</td>
<td>10,295,133</td>
<td>51.4%</td>
</tr>
<tr>
<td>2009</td>
<td>34,970,792</td>
<td>42,854,575</td>
<td>7,883,783</td>
<td>81.6%</td>
<td>10,183,663</td>
<td>77.4%</td>
</tr>
<tr>
<td>2010</td>
<td>34,124,162</td>
<td>43,283,357</td>
<td>9,159,195</td>
<td>78.8%</td>
<td>8,968,814</td>
<td>102.1%</td>
</tr>
<tr>
<td>2011</td>
<td>32,985,594</td>
<td>43,916,224</td>
<td>10,930,630</td>
<td>75.1%</td>
<td>8,169,376</td>
<td>133.8%</td>
</tr>
</tbody>
</table>

### Schedule of Employer Contributions

<table>
<thead>
<tr>
<th>Fiscal Year Ended June 30</th>
<th>Contribution Rates as Percents of Valuation Payroll</th>
<th>Computed Dollar Contribution Based on Projected Payroll</th>
<th>Actual Annual Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>3.93%</td>
<td>$391,420</td>
<td>$383,883</td>
</tr>
<tr>
<td>2005</td>
<td>3.93%</td>
<td>413,924</td>
<td>388,706</td>
</tr>
<tr>
<td>2006</td>
<td>5.60%</td>
<td>584,257</td>
<td>572,520</td>
</tr>
<tr>
<td>2007</td>
<td>6.92%</td>
<td>721,955</td>
<td>722,422</td>
</tr>
<tr>
<td>2008</td>
<td>7.59%</td>
<td>832,376</td>
<td>803,042</td>
</tr>
<tr>
<td>2009!</td>
<td>7.65%</td>
<td>841,320</td>
<td>793,649</td>
</tr>
<tr>
<td>2010</td>
<td>7.72%</td>
<td>863,777</td>
<td>750,439</td>
</tr>
<tr>
<td>2011</td>
<td>8.54%</td>
<td>945,179</td>
<td>786,824</td>
</tr>
<tr>
<td>2012</td>
<td>9.21%</td>
<td>861,134</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>9.92%</td>
<td>880,750</td>
<td></td>
</tr>
</tbody>
</table>

*Revised after the June 30, 2007 valuation to reflect the adoption of the DROP.*
February 21, 2012

Ms. Sandy Sykes  
City of Jackson Employees  
Retirement System  
161 West Michigan Avenue  
Jackson, Michigan 49201-1324

Dear Ms. Sykes:

Enclosed are 12 copies of the Sixty-Sixth Annual Actuarial Valuation report of the City of Jackson Employees Retirement System.

Sincerely,

David T. Kausch

DK:sc  
Enclosures

cc: The Rehman Group (+1 report copy)  
     Attn: Mr. Mark Ketner
CITY OF JACKSON POLICEMEN'S AND FIREMEN'S PENSION FUND
54TH ACTUARIAL VALUATION REPORT
AS OF JUNE 30, 2011
# OUTLINE OF CONTENTS

## REPORT OF JUNE 30, 2011 ACTUARIAL VALUATION

<table>
<thead>
<tr>
<th>Pages</th>
<th>Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>- -</td>
<td>Cover Letter</td>
</tr>
<tr>
<td>1</td>
<td><strong>Executive Summary</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Valuation Results, Comments and Recommendation</strong></td>
</tr>
<tr>
<td>A-1</td>
<td>Contributions</td>
</tr>
<tr>
<td>A-2</td>
<td>Comparative Schedule ($ Amounts in Thousands)</td>
</tr>
<tr>
<td>A-3</td>
<td>Development of Funding Value of Assets</td>
</tr>
<tr>
<td>A-4</td>
<td>City’s Computed Contributions – Comparative Schedule</td>
</tr>
<tr>
<td>A-5</td>
<td>Cash Flow Projection A</td>
</tr>
<tr>
<td>A-6</td>
<td>Cash Flow Projection B</td>
</tr>
<tr>
<td>A-7</td>
<td>Development of Gain/Loss</td>
</tr>
<tr>
<td>A-8</td>
<td>Comments and Recommendation</td>
</tr>
</tbody>
</table>

## Summary of Benefit Provisions and Valuation Data

<table>
<thead>
<tr>
<th>B-1/2</th>
<th>Summary of Benefit Provisions Evaluated or Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-3</td>
<td>Summary of Asset Information</td>
</tr>
<tr>
<td>B-4/7</td>
<td>Retirant and Beneficiaries Data</td>
</tr>
<tr>
<td>B-8</td>
<td>Active Member Data</td>
</tr>
</tbody>
</table>

## Actuarial Cost Methods, Actuarial Assumptions and Definitions of Technical Terms

<table>
<thead>
<tr>
<th>C-1</th>
<th>Actuarial Cost Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-2/4</td>
<td>Actuarial Assumptions</td>
</tr>
<tr>
<td>C-5/6</td>
<td>Definitions of Technical Terms</td>
</tr>
</tbody>
</table>

## Disclosures Required by Statement No. 25 of the Governmental Accounting Standards Board

| D-1/2 | Required Supplementary Information |
January 31, 2012

The Board of Trustees  
City of Jackson Policemen’s and Firemen's  
Pension Fund  
Jackson, Michigan

The results of the June 30, 2011 Annual Actuarial Valuation of the City of Jackson Policemen’s and Firemen’s Pension Fund are presented in this report.

This report was prepared at the request of the Board and is intended for use by the Retirement System and those designated or approved by the Board. This report may be provided to parties other than the Fund only in its entirety and only with the permission of the Board.

The purpose of the valuation is to measure the Fund’s funding progress, to determine the employer contribution rate for the fiscal year ending June 30, 2011, and to determine the actuarial information for Governmental Accounting Standards Board (GASB) Statement No. 25 and No. 27.

The actuaries submitting this statement are members of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

Please see the following page for additional disclosures required by the Actuarial Standards of Practice.

This report has been prepared by actuaries who have substantial experience valuing public employee retirement systems. To the best of our knowledge, the information contained in this report is accurate and fairly presents the actuarial position of the City of Jackson Policemen’s and Firemen’s Pension Fund as of the valuation date. All calculations have been made in conformity with generally accepted actuarial principles and practices, and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

Respectfully submitted,

David T. Kausch, FSA, EA, MAAA

Curt Powell, EA, MAAA

DTK/CP:bd
Additional Disclosures Required by Actuarial Standards of Practice

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period or additional cost or contribution requirements based on the plan’s funded status); and changes in plan provisions or applicable law. Due to the limited scope of the actuary’s assignment, the actuary did not perform an analysis of the potential range of such future measurements.

This report should not be relied on for any purpose other than the purpose described in the primary communication. Determinations of the financial results associated with the benefits described in this report in a manner other than the intended purpose may produce significantly different results.

The signing actuaries are independent of the plan sponsor.

The valuation was based upon information furnished by the City, concerning Retirement Fund benefits, financial transactions, plan provisions, retirees and beneficiaries. We checked for internal and year-to-year consistency, but did not otherwise audit the data. We are not responsible for the accuracy or completeness of the information provided by the City.
# Executive Summary
($ in Millions)

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>June 30, 2010</th>
<th>June 30, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal Year Ending</td>
<td>June 30, 2012</td>
<td>June 30, 2013</td>
</tr>
</tbody>
</table>

- **Recommended Employer Contributions:** $500,000 $599,431

### Membership:
- **Number of:**
  - Active Members: 0 0
  - Retirees and Beneficiaries: 33 31
  - Inactive, Non-retired Members: 0 0
  - Total: 33 31

- **Total Pensions Being Paid:** $1,063,465 $1,013,055

### Assets:
- **Market Value:** $3,654,481 $3,918,183
- **Actuarial Value:** 4,028,988 3,574,761
- **Return on Market Value:** 13.1% 24.4%
- **Return on Actuarial Value:** 2.5% 2.8%
- **Ratio - Actuarial Value to Market Value:** 110.2% 91.2%

### Actuarial Information:
- **Normal Cost %:** 0% 0%
- **Actuarial Accrued Liability (AAL):** 9,463,639 8,904,371
- **Unfunded Actuarial Accrued Liability (UAAL):** 5,434,651 5,329,610
- **Funded Ratio:** 42.6% 40.1%
- **Amortization Period:** 20.93 years 13 years

### Highlights/Changes
- Change in funding policy.
- No changes to benefit provisions.
- Loss on assets and gains on mortality and cost of living adjustments.

The executive summary gives an overview of the entire report. It cannot be used as a substitute for a thorough reading of the full report.
SECTION A
VALUATION RESULTS, COMMENTS AND RECOMMENDATION
CONTRIBUTIONS NEEDED TO FINANCE BENEFITS OF THE PENSION FUND
FOR THE FISCAL YEAR BEGINNING JULY 1, 2011

The recommended employer contribution for the fiscal year beginning July 1, 2012 is $599,431. This is an increase of $99,431 from the prior year’s contribution of $500,000.

The contribution is solely to pay for the unfunded actuarial accrued liability (UAAL). Currently the UAAL is $5,329,610. The unfunded actuarial accrued liability was financed over a period of 13 years. The future employer contributions were assumed to be the level dollar amount needed to amortize the unfunded actuarial accrued liability over the 13-year period. Contribution amounts were assumed to be paid midway through the fiscal year. Dollar amounts were adjusted for the time lag between June 30, 2011 and the assumed contribution date.

Comparative contribution amounts for prior fiscal years are shown on page A-4.
## COMPARATIVE SCHEDULE ($ AMOUNTS IN THOUSANDS)

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Actuarial Accrued Liability</th>
<th>Valuation Dollar Amount</th>
<th>Amortization Period (Yrs.)</th>
<th>Unfunded Actuarial Accrued Liability</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1985</td>
<td>$30,115</td>
<td>$5,903</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1986</td>
<td>30,259</td>
<td>6,985</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1987</td>
<td>30,051</td>
<td>8,303</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1988</td>
<td>30,212</td>
<td>8,703</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1989</td>
<td>28,943</td>
<td>8,727</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>18,170</td>
<td>8,510</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1991</td>
<td>19,990</td>
<td>8,607</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1992</td>
<td>19,764</td>
<td>8,905</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>19,620</td>
<td>8,511</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1994</td>
<td>17,163</td>
<td>7,969</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>16,712</td>
<td>7,445</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1996</td>
<td>16,167</td>
<td>7,655</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1997 @</td>
<td>16,176</td>
<td>7,891</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1998 (a)</td>
<td>13,879</td>
<td>8,997</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1999</td>
<td>13,537</td>
<td>9,845</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000 (a)</td>
<td>11,747</td>
<td>11,518</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2001</td>
<td>11,428</td>
<td>10,845</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>11,267</td>
<td>9,355</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>10,901</td>
<td>7,745</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2004</td>
<td>10,753</td>
<td>6,418</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>10,172</td>
<td>5,622</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2006 (a)</td>
<td>10,931</td>
<td>5,560</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2007</td>
<td>10,682</td>
<td>5,848</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2008 (a)</td>
<td>11,056</td>
<td>5,533</td>
<td></td>
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</tr>
<tr>
<td>2009 (a)</td>
<td>9,867</td>
<td>4,294</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2010 (a)</td>
<td>9,464</td>
<td>4,029</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>8,904</td>
<td>3,575</td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

@ After implementation of four-year smoothed funding value of assets.
(a) After changes in assumptions and/or methods.
### DEVELOPMENT OF FUNDING VALUE OF ASSETS

<table>
<thead>
<tr>
<th>Year Ended June 30</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Funding Value Beginning of Year</td>
<td>$4,294,430</td>
<td>$4,028,988</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Market Value End of Year</td>
<td>3,654,481</td>
<td>3,918,183</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Market Value Beginning of Year</td>
<td>3,578,692</td>
<td>3,654,481</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Non-Investment Net Cash Flow</td>
<td>(367,807)</td>
<td>(558,336)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Investment Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E1. Market Total: B - C - D</td>
<td>443,596</td>
<td>822,038</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E2. Amount for Immediate Recognition</td>
<td>287,737</td>
<td>262,487</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E3. Amount for Phased-In Recognition: E1-E2</td>
<td>155,859</td>
<td>559,551</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. Phased-In Recognition of Investment Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F1. Current Year: 0.25 x E3</td>
<td>38,965</td>
<td>139,888</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F2. First Prior Year</td>
<td>(154,170)</td>
<td>38,965</td>
<td>$139,888</td>
<td></td>
<td></td>
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<tr>
<td>F3. Second Prior Year</td>
<td>(183,061)</td>
<td>(154,170)</td>
<td>38,965</td>
<td>$139,888</td>
<td></td>
</tr>
<tr>
<td>F4. Third Prior Year</td>
<td>112,894</td>
<td>(183,061)</td>
<td>(154,170)</td>
<td>38,964</td>
<td>$139,887</td>
</tr>
<tr>
<td>F5. Total Recognized Investment Gain</td>
<td>(185,372)</td>
<td>(158,378)</td>
<td>24,683</td>
<td>178,852</td>
<td>139,887</td>
</tr>
<tr>
<td>G. Funding Value</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G1. Preliminary Funding Value End of Year: A + D + E2 + F5</td>
<td>4,028,988</td>
<td>3,574,761</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G2. Upper Corridor Limit: B x 1.2</td>
<td>4,385,377</td>
<td>4,701,820</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>G3. Lower Corridor Limit: B x 0.8</td>
<td>2,923,585</td>
<td>3,134,546</td>
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</tr>
<tr>
<td>G4. Final Funding Value</td>
<td>4,028,988</td>
<td>3,574,761</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H. Difference Between Market &amp; Funding Value</td>
<td>(374,507)</td>
<td>343,422</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>I. Recognized Rate of Return - Funding Value</td>
<td>2.5%</td>
<td>2.8%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. Recognized Rate of Return - Market Value</td>
<td>13.1%</td>
<td>24.4%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>K. Ratio of Funding Value to Market Value</td>
<td>110.2%</td>
<td>91.2%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Funding Value of Assets recognizes assumed investment income (line E2) fully each year. Differences between actual and assumed investment income (line E3) are phased-in over a closed 4-year period. During periods when investment performance exceeds the assumed rate, Funding Value of Assets will tend to be less than market value. During periods when investment performance is less than the assumed rate, Funding Value of Assets will be greater than market value. The Funding Value of Assets is unbiased with respect to Market Value. At any time it may be either greater or less than Market Value. If actual and assumed rates of retirement income are exactly equal for 3 consecutive years, the Funding Value will become equal to Market Value.

Funding Value of Assets is restricted to the range of 80% to 120% of Market Value.
## City’s Computed Contributions - Comparative Schedule

<table>
<thead>
<tr>
<th>Fiscal Year Ended</th>
<th>Valuation Date June 30</th>
<th>As Percents of Valuation Payroll</th>
<th>Dollar Contributions Computed</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>1977</td>
<td>1975</td>
<td>41.98 %</td>
<td>$1,075,151</td>
<td>$1,075,151</td>
</tr>
<tr>
<td>1978</td>
<td>1976</td>
<td>43.58</td>
<td>1,196,668</td>
<td>1,196,668</td>
</tr>
<tr>
<td>1979</td>
<td>1977</td>
<td>45.58</td>
<td>1,138,490</td>
<td>1,138,490</td>
</tr>
<tr>
<td>1980</td>
<td>1978</td>
<td>47.84</td>
<td>1,213,055</td>
<td>1,213,055</td>
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<tr>
<td>1981</td>
<td>1979</td>
<td>48.15</td>
<td>1,259,115</td>
<td>1,259,115</td>
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<tr>
<td>1982</td>
<td>1980</td>
<td>47.95</td>
<td>1,305,575</td>
<td>1,305,575</td>
</tr>
<tr>
<td>1983</td>
<td>1981</td>
<td>51.19</td>
<td>1,391,209</td>
<td>1,391,209</td>
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<tr>
<td>1984</td>
<td>1982</td>
<td>52.50</td>
<td>1,322,580</td>
<td>1,322,580</td>
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<tr>
<td>1985</td>
<td>1983</td>
<td>57.28</td>
<td>1,339,586</td>
<td>1,339,586</td>
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<tr>
<td>1986</td>
<td>1984</td>
<td>61.48</td>
<td>1,271,555</td>
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<tr>
<td>1987</td>
<td>1985</td>
<td>65.30</td>
<td>1,157,608</td>
<td>1,157,608</td>
</tr>
<tr>
<td>1988</td>
<td>1986</td>
<td>64.22</td>
<td>1,140,823</td>
<td>1,140,823</td>
</tr>
<tr>
<td>1989</td>
<td>1987</td>
<td>62.93</td>
<td>1,097,181</td>
<td>1,097,181</td>
</tr>
<tr>
<td>1990</td>
<td>1988</td>
<td>63.41</td>
<td>1,096,935</td>
<td>1,096,935</td>
</tr>
<tr>
<td>1991</td>
<td>1989</td>
<td>71.98</td>
<td>976,050</td>
<td>976,050</td>
</tr>
<tr>
<td>1992</td>
<td>1990</td>
<td>*</td>
<td>607,060 #</td>
<td>607,055</td>
</tr>
<tr>
<td>1993</td>
<td>1991</td>
<td>*</td>
<td>612,556</td>
<td>612,556</td>
</tr>
<tr>
<td>1995</td>
<td>1993</td>
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<td>647,574</td>
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<tr>
<td>1996</td>
<td>1994</td>
<td>*</td>
<td>536,571</td>
<td>536,571</td>
</tr>
<tr>
<td>1997</td>
<td>1995</td>
<td>*</td>
<td>558,348</td>
<td>558,348</td>
</tr>
<tr>
<td>1998</td>
<td>1996</td>
<td>*</td>
<td>534,469</td>
<td>534,469</td>
</tr>
<tr>
<td>1999</td>
<td>1997</td>
<td>*</td>
<td>542,989</td>
<td>542,989</td>
</tr>
<tr>
<td>2001</td>
<td>1999</td>
<td>*</td>
<td>293,241</td>
<td>293,241</td>
</tr>
<tr>
<td>2002</td>
<td>2000</td>
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<td>2003</td>
<td>2001</td>
<td>*</td>
<td>86,992</td>
<td>86,992</td>
</tr>
<tr>
<td>2004</td>
<td>2002</td>
<td>*</td>
<td>301,041</td>
<td>301,041</td>
</tr>
<tr>
<td>2005</td>
<td>2003</td>
<td>*</td>
<td>528,199</td>
<td>528,199</td>
</tr>
<tr>
<td>2006</td>
<td>2004</td>
<td>*</td>
<td>806,276</td>
<td>806,276</td>
</tr>
<tr>
<td>2007</td>
<td>2005</td>
<td>*</td>
<td>934,667</td>
<td>934,667</td>
</tr>
<tr>
<td>2008</td>
<td>2006</td>
<td>*</td>
<td>612,545</td>
<td>612,545</td>
</tr>
<tr>
<td>2009</td>
<td>2007</td>
<td>*</td>
<td>641,212</td>
<td>641,212</td>
</tr>
<tr>
<td>2010</td>
<td>2008</td>
<td>*</td>
<td>722,537 @</td>
<td>722,537</td>
</tr>
<tr>
<td>2011</td>
<td>2009</td>
<td>*</td>
<td>500,000 @</td>
<td>500,000</td>
</tr>
<tr>
<td>2012</td>
<td>2010</td>
<td>*</td>
<td>500,000 @</td>
<td>500,000</td>
</tr>
<tr>
<td>2013</td>
<td>2011</td>
<td>*</td>
<td>599,431</td>
<td></td>
</tr>
</tbody>
</table>

* Not applicable.
# Reflects transfers to Act 345 Retirement Fund through March 1, 1991.
@ After changes in assumptions and/or methods.
# Cash Flow Projection A

## 13-Year Closed Amortization Policy

### 7.0% Market Return

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Actuarial Accrued Liability</th>
<th>Beginning Valuation Assets</th>
<th>Unfunded Accrued Liability</th>
<th>June 30 Funded Ratio</th>
<th>Projected Contributions</th>
<th>Expected Benefit Payments</th>
<th>7% Assumed Investment Return</th>
<th>Asset Gain/(Loss) Recognized</th>
<th>Ending Valuation Assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30</td>
<td>$8,904,371</td>
<td>$3,574,761</td>
<td>$5,329,610</td>
<td>40.1%</td>
<td>$500,000</td>
<td>$(1,002,091)</td>
<td>$232,660</td>
<td>$24,683</td>
<td>$3,330,013</td>
</tr>
<tr>
<td>2011</td>
<td>8,491,106</td>
<td>3,330,013</td>
<td>5,161,093</td>
<td>39.2%</td>
<td>599,431</td>
<td>(979,795)</td>
<td>219,788</td>
<td>178,852</td>
<td>3,348,289</td>
</tr>
<tr>
<td>2012</td>
<td>8,071,975</td>
<td>3,348,289</td>
<td>4,723,686</td>
<td>41.5%</td>
<td>596,296</td>
<td>(955,144)</td>
<td>221,821</td>
<td>139,887</td>
<td>3,351,149</td>
</tr>
<tr>
<td>2013</td>
<td>7,649,005</td>
<td>3,351,149</td>
<td>4,297,856</td>
<td>43.8%</td>
<td>571,718</td>
<td>(928,496)</td>
<td>222,093</td>
<td>-</td>
<td>3,216,465</td>
</tr>
<tr>
<td>2014</td>
<td>7,223,443</td>
<td>3,216,465</td>
<td>4,006,978</td>
<td>44.5%</td>
<td>551,211</td>
<td>(900,116)</td>
<td>212,941</td>
<td>-</td>
<td>3,080,501</td>
</tr>
<tr>
<td>2015</td>
<td>6,797,464</td>
<td>3,080,501</td>
<td>3,716,963</td>
<td>45.3%</td>
<td>551,211</td>
<td>(870,162)</td>
<td>204,742</td>
<td>-</td>
<td>2,966,021</td>
</tr>
<tr>
<td>2016</td>
<td>6,372,668</td>
<td>2,966,021</td>
<td>3,406,647</td>
<td>46.5%</td>
<td>551,211</td>
<td>(838,719)</td>
<td>197,559</td>
<td>-</td>
<td>2,876,072</td>
</tr>
<tr>
<td>2017</td>
<td>5,950,680</td>
<td>2,876,072</td>
<td>3,074,608</td>
<td>48.3%</td>
<td>551,211</td>
<td>(805,825)</td>
<td>192,414</td>
<td>-</td>
<td>2,813,871</td>
</tr>
<tr>
<td>2018</td>
<td>5,533,198</td>
<td>2,813,871</td>
<td>2,719,327</td>
<td>50.9%</td>
<td>551,211</td>
<td>(771,501)</td>
<td>189,261</td>
<td>-</td>
<td>2,782,842</td>
</tr>
<tr>
<td>2019</td>
<td>5,122,019</td>
<td>2,782,842</td>
<td>2,339,177</td>
<td>54.3%</td>
<td>551,211</td>
<td>(735,779)</td>
<td>188,339</td>
<td>-</td>
<td>2,766,614</td>
</tr>
<tr>
<td>2020</td>
<td>4,719,030</td>
<td>2,786,614</td>
<td>1,932,416</td>
<td>59.1%</td>
<td>551,211</td>
<td>(698,728)</td>
<td>189,000</td>
<td>-</td>
<td>2,828,997</td>
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<tr>
<td>2021</td>
<td>4,326,178</td>
<td>2,828,997</td>
<td>1,497,181</td>
<td>65.4%</td>
<td>551,211</td>
<td>(660,446)</td>
<td>194,207</td>
<td>-</td>
<td>2,913,969</td>
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<tr>
<td>2022</td>
<td>3,945,450</td>
<td>2,913,969</td>
<td>1,031,481</td>
<td>73.9%</td>
<td>551,211</td>
<td>(621,069)</td>
<td>201,533</td>
<td>-</td>
<td>3,045,644</td>
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<tr>
<td>2023</td>
<td>3,578,825</td>
<td>3,045,644</td>
<td>533,181</td>
<td>85.1%</td>
<td>551,211</td>
<td>(580,799)</td>
<td>212,160</td>
<td>-</td>
<td>3,220,216</td>
</tr>
<tr>
<td>2024</td>
<td>3,228,216</td>
<td>3,228,216</td>
<td>-</td>
<td>100.0%</td>
<td>-</td>
<td>(539,900)</td>
<td>207,079</td>
<td>-</td>
<td>2,895,394</td>
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<tr>
<td>2025</td>
<td>2,895,394</td>
<td>2,895,394</td>
<td>-</td>
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<td>-</td>
<td>(498,700)</td>
<td>185,223</td>
<td>-</td>
<td>2,581,917</td>
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<tr>
<td>2026</td>
<td>2,581,917</td>
<td>2,581,917</td>
<td>-</td>
<td>100.0%</td>
<td>-</td>
<td>(457,575)</td>
<td>164,719</td>
<td>-</td>
<td>2,289,062</td>
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<tr>
<td>2027</td>
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<td>2,289,062</td>
<td>-</td>
<td>100.0%</td>
<td>-</td>
<td>(416,909)</td>
<td>145,643</td>
<td>-</td>
<td>2,017,795</td>
</tr>
<tr>
<td>2028</td>
<td>2,017,795</td>
<td>2,017,795</td>
<td>-</td>
<td>100.0%</td>
<td>-</td>
<td>(377,066)</td>
<td>128,048</td>
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<td>1,768,778</td>
</tr>
<tr>
<td>2029</td>
<td>1,768,778</td>
<td>1,768,778</td>
<td>-</td>
<td>100.0%</td>
<td>-</td>
<td>(338,402)</td>
<td>111,970</td>
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<td>1,542,346</td>
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<tr>
<td>2030</td>
<td>1,542,346</td>
<td>1,542,346</td>
<td>-</td>
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<td>-</td>
<td>(301,268)</td>
<td>97,420</td>
<td>-</td>
<td>1,338,498</td>
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City of Jackson Policemen’s and Firemen’s Pension Fund
### CASH FLOW PROJECTION B

#### 13-YEAR CLOSED AMORTIZATION POLICY

**5.0% MARKET RETURN**

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Actuarial Accrued Liability</th>
<th>Beginning Valuation Assets</th>
<th>Unfunded Accrued Liability</th>
<th>June 30 Funded Ratio</th>
<th>June 30 Projected Contributions</th>
<th>June 30 Expected Benefit Payments</th>
<th>5% Assumed Investment Return</th>
<th>Asset Gain/(Loss) Recognized</th>
<th>Ending Valuation Assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>$8,904,371</td>
<td>$3,574,761</td>
<td>$5,329,610</td>
<td>40.1%</td>
<td>$500,000</td>
<td>$(1,002,091)</td>
<td>$166,186</td>
<td>$(11,388)</td>
<td>$3,250,244</td>
</tr>
<tr>
<td>2012</td>
<td>$8,491,106</td>
<td>$3,250,244</td>
<td>$5,240,862</td>
<td>38.3%</td>
<td>$599,431</td>
<td>$(979,795)</td>
<td>$153,003</td>
<td>$153,317</td>
<td>$3,176,200</td>
</tr>
<tr>
<td>2013</td>
<td>$8,071,975</td>
<td>$3,176,200</td>
<td>$4,895,775</td>
<td>39.3%</td>
<td>$606,679</td>
<td>$(955,144)</td>
<td>$150,098</td>
<td>$102,344</td>
<td>$3,080,178</td>
</tr>
<tr>
<td>2014</td>
<td>$7,649,005</td>
<td>$3,080,178</td>
<td>$4,568,828</td>
<td>40.3%</td>
<td>$594,059</td>
<td>$(928,496)</td>
<td>$145,648</td>
<td>$(49,195)</td>
<td>$2,842,194</td>
</tr>
<tr>
<td>2015</td>
<td>$7,223,443</td>
<td>$2,842,194</td>
<td>$4,381,249</td>
<td>39.3%</td>
<td>$587,915</td>
<td>$(900,116)</td>
<td>$134,305</td>
<td>$(59,939)</td>
<td>$2,604,359</td>
</tr>
<tr>
<td>2016</td>
<td>$6,797,464</td>
<td>$2,604,359</td>
<td>$4,193,105</td>
<td>38.3%</td>
<td>$604,966</td>
<td>$(870,162)</td>
<td>$123,588</td>
<td>$(56,531)</td>
<td>$2,406,219</td>
</tr>
<tr>
<td>2017</td>
<td>$6,372,668</td>
<td>$2,406,219</td>
<td>$3,966,450</td>
<td>37.8%</td>
<td>$624,644</td>
<td>$(838,719)</td>
<td>$114,959</td>
<td>$(53,488)</td>
<td>$2,253,615</td>
</tr>
<tr>
<td>2018</td>
<td>$5,950,680</td>
<td>$2,253,615</td>
<td>$3,697,066</td>
<td>37.9%</td>
<td>$644,971</td>
<td>$(805,825)</td>
<td>$108,659</td>
<td>$(50,173)</td>
<td>$2,151,248</td>
</tr>
<tr>
<td>2019</td>
<td>$5,533,198</td>
<td>$2,151,248</td>
<td>$3,381,952</td>
<td>38.9%</td>
<td>$666,546</td>
<td>$(771,501)</td>
<td>$104,939</td>
<td>$(46,916)</td>
<td>$2,104,316</td>
</tr>
<tr>
<td>2020</td>
<td>$5,122,019</td>
<td>$2,104,316</td>
<td>$3,017,705</td>
<td>41.1%</td>
<td>$690,155</td>
<td>$(735,779)</td>
<td>$104,075</td>
<td>$(44,498)</td>
<td>$2,118,269</td>
</tr>
<tr>
<td>2021</td>
<td>$4,719,030</td>
<td>$2,118,269</td>
<td>$2,600,762</td>
<td>44.9%</td>
<td>$717,286</td>
<td>$(698,728)</td>
<td>$106,377</td>
<td>$(43,121)</td>
<td>$2,200,084</td>
</tr>
<tr>
<td>2022</td>
<td>$4,326,178</td>
<td>$2,200,084</td>
<td>$2,126,096</td>
<td>50.9%</td>
<td>$751,215</td>
<td>$(660,446)</td>
<td>$112,273</td>
<td>$(42,906)</td>
<td>$2,360,221</td>
</tr>
<tr>
<td>2023</td>
<td>$3,945,450</td>
<td>$2,360,221</td>
<td>$1,585,231</td>
<td>59.8%</td>
<td>$800,201</td>
<td>$(621,069)</td>
<td>$122,489</td>
<td>$(44,012)</td>
<td>$2,617,831</td>
</tr>
<tr>
<td>2024</td>
<td>$3,578,825</td>
<td>$2,617,831</td>
<td>$960,997</td>
<td>73.1%</td>
<td>$897,341</td>
<td>$(580,799)</td>
<td>$138,805</td>
<td>$(46,722)</td>
<td>$3,026,456</td>
</tr>
<tr>
<td>2025</td>
<td>$3,228,216</td>
<td>$3,026,456</td>
<td>$201,762</td>
<td>93.8%</td>
<td>$102,884</td>
<td>$(539,900)</td>
<td>$140,397</td>
<td>$(49,627)</td>
<td>$2,680,210</td>
</tr>
<tr>
<td>2026</td>
<td>$2,895,945</td>
<td>$2,680,210</td>
<td>$215,187</td>
<td>92.6%</td>
<td>$113,100</td>
<td>$(498,700)</td>
<td>$124,371</td>
<td>$(51,067)</td>
<td>$2,367,914</td>
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<tr>
<td>2027</td>
<td>$2,581,917</td>
<td>$2,367,914</td>
<td>$214,006</td>
<td>91.7%</td>
<td>$117,019</td>
<td>$(457,575)</td>
<td>$109,882</td>
<td>$(50,876)</td>
<td>$2,086,365</td>
</tr>
<tr>
<td>2028</td>
<td>$2,289,062</td>
<td>$2,086,365</td>
<td>$202,700</td>
<td>91.1%</td>
<td>$111,520</td>
<td>$(416,909)</td>
<td>$96,684</td>
<td>$(48,811)</td>
<td>$1,828,848</td>
</tr>
<tr>
<td>2029</td>
<td>$2,017,795</td>
<td>$1,828,848</td>
<td>$188,951</td>
<td>90.6%</td>
<td>$104,897</td>
<td>$(377,066)</td>
<td>$84,638</td>
<td>$(44,478)</td>
<td>$1,596,840</td>
</tr>
<tr>
<td>2030</td>
<td>$1,768,778</td>
<td>$1,596,840</td>
<td>$171,941</td>
<td>90.3%</td>
<td>$96,774</td>
<td>$(338,402)</td>
<td>$73,801</td>
<td>$(39,150)</td>
<td>$1,389,863</td>
</tr>
<tr>
<td>2031</td>
<td>$1,542,346</td>
<td>$1,389,863</td>
<td>$152,487</td>
<td>90.1%</td>
<td>$86,651</td>
<td>$(301,268)</td>
<td>$64,128</td>
<td>$(34,331)</td>
<td>$1,205,043</td>
</tr>
</tbody>
</table>

Each year in this scenario there is an asset loss of 2% of assets. Contributions through the 2024 valuation are projected to increase each year as these losses accumulate. After the 2024 valuation, the amortization period is a one-year amortization period each year which results in a projected contribution roughly equal to the prior year’s asset loss adjusted for the passage of time between the valuation date and the fiscal year.
# DEVELOPMENT OF GAIN/LOSS

<table>
<thead>
<tr>
<th>DERIVATION</th>
<th>A. Actuarial Accrued Liability</th>
<th>B. Actuarial Value of Assets</th>
<th>C. Unfunded Accrued Liability (A. - B.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Value at start of year</td>
<td>$9,463,639</td>
<td>$4,028,988</td>
<td>$5,434,651</td>
</tr>
<tr>
<td>(2) Normal cost from last valuation</td>
<td>-</td>
<td>N/A</td>
<td>-</td>
</tr>
<tr>
<td>(3) Actual contributions</td>
<td>N/A</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>(4) Disbursements</td>
<td>(1,058,336)</td>
<td>(1,058,336)</td>
<td>-</td>
</tr>
<tr>
<td>(5) Interest accrual</td>
<td>625,413</td>
<td>262,487</td>
<td>362,926</td>
</tr>
<tr>
<td>(6) Expected value before changes</td>
<td>$9,030,716</td>
<td>$3,733,139</td>
<td>$5,297,577</td>
</tr>
<tr>
<td>(7) Increase due to plan amendment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(8) Increase due to revised assumptions</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(9) Expected value after changes</td>
<td>$9,030,716</td>
<td>$3,733,139</td>
<td>$5,297,577</td>
</tr>
<tr>
<td>(10) Actual value at end of year</td>
<td>8,904,371</td>
<td>3,574,761</td>
<td>5,329,610</td>
</tr>
<tr>
<td>(11) Gain (loss)</td>
<td>$126,346</td>
<td>($158,378) *</td>
<td>($32,032)</td>
</tr>
</tbody>
</table>

*Note: (10) - (9) [(9) - (10) for assets]
COMMENTS AND RECOMMENDATION

Plan Experience: Net actual experience for the Pension Fund was unfavorable during the year ending June 30, 2011. Asset losses of $158,378 were offset somewhat by gains of $126,346 attributable to higher than expected mortality experience.

Assumptions and Methods: Subsequent to the June 30, 2010 valuation, the Board adopted a change to the amortization of the unfunded actuarial accrued liability to include fixed employer contributions of $500,000 for the fiscal years ending June 30, 2011 and June 30, 2012 followed by a change in the amortization period to a closed 13-year period effective with the employer contribution for the fiscal year ending June 30, 2013 as determined by this valuation.

Looking Ahead: The current level of benefit payments, $1,013,055, is large relative to the market value of assets of $3,918,183 as of June 30, 2011. The amount of benefit payments, the value of funds in the trust, and the trust investment vehicles all should be monitored closely to avoid any short-term cash flow problems. Pages A-5 and A-6 show projections under the current and proposed assumption policies.

Due to the low funded status and short horizon, the amortization period was closed which will accelerate the replenishment of the fund.

It is important to understand that these projections are not forecasts. Projection A assumes that the system earns 7.0% on the market value of assets. If market returns are not sufficient to yield 7.0% on the valuation assets, contributions will increase in the next few years. Projection B was included to show the potential impact on contributions if the fund earns 5.0% on the market value of assets.

Recommendation: We recommend that the Board continue to monitor liquidity needs and asset allocation with the investment consultant. Roughly 75% of the liability is attributable to expected benefit payments in the next 10 years. In the current market, achieving 7% per year during the next 10 years may prove very challenging. It may be necessary to lower the assumed rate of return if the current low interest rate environment persists.

We recommend that the Board review the mortality assumption. The current mortality assumption does not contain a provision for future mortality improvement. While the current assumption is reasonable, a more conservative assumption with a provision for future mortality improvement could increase the contribution requirement which would in turn increase the benefit security of the members.
SECTION B
SUMMARY OF BENEFIT PROVISIONS AND VALUATION DATA SUBMITTED BY PENSION FUND
SUMMARY OF BENEFIT PROVISIONS EVALUATED AND/OR CONSIDERED
(JUNE 30, 2011)

REGULAR RETIREMENT (NO REDUCTION FACTOR FOR AGE)

Eligibility - Age 55 with 25 years of credited service, or age 65 regardless of credited service.

Mandatory Retirement Age - Age 65.

Annual Amount - 2% of final average salary (FAS) for each year of credited service, to a maximum of 60% of FAS.

Type of Final Average Salary - Average of annual salary for the five highest consecutive years of service within last 10 years preceding retirement.

DUTY DISABILITY RETIREMENT

Eligibility - Total and permanent disability incurred in line of duty with the City.

Annual Amount - 66-2/3% of current salary at date of disability. Amount is offset by Worker's Compensation.

NON-DUTY DISABILITY RETIREMENT

Eligibility - Total and permanent disability after 10 years of credited service and under the age of 55 years.

Annual Amount - 1-2/3% of final average salary for each year of credited service. Minimum is 20% of FAS; maximum is 50% of FAS.

DUTY DEATH BEFORE RETIREMENT

Eligibility - Death in line of duty with the City.

Annual Amount - 50% of final salary to surviving spouse, until remarriage or death, plus 10% to each unmarried child under age 18; maximum to spouse and children is 66-2/3% of final salary. Amounts are offset by Worker's Compensation.
SUMMARY OF BENEFIT PROVISIONS EVALUATED AND/OR CONSIDERED  
(JUNE 30, 2011)

NON-DUTY DEATH BEFORE RETIREMENT

_Eligibility_ - Death after 10 years of credited service.

_Annual Amount_ - 1-1/2% of final average salary to eligible spouse (married at least 1 year to deceased member) for each year of credited service, payable beginning no earlier than age 45. Minimum is 20% of FAS; maximum is 40% of FAS. To each unmarried child under age 18, 10% of FAS with maximum of 50% of FAS for all minor children; total for spouse and children not to exceed 66-2/3% of FAS.

AUTOMATIC DEATH BENEFIT AFTER RETIREMENT

Same as non-duty death before retirement.

POST-RETIREMENT COST-OF-LIVING ADJUSTMENTS

Pensions adjusted by same percent as increase in the pay of the rank last occupied.

MEMBER CONTRIBUTIONS

7% plus 1/2 of 1% for post-retirement cost-of-living adjustments.
SUMMARY OF ASSET INFORMATION
SUBMITTED FOR VALUATION

Balance Sheet

<table>
<thead>
<tr>
<th>Reported Assets - Market Value</th>
<th>Reserves for</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash &amp; equivalents $ 105,178</td>
<td>Members' contributions $ 0</td>
</tr>
<tr>
<td>Receivables &amp; accruals 9,045</td>
<td>Employer contributions 21,113,942</td>
</tr>
<tr>
<td>Stocks 2,629,300</td>
<td>Retired benefit payments (17,195,759)</td>
</tr>
<tr>
<td>Bonds 1,174,660</td>
<td></td>
</tr>
<tr>
<td>International stocks 0</td>
<td></td>
</tr>
<tr>
<td>Total Current Assets $3,918,183</td>
<td>Total Reserves $3,918,183</td>
</tr>
</tbody>
</table>

Revenues and Expenditures

Reported Balance - 6/30/2010 $3,654,481

<table>
<thead>
<tr>
<th>Revenues</th>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members' contributions 0</td>
<td>Benefit payments 1,058,336</td>
</tr>
<tr>
<td>Employer contributions 500,000</td>
<td>Refund of member contributions none</td>
</tr>
<tr>
<td>Investment income 862,195</td>
<td>Administrative expense 40,157</td>
</tr>
<tr>
<td></td>
<td>Transfer to Act 345 (member contributions) none</td>
</tr>
</tbody>
</table>

Reported Balance - 6/30/2011 $3,918,183
### RETIRANT AND BENEFICIARY COMPARATIVE SCHEDULE
(ANNUAL PENSIONS INCLUDE ESCALATION)

<table>
<thead>
<tr>
<th>Year Ended June 30</th>
<th>Added to Rolls</th>
<th>Removed from Rolls</th>
<th>Rolls End of Year</th>
<th>% Incr. in Average Pensions</th>
<th>Discounted Value of Pensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>2</td>
<td>$ 62,124</td>
<td>4</td>
<td>$ 38,798</td>
<td>108</td>
</tr>
<tr>
<td>1987</td>
<td>2</td>
<td>58,955</td>
<td>3</td>
<td>37,616</td>
<td>107</td>
</tr>
<tr>
<td>1988</td>
<td>3</td>
<td>124,036</td>
<td>5</td>
<td>79,474</td>
<td>105</td>
</tr>
<tr>
<td>1989</td>
<td>5</td>
<td>109,106</td>
<td>4</td>
<td>53,386</td>
<td>106</td>
</tr>
<tr>
<td>1990</td>
<td>5</td>
<td>97,241</td>
<td>10</td>
<td>152,014</td>
<td>101</td>
</tr>
<tr>
<td>1991</td>
<td>1</td>
<td>70,460</td>
<td>7</td>
<td>89,406</td>
<td>95</td>
</tr>
<tr>
<td>1992</td>
<td>1</td>
<td>63,725</td>
<td>2</td>
<td>30,114</td>
<td>94</td>
</tr>
<tr>
<td>1993</td>
<td>2</td>
<td>65,384</td>
<td>4</td>
<td>75,660</td>
<td>92</td>
</tr>
<tr>
<td>1994</td>
<td>1</td>
<td>3,323</td>
<td>5</td>
<td>73,126</td>
<td>88</td>
</tr>
<tr>
<td>1995</td>
<td>2</td>
<td>82,432</td>
<td>6</td>
<td>94,036</td>
<td>84</td>
</tr>
<tr>
<td>1996</td>
<td>1</td>
<td>51,246</td>
<td>4</td>
<td>73,871</td>
<td>81</td>
</tr>
<tr>
<td>1997</td>
<td>66,799</td>
<td>3</td>
<td>22,494</td>
<td>78</td>
<td>1,438,054</td>
</tr>
<tr>
<td>1998</td>
<td>42,629</td>
<td>6</td>
<td>83,160</td>
<td>72</td>
<td>1,397,523</td>
</tr>
<tr>
<td>1999</td>
<td>44,820</td>
<td>4</td>
<td>54,045</td>
<td>69</td>
<td>1,388,298</td>
</tr>
<tr>
<td>2000</td>
<td>69,894</td>
<td>5</td>
<td>107,373</td>
<td>65</td>
<td>1,350,819</td>
</tr>
<tr>
<td>2001</td>
<td>44,704</td>
<td>4</td>
<td>79,319</td>
<td>61</td>
<td>1,316,204</td>
</tr>
<tr>
<td>2002</td>
<td>38,818</td>
<td>2</td>
<td>24,168</td>
<td>59</td>
<td>1,330,854</td>
</tr>
<tr>
<td>2003</td>
<td>105,612</td>
<td>6</td>
<td>148,099</td>
<td>56</td>
<td>1,288,367</td>
</tr>
<tr>
<td>2004</td>
<td>0</td>
<td>$ 41,628</td>
<td>2</td>
<td>18,616</td>
<td>54</td>
</tr>
<tr>
<td>2005</td>
<td>0</td>
<td>42,898</td>
<td>4</td>
<td>91,966</td>
<td>50</td>
</tr>
<tr>
<td>2006</td>
<td>0</td>
<td>47,031</td>
<td>4</td>
<td>30,670</td>
<td>46</td>
</tr>
<tr>
<td>2007</td>
<td>0</td>
<td>43,468</td>
<td>2</td>
<td>66,876</td>
<td>44</td>
</tr>
<tr>
<td>2008</td>
<td>3</td>
<td>22,947</td>
<td>39,671</td>
<td>5</td>
<td>121,543</td>
</tr>
<tr>
<td>2009</td>
<td>1</td>
<td>31,172</td>
<td>30,500</td>
<td>7</td>
<td>179,762</td>
</tr>
<tr>
<td>2010</td>
<td>0</td>
<td>28,465</td>
<td>3</td>
<td>43,249</td>
<td>33</td>
</tr>
<tr>
<td>2011</td>
<td>2</td>
<td>70,213</td>
<td>4,675</td>
<td>3</td>
<td>125,298</td>
</tr>
</tbody>
</table>

* Beginning in the 2004 valuation, changes in annual pension are separated into benefits for new members and cost-of-living adjustments for existing members. 2011 includes estimated benefits for one unreported surviving spouse.

@ After changes in assumptions and/or methods.
## RETIRANTS AND BENEFICIARIES ON ROLLS
### COMPARATIVE STATEMENT

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>No. on Rolls</th>
<th>Initial Pensions</th>
<th>Escalation Pensions</th>
<th>Total Pensions</th>
<th>Initial as Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1960</td>
<td>68</td>
<td>$172,949</td>
<td>$42,488</td>
<td>215,437</td>
<td>80.3 %</td>
</tr>
<tr>
<td>1965</td>
<td>71</td>
<td>278,557</td>
<td>199,921</td>
<td>478,478</td>
<td>58.2</td>
</tr>
<tr>
<td>1970</td>
<td>104</td>
<td>497,954</td>
<td>395,028</td>
<td>892,982</td>
<td>55.8</td>
</tr>
<tr>
<td>1975</td>
<td>116</td>
<td>567,501</td>
<td>567,214</td>
<td>1,134,715</td>
<td>50.0</td>
</tr>
<tr>
<td>1980</td>
<td>110</td>
<td>774,651</td>
<td>628,568</td>
<td>1,403,219</td>
<td>55.2</td>
</tr>
<tr>
<td>1985</td>
<td>108</td>
<td>775,153</td>
<td>651,392</td>
<td>1,426,545</td>
<td>54.3</td>
</tr>
<tr>
<td>1986</td>
<td>107</td>
<td>763,834</td>
<td>684,050</td>
<td>1,447,884</td>
<td>52.8</td>
</tr>
<tr>
<td>1987</td>
<td>105</td>
<td>752,901</td>
<td>739,545</td>
<td>1,492,446</td>
<td>50.4</td>
</tr>
<tr>
<td>1988</td>
<td>106</td>
<td>777,681</td>
<td>770,485</td>
<td>1,548,166</td>
<td>50.2</td>
</tr>
<tr>
<td>1989</td>
<td>101</td>
<td>751,155</td>
<td>742,238</td>
<td>1,493,393</td>
<td>50.3</td>
</tr>
<tr>
<td>1990</td>
<td>95</td>
<td>722,482</td>
<td>751,965</td>
<td>1,474,447</td>
<td>49.0</td>
</tr>
<tr>
<td>1991</td>
<td>94</td>
<td>722,387</td>
<td>785,671</td>
<td>1,508,058</td>
<td>47.9</td>
</tr>
<tr>
<td>1992</td>
<td>92</td>
<td>712,725</td>
<td>785,057</td>
<td>1,497,782</td>
<td>47.6</td>
</tr>
<tr>
<td>1993</td>
<td>88</td>
<td>683,521</td>
<td>744,458</td>
<td>1,427,979</td>
<td>47.9</td>
</tr>
<tr>
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<td>84</td>
<td>672,805</td>
<td>743,570</td>
<td>1,416,375</td>
<td>47.5</td>
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<tr>
<td>1995</td>
<td>81</td>
<td>655,743</td>
<td>738,006</td>
<td>1,393,749</td>
<td>47.0</td>
</tr>
<tr>
<td>1996</td>
<td>78</td>
<td>641,341</td>
<td>796,713</td>
<td>1,438,054</td>
<td>44.6</td>
</tr>
<tr>
<td>1997</td>
<td>72</td>
<td>625,412</td>
<td>772,111</td>
<td>1,397,523</td>
<td>44.8</td>
</tr>
<tr>
<td>1998</td>
<td>69</td>
<td>609,245</td>
<td>779,053</td>
<td>1,388,298</td>
<td>43.9</td>
</tr>
<tr>
<td>1999</td>
<td>65</td>
<td>610,280</td>
<td>740,539</td>
<td>1,350,819</td>
<td>45.2</td>
</tr>
<tr>
<td>2000</td>
<td>61</td>
<td>591,432</td>
<td>724,772</td>
<td>1,316,204</td>
<td>44.9</td>
</tr>
<tr>
<td>2001</td>
<td>59</td>
<td>583,398</td>
<td>747,456</td>
<td>1,330,854</td>
<td>43.8</td>
</tr>
<tr>
<td>2002</td>
<td>56</td>
<td>601,739</td>
<td>686,628</td>
<td>1,288,367</td>
<td>46.7</td>
</tr>
<tr>
<td>2003</td>
<td>54</td>
<td>590,490</td>
<td>720,889</td>
<td>1,311,379</td>
<td>45.0</td>
</tr>
<tr>
<td>2004</td>
<td>50</td>
<td>560,207</td>
<td>702,104</td>
<td>1,262,311</td>
<td>44.4</td>
</tr>
<tr>
<td>2005</td>
<td>46</td>
<td>541,856</td>
<td>736,816</td>
<td>1,278,672</td>
<td>42.4</td>
</tr>
<tr>
<td>2006</td>
<td>44</td>
<td>529,973</td>
<td>725,291</td>
<td>1,255,264</td>
<td>42.2</td>
</tr>
<tr>
<td>2007</td>
<td>42</td>
<td>514,630</td>
<td>681,709</td>
<td>1,196,339</td>
<td>43.0</td>
</tr>
<tr>
<td>2008</td>
<td>36</td>
<td>464,420</td>
<td>613,829</td>
<td>1,078,249</td>
<td>43.1</td>
</tr>
<tr>
<td>2009</td>
<td>33</td>
<td>446,976</td>
<td>616,489</td>
<td>1,063,465</td>
<td>42.0</td>
</tr>
<tr>
<td>2010</td>
<td>32</td>
<td>444,354</td>
<td>568,701</td>
<td>1,013,055</td>
<td>43.9</td>
</tr>
</tbody>
</table>

*2011 includes estimated benefits for one unreported surviving spouse.*
### RETIRANTS AND BENEFICIARIES JUNE 30, 2011
### TABULATED BY TYPE OF PENSIONS BEING PAID

<table>
<thead>
<tr>
<th>Type of Pension Being Paid</th>
<th>No.</th>
<th>Escalator Pensions</th>
<th>Initial Pensions</th>
<th>Total Annual Pensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Present Plan (1957) Pensions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age &amp; Service Pensions:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- straight life</td>
<td>6</td>
<td>$155,420</td>
<td>$113,692</td>
<td>$ 269,112</td>
</tr>
<tr>
<td>- survivor beneficiaries</td>
<td>9</td>
<td>78,838</td>
<td>73,089</td>
<td>151,927</td>
</tr>
<tr>
<td>- totals</td>
<td>15</td>
<td>234,258</td>
<td>186,781</td>
<td>421,039</td>
</tr>
<tr>
<td>Casualty Pensions:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- disability</td>
<td>15</td>
<td>310,951</td>
<td>239,216</td>
<td>550,167</td>
</tr>
<tr>
<td>- death-in-service</td>
<td>2</td>
<td>23,492</td>
<td>18,357</td>
<td>41,849</td>
</tr>
<tr>
<td>- totals</td>
<td>17</td>
<td>334,443</td>
<td>257,573</td>
<td>592,016</td>
</tr>
<tr>
<td><strong>Total Pensions Being Paid</strong></td>
<td>32</td>
<td>$568,701</td>
<td>$444,354</td>
<td>$1,013,055</td>
</tr>
</tbody>
</table>

*Includes estimated benefits for one unreported surviving spouse.*
## Retirees and Beneficiaries June 30, 2011

**Tabulated by Attained Age**

<table>
<thead>
<tr>
<th>Attained Age</th>
<th>No.</th>
<th>Annual Pensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 - 69</td>
<td>5</td>
<td>$ 196,399</td>
</tr>
<tr>
<td>70 - 74</td>
<td>8</td>
<td>301,446</td>
</tr>
<tr>
<td>75 - 79</td>
<td>5</td>
<td>146,340</td>
</tr>
<tr>
<td>80</td>
<td>1</td>
<td>30,956</td>
</tr>
<tr>
<td>82</td>
<td>3</td>
<td>143,215</td>
</tr>
<tr>
<td>84</td>
<td>2</td>
<td>21,844</td>
</tr>
<tr>
<td>89</td>
<td>1</td>
<td>19,954</td>
</tr>
<tr>
<td>90</td>
<td>2</td>
<td>42,921</td>
</tr>
<tr>
<td>91</td>
<td>1</td>
<td>21,505</td>
</tr>
<tr>
<td>92</td>
<td>2</td>
<td>51,839</td>
</tr>
<tr>
<td>93</td>
<td>2</td>
<td>36,637</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>32</strong></td>
<td><strong>$ 1,013,055</strong></td>
</tr>
</tbody>
</table>

Average Age at Retirement: 47.6 yrs.

Average Age Now: 79.8 yrs.

*Includes estimated benefits for one unreported surviving spouse.*
# ACTIVE MEMBERS *

## COMPARATIVE SCHEDULE

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Active Members</th>
<th>Valuation Payroll</th>
<th>Age</th>
<th>Service</th>
<th>Pay</th>
<th>% Incr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30</td>
<td>1966 161</td>
<td>$1,120,927</td>
<td>N/A yrs.</td>
<td>N/A yrs.</td>
<td>$6,962</td>
<td>0.0 %</td>
</tr>
<tr>
<td>1967 154</td>
<td>1,112,452</td>
<td>38.8</td>
<td>12.3</td>
<td>7,224</td>
<td>3.8</td>
<td></td>
</tr>
<tr>
<td>1968 189</td>
<td>1,616,594</td>
<td>36.9</td>
<td>10.9</td>
<td>8,553</td>
<td>18.4</td>
<td></td>
</tr>
<tr>
<td>1969 171</td>
<td>1,491,991</td>
<td>37.8</td>
<td>11.7</td>
<td>8,725</td>
<td>2.0</td>
<td></td>
</tr>
<tr>
<td>1970 184</td>
<td>1,985,341</td>
<td>36.8</td>
<td>10.9</td>
<td>10,790</td>
<td>23.7</td>
<td></td>
</tr>
<tr>
<td>1971 181</td>
<td>2,069,097</td>
<td>37.4</td>
<td>11.7</td>
<td>11,431</td>
<td>5.9</td>
<td></td>
</tr>
<tr>
<td>1972 182</td>
<td>2,255,898</td>
<td>37.4</td>
<td>11.7</td>
<td>12,395</td>
<td>8.4</td>
<td></td>
</tr>
<tr>
<td>1973 172</td>
<td>2,245,755</td>
<td>37.3</td>
<td>11.7</td>
<td>13,057</td>
<td>5.3</td>
<td></td>
</tr>
<tr>
<td>1974 155</td>
<td>2,191,456</td>
<td>37.2</td>
<td>11.9</td>
<td>14,138</td>
<td>8.3</td>
<td></td>
</tr>
<tr>
<td>1975 153</td>
<td>2,561,103</td>
<td>38.1</td>
<td>12.7</td>
<td>16,739</td>
<td>18.4</td>
<td></td>
</tr>
<tr>
<td>1976 141</td>
<td>2,590,482</td>
<td>38.4</td>
<td>13.1</td>
<td>18,372</td>
<td>9.8</td>
<td></td>
</tr>
<tr>
<td>1977 124</td>
<td>2,356,400</td>
<td>38.4</td>
<td>13.0</td>
<td>19,003</td>
<td>3.4</td>
<td></td>
</tr>
<tr>
<td>1978 114</td>
<td>2,392,124</td>
<td>39.0</td>
<td>13.5</td>
<td>20,984</td>
<td>10.4</td>
<td></td>
</tr>
<tr>
<td>1979 110</td>
<td>2,466,966</td>
<td>40.3</td>
<td>14.7</td>
<td>22,427</td>
<td>6.9</td>
<td></td>
</tr>
<tr>
<td>1980 103</td>
<td>2,567,220</td>
<td>40.6</td>
<td>15.0</td>
<td>24,924</td>
<td>11.1</td>
<td></td>
</tr>
<tr>
<td>1981 90</td>
<td>2,562,461</td>
<td>41.6</td>
<td>16.0</td>
<td>28,472</td>
<td>14.2</td>
<td></td>
</tr>
<tr>
<td>1982 82</td>
<td>2,375,269</td>
<td>41.5</td>
<td>16.2</td>
<td>28,967</td>
<td>1.7</td>
<td></td>
</tr>
<tr>
<td>1983 73</td>
<td>2,216,742</td>
<td>41.9</td>
<td>16.7</td>
<td>30,366</td>
<td>4.8</td>
<td></td>
</tr>
<tr>
<td>1984 67</td>
<td>1,960,418</td>
<td>42.1</td>
<td>17.0</td>
<td>29,260</td>
<td>(3.6)</td>
<td></td>
</tr>
<tr>
<td>1985 56</td>
<td>1,680,335</td>
<td>42.1</td>
<td>17.2</td>
<td>30,006</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>1986 54</td>
<td>1,683,819</td>
<td>42.8</td>
<td>18.0</td>
<td>31,182</td>
<td>3.9</td>
<td></td>
</tr>
<tr>
<td>1987 51</td>
<td>1,652,602</td>
<td>43.6</td>
<td>18.8</td>
<td>32,404</td>
<td>3.9</td>
<td></td>
</tr>
<tr>
<td>1988 46</td>
<td>1,639,724</td>
<td>44.2</td>
<td>19.6</td>
<td>35,646</td>
<td>10.0</td>
<td></td>
</tr>
<tr>
<td>1989 33</td>
<td>1,285,310</td>
<td>44.9</td>
<td>20.3</td>
<td>38,949</td>
<td>9.3</td>
<td></td>
</tr>
<tr>
<td>1990 21</td>
<td>777,999</td>
<td>45.8</td>
<td>21.1</td>
<td>37,048</td>
<td>(4.9)</td>
<td></td>
</tr>
<tr>
<td>1991 6</td>
<td>251,480</td>
<td>47.8</td>
<td>22.0</td>
<td>41,913</td>
<td>13.1</td>
<td></td>
</tr>
<tr>
<td>1992 5</td>
<td>228,684</td>
<td>48.2</td>
<td>22.8</td>
<td>45,737</td>
<td>9.1</td>
<td></td>
</tr>
<tr>
<td>1993 5</td>
<td>237,750</td>
<td>49.2</td>
<td>23.8</td>
<td>47,550</td>
<td>4.0</td>
<td></td>
</tr>
<tr>
<td>1994 1</td>
<td>43,230</td>
<td>56.0</td>
<td>24.3</td>
<td>43,230</td>
<td>(9.1)</td>
<td></td>
</tr>
<tr>
<td>1995 1</td>
<td>43,139</td>
<td>57.0</td>
<td>25.3</td>
<td>43,139</td>
<td>(0.2)</td>
<td></td>
</tr>
<tr>
<td>1996 1</td>
<td>44,875</td>
<td>58.0</td>
<td>26.3</td>
<td>44,875</td>
<td>4.0</td>
<td></td>
</tr>
<tr>
<td>1997 1</td>
<td>50,098</td>
<td>59.0</td>
<td>27.3</td>
<td>50,098</td>
<td>11.6</td>
<td></td>
</tr>
<tr>
<td>1998 1</td>
<td>49,813</td>
<td>60.0</td>
<td>28.3</td>
<td>49,813</td>
<td>(0.6)</td>
<td></td>
</tr>
<tr>
<td>1999 1</td>
<td>51,016</td>
<td>60.8</td>
<td>29.3</td>
<td>51,016</td>
<td>2.4</td>
<td></td>
</tr>
<tr>
<td>2000 0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

* As of the June 30, 2000 valuation, there are no longer active members.
SECTION C
ACTUARIAL COST METHODS, ACTUARIAL
ASSUMPTIONS AND DEFINITIONS OF TECHNICAL
TERMS
ACTUARIAL COST METHODS USED FOR THE VALUATION

**Financing of Unfunded Actuarial Accrued Liabilities:** Unfunded actuarial accrued liability was financed over a period of the average life expectancy of remaining members rounded down to whole years. The indicated dollar amounts were assumed to remain level over the 13-year amortization period. Contribution amounts were assumed to be paid midway through the fiscal year.

The *funding value of assets* used for funding purposes is derived as follows: prior year valuation assets are increased by contribution and expected investment income and reduced by refunds, benefit payments and expenses. To this amount is added 25% of the difference between expected and actual investment income for each of the previous four years. Beginning with the June 30, 2008 valuation, funding value of assets are restricted to the range of 80% to 120% of market value of assets.
The contribution requirements and actuarial present values of a pension fund are calculated by applying actuarial assumptions to the benefit provisions and people information of the fund, using the actuarial methods described on page C-1.

The principal areas of risk which require actuarial assumptions about future experiences are:

(i) long-term rates of investment return to be generated by the assets of the Fund

(ii) patterns of pay increases to members

(iii) rates of mortality among members, retirants, and beneficiaries

(iv) rates of withdrawal of active members

(v) rates of disability among active members

(vi) the age patterns of actual retirements

The monetary effect of each assumption is calculated for as long as a present covered person survives - - - a period of time which can be as long as a century.

Actual experience of the Fund will not coincide exactly with assumed experience, regardless of the wisdom of the assumptions. Each valuation provides a complete recalculation of assumed future experience and takes into account all past differences between assumed and actual experience. The result is a continual series of adjustments (usually small) to the computed contribution rate.

From time-to-time one or more of the assumptions are modified to reflect experience trends (but not random or temporary year-to-year fluctuations).
A plan becomes closed when no new hires are admitted to active membership. The persons covered by the plan at the time of closing continue their normal activities and continue to be covered by the plan, until the last survivor dies.

**CASH BENEFITS LINE.** After a pension plan becomes closed, the usual pattern is for cash benefits to continue to increase for decades of time. Eventually the cash benefits will peak, and then gradually decrease over more decades of time, ultimately to zero. The last cash benefit is likely to occur a century after the time the plan is closed.

The precise amounts of cash benefits cannot be known now, and must be estimated by assumptions of future experiences in a variety of financial risk areas.
The investment return rate (net of administrative expenses) used for valuation calculations was 7.0% a year, compounded annually. This rate is not the assumed real rate of return. The real rate of return is the rate of investment return in excess of the rate of inflation. Considering other financial assumptions, the 7.0% investment return rate translates to an assumed real rate of return of 4.0%.

The assumption is used to equate the value of payments due at different points in time and was first used for the June 30, 2000 valuation. Approximate investment returns, for the purpose of comparisons with assumed returns, have been as follows:

<table>
<thead>
<tr>
<th>Year Ended June 30</th>
<th>5-Year Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nominal rate</td>
<td>2.8%</td>
</tr>
</tbody>
</table>

The nominal rate of return was computed using the approximate formula \( i = \frac{I}{\frac{1}{2}(A + B - I)} \), where \( I \) is actual realized investment income net of expenses plus market value adjustments, \( A \) is the beginning of year asset value, and \( B \) is the end of year asset value.

These rates of return should not be used for measurement of an investment advisor's performance or for comparisons with other pension funds -- to do so will mislead.

Assumed rate of pension escalation: 3.0% per annum, compounded annually.

The mortality table used was the 1994 Group Annuity Mortality Table. This table was first used for the June 30, 2006 valuation. Sample values follow:

<table>
<thead>
<tr>
<th>Sample Ages</th>
<th>Present Value of $1 Monthly for Life</th>
<th>Future Life Expectancy (Years)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men</td>
<td>Women</td>
</tr>
<tr>
<td>55</td>
<td>$132.64</td>
<td>$140.64</td>
</tr>
<tr>
<td>60</td>
<td>122.40</td>
<td>132.01</td>
</tr>
<tr>
<td>65</td>
<td>110.53</td>
<td>121.65</td>
</tr>
<tr>
<td>70</td>
<td>97.62</td>
<td>109.73</td>
</tr>
<tr>
<td>75</td>
<td>83.48</td>
<td>95.52</td>
</tr>
<tr>
<td>80</td>
<td>68.62</td>
<td>79.89</td>
</tr>
</tbody>
</table>

This assumption is used to measure the probabilities of each benefit payment being made after retirement.

This mortality assumption contains no provision for future mortality improvement.
DEFINITIONS OF TECHNICAL TERMS

**Accrued Service:** Service credited under the fund which was rendered before the date of the actuarial valuation.

**Actuarial Accrued Liability:** The difference between the actuarial present value of future benefit payments and the actuarial present value of future normal costs. Also referred to as "accrued liability" or "past service liability."

**Actuarial Assumptions:** Estimates of expected future experience with respect to rates of mortality, disability, turnover, retirement, rate or rates of investment income and salary increases. Decrement assumptions (rates of mortality, disability, turn-over and retirement) and generally based on past experience, often modified for projected changes in conditions. Economic assumptions (salary increases and investment income) consist of the underlying rates in an inflation-free environment plus a provision for a long-term average rate of inflation.

**Actuarial Cost Method:** A mathematical budgeting procedure for allocating the dollar amount of the "actuarial present value of future benefit payments" between future normal costs and actuarial accrued liabilities. Sometimes referred to as the "actuarial valuation cost method."

**Actuarial Equivalent:** A single amount or series of amounts of equal actuarial present value to another single amount or series of amounts, computed on the basis of appropriate actuarial assumptions.

**Actuarial Present Value:** The amount of funds currently required to provide a payment or series of payments in the future. It is determined by discounting future payments at predetermined rates of interest, and by probabilities of payment. Also referred to as "present value."

**Amortization:** Paying off an interest-discounted amount with periodic payments of interest and principal -- as opposed to paying it off with a lump sum payment.
**Experience Gain (Loss):** The difference between actual actuarial costs and assumed actuarial costs during the period between two valuation dates.

**Normal Cost:** The actuarial cost allocated to the current year by the actuarial cost method. Sometimes referred to as "current service cost."

**Unfunded Actuarial Accrued Liabilities:** The difference between actuarial accrued liabilities and the actuarial value of fund assets. Sometimes referred to as "unfunded past service liability," "unfunded accrued liability" or "unfunded supplemental present value."

Most pension funds have unfunded actuarial accrued liabilities. They arise each time new benefits are added and each time an experience loss is realized.

The existence of unfunded actuarial accrued liabilities is not in itself bad, any more than a mortgage on a house is bad. Unfunded actuarial accrued liabilities do not represent a debt that is payable today. What is important is the ability to control the amount of unfunded actuarial accrued liabilities and the trend in their amount (after due allowance for devaluation of the dollar).
SECTION D
DISCLOSURES REQUIRED BY STATEMENT NO. 25
OF THE GOVERNMENTAL ACCOUNTING
STANDARDS BOARD

This information is presented in draft form for review by the Fund’s auditor. Please let us know if there are any items that the auditor changes so that we may maintain consistency with the Fund’s financial statements.
The information presented in the required supplementary schedules was determined as part of the actuarial valuations at the dates indicated. Additional information as of the latest actuarial valuation follows:

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>June 30, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actuarial Cost Method</td>
<td>Aggregate</td>
</tr>
<tr>
<td>Amortization Method</td>
<td>Level dollar</td>
</tr>
<tr>
<td>Remaining Amortization Period</td>
<td>13 years</td>
</tr>
<tr>
<td>Asset Valuation Method</td>
<td>4-year smoothed market</td>
</tr>
<tr>
<td>Actuarial Assumption:</td>
<td></td>
</tr>
<tr>
<td>Investment rate of return</td>
<td>7.00%</td>
</tr>
<tr>
<td>Projected salary increases</td>
<td>N/A</td>
</tr>
<tr>
<td>Includes inflation at</td>
<td>N/A</td>
</tr>
<tr>
<td>Cost-of-living adjustments</td>
<td>3.0%</td>
</tr>
</tbody>
</table>

Membership of the plan consisted of the following at June 30, 2011, the date of the latest actuarial valuation:

| Retirees and beneficiaries receiving benefits | 31 |
| Terminated plan members entitled to but not yet receiving benefits | 0 |
| Active plan members | 0 |
| Total | 31 |
### GASB Statement No. 25
#### Required Supplementary Information

**Schedule of Funding Progress**

<table>
<thead>
<tr>
<th>Actuarial Valuation Date June 30</th>
<th>Actuarial Value of Assets</th>
<th>Actuarial Accrued Liability (AAL)</th>
<th>Unfunded AAL (UAAL)</th>
<th>Funded Ratio</th>
<th>Covered Payroll</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>$9,354,735</td>
<td>$11,267,420</td>
<td>$1,912,685</td>
<td>83.0 %</td>
<td>N/A</td>
</tr>
<tr>
<td>2003</td>
<td>7,745,243</td>
<td>10,900,752</td>
<td>3,155,509</td>
<td>71.1</td>
<td>N/A</td>
</tr>
<tr>
<td>2004</td>
<td>6,417,621</td>
<td>10,753,134</td>
<td>4,335,513</td>
<td>59.7</td>
<td>N/A</td>
</tr>
<tr>
<td>2005</td>
<td>5,621,672</td>
<td>10,172,322</td>
<td>4,550,650</td>
<td>55.3</td>
<td>N/A</td>
</tr>
<tr>
<td>2006</td>
<td>5,559,966</td>
<td>10,930,809</td>
<td>5,370,843</td>
<td>50.9</td>
<td>N/A</td>
</tr>
<tr>
<td>2007</td>
<td>5,848,461</td>
<td>10,681,885</td>
<td>4,833,424</td>
<td>54.8</td>
<td>N/A</td>
</tr>
<tr>
<td>2008*</td>
<td>5,532,527</td>
<td>11,055,950</td>
<td>5,523,423</td>
<td>50.0</td>
<td>N/A</td>
</tr>
<tr>
<td>2009</td>
<td>4,294,430</td>
<td>9,866,752</td>
<td>5,572,322</td>
<td>43.5</td>
<td>N/A</td>
</tr>
<tr>
<td>2010</td>
<td>4,028,988</td>
<td>9,463,639</td>
<td>5,434,651</td>
<td>42.6</td>
<td>N/A</td>
</tr>
<tr>
<td>2011</td>
<td>3,574,761</td>
<td>8,904,371</td>
<td>5,329,610</td>
<td>40.1</td>
<td>N/A</td>
</tr>
</tbody>
</table>

* After changes in assumptions and/or methods.

**Schedule of Employer Contributions**

<table>
<thead>
<tr>
<th>Fiscal Year Ended June 30</th>
<th>Contribution Rates as Percents of Valuation Payroll</th>
<th>Computed Dollar Contribution Based on Projected Payroll</th>
<th>Actual Annual Contribution</th>
<th>Percentage Contributed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>N/A</td>
<td>$301,041</td>
<td>$301,041</td>
<td>100 %</td>
</tr>
<tr>
<td>2005</td>
<td>N/A</td>
<td>528,199</td>
<td>528,199</td>
<td>100</td>
</tr>
<tr>
<td>2006</td>
<td>N/A</td>
<td>806,276</td>
<td>806,276</td>
<td>100</td>
</tr>
<tr>
<td>2007</td>
<td>N/A</td>
<td>934,667</td>
<td>934,667</td>
<td>100</td>
</tr>
<tr>
<td>2008</td>
<td>N/A</td>
<td>612,545</td>
<td>612,545</td>
<td>100</td>
</tr>
<tr>
<td>2009</td>
<td>N/A</td>
<td>641,212</td>
<td>641,212</td>
<td>100</td>
</tr>
<tr>
<td>2010*</td>
<td>N/A</td>
<td>722,537</td>
<td>722,537</td>
<td>100</td>
</tr>
<tr>
<td>2011</td>
<td>N/A</td>
<td>500,000</td>
<td>500,000</td>
<td>100</td>
</tr>
<tr>
<td>2012</td>
<td>N/A</td>
<td>500,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2013</td>
<td>N/A</td>
<td>599,431</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

* After changes in assumptions and/or methods.
January 31, 2012

Ms. Sandy Sykes  
Pension Coordinator  
City of Jackson  
161 West Michigan Avenue  
Jackson, Michigan 49201

Dear Sandy:

Enclosed, please find 12 copies of the report of the 54th Annual Actuarial Valuation of the City of Jackson Policemen's and Firemen's Pension Fund.

Sincerely,

David T. Kausch, FSA, EA, MAAA

DK:sc
Enclosures

cc: The Rehman Group  
Attn: Mark Kettner
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**REPORT OF JUNE 30, 2011 ACTUARIAL VALUATION**

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<th>Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>- -</td>
<td>Cover Letter</td>
</tr>
</tbody>
</table>
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   | Valuation Results, Comments, Comparative Information |
| A-1   | Funding Objective, Contribution Rates |
| A-2/3 | Contributions to Fund Benefits, Employer Dollar Contributions |
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January 31, 2012

The Board of Trustees
City of Jackson Act 345
Policemen and Firemen Retirement System
Jackson, Michigan

The results of the June 30, 2011 Annual Actuarial Valuation of the City of Jackson Act 345 Policemen and Firemen Retirement System are presented in this report.

This report was prepared at the request of the Board and is intended for use by the Retirement System and those designated or approved by the Board. This report may be provided to parties other than the System only in its entirety and only with the permission of the Board.

The purpose of the valuation is to measure the System’s funding progress, to determine the employer contribution rate for the fiscal year ending June 30, 2011, and to determine the actuarial information for Governmental Accounting Standards Board (GASB) Statement No. 25 and No. 27.

The actuaries submitting this statement are members of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

Please see the following page for additional disclosures required by the Actuarial Standards of Practice.

This report has been prepared by actuaries who have substantial experience valuing public employee retirement systems. To the best of our knowledge the information contained in this report is accurate and fairly presents the actuarial position of the City of Jackson Act 345 Policemen and Firemen Retirement System as of the valuation date. All calculations have been made in conformity with generally accepted actuarial principles and practices, and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

Respectfully submitted,

David T. Kausch, FSA, EA, MAAA

Curtis Powell, EA, MAAA

DTK/CLP:mrb
Additional Disclosures Required by Actuarial Standards of Practice

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period or additional cost or contribution requirements based on the plan’s funded status); and changes in plan provisions or applicable law. Due to the limited scope of the actuary’s assignment, the actuary did not perform an analysis of the potential range of such future measurements.

This report should not be relied on for any purpose other than the purpose described in the primary communication. Determinations of the financial results associated with the benefits described in this report in a manner other than the intended purpose may produce significantly different results.

The signing actuaries are independent of the plan sponsor.

The valuation was based upon information furnished by the City, concerning Retirement System benefits, financial transactions, plan provisions and active members, terminated members, retirees and beneficiaries. We checked for internal and year-to-year consistency, but did not otherwise audit the data. We are not responsible for the accuracy or completeness of the information provided by the City.
EXECUTIVE SUMMARY
($ IN MILLIONS)

Valuation Date June 30, 2010 June 30, 2011
Fiscal Year Ending June 30, 2012 June 30, 2013

Recommended Employer Contributions
Annual Amount $ 2,843,528 $ 2,870,342
Percentage of Covered Payroll 43.74% 57.05%

Membership
Number of
Active Members 94 70
Retirees and Beneficiaries 148 158
Inactive, Non-retired Members 5 5
Total 247 233

Total Pensions Being Paid $ 3,476,972 $ 3,942,527

Assets
Market Value $29,785,874 $34,626,948
Actuarial Value 35,632,432 33,801,498
Return on Market Value 12.0% 24.0%
Return on Actuarial Value (0.4%) 0.7%
Ratio - Actuarial Value to Market Value 119.6% 97.6%

Actuarial Information
Normal Cost % 20.30% 20.20%
Actuarial Accrued Liability (AAL) 62,210,658 62,431,199
Unfunded Actuarial Accrued Liability (UAAL) 26,578,226 28,629,701
Funded Ratio 57.3% 54.1%
Amortization Period 15 years 15 years

Highlights/Changes
The contribution as a dollar amount increased slightly over the prior year. The effect recognized investment losses was offset by a reduction in active membership. The contribution rate increased due to the reduced active member payroll.

The Executive Summary gives an overview of the report. It cannot be used as a substitute for a thorough reading of the full report.
EXECUTIVE SUMMARY

Actuarial Valuation

This report presents the actuarial valuation of the City of Jackson Act 345 Policemen and Firemen Retirement System prepared as of June 30, 2011. Valuations are prepared annually as of July 1 of each year; the first day of the City of Jackson Act 345 Policemen and Firemen Retirement System plan and fiscal year.

The primary purposes of the valuation report are to measure the plan’s liabilities to determine the required employer contribution rate based upon the systems funding policy and to analyze changes in the City of Jackson Act 345 Policemen and Firemen Retirement System’s actuarial position.

In addition, the report provides information in connection with the Governmental Accounting Standards Board Statement No. 25 (GASB No. 25), and it provides summaries of the member data, financial data, plan provisions, and actuarial assumptions and methods.

Financing Objectives

The City of Jackson Act 345 Policemen and Firemen Retirement System is supported by member contributions, employer contributions, and net earnings on the investments of the fund. The member contribution rate is set at 12.99% of pay for firefighters, 11.24% for police officers, and 10.95% for police command, while the employer contribution is determined by the actuarial valuation.

The combined member and employer contributions are intended to be sufficient to pay the normal cost and to amortize the Unfunded Actuarial Accrued Liability (UAAL) over a period of 15 years.
EXECUTIVE SUMMARY

Contribution Requirement
The computed employer contribution for the fiscal year ending June 30, 2013 is $2,870,342, or 57.05% of projected covered payroll.

Funded Status
As of the valuation date, the Unfunded Actuarial Accrued Liability (UAAL) was $28,629,701, and the funded ratio (the ratio of the Actuarial Value of Assets to the Actuarial Accrued Liability) was 54.1%. At the time of last year’s valuation, the UAAL was $26,578,226, and the funded ratio was 57.3%. See page A-6 for an analysis of the actuarial gains and losses over the last year and page A-5 for a history of the funded ratios.

Variability of Future Contribution Rates
The Actuarial Cost Method used to determine the contribution rate is intended to produce contribution rates which are generally level as a percent of payroll. Even so, when experience differs from the assumptions, as it often does, the employer’s contribution rate can vary significantly from year-to-year.

We have included a 10-year projection of principle valuation results on page A-10.
EXECUTIVE SUMMARY

Benefit Provisions

This valuation reflects benefits promised to members as reported to us by the system’s administrator. There have been no reported changes in benefit provisions for members since the prior valuation. A complete list of plan provisions included in the valuation can be found in Section B.

Actuarial Assumptions and Methods

In determining costs and liabilities, actuaries use assumptions about the future, such as rates of salary increase, probabilities of retirement, termination, death and disability, and an investment return assumption. The Board of Trustees sets the actuarial assumptions and methods taking into account recommendations made by the plan’s actuary and other advisors. The most recent experience study reviewing assumptions was for the five-year period ending June 30, 2006.

We believe the assumptions are internally consistent and are reasonable, based on the actual experience of the City of Jackson Act 345 Policemen and Firemen Retirement System. These actuarial assumptions and methods comply with the parameters for disclosure in GASB Statement No. 25.

The determinations of the actuarial valuation are dependent on the actuarial assumptions used. Actual results can, and almost certainly will, differ as actual experience deviates from the assumptions.

In addition to the actuarial assumptions, the actuary also makes use of an Actuarial Cost Method to allocate costs to particular years. In common with most public-sector plans, the City of Jackson Act 345 Policemen and Firemen Retirement System uses the Entry Age Normal method. Theoretically, this method produces a level pattern of funding over time, (as a percentage of member payroll) and thereby provides equity between various generations of tax payers. We continue to believe this method is appropriate for the City of Jackson Act 345 Policemen and Firemen Retirement System.
EXECUTIVE SUMMARY

Assets

System assets are held in trust. The City of Jackson Act 345 Policemen and Firemen Retirement System administrator has provided the asset information used in this valuation.

Page B-8 contains exhibits summarizing the plan’s assets including a summary of the Market Value of Assets held by the fund, allocation of assets held for investment, and a reconciliation of the assets from the last valuation date to the current valuation date.

Page A-7 shows the development of the Actuarial Value of Assets. The Actuarial Value of Assets is a smoothed Market Value. A smoothed value is used in order to dampen some of the year-to-year fluctuations in valuation results that would occur if the Market Value were used each year. The method used phases in differences between the actual and expected market returns over four years. The expected return is determined using the 7.75% assumption and the plan’s Market Value adjusted for contributions received and benefits and refunds paid. Both the actual and expected returns are computed net of administrative expenses.

The Actuarial Value is currently 97.6% of the Market Value. Over any short time period, a disparity between Actuarial Value and Market Value may appear, but in the long-run, we would expect the Actuarial Value and the Market Value to continue to track each other fairly closely.

The investment return rate for FY 10/11 on Market Value was 23.99%, while it was 0.65% on Actuarial Value. These figures differ because of the continued phase-in of 2008 and 2009 market losses.

The Board may choose to implement a “corridor” restricting the Actuarial Value of Assets to be between 80% and 120% (or some other range) of the Market Value of Assets. In the current environment, restricting the Actuarial Value between 80% and 120% of Market will not change the Actuarial Value of Assets, as it is already between 80% and 120%.
EXECUTIVE SUMMARY

Member Data

Among the retired members there were eleven new retirees, three new beneficiaries, one new EDRO, and five deaths bringing the total for this valuation to 158. Active membership had eleven members retire and thirteen withdraw, leaving a total of 70. There continue to be five deferred members.

GASB Statement No. 25 Disclosure

The Governmental Accounting Standards Board (GASB) Statement No. 25 governs reporting for government-sponsored retirement plans.

For the City of Jackson Act 345, the ARC is defined as the sum of (a) the employer normal cost, and (b) the amount needed to amortize the UAAL as a level percentage of payroll over 15 years.
SECTION A
VALUATION RESULTS, COMMENTS, COMPARATIVE INFORMATION
**FUNDING OBJECTIVE**

The funding objective of the Retirement System is to establish and receive contributions throughout the working lifetime of the members which when combined with investment earnings, are sufficient to provide benefits during retirement.

**CONTRIBUTION RATES**

The Retirement System is supported by member contributions, City contributions and investment income from Retirement System assets.

Contributions which satisfy the funding objective are determined by the annual actuarial valuation and are sufficient to:

1. Cover the actuarial present value of benefits allocated to the current year by the actuarial cost method described in Section C (the normal cost); and

2. Finance over a period of future years the actuarial present value of benefits not covered by valuation assets and anticipated future normal costs (unfunded actuarial accrued liability).

*Computed contribution rates* for the fiscal year beginning July 1, 2012 are shown on page A-2.
CONTRIBUTIONS TO FUND BENEFITS
EXPRESSED AS PERCENTS OF ACTIVE MEMBER PAYROLL
FOR THE FISCAL YEAR BEGINNING JULY 1

<table>
<thead>
<tr>
<th>Contributions for</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normal Cost</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age &amp; service</td>
<td>17.15 %</td>
<td>17.09 %</td>
</tr>
<tr>
<td>Casualty</td>
<td>2.15</td>
<td>2.12</td>
</tr>
<tr>
<td>Refunds</td>
<td>1.00</td>
<td>0.99</td>
</tr>
<tr>
<td>Total</td>
<td>20.30</td>
<td>20.20</td>
</tr>
<tr>
<td>Member contributions</td>
<td>10.85</td>
<td>10.78</td>
</tr>
<tr>
<td>Employer Normal Cost</td>
<td>9.45</td>
<td>9.42</td>
</tr>
<tr>
<td>Unfunded Actuarial Accrued Liability*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirants and beneficiaries</td>
<td>10.06</td>
<td>22.35</td>
</tr>
<tr>
<td>Active members</td>
<td>24.23</td>
<td>25.28</td>
</tr>
<tr>
<td>Total</td>
<td>34.29</td>
<td>47.63</td>
</tr>
<tr>
<td>Computed Employer Rate</td>
<td>43.74 %</td>
<td>57.05 %</td>
</tr>
<tr>
<td>Employer Dollar Contribution</td>
<td>$2,843,528</td>
<td>$2,870,342</td>
</tr>
</tbody>
</table>

* Amortized as a level percent-of-payroll over a period of 15 years for retirants, beneficiaries, and active members.

DETERMINING EMPLOYER DOLLAR CONTRIBUTIONS

For any period of time, the percent-of-payroll contribution rate needs to be converted to dollars.

The recommended procedure when the population is stable is: (1) at the end of each payroll period, multiply the active member payroll for the period by the employer contribution percent; and (2) promptly contribute the dollar amount so determined.

The total active member payroll used for this valuation was $4,629,536. Applying the computed employer contribution rate of 57.05% to this payroll and adjusting for the time lag between June 30, 2011 and the assumed contribution date produces a recommended employer contribution of $2,870,342 for FY 12/13.

In an environment when the population is projected to decline by the time contributions are made, we recommend contributing the dollar amount shown above.

Actual employer contributions made to the trust for the last completed fiscal year were $2,772,800.
In financing the actuarial accrued liability, the valuation assets of $33,801,498 were distributed as shown below. Please see page A-7 for information concerning the derivation of valuation assets.

<table>
<thead>
<tr>
<th>Reserves for</th>
<th>Member Actuarial Accrued Liability</th>
<th>Retired Actuarial Life Accrued Liability</th>
<th>Contingency Reserve</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employees' Contributions</td>
<td>$6,635,067</td>
<td>$6,635,067</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employer Contributions</td>
<td>$41,697,022</td>
<td>41,697,022</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retired Benefit Payments</td>
<td>(14,530,591)</td>
<td>(14,530,591)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>$6,635,067</td>
<td>$27,166,431</td>
<td>none</td>
<td>$33,801,498</td>
</tr>
</tbody>
</table>

Assets were applied against actuarial accrued liability in determining unfunded actuarial accrued liability as follows:

<table>
<thead>
<tr>
<th>Retired Lives</th>
<th>Active Members</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computed Actuarial Accrued Liability</td>
<td>$40,603,656</td>
<td>$21,827,543</td>
</tr>
<tr>
<td>Applied Assets</td>
<td>27,166,431</td>
<td>6,635,067</td>
</tr>
<tr>
<td>Unfunded Actuarial Accrued Liability</td>
<td>$13,437,225</td>
<td>$15,192,476</td>
</tr>
</tbody>
</table>
FUNDING PROGRESS INDICATORS

Although there is no single all-encompassing measure of a retirement system's funding progress and current funded status, an aid in understanding funding progress can be achieved using the following indicators:

INDICATOR 1 - The ratio of valuation assets to the actuarial accrued liability (AAL). The ratio is expected to increase in the absence of benefit improvements or strengthening of actuarial assumptions. Prior to 6/30/98, the AAL was computed in accordance with the Pension Benefit Obligation information pursuant to the Government Accounting Standards Board (GASB) Statement No. 5, issued November, 1986. Beginning with the 6/30/98 valuation, the actuarial accrued liability computed for funding purposes is used, pursuant to GASB Statement No. 25, which supersedes Statement No. 5.

INDICATOR 2 - The ratio of the unfunded actuarial accrued liability to member payroll - an inflation adjusted funding requirement indicator. In a soundly financed retirement system, the amount of the unfunded actuarial accrued liability will be controlled and prevented from increasing in the absence of benefit improvements or strengthening of actuarial assumptions. However, in an inflationary environment it is seldom practical to impose this control on dollar amounts which are depreciating in value. The ratio is a relative index of condition where inflation is present in both items. The ratio is expected to gradually decrease in the absence of benefit improvements and changes in actuarial assumptions.

INDICATOR 3 - The actuarial present value of gains or losses realized in the operation of the Retirement System - an experience indicator. Gains and losses are expected to cancel each other over a period of years (in the absence of double-digit inflation) but sizable year-to-year fluctuations are common. Derivation of the experience gain (loss) is shown on page A-6.

The Retirement System’s funding objective is to meet long-term benefit promises through contributions that remain approximately level from year-to-year as a percent of active member payroll. If the contributions to the System are level in concept and soundly executed, the System will pay all promised benefits when due -- the ultimate indicator of financial soundness.
### Funding Progress Indicators - Comparative Schedule

($ Amounts in Thousands)

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Valuation Assets</th>
<th>AAL</th>
<th>Funded Ratio</th>
<th>UAAL</th>
<th>Member Payroll</th>
<th>Ratio to Payroll</th>
<th>Gain (Loss)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1988</td>
<td>$6,165</td>
<td>$16,097</td>
<td>38.3%</td>
<td>$9,932</td>
<td>$2,381</td>
<td>417.1%</td>
<td>$ (719)</td>
</tr>
<tr>
<td>1989</td>
<td>6,724</td>
<td>19,391</td>
<td>34.7%</td>
<td>12,668</td>
<td>2,660</td>
<td>476.3%</td>
<td>(2,473)</td>
</tr>
<tr>
<td>1990 (b)</td>
<td>7,794</td>
<td>26,223</td>
<td>29.7%</td>
<td>18,429</td>
<td>3,801</td>
<td>484.8%</td>
<td>(2,341)</td>
</tr>
<tr>
<td>1991 (a)</td>
<td>8,335</td>
<td>27,727</td>
<td>30.1%</td>
<td>19,392</td>
<td>4,049</td>
<td>478.9%</td>
<td>(127)</td>
</tr>
<tr>
<td>1992</td>
<td>9,670</td>
<td>29,800</td>
<td>32.4%</td>
<td>20,130</td>
<td>4,299</td>
<td>468.3%</td>
<td>(329)</td>
</tr>
<tr>
<td>1993</td>
<td>10,424</td>
<td>31,447</td>
<td>33.1%</td>
<td>21,023</td>
<td>4,502</td>
<td>466.9%</td>
<td>(502)</td>
</tr>
<tr>
<td>1994 (a)</td>
<td>11,429</td>
<td>33,668</td>
<td>33.9%</td>
<td>22,239</td>
<td>4,778</td>
<td>465.4%</td>
<td>(1,084)</td>
</tr>
<tr>
<td>1995</td>
<td>13,099</td>
<td>35,642</td>
<td>36.8%</td>
<td>22,543</td>
<td>5,119</td>
<td>440.4%</td>
<td>(87)</td>
</tr>
<tr>
<td>1996</td>
<td>15,137</td>
<td>37,030</td>
<td>40.9%</td>
<td>21,893</td>
<td>5,381</td>
<td>406.9%</td>
<td>810</td>
</tr>
<tr>
<td>1997</td>
<td>17,657</td>
<td>38,022</td>
<td>46.4%</td>
<td>20,365</td>
<td>5,498</td>
<td>370.4%</td>
<td>1,566</td>
</tr>
<tr>
<td>1998 (a)</td>
<td>21,277</td>
<td>39,553</td>
<td>53.8%</td>
<td>18,276</td>
<td>5,697</td>
<td>320.8%</td>
<td>2,062</td>
</tr>
<tr>
<td>1999</td>
<td>24,372</td>
<td>40,911</td>
<td>59.6%</td>
<td>16,539</td>
<td>5,598</td>
<td>295.5%</td>
<td>1,359</td>
</tr>
<tr>
<td>2000</td>
<td>27,748</td>
<td>42,660</td>
<td>65.0%</td>
<td>14,912</td>
<td>5,773</td>
<td>258.3%</td>
<td>1,336</td>
</tr>
<tr>
<td>2001</td>
<td>29,555</td>
<td>44,126</td>
<td>67.0%</td>
<td>14,571</td>
<td>5,942</td>
<td>245.2%</td>
<td>24</td>
</tr>
<tr>
<td>2002 (a)</td>
<td>28,906</td>
<td>45,681</td>
<td>63.3%</td>
<td>16,775</td>
<td>6,071</td>
<td>276.3%</td>
<td>(2,313)</td>
</tr>
<tr>
<td>2003 (a)</td>
<td>27,837</td>
<td>47,131</td>
<td>59.1%</td>
<td>19,294</td>
<td>6,213</td>
<td>310.5%</td>
<td>(2,486)</td>
</tr>
<tr>
<td>2004 (a)</td>
<td>27,218</td>
<td>49,060</td>
<td>55.5%</td>
<td>21,842</td>
<td>6,138</td>
<td>355.8%</td>
<td>(2,386)</td>
</tr>
<tr>
<td>2005 (a)</td>
<td>27,761</td>
<td>51,434</td>
<td>54.0%</td>
<td>23,673</td>
<td>6,321</td>
<td>374.5%</td>
<td>(806)</td>
</tr>
<tr>
<td>2006</td>
<td>29,893</td>
<td>53,569</td>
<td>55.8%</td>
<td>23,676</td>
<td>6,598</td>
<td>358.8%</td>
<td>(72)</td>
</tr>
<tr>
<td>2007 (a)</td>
<td>33,250</td>
<td>56,554</td>
<td>58.8%</td>
<td>23,304</td>
<td>6,421</td>
<td>362.9%</td>
<td>812</td>
</tr>
<tr>
<td>2008 (a)</td>
<td>36,003</td>
<td>59,228</td>
<td>60.8%</td>
<td>23,225</td>
<td>6,655</td>
<td>349.0%</td>
<td>(904)</td>
</tr>
<tr>
<td>2009 (a)</td>
<td>35,907</td>
<td>61,905</td>
<td>58.0%</td>
<td>25,998</td>
<td>6,767</td>
<td>384.2%</td>
<td>(3,750)</td>
</tr>
<tr>
<td>2010 (a)</td>
<td>35,632</td>
<td>62,211</td>
<td>57.3%</td>
<td>26,579</td>
<td>6,236</td>
<td>426.2%</td>
<td>(2,267)</td>
</tr>
<tr>
<td>2011</td>
<td>33,801</td>
<td>62,431</td>
<td>54.1%</td>
<td>28,630</td>
<td>4,630</td>
<td>618.4%</td>
<td>(2,272)</td>
</tr>
</tbody>
</table>

(a) After changes in benefit provisions and/or actuarial assumptions and actuarial cost methods.
(b) Includes transfers from Old Plan through March, 1991.

AAL - Actuarial accrued liability, computed in accordance with GASB Statement No. 5 prior to 6/30/98; after 6/30/97 computed in accordance with GASB Statement No. 25.

UAAL - Unfunded actuarial accrued liability.
## EXPERIENCE GAIN (LOSS)
### JUNE 30, 2011

<table>
<thead>
<tr>
<th>Description</th>
<th>Actuarial Accrued Liability (A)</th>
<th>Actuarial Value of Assets (B)</th>
<th>Unfunded Actuarial Accrued Liability (C) = (A) - (B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Value at start of year</td>
<td>$62,210,658</td>
<td>$35,632,432</td>
<td>$26,578,226</td>
</tr>
<tr>
<td>(2) Normal Cost from last valuation</td>
<td>1,265,899</td>
<td>N/A</td>
<td>1,265,899</td>
</tr>
<tr>
<td>(3) Actual Contributions</td>
<td>N/A</td>
<td>3,461,164</td>
<td>(3,461,164)</td>
</tr>
<tr>
<td>(4) Disbursements</td>
<td>(5,517,672)</td>
<td>(5,517,672)</td>
<td>-</td>
</tr>
<tr>
<td>(5) Interest Accrual</td>
<td>4,656,570</td>
<td>2,681,824</td>
<td>1,974,746</td>
</tr>
<tr>
<td>(6) Expected value before changes</td>
<td>62,615,455</td>
<td>36,257,748</td>
<td>26,357,707</td>
</tr>
<tr>
<td>(7) Increase due to plan amendment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(8) Increase due to revised assumptions</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(9) Expected value after changes</td>
<td>62,615,455</td>
<td>36,257,748</td>
<td>26,357,707</td>
</tr>
<tr>
<td>(10) Actual value at end of year</td>
<td>62,431,199</td>
<td>33,801,498</td>
<td>28,629,701</td>
</tr>
<tr>
<td>(11) Gain (loss)</td>
<td>$184,256</td>
<td>$(2,456,250)</td>
<td>$(2,271,994)</td>
</tr>
</tbody>
</table>
### DEVELOPMENT OF FUNDING VALUE OF RETIREMENT SYSTEM ASSETS

**Year Ended June 30:**

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Funding Value Beginning of Year</td>
<td>$36,002,509</td>
<td>$35,907,494</td>
<td>$35,632,432</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Market Value End of Year</td>
<td>26,718,964</td>
<td>29,785,874</td>
<td>34,626,948</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Market Value Beginning of Year</td>
<td>34,048,756</td>
<td>26,718,964</td>
<td>29,785,874</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Non-Investment Net Cash Flow</td>
<td>57,167</td>
<td>(127,921)</td>
<td>(2,056,508)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E1. Projected Rate of Return</td>
<td>7.75%</td>
<td>7.75%</td>
<td>7.75%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Investment Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E1. Market Total: B – C – D</td>
<td>(7,386,959)</td>
<td>3,194,831</td>
<td>6,897,582</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E2. Amount for Immediate Recognition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D1 * (A + D / 2)</td>
<td>2,792,410</td>
<td>2,777,874</td>
<td>2,681,824</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E3. Amount for Phased-In Recognition: E1-E2</td>
<td>(10,179,369)</td>
<td>416,957</td>
<td>4,215,758</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. Phased-In Recognition of Investment Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F1. Current Year: 0.25 x E3</td>
<td>(2,544,842)</td>
<td>104,239</td>
<td>1,053,940</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F2. First Prior Year</td>
<td>(1,069,588)</td>
<td>(2,544,842)</td>
<td>104,239</td>
<td>$ 1,053,940</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F3. Second Prior Year</td>
<td>585,175</td>
<td>(1,069,588)</td>
<td>(2,544,842)</td>
<td>104,239</td>
<td>$ 1,053,940</td>
<td></td>
</tr>
<tr>
<td>F4. Third Prior Year</td>
<td>84,663</td>
<td>585,176</td>
<td>(1,069,587)</td>
<td>(2,544,843)</td>
<td>104,240</td>
<td>$ 1,053,938</td>
</tr>
<tr>
<td>F5. Total Recognized Investment Gain:</td>
<td>(2,944,592)</td>
<td>(2,925,015)</td>
<td>(2,456,250)</td>
<td>(1,386,664)</td>
<td>1,158,180</td>
<td>1,053,938</td>
</tr>
<tr>
<td>G. Funding Value End of Year: A + D + E2 + F5</td>
<td>35,907,494</td>
<td>35,632,432</td>
<td>33,801,498</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H. Difference Between Market &amp; Funding Value</td>
<td>(9,188,530)</td>
<td>(5,846,558)</td>
<td>825,450</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Ratio of Funding to Market Value of Assets</td>
<td>134.4%</td>
<td>119.6%</td>
<td>97.6%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. Recognized Rate of Return</td>
<td>(0.42%)</td>
<td>(0.41%)</td>
<td>0.65%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>K. Market Rate of Return</td>
<td>(21.68%)</td>
<td>11.99%</td>
<td>23.99%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Funding Value of Assets recognizes assumed investment income (line E2) fully each year. Differences between actual and assumed investment income (line E3) are phased-in over a closed 4 year period. During periods when investment performance exceeds the assumed rate, Funding Value of Assets will tend to be less than market value. During periods when investment performance is less than the assumed rate, Funding Value of Assets will tend to be greater than market value. The Funding Value of Assets is unbiased with respect to market Value.
## Valuation Results
### Comparative Schedule

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Actuarial Accrued Liability</th>
<th>Amortization</th>
<th>Computed Employer Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date FY</td>
<td>Computed Through June 30</td>
<td>Active</td>
<td>Period %</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>Assets</td>
<td>Unfunded</td>
</tr>
<tr>
<td>1978 79/80</td>
<td>$ 3,608,983</td>
<td>$ 618,378</td>
<td>$ 2,990,605</td>
</tr>
<tr>
<td>1979 80/81</td>
<td>$ 3,964,236</td>
<td>$ 821,997</td>
<td>3,142,239</td>
</tr>
<tr>
<td>1980 81/82</td>
<td>$ 5,567,154</td>
<td>$ 1,213,503</td>
<td>$ 4,353,651</td>
</tr>
<tr>
<td>1981 82/83</td>
<td>$ 7,022,697</td>
<td>$ 1,361,912</td>
<td>$ 5,660,785</td>
</tr>
<tr>
<td>1982 83/84</td>
<td>$ 7,270,797</td>
<td>$ 2,083,777</td>
<td>$ 5,187,020</td>
</tr>
<tr>
<td>1983 84/85</td>
<td>$ 9,161,606</td>
<td>$ 2,760,736</td>
<td>$ 6,454,870</td>
</tr>
<tr>
<td>1984 85/86</td>
<td>$ 9,762,564</td>
<td>$ 3,080,431</td>
<td>$ 6,682,133</td>
</tr>
<tr>
<td>1985 86/87</td>
<td>$ 11,952,650</td>
<td>$ 3,651,133</td>
<td>$ 8,301,517</td>
</tr>
<tr>
<td>1986 87/88</td>
<td>$ 13,147,141</td>
<td>$ 4,291,075</td>
<td>$ 8,856,066</td>
</tr>
<tr>
<td>1987 88/89</td>
<td>$ 14,468,307</td>
<td>$ 5,493,437</td>
<td>$ 8,974,870</td>
</tr>
<tr>
<td>1988 89/90</td>
<td>$ 16,096,433</td>
<td>$ 6,164,578</td>
<td>$ 9,931,855</td>
</tr>
<tr>
<td>1989 90/91</td>
<td>$ 19,379,056</td>
<td>$ 6,723,554</td>
<td>$ 12,655,502</td>
</tr>
<tr>
<td>1990 91/92</td>
<td>$ 23,165,939</td>
<td>$ 7,973,748</td>
<td>$ 15,192,191</td>
</tr>
<tr>
<td>1991 92/93</td>
<td>$ 27,111,002</td>
<td>$ 8,334,922</td>
<td>$ 18,776,080</td>
</tr>
<tr>
<td>1992 93/94</td>
<td>$ 29,780,358</td>
<td>$ 9,670,249</td>
<td>$ 20,110,109</td>
</tr>
<tr>
<td>1993 94/95</td>
<td>$ 32,411,808</td>
<td>$ 10,423,845</td>
<td>$ 22,988,963</td>
</tr>
<tr>
<td>1994 95/96</td>
<td>$ 34,594,393</td>
<td>$ 11,429,000</td>
<td>$ 23,165,393</td>
</tr>
<tr>
<td>1995 96/97</td>
<td>$ 36,641,978</td>
<td>$ 13,099,449</td>
<td>$ 23,542,529</td>
</tr>
<tr>
<td>1996 97/98</td>
<td>$ 38,080,137</td>
<td>$ 15,136,941</td>
<td>$ 22,943,196</td>
</tr>
<tr>
<td>1997 98/99</td>
<td>$ 39,109,052</td>
<td>$ 17,657,404</td>
<td>$ 21,451,648</td>
</tr>
<tr>
<td>1998 99/00</td>
<td>$ 39,553,492</td>
<td>$ 21,277,144</td>
<td>$ 18,276,348</td>
</tr>
<tr>
<td>1999 00/01</td>
<td>$ 40,911,155</td>
<td>$ 24,372,290</td>
<td>$ 16,538,865</td>
</tr>
<tr>
<td>2000 01/02</td>
<td>$ 42,660,487</td>
<td>$ 27,747,780</td>
<td>$ 14,912,707</td>
</tr>
<tr>
<td>2001 02/03</td>
<td>$ 44,125,761</td>
<td>$ 29,554,922</td>
<td>$ 14,570,839</td>
</tr>
<tr>
<td>2002 03/04</td>
<td>$ 45,681,002</td>
<td>$ 28,905,621</td>
<td>$ 16,775,381</td>
</tr>
<tr>
<td>2003 04/05</td>
<td>$ 47,131,125</td>
<td>$ 27,836,691</td>
<td>$ 19,294,434</td>
</tr>
<tr>
<td>2004 05/06</td>
<td>$ 49,059,955</td>
<td>$ 27,218,077</td>
<td>$ 21,841,878</td>
</tr>
<tr>
<td>2005 06/07</td>
<td>$ 51,434,111</td>
<td>$ 27,760,835</td>
<td>$ 23,673,276</td>
</tr>
<tr>
<td>2006 07/08</td>
<td>$ 53,569,342</td>
<td>$ 29,893,085</td>
<td>$ 23,673,276</td>
</tr>
<tr>
<td>2007 08/09</td>
<td>$ 56,554,037</td>
<td>$ 33,249,631</td>
<td>$ 23,304,406</td>
</tr>
<tr>
<td>2008 09/10</td>
<td>$ 59,227,859</td>
<td>$ 36,002,509</td>
<td>$ 23,225,350</td>
</tr>
<tr>
<td>2009 10/11</td>
<td>$ 61,904,907</td>
<td>$ 35,907,494</td>
<td>$ 25,997,413</td>
</tr>
<tr>
<td>2010 11/12</td>
<td>$ 62,210,658</td>
<td>$ 35,632,432</td>
<td>$ 26,578,226</td>
</tr>
<tr>
<td>2011 12/13</td>
<td>$ 62,431,199</td>
<td>$ 33,801,498</td>
<td>$ 28,629,701</td>
</tr>
</tbody>
</table>

(a) After changes in benefit provisions and/or actuarial assumptions and actuarial cost methods.

(b) Includes transfers from Old Police-Fire plan through March, 1991.

* An additional $480,000 is held in the City’s General Fund.
## SUMMARY STATEMENT OF SYSTEM RESOURCES AND OBLIGATIONS

### Present Resources and Expected Future Resources

<table>
<thead>
<tr>
<th></th>
<th>June 30, 2011</th>
<th>June 30, 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Present valuation assets</strong></td>
<td>$34,626,948</td>
<td>$29,785,874</td>
</tr>
<tr>
<td>1. Net assets from System financial statements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Transfer from old plan</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3. Market value adjustment</td>
<td>(825,450)</td>
<td>5,846,558</td>
</tr>
<tr>
<td>4. Valuation assets</td>
<td>$33,801,498</td>
<td>$35,632,432</td>
</tr>
<tr>
<td><strong>B. Actuarial present value of expected future employer contributions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. For normal costs</td>
<td>3,599,935</td>
<td>4,863,291</td>
</tr>
<tr>
<td>2. For unfunded actuarial accrued liability</td>
<td>28,629,701</td>
<td>26,578,226</td>
</tr>
<tr>
<td>3. Total</td>
<td>$32,229,636</td>
<td>$31,441,517</td>
</tr>
<tr>
<td><strong>C. Actuarial present value of expected future member contributions</strong></td>
<td>$ 4,117,510</td>
<td>$ 5,516,602</td>
</tr>
<tr>
<td><strong>D. Total present and expected future resources</strong></td>
<td>$70,148,644</td>
<td>$72,590,551</td>
</tr>
</tbody>
</table>

### Actuarial Present Value of Expected Future Benefit Payments

<table>
<thead>
<tr>
<th></th>
<th>June 30, 2011</th>
<th>June 30, 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. To retirants and beneficiaries</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Annual pensions</td>
<td>$40,603,656</td>
<td>$35,719,893</td>
</tr>
<tr>
<td>2. Reserve</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>3. Total</td>
<td>$40,603,656</td>
<td>$35,719,893</td>
</tr>
<tr>
<td><strong>B. To vested terminated members</strong></td>
<td>1,077,307</td>
<td>998,054</td>
</tr>
<tr>
<td><strong>C. To present active members</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Allocated to service rendered prior to valuation date - actuarial accrued liability</td>
<td>20,750,236</td>
<td>25,492,711</td>
</tr>
<tr>
<td>2. Allocated to service likely to be rendered after valuation date</td>
<td>7,717,445</td>
<td>10,379,893</td>
</tr>
<tr>
<td>3. Transfer from old plan</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>4. Total</td>
<td>$28,467,681</td>
<td>$35,872,604</td>
</tr>
<tr>
<td><strong>D. Total actuarial present value of expected future benefit payments</strong></td>
<td>$70,148,644</td>
<td>$72,590,551</td>
</tr>
</tbody>
</table>
### 10-Year Projection

**15-Year Open Amortization Period**

7.75% Market Return

(All $ in Millions)

<table>
<thead>
<tr>
<th>Valuation Date</th>
<th>Actuarial Accrued Liability</th>
<th>Actuarial Accrued Assets</th>
<th>Actuarial Accrued Liabilities</th>
<th>Unfunded Valuation</th>
<th>Actuarial Accrued Ratio</th>
<th>Actuarial Funded Ratio</th>
<th>Fiscal Year Ending</th>
<th>Projected Payroll</th>
<th>Member Dollar Contribution</th>
<th>Member % of Payroll</th>
<th>Employer Dollar Contribution</th>
<th>Employer % of Payroll</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/30/2011</td>
<td>$62.43</td>
<td>$33.80</td>
<td>$28.63</td>
<td>54.1%</td>
<td>6/30/2013</td>
<td>$5.03</td>
<td>$0.54</td>
<td>10.78%</td>
<td>$2.87</td>
<td>57.07%</td>
<td>52.73%</td>
<td></td>
</tr>
<tr>
<td>6/30/2012</td>
<td>65.08</td>
<td>35.33</td>
<td>28.37</td>
<td>54.3%</td>
<td>6/30/2014</td>
<td>5.25</td>
<td>0.57</td>
<td>10.78%</td>
<td>2.99</td>
<td>52.73%</td>
<td>48.85%</td>
<td></td>
</tr>
<tr>
<td>6/30/2013</td>
<td>67.85</td>
<td>39.44</td>
<td>29.57</td>
<td>58.1%</td>
<td>6/30/2015</td>
<td>5.47</td>
<td>0.59</td>
<td>10.78%</td>
<td>2.88</td>
<td>48.85%</td>
<td>46.86%</td>
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</tr>
<tr>
<td>6/30/2014</td>
<td>70.73</td>
<td>43.77</td>
<td>28.02</td>
<td>61.9%</td>
<td>6/30/2016</td>
<td>5.70</td>
<td>0.61</td>
<td>10.78%</td>
<td>2.78</td>
<td>46.86%</td>
<td>44.96%</td>
<td></td>
</tr>
<tr>
<td>6/30/2015</td>
<td>73.74</td>
<td>47.15</td>
<td>26.59</td>
<td>63.9%</td>
<td>6/30/2017</td>
<td>5.94</td>
<td>0.64</td>
<td>10.78%</td>
<td>2.78</td>
<td>44.96%</td>
<td>43.16%</td>
<td></td>
</tr>
<tr>
<td>6/30/2016</td>
<td>76.87</td>
<td>50.56</td>
<td>26.32</td>
<td>65.8%</td>
<td>6/30/2018</td>
<td>6.20</td>
<td>0.67</td>
<td>10.78%</td>
<td>2.79</td>
<td>43.16%</td>
<td>41.45%</td>
<td></td>
</tr>
<tr>
<td>6/30/2017</td>
<td>80.14</td>
<td>54.10</td>
<td>26.05</td>
<td>67.5%</td>
<td>6/30/2019</td>
<td>6.46</td>
<td>0.70</td>
<td>10.78%</td>
<td>2.79</td>
<td>41.45%</td>
<td>39.83%</td>
<td></td>
</tr>
<tr>
<td>6/30/2018</td>
<td>83.55</td>
<td>57.77</td>
<td>25.78</td>
<td>69.1%</td>
<td>6/30/2020</td>
<td>6.73</td>
<td>0.73</td>
<td>10.78%</td>
<td>2.79</td>
<td>39.83%</td>
<td>38.29%</td>
<td></td>
</tr>
<tr>
<td>6/30/2019</td>
<td>87.10</td>
<td>61.59</td>
<td>25.51</td>
<td>70.7%</td>
<td>6/30/2021</td>
<td>7.02</td>
<td>0.76</td>
<td>10.78%</td>
<td>2.80</td>
<td>38.29%</td>
<td>38.29%</td>
<td></td>
</tr>
<tr>
<td>6/30/2020</td>
<td>90.80</td>
<td>65.55</td>
<td>25.25</td>
<td>72.2%</td>
<td>6/30/2022</td>
<td>7.32</td>
<td>0.79</td>
<td>10.78%</td>
<td>2.80</td>
<td>38.29%</td>
<td>38.29%</td>
<td></td>
</tr>
</tbody>
</table>
**COMMENTS**

**Actuarial Experience:** Net actual experience of the Retirement System was less favorable than assumed during the year ending June 30, 2011, resulting in a loss of $2.3 million. The overall experience loss was primarily due to recognized investment income which was less than the long-term assumption on a funding basis resulting in a loss of $2.5 million. Note, that on a market basis the rate of return was 23.99% On a funding basis, it was 0.65% compared to the assumed rate of 7.75%. This loss was partially offset by the effects of lower than expected salary increases.

**Plan Provisions:** All provisions remain unchanged from the prior valuation.

**Plan Assumptions and Methods:** The IAFF wage inflation returned to 4.5% for all years.

**Looking Ahead:** This year’s valuation includes a 10-year projection on page A-10. This projection assumes no gains and losses on liabilities and return on the market value of assets of 7.75% per year. Note that since there are unrecognized asset gains and losses in the asset smoothing method, a net loss is recognized in the first year of the projection and net gains are projected in the second and third years. The employer contribution rate is projected to gradually decrease after year one. As a dollar amount, the employer contributions are projected to hover around at $2.8 million per year through 2020. The funded ratio is projected to increase to 72% over 10 years.

The ratio of active members to retirees is 0.4. It is likely that the number of retirees will increase in the near future and the ratio will continue to decline. This is a sign of maturity of the plan and an indication that plan contribution will remain high to offset increasing benefit payments. Decreasing contributions in a time of increasing benefit payments may increase liquidity risk on the fund.
SECTION B
SUMMARY OF BENEFIT PROVISIONS AND VALUATION DATA
BRIEF SUMMARY OF ACT 345 BENEFIT CONDITIONS
(JUNE 30, 2011)

SERVICE RETIREMENT

Eligibility: Any age with 25 or more years of service or age 60 regardless of service.

Amount: Police Officers: 2.9% of 3-year average final compensation (AFC) times first 25 years of service plus 1% of AFC times years of service in excess of 25 years. Police Command: 3-year AFC times 2.9% for service accrued on or after July 1, 2007 and 2.5% for service accrued through June 30, 2007 for the first 25 years of service and 1.0% for service in excess of 25 years. Fire Fighters: 3-year AFC times 2.9% for service accrued on or after July 1, 2009 and 2.75% for service accrued through June 30, 2009 for the first 25 years of service and 1.0% for service in excess of 25 years.

DEFERRED RETIREMENT

Eligibility: 10 or more years of service.

Amount: Computed as service retirement but based upon service, AFC and benefit in effect at termination. Benefit begins at date retirement would have occurred had member remained in employment.

DEATH AFTER RETIREMENT SURVIVOR’S PENSION

Eligibility: Payable to a surviving spouse, if any, upon the death of a retired member who was receiving a straight life pension which was effective July 1, 1975 or later (effective July 1, 1991 or later for a disability retirant).

Amount: Spouse's pension equals 60% of the straight life pension the deceased retirant was receiving. (50% of a regular service retirement pension for the spouse of a disability retirant who dies prior to age 55).

NON-DUTY DEATH-IN-SERVICE SURVIVOR’S PENSION

Eligibility: Payable to a surviving spouse, if any, upon the death of a member with 20 (10 for Fire Fighters) or more years of service.

Amount: Accrued straight life pension actuarially reduced in accordance with an Option I election.

DUTY DEATH-IN-SERVICE SURVIVOR’S PENSION

Eligibility: Payable upon the expiration of worker's compensation to the survivors of a member who died in the line of duty.

Amount: Same amount that was paid by worker's compensation.
BRIEF SUMMARY OF ACT 345 BENEFIT CONDITIONS
(JUNE 30, 2011)

NON-DUTY DISABILITY

Eligibility: Payable upon the total and permanent disability of a member with 5 or more years of service.

Amount: To Age 55: 2.5% of AFC times years of service. For IAFF: 2.75% of AFC times years of service earned on or before June 30, 2009, and 2.9% of AFC times years of service earned on or after July 1, 2009.
At Age 55: Same as Service Pension.

DUTY DISABILITY

Eligibility: Payable upon the total and permanent disability of a member in the line of duty.

Amount: To Age 55: 66-2/3% of AFC.
At Age 55: Same as Service Retirement.
Pension with service credit from date of disability to age 55.

MEMBER CONTRIBUTIONS

Amount: Fire: 12.05% of pay. Effective July 1, 2009, members contribute 12.99% of pay. Effective July 1, 2018, members will contribute 10.05% of pay. Effective July 1, 2024, members will contribute 10.04% of pay.
Police Officers: 11.24% of pay.
Police Command: 10.95% of pay.
## RETIRANT AND BENEFICIARY COMPARATIVE SCHEDULE

<table>
<thead>
<tr>
<th>Year Ended June 30</th>
<th>No. Trans. During Year</th>
<th>Added to Rolls</th>
<th>Removed from Rolls</th>
<th>Rolls End of Year</th>
<th>% Incr. in Annual Pensions</th>
<th>Average Pension</th>
<th>Discounted Value of Pensions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Annual Pensions*</td>
<td>No.</td>
<td>Annual Pensions</td>
<td>No.</td>
<td>Annual Pensions</td>
<td>Total</td>
</tr>
<tr>
<td>1987</td>
<td>2</td>
<td>3 $ 57,331</td>
<td>51</td>
<td>$ 875,374</td>
<td>7.0%</td>
<td>$17,164</td>
<td>$10,361,511</td>
</tr>
<tr>
<td>1988</td>
<td>2</td>
<td>2 41,158</td>
<td>53</td>
<td>916,532</td>
<td>4.7</td>
<td>17,293</td>
<td>$10,745,220</td>
</tr>
<tr>
<td>1989</td>
<td>7</td>
<td>13 207,885</td>
<td>66</td>
<td>1,124,417</td>
<td>22.7</td>
<td>17,037</td>
<td>$13,269,638</td>
</tr>
<tr>
<td>1990</td>
<td>2</td>
<td>7 137,437</td>
<td>73</td>
<td>1,261,854</td>
<td>12.2</td>
<td>17,286</td>
<td>$14,850,811</td>
</tr>
<tr>
<td>1991</td>
<td>8</td>
<td>121,524</td>
<td>3</td>
<td>30,531</td>
<td>72</td>
<td>17,344</td>
<td>$16,093,858</td>
</tr>
<tr>
<td>1992</td>
<td>2</td>
<td>186,123</td>
<td>86</td>
<td>1,538,970</td>
<td>13.8</td>
<td>17,895</td>
<td>$18,343,442</td>
</tr>
<tr>
<td>1993</td>
<td>9</td>
<td>184,615</td>
<td>93</td>
<td>1,688,321</td>
<td>9.7</td>
<td>18,154</td>
<td>$19,950,952</td>
</tr>
<tr>
<td>1994</td>
<td>3</td>
<td>74,096</td>
<td>96</td>
<td>1,762,417</td>
<td>4.4</td>
<td>18,359</td>
<td>$20,634,637</td>
</tr>
<tr>
<td>1995</td>
<td>3</td>
<td>50,303</td>
<td>99</td>
<td>1,812,720</td>
<td>2.9</td>
<td>18,310</td>
<td>$21,041,881</td>
</tr>
<tr>
<td>1996</td>
<td>4</td>
<td>111,178</td>
<td>103</td>
<td>1,923,898</td>
<td>6.1</td>
<td>18,679</td>
<td>$22,163,299</td>
</tr>
<tr>
<td>1997</td>
<td>9</td>
<td>210,599</td>
<td>112</td>
<td>2,134,497</td>
<td>10.9</td>
<td>19,058</td>
<td>$24,125,086</td>
</tr>
<tr>
<td>1998</td>
<td>2</td>
<td>55,252</td>
<td>113</td>
<td>2,151,193</td>
<td>0.8</td>
<td>19,037</td>
<td>$24,045,700</td>
</tr>
<tr>
<td>1999</td>
<td>3</td>
<td>311,785</td>
<td>124</td>
<td>2,429,489</td>
<td>12.9</td>
<td>19,592</td>
<td>$27,262,964</td>
</tr>
<tr>
<td>2000</td>
<td>3</td>
<td>147,992</td>
<td>126</td>
<td>2,561,248</td>
<td>5.4</td>
<td>20,327</td>
<td>$28,281,473</td>
</tr>
<tr>
<td>2001</td>
<td>3</td>
<td>80,305</td>
<td>126</td>
<td>2,569,712</td>
<td>0.3</td>
<td>20,395</td>
<td>$28,325,844</td>
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<tr>
<td>2002</td>
<td>4</td>
<td>124,746</td>
<td>129</td>
<td>2,685,111</td>
<td>4.5</td>
<td>20,815</td>
<td>$29,398,266</td>
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<tr>
<td>2003</td>
<td>5</td>
<td>128,515</td>
<td>132</td>
<td>2,777,617</td>
<td>3.4</td>
<td>21,043</td>
<td>$30,196,106</td>
</tr>
<tr>
<td>2004</td>
<td>5</td>
<td>100,650</td>
<td>136</td>
<td>2,866,974</td>
<td>3.2</td>
<td>21,081</td>
<td>$30,921,701</td>
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<tr>
<td>2005</td>
<td>2</td>
<td>26,759</td>
<td>135</td>
<td>2,834,708</td>
<td>1.1</td>
<td>20,998</td>
<td>$30,138,240</td>
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<tr>
<td>2006</td>
<td>1</td>
<td>10,994</td>
<td>134</td>
<td>2,809,356</td>
<td>(0.9)</td>
<td>20,965</td>
<td>$29,461,802</td>
</tr>
<tr>
<td>2007</td>
<td>6</td>
<td>211,110</td>
<td>138</td>
<td>2,989,123</td>
<td>6.4</td>
<td>21,660</td>
<td>$31,120,638</td>
</tr>
<tr>
<td>2008</td>
<td>5</td>
<td>144,654</td>
<td>141</td>
<td>3,084,057</td>
<td>3.2</td>
<td>21,873</td>
<td>$31,791,641</td>
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<tr>
<td>2009</td>
<td>7</td>
<td>248,242</td>
<td>144</td>
<td>3,263,874</td>
<td>5.8</td>
<td>22,666</td>
<td>$33,631,944</td>
</tr>
<tr>
<td>2010</td>
<td>7</td>
<td>247,878</td>
<td>148</td>
<td>3,476,972</td>
<td>6.5</td>
<td>23,493</td>
<td>$35,719,893</td>
</tr>
<tr>
<td>2011</td>
<td>15</td>
<td># 554,196 # 5</td>
<td>158</td>
<td>3,942,527</td>
<td>13.4</td>
<td>24,953</td>
<td>$40,603,656</td>
</tr>
</tbody>
</table>

* Includes pension adjustments, when applicable.

# Includes alternate payee of an active member, per Eligible Domestic Relations Order.
# Retirements and Beneficiaries June 30, 2011
**Tabulated by Type of Pension Being Paid**

<table>
<thead>
<tr>
<th>Type of Pensions Being Paid</th>
<th>No.</th>
<th>Annual Pensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age and Service Pensions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular-benefit terminating at death of retirant</td>
<td>11</td>
<td>$ 179,056</td>
</tr>
<tr>
<td>Regular-automatic benefit to spouse of deceased retirant</td>
<td>124</td>
<td>3,444,268</td>
</tr>
<tr>
<td>Survivor beneficiary</td>
<td>19</td>
<td>213,465</td>
</tr>
<tr>
<td>Total age and service pensions</td>
<td>154</td>
<td>$3,836,789</td>
</tr>
</tbody>
</table>

| Casualty Pensions                                     |       |                 |
| Non-duty disability pension                           | 1     | $ 21,374        |
| Duty disability pension                               | 3     | 84,364          |
| Total casualty pensions                               | 4     | 105,738         |

**Total Pensions Being Paid** 158 $3,942,527
## Retirees and Beneficiaries June 30, 2011
### Tabulated by Attained Age

<table>
<thead>
<tr>
<th>Attained Age</th>
<th>Age &amp; Service</th>
<th>Disability and Death-in-Service</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 - 49</td>
<td>5</td>
<td>$ 203,296</td>
<td>1</td>
</tr>
<tr>
<td>50 - 54</td>
<td>11</td>
<td>479,934</td>
<td>2</td>
</tr>
<tr>
<td>55 - 59</td>
<td>26</td>
<td>842,957</td>
<td>26</td>
</tr>
<tr>
<td>60 - 64</td>
<td>27</td>
<td>750,450</td>
<td>27</td>
</tr>
<tr>
<td>65 - 69</td>
<td>34</td>
<td>702,572</td>
<td>34</td>
</tr>
<tr>
<td>70 - 74</td>
<td>15</td>
<td>288,996</td>
<td>1</td>
</tr>
<tr>
<td>75 - 79</td>
<td>19</td>
<td>308,213</td>
<td>19</td>
</tr>
<tr>
<td>80</td>
<td>6</td>
<td>91,067</td>
<td>6</td>
</tr>
<tr>
<td>81</td>
<td>4</td>
<td>60,836</td>
<td>4</td>
</tr>
<tr>
<td>82</td>
<td>1</td>
<td>10,612</td>
<td>1</td>
</tr>
<tr>
<td>84</td>
<td>1</td>
<td>18,824</td>
<td>1</td>
</tr>
<tr>
<td>85</td>
<td>2</td>
<td>37,571</td>
<td>2</td>
</tr>
<tr>
<td>86</td>
<td>2</td>
<td>22,843</td>
<td>2</td>
</tr>
<tr>
<td>87</td>
<td>1</td>
<td>18,619</td>
<td>1</td>
</tr>
</tbody>
</table>

| Totals | 154 | $3,836,789 | 4 | $105,738 | 158 | $3,942,527 |

Average Age at Retirement: 49.6 years

Average Age Now: 66.4 years

Five vested terminated members are currently being valued with deferred service pensions.
### ACTIVE MEMBERS IN VALUATION
### COMPARATIVE SCHEDULE

<table>
<thead>
<tr>
<th>Valuation Date June 30</th>
<th>No. of Transfers</th>
<th>Valuation Payroll</th>
<th>Average Pay</th>
<th>% Incr.</th>
<th>Age</th>
<th>Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>51</td>
<td>2</td>
<td>$1,134,720</td>
<td>$22,249</td>
<td>3.9</td>
<td>32.7 yrs.</td>
</tr>
<tr>
<td>1981</td>
<td>59</td>
<td>7</td>
<td>1,481,707</td>
<td>25,114</td>
<td>12.9</td>
<td>32.9</td>
</tr>
<tr>
<td>1982</td>
<td>53</td>
<td>2</td>
<td>1,419,778</td>
<td>26,788</td>
<td>6.7</td>
<td>35.1</td>
</tr>
<tr>
<td>1983</td>
<td>57</td>
<td>1</td>
<td>1,606,087</td>
<td>28,177</td>
<td>5.2</td>
<td>34.3</td>
</tr>
<tr>
<td>1984</td>
<td>67</td>
<td>0</td>
<td>1,738,099</td>
<td>25,942</td>
<td>7.9</td>
<td>33.6</td>
</tr>
<tr>
<td>1985</td>
<td>74</td>
<td>3</td>
<td>1,927,682</td>
<td>26,050</td>
<td>(0.4)</td>
<td>34.1</td>
</tr>
<tr>
<td>1986</td>
<td>71</td>
<td>0</td>
<td>1,906,602</td>
<td>26,854</td>
<td>3.1</td>
<td>33.6</td>
</tr>
<tr>
<td>1987</td>
<td>72</td>
<td>0</td>
<td>2,038,166</td>
<td>28,308</td>
<td>5.4</td>
<td>34.2</td>
</tr>
<tr>
<td>1988</td>
<td>76</td>
<td>3</td>
<td>2,381,388</td>
<td>31,334</td>
<td>10.7*</td>
<td>34.9</td>
</tr>
<tr>
<td>1989</td>
<td>80</td>
<td>4</td>
<td>2,659,581</td>
<td>33,245</td>
<td>6.1</td>
<td>35.3</td>
</tr>
<tr>
<td>1990</td>
<td>99</td>
<td>3</td>
<td>3,289,912</td>
<td>33,231</td>
<td>0</td>
<td>35.1</td>
</tr>
<tr>
<td>1990 #</td>
<td>113</td>
<td>18</td>
<td>3,800,291</td>
<td>33,631</td>
<td>0</td>
<td>36.5</td>
</tr>
<tr>
<td>1991</td>
<td>112</td>
<td>0</td>
<td>4,049,332</td>
<td>36,155</td>
<td>8.8</td>
<td>36.4</td>
</tr>
<tr>
<td>1992</td>
<td>117</td>
<td>10</td>
<td>4,298,912</td>
<td>36,743</td>
<td>1.6</td>
<td>35.5</td>
</tr>
<tr>
<td>1993</td>
<td>113</td>
<td>0</td>
<td>4,502,216</td>
<td>39,843</td>
<td>8.4</td>
<td>35.2</td>
</tr>
<tr>
<td>1994</td>
<td>113</td>
<td>3</td>
<td>4,778,047</td>
<td>42,284</td>
<td>6.1</td>
<td>36.3</td>
</tr>
<tr>
<td>1995</td>
<td>112</td>
<td>0</td>
<td>5,118,907</td>
<td>45,705</td>
<td>8.1</td>
<td>36.7</td>
</tr>
<tr>
<td>1996</td>
<td>119</td>
<td>0</td>
<td>5,380,560</td>
<td>45,215</td>
<td>1.1</td>
<td>36.1</td>
</tr>
<tr>
<td>1997</td>
<td>120</td>
<td>0</td>
<td>5,498,077</td>
<td>45,817</td>
<td>(1.3)</td>
<td>36.2</td>
</tr>
<tr>
<td>1998</td>
<td>119</td>
<td>0</td>
<td>5,697,163</td>
<td>47,875</td>
<td>4.5</td>
<td>36.6</td>
</tr>
<tr>
<td>1999</td>
<td>117</td>
<td>0</td>
<td>5,597,521</td>
<td>47,842</td>
<td>0.1</td>
<td>36.4</td>
</tr>
<tr>
<td>2000</td>
<td>115</td>
<td>0</td>
<td>5,772,726</td>
<td>50,198</td>
<td>(4.9)</td>
<td>37.0</td>
</tr>
<tr>
<td>2001</td>
<td>114</td>
<td>0</td>
<td>5,942,253</td>
<td>52,125</td>
<td>3.8</td>
<td>37.9</td>
</tr>
<tr>
<td>2002</td>
<td>115</td>
<td>0</td>
<td>6,071,301</td>
<td>52,794</td>
<td>1.3</td>
<td>37.8</td>
</tr>
<tr>
<td>2003</td>
<td>115</td>
<td>0</td>
<td>6,213,210</td>
<td>54,028</td>
<td>2.3</td>
<td>38.1</td>
</tr>
<tr>
<td>2004</td>
<td>110</td>
<td>0</td>
<td>6,138,055</td>
<td>55,801</td>
<td>3.3</td>
<td>38.9</td>
</tr>
<tr>
<td>2005</td>
<td>110</td>
<td>0</td>
<td>6,321,086</td>
<td>57,464</td>
<td>3.0</td>
<td>39.9</td>
</tr>
<tr>
<td>2006</td>
<td>109</td>
<td>0</td>
<td>6,598,038</td>
<td>60,532</td>
<td>5.3</td>
<td>41.1</td>
</tr>
<tr>
<td>2007</td>
<td>104</td>
<td>0</td>
<td>6,420,709</td>
<td>61,738</td>
<td>2.0</td>
<td>41.0</td>
</tr>
<tr>
<td>2008</td>
<td>105</td>
<td>0</td>
<td>6,655,270</td>
<td>63,384</td>
<td>2.7</td>
<td>40.9</td>
</tr>
<tr>
<td>2009</td>
<td>101</td>
<td>0</td>
<td>6,767,459</td>
<td>67,005</td>
<td>5.7</td>
<td>41.1</td>
</tr>
<tr>
<td>2010</td>
<td>94</td>
<td>0</td>
<td>6,235,955</td>
<td>66,340</td>
<td>(1.0)</td>
<td>41.3</td>
</tr>
<tr>
<td>2011</td>
<td>70</td>
<td>0</td>
<td>4,629,536</td>
<td>66,136</td>
<td>(0.3)</td>
<td>42.2</td>
</tr>
</tbody>
</table>

* Reflects overtime pay.
# Includes transfers from Old Plan through March, 1991.
ACTIVE MEMBERS JUNE 30, 2011
BY ATTAINED AGE AND YEARS OF SERVICE

<table>
<thead>
<tr>
<th>Attained Age</th>
<th>Years of Service to Valuation Date</th>
<th>Valuation Payroll</th>
</tr>
</thead>
<tbody>
<tr>
<td>25-29</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>30-34</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>35-39</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>40-44</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>45-49</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>50-54</td>
<td></td>
<td></td>
</tr>
<tr>
<td>55-59</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>5</td>
<td>11</td>
</tr>
</tbody>
</table>

While not used in the financial computations, the following group averages are computed and shown because of their general interest.

- **Age:** 42.2 years
- **Service:** 15.9 years
- **Annual Pay:** $66,136
### ASSET INFORMATION
**SUBMITTED FOR VALUATION**

<table>
<thead>
<tr>
<th>Valuation Assets - Market Value</th>
<th>Reserves for</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash &amp; equivalents $ 769,102</td>
<td>Employees' contributions $ 6,635,067</td>
</tr>
<tr>
<td>Receivables &amp; accruals (184,850)</td>
<td>Employer contributions 42,522,472</td>
</tr>
<tr>
<td>Stocks 24,001,541</td>
<td>Retired benefit payments (14,530,591)</td>
</tr>
<tr>
<td>Bonds 10,041,155</td>
<td></td>
</tr>
<tr>
<td><strong>Total Current Assets</strong> $34,626,948</td>
<td><strong>Total Reserves</strong> $34,626,948</td>
</tr>
</tbody>
</table>

### REVENUES AND EXPENDITURES

<table>
<thead>
<tr>
<th>Balance - July 1, 2010 $29,785,874</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues</td>
</tr>
<tr>
<td>Employees' contributions 688,364</td>
</tr>
<tr>
<td>Employer contributions 2,772,800</td>
</tr>
<tr>
<td>Investment income 7,201,174</td>
</tr>
<tr>
<td>Expenditures</td>
</tr>
<tr>
<td>Benefit payments 5,153,103</td>
</tr>
<tr>
<td>Refund of member contributions 364,569</td>
</tr>
<tr>
<td>Expenses 303,592</td>
</tr>
<tr>
<td><strong>Balance - June 30, 2011</strong> $34,626,948</td>
</tr>
</tbody>
</table>

These amounts do not reflect the funding value adjustment of $825,450. The derivation of this adjustment is on page A-7.
SECTION C
FUNDING OBJECTIVE, SUMMARY OF VALUATION PROCESS, METHODS AND ASSUMPTIONS
BASIC FUNDING OBJECTIVE AND OPERATION OF THE RETIREMENT SYSTEM

 Benefit Promises Made Which Must Be Paid For. A retirement system is an orderly means of handing out, keeping track of, and financing contingent pension promises to a group of employees. As each member of the retirement system acquires a unit of service credit the member is, in effect, handed an "IOU" which reads: "Your Act 345 Retirement System promises to pay you one unit of retirement benefits, payments in cash commencing when you retire."

The principal related financial question is: When shall the money required to cover the "IOU" be contributed? This year, when benefit of the member's service is received? Or, some future year when the "IOU" becomes a cash demand?

The Constitution of the State of Michigan is directed to the question:

"Financial benefits arising on account of service rendered in each fiscal year shall be funded during that year and such funding shall not be used for financing unfunded accrued liabilities."

Section 9(2) of Act 345 is also directed to the question:

"Sec. 9(2). - - - For the purpose of creating and maintaining a fund for the payment of the pensions and other benefits payable hereunder, the said city, village or municipality, subject to the provisions of this act, shall appropriate, at the end of such regular intervals as may be adopted, quarterly, semi-annually, or annually, an amount sufficient to maintain actuarially determined reserves covering pensions payable or which might be payable on account of service performed and to be performed by active members and pensions being paid retired members and beneficiaries - - ."
Translated into actuarial terminology, the constitutional and Act 345 level percent-of-payroll contribution objective means that the contribution rate must total at least:

- **Normal Cost** (the current value of benefits likely to be paid on account of members' service being rendered in the current year)
  
  . . . plus . . .

- **Interest on Unfunded Actuarial Accrued Liability** (unfunded actuarial accrued liability is the actuarial present value of benefits not covered by present assets and anticipated future normal costs).

If contributions to the Retirement System are less than the preceding amount, the difference, plus investment earnings not realized thereon, will have to be contributed at some later time, or benefits will have to be reduced, to satisfy the fundamental fiscal equation under which all retirement systems must operate; that is:

\[ B = C + I - E \]

- **Benefit** payments to any group of members and their beneficiaries cannot exceed the sum of:
  - **Contributions** received on behalf of the group.
    
    . . . plus . . .

  - **Investment** earnings on contributions received and not required for immediate cash payment of benefits.
    
    . . . minus . . .

- **Expenses** incurred in operating the system.

A by-product of level percent-of-payroll financing is the accumulation of invested assets. Investment income becomes a major contributor to the Retirement System, and the amount is directly related to the amount of contributions and investment performance.

**Computed Contribution Rate Needed to Finance Benefits.** From a given schedule of benefits and from the data furnished, the contribution rate is calculated - by means of an actuarial valuation - the technique of assigning monetary values to the risks assumed in operating a retirement program.
THE ACTUARIAL VALUATION PROCESS

An actuarial valuation is the process by which a balance between revenues (participant contributions, employer contributions and investment income) and obligations (benefits and expenses) is determined and its actuarial condition is measured.

The flow of activity constituting the valuation may be summarized as follows:

A. **Covered person information about:**
   - each person receiving pension payments
   - each former participant with a vested pension not yet payable
   - each former participant who is not vested and has not claimed a member contribution refund
   - each active participant

B. **Financial Information** (assets, revenues, and expenditures)

C. **Benefit Provisions**

D. **Experience Estimates** about the volume and incidence of future activities

E. **Actuarial Cost Method** for allocating costs to time periods

F. **Mathematically combining the person information, financial information, benefit provisions, experience estimates and actuarial cost method**

G. Determination of:
   - contribution rate for the plan year
   - current funded condition

Items A, B and C are furnished by the pension office and constitute the current knowns about the Fund. Since the majority of activities will occur in the future, estimates must be made about these future activities (Item D).
Demographic assumptions are generally selected on the basis of the System’s historical activity, modified for expected future differences. Past activity of funds which are similar in nature to the fund being valued may be utilized if fund data or activities are insufficient to be reliable.

Fiscal assumptions, on the other hand, do not lend themselves to prediction on the basis of historical activity -- the reason being that both salary increases and investment return are impacted by inflation. Inflation defies reliable prediction. Fiscal assumptions are generally selected on the basis of what would be expected to occur in an inflation-free environment and then both are increased by some provision for long-term inflation.

This is a case where two wrongs may make a right. If inflation is higher than expected it will probably result in actual rates of salary increase and investment return which exceed the assumed rates. Salaries increasing faster than expected result in unexpected costs. Investment returns exceeding the assumed rate result in unanticipated assets. To a large degree, the additional assets will offset the additional cost over the long-term.

Once items A, B, C and D are available, the actuarial valuation process begins. The first step is to determine the plan's total actuarial present value for individuals in each of the 3 covered person categories. 

- **Retired members** now receiving monthly payments;
- **Vested terminated members** not yet at retirement age;
- **Active members**.

The actuarial present value is the value today after taking into account the probabilities of payment and the effect of time, of System promises to pay benefits in the future on the basis of both service already completed and projected future service.
ACTUARIAL COST METHOD

The total actuarial present value is allocated between projected future service and completed service by the actuarial cost method (Item E) -- the individual entry-age method is being utilized for this valuation. The portion of the total actuarial present value allocated to projected future service is the actuarial present value of future normal cost -- normal cost being the series of annual costs, from entry age to retirement age, which will accumulate to the actuarial present value of the individual's benefit at the time of retirement or death. The remainder of the total actuarial present value is the actuarial accrued liability.

At this stage determination has been made of:

1. The total actuarial present value;
2. The actuarial present value of future normal cost; and
3. The actuarial accrued liability.

In the typical plan, the actuarial accrued liability may not be covered by the plan’s funding value of assets -- leaving an unfunded actuarial accrued liability (see page C-6 for further discussion on unfunded actuarial accrued liability).

The funding value of assets used for funding purposes is derived as follows: prior year valuation assets are increased by contribution and expected investment income and reduced by refunds and benefit payments. To this amount is added 25% of the difference between expected and actual investment income for each of the previous four years.

The next step in the valuation process is a determination of the contribution rate (Item G) required to support Fund benefits in accordance with the funding objective (page A-1).

The contribution rate is determined in two basic components:

1. The normal cost component; and
2. The component which will finance (pay off) the unfunded actuarial accrued liability over the period indicated on page A-2.
**ACTUARIAL COST METHOD**

The unfunded actuarial accrued liability (UAAL) was determined using the funding value of assets and actuarial accrued liability calculated as of the valuation date. The UAAL amortization payment (one component of the contribution requirement) is the level percent of pay required to fully amortize the UAAL over a 10-year period beginning on the date contributions determined by the report are scheduled to begin. This UAAL payment reflects any payments expected to be made between the valuation date and the date contributions determined by this report are scheduled to begin.
ACTUARIAL ASSUMPTIONS USED FOR THE VALUATION

Funding objective contribution requirements and actuarial present values are calculated by applying estimates of future System activities (actuarial assumptions) to the benefit provisions and people information of the fund, using the actuarial cost method described on page C-5.

The principal areas of activity which require estimates are:

(i) rates of inflation impacting assets of the System and active member pays

(ii) long-term rates of investment return to be generated by the assets of the fund

(iii) rates of salary increases to members

(iv) rates of mortality among members, retirants and beneficiaries

(v) rates of withdrawal of active members

(vi) rates of retirement due to age and service

(vii) rates of disability among members

In a valuation, the monetary effect of each activity is calculated for as long as a present covered person survives - - - a period of time which can be as long as a century.

Actual activities of the Retirement System will not coincide exactly with estimated activities due to the nature of the activities. Each valuation provides a complete recalculation of estimated future activities and takes into account the effect of differences between estimated and actual activities to date. The result is a continual series of adjustments (usually small) to the computed contribution rate.

From time to time, one or more of the estimates are modified to reflect experience trends (but not random or temporary year-to-year fluctuations).
The rate of net investment return used was 7.75% a year, compounded annually net of expenses. The assumption consists of 3.5% for a real rate of return and 4.25% in recognition of wage inflation.

This assumption, used to discount the value of future payments due at different points in time, was first used for the June 30, 2007 valuation. Approximate investment returns, for the purpose of comparisons with assumed returns, have been as follows:

| Year Ended June 30 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|--------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Nominal rate       | 0.7% | (0.4%) | (0.4%) | 5.7% | 10.3% | 3.1% |
| **5 Year Average** | *Compound average annual rate of increase.*

The nominal rates of return should not be used for measurement of an investment advisor's performance or for comparisons with other systems -- to do so will mislead.

The rates of salary increase used are in accordance with the following graded table.

These assumptions were first used for the June 30, 2007 valuation. The assumption, consisting of 4.25% in recognition of inflation and a graded allowance for promotion and longevity, is used to project current salaries to those upon which pension amounts will be based.
If the number and distribution of active members remain constant, then the total active member payroll will increase 4.25% annually, the base portion of the salary increase assumptions. This increasing payroll was recognized in amortizing unfunded actuarial accrued liability. **Actual valuation payroll has increased at the following rate:**

<table>
<thead>
<tr>
<th></th>
<th>Year Ended June 30</th>
<th>5 Year Average*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total payroll</td>
<td>(25.8) %</td>
<td>(7.9) %</td>
</tr>
<tr>
<td>Average pay</td>
<td>(0.3)</td>
<td>(1.0)</td>
</tr>
</tbody>
</table>

* Compound average annual rate of increase.

**The mortality table** used was the UP-94 Mortality Table for males and females, set back 2 years for males. This assumption was first used for the June 30, 2007 valuation. Sample values follow:

<table>
<thead>
<tr>
<th>Sample Ages</th>
<th>Value at Retirement of $1 Monthly for Life</th>
<th>Future Life Expectancy (Years)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men</td>
<td>Women</td>
</tr>
<tr>
<td>45</td>
<td>$145.11</td>
<td>$147.83</td>
</tr>
<tr>
<td>50</td>
<td>139.47</td>
<td>143.00</td>
</tr>
<tr>
<td>55</td>
<td>132.08</td>
<td>136.49</td>
</tr>
<tr>
<td>60</td>
<td>122.75</td>
<td>128.01</td>
</tr>
<tr>
<td>65</td>
<td>111.62</td>
<td>117.83</td>
</tr>
<tr>
<td>70</td>
<td>99.30</td>
<td>106.12</td>
</tr>
<tr>
<td>75</td>
<td>85.89</td>
<td>92.13</td>
</tr>
<tr>
<td>80</td>
<td>71.39</td>
<td>76.76</td>
</tr>
</tbody>
</table>

This assumption is used to measure the probabilities of members dying before retirement and the probabilities of each benefit payment being made after retirement.

Post-Disabled mortality is set forward 10 years. The weighting of duty and ordinary deaths-in-service is 50%/50%.
The rates of retirement used to measure the probability of eligible members retiring during the next year were as follows:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Fire &amp; Police Command</th>
<th>Police Patrol</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>15 %</td>
<td>40 %</td>
</tr>
<tr>
<td>26</td>
<td>15</td>
<td>40</td>
</tr>
<tr>
<td>27</td>
<td>15</td>
<td>40</td>
</tr>
<tr>
<td>28</td>
<td>15</td>
<td>40</td>
</tr>
<tr>
<td>29</td>
<td>15</td>
<td>40</td>
</tr>
<tr>
<td>30+</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

100% of members are assumed to retire at age 60 with 10 years of service.
Active members are eligible for retirement after 25 years of service or, after attaining age 60 with 10 or more years of service. Service based retirement rates were first used for the June 30, 2007 valuation.
Rates of separation from active membership were as shown on the following page (rates do not apply to members eligible to retire and do not include separation on account of death or disability). This assumption measures the probabilities of members remaining in employment. These rates were first used for the June 30, 2007 valuation.

<table>
<thead>
<tr>
<th>Sample Ages</th>
<th>Years of Service</th>
<th>% of Active Members Separating Within Next Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALL</td>
<td>0</td>
<td>12.00 %</td>
</tr>
<tr>
<td>1</td>
<td>9.00</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>7.00</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>6.00</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>5.50</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>4.50</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>3.50</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>2.50</td>
<td></td>
</tr>
<tr>
<td>10+</td>
<td>0.20</td>
<td></td>
</tr>
</tbody>
</table>

The interest rate currently being credited on refunds of accumulated contributions paid to terminating members was assumed to be 2% per annum.

Rates of disability were weighted 50% duty and 50% ordinary disability and are shown as follows:

<table>
<thead>
<tr>
<th>Sample Ages</th>
<th>% of Active Members Becoming Disabled Within Next Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>0.15 %</td>
</tr>
<tr>
<td>25</td>
<td>0.18</td>
</tr>
<tr>
<td>30</td>
<td>0.20</td>
</tr>
<tr>
<td>35</td>
<td>0.29</td>
</tr>
<tr>
<td>40</td>
<td>0.42</td>
</tr>
<tr>
<td>45</td>
<td>0.65</td>
</tr>
<tr>
<td>50</td>
<td>1.05</td>
</tr>
<tr>
<td>55</td>
<td>1.84</td>
</tr>
<tr>
<td>60</td>
<td>3.06</td>
</tr>
</tbody>
</table>

Financing of Unfunded Actuarial Accrued Liability: Unfunded actuarial accrued liabilities were amortized by level (principal or interest combined) percent-of-payroll contributions over a period of 10 years.
SUMMARY OF ASSUMPTIONS USED  
JUNE 30, 2011  
MISCELLANEOUS AND TECHNICAL ASSUMPTIONS

Marriage Assumption: 90% of all members are assumed to be married for purposes of death-in-service benefits and 80% for deaths after retirement.

Pay Increase Timing: Beginning of (Fiscal) year. This is equivalent to assuming that reported pays represent amounts paid to members during the year ended on the valuation date.

Decrement Timing: Decrements of all types are assumed to occur mid-year.

Eligibility Testing: Eligibility for benefits is determined based upon the age nearest birthday and service nearest whole year on the date the decrement is assumed to occur.

Benefit Service: Exact fractional service is used to determine the amount of benefit payable.

Decrement Relativity: Decrement rates are used directly from the experience study, without adjustment for multiple decrement table effects.

Decrement Operation: Disability and mortality decrements do not operate during the first 5 years of service. Disability and withdrawal do not operate during retirement eligibility.

Normal Form of Benefit: The assumed normal form of benefit is the 60% joint and survivor for married members and straight life for non-married members.

Liability Adjustments: Retirement Present Values were increased 5% for annuity withdrawals at retirement for active and deferred vested members.

Service Adjustment: Active members are assumed to purchase one half year of service prior to retirement.

Incidence of Contributions: Contributions are assumed to be received continuously throughout the year based upon the computed percent-of-payroll shown in this report, and the actual payroll payable at the time contributions are made. New entrant normal cost contributions are applied to the funding of new entrant benefits.

Police Command Benefits: Benefits for new police command retirees were calculated as described on page B-1 with a minimum benefit calculated as 2.5% of 3-year AFC times first 25 years of service plus 1.0% for service in excess of 25 years.

Option Factors: Option factors are based upon 7% interest and the 1971 Group Annuity Mortality Table project to 1984.
GLOSSARY

**Actuarial Accrued Liability** - The difference between (i) the actuarial present value of future plan benefits, and (ii) the actuarial present value of future normal cost. Sometimes referred to as "accrued liability" or "past service liability."

**Accrued Service** - The service credited under the plan which was rendered before the date of the actuarial valuation.

**Actuarial Assumptions** - Estimates of future plan experience with respect to rates of mortality, disability, turnover, retirement, rate or rates of investment income and salary increases. Decrement assumptions (rates of mortality, disability, turnover and retirement) are generally based on past experience, often modified for projected changes in conditions. Economic assumptions (salary increases and investment income) consist of an underlying rate in an inflation-free environment plus a provision for a long-term average rate of inflation.

**Actuarial Cost Method** - A mathematical budgeting procedure for allocating the dollar amount of the "actuarial present value of future plan benefits" between the actuarial present value of future normal cost and the actuarial accrued liability. Sometimes referred to as the "actuarial funding method."

**Actuarial Equivalent** - A single amount or series of amounts of equal value to another single amount or series of amounts, computed on the basis of the rate(s) of interest and mortality tables used by the plan.

**Actuarial Present Value** - The amount of funds presently required to provide a payment or series of payments in the future. It is determined by discounting the future payments at a predetermined rate of interest, taking into account the probability of payment.

**Amortization** - Paying off an interest-bearing liability by means of periodic payments of interest and principal, as opposed to paying it off with a lump sum payment.
**Experience Gain (Loss)** - A measure of the difference between actual experience and that expected based upon a set of actuarial assumptions during the period between two actuarial valuation dates, in accordance with the actuarial cost method being used.

**Normal Cost** - The annual cost assigned, under the actuarial funding method, to current and subsequent plan years. Sometimes referred to as "current service cost." Any payment toward the unfunded actuarial accrued liability is not part of the normal cost.

**Reserve Account** - An account used to indicate that funds have been set aside for a specific purpose and are not generally available for other uses.

**Unfunded Actuarial Accrued Liability** - The difference between the actuarial accrued liability and valuation assets. Sometimes referred to as "unfunded accrued liability."

**Valuation Assets** - The value of current plan assets recognized for valuation purposes.
This information is presented in draft form for review by the System’s auditor. Please let us know if there are any items that the auditor changes so that we may maintain consistency with the System’s financial statements.
GASB STATEMENT NO. 25
REQUIRED SUPPLEMENTARY INFORMATION

The information presented in the required supplementary schedules was determined as part of the actuarial valuations at the dates indicated. Additional information as of the latest actuarial valuation follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valuation Date</td>
<td>June 30, 2011</td>
</tr>
<tr>
<td>Actuarial Cost Method</td>
<td>Entry-Age</td>
</tr>
<tr>
<td>Amortization Method</td>
<td>Level percent</td>
</tr>
<tr>
<td>Amortization Period</td>
<td>15 years open for actives</td>
</tr>
<tr>
<td></td>
<td>15 years open for retirees</td>
</tr>
<tr>
<td>Asset Valuation Method</td>
<td>4-year smoothed market</td>
</tr>
<tr>
<td>Actuarial Assumption:</td>
<td></td>
</tr>
<tr>
<td>Investment rate of return</td>
<td>7.75%</td>
</tr>
<tr>
<td>Projected salary increases</td>
<td>4.25% - 10.25%</td>
</tr>
<tr>
<td>Includes wage inflation at</td>
<td>4.25%</td>
</tr>
<tr>
<td>Cost-of-living adjustments</td>
<td>none</td>
</tr>
</tbody>
</table>

Membership of the plan consisted of the following at June 30, 2011, the date of the latest actuarial valuation:

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirees and Beneficiaries receiving benefits</td>
<td>158</td>
</tr>
<tr>
<td>Terminated plan members entitled</td>
<td>5</td>
</tr>
<tr>
<td>to but not yet receiving benefits</td>
<td></td>
</tr>
<tr>
<td>Active plan members</td>
<td>70</td>
</tr>
<tr>
<td>Total</td>
<td>233</td>
</tr>
</tbody>
</table>
GASB STATEMENT NO. 25  
REQUIRED SUPPLEMENTARY INFORMATION

Schedule of Funding Progress

<table>
<thead>
<tr>
<th>Actuarial Valuation Date</th>
<th>Actuarial Value of Assets</th>
<th>Actuarial Accrued Liability (AAL) -- Entry-Age</th>
<th>Actuarial Accrued Liability (UAAL)</th>
<th>Unfunded AAL (UAAL)</th>
<th>Funded Ratio</th>
<th>Covered Payroll</th>
<th>UAAL as a % of Covered Payroll</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30 2002</td>
<td>$28,905,621</td>
<td>$45,681,002</td>
<td>$16,775,381</td>
<td>63.3 %</td>
<td>$6,071,301</td>
<td>276.3 %</td>
<td></td>
</tr>
<tr>
<td>June 30 2003</td>
<td>27,836,691</td>
<td>47,131,125</td>
<td>19,294,434</td>
<td>59.1</td>
<td>6,213,210</td>
<td>310.5</td>
<td></td>
</tr>
<tr>
<td>June 30 2004</td>
<td>27,218,077</td>
<td>49,059,955</td>
<td>21,841,878</td>
<td>55.5</td>
<td>6,138,055</td>
<td>355.8</td>
<td></td>
</tr>
<tr>
<td>June 30 2005</td>
<td>27,760,835</td>
<td>51,434,111</td>
<td>23,673,276</td>
<td>54.0</td>
<td>6,321,086</td>
<td>374.5</td>
<td></td>
</tr>
<tr>
<td>June 30 2006</td>
<td>29,893,085</td>
<td>53,569,342</td>
<td>23,676,257</td>
<td>55.8</td>
<td>6,598,038</td>
<td>358.8</td>
<td></td>
</tr>
<tr>
<td>June 30 2007</td>
<td>33,249,631</td>
<td>56,554,037</td>
<td>23,304,406</td>
<td>58.8</td>
<td>6,420,709</td>
<td>363.0</td>
<td></td>
</tr>
<tr>
<td>June 30 2008</td>
<td>36,002,509</td>
<td>59,227,859</td>
<td>23,225,350</td>
<td>60.8</td>
<td>6,655,270</td>
<td>349.0</td>
<td></td>
</tr>
<tr>
<td>June 30 2009</td>
<td>35,907,494</td>
<td>61,904,907</td>
<td>25,997,413</td>
<td>58.0</td>
<td>6,767,459</td>
<td>384.2</td>
<td></td>
</tr>
<tr>
<td>June 30 2010</td>
<td>35,632,432</td>
<td>62,210,658</td>
<td>26,578,226</td>
<td>57.3</td>
<td>6,235,955</td>
<td>426.2</td>
<td></td>
</tr>
<tr>
<td>June 30 2011</td>
<td>33,801,498</td>
<td>62,431,199</td>
<td>28,629,701</td>
<td>54.1</td>
<td>4,629,536</td>
<td>618.4</td>
<td></td>
</tr>
</tbody>
</table>

Schedule of Employer Contributions

<table>
<thead>
<tr>
<th>Fiscal Year Ended June 30</th>
<th>Contribution Rates as Percents of Valuation Payroll</th>
<th>Computed Dollar Contribution Based on Projected Payroll</th>
<th>Actual Annual Contributions</th>
<th>Percent Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>33.8 %</td>
<td>$2,192,507</td>
<td>$2,192,507</td>
<td>100 %</td>
</tr>
<tr>
<td>2005</td>
<td>37.2</td>
<td>2,466,634</td>
<td>2,466,634</td>
<td>100</td>
</tr>
<tr>
<td>2006</td>
<td>41.9</td>
<td>2,807,991</td>
<td>2,327,991</td>
<td>83 *</td>
</tr>
<tr>
<td>2007</td>
<td>44.9</td>
<td>3,098,776</td>
<td>3,098,776</td>
<td>100</td>
</tr>
<tr>
<td>2008</td>
<td>45.7</td>
<td>3,289,972</td>
<td>3,289,972</td>
<td>100</td>
</tr>
<tr>
<td>2009</td>
<td>45.7</td>
<td>3,191,716</td>
<td>3,191,716</td>
<td>100</td>
</tr>
<tr>
<td>2010</td>
<td>46.5</td>
<td>3,256,531</td>
<td>3,256,531</td>
<td>100</td>
</tr>
<tr>
<td>2011</td>
<td>37.7</td>
<td>2,772,800</td>
<td>2,772,800</td>
<td>100</td>
</tr>
<tr>
<td>2012</td>
<td>43.7</td>
<td>2,843,528</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>57.1</td>
<td>2,870,342</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* An additional $480,000 was held in the City’s General Fund pending resolution of an Act 345 tax appeal.
January 31, 2012

Ms. Sandy Sykes
Pension Administrator
City of Jackson Act 345 Policemen and Firemen Retirement System
161 West Michigan Avenue
Jackson, Michigan 49201

Dear Sandy:

Enclosed are 12 copies of the Thirty-Seventh Annual Actuarial Valuation of the City of Jackson Act 345 Policemen and Firemen Retirement System.

Sincerely,

[Signature]

David T. Kausch

DTK:mr
Enclosures

cc: Mr. Mark Ketner (+1 report copy)
The Rehman Group
TO: Honorable Mayor and City Councilmembers

FROM: Jon H. Dowling, P.E., City Engineer / Director of Public Works

SUBJECT: Approval of License Agreements with Norfolk Southern Railway Company for Hibbard Street Sewer and Water Main

MOTION Consideration to Approve License Agreements with Norfolk Southern Railway Company for the Hibbard Street Sewer and Water Main Project, Authorize the Mayor and City Clerk to Sign the Agreements and Instruct the City Attorney to Have the Required Insurance Certificates Prepared.

The Department of Public Works-Engineering is preparing a project to replace the water main and storm sewer on Hibbard Street from Wildwood Avenue to the Norfolk Southern Railroad and across the railroad right-of-way to the south end of Hibbard on the north side of the railroad. The storm sewer will also be extended along the railroad right-of-way to the end of Alma Place.

Storm sewer reconstruction on Hibbard Street will extend the sewer to the north side of the railroad. This will allow storm drains on Hibbard Street and Alma Place to be disconnected from the sanitary sewer system, improve surface drainage, and provide subgrade drainage that may lower ground water levels and reduce basement flooding in that area.

Water main construction is part of the replacement program to improve water quality and pressure in the City. The railroad crossing will eliminate two dead end mains. Dead end water mains are prone to water quality issues because of low water flow.

The proposed construction requires permits from the Norfolk Southern Railroad Company to install pipe in their right-of-way. Upon review of an application prepared by the Department of Public Works-Engineering, Norfolk Southern has provided License Agreements for execution by the City. The storm sewer and water main agreements require one-time fees in the amount of $6,300.00 and $11,200.00, respectively, to cover insurance and license fees. Insurance certificates naming Norfolk Southern as additional insured on the City’s Commercial General Liability policy are required.

The City Attorney has reviewed the license agreements, and recognizes that they favor the railroad, but that the City has no recourse but to execute the agreements if we want to proceed with the project. The Department of Public Works-Engineering is requesting that City Council approve the Agreements, authorize the Mayor and City Clerk to sign the agreements and instruct the City Attorney to have the required insurance certificates prepared.

If you have any questions, please contact me.

RTM: sms

C: Laurence R. Shaffer, City Manager
    Julius Giglio, City Attorney
    Randall T. McMunn, P.E., Assistant City Engineer
MEMO TO: Honorable Mayor and City Council Members

FROM: Crystal Y. Dixon, City/County Director of Human Resources

SUBJECT: Request to Amend Personnel Policy (Community Development Restructuring and Neighborhood Stabilization Program Support)

MOTIONS: #1. To amend the Personnel Policy Relating to the Restructuring of the Department of Community Development as follows: (1) Amend Section V-2, C. by adding class title Code Enforcement Officer I, Class Grade 7; (2) Amend Section V-2, C. class title Code Enforcement Officer II to Class Grade 8; (3) Amend Section V-2, C. class title Code Enforcement Officer III to Class Grade 9; (4) Delete from Section V-2, C. the current classification of Code Enforcement Officer I Class Grade 9; and (5) Amend Section VI-2, A. by adding class title Community Relations Liaison.

#2. To approve the reclassification and wage red-circling of Kurt Fritz from Code Enforcement Officer II to Code Enforcement Officer III, and of Timothy Pickett from Code Enforcement Officer I to Code Enforcement Officer II in accordance with Personnel Policy Article XI, Section XI-1 Salary Schedules, effective May 10, 2012.

#3. To approve the creation of the classification of Property Registration Assistant, Class Code 304 into the collective bargaining agreement between the City of Jackson and the Michigan Association of Public Employees effective May 10, 2012.

Background Information:
On February 21, 2012, City Council approved the adoption of an ordinance adding a non-owner occupied residential property registry. On March 1, 2012, the City of Jackson adopted Administrative Regulation No. 44 establishing a process to assist residential occupants in locating alternative housing in the event of eviction resulting from City of Jackson action to condemn property. These services are provided by the currently part-time Community Relations Liaison position which is proposed to become full-time in order to provide service delivery. In summary, the City Manager and Department of Community Development are recommending this restructuring of staff to better serve the needs of the citizens of the City of Jackson, Michigan.

Therefore, the above motions are requested to support the delivery of services to the citizens of Jackson, Michigan. The job descriptions are enclosed. Thank you for your consideration of this request.

Enclosures
Title: Code Ordinance Enforcement Officer I

General Summary:
Under the general supervision of a higher classified employee, travels through the City conducting on-site inspections of property to determine violations of City and State housing and construction codes and City ordinances for the purpose of housing and building safety and eliminating conditions that create blight in neighborhoods. Evaluates potential for repair and rehabilitation, prepares specification and inspects work to ensure conformance with rehabilitation specifications.

Hours of Work:
Subject to operational needs, this may be either a full-time or a part-time position. Part-time positions with regular hours scheduled during the business day, generally will not exceed 28-32 hours per week. The employee may occasionally be asked to assist with a special event on an evening or weekend.

Typical Duties:
An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job satisfactorily, an individual must be able to perform each essential function satisfactorily.

1. Surveys the community to locate deteriorating or blighted neighborhoods. Monitors various properties to verify security. Investigates citizen complaints regarding possible violations of City zoning, blight, animal and nuisance ordinances, including: accumulations of garbage, trash, junk and debris; inoperable, dismantled or unlicensed motor vehicles; tall grass and noxious weeds; graffiti; dangerous sidewalks and snow removal; number and types of animals; and other related issues as assigned. Issues related notices to homeowners and reports related problems to other City departments as appropriate.
2. Contacts homeowners to schedule inspections and discuss potential for rehabilitation.
3. Performs on-site inspections to identify violations of City ordinances and building, electrical, heating and plumbing codes. Advises homeowners of necessary repairs and housing deficiencies. Discusses methods of repair, costs and reimbursement, if applicable. Sketches floor plans and diagrams to illustrate possible repairs and renovations.
4. Compiles results of inspections and prepares code violation letter to homeowner listing violations and citing sections of code being violated to obtain compliance through legal enforcement when necessary.
5. Prepares detailed specifications listing repairs to be performed and estimating materials and costs necessary to complete the job. Reviews specifications with homeowner.
6. Presents specifications to contractors at the job site and reviews each item listed. Obtains bids from contractors, compares bids to ascertain lowest bid, and recommends the awarding of contract for repairs.

7. Reviews final contract with homeowners and contractors. Prepares change orders to contract documents as necessary.

8. Inspects repair and renovation work in progress to insure conformance with specifications and codes.

9. Receives and verifies complaints from homeowners against contracts regarding quality of workmanship and mediated disputes.

10. Prepares detailed daily activity reports, periodic status reports on cases in progress and other reports as required.

11. Works with financial staff, administrative staff and other inspectors to coordinate signing of documents, legal responsibility, funding approval and inspections on each case. Assists with coordination of special projects and neighborhood clean-ups, working with department staff and other departments.

12. Maintains records of repeat offenders and make recommendations to supervisor for issuance of Administrative Hearing Bureau notices. Testifies at Administrative Hearing Bureau concerning observations and work responsibilities.

13. Communicates orally and in writing with City residents and department staff regarding enforcement activities. Responds to routine inquiries, shares information and makes appropriate referrals in response to resident questions.

14. Drives a motor vehicle in the performance of duties.

15. May perform work of lower classified employees in related duties.

16. Will complete other duties assigned which are within the scope of responsibility of the position.

**Required Knowledge, Skills, Abilities and Minimum Qualifications:**

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

- Must possess a valid driver’s license at time of appointment and maintain during employment in this classification. Must have a good driving record.
- High school diploma or GED with two (2) years of building construction or inspection of building construction or equivalent combination of job related education and experience.
- Must be able to read, speak and understand the English language, as well as write legibly to complete reports and forms.
- Must be capable of learning to successfully use specialized computer equipment and software.
- Able to follow through on written and oral instructions.
- Ability to interact professionally and constructively with other employees, elected officials and the general public.
• City employees are also expected to possess and maintain a record of orderly, law-abiding citizenship, sobriety, integrity and loyalty as it pertains to and reflects upon their employment with the City.

• City employees must be physically and mentally able to perform the essential duties of their position without excessive absences.

**Physical Demands and Work Environment:**

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, walk, sit, use hands and fingers, talk and hear. The employee must be able to bend, stoop, twist and turn as necessary to observe building components and must be able to negotiate in confined spaces. Specific vision abilities required by this job include close vision, distance vision, depth perception and the ability to adjust focus, as necessary, to drive and observe violations. The employee must be able to enter and exit motor vehicles numerous times during daily assignments. The employee will work both indoors and outdoors and must be able to tolerate working in changing weather conditions. The noise level in the work environment is usually quiet or moderate.

Approved by City Manager: ____________________________  Date: ________________
Laurence Shaffer

Approved by City/County Director
of Human Resources: ____________________________  Date: ________________
Crystal Dixon
Class Grade 8

**Title:** Code Enforcement Officer II

**General Summary:**
Under the general supervision of a higher classified employee, travels through the City conducting on-site inspections of property to determine violations of City and State housing and construction codes and City ordinances for the purpose of housing and building safety and eliminating conditions that create blight in neighborhoods. Evaluates potential for repair and rehabilitation, prepares specification and inspects work to ensure conformance with rehabilitation specifications.

**Hours of Work:**
Subject to operational needs, this may be either a full-time or a part-time position. Part-time positions with regular hours scheduled during the business day, generally will not exceed 28-32 hours per week. The employee may occasionally be asked to assist with a special event on an evening or weekend.

**Typical Duties:**
An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job satisfactorily, an individual must be able to perform each essential function satisfactorily.

1. Surveys the community to locate deteriorating or blighted neighborhoods. Monitors various properties to verify security. Investigates citizen complaints regarding possible violations of City zoning, blight, animal and nuisance ordinances, including: accumulations of garbage, trash, junk and debris; inoperable, dismantled or unlicensed motor vehicles; tall grass and noxious weeds; graffiti; dangerous sidewalks and snow removal; number and types of animals; and other related issues as assigned. Issues related notices to homeowners and reports related problems to other City departments as appropriate.
2. Contacts homeowners to schedule inspections and discuss potential for rehabilitation.
3. Performs on-site inspections to identify violations of City ordinances and building, electrical, heating and plumbing codes. Advises homeowners of necessary repairs and housing deficiencies. Discusses methods of repair, costs and reimbursement, if applicable. Sketches floor plans and diagrams to illustrate possible repairs and renovations.
4. Compiles results of inspections and prepares code violation letter to homeowner listing violations and citing sections of code being violated to obtain compliance through legal enforcement when necessary.
5. Prepares detailed specifications listing repairs to be performed and estimating materials and costs necessary to complete the job. Reviews specifications with homeowner.
6. Presents specifications to contractors at the job site and reviews each item listed. Obtains bids from contractors, compares bids to ascertain lowest bid, and recommends the awarding of contract for repairs.

7. Reviews final contract with homeowners and contractors. Prepares change orders to contract documents as necessary.

8. Inspects repair and renovation work in progress to insure conformance with specifications and codes.

9. Receives and verifies complaints from homeowners against contracts regarding quality of workmanship and mediated disputes.

10. Prepares detailed daily activity reports, periodic status reports on cases in progress and other reports as required.

11. Works with financial staff, administrative staff and other inspectors to coordinate signing of documents, legal responsibility, funding approval and inspections on each case. Assists with coordination of special projects and neighborhood clean-ups, working with department staff and other departments.

12. Maintains records of repeat offenders and make recommendations to supervisor for issuance of Administrative Hearing Bureau notices. Testifies at Administrative Hearing Bureau concerning observations and work responsibilities.

13. Communicates orally and in writing with City residents and department staff regarding enforcement activities. Responds to routine inquiries, shares information and makes appropriate referrals in response to resident questions.

14. Drives a motor vehicle in the performance of duties.

15. May perform work of lower classified employees in related duties.

16. Will complete other duties assigned which are within the scope of responsibility of the position.

**Required Knowledge, Skills, Abilities and Minimum Qualifications:**

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

- High school diploma or GED with four (4) years of building construction, inspection or supervision of building construction or equivalent combination of job related education and experience.
- Must possess a valid Michigan Residential Builder’s License, Electrical Contractor’s License, Mechanical Contractor’s License, or Plumbing Contractor’s License in good standing.
- Must possess a valid driver’s license at time of appointment and maintain during employment in this classification. Must have a good driving record.
- Must be able to read, speak and understand the English language, as well as write legibly to complete reports and forms.
- Must be capable of learning to successfully use specialized computer equipment and software.
- Able to follow through on written and oral instructions.
• Ability to interact professionally and constructively with other employees, elected officials and the general public.
• City employees are also expected to possess and maintain a record of orderly, law-abiding citizenship, sobriety, integrity and loyalty as it pertains to and reflects upon their employment with the City.
• City employees must be physically and mentally able to perform the essential duties of their position without excessive absences.

**Physical Demands and Work Environment:**

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, walk, sit, use hands and fingers, talk and hear. The employee must be able to bend, stoop, twist and turn as necessary to observe building components and must be able to negotiate in confined spaces. Specific vision abilities required by this job include close vision, distance vision, depth perception and the ability to adjust focus, as necessary, to drive and observe violations. The employee must be able to enter and exit motor vehicles numerous times during daily assignments. The employee will work both indoors and outdoors and must be able to tolerate working in changing weather conditions. The noise level in the work environment is usually quiet or moderate.

Approved by City Manager: ____________________________ Date: ________________
Laurence Shaffer

Approved by City/County
Director of Human Resources: ____________________________ Date: ________________
Crystal Dixon
Title: Code Enforcement Officer III

General Summary:
Under the general supervision of a higher classified employee, travels through the City conducting on-site inspections of property to determine violations of City and State housing and construction codes and City ordinances for the purpose of housing and building safety and eliminating conditions that create blight in neighborhoods. Evaluates potential for repair and rehabilitation, prepares specification and inspects work to ensure conformance with rehabilitation specifications. May condemn hazardous and unsafe properties.

Typical Duties:
An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job satisfactorily, an individual must be able to perform each essential function satisfactorily.

1. Surveys the community to locate deteriorating or blighted neighborhoods. Condemns hazardous and unsafe properties and monitors various properties to verify security. Investigates citizen complaints regarding possible violations of City zoning, blight, animal and nuisance ordinances, including: accumulations of garbage, trash, junk and debris; inoperable, dismantled or unlicensed motor vehicles; tall grass and noxious weeds; graffiti; dangerous sidewalks and snow removal; number and types of animals; and other related issues as assigned. Issues related notices to homeowners and reports related problems to other City departments as appropriate.

2. Conducts building, electrical, mechanical, or plumbing inspections in accordance with State Construction Codes, as needed.

3. Contacts homeowners to schedule inspections and discuss potential for rehabilitation.

4. Performs on-site inspections to identify violations of City ordinances and building, electrical, heating and plumbing codes. Advises homeowners of necessary repairs and housing deficiencies. Discusses methods of repair, costs and reimbursement, if applicable. Sketches floor plans and diagrams to illustrate possible repairs and renovations.

5. Compiles results of inspections and prepares code violation letter to homeowner listing violations and citing sections of code being violated to obtain compliance through legal enforcement when necessary.

6. Prepares detailed specifications listing repairs to be performed and estimating materials and costs necessary to complete the job. Reviews specifications with homeowner.

7. Presents specifications to contractors at the job site and reviews each item listed. Obtains bids from contractors, compares bids to ascertain lowest bid, and recommends the awarding of contract for repairs.
8. Reviews final contract with homeowners and contractors. Prepares change orders to contract documents as necessary.
9. Inspects repair and renovation work in progress to insure conformance with specifications and codes.
10. Receives and verifies complaints from homeowners against contracts regarding quality of workmanship and mediated disputes.
11. Prepares detailed daily activity reports, periodic status reports on cases in progress and other reports as required.
12. Works with financial staff, administrative staff and other inspectors to coordinate signing of documents, legal responsibility, funding approval and inspections on each case. Assists with coordination of special projects and neighborhood clean-ups, working with department staff and other departments.
13. Maintains records of repeat offenders and make recommendations to supervisor for issuance of Administrative Hearing Bureau notices. Testifies at Administrative Hearing Bureau concerning observations and work responsibilities.
14. Communicates orally and in writing with City residents and department staff regarding enforcement activities. Responds to routine inquiries, shares information and makes appropriate referrals in response to resident questions.
15. Drives a motor vehicle in the performance of duties.
17. Will complete other duties assigned which are within the scope of responsibility of the position.

**Required Knowledge, Skills, Abilities and Minimum Qualifications:**
The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

- High school diploma or GED with four (4) years of building construction, inspection or supervision of building construction experience or equivalent combination of job related education and experience.
- Must possess a valid Michigan Residential Builder’s License, Electrical Contractor’s License, Mechanical Contractor’s License, or Plumbing Contractor’s license, in good standing; and a valid ACT 54 Code Official and Inspector Registration.
- Must possess a valid driver’s license at time of appointment and maintain during employment in this classification. Must have a good driving record.
- Must be able to read, speak and understand the English language, as well as write legibly to complete reports and forms.
- Must be capable of learning to successfully use specialized computer equipment and software.
- Able to follow through on written and oral instructions.
- Ability to interact professionally and constructively with other employees, elected officials and the general public.
• City employees are also expected to possess and maintain a record of orderly, law-abiding citizenship, sobriety, integrity and loyalty as it pertains to and reflects upon their employment with the City.
• City employees must be physically and mentally able to perform the essential duties of their position without excessive absences.

**Physical Demands and Work Environment:**

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, walk, sit, use hands and fingers, talk and hear. The employee must be able to bend, stoop, twist and turn as necessary to observe building components and must be able to negotiate in confined spaces. Specific vision abilities required by this job include close vision, distance vision, depth perception and the ability to adjust focus, as necessary, to drive and observe violations. The employee must be able to enter and exit motor vehicles numerous times during daily assignments. The employee will work both indoors and outdoors and must be able to tolerate working in changing weather conditions. The noise level in the work environment is usually quiet or moderate.

Approved by City Manager: ___________________________ Date: ___________________________
Laurence Shaffer

Approved by City/County
Director of Human Resources: ___________________________ Date: ___________________________
Crystal Dixon
Title: Community Relations Liaison

General Summary:

Under the direction of the City Manager, performs highly responsible administrative and staff work. Considerable independent judgment is exercised. Provides professional support to the Human Relations Commission; develops and implements human relations programs; acts as the City's liaison with community members and groups. Assists the City Manager by performing and/or overseeing the investigation and response to citizen complaints, conducting special studies, developing programs, advising the Manager regarding community concerns, and performing related work as required. Performs and coordinates a variety of community outreach activities. May represent the City on boards and commissions, as assigned. May be appointed Acting City Manager for temporary periods in the absence of the City Manager or Deputy City Manager/Community Development Director.

Essential Duties and Responsibilities:

1. Responsible for the development and execution of the City's human relations program and provides professional assistance to the Human Relations Commission. Staff support includes receiving and processing complaints on behalf of the Commission, preparing meeting agenda, assisting the Commission secretary with preparation of meeting minutes, assisting or coordinating various community outreach activities, and assisting with the preparation of the Commission's annual report and goals.

2. Manages and administers the public relations campaign for the Neighborhood Stabilization Program including information distribution to abutting property owners in neighborhoods adjacent to structures to be demolished. Works closely with the Community Development Department.

3. Manages and administers the relocation program for individuals displaced as a result of condemnation. Develops relationships with various housing agencies to provide both short and long-term housing for individuals displaced as a result of residential property declared unsafe, unsanitary or deficient from a building or housing code perspective.

4. Performs public relations functions, including public speaking, representing the City Manager at community activities, and providing information on City activities to the media.

5. Meets and confers with individuals and groups to explain, interpret and discuss city policies on a variety of subjects.

6. Serves as city government representative on variety of boards and commissions, as required.

7. Receives and takes action on citizen complaints and concerns. May independently investigate and/or oversee investigations by affected departments. Advises the City Manager on investigation outcomes and may mediate resolutions, as appropriate.

8. Coordinates strategic planning sessions and tracks progress on established plan goals.

9. May provide support to the Community Development Department to inform the community regarding the use of CDBG and Lead Hazard funds.

10. Prepares press releases, maintain a web site and blog, provide community updates and appear on local television to keep the community informed of pending demolitions for the Neighborhood Stabilization Program.
11. Physically walk neighborhoods to distribute information and talk with residents prior to demolitions for the Neighborhood Stabilization Program.

12. Provides funding assistance and/or alternative housing assistance to lessees of condemned residential structures, who may be displaced.

13. Prepares correspondence, records, reports and agenda, including the Annual Report of the City of Jackson.

14. Assists and advises departments regarding community outreach and similar opportunities.

15. Participates in City Council, general and executive meetings.

16. May be appointed Acting City Manager, as necessary.

17. Performs related work as required.

The above statements are intended to describe the general nature and level of work being performed by individuals assigned this classification. Such statements are descriptive and explanatory but not restrictive. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified. The listing of particular examples of duties does not preclude the assignment of other tasks of related kind or character or of lesser skills.

Minimum Qualifications and/or Requirements:

Must have either: (1) a Bachelor’s Degree with courses in public or business administration, urban planning or related field, plus five years of successful responsible experience at the departmental/division management level, or (2) any equivalent combination of education and experience which provides the required knowledge, skills and abilities.

Must be able to explain and interpret City ordinances, rules, regulations, policies and labor agreements to individuals and groups. Must be able to plan, formulate and execute policies and programs. Must be able to apply administrative concepts and methods to different organizational situations and needs. Must be able to analyze a variety of administrative, operational and fiscal problems and to make sound recommendations for solution. Must be able to express ideas effectively, both orally and in writing. Must be able to take and give direction efficiently and effectively. Must be able to service the public with honesty and integrity, in full accord with the letter and spirit of the City of Jackson ethics and conflict of interest policies. Must be able to maintain effective working relationships and communicate tactfully with general public, City staff, and government officials. Must be resourceful and demonstrate initiative. Must be able to work outside the standard business day.

The successful candidate will have a valid Michigan driver’s license and good driving record at the time of hire and for as long as the employee is required to provide personal transportation to other work sites.
Community Relations Liaison, Page 3

In addition to the above requirements, all City positions require: the ability to read, write, speak and understand the English language as necessary for their position; the ability to follow written and oral instructions; and the ability to get along with other employees and members of the public. City employees are also expected to possess and maintain a record of orderly law-abiding citizenship, sobriety, integrity and loyalty as it pertains to and reflects upon their employment with the City; and must be physically and mentally able to perform the essential duties of their position without excessive absences. City employees are required to establish residency within 20 miles of the city limits within 12 months of hire and maintain throughout employment.

Physical Demands and Work Environment:
The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to orally communicate in person and by telephone, read regular and small print, sit, use limited mobility in an office setting, use manual dexterity to use a personal computer, and use sight to read and prepare documents and reports. The typical work environment of this job is a business office setting where the noise level is quiet or moderate. The employee must be able to periodically do a considerable amount of walking outside. The employee must be able to enter, exit and operate a motor vehicle.

Approved by the City Manager: ________________________________ _________________________
Laurence R. Shaffer Date

Approved by the City/County
Director of Human Resources: ________________________________ _________________________
Crystal Y. Dixon Date

Rev. 4/12
Letter of Agreement

City of Jackson and Michigan Association of Public Employees (MAPE)

Addition of New Classification

The City of Jackson and the Michigan Association of Public Employees (MAPE) agree to add the following classification to the MAPE bargaining unit:

Property Registration Assistant – Class 304

The parties understand that final adoption and approval of this new classification is subject to approval of the City Manager and City Council.

MICHIGAN ASSOCIATION OF PUBLIC EMPLOYEES

John Haase  
Labor Relations Specialist  
4/10/12

Rusty Holdridge, President  
4/10/12

CITY OF JACKSON

Laurence Shaffer  
City Manager  
(Date)

Crystal Y. Dixon, City/County  
(Date)

Director of Human Resources  
4/10/12
Class 304

Title: Property Registration Assistant

General Summary:
Under the general supervision of the Community Development Accounting Manager, maintains property records and files under the Non-Owner Occupied Residential Property Registration Ordinance and the Foreclosed, Vacant and Abandoned Residential Property Registry. Must be detail-oriented and able to perform research, analyze data, prepare reports and communicate variances. Position involves public contact and requires ability to organize tasks.

Typical Duties:
An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job satisfactorily, an individual must be able to perform each essential function satisfactorily.

2. Initiates scheduling of property inspections for Code Enforcement Officers. Prepares and mails appropriate notices to property owners.
3. Prepares and processes invoice requests to invoice property owners for rental inspections and property monitoring per the respective ordinance.
4. Creates and maintains various databases and comprehensive property records and filing systems, including BS&A Building Inspection database.
5. Receives telephone calls and visitors. Explains departmental procedures and operations and addresses complaints, inquiries and requests for service independently. Follows up on complaints, correspondence and transactions to ensure deadlines, schedules and expiration dates are observed.
6. Researches property ownership records and verifies status of City invoices for registered properties.
7. Monitors the status of unpaid City invoices for registered properties to process and issue Certificates of Compliance.
8. Prepares regular reports from various databases.
9. May create and modify forms and document templates.
10. Operates computer for word processing and database management.
11. May perform work of lower classified employees in related duties.
12. May train lower-classified department staff to perform duties and/or use specialized software.
13. Will complete other duties assigned which are within the scope of responsibility of the position.
Required Knowledge, Skills, Abilities and Minimum Qualifications:
The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

- A high school diploma or GED and two years of college or specialized training related to data processing, office management or a related area and two years of office experience; or equivalent combination of education and experience.
- Detail-oriented and able to organize large volumes of information and documents.
- Skill in the use of general office equipment, including computers and related software and databases.
- Ability to type (50 wpm required) and complete data entry (6000 key strokes per hour, minimum) with speed and accuracy; and knowledge of Microsoft Word and Excel
- Ability to read, write, speak and understand the English Language.
- Ability to work independently to initiate and implement methods and procedures and coordinates projects.
- Ability to exercise discretion related to the handling of confidential information.
- Ability to interact professionally and constructively with other employees, elected officials and the general public.
- City employees are also expected to possess and maintain a record of orderly, law-abiding citizenship, sobriety, integrity and loyalty as it pertains to and reflects upon their employment with the City.
- City employees must be physically and mentally able to perform the essential duties of their position without excessive absences.

Physical Demands and Work Environment:

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to communicate in person and by telephone, read regular and small print, sit, use limited mobility in an office setting, use manual dexterity to type and enter data, and use sight to read and prepare documents and reports. The typical work environment of this job is a business office setting where the noise level is moderate.

Approved by City Manager: [Signature]  Date: April 11, 2022

Laurence Shaffer
MEMO TO: Honorable Mayor and City Councilmembers

FROM: Jon H. Dowling, P.E., City Engineer/Director of Public Works

SUBJECT: Contract Award Request – Durand Street

MOTION: CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO BAILEY EXCAVATING, INC. FOR A TOTAL COST OF $580,445.50, FOR THE DURAND STREET RECONSTRUCTION AND WATER MAIN REPLACEMENT CONTRACT, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S), IN ACCORDANCE WITH THE RECOMMENDATION OF THE PURCHASING AGENT AND THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS

On April 17, 2012, bids were opened in the Purchasing Department for the Durand Street Reconstruction and Water Main Replacement contract. This project will rebuild Durand Street and replace water main from the south end to Morrell Street. Sanitary sewer repairs are also included. The engineer’s estimate for the work is $662,258. The engineer’s estimate and bids were based upon reconstructing Durand Street 28 feet wide. Bid documents specified that the City has the right to modify street width after contract award. Per City Council direction, construction plans will be modified to build the road 26 feet wide. It is estimated that this will decrease construction cost by approximately $10,000. Bids were received as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bailey Excavating, Inc., Jackson, Mi</td>
<td>$580,445.50</td>
</tr>
<tr>
<td>Concord Excavating, Concord, MI</td>
<td>$617,722.74</td>
</tr>
<tr>
<td>Jule Swartz &amp; Sons Excavating, Jackson, MI</td>
<td>$621,639.27</td>
</tr>
<tr>
<td>Dunigan Brothers, Jackson, MI</td>
<td>$665,417.00</td>
</tr>
<tr>
<td>Rothenberger Company, Inc., Concord, MI</td>
<td>$673,447.60</td>
</tr>
<tr>
<td>Rieth Riley Construction Company, Lansing, MI</td>
<td>$691,955.46</td>
</tr>
<tr>
<td>TCI Inc. of Michigan, Eaton Rapids, MI</td>
<td>$762,988.39</td>
</tr>
</tbody>
</table>

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Public Works-Engineering that the Durand Street Reconstruction and Water Main Replacement contract be awarded to Bailey Excavating, Inc. of Jackson, Michigan at their low bid of $580,445.50, and the Mayor and the City Clerk be authorized to sign the contract documents. This project will be paid from Local Street funds, New Water Main Construction funds and Sanitary Sewer Replacement funds.

If you have any questions please do not hesitate to contact me.

RTM:sms

C: Randall T. McMunn, P.E., Assistant City Engineer
   Lynn Fessel, Purchasing Agent
   Shelly Allard, Purchasing Coordinator
   Lucinda Schultz, Accounting Manager
The Ella Sharp Park Board, Ella Sharp Park Superintendent and the Parks and Recreation Department are very proud and excited to submit our Request for Proposal for the Ella Sharp Park Master Plan. This is a natural next step in the process of keeping with the memory and wishes of Mrs. Ella Sharp herself. We are looking forward to having a written plan to mark our goals, objectives and growth for the park and for the future.

A few sample areas we are hoping to research and receive public input are:

- Recommend facility enhancements to improve community and visitors’ experience along with marketability
- Recommend improvements that could potentially increase net operating revenue for Ella Sharp Park
- Review park appearance along with a new reforestation program
- Evaluate traffic patterns and improvements along with appropriate signage/mapping of Ella Sharp Park
All Consultants shall complete the Proposal and Award page(s) and submit all information requested herein in the proposal document in its entirety, IN ORDER FOR THE PROPOSAL TO BE RESPONSIVE. FAILURE TO DO SO MAY RESULT IN THE PROPOSAL BEING DECLARED NON-RESPONSIVE AND REJECTED.

REQUEST FOR Proposal (RFP)

Proposal Reference Number: Ella Sharp Park

Issue Date: April 25, 2012

Proposal Due Date: May 25, 2012 5:00 PM

Project: Ella Sharp Park Master Plan

Issuing Office: Department of Parks and Recreation

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<tr>
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<td>Appendix A</td>
</tr>
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Should any of the required documents be missing from your packet, immediately notify the Purchasing Department and request that they be supplied.
DATE___________________ Request for Proposals

Ella Sharp Park

PROPOSAL AND AWARD

The undersigned having become thoroughly familiar with and understanding all of the proposal documents attached hereto, agrees to provide the services as specified herein, for the total fees as stipulated herein, subject to negotiation.

I hereby state that all of the information I have provided is true, accurate and complete. I hereby state that I have the authority to submit this proposal, which will become a binding contract if accepted by the City of Jackson. I hereby state that I have not communicated with, nor accepted anything of value from an official or employee of the City of Jackson that would tend to destroy or hinder free competition.

I hereby state that I have read, understand and agree to be bound by all the terms of this proposal document.

SIGNED:_________________________________________________

NAME:__________________________________________________

DATE:___________________________________________________

FIRM NAME: (if any)_______________________________________

ADDRESS:________________________________________________

CITY:_____________________________________________________

STATE:___________________________________________________

PHONE NUMBER:__________________________________________

FAX NUMBER:_____________________________________________

E-MAIL ADDRESS:_________________________________________
INSTRUCTIONS TO RESPONDENTS

Use of RFP Forms

These Documents represent the RFP format that is for the convenience of respondents. We request that Page 1 “Proposal and Award” be submitted with your proposal.

The Standard Terms and Conditions in Appendix A will become part of the contract.

Interpretations for Addenda

No oral interpretation will be made to any Respondent as to the meaning of the Documents or any part thereof. Every request for interpretation shall be made in writing to the City of Jackson, Purchasing Section. Only those written inquiries received ten (10) or more working days prior to the date fixed for the opening of RFP’s will receive a response. Any interpretation made to a Respondent shall be in the form of an Addendum to the Documents and, when issued, will be on file in the City Purchasing Section office at least five (5) calendar days before the proposals are opened. All addenda will be transmitted to each person holding Documents, but it shall be the Respondent’s responsibility to make inquires as to the Addenda issued. All such Addenda shall become part of the Contract Documents and all Respondents shall be bound by such Addenda, whether or not received by the Respondent. All addenda received shall be listed on the outside of the RFP envelope. Any proposal received without each addendum listed by number and date received on the outside of the RFP proposal envelope may not be declared a non-responsive proposal.

RFP’S

a) Each Respondent shall include in its proposal, in the format requested thereof, the cost of performing the work. The price set forth in the proposal by the Respondent shall remain effective for 90 days from the time of the proposals are opened.

b) Each Respondent shall include in its proposal the following minimum information:

<table>
<thead>
<tr>
<th>Principals:</th>
<th>Firm:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Name</td>
</tr>
<tr>
<td>Title</td>
<td>Business Address</td>
</tr>
<tr>
<td></td>
<td>City, State, and Zip Code</td>
</tr>
</tbody>
</table>
c) Each Respondent shall include in its proposal a description of that firm’s past experience in providing services similar to those requested by the RFP. This description shall include a roster with a minimum of three separate similar past projects. List for each project the type, location and length of project, the year in which the work was performed, and the client’s name, address and phone number. The Respondent is advised that the City may contact those clients to inquire into their level of satisfaction with the work performed.

d) All proposals must be submitted following the RFP Format supplied by the City of Jackson in this document using figures attached (when provided) and shall be subject to all requirements of this Document including the INSTRUCTION TO RESPONDENTS AND GENERAL INFORMATION SECTIONS. All proposals must be regular in every respect and no interlineations, excisions, or special conditions shall be made or included in the RFP format by the Respondent.

CORRECTIONS

Erasures or other changes in the RFP form must be explained or noted over the signature of the Respondent.

TIME FOR RECEIVING PROPOSALS

Proposals received prior to advertised hour of opening would be securely kept unopened. The officer whose duty it is to open them will decide when the specified time has arrived, and proposals received thereafter will not be considered. Late RFP’s will be returned to the Respondent un-opened.

OPENING PROPOSALS

At the time and place fixed for the opening of proposals. The City of Jackson will open every eligible responsive proposal received within the time set for receiving proposals.

WITHDRAWAL OF PROPOSALS

Proposals may be withdrawn on written request dispatched by the Respondent in time for delivery in the normal course of business prior to the time fixed for opening.
ECONOMY OF PREPARATION

Each proposal should be prepared simply and economically providing a straightforward concise description of the respondent’s ability to meet the requirements of the RFP. Decorative bindings, colored displays, promotional materials, etc. will not receive evaluation credit. Emphasis should be on the completeness and clarity of the content.

REQUIRED TIME FOR RECEIPT OF PROPOSALS

Each proposal must be submitted to the City of Jackson Purchasing Department, 161 West Michigan Avenue, 10th floor, Jackson Michigan 49201 no later than May 25, 2012 at 5:00 PM. Any proposals received after this time will not be reviewed or considered by the City of Jackson.

Each proposal received must be submitted in (1) one sealed envelope. The envelope shall be clearly marked with the responding firm’s name and “Ella Sharp Park Master Plan” Also, this envelope shall contain all documentation required in the RFP.

AWARD OF CONTRACTS / REJECTIONS OF PROPOSALS

A) The City of Jackson reserves the right to reject any and all proposals and to waive any irregularity in proposals received whenever such rejection or waiver is in its best interest. The Respondent to whom the Award is made will be notified at the earliest possible date.

b) The City of Jackson reserves the right to consider as unqualified to perform the Contract and Respondent who does not habitually perform with its own forces at least seventy-five percent (75%) of the work involved.

EQUAL EMPLOYMENT OPPORTUNITY

Attention of Respondents is particularly called to the requirements for ensuring that employees and applicants for employment are not discriminated on any illegal basis including race, national origin, color, religion, age, sex, height, weight, marital status, and physical or mental handicap as required by the City of Jackson’s Ordinance Chapter 15-3.
DEFAULT TO CITY

It is understood that any Respondent who is default to the City at the time of the opening proposal shall have their proposal declared null and void.

SIGNATURES

All proposal notifications, claims and statements must be signed as the following:

a) CORPORATIONS: A certified copy of the resolution of the Board of Directors authorizing the individual signing to bind the corporation shall accompany signature of official. Each signature must be witnessed and notarized.

b) PARTNERSHIPS: A certified copy of the Power of Attorney authorizing the signing to bind all partners shall accompany Signatures of one partner. If all partners sign the proposal no authorization is needed. Each signature must be witnessed and notarized.

c) INDIVIDUAL: No authorization is needed, but signature must be witnessed and notarized.

CITY ORDINANCE AND CHARTER REFERENCES

All City of Jackson Ordinances and Charter Sections applicable to the RFP are available at the Jackson’s City Clerk’s office for the Respondent’s inspection and review, and the Respondent understands that it is its sole responsibility to understand and fully comply with all applicable City of Jackson Ordinance and Charter sections.

NOT TO EXCEED OR NON-APPROPRIATION

The Respondent hereby recognizes that the City is a political body corporate, and that in the event the City fails to appropriate monies sufficient enough to pay its obligations herein, that the City of Jackson may terminate this agreement without incurring any liability thereof.

INCURRING COST

The City shall not be liable for any costs, including any travel, incurred by the Respondent prior to award of the contract. The City does not intend to pay for any information obtained from the RFP, though such may be utilized in determining the award.
**NO THIRD-PARTY RIGHTS**

It is agreed and understood that the contract is made solely for the benefit of the City and the Provider of Services; that it is not made for the benefit of any third party; and that the parties signatory may found no action or defense upon this contract except hereto.

**ACCEPTANCE OF PROPOSAL CONTENT**

The contents of the proposal of the successful Respondent will become contractual obligated, if a contract is issued. Failure of the successful bidder to accept these obligations will result in cancellation of the award.

**NEWS RELEASES**

News releases pertaining to this request, or the work to which it relates, will not be made without prior written approval of the issuing office.
INTRODUCTION

The City of Jackson, Michigan at Ella Sharp Park is soliciting written proposals from qualified consultants to provide professional services to review current recreational services and facilities, also assist in providing new park opportunities and potentials. This plan is intended to be our policy guide for the Ella Sharp Park Board of Trustees, City Officials and our community in developing efficient recreational services and facilities for Ella W. Sharp.

a) BACKGROUND

The acquisition of parks throughout our history in Jackson was largely the result of donations by civic-minded citizens. Ella W. Sharp gave the largest donation for park development. Ms. Sharp bequeathed her farm to the City of Jackson and was to be maintained through a trust fund from her estate. Ella Sharp passed in November of 1912 and an executor was appointed in December of the same year. The Jackson Common Council accepted this land gift in January of 1913 and appointed a three-member Board of Trustees, known today as the Ella Sharp Park Board of Trustees. 1914, the Board of Trustees defined the property boundaries and commissioned Winiford C. Trout to design the park.

Working with Fargo Engineering Company in 1915, Mr. Trout began development of the 530-area farm with $40,000 from a trust she had left to the City of Jackson. Roadways, picnic and playground areas including a golf course, tennis courts, ball diamonds as well as gardens were determined at this time.
SCOPE OF SERVICES

Introduction

The City of Jackson Parks and Recreation Department is seeking a Professional Service Provider (PSP) that will offer the following services to the Ella Sharp Park Board of Trustees, Jackson City Council, City/Recreation Staff and our Community.

1. Explore opportunities beyond the range of current programs

2. Recommend facility enhancements to improve community and visitors’ experience along with marketability

3. Evaluate and Compose recommendations for all existing structures

4. Recommend improvements that could potentially increase net operating revenue for Ella Sharp Park

5. Explore and identify new services that could be offered

6. Review park appearance along with a new reforestation program

7. Evaluate traffic patterns and improvements along with appropriate signage/mapping of Ella Sharp Park

8. Establish improvement and enhancement priorities

9. Establish future recommendations and guidelines with existing lease agreements (Ella Sharp Park Museum, Jackson Public Schools and the City of Jackson.

10. Explore the possibility of a community volunteer program for “Ella Sharp Park”
COST PROPOSAL AND CRITERIA FOR SELECTION

All Qualifications Proposals received shall be subject to an evaluation by the Issuing Office, assisted by other City personnel.

Submissions will be evaluated by the Evolution Committee based on the following criteria and rating values.

**Qualifications – (25%) Twenty-five Percent**

Qualifications of the primary staff, who will manage, supervise and provide services, including past experience on similar projects in Michigan. This section should also include information on the professional qualifications of the firm.

**Past Projects – (20%) Twenty Percent**

Past performance on similar projects. Please be specific in recitation of examples of past work and how schedules were met.

**Approach / Community Involvement – (20%) Twenty Percent**

Project approach. Please provide detail on how the community will be allowed to provide input on this project. A timeline should be included.

**References – (10%) Ten Percent**

**Cost of Project – (25%) Twenty-Five Percent**