

**MINUTES OF THE
SPECIAL MEETING
OF THE HIGHLAND PARK CITY COUNCIL**

September 16, 2015

Council convened at 6:09 p.m. with Council President Woodard presiding.

Present: Council Pro Tem Lewis, Councilmember McClary and President Woodard. (3)

Absent: Councilmember Moore (excused), Councilmember Patrick, (2).

A quorum being present, Council was declared in session.

The Clerk read the following notice.

I, Council President Christopher Woodard, do hereby call a Special Meeting of the Highland Park City Council pursuant to Section 5-3(b) of the Highland Park City Charter.

The purpose of the meeting:

1. To approve lease and sub-lease agreement for State of Michigan Human Services offices.

The following resolution was submitted for approval.

RESOLUTION APPROVING LEASE AGREEMENT (STATE SUBLEASE #10218) BY AND BETWEEN THE CITY AND THE CITY OF HIGHLAND PARK BUILDING AUTHORITY, AND ADDENDUM TO SUBLEASE AGREEMENT #10218 BY AND BETWEEN THE CITY AND THE STATE OF MICHIGAN

WHEREAS, the City and the City of Highland Park Building Authority (the "Authority") have been advised that they may achieve certain efficiencies by refunding all or a portion of the Authority's Building Authority Lease Revenue Bonds, Series 1996 dated as of October 31, 1996 (the "Prior Bonds") which were originally issued to acquire and construct two new office buildings, one located on "Glendale Street in the City (the "Glendale Site") and one located on Hamilton Avenue in the City (the "Hamilton Site"), together with all site improvements, equipment, furnishings and appurtenances and attachments thereto and therefor, for lease to the City and sublease by the City to the State of Michigan (the "State") for the use of the Department of Social Services (now the Department of Health and Human Services) pursuant to two separate subleases (individually, a "Sublease," and collectively the "Subleases") between the City and the State (the "Projects"); and

WHEREAS, it is reasonable and economically advantageous for the City and the Authority to take the necessary steps under the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, and Act 34, Public Acts of Michigan, 2001, as amended, to have the Authority issue refunding bonds to refund all or a portion of the Prior Bonds; and

WHEREAS, the State desires to terminate the Sublease for the Glendale Site and desires to extend the Sublease at the Hamilton Site, which requires certain improvement thereto in order to accommodate the State's extended use of the Hamilton Site (the "Project"); and

WHEREAS, the Building Authority proposes, in accordance with the authorization contained in Act 31, its Articles of Incorporation and this Resolution, to provide for the issuance of Revenue and Revenue Refunding Bonds in the aggregate principal amount of not to exceed Four Million Dollars (\$4,000,000) (the "Bonds") to pay the costs of the Project, to refund the Prior Bonds To Be Refunded, and to pay the costs of issuance of the Bonds; and

WHEREAS, the City and the Building Authority have agreed to a lease between the City and the Building Authority for the Hamilton Site; and

WHEREAS, the City and the State have agreed to certain modifications to the sublease between the City and the State for the Hamilton Site necessary to effectuate the changes contemplated herein.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Approval of Bonds. The City Council deems it to be in the best interest of the City for the Building to issue its 2015 Building Authority Lease Revenue and Revenue Refunding Bonds provide funds to pay costs of the Project, to achieve certain efficiencies by refunding all or a portion of the Prior Bonds, and to pay the costs of issuance of the Bonds.

3. Approval of Lease Agreement (State Sublease #10218, as addended). The City Council hereby approves the Lease Agreement (State Sublease #10218, as addended) by and between the City and the Building Authority in substantially in the form attached hereto as Exhibit A.

4. Approval of Addendum to Sublease Agreement #10218. The City Council hereby approves the Addendum to Sublease Agreement #10218 by and between the City and the State in substantially in the form attached hereto as Exhibit B.

5. Execution of Lease Agreement. The Mayor of the City and the City Clerk are authorized and directed to execute and deliver to the Building Authority the Lease Agreement (State Sublease #10218, as may be finally agreed to as authorized by this Resolution. The Lease Agreement shall become effective immediately upon execution and delivery by the City and the Building Authority. A copy of the Lease Agreement shall be placed on file in the office of the City Clerk and shall be available for public examination.

5. Execution of Addenda to Sublease Agreement. The Mayor of the City and the City Clerk are authorized and directed to execute and deliver to the State the Addendum to the Sublease Agreement State Sublease #10218, as may be finally agreed to as authorized by this Resolution. The Addendum to the Sublease Agreement shall become effective immediately upon execution and delivery by the City and the State. A copy of the Addendum to the Sublease Agreement shall be placed on file in the office of the City Clerk and shall be available for public examination.

6. Actions of City Officers. The Mayor, the City Administrator and the Finance Director are each hereby authorized to negotiate the final terms of the Lease agreement and the Addendum to the Sublease Agreement; provided, that any changes do not materially and negatively change the position of the City from the form of the documents approved herein. The Mayor, the City Administrator and the Finance Director are each hereby authorized to take such action, seek such approvals and execute such documents and certificates on behalf of the City as shall be necessary for the issuance of the Bonds.

7. Rescission. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this Resolution hereby are rescinded.

Moved by Councilmember McClary
Supported by Council Pro Tem Lewis

To approve the Lease agreement (State Sublease #10218) by and between the City and the City of Highland Park Building Authority, and Addendum to Sublease Agreement #10218 by and between The City and the State of Michigan. Yeas (3), Nays, (0), Absent (2).

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The following resolution was submitted for approval.

RESOLUTION APPROVING
ADDENDUM TO SUBLEASE AGREEMENT #10217 BY AND BETWEEN THE CITY AND
THE STATE OF MICHIGAN

WHEREAS, the City and the City of Highland Park Building Authority (the "Authority") have been advised that they may achieve certain efficiencies by refunding all or a portion of the Authority's Building Authority Lease Revenue Bonds, Series 1996 dated as of October 31, 1996 (the "Prior Bonds") which were originally issued to acquire and construct two new office buildings, one located on Glendale Street in the City (the "Glendale Site") and one located on Hamilton Avenue in the City (the "Hamilton Site"), together with all the site improvement, equipment, furnishings and appurtenances and attachments thereto and therefor, for lease to the City and sublease by the City to the State of Michigan (the "State") for the use of the Department of Social Services (now Department of Health and Human Services) pursuant to two separate subleases (individually, a "Sublease," and collectively the "Subleases") between the City and the State (the "Projects"); and

WHEREAS, it is reasonable and economically advantageous for the City and the Authority to take the necessary steps under the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, and Act 34, Public Acts of Michigan 2001, as amended, to have the Authority issue refunding bonds to refund all or a portion of the Prior Bonds; and

WHEREAS, the State desires to terminate the Sublease for the Glendale Site and desires to extend the Sublease at the Hamilton site, which requires certain improvements thereto in order to accommodate the State's extended use of the Hamilton site (the "Project"); and

WHEREAS, the Building Authority proposed, in accordance with the authorization contained in Act 31, its Articles of Incorporation and this Resolution, to provide for the issuance of Revenue and Revenue Refunding Bonds in the aggregate principal amount of not to exceed Four Million Dollars (\$4,000,000) (the "Bonds") to pay the costs of the Project, to refund the Prior Bonds To Be Refunded, and to pay the costs of issuance of the Bonds; and

WHEREAS, the City and the State have agreed to certain modifications to the sublease between the City and the State for the Glendale Site necessary to effectuate the changes contemplated herein.

NOW, THEREFORE BE IT RESOLVED THAT:

1. Approval of Addendum to Sublease Agreement #10217. The City Council hereby approves the Addendum to Sublease Agreement #10217 by and between the City and the State in substantially in the form attached hereto as Exhibit A.

2. Execution of Addenda to Sublease Agreement. The Mayor of the City and the City Clerk are authorized and directed to execute and deliver to the State the Addendum to Sublease Agreement #10217, as may be finally agreed to as authorized by this resolution. The Addendum to the Sublease Agreement shall become effective immediately upon execution and delivery by the City and the State. A copy of the Addendum to the Sublease Agreement shall be place on file in the office of the City Clerk and shall be available for public examination.

3. Actions of City Officers. The Mayor, the City Administrator and the Finance Director are each hereby authorized to negotiate the final terms of the Addendum to the Sublease Agreement; provided, that any changes do not materially and negatively change the position of the City from the form of the documents approved herein. The Mayor, the City Administrator and the Finance Director are each hereby authorized to take such actions, seek such approvals and execute such documents and certificates on behalf of the City as shall be necessary for the issuance of the Bonds.

Moved by Councilmember McClary
Supported by Council Pro Tem Lewis

To approve Addendum to Sublease Agreement #10217 by and between the City and the State of Michigan. Yeas (3), Nays (0), Absent (2).

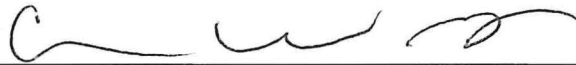
ADJOURNMENT:

Moved by Councilmember McClary
Supported by Council Pro Tem Lewis

To adjourn the meeting; motion carried, meeting adjourned at 6:30 p.m.

CERTIFICATE

I, hereby certify that the attached is a true copy of the proposed minutes of a Special Meeting held the 16th day of September 2015, and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown
Deputy City Clerk