

**FINAL AGENDA FOR THE COUNCIL MEETING  
CITY OF PORTAGE  
May 11, 2010**

5:30 p.m. Special meeting to interview board and commission applicants.

7:30 p.m. Call to Order.

Invocation: Pastor Mark Cryderman of the Portage Free Methodist Church

Pledge of Allegiance.

Roll Call.

Proclamation: Center of the World for PickleBall

“Parents Who Host Lose the Most: Don’t Be a Party to Teenage Drinking” Month

- A. Approval of the Special and Regular Meeting Minutes of April 27 and Budget Meeting Minutes of May 4, 2010.
- \* B. Approval of Consent Agenda Motions.
- \* C. Communication from the City Manager recommending that City Council approve the Check Register of May 11, 2010, as presented.
- D. Public Hearing:
  - 1. Public Hearing regarding the Fiscal Year 2010-2011 Proposed City Budget and the proposed 2010 tax levy:
    - a. Communication from the City Manager recommending that City Council adopt the Resolution to establish a millage rate not-to-exceed 0.0714 mills above the base tax rate as defined by State of Michigan Public Act 5 of 1982.
  - 2. Communication from the City Manager recommending that City Council adopt the 2010 sewer and water rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees and service fees and charges as outlined in the 2010 Utility Rate Financial Study and as recommended by the Administration and the City Council Water and Sewer Rate Study Committee.
- E. Petitions and Statements of Citizens:
  - 1. Communication from the City Manager recommending that City Council refer the petition from Samuel M. Brown representing Fazoli’s Restaurant, 5709 South Westnedge Avenue, requesting the approval of the use of 4x6 foot banners for businesses along South Westnedge Avenue between Kilgore Road and West Milham Avenue to the Administration for review and report.
- F. Reports from the Administration:
  - \* 1. Communication from the City Manager recommending that City Council approve the Community Development Block Grant (CDBG) Program FY 2010-11 Annual Action Plan element of the Consolidated Plan and authorize the Administration to submit the application to the Department of Housing and Urban Development.
  - \* 2. Communication from the City Manager recommending that City Council:
    - a. approve Contract 10-5306 between the Michigan Department of Transportation and the City of Portage concerning funding for street and utility improvements on West Milham Avenue from 165 feet west of Angling Road to 12<sup>th</sup> Street;
    - b. approve an engineering services contract with Driesenga & Associates, Incorporated, for construction inspection and administration on West Milham Avenue from 165 feet west of Angling Road to 12<sup>th</sup> Street in the not-to-exceed amount of \$126,220;
    - c. adopt a Resolution authorizing the City Manager to sign Contract 10-5306 on behalf of the city; and authorize the City Manager to sign all other documents relating to both the consultant contract and the Michigan Department of Transportation contract on behalf of the city.

- \* 3. Communication from the City Manager recommending that City Council approve the agreement with Consumers Energy for undergrounding overhead utility lines and installation of new streetlights on South Westnedge Avenue from Dawnlee Avenue to I-94 and authorize the City Manager to execute all documents related to the agreement on behalf of the city.
- \* 4. Communication from the City Manager recommending that City Council approve the lease of 55 Hewlett Packard replacement computers and 2 Panasonic replacement tough books from Capital Advantage Leasing of Grand Rapids, Michigan, at a lease price of \$61,716.80 and authorize the City Manager to execute all documents related to this action on behalf of the city.
- \* 5. Communication from the City Manager recommending that City Council:
  - a. accept the order of the Construction Board of Appeals to demolish the house located at 10323 Archwood Drive; and
  - b. authorize the City Administration to take the necessary action to demolish the house at 10323 Archwood Drive, place a lien and assess the property to recover the costs associated with demolition consistent with the ordinance.
- \* 6. Communication from the City Clerk recommending that City Council set a Special Meeting on Tuesday, June 8, 2010, beginning at 5:45 p.m. to interview youth applicants to fill openings on the Youth Advisory Committee and Boards and Commissions.

G. Communications:

H. Unfinished Business:

\* I. Minutes of Boards and Commissions Meetings:

- 1. Portage Human Services Board of April 1, 2010.
- 2. Portage Park Board of April 7, 2010.
- 3. Portage Planning Commission of April 15, 2010.

J. Ad-Hoc Committee Reports:

- 1. Communication from the City Council Ad Hoc Cable Access Committee recommending that City Council:
  - a. approve the Resolution Approving a Fifth Amendment to the Urban Cooperation Act Agreement which established the Public Media Network to permit the City of Portage to become a Member Public Agency and to approve a Memorandum of Understanding related thereto;
  - b. appoint four individuals to serve on the Public Media Network Board of Directors on behalf of the City of Portage; andauthorize the City Manager to execute all documents on behalf of the city.

K. New Business:

L. Bid Tabulations:

- \* 1. Communication from the City Manager recommending that City Council accept the low bid submitted by Premier Roofing and Exteriors in the amount of \$40,880 for insulation upgrades in City Hall and the Senior Center and authorize the City Manager to execute all documents related to this action on behalf of the city.

M. Other City Matters:

- 1. Statements of Citizens.
- 2. From City Council and City Manager.

\* 3. Reminder of Meetings:

- a. Wednesday, May 12, 8:15 a.m., Historic District Commission, City Hall Room #2.
- b. Wednesday, May 12, 7:00 p.m., Environmental Board, City Hall Room #1.

- c. Thursday, May 13, 7:30 a.m., Austin Lake Governmental Board, City Hall Room #1.
- d. Thursday, May 13, 3:00 p.m., City Council Ad Hoc Property Committee, Council Conference Room.
- e. Monday, May 17, Legislative Roll Call, Chamber Building, 346 West Michigan Avenue, Kalamazoo.
- f. Wednesday, May 19, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
- g. Thursday, May 20, 7:00 p.m., Portage District Library Board, Portage District Library.
- h. Thursday, May 20, 7:00 p.m., Planning Commission, City Council Chambers.

N. Materials Transmitted of April 23, 2010.

Adjournment.

# CITY COUNCIL MEETING SUMMARY

April 27, 2010

## PROCLAMATIONS

- ◆ Mayor Strazdas issued the 59<sup>th</sup> Annual National Day of Prayer Proclamation; the National Children's Mental Health Awareness Day Proclamation; the Optimist Internet Safety Month Proclamation; the National Arbor Day Proclamation; and the Public Service Recognition Week Proclamation.

## CHECK REGISTER

- ◆ Approved the Check Register of April 27, 2010, as presented.

## PETITIONS AND STATEMENTS OF CITIZENS

- ◆ Dale Shugars, 1185 Tanager Lane, Oshtemo, and Justin Vander Ark, 803 Fletcher Avenue, Kalamazoo Township, thanked City Council for their support for the Home Expo that recently took place at the former Sam's Club Building on Mall Drive. They also expressed their appreciation for the efforts of city staff and the Meyer C. Weiner Company for the excellent venue that the location provided. They indicated that 190 companies participated, ten non-profit booths, including the Portage Rotary, with over 15,000 visitors which is 30% more than last year.
- ◆ Greg Wager, 5936 Concord Street, expressed concerns regarding cut-through traffic and car stereo boom box noise on Concord Street and traffic noise on Milham Avenue. Discussion followed. Mayor Strazdas referred the matter to the Administration for review.

## REPORTS FROM THE ADMINISTRATION

- ◆ Adopted the Resolution setting a public hearing on May 11, 2010, at 7:30 p.m. or as soon thereafter as may be heard for the Fiscal Year 2010-11 proposed city budget and the proposed 2010 tax levy, as computed in accordance with Public Act 5 of 1982.
- ◆ Established a public hearing for May 11, 2010, at 7:30 p.m. or as soon thereafter as may be heard to consider resolutions to adopt a sewer commodity rate increase from \$3.95 to \$4.65 per 1,000 gallons of metered water; adopt a water commodity rate increase from \$2.60 to \$3.01 per 1,000 gallons of metered water; adopt the recommendation that adjustments be made to both the sewer and water basic quarterly charges; and adopt the recommended water and sewer franchise area fees and other service fees and charges as outlined in the 2010 Utility Rate Financial Study.
- ◆ Approved the agreement between TDS Metrocom and the City of Portage for the provision of telephone services for a three-year period at an approximate annual cost of \$51,637 and authorized the City Manager to execute all documents related to the contract on behalf of the city.
- ◆ Granted the request to transfer ownership of the 2009 Class C Licensed Business with Dance-Entertainment Permit, (R/YR Partners Kalamazoo, Inc.), located in escrow at 241 Kalamazoo, Suite 101, Kalamazoo, MI 49007, Kalamazoo County, from Gary Fields Club II, L.L.C., to R/YR Partners Kalamazoo, Inc., and transfer location (Governmental Unit) (MCL 436.1531(1)) to 7638 South Westnedge Avenue, Portage, MI 49002.
- ◆ Received the communication from the City Manager regarding the March 2010 Summary Environmental Activity Report as information only.
- ◆ Received the Department Monthly Reports.

## BID TABULATIONS

- ◆ Accepted the low bid submitted by Suburban Mechanical Company in the amount of \$47,550 for boiler and air conditioning upgrades at Fire Station #2 and boiler replacement in City Hall and authorized the City Manager to execute all documents related to this action on behalf of the city.
- ◆ Awarded a contract to the sole responsive bidder, First Due Fire Supply, of Leslie, Michigan, in the amount of \$46,484.50 for the replacement of Fire Department personal protective clothing and authorized the City Manager to execute all documents relating to this contract on behalf of the city.
- ◆ Awarded a contract to the low bidder C. L. Moberley Construction in the not-to-exceed amount of \$37,762.32 for the repair of selected city sidewalks and authorized the City Manager to execute all documents related to the contract on behalf of the city.
- ◆ Accepted the low bid submitted by Clear Visions, Incorporated, in the amount of \$32,000 for replacement windows at the Portage Senior Center and authorized the City Manager to execute all documents related to this action on behalf of the city.

## **STATEMENTS OF CITY COUNCIL AND CITY MANAGER**

- ◆ Councilmember Campbell thanked Councilmembers O'Brien and Urban for attending the Opening Day Ceremony at South Portage Little League.
- ◆ Councilmember O'Brien reciprocated by thanking her for all of her efforts with the success of the Opening Day Ceremony at South Portage Little League. She also thanked all of the volunteers at the high schools and all sports leagues and expressed her amazement of the talent on the various teams as a result of these volunteer efforts in Portage. She thanked Councilmember Randall for bringing the issue of assessments to the attention of City Council, as all of City Council share a desire for accuracy in assessments, and she personally received a valuable education as a result.
- ◆ City Manager Evans expressed his gratitude to Parks Director Bill Deming and his staff for putting on the fishing camp at Ramona Park.
- ◆ Mayor Strazdas thanked Councilmember Randall for raising the awareness of assessments over the past months. He also expressed special kudos to Deputy City Clerk Adam Herringa for his fine Greenathon Event at Celery Flats with the Youth Council, and he thanked Councilmember O'Brien for forming the Youth Advisory Committee. He noted that he attended the Portage Senior Center Annual Volunteer Luncheon event where 259 volunteers were recognized who work on activities for seniors and congratulated all city volunteers. Finally, he mentioned that there are eight (8) young men who will receive their Eagle Scout designation on Sunday, and Councilmember O'Brien interjected that Youth Advisory Committee Member Fatima Mirza received the Star Award.

\*\*\*\*\*

**COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.**



# City of Portage Proclamation

## CENTER OF THE WORLD FOR PICKLEBALL PROCLAMATION

**WHEREAS**, Pickleball is the fastest growing sport in the nation, and

**WHEREAS**, the Portage YMCA is hosting the third nationally sanctioned Portage- Kalamazoo Pickleball Tournament; and

**WHEREAS**, Pickleball has the key ingredients of a wiffleball, badminton size court, tennis style net, paddles and a unique set of rules that set Pickleball apart from other sports; and

**WHEREAS**, Pickleball is a favorite with senior citizens and is a mainstay at the Senior Olympics; and

**WHEREAS**, there is an active Pickleball community throughout Michigan and all across America; and

**WHEREAS**, the sanctioned tournament is held twice each year at the Portage YMCA and supports the YMCA's Healthy Kids- Healthy Families Programs.

**NOW THEREFORE, BE IT RESOLVED THAT I**, Peter Strazdas, Mayor of the City of Portage, Michigan, do with great relish hereby proclaim that May 19 through May 21, 2010, Portage, Michigan, is the **Center of the World for Pickleball** and call on all residents to support this great sport!



Signed this 11<sup>th</sup> day of May 2010

Peter J. Strazdas, Mayor



# City of Portage Proclamation

## **PARENTS WHO HOST, LOSE THE MOST: DON'T BE A PARTY TO TEENAGE DRINKING" MONTH**

**WHEREAS**, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems and

**WHEREAS**, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being, and

**WHEREAS**, anyone found guilty of providing alcohol to youth can face up to a \$1,000 fine and 60 days in county jail, in addition to any civil action that can be brought as a result of damages or injury related to the offense, and

**WHEREAS**, adults have the authority and responsibility to our youth to provide them with alternative opportunities by creating alcohol free activities, and

**WHEREAS**, the City of Portage encourages residents to refuse to provide alcoholic beverages to underage youth and to take the necessary steps to discourage the illegal and unhealthy practice, including the reporting of underage drinking by calling the local police, and

**NOW, THEREFORE**, be it resolved that the City of Portage not only discourages the use of alcohol by those below the legal age of consumption but also strongly suggests that all residents of Portage to refuse to provide alcoholic beverages to those underage youth, and will continue to take the necessary steps to discourage this illegal and unhealthy activity.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Portage wholeheartedly supports the Kalamazoo County Substance Abuse Task Force in its initiative to reduce the health, safety and legal risks associated with underage drinking.

**NOW, THEREFORE, I, Peter J. Strazdas, Mayor of Portage, Michigan, do hereby proclaim the month of May, 2010 to be: "Parents Who Host, Lose The Most: Don't be a party to teenage drinking" Month.**



Signed this 11<sup>th</sup> day of May 2010

  
Peter J. Strazdas, Mayor

**MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL  
OF APRIL 27, 2010**

The Special Meeting was called to order by Mayor Peter Strazdas at 5:35 p.m.

The following Councilmembers were present: Councilmembers Margaret O'Brien, Patricia Randall and Terry Urban, Mayor Pro Tem Ed Sackley and Mayor Peter Strazdas. Councilmember Claudette Reid was absent with excuse. Councilmember Elizabeth Campbell arrived at 5:42 p.m. Also present were Joyce Foondle, City Manager Maurice Evans, Deputy City Manager Brian Bowling, Finance Director Bob Luders, City Assessor Jim Bush, Secretary Selena Rider, City Attorney Randall Brown, City Clerk James Hudson, and *Portage Gazette* reporter, Tom Haroldson.

Mayor Strazdas indicated that this is the continuation of the April 13, 2010 Special Meeting to receive the remaining portion of the Assessing Department Presentation and deferred to City Manager Maurice Evans, who introduced Financial Services Director Bob Luders. Mr. Luders indicated that there were some questions at the end of the last meeting and provided City Council with an agenda and a Supplement to the Assessing Department Presentation provided at the April 13, 2010 Special Meeting. Mr. Luders reviewed the agenda and referred to the positive responses on the citizen comment cards since last October; the improvements in customer service; that many improvements were made before the 14-point review where the City Assessor office received the highest possible score; that the review considered the areas of technical, statutory and documentations.

In the Technical area of best practices, Mr. Luders said that the state looked at a number of items, including: the coefficient of dispersion and the price related differential (PRD), and the City Assessor received an excellent rating for uniformity and assessment equality in both categories. He also indicated that the state performed a third following sales analysis where it was found that the city was not following sales, again. Furthermore, he indicated that the city had two additional sales analyses performed by Southwest Governmental Consultants, one represented the entire assessment roll from 2008/2009 and a second analysis was of specific neighborhoods where it was found, again, that the city was not following sales. He summed up by saying that after a total of five Following Sales Analyses, the results reached the same conclusion each time that the City of Portage never follows sales. Discussion followed.

Mr. Luders deferred to Ms. Joyce Foondle, who reviewed the Following Sales Examples provided to City Council in a Supplement to the Assessing Department Presentation provided at the April 13, 2010 Special Meeting. Ms. Foondle informed City Council that she was asked to determine if there was merit in the documentation provided and if the document accurately reflected information and facts contained in the records of the Portage City Assessor's Office. In her review, there were twenty-four (24) properties referenced on the following streets that were provided from Councilmember Randall: Cottage Oaks, Bellflower, Oak Shores and MacKenzie and three on Oakland Drive, for a total of twenty-seven (27) properties with 2007, 2008 & 2009 information on the Oakland Drive properties and the remainder twenty-four (24) properties with 2001 through 2005 data. She indicated that the time frame studied was 1999 through 2004 during the time of automation of the Assessor Office, so the property information was in a state of flux as there were manual calculations that were converted to computerized calculations, so the information used generated only a partial analysis.

Ms. Foondle referred to the background information that the foundation of the “Following Sales Examples” in her opinion were intended to show inequity between properties that have sold and have not sold by computing percent assessed value changes, class of construction changes, effective age changes and square footage changes primarily between the years of 2001 through 2005, and that the changes were further intended to show a manipulation of class, effective age and square footage to arrive at a figure close to purchase price from the previous year. However, she pointed out that the sale dates ranged from October 1990 to perhaps one in August 2008 and the tracking of values began in 2001; therefore, all prior sales should have been eliminated, and the six (6) properties and the two properties on Oakland Drive listed with a “date of sale” and “sale price” as unknown bear no relationship to “following sales.” She said she did not understand the rationale behind Councilmember Randall’s using these properties as part of a “Following Sales” Analysis, or if they were just considered a comparison of those properties sold and not sold.

Similarly, Ms. Foondle mentioned that the two properties on Oakland Drive that listed “date of sale” with no sale price and also bear no relationship to “following sales.” She explained that the “Following Sales Examples” should have used a control group, for example, all sales that occurred in 2004 or 2005 and, per the Michigan State Tax Commission formula, a control number of sales with a high ratio (over 50%) should have been compared with a control number of sales with a low ratio (under 50%).

Ms. Foondle concluded that the “Following Sales Examples” does not indicate ratios at all and emphasized that, “because of the process of computerization during the years of 2000 through 2005, there was no stability of class, effective age and square footage so use of comparison during this period is not reliable. The more effective and accurate analysis should be performed after 2005.” She indicated that the analysis that was done for the years 2007 through 2009 showed no evidence of following sales. Finally, Ms. Foondle indicated that it is her position that the rationale which leads to the conclusion of following sales was faulty and resulted in a flawed report because the data being used was not reliable. Discussion followed.

Mr. Luders asked City Assessor James Bush to address the questions that were raised by Councilmember Randall concerning the use of the BSA Software permit field and referenced the Supplement to the Assessing Department Presentation provided at the April 13, 2010 Special Meeting that has a communication from Mr. Bush dated April 23, 2010, “Building Permit Notation Field – BS&A Equalizer Program.” Mr. Bush explained that the permit field is not just used for permits issued by the Community Development Department; also if, for any reason, a property needs attention or field review because of observed or requested additions, improvements or changes in status, for example, the field can be used as a tool to sort these properties out for physical inspection. He provided some examples and indicated that staff primarily does this work in the last three months of the year near the December 31<sup>st</sup> assessment date. He directed City Council to the permit examples provided in the supplemental information and said that reports are run by neighborhood for efficient review by staff. Discussion followed with Ms. Foondle and Mr. Bush regarding any alternatives to the building permit field in the BS&A Software and they discussed the use of Assessor’s comment field and concluded that because it is not easy to extract information from this field, it is not as user friendly as the building permit for this purpose.

In answer to Councilmember Randall, Ms Foondle indicated that she uses the permit field in her jurisdictions to alert her and appreciates it as an automatic category to efficiently track various changes over the year to the property.

Mr. Luders referenced the notice received from Michigan State Tax Commission Executive Director Kelli Sobel dated February 10, 2010, which stated, “The STC at their meeting on February 9, 2010, adopted the following policy: Local units are encouraged to annually inspect a minimum of 20% of the parcels in each property class each year.” Discussion followed. In answer to the question of the definition of inspection, Mr. Luders indicated that the STC neither defines “inspection,” nor does the STC indicate that after inspections and changes have been made to the records whether the taxable value should change immediately.

In answer to Mayor Strazdas, Ms. Foondle expressed her opinion that “inspection” means “field inspection” and explained. Mr. Bush agreed and pointed out that people go into a home before they purchase it, but some people simply do not want other people in their homes for whatever reason, yet his office is expected to have accurate assessments; and, it boils down to resources, both financial and organizational, and contrasted Battle Creek with Grand Rapids as examples. Discussion followed regarding e-mails received from Ms. Sobel by Councilmember Randall, inspections, the desire for equitable, current and fair assessments, the good grades received by the City Assessor’s Office and a cost and benefit analysis of conducting reappraisals.

In answer to Councilmember O’Brien, Mr. Bush attempted to distinguish the terms, reassessment, inspections and reappraisals and stressed the fundamental importance of accurate record cards. In answer to councilmember O’Brien, who asked whether inspections are the most intense of the group, Ms. Foondle indicated that inspections and reappraisals and inspections are near synonymous as they both indicate the staff member is going to physically inspect some aspect of the property. She said that the appraisal that is done every year is going to be driven by the mass appraisal techniques using the building value and land value plus the application of the ECF and both she and Mr. Bush determined that these terms may be open to interpretation. Discussion followed.

Mr. Luders reviewed the policy implications provided in the supplement to the original presentation provided at the April 13, 2010 Special Meeting and whether the benefits to be derived outweighs the cost of doing the analysis. He indicated that although the STC will be utilizing this suggestion in evaluating municipality performance through reviews in the future, mini or full 14 point reviews, the STC policy on inspection of property is an “unfunded” or encouraged suggestion. Also, he pointed out that the cost of implementing this STC suggestion is estimated to be approximately \$200,000 per year for five years, but the actual accomplishment of this activity would need to be outsourced and the total estimated cost of completing a city-wide property inspection is (1) one million dollars. His presentation included the fact that the residents’ omitted property, as may be found, would be incorporated into the ensuing tax year SEV and TV. He indicated that the interior inspections of the majority of homes within the City of Portage have not been performed since Portage became a City in 1963 or since original construction and, although inspecting the interior of homes would provide more accuracy on our record cards and overall property tax database, the overall impact to the city’s SEV and TV with the regard to the interior inspection of homes, would be minimal. He concluded that given the

cost/benefit anticipated with implementation of a city-wide property inspection effort, assessing staff will continue their current practice of utilizing area-wide sales information in updating property valuation information – a practice that has proven to be successful as evidenced through results of the State of Michigan 14 point review.

Councilmember Urban added the additional consideration of having the “tax man” at every door in the neighborhood on a given day. Discussion followed. Mayor Pro Tem Sackley reminded City Council that Kelli Sobel said that the city could expect 60% of the properties would increase in value after a reassessment and asked Ms. Foondle if she had a sense of what changes might take place in Portage. She explained using examples from Leroy Township in Calhoun County where values went down and Parma Township, Jackson County, where it appears that values are actually going to go up. She indicated that the values in Portage would probably go down because the Assessor has been keeping up on the values of the properties, here. Discussion followed.

In answer to Councilmember Randall, Ms. Foondle explained the purpose of the L-4154/627 Form issued under the authority of MCL 211.154 that is historically usually used in Portage for a large addition to a property and is added for the next year. Discussion followed. At the request of Mayor Pro Tem Sackley, Mr. Bush explained the process of placing a flag in the permits field and how that is treated by staff before the end of the year to get the adjustment on the assessment roll by December 31. Discussion followed.

Mr. Luders referred City Council to page 71 and deferred to Mr. Bush, who indicated that upon completion of the Board of Review the members were asked to provide comments and suggestions concerning the process and the following areas were discussed: Board of Review education; the use of the greeter; Assessing staff feedback; suggestions by Board Members; future improvements; number of appeals; and general results. Mr. Bush indicated that the pre-education was presented to better prepare the Board of Review. He also provided some of the comments by the Board of Review: Phil Hedgspeth of Skillquest International made them aware of how the Board Members are being viewed by the public; that the 4 hour class given by Michigan Townships Association was very helpful; the pre-organizational meeting was extremely helpful; the documentation provided was exceptional and helpful; that they appreciated receiving the Board documentation a week prior to Board of Review as it gave them time to review the STC Bulletins, sales studies and such; and they indicated that they would like to see more education during the course of the year, specifically, commercial property. He also indicated that in 2008, the owners of commercial property went straight to the State Tax Commission because they did not have to go to the local Board of Review.

Mr. Bush indicated that having a greeter worked out great as she explained everything in advance to the petitioner: she let the petitioner know that the session is recorded; that this is a 15 minute appointment; she gave each petitioner a copy of their record card; she had each petitioner fill out and sign their petition; she gave each petitioner a date stamped customer service card; she presented the documentation to the Board Members; she explained to the petitioner that they will receive the Boards decision in mid-April; she offered the petitioners refreshments; and she kept the Board of Review Members on task by informing them that a petitioner was waiting.

Mr. Bush indicated that as feedback, the Board of Review indicated that the Assessing Staff did a great job in educating the petitioners regarding the difference in SEV and taxable value; that they would like to see the Assessing staff calculate the hardship exemptions before they reach the Board Room; that staff should schedule one parcel per appointment time; that they would like to have five minute intervals between each appointment - either ten appointments with five minutes for Board to review or fifteen minutes with five minutes to review and, the staff and consultants behind the computer were all very professional, knowledgeable and helpful.

Mr. Bush reviewed the suggestions by Board of Review Members: make pictometry available using two monitors, one for the Secretary to the Board and another in front of the Board Members to visually see a picture of the home and for pictometry; more comfortable chairs to conduct Board of Review; stacking trays for pending, final and tabled appeals; extra recycling bins; and side tables for the Secretary to the Board and another for the Board Members. Also, he read the proposed future improvements to Board of Review: staff will continue to emphasize and provide technical and educational opportunities for future Board of Review Members; the Assessing Department is working with SARCOM on implementing a second monitor or large screen on wall; and suggestions, mainly physical and logistical accommodations, from the 2010 Review Board members are being reviewed most of which we believe can be easily implemented.

Mr. Bush then reviewed the comparisons contained in the Supplement to the Assessing Department Presentation provided at the April 13, 2010 Special Meeting and explained. Discussion and analysis followed. Mr. Luders offered a discussion of the remaining technical information, but City Council declined. Discussion followed. Mayor Strazdas asked if there were any questions regarding assessment Tools, Parameters and Policies or the Board of Review Comment Cards. There being none, Mayor Strazdas asked for the Administration to sum up and conclude. City Manager Evans read the following:

- City of Portage assessment practices have been scrutinized over the past six months involving, among many items:
  - A variety of individual City Council member concerns that have been addressed by city staff;
  - Retention of an independent appraisal expert by City Council to conduct a Town Hall meeting and provide suggestions for improved assessment practices, many of which have been implemented by city staff;
  - Formation of City Council Task Force groups to investigate city appraisal practices, which resulted in a number of process, Board of Review and customer service improvements;
  - Complaints regarding the availability of property record information, which have been addressed through enhancement of the availability of in-office material and expanded property record information on the City of Portage web site;
  - Request of the State Tax Commission to conduct a 14-point review of city assessment records and processes, which the city passed with only minimal deficiencies being noted;

- State Tax Commission investigation of complaints of “following sales,” and independent evaluation of potential “following sales” practices, each review of which found the city to not be engaging in this practice; and
  - Evaluation of statistical measures of uniformity and equity of the city’s assessment roll (Coefficient of Dispersion) and whether there is a valuation bias for or against lower or higher valued properties (Property Related Differential), both of which indicate excellent results for the City of Portage.
- It is suggested that the Office of the Portage City Assessor has been subjected to a greater level of scrutiny than any other jurisdiction in Kalamazoo County over this period of review by City Council. Despite the numerous allegations that have been leveled, it appears from these several independent evaluations that Portage city appraisal practices are sound and compliant with state law, fair and equitable. While city staff remains committed to the process of continuous improvement, based upon the results of the independent reviews by City Council, the State Tax Commission and a City Council expert appraiser, it is recommended that City Council conclude the ongoing evaluation process this evening.

Mr. Evans indicated that staff has done a lot of homework; there have been a lot of good conversations and questions asked; however, staff has a lot of things that need attention and there has been a significant amount of time spent addressing assessing practices. He acknowledged that the city has made some improvements, but Portage has always had good assessing practices, so he urged City Council to bring this matter to closure. Mayor Strazdas called for a recess.

RECESS: 6:45 p.m.

RECONVENE: 6:50 p.m.

Mayor Strazdas asked for input from City Council regarding the future direction of assessing practices and Councilmember O’Brien indicated it is unfortunate that the city cannot embrace the STC recommendation, but \$200,000 is too much money at this time. She asked for a percentage less than 20% that could prove significant and worth pursuing. Mayor Strazdas and City Council shared her frustration. Mr. Bush responded when Cathy Meikle retired and no replacement was forthcoming, his hopes for performing this task were dashed. Ms. Foondle recommended doing just one neighborhood, but cautioned that it could create inequity when compared to the city at large. Discussion followed. Mayor Strazdas personally thanked Ms. Foondle for her efforts, especially for her education on technical issues, expressed satisfaction with the customer service of the Assessor’s Office, believes that Portage property valuation are fair and equitable and that the process is very, very fair. He also held open for question, what percentage level would be recommended as a good practice.

Councilmember Urban indicated he was ready to be finished with this matter – that the questions have been asked and answered and allegations made, with insufficient information, – and advocated letting the professional staff do their job at this time. Councilmember Campbell and Mayor Pro Tem Sackley concurred.

Mayor Pro Tem Sackley indicated that there was still an open issue on the table from the last meeting left by Councilmember Randall, who had undisclosed sources who told her that

there was a conspiracy among the current and former city employees. Mayor Pro Tem Sackley asked Councilmember Randall for an update regarding what she has done to pursue these charges as she is the only person with this information. He apologized for putting her on the spot, but he had not had a response from anyone last week and asked for closure on this matter.

Councilmember Randall indicated that she was contacted by former city employees; that she never implicated Maurice Evans; but, when she asked for data (from the Assessor's Office), it was never available. However, she said that she talked to people at BS&A Software, and they offered the data free because Portage is a good customer. She alleged it was a prior administration that was implicated and a dollar amount was never ascertained. She asked for a consensus that the former employee (in the Assessor's Office) was very aggressive and alleged his aggressiveness revealed itself in his assessing practices. Councilmember Randall indicated, again, that she was contacted by former city employees and indicated that she was working with Ted Gruizenga, who was a witness to all of her conversations (ostensibly regarding assessing issues, only). She also said Mr. Gruizenga said he was never contacted and that he is willing come forth as a witness in this matter. She indicated that she has kept Mayor Strazdas as a member of the Assessing Issues Task Force informed, but was told not to contact Councilmember O'Brien as a member of the Assessing Issues Task Force (because of possible Open Meetings Act violation). She indicated that she met with Mayor Strazdas for a total of six hours and that this information has weighed upon her tremendously.

Councilmember Randall said that she did not create these puzzle pieces, but they all fit into place, and she expressed her concern that there is no audit trail for the last ten years because the Assessors she contacted indicated that the citizen is informed of even minor changes or comments with a door-knocker, a call to the door or a writing. Mr. Bush indicated that the city has used resident door-knockers in the past and sends out letters to inform the residents. Councilmember Randall said she did not receive a letter and no one she knows ever received a letter; that when the assessment changed, "it was just there." She indicated that she did not know City Manager Michael Stampfler, but that she did know he was very domineering from what she has heard, and that even Mayor Strazdas agreed that the statements brought to her were very believable. She believed that she is not the only one who went through the process being discussed, and that there were hundreds.

Councilmember Randall said that she is constantly being encouraged to continue pursuing this issue and, to the best of her knowledge, the City of Kalamazoo annually inspects 10-12% of the parcels in each property class each year with their current staff. She pointed out for Portage to do nothing, and to set no goals, is unacceptable. She expressed a willingness to do less than 20%, even though some of the smaller jurisdictions with part time Assessors are doing 20%. She agreed with Ms. Foondle that to only inspect those who call creates disparity with other properties in the neighborhood and she emphasized the importance of documenting all activities. Discussion followed.

When asked by Mayor Pro Tem Sackley, Deputy City Manager Brian Bowling indicated he has been with the City of Portage for 34 years and City Assessor James Bush indicated he has been with the City of Portage for 10 years in July. With that, Mayor Pro Tem Sackley referred to the transcript of the April 13, 2010 Special Meeting where he reminded Councilmember Randall that she did not mention City Manager Maurice Evans (by name in her allegations), and did

tonight mention former City Manager Michael Stampfler, and offered her a chance to clarify what she meant when she said, “employees,” not just “employee,” were instructed to make changes on assessment cards resulting in people being assessed more than they should have been assessed. Mayor Pro Tem Sackley interpreted that to mean a conspiracy had occurred because it involved more than one person, including management, and that the conspiracy was to defraud people to result in taxpayers paying more money than they should have had to pay. He asked, “Are you still standing by these assertions you made?” He pointed out that she, Councilmember Randall, made allegations attributed to information obtained from third parties who are not present at the meeting, and that these allegations have nothing to do with customer service, nothing to do with the Assessor Office employee who was fired and nothing to do with the comment cards. He contended that this constitutes an assertion that the City of Portage for some period of time in the past engaged in conspiracy, illegal activities and fraud. He reminded her that she said the City Assessor is corrupt; that he engaged in fraud; and that Portage is the laughing stock of the County.

Mayor Pro Tem Sackley noted that there can be no closure on this matter until these people produce affidavits before the County Prosecutor. He expressed his frustration that if what these unnamed parties are saying is true, then the guilty parties need to be prosecuted, but noted that Councilmember Randall is the sole source of the information, and there is no proof that these unnamed parties do not have ulterior motives and are not just using her as a conduit for rumors. Again, he asked that the unnamed parties speak up and submit the matter to the County Prosecutor and restated that Councilmember Randall is the only one on City Council with firsthand information, so she needs to be the one to convince these people to act.

Mayor Strazdas summed up and asked City Council if there was any action any of them wished to take with regard to assessing best practices. Discussion followed. Motion by Sackley, seconded by Urban, to dissolve the Committee of the Whole regarding assessing/assessing task force/ assessing practices and accept the Administration report as presented to City Council during the April 13 and April 27, 2010 Special City Council Meetings. Discussion followed. Upon a roll call, motion carried 6 to 0. Discussion followed.

Councilmember O’Brien expressed her frustration with Ted Gruizenga, who felt there were questionable practices in the past, would not commit to anything in writing, but did form the opinion that current assessing practices in Portage are fine. She decided to focus on ensuring fair property tax assessments in the future and because she was not asked by City Council officially, she made her own personal decision not to follow up with Mr. Gruizenga.

Councilmember O’Brien explained that she acted on the advice of the City Attorney by not meeting with Councilmember Randall when requested regarding this matter as a possible violation of the Open Meetings Act. Discussion followed. Also, Councilmember O’Brien indicated that she would have met as a committee, properly noticed, and contended that City Attorney Brown and City Manager Evans should indeed be present at the meeting if these allegations are in fact true. Discussion followed.

Mayor Strazdas indicated that once the unnamed individuals come forward and file affidavits with the County Prosecutor, proper closure to the matter can be realized. Mayor Pro Tem Sackley issued the caveat that if that information continues to be talked about, there can be

no closure, so he asked for an indication that City Council is going to stop talking about this, and that illegal matters should be taken to the County Prosecutor to investigate when presented.

Councilmember O'Brien indicated that this has been a great burden on Councilmember Randall and, if individuals have information, they should bring it to the County Prosecutor because it is unfair to give hearsay information to a City Councilmember and ask for anonymity, and they need to be the ones who file the affidavit. Mayor Strazdas concurred.

Councilmember Urban indicated that it is out of order for City Council to discuss allegations concerning city staff. Mayor Strazdas responded. Councilmember O'Brien indicated that if the City Manager treats me badly, I can go to City Council, but if there is an illegal allegation, it is outside of our bounds and explained.

City Attorney Brown advised Mayor Strazdas that the subject now being discussed is getting away from the assessment practices issue, the purpose of the meeting, and that no motion could be taken on this discussion because it would be inappropriate. He also mentioned that he advised against the meeting of the Assessing Issues Task Force because there was no proper notice and would be a possible violation of the Open Meetings Act.

Councilmember O'Brien concurred that Councilmember Randall did not wish to violate the Open Meetings Act, that she was new and simply wanted a prudent, quick resolution of the matter. Discussion followed.

**ADJOURN:** Mayor Strazdas adjourned the meeting at 7:30 p.m.

---

James R. Hudson, City Clerk

## CITY COUNCIL MEETING MINUTES FROM APRIL 27, 2010

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Margaret E. O'Brien, Patricia M. Randall and Terry R. Urban and Mayor Pro Tem Edward J. Sackley and Mayor Peter J. Strazdas. Councilmember Claudette S. Reid was absent with excuse. Also in attendance were City Manager Maurice S. Evans, City Attorney Randall Brown and City Clerk James R. Hudson.

Mayor Strazdas introduced Pastor Mike Drew of the First Reformed Church of Portage, who gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

**APPROVAL OF MINUTES:** Motion by O'Brien, seconded by Sackley, to approve the Special Meeting Minutes of April 13, 2010, as presented. Upon a voice vote, motion carried 6 to 0. Motion by O'Brien, seconded by Sackley, to approve the Regular Meeting Minutes of April 13, 2010, as presented. Upon a voice vote, motion carried 6 to 0. Motion by O'Brien, seconded by Sackley, to approve the Budget Meeting Minutes of April 20, 2010, as presented. Upon a voice vote, motion carried 6 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Urban to read the Consent Agenda. Motion by Urban, seconded by Campbell, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

\* **APPROVAL OF CHECK REGISTER OF APRIL 27, 2010:** Motion by Urban, seconded by Campbell, to approve the Check Register of April 27, 2010. Upon a roll call vote, motion carried 6 to 0.

**PETITIONS AND STATEMENTS OF CITIZENS:** Dale Shugars, 1185 Tanager Lane, Oshtemo, and Justin Vander Ark, 803 Fletcher Avenue, Kalamazoo Township, thanked City Council for their support for the Home Expo that recently took place at the former Sam's Club Building on Mall Drive. They also expressed their appreciation for the efforts of city staff and the Meyer C. Weiner Company for the excellent venue that the location provided. They indicated that 190 companies participated, ten non-profit booths, including the Portage Rotary, with over 15,000 visitors which is 30% more than last year. Discussion followed.

Greg Wager, 5936 Concord Street, expressed concerns regarding cut-through traffic and car stereo boom box noise on Concord Street and traffic noise on Milham Avenue. Discussion followed. Mayor Strazdas referred the matter to the Administration for review. Discussion followed.

**REPORTS FROM THE ADMINISTRATION:**

\* **PUBLIC HEARING ON FISCAL YEAR 2010-11 BUDGET:** Motion by Urban, seconded by Campbell, to adopt the Resolution setting a public hearing on May 11, 2010, at 7:30 p.m. or as soon thereafter as may be heard for the Fiscal Year 2010-11 proposed city budget and the proposed 2010 tax levy, as computed in accordance with Public Act 5 of 1982. Upon a roll call vote, motion carried 6 to 0.

\* **2010 UTILITY RATE FINANCIAL STUDY:** Motion by Urban, seconded by Campbell, to establish a public hearing for May 11, 2010, at 7:30 p.m. or as soon thereafter as may be heard to consider resolutions to adopt a sewer commodity rate increase from \$3.95 to \$4.65 per 1,000 gallons of metered water; adopt a water commodity rate increase from \$2.60 to \$3.01 per 1,000 gallons of metered

water; adopt the recommendation that adjustments be made to both the sewer and water basic quarterly charges; and adopt the recommended water and sewer franchise area fees and other service fees and charges as outlined in the 2010 Utility Rate Financial Study. Upon a roll call vote, motion carried 6 to 0.

\* **TELEPHONE SERVICES AGREEMENT:** Motion by Urban, seconded by Campbell, to approve the agreement between TDS Metrocom and the City of Portage for the provision of telephone services for a three-year period at an approximate annual cost of \$51,637 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **TRANSFER OWNERSHIP OF ESCROWED 2009 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, (RYR PARTNERS KALAMAZOO, INC.):** Motion by Urban, seconded by Campbell, to grant the request to transfer ownership of the 2009 Class C Licensed Business with Dance-Entertainment Permit, (RYR Partners Kalamazoo, Inc.), located in escrow at 241 Kalamazoo, Suite 101, Kalamazoo, MI 49007, Kalamazoo County, from Gary Fields Club II, L.L.C., to RYR Partners Kalamazoo, Inc., and transfer location (Governmental Unit) (MCL 436.1531(1)) to 7638 South Westnedge Avenue, Portage, MI 49002. Upon a roll call vote, motion carried 6 to 0.

\* **MARCH 2010 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Urban, seconded by Campbell, to receive the communication from the City Manager regarding the March 2010 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 6 to 0.

\* **MONTHLY REPORTS:** Motion by Campbell, seconded by Reid, to receive the Department Monthly Reports. Upon a roll call vote, motion carried 6 to 0.

**MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes of the following Boards and Commissions:

Portage Environmental Board of March 10, 2010.

Portage Senior Citizen Advisory Board of March 17, 2010.

Portage Board of Education Special and Regular of March 22 and Special of March 25 and April 25, 2010.

**BID TABULATIONS:**

\* **CITY HALL AND FIRE STATION #2 BOILER AND AIR CONDITIONING UPGRADES:** Motion by Urban, seconded by Campbell, to accept the low bid submitted by Suburban Mechanical Company in the amount of \$47,550 for boiler and air conditioning upgrades at Fire Station #2 and boiler replacement in City Hall and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **FIRE DEPARTMENT PERSONAL PROTECTIVE CLOTHING:** Motion by Urban, seconded by Campbell, to award a contract to the sole responsive bidder, First Due Fire Supply, of Leslie, Michigan, in the amount of \$46,484.50 for the replacement of Fire Department personal protective clothing and authorize the City Manager to execute all documents relating to this contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **CITY SIDEWALKS REPAIRS - RECOMMENDATION:** Motion by Urban, seconded by Campbell, to award a contract to the low bidder C. L. Moberley Construction in the not-to-exceed amount of \$37,762.32 for the repair of selected city sidewalks and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **SENIOR CENTER REPLACEMENT WINDOWS – BID RECOMMENDATION:** Motion by Urban, seconded by Campbell, to accept the low bid submitted by Clear Visions, Incorporated, in the amount of \$32,000 for replacement windows at the Portage Senior Center and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

**OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL AND CITY MANAGER:** Councilmember Campbell thanked Councilmembers O'Brien and Urban for attending the Opening Day Ceremony at South Portage Little League.

Councilmember O'Brien reciprocated by thanking her for all of her efforts with the success of the Opening Day Ceremony at South Portage Little League. She also thanked all of the volunteers at the high schools and all sports leagues and expressed her amazement of the talent on the various teams as a result of these volunteer efforts in Portage. She thanked Councilmember Randall for bringing the issue of assessments to the attention of City Council, as all of City Council share a desire for accuracy in assessments, and she personally received a valuable education as a result.

City Manager Evans expressed his gratitude to Parks Director Bill Deming and his staff for putting on the fishing camp at Ramona Park.

Mayor Strazdas thanked Councilmember Randall for raising the awareness of assessments over the past months. He also expressed special kudos to Deputy City Clerk Adam Herringa for his fine Greenathon Event at Celery Flats with the Youth Council, and he thanked Councilmember O'Brien for forming the Youth Advisory Committee. He noted that he attended the Portage Senior Center Annual Volunteer Luncheon event where 259 volunteers were recognized who work on activities for seniors and congratulated all city volunteers. Finally, he mentioned that there are eight (8) young men who will receive their Eagle Scout designation on Sunday, and Councilmember O'Brien interjected that Youth Advisory Committee Member Fatima Mirza received the Star Award.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 8:17 p.m.

---

James R. Hudson, City Clerk

\*Indicates items included on the Consent Agenda.

MINUTES OF THE BUDGET WORK SESSION OF THE PORTAGE CITY COUNCIL  
May 4, 2010

Meeting was called to order by Mayor Strazdas at 6:01 p.m.

The following members of Council were present: Councilmembers Elizabeth Campbell, Patricia Randall, Claudette Reid and Terry Urban, and Mayor Pro Tem Ed Sackley and Mayor Peter Strazdas. Councilmember Margaret O'Brien arrived at 6:08 p.m. Also in attendance were City Manager Maurice Evans, Financial Services Director Bob Luders, Finance Director Daniel Foecking, Deputy Finance Director Patricia Fitnitch and City Clerk James Hudson.

City Manager Maurice Evans introduced Finance Director Dan Foecking, who deferred to Community Development Director Jeffrey Erickson.

Community Development Director Jeffrey Erickson introduced Deputy Director Vicki Georgeau. He provided an overview of the Human Services budget and the breakdown of contribution to Portage Community Center. Mr. Erickson indicated that the review and approval of human/public service funding is accomplished as part of the annual budget process. He said that, as discussed by City Council last year, and to facilitate the budget review and approval process, the City Administration analysis and funding options were provided to the Human Services Board (HSB) as was the City Administration funding recommendation for human/public services. He said that the HSB considered this information during the January and February 2010 meetings and expressed his satisfaction that the human/public service funding recommendations to City Council by the City Administration and the HSB for FY 2010-11 are in agreement.

Mr. Erickson indicated that for FY 2010-11, a total of \$161,247 of General Fund and Community Development Block Grant (CDBG) Program funds are estimated to be available for human public service funding from two sources: the General Fund allocation is estimated to be \$117,897 (0.55% of General Fund revenue per City Council policy); and the CDBG Program allocation is now estimated to be \$43,350 (maximum of 15% of the estimated FY2010-11 entitlement grant of \$229,000 and FY 2008-09 program income of \$60,014). He compared and contrasted these figures with the amounts from FY2009-10 showing reductions for FY 2010-11.

He made reference to the Human/Public Service Application Summary Forms for each of the five General Fund applications and the single CDBG Fund application as forms that highlight agency activities for which funding has been requested, and supplement the complete applications submitted by the agencies that were provided to the City Council and to the Human Services Board in December 2009. He indicated that agency applications were reviewed by the City Administration and by the HSB in consideration of the Human Services Funding Evaluation Criteria to determine the extent to which each application fulfills the criteria of basic human needs, accessibility of services, critical needs in Portage, collaboration of services, economic or social needs of clientele served, Portage citizens served, outreach efforts, volunteer use and funding capacity/resources; the score and ranking of each application in comparison to other agency applications; and the funding requested by each agency, the current fiscal year funding levels established by City Council for each agency and agency performance, as appropriate. He mentioned that one application from the Portage Community Center (PCC)

was received in the amount of \$40,000, which is less than the estimated maximum \$43,350 allowed and five agencies submitted funding applications in the total amount of \$151,679, which is in excess of the available estimated General Fund revenue of \$117,897. He referenced Table 2 of the FY 2010-11 Supplemental Budget on page 3 of the Communication from the City Manager dated April 2, 2010, that summarizes the current funding, funding requests, application scores and rankings by the City Administration and HSB, and the City Administration and HSB funding recommendations. He noted the agencies, their amounts and the fact that the City Administration recommendation agrees with the Human Services Board recommendation. Discussion followed.

Mr. Erickson pointed out that for FY 2010-11, the recommended human/public service funding best provides for basic human needs and supports core housing assistance and anti-poverty services for the least advantaged in the Portage community: it fulfills critical needs that are identified in the current CDBG Consolidated Plan and in City Council goals; homelessness assessment/outreach and emergency shelter (including homelessness prevention) are identified as high priority needs in the Consolidated Plan, while anti-poverty efforts including public services are considered to be medium and low priorities to be addressed with CDBG Program and General Fund monies; and services to address high and medium priorities include emergency assistance such as emergency shelter, housing and emergency financial assistance, food, clothing, transportation assistance, utility shut-off, eviction and foreclosure prevention. Discussion followed and City Council heard from Human Services Board Vice Chair Joanne Willson who indicated that the form worked well, the input was good and the top three applicants were very close.

At the request of Mayor Pro Tem, City Council heard about the relationship of Portage citizens from Bill Pell from Gryphon Place and 2-1-1/Help Line, Karen McPhail, YWCA, Housing Resources, Inc. (HRI) Executive Director Ellen Kisinger-Rothi, Tom Fox, Portage Community Center President and Diane Schrock, Portage Community Center Director. Discussion followed.

Mr. Erickson concluded by saying that the CDBG Program will be presented to City Council on the next agenda for approval in order to meet the May 15, 2010 filing deadline.

Employee Development Director Rob Boulis reviewed the Employee Development budget emphasizing department efforts in the areas of recruitment and selection, interviews and background checks. He indicated that most of the focus is on police officers, firefighters and election workers, with some special attention being paid to the on-call firefighters. He also reviewed safety administration, MIOSHA compliance, field inspections, American Disabilities Act compliance and the safety plan. He also mentioned Employee Development efforts in the areas of training, labor and employee relations, negotiations and grievances. Discussion followed regarding the cost of training and that he is up one-half of a person from last year and Mr. Boulis indicated that he is still down one and one-half employees in his department from prior years and City Manager Evans indicated that the one-half person assists in other departments as well. Discussion followed.

City Assessor James Bush provided the review of the Assessing Department Proposed Budget. He indicated that the discussion with City Council during the past month regarding assessing practices, issues and the numerous activities that take place in the assessment department

allows him to emphasize the important goals, objectives and challenges that face the Assessor Department going forward during the FY 2010-2011 budget year. Mr. Bush highlighted Forecasting, one of the more valuable services provided to the Administration from his office. He said due to the declining nature of most all local government budgets, the most important activity that needs the greatest attention is revenue forecasting. He said that during the past several years he and Financial Services Director Mr. Luders have spent considerable time and effort developing various budget forecasting tools that enable the city to predict with accuracy just what the total City Taxable Value will be when the Board of Review certifies the annual assessment roll and explained. Discussion followed. He indicated that his 0% growth projection last year and a loss of 4% this year was extremely accurate. He offered an early projection of an additional 2% to 3% loss next year. He also reviewed some of the ongoing activities of the Assessor's Office, including: monitor the 3 assessment/sales ratios closely and verify sales transactions for validity and representation; closely watch the foreclosure situation as there were 148 last year with a projection of 180 this year; continue building permit activity and improving department records by obtaining complete photos and sketches and scanning old assessment cards to electronic records which is approximately 30% complete; administer Michigan Tax Tribunal Appeals; and provide a quarterly summary report. He noted that the quarterly report will be completed by end of the week. He indicated that current property inspections other than building permit responses is at no more than 50, or 3/10 of 1 per cent.

He referenced the fact that the state instituted 10,000 Personal Property Classification Appeals with 400 in Kalamazoo County and 110 in the City of Portage. He indicated that these will be handled administratively with no financial consequence to the city, but there may be issues that arise, so he will be monitoring these closely. Discussion followed.

Transportation and Utilities Director Dallas Williams introduced Utilities Engineer Kendra Gwin and City Engineer Chris Barnes. He then outlined future improvements to various roadways in Portage for the upcoming construction season. He cited some of the major streets projects and the Arsenic Removal Plant Project. City Engineer Chris Barnes discussed the Major Street Fund, the Local Street Fund Signals and Railroad Crossings Funds. Utilities Engineer Kendra Gwin discussed installation of sanitary sewer and water mains, the Barberry Street Project, the EarthTech Contract and the fact that they will probably be the administration of the Garden Lane Arsenic facility. Discussion followed.

Community Development Director Jeffrey Erickson introduced Deputy Directors Terry Novak, Chris Forth and Vicki Georgeau. He reviewed some of the Community Development activities, including: Building Services, Planning and Development Services and Neighborhood Services. Discussion followed. He indicated that there is a large supply of housing on the market currently and there have been no single family subdivisions since 2006 and there are three of them being proposed at the present time. Discussion followed. Mr. Erickson outlined some of the commercial and industrial development that is currently being proposed. Mr. Erickson delineated and explained in more detail Building Services, Planning and Development, and Neighborhood Services. He referred to the Community Development Block Grant Program (CDGB) and reviewed the Housing Programs, Neighborhood Improvement, Human Services and Fair Housing Activities listed in the proposed budget. He expressed his concern for the effect

that foreclosures are having on the city and cited some of the actions taken by the department to alleviate problems associated with foreclosures. Discussion followed. Mr. Erickson continued to discuss the remaining Community Development components in detail and discussion followed.

RECESS: 8:17 p.m.

RECONVENE: 8:23 p.m.

Finance Director Dan Foecking introduced Deputy Finance Director for Accounting and Budget Patricia Fitnich and Deputy Finance Director for Revenue and Treasury Brian Kelley.

Mr. Foecking outlined the budget of the City Council and indicated that the City Council sets overall policy and priorities for the city and that the budget primarily represents the salaries of Mayor and Council Members, and Michigan Municipal League membership fees.

Next, Mr. Foecking reviewed the budget of the City Manager and indicated that the City Manager has oversight responsibility for all phases of city operations, the implementation of council policy directives, general supervision & oversight of departmental operations and oversight of economic initiatives, representation and promotion of city interests and development of administrative procedures intended to improve organizational effectiveness. He indicated that the City Manager has administrative responsibility for all city goals and objectives.

Mr. Foecking indicated that the personnel budget is substantially reduced due to the positions of Assistant City Manager and Internal Auditor being vacated; additionally, the publication of the *Portager* is to occur six times per year rather twelve. Also, the community survey is not funded for fiscal year 2010-2011.

Mr. Foecking also mentioned that the City Attorney provides general legal services to the City Council and all departments regarding municipal matters. He also said that the specialized areas of labor counsel and bond counsel are budgeted in the specific departments or programs for which the services are provided and the contact with the City Attorney, is in the first year of a five year renewed contract.

Mr. Foecking indicated that the Finance Department is responsible for developing and maintaining sound financial management systems; timely and accurate financial reporting most notably CAFR; and preparation, in addition to internal monthly reports, and cash management, and processing of accounts payable, producing approximately 6,000 AP checks and 8,200 payroll checks annually. He also indicated that other primary functions include: preparation of the annual operating budget, assistance in preparing the annual Capital Improvement Program budget, assistance in preparing the Utility Rate Study, collection and preparation of information for bond issues and other financing, and city-wide budget control and fixed asset management.

Mr. Foecking indicated that the West Lake Weed Management fund accounts for the costs associated with the weed management program at West Lake funded primarily by special assessments to the lakeside residences pursuant to property owner request. He said that the tax supported debt is remaining relatively stable and well under ten percent of taxable value, which is a benchmark used by credit rating agencies, and the payments from the city on net direct debt are less than 20

percent of operating revenues which is just within the city's ability to handle debt service as rates above 20% indicate potential problems.

He reviewed the additional debt that could be issued while adhering to state specified debt limits; the General Obligation Bond Retirement Fund which includes City Share issues, 6 of which were recently refinanced with a present value savings of \$134,104 which will reduce debt service payments going forward; and the 3 MTF bond issues were refinanced this year and yielded a \$476,806 present value savings which will reduce future debt service payments. Discussion followed regarding the Debt Service Funds.

Mr. Foecking indicated that the next steps for 2010-2011 Budget are: on May 11, 2010, the budget hearing required by law will be held simultaneously with the Truth-in-Taxation hearing; that oral and written comments will be accepted at the hearing from the public and any questions that are posed will be addressed. He mentioned that and suggestions for changes in the proposed budget do not need to be made to the budget but can be if it is desirable and, immediately after the hearing, the Truth-in-Taxation Resolution "to adopt a tax rate above the base tax rate" should be adopted. Next, on May 25, 2010, the General Appropriations Act Resolution to adopt the 2010-2011 Budget (including all components such as the Capital Improvement Program) along with the Salary and Wage Resolution and the Reimbursement Resolution (for bonds to be issued in the future) will be on the agenda for City Council approval. Lastly, on June 8, 2010, bids will be taken for the Capital Improvement bond issue to fund this year's improvements to streets and sidewalks, water and sewer and parks infrastructure.

Mr. Foecking introduced Deputy Director of Revenue/Treasury Brian Kelley who said that the Treasury Division of the Finance Department accounts for the costs associated with the billing and collection of all city accounts receivable. He listed some of the statistics that track the many items processed by the Treasury. He indicated that the Treasury interacts constantly with the general public to handle a myriad of queries and to process cash receipt transactions and provided statistics.

He indicated that the Treasury utilizes computer software programs to manage the billing, collection and cash receipt functions on behalf of the city, including the BS&A program to process the tax and special assessment billing systems and uploads tax and special assessment information to a secured website that is available to all citizens and the general public to allow access to this information anytime. Also, he mentioned that the Treasury data is coupled with assessing data to provide complete assessment and tax information online for all properties in the City of Portage.

He also mentioned that the city offers a direct debit program for utility billing account balances and counsels customers on setting up their own online banking to pay their quarterly city utility bills, yet payments at the counter exceed electronic payments by a factor of 2-to-1, based on data compiled over the past twelve months. Discussion followed.

Community Development Director Jeffrey Erickson reviewed the development process for the Capital Improvement Program, explained the pie graphs depicting the breakdown of the CIP Expenditures by Category for 2010-11 and 2010-20 and the 10-year plan. Discussion followed. Mr. Erickson provided an overview of the proposed projects and indicated that the CIP is very barebones and limited in focus this time. Discussion followed.

Mr. Erickson then provided an overview of the categories contained within the 10-year plan: Streets, Sidewalks and Bikeways, Water, Sanitary Sewer, Police, Fire, Public Facilities and Parks & Recreation. Discussion ensued throughout his presentation. Discussion followed.

Mr. Erickson advised City Council that they would be asked to approve the FY 2010-2011 Community Development Block Grant Program and authorize the Administration to submit the FY 2009-2010 One-Year Action Plan to the Department of Housing and Urban Development on May 11, 2010. Discussion followed.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:35 p.m.

---

James R. Hudson, City Clerk

**CITY OF PORTAGE**

**COMMUNICATION**

---

---

**TO:** Honorable Mayor and City Council

**DATE:** May 4, 2010

**FROM:** Maurice S. Evans, City Manager



**SUBJECT:** Check Register

**ACTION RECOMMENDED:** That City Council approve the Check Register of May 11, 2010 as presented.

Attached please find the Check Register for the period April 21, 2010 through May 4, 2010, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
04/29/2010	270734	A I S CONSTRUCTION EQUIP. CO.	640		417.09
04/29/2010	270735	AT&T	849		6,251.62
04/29/2010	270736	A-1 SIGNS	2873		196.00
04/29/2010	270737	ACE PARKING LOT STRIPING, INC.	459		1,124.70
04/29/2010	270738	ADAMS REMCO, INC.	103		715.83
04/29/2010	270739	ADMIRAL LOCK & KEY SERVICE	104		35.00
04/29/2010	270740	AGGREGATE RESOURCES, INC.	2984		613.03
04/29/2010	270741	AGGRESSIVE INDUSTRIES	1541		1,622.00
04/29/2010	270742	AGRO SALES NORTH LLC	3943		877.36
04/29/2010	270743	AIR GAS GREAT LAKES	977		122.99
04/29/2010	270744	ALL-PHASE ELECTRIC SUPPLY CO.	108		179.17
04/29/2010	270745	ALLEGRA PRINT & IMAGING	533		3,089.02
04/29/2010	270746	AMERICAN PLANNING ASSOCIATION	804		440.00
04/29/2010	270747	AMERICAN SAFETY & FIRST AID	113		67.57
04/29/2010	270748	ANIMAL REMOVAL SERVICE, LLC	3428		1,445.00
04/29/2010	270749	ANY CUTTING & WELDING	3347		372.00
04/29/2010	270750	APEX SOFTWARE	2548		1,265.00
04/29/2010	270751	APPLIED INDUSTRIAL TECHNOLOGIE	1944		601.82
04/29/2010	270752	TODD ARBANAS ENTERPRISES INC.	1704		1,975.00
04/29/2010	270753	ARNOLD, JO	999999		170.00
04/29/2010	270754	ARTISTIC IMPRESSIONS	4132		280.00
04/29/2010	270755	ASPEN PUBLISHERS, INC	3141		435.66
04/29/2010	270756	AUTOMATIC DATA PROCESSING	3305		945.22
04/29/2010	270757	BAILEY CONTRACTORS INC., ROBER	771		28,828.80
04/29/2010	270758	BEACON CLUB	988		95.00
04/29/2010	270759	BEAK, JEFF	999999		200.00
04/29/2010	270760	BILL'S LOCK SHOP, INC.	146		198.00
04/29/2010	270761	BLUE CROSS/BLUE SHIELD OF MICH	642		132,427.40
04/29/2010	270762	BOOTH NEWSPAPERS INC	89		1,812.47
04/29/2010	270763	BORGESS HEALTH ALLIANCE	151		234.00
04/29/2010	270764	BORSKI, STEVEN	999999		150.00
04/29/2010	270765	BRENNER OIL CO.	3545		9,057.73
04/29/2010	270766	BRONSON VICKSBURG HOSPITAL	157		200.00
04/29/2010	270767	BYHOLT INC.	68		1,329.90
04/29/2010	270768	C A L E A	1080		530.00
04/29/2010	270769	C A L E A	1080		4,363.00
04/29/2010	270770	C B C INNOVIS INC	2887		33.25
04/29/2010	270771	CAMPBELL AUTO SUPPLY	437		821.67
04/29/2010	270772	CENTER FOR HISTORY	999999		500.00
04/29/2010	270773	CITY OF KALAMAZOO (PUBLIC UTIL	540		200,684.94
04/29/2010	270774	CLASSIC ENGINEERING LLC	4530		300.00
04/29/2010	270775	CLEMENT COMMUNICATIONS	835		214.02
04/29/2010	270776	CONSUMERS CONCRETE CORP.	187		555.50
04/29/2010	270778	CONSUMERS ENERGY-BILL PMT CNT	189		40.00
04/29/2010	270779	CRAIN COMMUNICATIONS, INC.	2814		892.50
04/29/2010	270780	CROSSROADS CAR WASH	195		725.83
04/29/2010	270781	CROSSROADS EXPERT AUTO SERVICE	4109		951.66
04/29/2010	270782	CUMMINGS BRIDGEWAY LLC	745		672.00
04/29/2010	270783	DEER CONTRACTING & LANDSCAPE	2544		150.00
04/29/2010	270784	DEGRAFF, JOAN	999999		70.00
04/29/2010	270785	DELTA COLLEGE	999999		

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
04/29/2010	270786	DENOEVER BROTHERS, INC.	210	373.36
04/29/2010	270787	DON SEELYE FORD, INC.	218	195.00
04/29/2010	270788	EDWARDS INDUSTRIAL SALES, INC.	228	11.39
04/29/2010	270789	EMERGENCY VEHICLE PRODUCTS	2948	5,276.34
04/29/2010	270790	ENGINEERED PROTECTION SYSTEMS,	2973	194.25
04/29/2010	270791	ENTENMANN-ROVIN CO.	8	652.60
04/29/2010	270792	ETNA SUPPLY, INC.	692	187.11
04/29/2010	270793	FILLMORE EQUIPMENT, INC.	4516	302.97
04/29/2010	270794	FLETCHER ENTERPRISES	1399	3,142.00
04/29/2010	270795	FREIGHTLINER OF GRAND RAPIDS,	4400	22.80
04/29/2010	270796	GALL'S, INC	25	128.22
04/29/2010	270797	GORDON FOOD SERVICE	502	16.99
04/29/2010	270798	GORDON WATER SYSTEMS	517	111.00
04/29/2010	270799	GRAHAM FORESTRY SERVICE, INC.	464	820.00
04/29/2010	270800	GREAT LAKES CHLORIDE, INC.	4483	2,001.61
04/29/2010	270801	GREATER KALAMAZOO FOP LODGE 98	623	4,309.50
04/29/2010	270802	GREATER KALAMAZOO FOP LODGE 98	623	1,101.10
04/29/2010	270803	GREATER KALAMAZOO UNITED WAY	628	1,555.00
04/29/2010	270804	GUSTOM BUILDERS LLC	3765	440.35
04/29/2010	270805	HASTINGS AIR ENERGY CONTROL	939	1,306.22
04/29/2010	270806	HI-TECH ELECTRIC CO.	1327	31.72
04/29/2010	270807	HINZ, CONRAD	999999	251.01
04/29/2010	270808	HOME DEPOT	691	520.00
04/29/2010	270809	HOT THREADS	4440	90.00
04/29/2010	270810	IERVOLINA, SUSAN	2074	352.14
04/29/2010	270811	INDUSCO SUPPLY CO., INC.	63	100.00
04/29/2010	270812	INTERNATIONAL COUNCIL OF	999999	1,839.20
04/29/2010	270813	INTERSTATE ALL BATTERY CENTER	2255	1,308.46
04/29/2010	270814	J B PRINTING COMPANY	1595	713.75
04/29/2010	270815	J-AD GRAPHICS, INC	4444	168.00
04/29/2010	270816	KAHN, WILMA	2868	116.34
04/29/2010	270817	KAL CO MEDICAL CONTROL AUTH	735	180.00
04/29/2010	270818	KALAMAZOO COUNTY HEALTH &	999999	552.50
04/29/2010	270819	KALAMAZOO COUNTY TREASURER	514	332.50
04/29/2010	270820	KALAMAZOO COUNTY TREASURER	514	573.75
04/29/2010	270821	KALAMAZOO LANDSCAPE SUPPLIES	90	390.00
04/29/2010	270822	KALAMAZOO REGIONAL CHAMBER	3499	990.00
04/29/2010	270823	KEHOE, EDWARD J	3783	320.00
04/29/2010	270824	KUIPER BUILDING SERVICES, LLC	4454	168.93
04/29/2010	270825	KZOO TIRE COMPANY	564	278.20
04/29/2010	270826	LAKE MICHIGAN MAILERS, INC.	682	1,642.78
04/29/2010	270827	LANDS END	2645	154.62
04/29/2010	270828	LAWSON PRODUCTS, INC	240	311.98
04/29/2010	270829	LOCEY SWIM POOL CO.	243	15,000.00
04/29/2010	270830	LOWE'S HOME CENTER	2630	150.00
04/29/2010	270831	MANHATTAN TOUR & TRAVEL, INC.	3720	3,239.27
04/29/2010	270832	MARSDEN, MARY	999999	197.00
04/29/2010	270833	MCCARTHY SMITH LAW GROUP, PLC	2950	40.00
04/29/2010	270834	MCDONALD'S USA, LLC	4211	5,600.00
04/29/2010	270835	METRO ADVANTAGE TITLE	999999	
04/29/2010	270836	MICH AMATEUR SOFTBALL ASSOC	1435	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
04/29/2010	270837	MICHIGAN ASSOC. OF PLANNING	649		625.00
04/29/2010	270838	MICHIGAN POLICE EQUIPMENT CO.	269		216.00
04/29/2010	270839	MIDWEST GOLF AND TURF	4210		421.78
04/29/2010	270840	MILLER CANFIELD	999999		500.00
04/29/2010	270841	MOORE MEDICAL, LLC	3850		527.14
04/29/2010	270842	MORBARK PARTS & SERVICE CORP.	1041		109.10
04/29/2010	270843	T MORGAN INC.	376		137.43
04/29/2010	270844	MOSES FIRE EQUIPMENT, INC.	993		703.87
04/29/2010	270845	NELSON'S HARDWARE	1566		550.00
04/29/2010	270847	NEXTEL	1709		1,805.98
04/29/2010	270848	NSA NORTH LLC	999999		140.00
04/29/2010	270849	OCKERT, DARRELL	999999		75.00
04/29/2010	270850	OFFICE DEPOT, INC.	1721		864.86
04/29/2010	270851	OFFICEMAX INCORPORATED	301		572.99
04/29/2010	270852	ONE WAY PRODUCTS	440		1,131.08
04/29/2010	270853	ORKIN, INC	469		126.00
04/29/2010	270854	JAROTH - P T S	3957		303.00
04/29/2010	270855	PATROUDE, PRESTON	999999		147.00
04/29/2010	270856	PATRICIA RANDALL	532		84.76
04/29/2010	270857	PERCEPTIVE CONTROLS, INC.	3764		1,364.88
04/29/2010	270858	PETTY CASH-CITY HALL	767		669.09
04/29/2010	270859	PETTY CASH-PARKS	536		239.29
04/29/2010	270860	PETTY CASH-FIREFIGHTERS	536		350.00
04/29/2010	270861	PORTAGE FIREFIGHTERS	625		1,491.76
04/29/2010	270862	PORTAGE ON-CALL FIREFIGHTERS	504		138.60
04/29/2010	270863	PORTAGE POLICE OFFICERS ASSOC	624		163.20
04/29/2010	270864	THE POSTMAN	2633		460.00
04/29/2010	270865	POWELL, ESTHER	999999		20.00
04/29/2010	270866	PRECISION PRINTER SERVICES INC	2584		2,140.98
04/29/2010	270867	PRIORITY HEALTH	4254		23,120.55
04/29/2010	270868	REMAX ADVANTAGE-WESTNEDGE	999999		6.67
04/29/2010	270869	REPUBLIC WASTE SERVICES OF W M	4443		927.08
04/29/2010	270870	RESIDENTIAL PLUMBING SERVICES,	1977		115.00
04/29/2010	270871	RIDGE AUTO NAPA	438		1,761.10
04/29/2010	270872	RIGHT-WAY RENTAL, INC.	337		35.00
04/29/2010	270873	ROAD EQUIPMENT PARTS CENTER	339		8.62
04/29/2010	270874	ROE-COMM, INC.	341		1,817.70
04/29/2010	270875	ROWLEY BROTHERS, INC.	346		871.51
04/29/2010	270876	SAFETY SERVICES, INC.	349		401.53
04/29/2010	270877	SARCOM	2076		669.40
04/29/2010	270878	SCHAEFERLE, D. DIANE	999999		100.00
04/29/2010	270879	SCHURING'S RETAIL GREENHOUSE	4519		626.25
04/29/2010	270880	SEVERANCE ELECTRIC COMPANY, INC	353		1,307.00
04/29/2010	270881	SHARP SHOP	354		639.26
04/29/2010	270882	SHAVE BUILDERS, INC.	999999		440.00
04/29/2010	270883	SNELL, DEBRA	1505		194.40
04/29/2010	270884	SNELLING PERSONNEL SERVICES	2107		1,368.00
04/29/2010	270885	SOCIETY FOR HUMAN RESOURCE MGM	3581		160.00
04/29/2010	270886	SOLAR TECHNOLOGY	4242		565.00
04/29/2010	270887	SOUTHWEST MICHIGAN GOV CONSULT	4484		9,003.75
04/29/2010	270888	SPRINT	3721		1,486.55

FROM 04/21/2010 TO 05/04/2010

BANK CODE

\*ALL\*

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
04/29/2010	270889	STATE INDUSTRIAL PRODUCTS CORP	2010	238.22
04/29/2010	270890	STATE OF MICH - STATE POLICE	367	25.00
04/29/2010	270891	STATE OF MICHIGAN (DOT)	368	4,468.11
04/29/2010	270892	STATE SYSTEMS RADIO, INC	369	59.81
04/29/2010	270893	STEENMA LAWN & POWER EQUIPMEN	3222	1,041.83
04/29/2010	270894	SUPERIOR ASPHALT, INC.	4183	1,320.00
04/29/2010	270895	THOMPSON PUBLISHING GROUP	385	428.50
04/29/2010	270896	THOMPSON, HELENE	4417	114.00
04/29/2010	270897	TIPPECANOE PLACE	999999	710.57
04/29/2010	270898	TRACTOR SUPPLY CORP.	2817	347.34
04/29/2010	270899	TRAILERS MIDWEST, INC.	4520	3,350.00
04/29/2010	270900	TRIGO BREAD CO., LLC	4158	86.27
04/29/2010	270901	U A W. LOCAL 2290	1862	422.04
04/29/2010	270902	U S POSTAL SERVICE (PORTAGE)	503	500.00
04/29/2010	270903	ULINE, INC.	4449	117.42
04/29/2010	270904	UNITED PARCEL SERVICE	545	69.34
04/29/2010	270905	UNITED RENTAL	2177	411.00
04/29/2010	270906	UNIVERSAL TOOL INC.	2610	250.00
04/29/2010	270907	USA TODAY	999999	195.00
04/29/2010	270908	VALLEY CITY ENVIRONMENTAL SERV	4467	1,885.00
04/29/2010	270909	VANBELKUM COMPANIES, LLC.	400	185.89
04/29/2010	270910	W W WILLIAMS	2034	101.52
04/29/2010	270911	WALTERS, MAX & FRIEDA	999999	152.00
04/29/2010	270912	WELLER TRUCK	1594	50.00
04/29/2010	270913	WEST MICHIGAN REALTORS TITLE	999999	148.96
04/29/2010	270914	WESTERN MICHIGAN INT'L TRUCKS	4306	1,797.53
04/29/2010	270915	WINGFOOT COMMERCIAL TIRE	2613	465.45
04/29/2010	270916	WOLVERINE POWER SYSTEMS	4322	1,356.25
04/29/2010	270917	360 SERVICES, INC.	637	2,048.10
04/29/2010	270918	7th District Court East	999999	275.00
04/29/2010	270919	7th E Court	999999	100.00

DATE RANGE TOTAL \*

600,981.84 \*

# CITY OF PORTAGE

# COMMUNICATION

---

**TO:** Honorable Mayor and City Council

**DATE:** May 3, 2010

**FROM:** Maurice S. Evans, City Manager 

**SUBJECT:** Public Act 5 of 1982 (Truth in Taxation)

**ACTION RECOMMENDED:** That City Council adopt the Resolution to establish a millage rate not-to-exceed 0.0714 mills above the base tax rate as defined by State of Michigan Public Act 5 of 1982.

Public Act 5 of 1982 requires that a separate notice of public hearing be published, a public hearing be held and a separate Resolution be adopted for any millage rate which yields additional tax revenue above the "base tax rate." The "base tax rate" is defined as a millage rate which yields the same amount of tax revenue from existing property as was raised in the previous year. The public hearing regarding the base tax rate is scheduled on May 11, 2010, along with the Budget Hearing. The Resolution adopting the millage above the base tax rate must also be approved by Council within ten days of the public hearing, as required by Public Act 5.

In order to meet the ten day requirement of Public Act 5, the attached Resolution has been prepared for consideration and adoption by the City Council immediately following the public hearing. With the close of the public hearing and adoption of the Resolution establishing a millage rate 0.0714 mills above the base tax rate, the city will have completed all the necessary requirements to meet Public Act 5 of the State of Michigan.

As noted in the Fiscal Year 2010-11 Budget transmittal letter, if approved, the 0.0714 mill increase will be in the Municipal Street Fund and will generate an estimated \$143,800 in revenue, which will be used to fund street projects. The city will be facing a decline in revenues as a result of a decrease in property tax revenue and from a redirection by the Kalamazoo Area Transportation Study of previously anticipated federal funding in the Major Street improvement area.

The adoption of the Fiscal Year 2010-2011 Budget will be considered by Council at the regular Council meeting of May 25, 2010.

c: Daniel S. Foecking, Finance Director

RESOLUTION TO ADOPT A MILLAGE RATE ABOVE THE BASE TAX RATE  
AS DEFINED BY PUBLIC ACT 5 OF 1982  
FOR FISCAL YEAR JULY 1, 2010 to JUNE 30, 2011

Moved by  
Supported by

WHEREAS, Public Act 5 of 1982 requires that any millage rate above the base tax rate as defined by Public Act 5 of 1982, be adopted by a separate resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED that a millage of not to exceed 0.0714 mills over the base tax rate as defined by Public Act 5 of 1982 for the fiscal year ending June 30, 2011 be levied on all real and personal property in the City for the fiscal year beginning July 1, 2010 and ending June 30, 2011.

BE IT FURTHER RESOLVED that should the City be notified by the State of Michigan that the applicable provisions of State Law require the City to levy a lower millage over the base rate, the City Assessor shall only levy the smaller amount above the base tax rate.

YES:  
NO:  
ABSENT:

\_\_\_\_\_  
James R. Hudson, City Clerk

CERTIFICATION

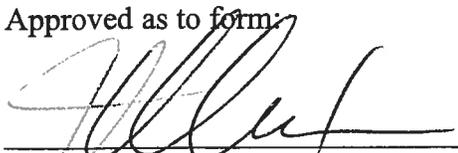
STATE OF MICHIGAN        )  
                                      )SS  
COUNTY OF KALAMAZOO )

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 11<sup>th</sup> day of May, 2010, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 11<sup>th</sup> day of May, 2010.

\_\_\_\_\_  
James R. Hudson, City Clerk

Approved as to form:

  
\_\_\_\_\_  
John R. Axe, Axe and Ecklund PC

# CITY OF PORTAGE

# COMMUNICATION

---

**TO:** Honorable Mayor and City Council

**DATE:** May 4, 2010

**FROM:** Maurice S. Evans, City Manager 

**SUBJECT:** 2010 Utility Rate Financial Study

**ACTION RECOMMENDED:** That City Council adopt the 2010 sewer and water rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees and service fees and charges as outlined in the 2010 Utility Rate Financial Study and as recommended by the Administration and the City Council Water and Sewer Rate Study Committee.

The 2010 Utility Rate Financial Study has been prepared by the City Administration and reviewed by the City Council Water and Sewer Rate Study Committee composed of Mayor Pro Tem Sackley, Councilmembers Campbell and O'Brien and citizens Jeffrey Breneman and Ted W. Vlieg, Sr. The Committee, after a thorough review of the study, unanimously recommended to the City Council on April 27, 2010 that the water and sewer rates and charges as outlined in the study be adopted for Fiscal Year 2010-11.

The 2010 Utility Rate Financial Study continued the focus on ensuring the long-term financial health and stability of the Water and Sewer Funds while dealing with large increases in the cost of sewage treatment by the City of Kalamazoo and unfunded federal mandates regarding much lower permitted levels of arsenic in the public water supply. A comprehensive financial analysis of the utility rate model utilized by staff was again completed in preparation of the 2010 Utility Rate Financial Study.

For Fiscal Year 2010-11, the sewer commodity rate is recommended to be increased from \$3.95 to \$4.65 per thousand gallons of metered water. The water commodity rate is recommended to be increased from \$2.60 to \$3.01 per thousand gallons of metered water. Basic quarterly charges for both sewer and water use, which are calculated to provide funding for certain fixed costs for the utility systems, are recommended to be increased to meet current expenditures.

The net effect of the combined water and sewer rate recommendations on the typical residential customer is an overall utility rate increase of 15.03%. The annual expense of the combined utility rate recommendations would represent an increase of approximately \$99.60, or approximately \$8.30 per month (from approximately \$662.52 per year to approximately \$762.12 per year) for the typical residential customer with both public water and sewer service. No

adjustments are recommended to charges for water service connections, installing water meters and installing water meter boxes.

It is recommended that City Council adopt the 2010 sewer and water rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees and other fees and charges as set forth in the 2010 Utility Rate Financial Study and recommended by the Administration and the City Council Water and Sewer Rate Study Committee.

#### Attachments

cmrutilityratestudy

**CITY OF PORTAGE**

**RESOLUTION**

**WATER RATES**

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the \_\_\_\_\_ day of \_\_\_\_\_, 2010 at 7:30 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_:

WHEREAS, it is necessary for the Council to establish by resolution rates for water service in the City of Portage.

NOW, THEREFORE BE IT RESOLVED: That the following rates are hereby established for charges to be paid by users of water service rendered by the water system in the City of Portage, said rates to be in effect commencing with the first billing after June 30, 2010.

**A. CUSTOMER CHARGES**

The charges to be paid by users of water service rendered by the water system shall consist of a basic quarterly charge plus commodity charges as follows:

<b><u>Meter Size</u></b>	<b><u>Basic Quarterly Charge</u></b>
5/8"	\$ 11.53
3/4"	\$ 17.27
1"	\$ 25.91
1-1/2"	\$ 46.08
2"	\$ 69.11
3"	\$115.18
4"	\$230.37
6"	\$403.15
8"	\$575.93

**COMMODITY CHARGES**

For all use, except as may be provided under Hydrant Meter Charges and Township Customer Charges, the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate  
Per 1000 Gallons  
 \$3.01

**B. SENIOR CITIZEN DISCOUNT**

Eligible senior citizens shall receive a 10% discount on water use charges upon making proper application to the City Treasurer. This discount applies only to individual residential connections for city customers.

**C. TOWNSHIP CUSTOMER CHARGES**

The basic quarterly charge for Pavilion Township and Schoolcraft Township customers shall be the same as charged to City customers, as detailed in section "A" above. Commodity charges for Pavilion Township and Schoolcraft Township customers shall be set at \$3.61 per thousand gallons of water used. Other charges and fees to township customers will be the same as for City of Portage customers.

**D. CONNECTION CHARGES**

The charges to be paid for connection to city water are as follows:

<u>Service Provided</u>	<u>Connection Charge</u>
3/4" service	\$ 914
1" service	\$ 983
1-1/4" service	\$1,047

**E. METER CHARGES**

The charges to be paid for installing meters are as follows:

<u>Meter Size</u>	<u>Meter Charge</u>
5/8"	\$225
3/4"	\$280
1"	\$345
1 1/2"	\$815
2" SR (Irrigation)	\$1,010
2" (Compound)	\$2,225
3" (Compound)	\$2,925
4" (Compound)	\$4,530
6" (Compound)	\$7,840

F. METER BOX CHARGES

The charges to be paid for Meter Boxes are as follows:

<u>Service Provided</u>	<u>Meter Box Charge</u>
Meter Box 3/4"	\$950
Meter Box 1"	\$1,000
Meter Box 1-1/4"	\$1,050

G. HYDRANT METER CHARGES

The charges to be paid for installation of hydrant meters and use of hydrant water are as follows:

<u>Service Provided</u>	<u>Hydrant Meter Charge</u>
Meter installation	\$120*
Hydrant Use	\$4.50/thousand gallons

\*Charge includes 15,000 gallons of water.

Furthermore, a deposit of \$200 will be required before installation of the hydrant meter. The deposit will be applied to the charges and water usage.

H. PROCESSING FEE

The charge to be paid by users having water service turned on is as follows:

<u>Service Provided</u>	<u>Processing Fee</u>
Turning on water service	\$40 (except for first time customers) \$80 (turn on after normal working hours)

This fee also applies to services that are requested to be turned off by the customer and services turned off for delinquency and is applied once a city work order has been issued.

I. NON-SUFFICIENT FUNDS

A fee of \$30 per occurrence will be charged for any returned/unpaid check or other failed financial instrument which results in uncollected funds.

J. UTILITY BILLING AUTOMATIC PAYMENT PLAN

A credit of \$1.00 for each normal quarterly bill will be given to each customer on the utility billing automatic payment plan.

K. WATER SHUT OFF DUE TO NON-PAYMENT

An amount past due of more than \$60.00 is established as the water shut-off level amount.

L. LATE FEE

The utility billing late fee shall be waived by the Finance Director under the following conditions:

1. (a) The customer has paid all of the last 12 or more quarterly utility bills on time; and
  - (b) The customer requests that the late fee be waived; or
2. The customer requests participation in the city's automatic payment program and the amount due is taken from their bank account on the due date. However, if the customer discontinues participation in the automatic payment program, no further waivers shall be granted under subsections 1(a) and (b) or this subsection 2.

YEAS:

NAYS:

\_\_\_\_\_  
James R. Hudson, City Clerk

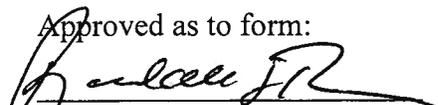
CERTIFICATION

STATE OF MICHIGAN     )  
                                          )  
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said city, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2010, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
James R. Hudson, City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Randall Brown, City Attorney

**CITY OF PORTAGE**

**RESOLUTION**

**SEWER RATES**

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the \_\_\_\_\_ day of \_\_\_\_\_, 2010 at 7:30 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_:

WHEREAS, it is necessary for the Council to establish by resolution rates for sewer service in the City of Portage.

NOW, THEREFORE BE IT RESOLVED: That the following rates are hereby established for charges to be paid by users of wastewater service rendered by the wastewater system in the City of Portage, said rates to be in effect commencing with the first billing after June 30, 2010.

**A. CUSTOMER CHARGES**

The charges to be paid by users of wastewater service rendered by the sewer system shall consist of a basic quarterly charge plus commodity charges as follows:

<b><u>Meter Size</u></b>	<b><u>Basic Quarterly Charge</u></b>
5/8"	\$ 10.75
3/4"	\$ 16.12
1"	\$ 24.17
1-1/2"	\$ 42.99
2"	\$ 64.49
3"	\$107.49
4"	\$214.97
6"	\$376.13
8"	\$537.43

COMMODITY CHARGES

For all metered use, except as may be provided under Township Customer Charges, the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate  
Per 1000 Gallons  
\$4.65

B. MINIMUM FOR NON-METERED (FLAT RATE) CUSTOMERS

The flat rate for non-metered customers shall be established based on water usage of 20,000 gallons per quarter.

	<u>Flat Charge</u>	<u>Basic Charge</u>	<u>Total Charge</u>
Per quarter based on commodity charge for 20,000 gallons	\$93.00	\$10.75	\$103.75

C. IRRIGATION ALLOWANCE

Residential customers shall be given a discount if the customer is eligible for an irrigation discount under City Ordinance as follows: 1) Charges for such customers shall be based on actual water consumption, except that there shall be no sewage charge for the water consumption exceeding 125 percent of the water consumption for the most recent quarter billing in which the month of January is included; 2) Residential customers who do not have a quarterly billing in which the month of January is included or who have a zero (0) water usage for the quarter which includes the month of January, shall have the sewer charge for the other three quarters established at the maximum rate volume of 20,000 gallons or actual usage, if less, per quarter until such time as quarterly billing information, in which the month of January is included, is available.

D. SURCHARGES AND CREDITS

Surcharges for pollutant loadings above standard domestic waste will be charged rates established by ordinance of the City of Kalamazoo. Industries which pretreat may qualify for credits for pollutant loading at a strength below standard domestic strength in accordance with rates established by ordinances of the City of Kalamazoo.

E. ADDITIONAL CHARGES

Additional charges shall be as follows:

- (1) Equal to the actual expense incurred by the City for removing prohibited material discharged or caused or allowed to be discharged by the user and/or for the handling and/or treating of material in the wastewater system; and
- (2) Equal to the actual expense incurred by the City for cleaning or repairing the waste water system or any part thereof as required by a discharge by, or caused or allowed by, a user.

#### F. TOWNSHIP CUSTOMER CHARGES

The basic quarterly charge for Schoolcraft Township customers shall be the same as charged to city customers, as detailed in Section "A" above. Commodity charges for Schoolcraft Township customers shall be set at \$5.23 per thousand gallons of water used. Other charges and fees to township customers shall be the same as for City of Portage customers.

#### G. NON-SUFFICIENT FUNDS

A fee of \$30 per occurrence will be charged for any returned/unpaid check or other failed financial instrument which results in uncollected funds.

#### H. UTILITY BILLING AUTOMATIC PAYMENT PLAN

A credit of \$1.00 for each normal quarterly bill will be given to each customer on the utility billing automatic payment plan.

#### I. LATE FEE

The utility billing late fee shall be waived by the Finance Director under the following conditions:

1. (a) The customer has paid all of the last 12 or more quarterly utility bills on time; and  
(b) The customer requests that the late fee be waived; or
2. The customer requests participation in the city's automatic payment program and the amount due is taken from their bank account on the due date. However, if the customer discontinues participation in the automatic payment program, no further waivers shall be granted under subsections 1(a) and (b) or this subsection 2.

YEAS:

NAYS:

---

James R. Hudson, City Clerk

CERTIFICATION

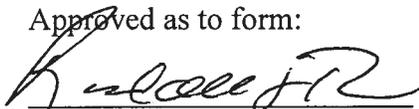
STATE OF MICHIGAN     )  
                                          )  
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said city, held on the \_\_\_\_ day of \_\_\_\_\_ 2010, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature the \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
James R. Hudson, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Randall Brown, City Attorney

SeverRatesResolution2010

# CITY OF PORTAGE

# COMMUNICATION

---

**TO:** Honorable Mayor and City Council

**DATE:** May 7, 2010

**FROM:** Maurice Evans, City Manager



**SUBJECT:** Petition – Business Signage Along South Westnedge During I-94 Construction

**ACTION RECOMMENDED:** To refer the petition from Samuel M. Brown representing Fazoli's Restaurant, 5709 South Westnedge Avenue, requesting approval of the use of 4x6 foot banners for businesses along South Westnedge Avenue between Kilgore Road and West Milham Avenue to the Administration for review and report.

The attached petition was received on Thursday, May 6, 2010. The petition requests authorization that "those businesses with frontage in excess of 100 feet be allowed a 4 x 6 foot banner." Further, "the banners would be allowed on the building or frontage of the property" and "be on an emergency basis during the I-94/South Westnedge construction project." The area involved would be along South Westnedge Avenue from Kilgore Road south to West Milham Avenue. It is recommended that City Council refer this petition to the Administration for review and report.

c: James Hudson, City Clerk

**INSTRUCTIONS ON REVERSE SIDE**

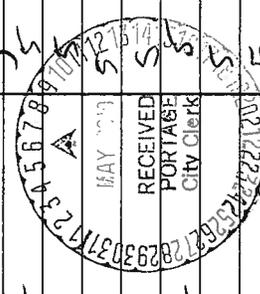
**COUNTY/LOCAL PROPOSAL PETITION**

We, the undersigned qualified and registered electors, residents in the PORTAGE Township of Kalamazoo County, in the County of Kalamazoo, State of Michigan, respectively petition for:

BE REQUESTING DURING THE I-94/WESTMEDGE CONSTRUCTION, THOSE BUSINESSES WITH FRONTAGE IN EXCESS OF 100 FT. BE ALLOWED A 4X6 BANNER. THE BANNERS WOULD BE ALLOWED ON THE BUILDING OR THE FRONTAGE OF THE PROPERTY. THIS WOULD BE PERMITTED ON AN EMERGENCY BASIS AND STREET FROM KILBOUR TO W. MILHAM.

**WARNING-A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.**

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	MONTH	DAY	YEAR
<i>Andrew Miller</i>	Andrew Miller	5641 S. Westmedge, Portage, MI	49002	05	03	2010
<i>Andrew Miller</i>	Andrew Miller	5701 S. Westmedge, Portage, MI	49002			
<i>Andrew Miller</i>	Andrew Miller	5690 S. Westmedge, Portage, MI	49002	5	03	2010
<i>Andrew Miller</i>	Andrew Miller	5710 S. Westmedge, Portage, MI	49002	5	03	2010
<i>Andrew Miller</i>	Andrew Miller	5730 S. Westmedge, Portage, MI	49002	5	3	2010
<i>Andrew Miller</i>	Andrew Miller	5800 S. Westmedge, Portage, MI	49002	5	3	2010
<i>Andrew Miller</i>	Andrew Miller	5812 S. Westmedge Ave	49002	5	3	2010
<i>Andrew Miller</i>	Andrew Miller	5822 S. Westmedge Ave	49002	5	3	2010
<i>Andrew Miller</i>	Andrew Miller	5830 S. Westmedge Ave	49002	5	3	2010
<i>Andrew Miller</i>	Andrew Miller	5930 S. Westmedge Ave	49002	5	3	2010
<i>Andrew Miller</i>	Andrew Miller	5741 S. Westmedge Ave	49002	5	3	2010
<i>Andrew Miller</i>	Andrew Miller	5745 S. Westmedge Ave	49002	5	3	2010



**CERTIFICATE OF CIRCULATOR**

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence, and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City, Township or Village listed in the heading of the petition, and the elector was qualified to sign the petition.

**WARNING-A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS A CIRCULATOR IS GUILTY OF A MISDEMEANOR.**

**CIRCULATOR - DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.**

*Andrew Miller*  
 (Signature of Circulator) 5 13 2010 (Date)  
 SEEDLING I, LLC DBA FAIOLIS, SAUL H. BROWNE  
 (Printed Name of Circulator)  
 PORTAGE  
 (City, Township or Village Where Registered)  
 5709 S. WESTMEDGE  
 (Street and Number or Rural Route) MI 49002  
 (Zip Code)

# COUNTY/LOCAL PROPOSAL PETITION

INSTRUCTIONS ON REVERSE SIDE

We, the undersigned qualified and registered electors, residents in the PORTABLE Township of CALAMAZOO in the County of CALAMAZOO State of Michigan, respectively petition for:

WE ARE REQUESTING DURING THE 3-14/RESINEROS CONSTRUCTION, THOSE BUSINESSES WITH FRONTS WITH EXCESS OF 100 FT. BE ALLOWED A 4X6 BANNER. THE BANNERS WOULD BE ALLOWED ON THE BUILDING OR THE FRONTAGE OF THE PROPERTY. THIS WOULD BE PERMITTED ON AN ENTERLAINLY BASIS AND STREET FROM KILGORE TO WALKER.

**WARNING-A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.**

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
				MONTH	DAY	YEAR
	Jeremiah Foster / Owner / Mang	6716 S. Westnedge	49002	May	03	2010
	Truong Pham / Owner	5719 S Westnedge	49002	MAY	03	2010
	JAY & NEHA SHARMA	5833 S Westnedge	49002	MAY	04	2010
	JAY & NEHA SHARMA	5905 S Westnedge	49002	5	4	2010
	JAY & NEHA SHARMA	5911 S Westnedge	49002	5	4	2010
	Paul G. Hall / Mink's Market	5901 S. Westnedge	49002	5	4	2010
	Shikhi Wadgaonkar / Designer	5841 S Westnedge Ave	49002	5	4	2010
	Shikhi Wadgaonkar / Designer	5829 S Westnedge Ave	49002	5	4	2010
	Jonathan DelVino / Home	5826 S Westnedge	49002	5	4	2010
	Raj Sharma	5817 S. Westnedge	49002	5	4	2010



**CERTIFICATE OF CIRCULATOR**  
 The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City, Township or Village listed in the heading of the petition, and the elector was qualified to sign the petition.

**WARNING-A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.**

**CIRCULATOR - DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.**  
 Signature of Circulator: Raj Sharma, MEMBER  
 (Printed Name of Circulator)  
 Signature of Circulator: SPEDALING I LLC, DBA FRODO'S, SAUNTER N. BROOK  
 (City, Township or Village Where Registered)  
 Complete Residence Address (Street and Number or Rural Route): PORTABLE MI 5709 S. WESTNEDGE PORTABLE MI 49002  
 (Zip Code)

# COUNTY/LOCAL PROPOSAL PETITION

**INSTRUCTIONS ON REVERSE SIDE**

We, the undersigned qualified and registered electors, residents in the POWATAC in the County of Kalamazoo, State of Michigan, respectively petition for:

WE ARE REQUESTING, DURING THE CONSTRUCTION OF I-94 INTERCHANGES, THESE BUSINESSES WITH FRONTAGE IN EXCESS OF 100 FT. BE ALLOWED A 4X6 BANISTER. THE BANISTERS WOULD BE ALLOWED ON THE BUILDING OR THE FRONTAGE OF THE PROPERTY. THIS WOULD BE PERMITTED ON AN EMERGENCY BASIS AND STREET FROM KILBOURN TO W. MULHALL.

**WARNING-A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.**

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
				MONTH	DAY	YEAR
<i>[Signature]</i>	Stephanie SM	5342 Westridge Ave	49002	5	4	2010
<i>[Signature]</i>	Allen Murphy KM	5314 Westridge Ave	49002	5	4	2010
<i>[Signature]</i>	Renee Scott AM Hobbes	5250 Westridge Ave	49002	5	4	2010
<i>[Signature]</i>	Jennifer Chudy / RSP #77	5280 S. WESTRIDGE AVE	49002	5	4	2010
<i>[Signature]</i>	Megan VanSweden	1/2 Twp 5228 S. Westridge	49002	5	4	2010
<i>[Signature]</i>	Tsao, Hsiu	5116 S. Westridge Ave	49002	5	4	2010
<i>[Signature]</i>	Debbie Bleth - Sprint	5200 S. Westridge Ave	49002	5	4	2010
<i>[Signature]</i>	Maryanne Berchius	5142 S. Westridge Ave	49002	5	4	2010
<i>[Signature]</i>	Ashley Darr (John)	5140 S. Westridge Ave	49002	5	4	2010
<i>[Signature]</i>	Lindsay Ray Bigby coffee	5132 S. Westridge Ave	49002	5	4	2010
<i>[Signature]</i>	Brian howson midas	5112 S. Westridge AVE	49002	5	4	2010
<i>[Signature]</i>	Sam Tomlinson Batteries	5228 S. Westridge AVE	49002	5	4	2010



**CERTIFICATE OF CIRCULATOR**

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence, and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City, Township or Village listed in the heading of the petition, and the elector was qualified to sign the petition.

**WARNING-A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.**

**CIRCULATOR - DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.**

*[Signature]*  
 (Signature of Circulator)  
 SEDUNGE JILL DOA PRZOCIS, SANCHEZ M BRAUN  
 (Printed Name of Circulator)  
 POWATAC  
 (City, Township or Village Where Registered)  
 5109 S. WESTRIDGE  
 Complete Residence Address (Street and Number or Rural Route)  
 49002  
 (Zip Code)  
 5 1 4 1 2 0 1 0  
 (Date)

# COUNTY/LOCAL PROPOSAL PETITION

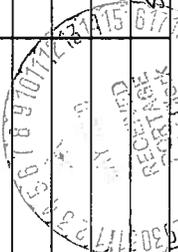
**INSTRUCTIONS ON REVERSE SIDE**

We, the undersigned qualified and registered electors, residents in the City of Port Huron, in the County of Kalamazoo, State of Michigan, respectively petition for:

WE ARE REQUESTING, DURING THE ESTABLISHED CONSTRUCTION, THOSE BUSINESSES WITH FRONTAGE WITH FRONTALAGE OF 100 FT OR MORE BE ALLOWED A 4X6 SIGNAGE. THE SIGNAGE WOULD BE ALLOWED ON THE BUILDING OR THE FRONTALAGE OF THE FRONTAGE. THIS WOULD BE PERMITTED ON AN EMERGENCY BASIS AND STREET FROM KILBOUR TO W. MILITARY.

**WARNING-A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.**

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
				MONTH	DAY	YEAR
<i>Michael A. Drake</i>	Michael A. Drake - Sales Manager	3721 S. Westnedge Ave - Medina-Jankels	49002	05	04	10
<i>Jim Robbins</i>	Jim Robbins - GM	5630 S. Westnedge Ave - Peppers Auto	49002	05	04	10
<i>Tom Korpel</i>	Tom Korpel - RSC AT&T	5883 S. Westnedge Ave - AT&T	49002	5	4	10
<i>Debra Matheny</i>	Debra Matheny - SM	5890 S. Westnedge Ave - B&B's	49002	5	4	10
<i>Buddy C. Wright</i>	Buddy C. Wright - Asst. Mgr.	5970 S. Westnedge Ave	49002	5	4	10
<i>Brandon Harris</i>	Brandon Harris - Mgr	5343 S. Westnedge Ave - Sherwin Williams	49002	5	4	10
<i>Oppeza, Valandrid</i>	Oppeza, Valandrid	5363 S. Westnedge Ave - S. Williams	49002	5	4	10
<i>Larry J. Morel</i>	Larry J. Morel	5383 S. Westnedge Ave - Mistrans	49002	5	4	10
<i>Jesse Udstromer</i>	Jesse Udstromer	5888 S. Westnedge Ave - Army's	49002	5	4	10
<i>Tara Hulse</i>	Tara Hulse - bus manager	5311 S. Westnedge	49002	5	4	10
<i>Deborah Libbey</i>	Deborah Libbey - G.M.	5303 S. Westnedge - Pappys	49002	5	4	10
<i>Kenneth N. Sattler</i>	Kenneth N. Sattler - Assistant Manager	5348 S. Westnedge - Gender Nutrition	49024	5	4	10



**CERTIFICATE OF CIRCULATOR**

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City, Township or Village listed in the heading of the petition, and the elector was qualified to sign the petition.

**WARNING-A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.**

**CIRCULATOR - DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.**

*Signature of Circulator*  
 (Signature of Circulator)  
STEELE J LLC DBA FAROIS  
 (Printed Name of Circulator)  
 (City, Township or Village Where Registered)  
PORT HURON  
 Complete Residence Address (Street and Number or Rural Route) 5209 S. WESTNEDGE FRONTAGE 144  
 (Date) 5 14 10  
 (Zip Code) 49002

**INSTRUCTIONS ON REVERSE SIDE**

**COUNTY/LOCAL PROPOSAL PETITION**

We, the undersigned qualified and registered electors, residents in the City of PORTAGE, in the County of KALAMAZOO, State of Michigan, respectively petition for:

WE ARE REQUESTING DURING THE 2010/2011 BUDGET CONSTRUCTION, THOSE BUSINESSES WITH FRONTS IN EXCESS OF 100 FEET BE ALLOWED A 4X6 BANNER. THE BANNERS WOULD BE ALLOWED ON THE BUILDING OR THE FRONTAGE OF THE PROPERTY. THIS WOULD BE PERMITTED ON AN EMERGENCY BASIS AND STREETS FROM KILGORE TO W. MILWAUKEE

**WARNING-A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.**

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
				MONTH	DAY	YEAR
	<del>George J. Hirs</del> George J. Hirs	5009 S. WESTMERE	49002	5	4	2010
	Junior	5325 S. Westridge	49007	5	07	2010



**CERTIFICATE OF CIRCULATOR**

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City, Township or Village listed in the heading of the petition, and the elector was qualified to sign the petition.

**WARNING-A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.**

**CIRCULATOR - DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.**

George J. Hirs  
(Signature of Circulator) 5 17 2010  
(Date)  
STEDDING LLC DBA FAYOLLS SAWYER M. BROWN  
(Printed Name of Circulator)  
PORTAGE  
(City, Township or Village Where Registered)  
5709 S. WESTMERE PORTAGE MI 49002  
Complete Residence Address (Street and Number of Rural Route) (Zip Code)

**CITY OF PORTAGE**

**COMMUNICATION**

**TO:** Honorable Mayor and City Council

**DATE:** May 3, 2010

**FROM:** Maurice S. Evans, City Manager



**SUBJECT:** Community Development Block Grant Program Recommendation

**ACTION RECOMMENDED:** That City Council approve the Community Development Block Grant (CDBG) Program FY 2010-11 Annual Action Plan element of the Consolidated Plan and authorize the Administration to submit the application to the Department of Housing and Urban Development.

Due to the federal funding cycle, it is necessary that the Community Development Block Grant (CDBG) Program Application and Budget be reviewed and acted upon no later than the May 11, 2010 Council meeting in order to meet the May 15, 2010 submission deadline established by the Department of Housing and Urban Development (HUD). On November 18, 2009, the Detroit HUD Field Office granted the city a one-year extension to complete and submit the required update of the five-year FY 2005-09 Consolidated Plan, which was permitted due to the absence of current U.S. Census data to complete a housing and community development needs analysis. Therefore, the application for federal assistance for the FY 2010-11 CDBG Program includes a FY 2010-11 Annual Action Plan, as permitted by HUD.

The FY 2010-11 Annual Action Plan addresses:

- 1) Owner-occupied housing assistance programs, including housing rehabilitation loans and grants, and a first time homebuyer downpayment assistance program;
- 2) Neighborhood improvement and blight elimination to continue protection and upgrade of the quality of low and moderate income neighborhoods throughout the city;
- 3) Human/public service agency activities; and
- 4) Fair housing activities, survey and/or audit testing, education programs and referrals to the Fair Housing Center of Southwest Michigan.

**FY 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET**

The proposed FY 2010-11 CDBG Program Budget has been prepared by the City Administration based on projected funding levels, demonstrated community needs and compliance with federal goals and objectives. As shown in the attached Five-Year Comparative Analysis, the CDBG entitlement grant will slightly increase in FY 2010-11 and represents a 4.4% increase over FY 2006-07 funding levels. In addition to the entitlement grant, program income sources are projected at \$65,000 for FY 2010-11. The FY 2010-11 CDBG Program Budget includes:

**FY 2010-11 Revenue**

FY 2010-11 Annual Entitlement	\$230,723
FY 2010-11 Estimated Program Income to be Received During Program Year	\$40,000
Available Unexpended Funds and/or Program Income Received in Prior Program Years That Exceeded Estimated Program Income	\$25,000
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$295,723</b>

The four key components of the FY 2010-11 CDBG Program Budget are highlighted below. The recommended activities are consistent with the strategies identified in the Consolidated Plan and complement General Fund activities:

1. **Housing Programs** (\$144,827): Upgrade of housing stock in the city is recommended to be continued as the cornerstone of the block grant program. During the life of the program, approximately 442 owner-occupied houses have been rehabilitated. Owner-occupied housing upgrades for FY 2010-11 are accomplished through the:
  - i. Housing Rehabilitation Program (\$138,827) -- Zero or low-interest deferred loans for housing rehabilitation, façade improvements, water/sewer hook-up, accessibility improvements, and Emergency Repair Grants for repairs that are threat to health and safety of occupants.
  - ii. Homebuyer Down Payment Assistance Program (\$6,000) -- down payment assistance grants to first-time homebuyers in targeted neighborhoods.
2. **Neighborhood Improvement** (\$66,496): The ongoing effort to maintain and improve low-income neighborhoods remains a vital component of the recommended comprehensive community development strategy. The budget will fund approximately one full-time staff position and related expenses to carry out code administration and enforcement in low and moderate income neighborhoods.
3. **Human/Public Services** (\$43,350): Portage Community Center (PCC) is recommended to receive funding from the CDBG Program in FY 2010-11. Per HUD, the maximum amount of human/public service funding is calculated to include 15 percent of the annual entitlement grant plus 15 percent of the program income received in FY 2008-09. For many years the City of Portage CDBG Program has allocated 15 percent of the annual CDBG Program budget toward human/public services. This fund allocation method has ensured consistency with the intent of the federal regulations that funding be provided for core programs such as housing, neighborhood improvement and capital improvements, where considered essential.
4. **Administration** (\$41,050): The maximum administration expenditure allocation is \$54,145, which is calculated at 20 percent of the FY 2010-11 entitlement grant plus anticipated FY 2010-11 program income. The funds will be utilized for program planning (including an update to the five-year Consolidated Plan and Analysis of Impediments to Fair Housing Study), administration, reporting and program expenses. In addition, the Administration portion of the budget includes \$2,000 for fair housing services, educational programs and complaint referrals to the Fair Housing Center of Southwest Michigan.

The City of Portage is required to hold two public hearings and a 30-day comment period per federal regulations to ensure opportunities are provided for public comment. The Human Services Board held a public hearing on January 7, 2010 on housing and community development needs. A 30-day public comment period extended from February 27, 2010 through April 1, 2010. Finally, a second public hearing was held on April 1, 2010 on the draft FY 2010-11 Annual Action Plan.

It is recommended that City Council approve the CDBG Program FY 2010-11 Annual Action Plan element of the Consolidated Plan and authorize the Administration to submit the application to HUD to continue successful community development programs.

Attachments: Five-Year Comparative Analysis of CDBG Program  
HSB meeting minutes of January 7, 2010  
FY 2010-11 Annual Action Plan element on the Consolidated Plan

**CITY OF PORTAGE CDBG PROGRAM  
FIVE YEAR COMPARATIVE ANALYSIS  
FY 2006-07 THROUGH 2010-11**

	2006-07	2007-08	2008-09	2009-10	2010-11
ENTITLEMENT AMOUNT	\$220,919	\$219,536	\$210,576	\$214,020	\$230,723
ESTIMATED PROGRAM INCOME TO BE RECEIVED DURING PROGRAM YEAR	\$60,000	\$60,000	\$50,000	\$50,000	\$40,000
<b>SUB-TOTAL</b>	<b>\$280,919</b>	<b>\$279,536</b>	<b>\$260,576</b>	<b>\$264,020</b>	<b>\$270,723</b>
AVAILABLE UNEXPENDED FUNDS (Prior Years' Program Income and Reprogrammed Funds)	NA	NA	\$25,000	\$25,000	\$25,000
<b>TOTAL</b>	<b>\$280,919</b>	<b>\$279,536</b>	<b>\$285,576</b>	<b>\$289,020</b>	<b>\$295,723</b>
<b>HOUSING</b> (Percent of Total Budget)	<b>48%</b>	<b>46%</b>	<b>47%</b>	<b>47%</b>	<b>49%</b>
Housing Rehabilitation Loan Program	\$118,095	\$112,976	\$124,120	\$128,728	\$136,827
Emergency Repair Grant	\$1,000	\$1,000	\$2,000	\$2,000	\$2,000
Homebuyer Downpayment Assistance	\$15,000	\$15,000	\$9,000	\$6,000	\$6,000
<b>TOTAL HOUSING</b>	<b>\$134,095</b>	<b>\$128,976</b>	<b>\$135,120</b>	<b>\$136,728</b>	<b>\$144,827</b>
<b>HUMAN/PUBLIC SERVICES</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>
Human/Public Services (PCC)	\$42,138	\$41,930	\$40,037	\$38,000	\$43,350
<b>TOTAL HUMAN/PUBLIC SERVICES</b> <sup>1</sup>	<b>\$42,138</b>	<b>\$41,930</b>	<b>\$40,037</b>	<b>\$38,000</b>	<b>\$43,350</b>
<b>NEIGHBORHOOD IMPROVEMENT</b> (Percent of Total Budget)	<b>21%</b>	<b>22%</b>	<b>21%</b>	<b>21%</b>	<b>22%</b>
<b>TOTAL NEIGHBORHOOD IMPROVEMENT</b>	<b>\$58,706</b>	<b>\$61,005</b>	<b>\$60,051</b>	<b>\$60,658</b>	<b>\$66,496</b>
<b>ADMINISTRATION</b>	<b>16%</b>	<b>17%</b>	<b>19%</b>	<b>19%</b>	<b>15%</b>
General Administration	\$43,980	\$45,625	\$46,368	\$45,634	\$39,050
Fair Housing Services	\$2,000	\$2,000	\$4,000	\$2,000	\$2,000
<b>TOTAL ADMINISTRATION</b> <sup>2</sup>	<b>\$45,980</b>	<b>\$47,625</b>	<b>\$50,368</b>	<b>\$47,634</b>	<b>\$41,050</b>
<b>TOTAL</b>	<b>\$280,919</b>	<b>\$279,536</b>	<b>\$285,576</b>	<b>\$289,020</b>	<b>\$295,723</b>

<sup>1</sup> Funding for human/public services must not exceed 15% of the FY 2010-11 CDBG entitlement grant (\$230,723) and program income received in FY 2008-09 (\$60,014)

<sup>2</sup> Funding for administration and fair housing must not exceed 20% of the FY 2010-11 CDBG entitlement grant (\$230,723) and estimated FY 2010-11 program income (\$40,000)

**CITY OF PORTAGE HUMAN SERVICES BOARD**  
Minutes of Meeting, January 7, 2010

**CALL TO ORDER:** 6:30 p.m., approximately 12 people were in the audience

**MEMBERS PRESENT:** Diane Durian, Angela Manahan Ilori, Elma (Pat) Maye, Marc Meulman, Sandra Sheppard, Mike Thompson, Amy Tuley, Joanne Willson, and Logan Wessendorf (Youth Advisory Committee Liaison)

**MEMBERS EXCUSED:** Bill Lenehan

**STAFF PRESENT:** Vicki Georgeau, Deputy Director of Neighborhood Services

**APPROVAL OF MINUTES:** December 3, 2009 minutes were approved as submitted, 9-0.

**NEW BUSINESS:**

1. Memorandum regarding Human/Public Service funding, Human/Public Service Funding Application Booklet and Evaluation Criteria Forms: Staff summarized the six funding applications received, current year funding levels and amount of monies available through both the CDBG Program and General Fund in comparison to the total funding requests received. Staff also noted that the Board would hold a special meeting on January 21, 2009 to discuss application scores and rankings, and would make a recommendation on FY 2010-11 funding levels to City Council at their February 4, 2010 meeting. Finally, staff referenced the application summary forms provided to assist the Board with application scoring and ranking.
2. Presentations by Applicants: Representatives from Catholic Family Services (the ARK), Gryphon Place (2-1-1/Help-Line), YWCA (Domestic Assault, Sexual Assault, and Mentoring programs) Housing Resources, Inc. (Housing + Program), and the Portage Community Center (Program Coordination and Development, Youth Development, Emergency Assistance Programs and Fund Development Activities) made presentations regarding their grant requests from the General Fund and CDBG Fund. The Board had a number of questions and comments for the applicants regarding services provided to Portage residents, client qualifications for program participation, outreach efforts and the ability to measure program outcomes.
3. Public Hearing - FY 2010-11 Community Development Block Grant (CDBG) Program Community Development Block Grant (CDBG) Program – Housing and Community Development Needs: Chairperson Tuley opened the public hearing. With regard to the CDBG Program, staff provided an overview of the annual consolidated planning process, identified community development needs identified in the 2005-09 Consolidated Plan, recent census data estimates, and CDBG Program core activities and performance. With regard to the housing and community development needs analysis, the U.S. Department of Housing and Urban Development (HUD) granted the city a one-year extension to the update of the five-year 2005-09 Consolidated Plan due to the lack of relevant census data needed to prepare a meaningful analysis. Staff summarized the next steps in the process, which include: a recommendation to City Council regarding human/public service funding in early February 2010; a 30-day public comment period on the draft FY 2010-11 Annual Action Plan beginning in early March 2010; a public hearing by the Board on the draft plan in April 2010; review and approval of the CDBG budget and plan; and human/public service funding by City Council in mid-April 2010 and submission of the FY 2010-11 Annual Action Plan to HUD not later than May 15, 2010. In addition, while the CDBG entitlement grant is not yet known, staff indicated a seven percent increase from the current year is projected. Willson inquired if reported housing available for special needs households includes the Barrington Woods Apartments owned by Residential Opportunities, Inc. Staff indicated the 2000 Census data did not include the 12 special needs housing units added at the Barrington Woods in 2007, or the 10 special needs housing units added at the Gladys Street Apartments by the LIFT Foundation in 2009. Meulman indicated that based on the age of Portage housing stock, the housing lead hazard data is likely higher than reported. Staff noted that it is understood the Census estimates actual lead hazards, such as existence of peeling lead-based paint, as opposed to presence of lead-based paint and plumbing. As no comments from the Board or public were received, the hearing was closed.

**OLD BUSINESS:** None

**STATEMENT OF CITIZENS:** None

**ADJOURNMENT:** There being no further business before the Board, the meeting was adjourned at 8:35 p.m.

City of Portage  
Community Development  
Block Grant Program

**FY 2010-11**  
**ANNUAL ACTION PLAN:**  
Strategy for Housing and  
Community Development Needs

May 3, 2010

**FY 2010-11**  
**ANNUAL ACTION PLAN:**  
Strategy for Housing and  
Community Development Needs

PREPARED BY:

*CITY OF PORTAGE*  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
NEIGHBORHOOD SERVICES SECTION  
7900 SOUTH WESTNEDGE AVENUE  
PORTAGE, MICHIGAN 49002

May 3, 2010

Maurice S. Evans  
City Manager

Jeffrey M. Erickson, AICP  
Director of Community Development

Victoria Georgeau, AICP  
Deputy Director of Neighborhood Services

**CITY OF PORTAGE  
FY 2010-11 ANNUAL ACTION PLAN**

**TABLE OF CONTENTS**

Application for Federal Assistance – SF-424 .....	Page i
Executive Summary .....	Page iv
A. Activities To Be Undertaken .....	Page 1
B. Priorities .....	Page 11
C. Geographic Distribution.....	Page 11
D. Homelessness and Other Special Needs Activities .....	Page 12
E. Other Actions Proposed.....	Page 13
F. Lead Based Paint Hazards .....	Page 13
G. Coordination.....	Page 14
H. Allocation of Funds.....	Page 14
I. American Dream Down Payment Initiative (ADDI) Funds.....	Page 15
J. Monitoring.....	Page 15
K. Citizen Participation.....	Page 16
L. Affirmatively Promoting Fair Housing.....	Page 16
M. Certifications.....	Page 17
APPENDIX A: CERTIFICATIONS .....	Page 18
APPENDIX B: SUMMARY OF CITIZEN COMMENTS .....	Page 25
APPENDIX C: PROOFS OF PUBLICATION .....	Page 26

**Application for Federal Assistance SF-424**

Version 02

\*1. Type of Submission:

- Preapplication
- Application
- Changed/Corrected Application

\*2. Type of Application

- New
- Continuation
- Revision

\* If Revision, select appropriate letter(s)

\*Other (Specify)  
\_\_\_\_\_

3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

\*5b. Federal Award Identifier:

B-10-MC-26-0023

**State Use Only:**

6. Date Received by State:

7. State Application Identifier:

**8. APPLICANT INFORMATION:**

\*a. Legal Name: City of Portage, Michigan

\*b. Employer/Taxpayer Identification Number (EIN/TIN):

38-6006266

\*c. Organizational DUNS:

09-5943411

**d. Address:**

\*Street 1: Department of Community Development

Street 2: 7900 South Westnedge Avenue

\*City: Portage

County: Kalamazoo

\*State: MI

Province: \_\_\_\_\_

\*Country: \_\_\_\_\_

\*Zip / Postal Code 49002

**e. Organizational Unit:**

Department Name:

City of Portage, Community Development

Division Name:

Neighborhood Services

**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix: Ms. \*First Name: Vicki

Middle Name: L.

\*Last Name: Georgeau

Suffix: \_\_\_\_\_

Title: Deputy Director of Neighborhood Services

Organizational Affiliation:

\*Telephone Number: 269-329-4480

Fax Number: 269-329-4506

\*Email: georgeav@portagemi.gov

**Application for Federal Assistance SF-424**

Version 02

**\*9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\*Other (Specify)

U.S. Department of Housing and Urban Development

**\*10 Name of Federal Agency:**

**11. Catalog of Federal Domestic Assistance Number:**

14-218 \_\_\_\_\_

CFDA Title:

Community Development Block Grant - Entitlement Grant \_\_\_\_\_

**\*12 Funding Opportunity Number:**

\_\_\_\_\_

\*Title:

\_\_\_\_\_

**13. Competition Identification Number:**

\_\_\_\_\_

Title:

\_\_\_\_\_

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

City of Portage, Michigan

**\*15. Descriptive Title of Applicant's Project:**

City of Portage Community Development Block Grant Program: Program activities include: 1) Owner-occupied housing rehabilitation; 2) Down Payment Assistance for First-Time Homebuyers; 3) Human Services - Portage Community Center; 4) Neighborhood Improvement - Code Administration and Enforcement; 5) Grant Program Administration and Fair Housing.

**Application for Federal Assistance SF-424**

Version 02

**16. Congressional Districts Of:**

\*a. Applicant: MI-006

\*b. Program/Project: MI-006

**17. Proposed Project:**

\*a. Start Date: 7/1/2009

\*b. End Date: 6/30/2010

**18. Estimated Funding (\$):**

*a. Federal	_____	230,723
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	25,000
*f. Program Income	_____	40,000
*g. TOTAL	_____	295,723

**\*19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on \_\_\_\_\_
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

**\*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes       No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

**Authorized Representative:**

Prefix: Mr.      \*First Name: Maurice  
Middle Name: S.  
\*Last Name: Evans  
Suffix: \_\_\_\_\_

\*Title: City Manager

\*Telephone Number: 269-329-4400

Fax Number: 269-329-4506

\* Email: evansm@portagemi.gov

\*Signature of Authorized Representative:

\*Date Signed:

**CITY OF PORTAGE  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
FY 2010-11 ANNUAL ACTION PLAN**

**Executive Summary**

The FY 2010-11 Annual Action Plan, Strategy for Housing and Community Development Needs, includes activities and programs to fulfill identified needs outlined in the FY 2005-09 Consolidated Plan. The Consolidated Plan and the Annual Action Plan element are required in order to apply for certain federal funds, such as the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) entitlement program, which has been awarded to the city since the mid-1970s. With regard to the five-year Consolidated Plan, the Detroit HUD Field Office issued the City of Portage a one-year extension on the requirement to update the Consolidated Plan, in anticipation of the release of more current U.S. Census data, which will be utilized in the analysis of housing and community development needs. The extension granted to the city requires the updated the five-year Plan to be submitted to HUD for review and approval not later than May 15, 2011. With regard to the FY 2010-11 Annual Action Plan, this document specifies that proposed activities and expenditures of CDBG funds must meet three national objectives: 1) benefit low and/or moderate income persons, 2) aid in the prevention or elimination of blight, and 3) meet urgent community development needs. Furthermore, per the HUD Outcome Measurement System, the Annual Action Plan identifies objectives, outcomes and common indicators for each activity, resources available during the plan year, and addresses performance evaluation as part of the annual planning process.

Section A, Activities to Be Undertaken During the Program Year: This section of the FY 2010-11 Annual Action Plan lists activities to be carried out during the program year. The table below lists the program activity, an activity description, and the planned objectives and outcomes.

<b>CDBG PROGRAM ACTIVITIES</b>			
<b>Activity</b>	<b>Description</b>	<b>Objective</b>	<b>Outcome</b>
Owner-Occupied Housing Rehabilitation	Interior and exterior rehabilitation assisted through emergency repair grants and no or low-interest deferred loans.	Decent housing.	<u>Sustainability</u> for the purpose of providing decent affordable housing.
Down Payment Assistance	First time homebuyer no interest deferred loans for down payment and closing costs.	Decent housing.	<u>Affordability</u> for the purpose of providing decent affordable housing.
Public Services	Funding for Portage Community Center for emergency assistance, transportation assistance and youth recreation.	Economic opportunity.	<u>Sustainability</u> for the purpose of creating economic opportunities.
Neighborhood Improvement – Code Enforcement	Neighborhood improvement in target low-income neighborhoods.	Suitable living environment.	<u>Sustainability</u> for the purpose of creating suitable living environments.
Program Planning and Administration	Annual planning, performance reporting, and fair housing activities.	Not applicable.	Not applicable.

Section B, Priorities: This section of the Annual Action Plan lists priority affordable housing and community development needs, consistent with the Consolidated Plan, and the number of households, housing units and/or persons expected to be assisted with each of the activities during the program year, as provided in the table below.

<b>PRIORITY NEED: HOUSING AND AFFORDABLE HOUSING</b>	
SPECIFIC OBJECTIVES	1. Assist 15 households with housing rehabilitation loans in order to improve housing conditions.
	2. Assist 2 households with emergency repair grants to improve housing conditions and arrest further housing deterioration.
	3. Assist 3 households with down payment assistance to affordably purchase a home in a target city neighborhood.
	4. Indirectly assist 3,000 households via the General Fund and CDBG program by financing non-profit agencies that provide emergency assistance to low/moderate income persons with a housing crisis.
	5. Affirmatively further fair housing by carrying out and supporting fair housing education and services within the community.
<b>PRIORITY NEED: COMMUNITY DEVELOPMENT</b>	
SPECIFIC OBJECTIVES	1. Promote neighborhood improvement by responding to 350-400 code enforcement complaints.
	2. Provide human service assistance to approximately 4,000 persons by funding the Portage Community Center.

Section C, Geographic Distribution: This section of the Annual Action Plan provides maps and rationale for targeting certain program activities to key areas of the city throughout the program year.

Section D, Homeless and Other Special Needs Activities: This section addresses homeless, and special needs housing activities. As noted in the Consolidated Plan, the City of Portage actively participates in the Kalamazoo LISC Affordable Housing Partnership, which comprises the HUD-required Continuum of Care annual planning process, and provides General Fund monies to support agencies that provide homeless prevention and housing assistance.

Sections E through G, Other Actions Proposed, Lead-Based Paint Hazards, Coordination: These sections address efforts to combat poverty, address barriers to affordable housing, reduce lead-based paint hazards, and coordinate activities internally within the City of Portage and with other governmental and non-profit agencies.

Section H, Allocation of Funds: The Annual Action Plan outlines proposed projects that will be undertaken with the \$295,723 expected to be available to the City of Portage for FY 2010-11. For FY 2010-11, the following projects/expenditures are proposed:

<b>CDBG RESOURCES AND EXPENDITURES</b>	
Housing Programs (loans and grants)	\$138,827
Down Payment Assistance Program	\$6,000
Neighborhood Improvement-Code Enforcement	\$66,496
Human/Public Services	\$43,350
Grant Administration and Fair Housing Activities	\$41,050
<b>TOTAL</b>	<b>\$295,723</b>

Section I, American Dream Downpayment Initiative (ADDI) Funds: This section verifies the City of Portage receives no federal funds for such activity.

Section J, Monitoring: This section discusses monitoring efforts undertaken annually by the city of sub-recipients and contractors through the housing rehabilitation program to ensure compliance with HUD regulations.

With regard to City of Portage self-evaluation and monitoring, review of expenditures and program income receipt expenditures (including timeliness of expenditures), program activity accomplishments, and staff evaluation occurs at least quarterly, or more frequently as appropriate. In addition, grant performance is evaluated through the preparation of bi-annual Labor Standards Enforcement reports, the annual Contractor and Subcontractor report, annual and project specific Environmental Review, and annual Consolidated Annual Performance Evaluation Report (CAPER).

Section K, Citizen Participation: This section explains that the City of Portage has followed the Citizen Participation Plan as provided in the Consolidated Plan, which outlines efforts to obtain broad public participation. A summary of public comments received on the FY 2010-11 Annual Action Plan is provided in Appendix C.

Section L, Affirmatively Promoting Fair Housing: This section outlines annual Fair Housing activities, which are carried out in accordance with the 2003 Analysis of Impediments to Fair Housing study.

Section M, Certifications: HUD required certifications are provided in Appendix A of the Annual Action Plan.

## **CITY OF PORTAGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FY 2010-11 ANNUAL ACTION PLAN**

The City of Portage CDBG FY 2010-11 Annual Action Plan includes activities and programs to fulfill identified needs outlined in the Consolidated Plan. The programs have proven to be well received and effective throughout the city in preserving and upgrading the quality of existing housing stock and the livability of low/moderate income target neighborhoods.

With regard to Federal resources, the City of Portage will receive \$230,723 in CDBG entitlement funds in FY 2010-11 from the U.S. Department of Housing and Urban Development (HUD). In addition to the entitlement grant, it is estimated that \$40,000 in Program Income will be received in FY 2010-11, and \$25,000 of unanticipated program income and unexpended funds from prior program years will be utilized during FY 2010-11 for a total CDBG Program budget of \$295,723. Additionally, in-kind professional and staff resources are devoted to community-wide housing planning initiatives where monetary support is not available. Finally, \$118,000 of City of Portage General Fund resources are designated to support human/public services on an annual basis (which when supplemented with CDBG funds, equals \$161,350 annually for the next fiscal year). Funding source tables are provided in subsection H, Allocation of Funds, on page 14.

Utilizing the Outcome Measurement System developed by the U.S. Department of Housing and Urban Development (HUD), each City of Portage CDBG activity is intended to meet one of three HUD-established objectives: 1) a Suitable Living Environment, 2) Decent Housing, or 3) Creating Economic Opportunity. In addition, each activity is intended to have one of three HUD-established outcomes: 1) Availability/Accessibility, 2) Affordability, and 3) Sustainability. For each activity common indicator data will be collected throughout the year for reporting in the Consolidated Annual Performance Evaluation Report (CAPER), which include: funds leveraged, number of persons, households, or housing units assisted, income level of persons, households or areas assisted, and race, ethnicity and other socio-economic indicators. The CAPER also reports annual progress on meeting objectives, outcomes and established indicators and/or goals.

### **A. Activities To Be Undertaken During Program Year**

The specific projects that will be implemented in FY 2010-11 are outlined in the following paragraphs. Strategies pertaining to the CDBG Program are detailed in the required Consolidated Plan Table 3 on pages 6-10.

- Activity 1 - Owner-Occupied Housing Rehabilitation: This activity is undertaken on a citywide basis, and supplements neighborhood improvement code enforcement efforts. To qualify, households must meet the income requirements set by HUD, which are based on regional-area median family income, adjusted for the number of members in the family. The goal is to provide low and moderate income residents with the means to upgrade, improve and maintain their housing. Rehabilitation may involve up to \$1,000 for an Emergency Repair Grant or up to \$10,000 per housing unit through a zero interest or low-interest deferred loan for exterior façade, accessibility, weatherization, plumbing, electrical and interior improvements to

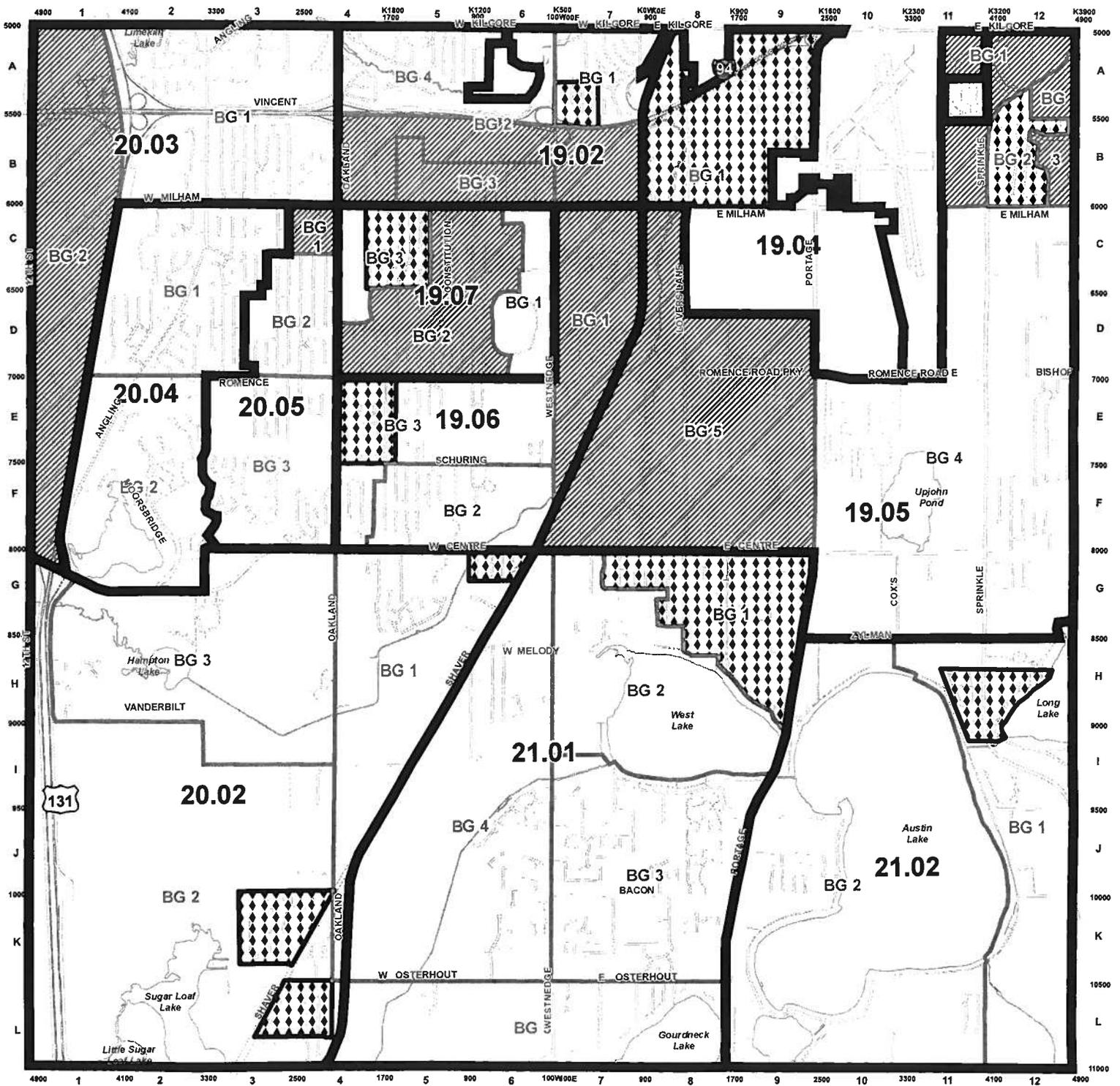
owner-occupied dwellings. To the extent possible, grant and loan programs offered through other nonprofit and governmental agencies will be used to supplement CDBG resources for housing rehabilitation activities. Examples include the Michigan State Housing Development Authority (MSHDA) Property Improvement Program, accessibility improvements through the Disability Network Southwest Michigan, home-repair services through Senior Services, and the Kalamazoo County Weatherization Program. In addition to funds budgeted for FY 2010-11, additional projects may be undertaken utilizing unanticipated program income and unexpended funds available at the end of the FY 2009-10 program year, provided expenditures do not constitute a substantial change in use of funds (i.e., not more than 10 percent of the total FY 2010-11 CDBG Program budget). Per the Outcome Measurement System, the *objective* of this activity is to provide decent housing, while the anticipated *outcome* is to assist home owner with sustaining decent affordable housing.

- **Activity 2 - Down Payment Assistance Program:** This activity promotes home purchases for first-time home buyers by providing no interest deferred loans to cover up to 50 percent of the required down payment and closing costs within target neighborhoods shown on Map 1 on page 3. The target neighborhoods include current or former HUD-designated low/moderate income neighborhoods and other areas with affordable owner-occupied median house values. Per the Outcome Measurement System, the *objective* of this activity is to provide decent housing, while the anticipated *outcome* is to the affordability of decent affordable housing.
- **Activity 3 – Human/Public Services Program:** This activity provides funding to the Portage Community Center (PCC), a local human service agency. Funds assist low/moderate income city residents with the following services through the CDBG program: Emergency Assistance, Transportation Assistance, and Youth Recreation Scholarship Assistance. CDBG funds are supplemented with General Funds to provide an even wider array of human services to the community. Per the Outcome Measurement System, the *objective* of this activity is to provide economic opportunity, while the anticipated *outcome* is to assist Portage residents with sustaining economic opportunities.
- **Activity 4 - Neighborhood Improvement-Code Administration and Enforcement:** This activity supplements a citywide code administration and enforcement effort. The Neighborhood Improvement effort targets areas where low and moderate-income residences make up at least 35.85 percent of the households in that neighborhood. These census tract/block groups are listed in the table below and illustrated on the Low/Moderate Income Neighborhoods, Census Tract/Block Group Map (map 2 on page 4).

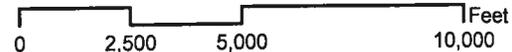
LOW/MODERATE INCOME NEIGHBORHOODS	
Census Tract 19.02	Block Groups 2 & 3
Census Tract 19.05	Block Groups 1, 3 & 5
Census Tract 19.06	Block Group 1
Census Tract 19.07	Block Group 2
Census Tract 20.03	Block Group 2
Census Tract 20.05	Block Group 1

**MAP 1**

**Downpayment Assistance Program  
Target Neighborhoods**



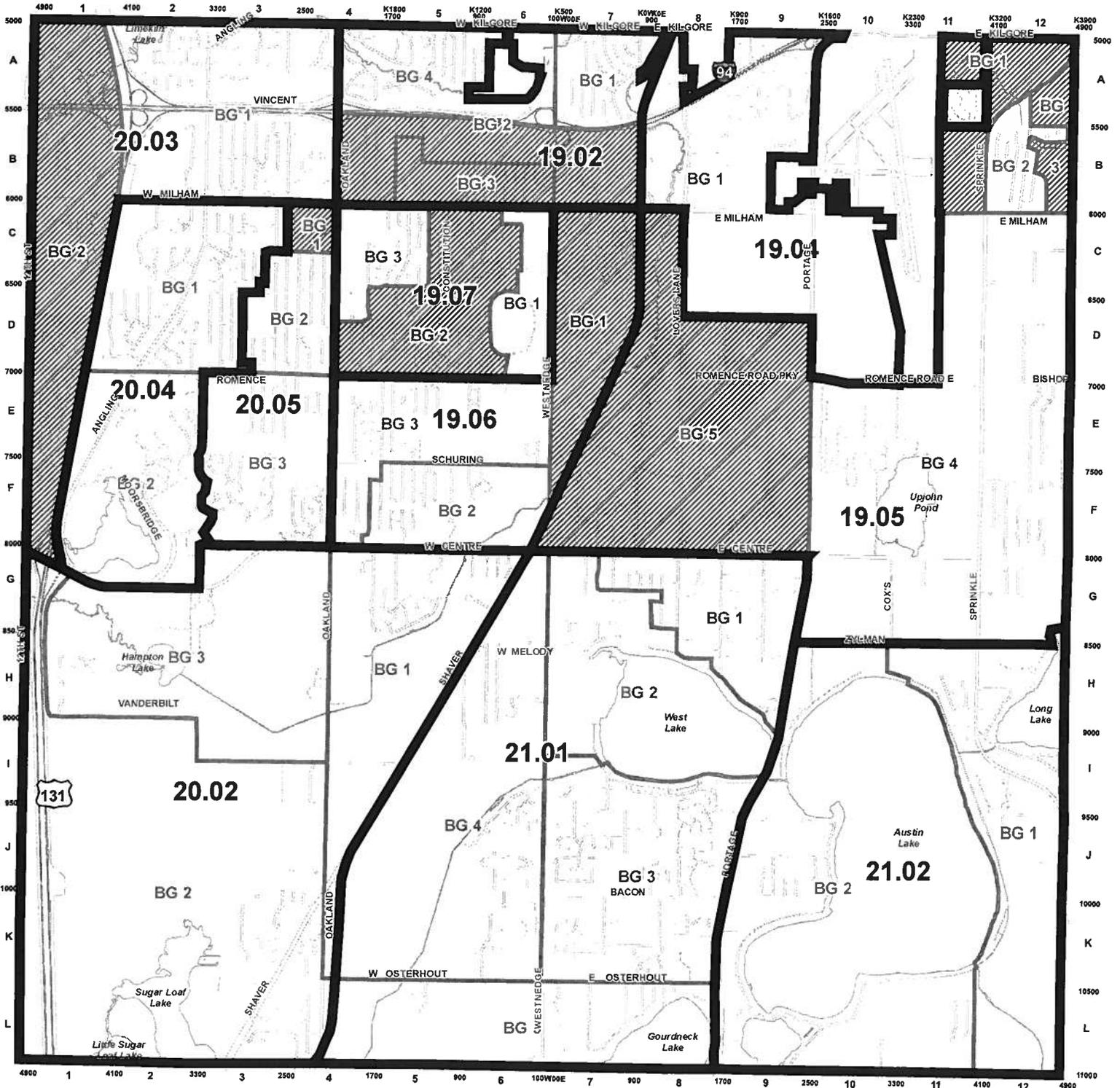
	CENSUS TRACT BOUNDARY
	BLOCK GROUP BOUNDARY
	LOW INCOME BLOCK GROUPS
	ADDITIONAL AREAS TARGETED FOR DOWNPAYMENT ASSISTANCE



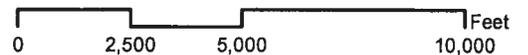
# MAP 2

## Low Income Neighborhoods

### Census Tract / Block Group Map



	CENSUS TRACT BOUNDARY
	BLOCK GROUP BOUNDARY
	LOW INCOME BLOCK GROUPS



The City of Portage provides a variety of Neighborhood Support activities funded primarily from the General Fund, which are carried out by numerous full-time staff within the Department of Community Development and other departments involved in infrastructure maintenance and clean-up programs for residential neighborhoods. The combined efforts of the citywide General Fund program and the targeted CDBG program help ensure neighborhood property values and quality of life are preserved. Per the Outcome Measurement System, the *objective* of this activity is to provide a Suitable Living Environment, while the anticipated *outcome* is to assist neighborhoods with sustaining suitable living environments.

- Activity 5 – Administration: This activity includes administration of the CDBG Program including oversight of the activities described above, preparation of various reports to HUD such as the Consolidated Annual Performance Evaluation Reports, semi-annual Labor Standards Enforcement reports, annual Contract and Subcontract report, preparation of Annual Action Plan and CDBG program budget and citizen participation process, Environmental Review Record, expenditure and program income oversight and reporting to HUD in the Integrated Data Information System (IDIS), participation in the Kalamazoo County LISC Affordable Housing Partnership (Continuum of Care), and support of fair housing activities and services.

**Table 3**  
**Consolidated Plan Listing of Projects**

**Applicant's Name** City of Portage, Michigan

**Priority Need**

Owner-Occupied Housing

**Project Title**

Owner-Occupied Housing Rehabilitation

**Project Description**

Housing rehabilitation for extremely, very-low and low-income homeowners. Rehabilitation may involve emergency repair grants, and low interest deferred loans for exterior façade, accessibility, weatherization, plumbing, electrical and interior improvements to owner-occupied dwellings.

**Location**

City-Wide

Objective Number	Project ID
HUD Matrix Code	CDBG Citation
Type of Recipient	CDBG National Objective
Start Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
Performance Indicator	Annual Units
Local ID	Units Upon Completion

**Funding Sources:**

CDBG	\$138,827
ESG	
HOME	
HOPWA	
Total Formula	
Prior Year Funds	
Assisted Housing	
PHA	
Other Funding	
Total	\$138,827

The primary purpose of the project is to help:  the Homeless  Persons with HIV/AIDS  Persons with Disabilities  Public Housing Needs

**Table 3**  
**Consolidated Plan Listing of Projects**

**Applicant's Name** City of Portage, Michigan

**Priority Need**

Owner-Occupied Housing

**Project Title**

Down Payment Assistance

**Project Description**

Down payment assistance for home purchases for first-time home buyers by providing no interest deferred loans to cover up to 50 percent of the required down payment and closing costs within target neighborhoods.

**Location**

Target Neighborhoods

Objective Number	Project ID
HUD Matrix Code	CDBG Citation
Type of Recipient	CDBG National Objective
Start Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
Performance Indicator	Annual Units
Local ID	Units Upon Completion

**Funding Sources:**

CDBG	\$6,000
ESG	
HOME	
HOPWA	
Total Formula	
Prior Year Funds	
Assisted Housing	
PHA	
Other Funding	
Total	\$6,000

The primary purpose of the project is to help:  the Homeless  Persons with HIV/AIDS  Persons with Disabilities  Public Housing Needs

**Table 3  
Consolidated Plan Listing of Projects**

**Applicant's Name** City of Portage, Michigan

**Priority Need**  
Public Services

**Project Title**  
Human/public Services – Portage Community Center

**Project Description**

Funding to the Portage Community Center (PCC), a local human service agency, will assist low/moderate income city residents through the following services through the CDBG program: Emergency Assistance, Surplus Commodity and Food Distribution, Transportation Assistance, Youth Recreation Scholarship Assistance. CDBG funds are supplemented with General Funds to provide an even wider array of human services to the community.

**Location**

City-Wide Residents To Be Assisted at the PCC facility

Objective Number	Project ID
HUD Matrix Code	CDBG Citation
Type of Recipient	CDBG National Objective
Start Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
Performance Indicator	Annual Units
Local ID	Units Upon Completion

**Funding Sources:**

CDBG	\$43,350
ESG	
HOME	
HOPWA	
Total Formula	
Prior Year Funds	
Assisted Housing	
PHA	
Other Funding	
Total	\$43,350

The primary purpose of the project is to help:  the Homeless  Persons with HIV/AIDS  Persons with Disabilities  Public Housing Needs

**Table 3**  
**Consolidated Plan Listing of Projects**

**Applicant's Name** City of Portage, Michigan

**Priority Need**  
Other

**Project Title**  
Neighborhood Improvement- Code Administration and Enforcement

**Project Description**  
This activity supplements a citywide code administration and enforcement effort. The Neighborhood Improvement effort targets areas where low and moderate-income residences make up at least 35.85 percent of the households in that neighborhood.

**Location**  
HUD-designated low/moderate income census tract block groups

Objective Number	Project ID 4
HUD Matrix Code 15	CDBG Citation 570.202(c)
Type of Recipient Local Government	CDBG National Objective Low income households
Start Date (mm/dd/yyyy) 07/01/2010	Completion Date (mm/dd/yyyy) 06/30/2011
Performance Indicator Households	Annual Units 350
Local ID NA	Units Upon Completion 350

**Funding Sources:**

CDBG	\$66,496
ESG	
HOME	
HOPWA	
Total Formula	
Prior Year Funds	
Assisted Housing	
PHA	
Other Funding	
Total	\$66,496

The primary purpose of the project is to help:  the Homeless  Persons with HIV/AIDS  Persons with Disabilities  Public Housing Needs

**Table 3**  
**Consolidated Plan Listing of Projects**

**Applicant's Name**    City of Portage, Michigan

**Priority Need**  
Planning/Administration

**Project Title**  
Program Planning and Administration

**Project Description**

This activity includes administration of the CDBG Program including oversight the activities described above, preparation of various reports to HUD such as the Consolidated Annual Performance Evaluation Reports, semi-annual Labor Standards Enforcement reports, annual Contract and Subcontract report, preparation of Annual Action Plan and CDBG program budget and citizen participation process, Environmental Review Record, expenditure and program income oversight and reporting to HUD in the Integrated Data Information System (IDIS), participation in the Kalamazoo County Continuum of Care and other county-wide housing initiatives, and support of fair housing activities and services. In addition, the Consolidated Plan and Analysis of Impediments to Fair Housing Study will be updated in FY 2009-10.

**Location**

HUD-designated low/moderate income census tract block groups

Objective Number	Project ID
HUD Matrix Code	CDBG Citation
Type of Recipient	CDBG National Objective
Start Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
Performance Indicator	Annual Units
Local ID	Units Upon Completion

**Funding Sources:**

CDBG	\$41,050
ESG	
HOME	
HOPWA	
Total Formula	
Prior Year Funds	
Assisted Housing	
PHA	
Other Funding	
Total	\$41,050

The primary purpose of the project is to help:  the Homeless  Persons with HIV/AIDS  Persons with Disabilities  Public Housing Needs

**B. Priorities**

The table below summarizes the objectives intended to implement the goals of the Consolidated Plan with regard to housing and community development needs. Priority needs are also listed in the required Consolidated Plan Table 3 on pages 6-10.

During the FY 2010-11 program year, the goal is to assist 20 low/moderate income households through a combination of the Owner-occupied Housing Rehabilitation Program and the Downpayment Assistance Program. In addition, a goal has been established to address 350-400 city code violations to aid in the prevention of blight. Finally, the goal is to assist 4,000 low-in persons with human services primarily in the form of emergency assistance through the Portage Community Center.

<b>PRIORITY NEED: HOUSING AND AFFORDABLE HOUSING</b>	
SPECIFIC OBJECTIVES	1. Assist 15 households with housing rehabilitation loans in order to improve housing conditions.
	2. Assist 2 households with emergency repair grants to improve housing conditions and arrest further housing deterioration.
	3. Assist 3 households with down payment assistance to affordably purchase a home in a target city neighborhood.
	4. Indirectly assist 3000 households via the General Fund and CDBG program by financing non-profit agencies that provide emergency assistance to low/moderate income persons with a housing crisis.
	5. Affirmatively further fair housing by carrying out and supporting fair housing education and services within the community.
<b>PRIORITY NEED: COMMUNITY DEVELOPMENT</b>	
SPECIFIC OBJECTIVES	1. Promote neighborhood improvement by responding to 350-400 code enforcement complaints.
	2. Provide human service assistance to approximately 4,000 persons by funding the Portage Community Center.

**C. Geographic Distribution**

As specified in subsection A, Activities To Be Undertaken During Program Year, the Neighborhood Improvement-Code Enforcement activities are limited to HUD-designated low/moderate income census tract block groups. Similarly, the Downpayment Assistance Program is targeted to current or previously designated low/moderate income census tract block groups and neighborhoods with affordable owner-occupied median home values. The Housing Rehabilitation Program, while often utilized to address issues identified through Neighborhood Improvement activities, is offered citywide to income-eligible homeowners. The Human Services activity is provided at the Portage Community Center facility centrally located within the community. Services are offered to city residents regardless of their geographic location of residence.

Where activities are geographically targeted, such areas include census tract block groups with a minority population concentration, which is discussed in more detail in the Consolidated Plan.

## **D. Homeless and Other Special Needs Activities**

Homelessness. As outlined in the Consolidated Plan, the City of Portage actively participates on the Kalamazoo County LISC Affordable Housing Partnership, which comprises the HUD-required Continuum-of-Care organization, and assists with the preparation of gaps analysis and planning documents with regard to homeless needs. While the Consolidated Plan, prepared in May 2005, provides information regarding emergency, transitional and permanent supportive housing facilities and services for homeless and chronic homeless persons within Kalamazoo County, the annual Continuum of Care planning document, submitted to HUD annually, should be referenced for an updated inventory of such services.

The City of Portage will also address homelessness by funding agencies that provide housing and related services to homeless persons in the effort to shelter those individuals and families who have lost their home and prevent homelessness of those individuals and families experiencing a housing crisis.

In May 2008, City Council awarded the Kalamazoo County Public Housing Commission a two-year grant of \$100,000 for the Local Housing Assistance Fund to provide tenant-based rental subsidies to homeless persons and for homelessness prevention programs. In addition, while funding awards have not yet been finalized by City Council, City Council will allocate approximately \$118,000 in General Fund monies, and \$43,350 in CDBG Fund monies to human/public service agencies to provide homeless and other special needs services, which in the past have included the following:

- Emergency assistance to low income families (utility shut-off payments, eviction preventions, food, clothing, etc.), youth development and program coordination with other service agencies at the community center.
- Emergency shelter, counseling and outreach for runaway youth and their families.
- Emergency shelter, homeless prevention programs and permanent supportive housing for families.
- Emergency shelter and counseling for victims of domestic and/or sexual abuse, and mentoring programs for adult women.
- Support for the 2-1-1/Help-Line that provides crisis intervention and human services information and referral 24 hours per day.
- Job training and retail work experience to youth with disabilities.

Special Needs Populations. There are no specific programs targeted towards special needs populations. However, whenever possible the City of Portage works with special needs housing providers on programs to create affordable housing opportunities for persons with special needs. This is evidenced by the following: 1) granting of a Payment in Lieu of Taxes (PILOT) for Residential Opportunities, Incorporated to purchase and rehabilitate a 32-unit apartment development, 12 units of which will be rented to special needs households; 2) a CDBG program grant to the LIFT Foundation for site clearing and connection to utilities for an 11-unit apartment for persons with disabilities; 3) availability of housing rehabilitation and emergency repair funds for persons with special needs who require accessibility improvements, including a partnership with the

Disability Network Southwest Michigan Ramp-Up program (CDBG housing rehabilitation funds cover materials and the Disability Network provides volunteer labor); 4) active participation on the Kalamazoo County LISC Affordable Housing Partnership, which facilitates the Kalamazoo County Continuum-of-Care for local agency housing program grant applications to MSHDA and HUD.

The table below summarizes the objectives intended to implement the goals of the Consolidated Plan with regard to homeless and special needs populations.

**SUMMARY OF SPECIFIC HOMELESS AND  
SPECIAL NEEDS POPULATIONS OBJECTIVES  
REQUIRED CONSOLIDATED PLAN TABLE 1C**

<b>PRIORITY NEED: HOMELESSNESS</b>	
SPECIFIC OBJECTIVES	1. Funding agencies in order to preserve the existing network of homeless shelters in Kalamazoo County and implement the 10-year Plan to End Homelessness.
	2. Funding agencies that provide transitional housing and support services for homeless individuals and families and persons threatened with homelessness.
	3. Participate in the annual preparation of the HUD-required Continuum-of-Care planning document, which monitors the provision of services to homeless individuals and prioritizes needs and programs.
<b>PRIORITY NEED: SPECIAL NEEDS</b>	
SPECIFIC OBJECTIVES	City of Portage programs are not directly targeted at assisting special needs populations.

**E. Other Actions Proposed**

Anti-Poverty Strategy, Under-served Needs, and Barriers to Affordable Housing

As discussed in the Consolidated Plan, due to limited funding, the city will not directly undertake programs to combat poverty. However, the above described programs provided through the CDBG program and General Fund monies for human/public services, will indirectly address poverty related needs.

In addition, continuation of CDBG programs and efforts to partner with for-profit and non-profit developers will assist in providing additional affordable housing over the FY 2010-11 program year. Examples may include consideration of tax exemptions from General Fund revenues to facilitate affordable housing construction and rehabilitation, and utilization of CDBG funds for predevelopment activities (including site surveying, clearing, grading, connection to public utilities, etc.) for affordable housing construction and/or rehabilitation. Funding may be derived from unanticipated program income and unexpended funds available at the end of the FY 2009-10 program year, provided expenditures do not constitute a substantial change in use of funds (i.e., not more than 10 percent of the total FY 2010-11 CDBG Program budget).

**F. Lead Based Paint Hazards**

All CDBG housing projects will be carried out in accordance with federal and state regulations pertaining to lead-based paint hazards over the FY 2010-11 program year.

## G. Coordination

As necessary, and to the extent of limited personnel and monetary resources, the City of Portage coordinates available programs, services and special resources to best serve the citizens of Portage. The Department of Community Development often works with other city departments and outside agencies to meet the special needs of residents.

As discussed in the Coordination and Management section of the Consolidated Plan, the city will continue to implement the CDBG program and work with other countywide housing and poverty initiatives throughout the FY 2010-11 program year.

## H. Allocation of Funds

The planned allocation of funds for FY 2010-11 are shown in the following table:

<b>FUNDING SOURCES</b>		
<b>Entitlement Grant (Includes reallocated funds)</b>		
CDBG	\$230,723	
ESG	\$0	
HOME	\$0	
HOPWA	\$0	
<b>Total</b>		\$230,723
<b>Prior Years' Program Income NOT previously programmed or reported <sup>1</sup></b>		
CDBG	\$10,000	
ESG	\$0	
HOME	\$0	
HOPWA	\$0	
<b>Total</b>		\$10,000
<b>Reprogrammed Prior Years' Funds <sup>1</sup></b>		
CDBG	\$15,000	
ESG	\$0	
HOME	\$0	
HOPWA	\$0	
<b>Total</b>		\$0
<b>Total Estimated Program Income</b>		
Program Income Fund	\$40,000	
Revolving Fund	\$0	
<b>Total</b>		\$40,000
<b>Section 108 Loan Guarantee Fund</b>		
	\$0	
		\$0
<b>TOTAL FUNDING SOURCES</b>		\$295,723
<b>Other Funds</b>		\$0
<b>Submitted Proposed Projects Totals</b>		\$295,723
<b>Un-Submitted Proposed Projects Totals</b>		\$0

<sup>1</sup> The Unexpended Fund Balance at the end of each fiscal year is comprised of both Prior Years' Program Income NOT previously programmed or reported (i.e., program income received that exceeded the projected amount) and Reprogrammed Prior Years' Funds (i.e., program expenditures that were less than the amount budgeted).

As noted in Sections A and E, there may be additional CDBG funds available derived from unanticipated program income and unexpended funds at the end of the FY 2009-10 program year.

In addition to the CDBG-funded activities in the table above, additional state and federal resources are available either directly to the City of Portage, or within the community serving Portage residents during the program year.

<b>OTHER FEDERAL, STATE AND LOCAL RESOURCES</b>	
City of Portage General Fund-Payment in Lieu of Taxes (PILOT) for affordable rental housing – estimated annual subsidy	\$65,000
Housing Choice and HARP Vouchers (Tenant-based rental assistance for low income and homeless households) Utilized in Portage – Variable Monetary Value – Administered by MSHDA	100 (estimated)
Supportive Housing Program Funds awarded to Kalamazoo County governmental and non-profit agencies via HUD funding that may serve Portage residents	\$1,494,919
McKinney-Vento Homeless Funds awarded to Kalamazoo County governmental and non-profit agencies via MSHDA funding that serve Portage residents	\$320,700

Finally, the City of Portage and sub-recipients of CDBG funds leverage CDBG dollars from City General Fund, federal and state grants, and private funds. The amount of leveraged funds will be reported annually in the CAPER document submitted to HUD.

**I. American Dream Down Payment Initiative (ADDI) Funds**

The City of Portage does not receive ADDI funding from HUD. However, as discussed above, the city does have a Downpayment Assistance Program through the CDBG Program and a separate grant from MSHDA.

**J. Monitoring**

The City of Portage regularly contracts with sub-recipients for human/public services, fair housing services and for single-family housing predevelopment. The Department of Community Development receives reports from human/public service and fair housing agencies on a biannual or quarterly basis and makes periodic monitoring visits. Housing contractors are monitored regularly while a project is underway and thereafter to ensure compliance with HUD regulations. Any new programs developed as a result of the Consolidated Plan or individual Annual Action Plan which will utilize sub-recipients will also be monitored in a similar manner.

With regard to City of Portage self-evaluation and monitoring, review of expenditures and program income receipt expenditures (including timeliness of expenditures), program activity accomplishments, and staff evaluation occurs at least quarterly, or more frequently as appropriate. In addition, grant performance is evaluated through the preparation of bi-annual Labor Standards Enforcement reports, the annual Contractor and Subcontractor report, annual and project specific Environmental Review, and annual Consolidated Annual Performance Evaluation Report (CAPER).

## K. Citizen Participation

The City of Portage has followed the Citizen Participation Plan as provided in the Consolidated Plan. A summary of public comments received to date on the FY 2010-11 Annual Action Plan is provided in Appendix C. In addition, the table below outlines the steps that have been taken in the development of the FY 2010-11 Annual Action Plan:

PLAN DEVELOPMENT PROCESS AND CITIZEN PARTICIPATION	
December 7, 2009	Receive and review requests for funding from human/public service agencies.
January 7, 2010	Human Services Board holds public hearing to receive comments regarding FY 2010-11 applications for funding for human/public services, and to gather comments on CDBG program performance and receive input on housing, community development needs, housing priorities and fair housing issues in relation to drafting the Annual Action Plan.
January 8, 2010 – February 4, 2010	Preparation of proposed recommendation for proposed CDBG budget and CDBG human/public service funding. Separate recommendation made by Human Services Board and the City Administration for final review and decision by City Council.
February 12, 2010	Recommend CDBG budget and complete draft of FY 2010-11 Annual Action Plan; submit to City Manager for review.
February 27, 2010	Publish summary of FY 2010-11 Annual Action Plan, including projected use of funds and notice for public hearing in the Kalamazoo Gazette.
April 1, 2010	City of Portage holds public hearing on the draft Annual Action Plan.
April 2, 2010	Final draft of FY 2010-11 Annual Action Plan and CDBG budget to City Council for endorsement.
May 11, 2010	City Council approves CDBG budget and FY 2010-11 Annual Action Plan.
May 12, 2010	Mail FY 2010-11 Annual Action Plan to HUD.
May 17-June 4, 2010	Prepare FY 2010-11 Environmental Review Record.
July 1, 2010	Begin new grant program year, FY 2010-11.

## L. Affirmatively Promoting Fair Housing

The City of Portage last conducted a comprehensive update to the city *Analysis of Impediments to Fair Housing (A/I)* study in 2003. Over the past two fiscal years, real estate and rental housing audit testing, and an update to Chapters III and IV of the A/I study, were completed. In FY 2010-11, a comprehensive update of the A/I study will be completed concurrent with the Consolidated Plan update.

The A/I study recommends activities that will be undertaken to eliminate the identified impediments to fair housing choice within the community. The City of Portage has allocated \$2,000 within the CDBG Administration budget for the following fair housing activities in FY 2010-11, which are intended to assist with addressing impediments identified in the A/I study:

1. Provide assistance to the Fair Housing Center of Southwest Michigan to host a minimum of two fair housing presentations to property owners/managers, realtors and/or financial institutions. **Target Deadline:** June 2011. **Estimated Budget:** \$0, in-kind professional services, completed on fee-for-service basis by Fair Housing Center.

2. Sponsor a fair housing education event during Fair Housing Month. This event will be conducted by the Fair Housing Center of Southwest Michigan, but may be in participation with other partners. **Target Deadline:** April 2011. **Estimated Budget:** \$500.
3. The city will pass a fair housing resolution in recognition of National Fair Housing Month. **Target Deadline:** April 2011. **Estimated Budget:** \$0.
4. Support fair housing activities of the Fair Housing Center of Southwest Michigan including information and referral, education and outreach, and Fair Housing enforcement services. **Target Deadline:** June 2011. **Estimated Budget:** \$1,500.
5. Participate as an Advisory Board member on the Partnership for Fair Housing Center of Southwest Michigan, and in the efforts to address fair housing issues on an area-wide basis. This includes efforts to strategically plan for the implementation of education, testing and enforcement of fair housing complaints by the Fair Housing Center of Southwest Michigan. **Target Deadline:** Ongoing. **Estimated budget:** \$0, in-kind professional services; attendance at monthly Board meetings, assistance on subcommittees.
6. Complete the update the Analysis of Impediments to Fair Housing study and recommend activities to address identified impediments. **Target Deadline:** May 2011. **Estimated budget:** \$0.

#### **M. Certifications**

Certifications are provided in Appendix A.

## CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

**Drug Free Workplace** -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
  - (a) The dangers of drug abuse in the workplace;
  - (b) The grantee's policy of maintaining a drug-free workplace;
  - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:
  - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

**Anti-Lobbying --** To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction --** The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan --** The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

**Section 3 --** It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Specific CDBG Certifications

The Entitlement Community certifies that:

**Citizen Participation** -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan** -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

**Following a Plan** -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

**Use of Funds** -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) , (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

**Compliance With Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**OPTIONAL CERTIFICATION  
CDBG**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## **APPENDIX TO CERTIFICATIONS**

### **INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:**

#### **A. Lobbying Certification**

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **B. Drug-Free Workplace Certification**

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

---

---

---

Check \_\_\_ if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

APPENDIX B  
SUMMARY OF CITIZEN COMMENTS

**Public Hearing–January 7, 2010–Comments on Housing and Community Development Needs:**

Public Hearing - FY 2010-11 Community Development Block Grant (CDBG) Program  
Community Development Block Grant (CDBG) Program – Housing and Community  
Development Needs: Chairperson Tuley opened the public hearing. With regard to the CDBG Program, staff provided an overview of the annual consolidated planning process, identified community development needs identified in the 2005-09 Consolidated Plan, recent census data estimates, and CDBG Program core activities and performance. With regard to the housing and community development needs analysis, the U.S. Department of Housing and Urban Development (HUD) granted the city a one-year extension to the update of the five-year 2005-09 Consolidated Plan due to the lack of relevant census data needed to prepare a meaningful analysis. Staff summarized the next steps in the process, which include: a recommendation to City Council regarding human/public service funding in early February 2010; a 30-day public comment period on the draft FY 2010-11 Annual Action Plan beginning in early March 2010; a public hearing by the Board on the draft plan in April 2010; review and approval of the CDBG budget and plan; and human/public service funding by City Council in mid-April 2010 and submission of the FY 2010-11 Annual Action Plan to HUD not later than May 15, 2010. In addition, while the CDBG entitlement grant is not yet known, staff indicated a seven percent increase from the current year is projected. Willson inquired if reported housing available for special needs households includes the Barrington Woods Apartments owned by Residential Opportunities, Inc. Staff indicated the 2000 Census data did not include the 12 special needs housing units added at the Barrington Woods in 2007, or the 10 special needs housing units added at the Gladys Street Apartments by the LIFT Foundation in 2009. Meulman indicated that based on the age of Portage housing stock, the housing lead hazard data is likely higher than reported. Staff noted that it is understood the Census estimates actual lead hazards, such as existence of peeling lead-based paint, as opposed to presence of lead-based paint and plumbing. As no comments from the Board or public were received, the hearing was closed.

**30-day Public Comment Period (February 27, 2010–April 1, 2010) and Public Hearing–April 1, 2010–Public Comments on draft FY 2010-11 Annual Action Plan:**

Joanne Willson, Vice-Chair of Human Services Board, opened the public hearing. Staff provided an overview of the final draft of the FY 2010-11 Annual Action Plan and proposed activities with the funding estimated from the CDBG program over the next fiscal years. As no written or public comments were received, the public hearing was closed. Staff explained the next steps in the process were City Council budget workshop on May 4<sup>th</sup> and City Council review and approval of the Annual Action Plan on May 11<sup>th</sup> and submission to HUD by May 15<sup>th</sup>.

APPENDIX C  
PROOFS OF PUBLICATION

December 19, 2009 Notice of Public Hearing on housing and  
community development needs on January 7, 2010

February 27, 2010 publication of Notice of Availability of Draft FY 2010-11 Annual  
Action Plan and Notice of Public Hearing on April 1, 2010

STATE OF MICHIGAN )  
County of Kalamazoo ) ss Janeet Beganna

Being duly sworn deposes and says he/she is Principal Clerk of

**THE KALAMAZOO GAZETTE**  
DAILY EDITION

a newspaper published and circulated in the County of Kalamazoo and otherwise qualified according to Supreme Court Rule; and that the annexed notice, taken from said paper, has been duly published in said paper on the following day(day(s))

December 19 A.D. 2009

Sworn to and subscribed before me this 21<sup>st</sup> day of December 2009

Wendy Karrick

Wendy Karrick  
Notary Public, Kalamazoo County, Michigan  
My commission expires 1/7/2012

**CITY OF PORTAGE**  
*A Place for Opportunities to Grow*  
**NOTICE OF PUBLIC HEARING**

The City of Portage will hold a public hearing on Thursday, January 7, 2010 at 6:30 p.m. in Conference Room #1, City Hall, 7900 South Westnedge Avenue, Portage, Michigan to consider comments on the Community Development Block Grant (CDBG) Program, community development needs, fair housing issues, housing priorities and funding for human/public services within the City of Portage. The city anticipates receiving approximately \$29,000 in Federal CDBG funding in 2010-11, and an estimated \$40,000 of program income.

All interested persons are encouraged to attend. Contact Vicki Georgeau, Deputy Director of Neighborhood Services, at the City of Portage Department of Community Development, (269) 329-4480 for additional information.

December 19, 2009

Department of Community  
Development  
Jeffrey M. Erickson, Director

February 27, 2010  
 Notice of Availability of  
 Draft FY 2010-2011 Annual Action Plan  
 and  
 Notice of Public Hearing

The draft FY 2010-11 Annual Action Plan has been completed as required by the U.S. Department of Housing and Urban Development for communities receiving federal funding in the form of a Community Development Block Grant. The draft FY 2010-11 Annual Action Plan outlines proposed projects that will be undertaken with the \$294,000 expected to be available to the City of Portage for FY 2010-11. For FY 2010-11, proposed projects/expenditures are:

Housing (loans and grants)	\$131,470
Down Payment Assistance Program	\$ 6,000
Neighborhood Improvement-Code Enforcement	\$64,280
Human/Public Services	\$43,350
Grant Administration and Fair Housing Activities	\$48,900
<b>TOTAL</b>	<b>\$294,000</b>

The Draft FY 2010-11 Annual Action Plan is available for review at the following locations:

- Department of Community Development, City of Portage, 7900 South Westmedge Avenue, Portage, MI 49002
- Portage District Library, 300 Library Lane, Portage, MI 49002
- Portage Senior Center, 320 Library Lane, Portage, MI 49002
- Portage Community Center, 325 East Centre Avenue, Portage, MI 49002
- City of Portage web site ([www.portagemi.com](http://www.portagemi.com)) under city government, Publications

Comments can be submitted in writing on or before April 1, 2010 to the City of Portage, Department of Community Development, 7900 South Westmedge Avenue, or may be presented in person at a Public Hearing that will be held on Thursday, April 1, 2010 at Portage City Hall, Conference Room #1 at 6:30 p.m.

For additional information, please contact Vicki Gearseau, Deputy Director of Neighborhood Services, Department of Community Development at 269-329-4480.

**Jeffrey M. Erickson, Director**  
 Department of Community Development

Saturday, February 27, 2010

STATE OF MICHIGAN )  
 County of Kalamazoo ss

*Janeet Bagaria*

Being duly sworn deposes and says he/she is Principal Clerk of

**THE KALAMAZOO GAZETTE**  
 DAILY EDITION

a newspaper published and circulated in the County of Kalamazoo and otherwise qualified according to Supreme Court Rule, and that the annexed notice, taken from said paper, has been duly published in said paper on the following day(days)

*Portage Gazette*  
*February 27* A.D. 20 *10*

Sworn to and subscribed before me this *1<sup>st</sup>* day of *March* 20 *10*

*Wendy Karrick*

Wendy Karrick  
 Notary Public, Kalamazoo County, Michigan  
 My commission expires 1/7/2012