April 26, 2023
To: Mayor and City Council Members
From: Craig Bessinger, City Manager
Re: Calendar of Meetings and Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Day</th>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 28</td>
<td>Friday</td>
<td>9:30 AM</td>
<td>Arbor Day Celebration, Walden Green</td>
</tr>
<tr>
<td>April 29</td>
<td>Saturday</td>
<td>10:00 AM</td>
<td>FNP Hike</td>
</tr>
<tr>
<td>May 1</td>
<td>Monday</td>
<td>7:00 PM</td>
<td>City Council, City Hall</td>
</tr>
<tr>
<td>May 4</td>
<td>Thursday</td>
<td>1:30 PM</td>
<td>MPO</td>
</tr>
<tr>
<td>May 4</td>
<td>Thursday</td>
<td>5:30 PM</td>
<td>Chamber, Annual Dinner, SLCC</td>
</tr>
<tr>
<td>May 6</td>
<td>Thursday</td>
<td>7:00 PM</td>
<td>Planning Commission, City Hall</td>
</tr>
<tr>
<td>May 8</td>
<td>Monday</td>
<td>4:00 PM</td>
<td>Police Commission, Ferrysburg CH</td>
</tr>
<tr>
<td>May 8</td>
<td>Monday</td>
<td>6:30 PM</td>
<td>Beautification Commission, CH</td>
</tr>
<tr>
<td>May 9</td>
<td>Tuesday</td>
<td>6:30 PM</td>
<td>Parkwood Condo Association</td>
</tr>
<tr>
<td>May 11</td>
<td>Thursday</td>
<td>7:00 PM</td>
<td>Zoning Board of Appeals, City Hall</td>
</tr>
<tr>
<td>May 12</td>
<td>Friday</td>
<td>6:00 PM</td>
<td>WMAAA Dance, Gym</td>
</tr>
<tr>
<td>May 15</td>
<td>Monday</td>
<td>7:00 PM</td>
<td>City Council, City Hall</td>
</tr>
<tr>
<td>May 16</td>
<td>Tuesday</td>
<td>7:00 AM</td>
<td>Tuesday Forum, Trillium</td>
</tr>
<tr>
<td>May 16</td>
<td>Tuesday</td>
<td>6:30 PM</td>
<td>KLH, City Hall</td>
</tr>
<tr>
<td>May 17</td>
<td>Wednesday</td>
<td>8:30 AM</td>
<td>Sewer Authority, GH City Hall</td>
</tr>
<tr>
<td>May 17</td>
<td>Wednesday</td>
<td>9:30 AM</td>
<td>NOWS, GH City Hall</td>
</tr>
<tr>
<td>May 18</td>
<td>Thursday</td>
<td>6:00 PM</td>
<td>Recreation Commission, CG Park</td>
</tr>
<tr>
<td>May 23</td>
<td>Tuesday</td>
<td>7:00 AM</td>
<td>Tuesday Forum, Trillium</td>
</tr>
<tr>
<td>May 24</td>
<td>Wednesday</td>
<td>4:30 PM</td>
<td>Harbor Transit, Ferrysburg CH</td>
</tr>
<tr>
<td>May 29</td>
<td>Monday</td>
<td></td>
<td>Memorial Day</td>
</tr>
<tr>
<td>June 1</td>
<td>Thursday</td>
<td>1:30 PM</td>
<td>MPO</td>
</tr>
<tr>
<td>June 1</td>
<td>Thursday</td>
<td>7:00 PM</td>
<td>Planning Commission, City Hall</td>
</tr>
<tr>
<td>June 5</td>
<td>Monday</td>
<td>7:00 PM</td>
<td>City Council, City Hall</td>
</tr>
<tr>
<td>June 8</td>
<td>Thursday</td>
<td>7:00 PM</td>
<td>Zoning Board of Appeals, City Hall</td>
</tr>
<tr>
<td>June 12</td>
<td>Monday</td>
<td>4:00 PM</td>
<td>Spring Lake Lake Board, SLT Hall</td>
</tr>
<tr>
<td>June 12</td>
<td>Monday</td>
<td>6:30 PM</td>
<td>Beautification Commission, CH</td>
</tr>
</tbody>
</table>
Craig Bessinger

Subject: FW: PCB Settlement

From: Brook Bisonet <brook@thirdcoastlaw.com>
Sent: Monday, April 24, 2023 10:46 AM
To: Craig Bessinger <cbessinger@ferrysburg.org>
Subject: Re: PCB Settlement

Craig,

This PCB Class Action was filed by various big cities mostly on the west coast against Monsanto. This company manufactured a class of industrial chemicals called polychlorinated biphenyls ("PCBs") between the 1930s and 1977. Plaintiffs' class action alleges various environmental damages due to chemicals. In a settlement, Monsanto has agreed to pay up to five hundred and fifty million dollars ($550,000,000) to municipalities that border a UC 12 Watershed that contains and/or is immediately adjoining a 303(d) water body impaired by PCBs. Under the class action settlement, the City of Ferrysburg is a Phase II < 100,000 pop. municipality. As a result, the City received $17,024.47 for monitoring. There are other funds within the settlement, but I am not sure if the City will receive any money for those funds. Please let me know if you have any questions.

Brook J. Bisonet

128 Columbus Avenue
Grand Haven, Michigan 49417
Direct: 616.350.6232
Main: 616.847.1234
Fax 616.847.1223

On Fri, Apr 21, 2023 at 11:29 AM Craig Bessinger <cbessinger@ferrysburg.org> wrote:

Brook,

The attached was received today. Would you provide a short synopsis of why the City received this?

Craig Bessinger

City of Ferrysburg

17520 Ridge Avenue, P.O. Box 38
Ferrysburg, MI 49409-0038
Caution! This email is from an external address and may contain links. Use caution when following links as they could open malicious websites.

Awesome! I’m so glad you received the funds.

I don’t have any specific projects in mind, but wanted to make the case for stormwater since the settlement was related to impaired waterways. A few ideas:
- we could help you plant more trees (if you have space or more are needed)
- are there any green infrastructure projects that you need help installing?
- maintaining the raingarden at City Hall
- getting Matt some supplies at the DPW (secondary containment for fluids, spill kits, calibration equipment for plows/salt spreaders)
- next year we will be doing IDEP screening and will need some manhours of support from the City
- the City will be subject to E. coli TMDL requirements in the next MS4 permit. I don’t know exactly what that looks like yet, but we may need a little extra cash for sampling
- LGROW can help host cleanup events, storm drain cleaning and marking events
- LGROW can do work with students in classrooms related to watersheds/water quality
- native plantings or increasing riparian buffers along the Grand River/Spring Lake

The sky’s the limit (or as far as $17k will get you). Let me know if you have any ideas. We’re here to help!

Cara

From: Craig Bessinger <cbessinger@ferrysburg.org>
Sent: Tuesday, April 25, 2023 3:36 PM
To: Cara Decker <deckerc@gvmc.org>
Subject: RE: Possible stormwater funds

Cara,

The City did receive a check.

Do you have a proposed project?

Craig Bessinger
City of Ferrysburg
17520 Ridge Avenue, P.O. Box 38
Ferrysburg, MI 49409-0038
P: 616-842-5803
C: 616-843-5028

From: Cara Decker <deckerc@gvmc.org>
Sent: Tuesday, April 25, 2023 3:00 PM
the Settlement Agreement and the Parties in matters relating to the implementation or enforcement of the Settlement Agreement.

IV. SETTLEMENT BENEFITS AND ALLOCATION

72. Settlement Class Members will receive a settlement check from the Class Action Settlement Administrator based on the Settlement Class Allocation method developed by Lead Class Counsel, the Special Master, and the Named Class Plaintiffs’ consulting experts. Under Plaintiffs’ Settlement Class Allocation, four separate funds will be created, including: (1) Monitoring Fund; (2) TMDL/TMDL Alternative/TMDL Direct-to-Implementation Fund (“TMDL Fund”); (3) Sediment Sites Fund; and (4) Special Needs Fund.

73. Settlement benefits vary based on the Settlement Class Members’ status as described in Paragraphs 76-80 below. Subject to Paragraph 79(e), Monsanto Company, on behalf of the entities described in Paragraphs 14 and 42, shall pay, within thirty (30) days of the Effective Date of this Agreement, into the Class Action Settlement Administrator’s escrow account a lump sum up to five hundred and fifty million dollars ($550,000,000). The payment shall be paid to Settlement Class Members in accordance with the Allocation Amount as determined by the Special Master, who will provide the Allocation Amount to the Class Action Settlement Administrator at the earliest reasonable time. In addition, Monsanto Company, on behalf of the entities described in Paragraphs 14 and 42, agrees to pay Attorneys’ Fees and Expenses as provided under Section VII of the Settlement Agreement. Monsanto Company, on behalf of the entities described in Paragraphs 14 and 42, also agrees to pay Claims Administration Expenses and Special Master Costs. The Allocation Experts shall submit their invoices to the Special Master, and the Special Master shall forward each Allocation Expert invoice to Class Counsel and Defendant’s Counsel within five (5) days of receipt. Upon a determination by the Special Master that an Allocation Expert invoice is reasonable and supported by appropriate documentation, the invoice shall be paid by Monsanto Company, on behalf of the entities described in Paragraphs 14 and 42, as a Special Master Cost.

74. Subject to Paragraph 79(e), any remainder or unclaimed Settlement Funds, that are remaining or unclaimed one (1) year after the date of disbursement of those particular funds, shall be redistributed, at the direction of the Special Master to the Class Action Settlement Administrator, to Settlement Class Members that received an allocation under Special Needs Fund, Part B on a pro-rata basis.

75. **Class Member Identification**

“As of June 24, 2020 only, but not later, all NPDES Phase I and II city, town, village, borough, township, and independent port district MS4 permittees with jurisdictional boundaries within a HUC 12 Watershed that contains and/or is immediately adjoining a 303(d) water body impaired by PCBs and all NPDES Phase I and II county MS4 permittees with urbanized, unincorporated boundaries within a HUC 12 Watershed that contains and/or is immediately adjoining a 303(d) water body impaired by PCBs.”
Initial Settlement Class Members are identified in accordance with the Class Definition using three publicly maintained and available databases, as follows: (1) the U.S. EPA 303(d) list of bodies of water impaired by PCBs; (2) USGS HUC 12 Watersheds; (3) U.S. Census Bureau.

(a) The list of Initial Settlement Class Members is attached hereto as Exhibit A.

(b) The list of U.S. EPA 303(d) water bodies impaired by PCBs is attached hereto as Exhibit B.

(c) The list of USGS HUC 12 Watersheds that contain and/or immediately adjoin 303(d) water bodies impaired by PCBs is attached hereto as Exhibit C.

The following geospatial and data overlay analyses reveal the total, finite list of Initial Settlement Class Members:

First, all 303(d) water bodies impaired by PCBs were identified. Then, all USGS HUC 12 Watersheds, which contain and/or are immediately adjoining all 303(d) water bodies impaired by PCBs, were identified. Thirdly, as of June 24, 2020 only, but not later, the NPDES Phase I and II city, town, village, borough, township, and independent port district MS4 permittees with jurisdictional boundaries within a HUC 12 Watershed that contains and/or is immediately adjoining a 303(d) water body impaired by PCBs and all NPDES Phase I and II county MS4 permittees with urbanized, unincorporated boundaries within a HUC 12 Watershed that contains and/or is immediately adjoining a 303(d) water body impaired by PCBs, were identified. The U.S. Census Bureau database was used to identify all class members except townships, which were originally identified as MS4 permittees by EPA and then confirmed using the U.S. Census Bureau database.

The total number of Initial Settlement Class Members, as identified in Exhibit A, is 2,528.

76. **Settlement Class Allocation**

The Settlement Funds of five hundred and fifty million dollars ($550,000,000) will be allocated into four separate Allocation Funds as follows:

(a) Monitoring Fund: $42,894,993.43

(b) TMDL Fund: $250,000,000

(c) Sediments Fund: $150,000,000

(d) Special Needs Fund: $107,105,006.57

Each Allocation Fund will be allocated as described in each corresponding section, below.

77. **Monitoring Fund:**

The Monitoring Fund is allocated $42,894,993.43 and will provide a payment to 2,320
Settlement Class Members, which excludes Settlement Class Members that receive over $100,000 from the TMDL Fund and Settlement Class Members that are also Sediment Site Entities. The funds are intended to pay for PCB sampling and/or any other mitigation efforts in the Settlement Class Member's sole discretion, as part of compliance with applicable law. The 2,320 Monitoring Fund entities include 2,306 Settlement Class Members receiving no money or less than fifty thousand dollars ($50,000) from the TMDL Fund and fourteen (14) Settlement Class Members receiving more than fifty thousand dollars ($50,000) but less than one hundred thousand dollars ($100,000) from the TMDL Fund. The Monitoring Fund entities will receive payment from the Monitoring Fund as follows:

The Monitoring Fund provides payment at four general levels based on whether the Initial Settlement Class Member is a Phase I or Phase II NPDES Permittee, and whether the Initial Settlement Class Member contains a population of at least 100,000. Independent port districts are excluded from the population consideration and therefore included in levels above 100,000. Phase I Permittees are generally larger than Phase II Permittees. Class Members that are also TMDL Entities receiving over one hundred thousand dollars ($100,000) from the TMDL Fund will not receive money from the Monitoring Fund. Class Members that are also TMDL Entities receiving between fifty thousand dollars ($50,000) and one hundred thousand dollars ($100,000) from the TMDL Fund will receive partial payments ("Monitoring Fund Partial Payments") from the Monitoring Fund. These Monitoring Fund Partial Payments are calculated on a sliding scale: for every one thousand dollars ($1,000) above fifty thousand dollars ($50,000) received from the TMDL Fund, the Monitoring Fund Partial Payment will be reduced by two percent (2%) of a Base Payment. Base Payments are as follows: thirty thousand dollars ($30,000) for Phase I permittees with a population greater than or equal to one hundred thousand (100,000) and Phase I independent port districts; twenty thousand dollars ($20,000) for Phase I permittees with a population less than one hundred thousand (100,000); twenty five thousand dollars ($25,000) for Phase II permittees with a population greater than or equal to one hundred thousand (100,000) and Phase II independent port districts; fifteen thousand dollars ($15,000) for Phase II permittees with a population less than one hundred thousand (100,000). Settlement Class Members that are also TMDL Entities receiving less than $50,000 from the TMDL Fund will receive the full Monitoring Fund payment.

Notwithstanding any other payment made within the Allocation, Phase I Initial Settlement Class Members receiving no money or less than fifty thousand dollars ($50,000) from the TMDL Fund, with populations greater than or equal to 100,000 and Phase I independent port districts each will receive thirty two thousand twenty four dollars and forty seven cents ($32,024.47); Phase I Initial Settlement Class Members, receiving no money or less than fifty thousand dollars ($50,000) from the TMDL Fund, with populations less than 100,000 each will receive twenty two thousand twenty four dollars and forty seven cents ($22,024.47); Phase II Initial Settlement Class Members receiving no money or less than fifty thousand dollars ($50,000) from the TMDL Fund, with populations greater than or equal to 100,000, and Phase II independent port districts each will receive twenty seven thousand twenty four dollars and forty seven cents ($27,024.47); Phase II Initial Settlement Class Members receiving no money or less than fifty thousand dollars ($50,000) from the TMDL Fund, with populations less than 100,000 each will receive seventeen thousand
twenty four dollars and forty seven cents ($17,024.47). Any amounts allocated to a Settlement Class Member that opts out will be reallocated within the formula for the Monitoring Fund.

(a) Phase I ≥ 100,000 pop. and Phase I independent port districts: 68 x $32,024.47 = $2,177,663.96

(b) Phase I < 100,000 pop.: 68 x $22,024.47 = $1,497,663.96

(c) Phase II ≥ 100,000 pop. and Phase II independent port districts: 214 x $27,024.47 = $5,783,236.58

(d) Phase II < 100,000 pop.: 1,956 x $17,024.47 = $33,299,863.32

(e) Monitoring Fund Partial Payments: TMDL Entities receiving TMDL Funds between fifty thousand dollars ($50,000) and one hundred thousand dollars ($100,000) will receive a Monitoring Fund Partial Payment. The fourteen (14) TMDL Entities receiving a Monitoring Fund Partial Payment are identified below, for a total of $136,565.61.

<table>
<thead>
<tr>
<th>Class Member</th>
<th>TMDL Payment</th>
<th>BASE Monitoring Fund Allocation</th>
<th>Percentage of BASE Monitoring Fund Allocation</th>
<th>Final Monitoring Fund Partial Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson County, TN</td>
<td>$58,533.68</td>
<td>$15,000</td>
<td>82.93%</td>
<td>$12,439.90</td>
</tr>
<tr>
<td>Highwood, IL</td>
<td>$53,202.32</td>
<td>$15,000</td>
<td>93.60%</td>
<td>$14,039.30</td>
</tr>
<tr>
<td>Industry, CA</td>
<td>$91,385.56</td>
<td>$20,000</td>
<td>17.23%</td>
<td>$3,445.78</td>
</tr>
<tr>
<td>Lake Bluff, IL</td>
<td>$70,465.35</td>
<td>$15,000</td>
<td>59.07%</td>
<td>$8,860.40</td>
</tr>
<tr>
<td>Menlo Park, CA</td>
<td>$80,934.17</td>
<td>$20,000</td>
<td>38.13%</td>
<td>$7,626.33</td>
</tr>
<tr>
<td>Newark, CA</td>
<td>$86,085.70</td>
<td>$20,000</td>
<td>27.83%</td>
<td>$5,565.72</td>
</tr>
<tr>
<td>Palo Alto, CA</td>
<td>$92,144.46</td>
<td>$20,000</td>
<td>15.71%</td>
<td>$3,142.21</td>
</tr>
<tr>
<td>Petaluma, CA</td>
<td>$66,438.69</td>
<td>$15,000</td>
<td>67.12%</td>
<td>$10,068.39</td>
</tr>
<tr>
<td>Piedmont, CA</td>
<td>$94,137.03</td>
<td>$20,000</td>
<td>11.73%</td>
<td>$2,345.19</td>
</tr>
<tr>
<td>Rolling Hills, CA</td>
<td>$50,979.40</td>
<td>$20,000</td>
<td>98.04%</td>
<td>$19,608.24</td>
</tr>
<tr>
<td>Suisun Mountain, TN</td>
<td>$64,556.58</td>
<td>$15,000</td>
<td>70.89%</td>
<td>$10,633.03</td>
</tr>
<tr>
<td>Suisun City, CA</td>
<td>$64,727.07</td>
<td>$20,000</td>
<td>70.55%</td>
<td>$14,109.17</td>
</tr>
<tr>
<td>Sunnyvale, CA</td>
<td>$65,830.46</td>
<td>$30,000</td>
<td>68.34%</td>
<td>$20,501.72</td>
</tr>
<tr>
<td>Winnetka, IL</td>
<td>$86,065.89</td>
<td>$15,000</td>
<td>27.87%</td>
<td>$4,180.23</td>
</tr>
</tbody>
</table>

78. **TMDL Fund:**

(a) **TMDL Fund.** The TMDL Fund is allocated two hundred and fifty million dollars ($250,000,000) and includes only those Initial Settlement Class Members that are subject to and/or responsible for, as of June 24, 2020 only, but not later,
a TMDL, TMDL Alternative, or TMDL Direct-to-Implementation regulation, promulgated or updated after January 1, 2010, wherein PCB is a named constituent. There are two hundred and forty-two (242) TMDL Fund Entities, as of June 24, 2020 only, but not later, as listed in and attached hereto as Exhibit D. TMDL funds are intended to compensate Settlement Class Members for restitution and remediation including mitigation of contaminated property, stormwater, and/or stormwater systems, including compliance with a TMDL. Any amounts allocated to a Settlement Class Member that opts out will be reallocated within the formula for the TMDL Fund.

(b) **Allocation Algorithm.** The TMDL Funds of $250,000,000 are further allocated among all 242 TMDL Fund Entities using the following TMDL Allocation Calculation: for all TMDL Fund Entities, multiply (1) the total jurisdictional area within any HUC 12 Watershed that contains and/or is immediately adjoining a 303(d) water body with a PCB TMDL, by (2) the USGS Geodatabase Imperviousness of such jurisdictional area (known as "Weighted Imperviousness"). Then, proportionally normalize\(^1\) all Weighted Imperviousness values to calculate a weighted, relative percentage for each TMDL Fund Entity. Lastly, multiply (1) the weighted, relative percentage for each TMDL Fund Entity, by (2) the total fund less Population Factor Awards. A 0.7 multiplier is applied to any TMDL Fund Entity with a population of less than one hundred thousand (100,000).

(c) **Large Population Factor.** To account for population as a factor in the equitable allocation of the TMDL Fund, each TMDL Fund Entity town, city, village, borough, or township with a population of more than 1 million, and each TMDL Fund Entity county with a population of more than 2 million, will receive a Population Factor Award of $2 million.

(d) **Maximum Allowance.** No TMDL Fund Entity shall recover more than seven million five hundred thousand dollars ($7,500,000) as an absolute maximum recovery under the TMDL Fund, regardless of whether a Population Factor Award would otherwise have provided for an amount greater than $7,500,000.

79. **Sediment Sites Fund:**

(a) **Sediment Sites Fund.** Subject to Paragraph 79(e), the Sediment Sites Fund is initially allocated one hundred and fifty million dollars ($150,000,000) and includes those Initial Settlement Class Members that, as of June 24, 2020 only,

\[
\text{Class member's impervious TMDL land area} / \left( \sum \text{Impervious TMDL land areas of all TMDL fund class members} \right) \times (\text{Total TMDL fund} - \sum \text{population bonus})^* \\
\]

*\(\text{TMDL fund class member portion} =

\]

*\(\text{TMDL fund class member exceeding 3% of total TMDL fund will be capped at 3% of the total TMDL fund. These TMDL fund class members will be subtracted from the proportional calculation of the TMDL fund. A 0.7 multiplier is applied to any TMDL Fund Entity with a population of less than 100,000.}
but not later, are a Noticed Party or named Responsible Party in at least one of three types of regulated Sediment Sites wherein PCBs have contaminated sediments due to stormwater contribution. The three types of Sediments Sites include only the following: (1) U.S. EPA Superfund Sites, (2) U.S. EPA Large Sediment Sites, and/or (3) Clean Water Act Category 4b Sites/Waters. Sediment Site funds are intended to compensate Class Members for restitution and remediation, including mitigation of contaminated property, stormwater and/or stormwater systems, and including compliance with a regulatory process.

(b) **Qualifying Sediment Sites.** The following is the list of the nine (9) Sediment Sites wherein at least one Initial Settlement Class Member, as of June 24, 2020 only, but not later, is a Noticed Party or named Responsible Party due to stormwater contribution of PCBs: Diamond Alkali-Lower Passaic River (Newark, New Jersey); Newtown Creek (New York, New York); Gowanus Canal (New York, New York); Lower Duwamish Waterway (Seattle, Washington); Portland Harbor (Portland, Oregon); Commencement Bay, Near Shore/Tide Flats (Tacoma, Washington); Harbor Island (Lead) (Seattle, Washington); Pacific Sound Resources (Seattle, Washington); San Diego Bay (San Diego, California).

(c) **Qualifying Sediment Site Entities.** The following is the list of the twelve (12) Initial Settlement Class Members that, as of June 24, 2020 only but not later, are Noticed Parties or named Responsible Parties, due to stormwater contribution of PCBs, in at least one Sediment Site: City of Newark, New Jersey; City of New York, New York; City of Seattle, Washington; King County, Washington; Port of Seattle, Washington; City of Tukwila, Washington; City of Tacoma, Washington; Port of Tacoma, Washington; City of Portland, Oregon; Port of Portland, Oregon; City of San Diego, California; Port of San Diego, California.

(d) **Special Master Allocation.** The Sediment Sites Fund will be further allocated among the Qualifying Sediment Site Entities identified in Paragraph 79(c) above, other than any Opt-Out Litigating Entity, pursuant to a Court-appointed Special Master, who will equitably allocate Sediment Site funds, upon application, based on the totality and relativity of the following PCB-caused factors: past costs and expenses spent as of the date of the application for Sediment Site remediation; past costs and expenses spent as of the date of the application for other mitigation required due to the Sediment Site; as estimated, including with documents and evidence the future costs and expenses that will be spent for Sediment Site remediation; as estimated, including with documents and evidence the future costs and expenses that will be spent for mitigation required due to the Sediment Site; and any other important factors or information deemed relevant by the Special Master. The Special Master will rely solely on the application and documents submitted and will not include oral advocacy, presentation, interview, or interactive process. All applications and documents submitted to the Special Master for the Allocation will be and will remain confidential, and subject to Federal Rule of Evidence section 408 and state law equivalent code sections, to this Settlement Allocation process and shall not be
disclosed or shared beyond the review of the following: the Special Master, the Allocation Experts, Lead Class Counsel, the Class Action Settlement Administrator, and the Court. At the discretion of the Special Master, Defendant may have access to the information for business purposes only, such as insurance or other business needs, provided however that such materials are maintained by Defendant as confidential to the extent legally allowable. The Class Action Settlement Administrator shall also provide Monsanto and the Court with a quarterly accounting of the Settlement Funds and any distributions made as part of the Allocation. Documents related to the Portland Harbor Superfund Site shall remain confidential in any event during the pendency of the Portland Harbor Superfund Site action. The standard for any judicial oversight or review, if any, of the Special Master will be a “de novo” standard.

(e) **Sediment Sites Application.** The Sediment Sites Application is attached hereto as Exhibit F. To the extent a non-Litigating Entity Qualifying Sediment Site Entity opts out of the Settlement Class, or a Qualifying Sediment Site Entity does not opt out but fails to submit an Application, the Special Master will rely on the Allocation Experts to determine, upon application completed by the Allocation Experts, the allocation amount that could have been otherwise allocated to the Qualifying Sediment Site Entity that did not submit an application. Settlement Class Members that do not return a completed application or that return a late application will forfeit the right to appeal as described in subsection (f) below, but will not forfeit the receipt of Reserve Funds, distributed pro-rata after all appeals are exhausted. Settlement Funds allocated to any non-Opt-Out Qualifying Sediment Entities shall be disbursed in accordance with this Agreement. Settlement Funds allocated to any non-Litigating Entity Qualifying Sediment Site Entity Opt-Outs shall be disbursed to all non-Opt-Out Qualifying Sediment Site Entities on a pro-rata basis as determined by the Special Master. For each Opt-Out Litigating Entity Qualifying Sediment Site Entity, the Sediment Sites Fund shall be reduced by $12,500,000 ($150,000,000/12=$12,500,000) and this amount shall be subtracted from the total Settlement Fund in Paragraph 73, with the balance of the Sediment Sites Fund being allocated to the Non-Opt-Out Qualifying Sediment Site Entities.

(f) **Sediment Site Allocation Appeals and Reserve Funds.** The Special Master shall use the Sediment Sites Application to inform, guide, and design an equitable allocation among all eligible applicants. The Special Master shall create an appeals process by utilizing a Sediment Sites Appeals Reserve Fund of up to ten percent (10%) of the final Sediment Sites Fund amount, after any adjustment pursuant to Paragraph 79(e) above. The appeals process will allow for one (1) *de novo* appeal from each eligible applicant, and any decisions will be at the discretion of the Special Master. The appeals process shall be conducted within an efficient time-frame so as not to hinder the progress of the overall Allocation. The appeals process shall include only a two (2) page written appeal explaining the basis for the appeal, referring only to the original application as evidence of such basis. Any Sediment Sites Appeals Reserve Funds remaining
after all appeals have been decided shall be redistributed to all Sediment Site Settlement Class Members on a pro-rata basis.

80. **Special Needs Funds:**

(a) **Special Needs Funds.** The Special Needs Fund is allocated $107,105,006.57, and further allocated into two separate parts known as Special Needs Fund, Part A ($57,105,000), and Special Needs Fund, Part B ($50,000,006.57).

(b) **Special Needs Fund, Part A.** Special Needs Fund, Part A is allocated fifty seven million one hundred and five thousand dollars ($57,105,000) to compensate and accommodate those Litigating Entities whose time, energy, effort, attorney work product, costs, expenses, and risk of litigation helped to cause the entire Class Settlement, for the benefit of all 2,528 Initial Settlement Class Members.

(c) **Litigating Entities.** Special Needs Fund, Part A is available only to those Initial Settlement Class Members that are Litigating Entities. Litigating Entities are Initial Settlement Class Members that, as of June 24, 2020 only, but not later, (1) have filed tort, public nuisance, and/or product liability lawsuits against Defendants for PCB contamination of stormwater and sediment, and/or (2) that are Named Class Members. Litigating Entities include only the following fifteen (15) Initial Settlement Class Members: City of Chula Vista, City of San Diego, Unified Port District of San Diego, City of Long Beach, County of Los Angeles, City of San Jose, City of Berkeley, City of Oakland, City of Portland, Port of Portland, City of Seattle, City of Tacoma, City of Spokane, City of Baltimore, and Baltimore County.

(d) **Special Master Allocation.** Special Needs Fund, Part A, will be further allocated pursuant to a Court-appointed Special Master, who will equitably and reasonably allocate Part A funds, upon application, based on the totality and relativity of the following factors: whether outside counsel was retained; whether a lawsuit was filed; how long the lawsuit was filed at the time of Preliminary Class Approval; the case posture and procedure of any lawsuit; the amount, time, energy, cost, and productivity during discovery with Defendants; the retention of experts; the development of expert testimony and reports; the preparation and presentation of experts for deposition; the litigation of significant motions, including but not limited to motions to dismiss, discovery motions, motions for summary judgment or adjudication, in limine motions, and other motions; and any other important factors or information deemed relevant by the Special Master as having a significant impact on, or catalyst for, this Settlement. The Special Master will rely solely on the application and documents submitted and will not include oral advocacy, presentation, interview, or interactive process. All applications and documents submitted to the Special Master for the Allocation will be and will remain confidential, and subject to Federal Rule of Evidence section 408 and state law equivalent code sections, to this Settlement Allocation process and shall not be disclosed or shared beyond the review of the following: the Special Master, the Allocation Experts, Lead Class Counsel, the...
Class Action Settlement Administrator, and the Court. The Class Action Settlement Administrator shall also provide Monsanto and the Court with a quarterly accounting of the Settlement Funds and any distributions made as part of the Allocation. The standard for any judicial oversight or review, if any, of the Special Master will be a “de novo” standard. The Special Master will give attention and consideration to any Litigating Entity that has incurred attorneys’ fees to outside counsel, other than Lead or Co-Class Counsel. The Special Master will reasonably and equitably prioritize and reimburse any Litigating Entity that, through outside counsel other than Lead or Co-Class Counsel, incurred reasonable, documented out-of-pocket litigation costs.

(e) **Restrictions.** Litigating Entities, which as of October 2019, were under contract for representation by Lead or Co-Class Counsel shall not recover for outside counsel fees in the Special Needs Fund, Part A. Litigating Entities that retained outside counsel prior to October 2019, and that were not under contract for representation by Lead or Co-Class Counsel, may apply for and receive, subject to Special Master Allocation, an equitable and reasonable allocation for such outside counsel, including attorneys’ fees and costs. Nothing herein shall prevent any Litigating Entity from applying for and receiving, subject to Special Master Allocation, an equitable allocation for in-house or general counsel fees, overhead, salaries, time, energy, costs, resources, and/or attention, including but not limited to city attorneys, county counsel, and/or general counsel.

(f) **Application and Forfeiture.** The Special Needs Fund, Part A Application is attached hereto as Exhibit G. The Special Master shall use the Special Needs Fund, Part A Application to inform, guide, and design an equitable allocation among all eligible applicants. Litigating Entities that do not timely return a completed application forfeit any right to Part A Funds.

(g) **Part A Appeals and Reserve Funds.** The Special Master shall create an appeals process by utilizing a Part A Appeals Reserve Fund of up to ten percent (10%) of the $57,105,000 fund. The appeals process will allow for one (1) de novo appeal from each eligible applicant, and any decisions will be the discretion of the Special Master. The appeals process shall be conducted within an efficient time-frame so as not to hinder the progress of the overall Allocation. The appeals process shall include only a two (2) page written appeal explaining the basis for the appeal, referring only to the original application as evidence of such basis. Any Part A Appeals Reserve Funds remaining after all appeals have been decided shall be redistributed to all Litigating Entities on a pro-rata basis.

(h) **Special Needs Fund, Part B.** Special Needs Fund, Part B, is allocated fifty million six dollars and fifty-seven cents ($50,000,006.57) and available to all Settlement Class Members who apply and make a showing, in the discretion of the Special Master, of a significant regional, state, or national benefit, cost, or contribution regarding 303(d) bodies of water impaired by PCBs through stormwater and/or dry weather runoff, and such benefit, cost, or contribution is not otherwise encompassed within any other part of this Allocation.
Special Master Allocation, Application, and Forfeiture. The Special Needs Fund, Part B Application is attached hereto as Exhibit H. A Settlement Class Member must submit a completed Application within one (1) year and fourteen (14) days of the date of the Class Action Settlement Administrator’s mailing of Monitoring Fund payments to Settlement Class Members. The Special Master shall use the Special Needs Fund, Part B Application to equitably allocate Part B Funds among only those who apply. Settlement Class Members who do not apply will receive no Part B Funds. Application does not guarantee that the Special Master will allocate Part B Funds to the applicant. Some Part B applicants may not receive any Part B Funds. The Special Master shall use the Special Needs Fund, Part B Application to inform, guide, and design an equitable allocation among all eligible applicants. The Special Master will rely solely on the application and documents submitted and will not include oral advocacy, presentation, interview, or interactive process. All applications and documents submitted to the Special Master for the Allocation will be and will remain confidential, and subject to Federal Rule of Evidence section 408 and state law equivalent code sections, to this Settlement Allocation process and shall not be disclosed or shared beyond the review of the following: the Special Master, the Allocation Experts, Lead Class Counsel, the Claims Administrator, and the Court. At the discretion of the Special Master, Defendant may have access to the information for business purposes only, such as insurance or other business needs, provided however that such materials are maintained by Defendant as confidential to the extent legally allowable. The Class Action Settlement Administrator shall also provide Monsanto and the Court with a quarterly accounting of the Settlement Funds and any distributions made as part of the Allocation. Documents related to the Portland Harbor Superfund Site shall remain confidential in any event during the pendency of the Portland Harbor Superfund Site action. Settlement Class Members that do not timely return a completed application forfeit any right to Part B Funds.

Part B Appeals and Reserve Funds. The Special Master shall create an appeals process by utilizing a Part B Appeals Reserve Fund of up to ten percent (10%) of the $50,000,006.57 fund. The appeals process will allow for one (1) de novo appeal from each eligible applicant, and any decisions, including regarding eligibility, will be the discretion of the Special Master. The appeals process shall be conducted within an efficient time-frame so as not to hinder the progress of the overall Allocation. The appeals process shall include only a two (2) page written appeal explaining the basis for the appeal, referring only to the original application as evidence of such basis. Any Part B Appeals Reserve Funds remaining after all appeals have been decided by the Special Master shall be redistributed to all Part B awarded applicants only on a pro-rata basis. Part B applicants who did not receive an award under either an initial application or an appeal will not receive any pro-rata distribution after all appeals are exhausted.

Part B Equitable Purpose. The Special Master may, in his sole discretion, fairly and reasonably, and consistent with the intention and general structure of the terms of the Allocation, equitably balance monetary allocations to Settlement
Class Members to the extent that any did not receive a proper and appropriate Allocation in accordance with the terms herein.

81. **Notice of Allocation/Appeals Processes and District Court Review.**

(a) **Notice of Allocation.** Upon completion of each of the allocations contemplated in Paragraphs 79 and 80 above, the Special Master shall send an electronic notice to each Settlement Class Member that is entitled to a distribution, stating: (i) the allocation amounts to the Settlement Class Member and (ii) that the Special Master has created an appeal process as contemplated with respect to the fund at issue.

At the conclusion of the appeal process established pursuant to Paragraphs 79(f), 80(g) and/or 80(j), the Special Master shall provide a notice to each Settlement Class Member that is entitled to a distribution from the Sediment Sites Fund and/or the Special Needs Funds, Part A and/or B or that has applied for such a distribution. Such notice shall state that it is a final decision.

(b) **Applications for Review by the District Court.** Settlement Class Members can seek *de novo* review by the Court with respect to each of the Special Master’s determinations. To do so, a Settlement Class Member must file an application with the Court, no later than thirty (30) days of the date of a final decision by the Special Master. The Court’s decision following a “de novo” review of the Allocation shall be final. The Special Master may direct the Class Action Settlement Administrator to issue payments from any particular Fund where all appeals are exhausted or no Settlement Class Member files an appeal.

V. **NOTICE OF PROPOSED SETTLEMENT TO SETTLEMENT CLASS MEMBERS**

82. Notice of the Settlement to Settlement Class Members shall be provided pursuant to orders of the Court.

83. The Parties agree that reasonable notice of this Agreement consistent with Due Process requirements of the United States Constitution shall be given to any and all Settlement Class Members. To effectuate such notice, Lead Class Counsel has agreed to engage the Class Action Settlement Administrator to advise them and administer the Notice process. Although Lead Class Counsel will be responsible for ensuring the Notice process is effectuated, Defendant’s Counsel will have continued involvement in the Notice process. The text of the Notice and the mechanisms for distributing the Notices shall be subject to the approval of the Court and shall be the responsibility of the Class Action Settlement Administrator.

Initial Settlement Class Members have been identified in accordance with the Class Definition using three publicly maintained and available databases, as follows: (1) the U.S. EPA 303(d) list of bodies of water impaired by PCBs; (2) USGS HUC 12 Watersheds; (3) U.S. Census Bureau. Initial Settlement Class Members are identified as:

As of June 24, 2020 only, but not later, all NPDES Phase I and II city, town, village, borough, township, and independent port district MS4 permittees
with jurisdictional boundaries within a HUC 12 Watershed that contains and/or is immediately adjoing a 303(d) water body impaired by PCBs and all NPDES Phase I and II county MS4 permittees with urbanized, unincorporated boundaries within a HUC 12 Watershed that contains and/or is immediately adjoing a 303(d) water body impaired by PCBs.

84. As part of the Notice Plan, the Class Action Settlement Administrator shall send the Direct Notices, substantially in the form attached hereto as Exhibit I, by U.S. Mail, to each member of the Settlement Class identified by the Parties through reasonable efforts as set forth above. All reasonable efforts will be made to notify each Class Member’s in-house counsel or managing executive. Lead Class Counsel shall promptly provide this information to the Class Action Settlement Administrator who shall then mail Direct Notice within fourteen (14) days after the issuance of the Preliminary Approval Order, unless otherwise directed by the Court. The Class Action Settlement Administrator will promptly log each Direct Notice that is returned as undeliverable and shall provide copies of the log to Class Counsel and Defense Counsel. The Class Action Settlement Administrator shall take reasonable steps to re-mail all undeliverable Direct Notices to updated addresses provided by the National Change of Address Database maintained by the United States Post Office or by other means. In the event that any Direct Notice mailed to a Settlement Class Member is returned as undeliverable a second time, then no further mailing shall be required. Where the Class Action Settlement Administrator re-mails Direct Notice, the sixty (60) day deadlines to request exclusion or object as set forth in Sections VI.A and B shall apply from the date of the initial mailing attempt that was returned as undeliverable.

85. The Direct Notice, substantially in the form attached as Exhibit I or in such other form as directed by the Court, shall advise Settlement Class Members of the following:

(a) General Terms: The Notice shall contain a plain and concise description of the nature of the Action; the fact of preliminary certification of the Settlement Class for settlement purposes; and the proposed Settlement itself, including a description of the Settlement Class Members, the benefits under the proposed Settlement, and what claims are released under the proposed Settlement.

(b) Requests for Exclusion: The Notice shall inform Settlement Class Members that they have the right to exclude themselves from (opt out of) the Settlement. The Notice shall provide the deadlines and procedures for exercising this right.

(c) Objections: The Notice shall inform Settlement Class Members of their right to object to the proposed Settlement and appear at the Final Approval Hearing. The Notice shall provide the deadlines and procedures for exercising these rights.

(d) The Notice shall inform Settlement Class Members about the amounts being sought by Class Counsel as Attorneys’ Fees and Expenses.

86. The Class Action Settlement Administrator shall maintain records of all of its activities, including logs of all telephone calls received and all mailings, and shall maintain an electronic database reflecting the running tally of all calls received and number and types of materials mailed by it in connection with this Settlement.
87. Pursuant to the Class Action Fairness Act of 2005, 28 U.S.C. § 1715(b), Defendant's Counsel shall serve notice of the settlement via First Class Mail on the appropriate federal and state officials no later than ten (10) calendar days after the filing of this Settlement Agreement with the Court. A proposed form of CAFA notice, without the accompanying attachments, is attached as Exhibit J.

88. The Class Action Settlement Administrator shall be responsible for, without limitation: (a) printing, mailing or arranging for the mailing of the Direct Notices; (b) handling returned mail not delivered to Settlement Class Members; (c) attempting to obtain updated address information for any Direct Notices returned without a forwarding address; (d) making any additional mailings required under the terms of this Settlement Agreement; (e) receiving and maintaining on behalf of the Court any Settlement Class Member correspondence regarding requests for exclusion and/or objections to the Settlement; (f) forwarding written inquiries to Class Counsel or their designee for a response, if warranted; and (g) otherwise implementing and/or assisting with the dissemination of the Notice of the Settlement. The Class Action Settlement Administrator shall also be responsible for, without limitation, implementing the terms of the Claims Process and related administrative activities.

89. If the Class Action Settlement Administrator fails to perform adequately on behalf of Defendant or the Settlement Class, the Parties may agree to remove the Class Action Settlement Administrator. If counsel cannot resolve the issue after a good faith attempt to do so, they will refer the matter to the Court for resolution.

90. The Class Action Settlement Administrator may retain one or more persons to assist in the completion of his or her responsibilities as reasonably necessary to fulfill the Class Action Settlement Administrator's duties herein.

91. Not later than twenty-one (21) days before the date of the Final Approval Hearing, the Class Action Settlement Administrator shall file with the Court a list of those persons who have opted out of or objected to the Settlement. The Class Action Settlement Administrator shall also file with the Court proof, by affidavit or declaration, of the aforesaid publications and mailings as well as the details outlining the scope, method and results of the Notice program.

92. The Class Action Settlement Administrator and the Parties shall promptly after receipt provide copies of any requests for exclusion, objections and/or related correspondence to each other.

93. The cost of the above Notice shall be paid by Defendant.

VI. OBJECTIONS/REQUESTS FOR EXCLUSION/CANCELLATION

A. Requests for Exclusion

94. A Settlement Class Member may opt out of the Settlement Class. To exercise this exclusion right, the Settlement Class Member must send a written notification of the decision to request exclusion via certified or first class mail to the Class Action Settlement Administrator. The request for exclusion must bear the signature of the Settlement Class Member (even if represented by counsel), and the Settlement Class Member’s current address and telephone number. If the
Dear Tree City USA Community Member,

On behalf of the Arbor Day Foundation, I’m thrilled to congratulate City of Ferrysburg on earning recognition as a 2022 Tree City USA. Residents of City of Ferrysburg should be proud to live in a community that makes the planting and care of trees a priority.

Founded in 1976, Tree City USA is a partnership between the Arbor Day Foundation, the U.S. Forest Service, and the National Association of State Foresters. City of Ferrysburg is part of an incredible network of more than 3,600 Tree City USA communities nationwide, with a combined population of 155 million.

Over the last few years, the value and importance of trees has become increasingly clear. Cities and towns across the globe are facing issues with air quality, water resources, personal health and well-being, and energy use. City of Ferrysburg has taken steps to create a brighter, greener future.

We hope you are as excited as we are to share this accomplishment with your local media and your residents. Enclosed in this packet is a press release for you to distribute at your convenience.

We’re excited to celebrate your commitment to the people and trees of City of Ferrysburg. Thank you, again, for your efforts.

Best Regards,

Dan Lambe
Arbor Day Foundation Chief Executive
FOR IMMEDIATE RELEASE
Contact:
Jasmine Putney
Arbor Day Foundation
402-216-9307
jputney@arborday.org

Arbor Day Foundation Names City of Ferrysburg a 2022 Tree City USA®

LINCOLN, Nebraska (4/3/2023) – City of Ferrysburg was named a 2022 Tree City USA by the Arbor Day Foundation to honor its commitment to effective urban forest management.

City of Ferrysburg achieved Tree City USA recognition by meeting the program’s four requirements: maintaining a tree board or department, having a tree care ordinance, dedicating an annual community forestry budget of at least $2 per capita, and hosting an Arbor Day observance and proclamation.

The Tree City USA program is sponsored by the Arbor Day Foundation, in partnership with the U.S. Forest Service and the National Association of State Foresters.

“Tree City USA communities see the positive effects of an urban forest firsthand,” said Dan Lambe, chief executive of the Arbor Day Foundation. “The trees being planted and cared for by City of Ferrysburg are ensuring that generations to come will enjoy to a better quality of life. Additionally, participation in this program brings residents together and creates a sense of civic pride, whether it’s through volunteer engagement or public education.”

If ever there was a time for trees, now is that time. Communities worldwide are facing issues with air quality, water resources, personal health and well-being, energy use, and extreme heat and flooding. City of Ferrysburg is doing its part to address these challenges for residents both now and in the future.

More information on the program is available at arborday.org/TreeCityUSA.

About the Arbor Day Foundation
Founded in 1972, the Arbor Day Foundation has grown to become the largest nonprofit membership organization dedicated to planting trees, with more than one million members, supporters and valued partners. Since 1972, almost 500 million Arbor Day Foundation trees have been planted in neighborhoods, communities, cities and forests throughout the world. Our vision is to lead toward a world where trees are used to solve issues critical to survival.

As one of the world’s largest operating conservation foundations, the Arbor Day Foundation, through its members, partners and programs, educates and engages stakeholders and communities across the globe to involve themselves in its mission of planting, nurturing and celebrating trees. More information is available at arborday.org.
NORTHWEST OTTAWA RECREATION AUTHORITY  
1415 Beechtree Street, Grand Haven, MI 49417  
Phone: 616.850.5125  www.norarec.org

NORA ADVISORY BOARD MEETING AGENDA

Date: April 27, 2023  Time: 5:30 P.M.  Location: ESC Building (GHAPS)

1. Call to order: Chairperson – Taylor Schriber, GHAPS

2. Roll Call.  Ron Redick, Grand Haven Twp.  
              Frank Johnson – Robinson Twp.  
              Ryan Cummings, Grand Haven  
              William Montgomery, Ferrysburg  
              Marc Eickholt, GHAPS  
              Rebecca Hopp - At Large  
              Mary Jane Belter, Grand Haven Twp.  
              Rick Mikkelsen – Robinson Twp.  
              Vacant - Grand Haven  
              Craig Bessinger, Ferrysburg  
              Taylor Schriber, GHAPS

3. Approval of Meeting Agenda –

4. Approval of Consent Agenda –
   A. Approval of Board Meeting Minutes of March 23, 2022 as printed.
   B. Financial Reports:
      1. March 2023 Financials
      2. NORA 2023-24 Budget

5. New Business
   A. Spring programming updates – Programs/classes/camps
   B. Staffing – 2023 summer planning
C. – Rec Summer School Updates
D. Director Review

6. Old Business
   A. Kennari Consulting updates/ NORA next steps

7. Public Comments

8. Advisory Board Comments

9. Next Scheduled Meeting – June 22, 2023

10. Adjournment
NORTHWEST OTTAWA RECREATION AUTHORITY
1415 Beechtree Street, Grand Haven, MI 49417
Phone: 616.850.5125 www.norarec.org

NORA ADVISORY BOARD MEETING MINUTES

Date: March 23, 2023  Time: 5:30 P.M. Location: ESC Building (GHAPS)

1. Call to order: Chairperson – Taylor Schriber, GHAPS

   Rick Mikkelsen – Robinson Twp
   Ryan Cummings, Grand Haven
   William Montgomery, Ferrysburg
   Craig Bessinger, Ferrysburg
   Marc Eickholt, GHAPS
   Taylor Schriber, GHAPS
   Jackie Rowland – NORA
   Chris Van Hekken – NORA

   Absent: Mary Jane Belter – Grand Haven Twp
   Frank Johnson – Robinson Twp
   Rebecca Hopp – At Large

3. Approval of Meeting Agenda – Motion by Redick, 2nd - Cummins. Approved unanimously

4. Approval of Consent Agenda – Motion by Redick, 2nd - Montgomery Approved unanimously

   A. Approval of Board Meeting Minutes of December 15, 2022 as printed.

   B. Financial Reports:

      1. 2021-2022 NORA Audit

      2. January & February 2023 Financials – Revenue & Expense Sheet

6. New Business

   A. Winter programming updates – Programs/classes/camps
      - Update from NORA staff regarding the winter programs. Enrollment was up in several classes – archery, basketball, dance, pickleball. Masquerade Dance was a very successful event with over 100 families attending. New adult leagues for dodgeball & basketball also formed this winter. Pickleball attendance averages 45 participants each day at White Pines.
B. Staffing – 2023 planning
   - Staff has 3 fulltime employees currently and is filling out the summer staff at this time. Our goal is to have 15 camp counselors and 5 more part time instructors for summer classes & camps.

C. Spring/Summer Planning
   - Middle school sports (baseball, softball, lacrosse) kick off next week. Tennis, volleyball & Track begin once Spring Break is over for 5/6th grade students. Archery competitive team will begin practice on April 17. Adult softball starts in one month, with beach volleyball & kickball starting in June. Rec Summer school registration is underway with about 33% of the spots filled already. Camp will begin on June 12.

D. Chris Christiansen Youth Scholarship
   - Annual scholarship letter was received by NORA.
   - Motion by Redick to approve. 2nd by Eickolt. Board approved unanimously.

6. Old Business

   A. Grand Haven City Appointed Board Member Opening –
      - Discussions with city manager & mayor to fill open seat

   B. Kennari Consulting updates/ NORA next steps
      - Launch the first mailing campaign in April.

7. Public Comments – N/A

8. Advisory Board Comments – Cummins commented about how staff has adapted and adjusted to meet families needs in our community. Schriber echoed those comments and thanked staff for their hard work and dedication.

9. Next Scheduled Meeting – April 27, 2023

10. Adjournment – 6:48pm
<table>
<thead>
<tr>
<th>Season - Year</th>
<th>Program Category</th>
<th>Grand Haven City</th>
<th>Grand Haven Township</th>
<th>Robinson Township</th>
<th>Ferrynburg City</th>
<th>Port Sheldon Township</th>
<th>LAKES - Spring Lake</th>
<th>LAKES - Other</th>
<th>ST. TAP</th>
<th>ST. Village</th>
<th>WP</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021-22</td>
<td>Adult Participants</td>
<td>458</td>
<td>785</td>
<td>95</td>
<td>82</td>
<td>31</td>
<td>117</td>
<td>88</td>
<td>147</td>
<td>34</td>
<td>230</td>
<td>2067</td>
</tr>
<tr>
<td></td>
<td>Youth Participants</td>
<td>724</td>
<td>3346</td>
<td>407</td>
<td>187</td>
<td>10</td>
<td>90</td>
<td>217</td>
<td>30</td>
<td>40</td>
<td>110</td>
<td>3234</td>
</tr>
<tr>
<td></td>
<td>Rec Summer School</td>
<td>113</td>
<td>95</td>
<td>30</td>
<td>34</td>
<td>1</td>
<td>22</td>
<td>70</td>
<td>32</td>
<td>9</td>
<td>13</td>
<td>419</td>
</tr>
<tr>
<td></td>
<td><strong>2021-2022 Total</strong></td>
<td><strong>1295</strong></td>
<td><strong>2226</strong></td>
<td><strong>532</strong></td>
<td><strong>303</strong></td>
<td><strong>42</strong></td>
<td><strong>229</strong></td>
<td><strong>265</strong></td>
<td><strong>392</strong></td>
<td><strong>82</strong></td>
<td><strong>353</strong></td>
<td><strong>5720</strong></td>
</tr>
</tbody>
</table>
April 26, 2023

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Smith’s Bridge

Last month we reported a virtual meeting was held to discuss Smith’s Bridge and the bridge work was tentatively scheduled to begin in March 2024. This week Public Services Supervisor Matt Schindlbeck and I attended a virtual meeting to discuss preliminary design for the bridge. It was stated work has been pushed back.

The Letting (bid due) is in March 2024, then 4-5 months of preliminary work, contracts, etc. The bridge is part of the bundling program, therefore the contractor can determine what order the bridges in the program will be constructed. Earliest the bridge construction would start would be spring 2025. Other comments:

- Parking for those fishing will be moved to the south side.
- 4’ sidewalk on the north (bayou) side, with a 9-inch raise.
- 8’ pedestrian path on south (lake) side.
- Travel lanes will be 11’.
- To increase the width of the above would add weight.
- The design is to bring pile (see below) capacity to 60 tons each.
- Concern with increasing weight capacity without having soil borings. Currently there is no information on what type of soil the pile tip rests on. The piers are 190’ deep. Questions on how many soil borings would be needed, where borings would be taken, what permits would be needed, if any, who pays, etc.

It was left the engineers would analyze the above to determine the weight capacity and the City would review whether to proceed with soil borings. We offered to partner in the cost if soil borings are taken, the estimated cost was $30,000.

If soil borings are taken, this may push the bridge project back and out of the bridge bundle program.