



CITY OF GROSSE POINTE WOODS

Office of the Treasurer/Comptroller

Memorandum

DATE: September 8, 2025

TO: Mayor and City Council

FROM: Steven Schmidt, Treasurer/Comptroller *SS*

SUBJECT: Metro Act Fees PA 48

Public Act 48 of 2002, also known as the METRO (Metropolitan Extension Telecommunications Rights-of-Way Oversight) act is an act created to provide telecommunication rights-of-way oversight authority; to provide for fees; to prescribe the powers and duties of municipalities and certain state agencies and officials; to provide for penalties; and to repeal acts and parts of acts. The local community stabilization authority is tasked with performing the powers, duties, functions and responsibilities vested in the authority under the public act.

Historically, the city receives Metro Act funds in June of each year. The chart below details funds received for the past three fiscal years.

Fiscal Year	Major Road Funding	Local Road Funding	Total Rec'd
FY 2022-2023	\$15,467.75	\$46,403.23	\$61,870.98
FY 2023-2024	\$14,760.05	\$44,280.15	\$59,040.20
FY 2024-2025	\$16,155.02	\$48,465.04	\$64,620.06

I recommend that City Council authorize the City Administrator to approve the right-of-way telecommunication permit amendment Michigan Bell Telephone Company d/b/a AT&T until September 30, 2030, or such later date as may be requested by Permittee and approved by Municipality in writing;

RIGHT-OF-WAY TELECOMMUNICATIONS PERMIT AMENDMENT

The Right-of-Way Telecommunications Permit issued by the City of Grosse Pointe Woods ("Municipality") on September 14, 2005, to Michigan Bell Telephone Company, now d/b/a/ AT&T Michigan, ("Permittee") which was amended several times, most recently on June 17, 2019, to extend the term until September 30, 2025. The Permit is hereby amended by modifying the Sections and Exhibits included in this Amendment to read as indicated for the purposes of extending the Term, updating information, including the route map and confirming a continued bond requirement.

2. Grant

- 2.1 Municipality hereby issues a permit under the METRO Act to Permittee for access to and ongoing use of the Public Right-of-Way identified in Exhibit A, and in additional Route Maps complying with and required by the METRO Act that have been or are submitted to Municipality for Facilities not shown on or substantially completed since the preparation of Exhibit A, to construct, install and maintain Telecommunication Facilities on the terms set forth herein.

3.1 Permittee Contacts

- 3.1.1 The address, e-mail address, phone number and contact person (title or name) at Permittees local office is: **Angela Wesson, Right-of-Way Manager, 23500 Northwestern Highway, Room B-1250 – Building W, Southfield, MI 48075, ad3245@att.com, (248) 877-9518**
- 3.1.2 If Permittee's engineering drawings, as-built plans and related records for the Telecommunication Facilities will not be located at the preceding local office, the location address, phone number and contact person (title or department) for them is: **Daren Heckman, Wire Center Design Engineer, 100 S Main Street, Mt Clemens, MI 48043, dh7851@att.com, (586) 382-9918**
- 3.1.3 The name, title, address, e-mail address and telephone numbers of Permittee's engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is: **Daren Heckman, Wire Center Design Engineer, 100 S Main Street, Mt Clemens, MI 48043, dh7851@att.com, (586) 382-9918**
- 3.1.4 The address, phone number and contact person (title or department) at Permittee's home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is: **Mike Henderson, Associate Director Design Engineering, 100 S Main Street, Mt Clemens, MI 48043, mh2725@att.com, (248) 622-8142**
- 3.1.5 Permittee shall at all times provide Manager with the phone number at which a live representative of Permittee (not voice mail) can be reached 24 hours a day, seven

(7) days a week, in the event of a public emergency. At the time of this Amendment, that number was: **(800) 288 – 2020.**

7.1 Term. The term (“Term”) of this Permit shall be until the earlier of:

7.1.1 **September 30, 2030, or such later date as may be requested by Permittee and approved by Municipality in writing; or**

7.1.2, 7.1.3, 7.1.4, and 7.1.5 [Unchanged]

8. Performance Bond or Letter of Credit

8.1 Municipal Requirement. Municipality may require Company to post a bond (or letter of credit) as provided in Section 15(3) of the METRO Act, as amended [MCL § 484.3115(3)] and is described in Exhibit B.

12.1 Notices. All notices under this Permit shall be given as follows:

12.1.1 If to Municipality, to City of Grosse Pointe Woods City Administrator, 20025 Mack Plaza Drive, Grosse Pointe Woods, Michigan 48326. With a copy to the City Clerk at the same address.

12.1.2 If to Permittee, to **Angela Wesson, Right-of-Way Manager, 23500 Northwestern Highway, Room B-1250 – Building W, Southfield, MI 48075, ad3245@att.com, (248) 877-9518**

City of Grosse Pointe Woods

Date

By: _____
Frank Schulte
Its: City Administrator

Acknowledgement of Receipt: Permittee acknowledges receipt of this Permit Amendment granted by Municipality.

**Michigan Bell Telephone Company d/b/a AT&T
Michigan., Permittee**

Date

By: _____

Its: _____

AMENDED EXHIBIT A
Public Right-of-Way to be Used by Telecommunications Facilities

This Permit covers all existing Permittee Facilities, which as defined in Section 1.8 of this Permit, do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware, in the public rights-of-ways located in the White Lake Township as of the date this Amendment is issued by the Municipality.

The Public Right-of-Way that Permittee is granted access to and the use for the areas shown in the Route Map below, subject to the approval of more specific drawings.

At any time, Permittee seeks to install Telecommunication Facilities in the public rights-of-way located in the Township in addition to Permittee's Telecommunication Facilities in existence as of the date of this Amendment, the construction and installation of such additional Facilities Permittee shall submit to the Municipality Clerk a written request to modify this Permit, which such request shall include an Amended Exhibit A Route Map.

Permittee shall not begin construction or installation of such additional Telecommunication Facilities in the rights-of-way located in the Municipality prior to providing a Right-of-Way permit application and the Municipality's issuance of a right-of-way permit, which shall serve as Municipality's approval of plans for the construction and installation of Telecommunication Facilities under Section 4.6 of this Permit.



Michigan Metro Act

Grosse Pointe Shores Metro Act Route Maps Aug 2025 Project

Sheet: A1

Legend

- Conduit
- Asphalt
- Building
- Floating
- Submarine
- Underground
- Null

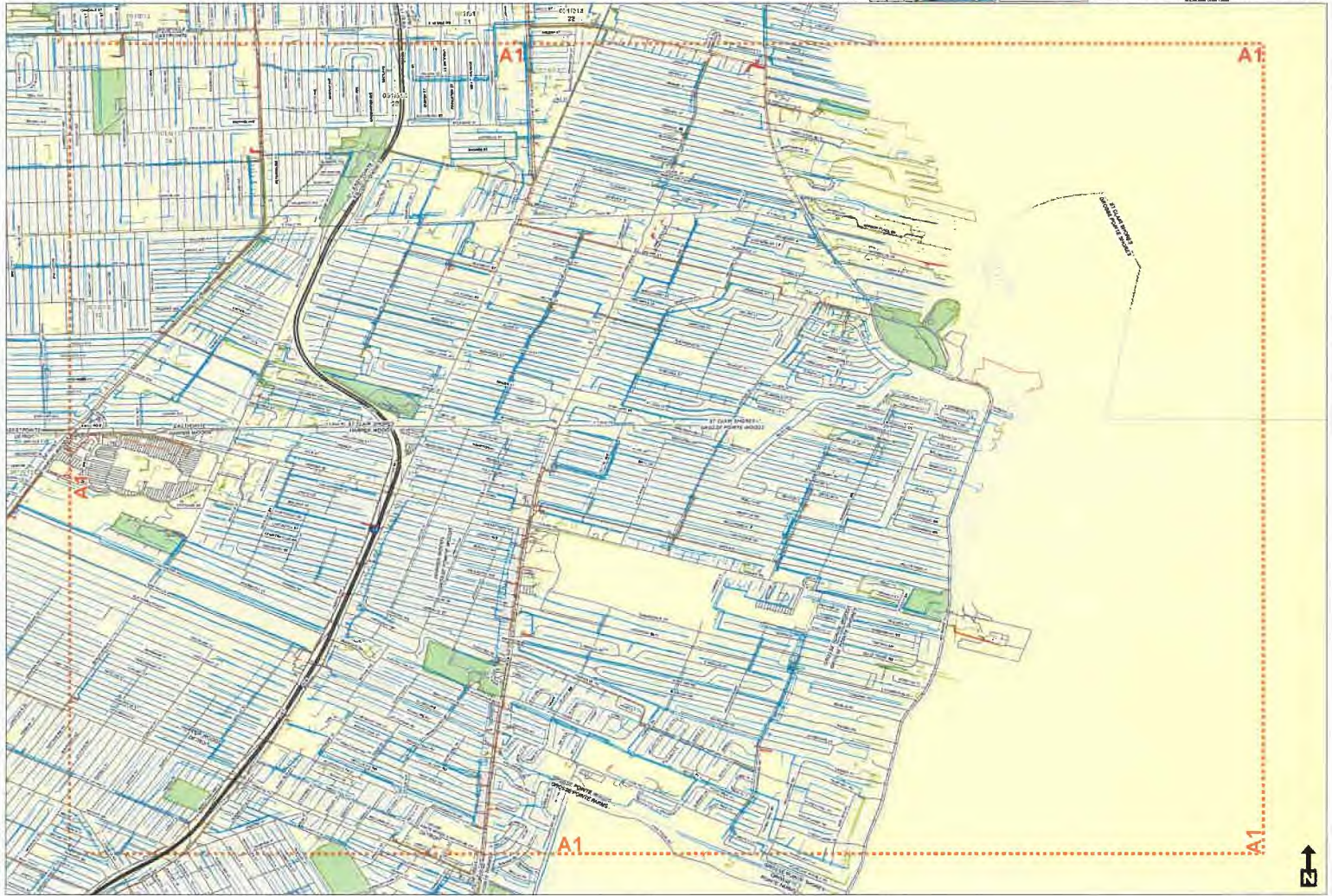
Mapping Index

- Township Range Section
- Out of Franchise Area
- City Limit Boundaries

- Interstates
- Streets
- Railroads
- Airports
- Parks
- Parcel Lines



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0 0.5 0.6 1.2 1.8 2.4 Miles

Date: 8/19/2025

EXHIBIT B

Bond

As authorized under Section 8 of the Permit that this Exhibit is attached to and part of a Bond, conforming to these specifications and requirements is required in an amount that does not exceed the reasonable cost to ensure that the Public Right-of-Way is returned to its original condition during and after Permittee's access and use.

The Bond shall be in the form of surety bond form approved by the Municipality and shall be posted with Municipality before any construction or engineering permit may be issued, and as a requirement for effectiveness of this Permit.

The determination of whether the Bond will be required, and if so, the initial amount of the Bond shall be determined and communicated to Permittee by Municipality based on the construction plans submitted to and approved by Municipality, with any construction or engineering permit bond for that amount, allowed to serve as the Bond required by this Permit.

During the term of this Permit, Municipality reserves the right to increase the Bond amount if it is no longer sufficient to cover the reasonable cost to ensure that the Public Right-of-Way is returned to its original condition during and after Permittee's access and use. Such right shall be exercised by written notice to Permittee that specifies the increased amount and date it is to be provided that is at least 60 days after Municipality's notice.

Right of Way Performance and Completion Bond Continuous

Bond No. SU1211985

KNOW ALL MEN BY THESE PRESENTS:

THAT WE MICHIGAN BELL TELEPHONE COMPANY dba AT&T MICHIGAN as Principal, and
ARCH INSURANCE COMPANY, a corporation duly incorporated under
the laws of the State of Missouri and authorized to do business in the State of Michigan, as Surety,
are held and firmly bound unto the CITY OF GROSSE POINTE WOODS, as Obligee, in the penal
sum of Ten Thousand and No/100 (\$10,000.00) Dollars, for the payment of which we
hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

WHEREAS, the Principal has received, or may upon application receive, a permit or permits from the Obligee to
perform work on, about or adjacent to a right of way as may be particularly specified in said permit or permits, to
which permit or permits reference is hereby made and are made part hereof; and

WHEREAS, the Principal is required to maintain a performance and completion bond guaranteeing that either
the Permitted Work will be completed in its entirety or the public right of way will be restored to its condition
prior to the commencement of the Permitted Work if the Principal fails to complete the Permitted Work to the
satisfaction of the Obligee.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the Principal shall
faithfully comply with all applicable laws, statutes, ordinances, rules or regulations pertaining to the Permitted
Work, and shall either complete the Permitted Work in its entirety or restore the public right of way to its
condition prior to the commencement of the Permitted Work, then this obligation shall be null and void;
otherwise to remain in full force and effect.

This bond shall become effective on August 20, 2025.

PROVIDED, that regardless of the number of years this bond is in force, the Surety shall not be liable
hereunder for a larger amount, in the aggregate, than the penal sum listed above.

SIGNED, SEALED AND DATED this August 26, 2025.



MICHIGAN BELL TELEPHONE COMPANY
dba AT&T MICHIGAN

Principal

Stacy Roth

Stacy Roth, Assistant Treasurer
ARCH INSURANCE COMPANY



Elizabeth P. Cervini

By:

Elizabeth P. Cervini, Attorney-in-fact

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.

POWER OF ATTORNEY

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Allison Thornhill, David A. High, David A. Johnson, David C. Rosenberg, Denise M. Bruno, Elizabeth B. Pendleton, Elizabeth P. Cervini, Harry C. Rosenberg, James M DiSciullo, John E. Rosenberg, John M. Wescott, Jonathan F. Black, Julia R. Burnet, Matthew J. Rosenberg, Melissa J. Hinde, Michelle Richards, Nevin Beyer and Stephanie S. Helmig of Wayne, PA (EACH)

its true and lawful Attorney(s)-in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed: Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding One Hundred Fifty Million Dollars (\$150,000,000.00). This authority does not permit the same obligation to be split into two or more bonds In order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

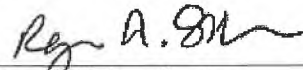
This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on August 31, 2022, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on August 31, 2022:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on August 31, 2022, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company. In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 15th day of July, 2025.


Attested and Certified


Regan A. Shulman, Secretary

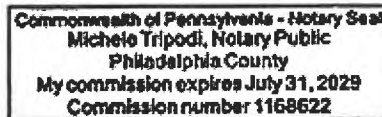
STATE OF PENNSYLVANIA SS
COUNTY OF PHILADELPHIA SS




Arch Insurance Company


Stephen C. Ruschak, Executive Vice President

I, **Michele Tripodi**, a Notary Public, do hereby certify that Regan A. Shulman and Stephen C. Ruschak personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.

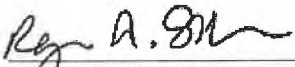



Michele Tripodi, Notary Public
My commission expires 07/31/2029

CERTIFICATION

I, **Regan A. Shulman**, Secretary of the Arch Insurance Company, do hereby certify that the attached **Power of Attorney dated July 15, 2025** on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said Stephen C. Ruschak, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 26th day of August, 2025.


Regan A. Shulman, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:

Arch Insurance Company Claims Department
Surety Claims
P.O. Box 542033
Omaha, NE 68154
suretyclaims@archinsurance.com



To verify the authenticity of this Power of Attorney, please contact Arch Insurance Company at SuretyAuthentic@archinsurance.com
Please refer to the above named Attorney-in-Fact and the details of the bond to which the power is attached.

ARCH INSURANCE COMPANY
STATEMENT OF FINANCIAL CONDITION
DECEMBER 31, 2024

Assets

Cash & Cash Equivalents in Banks	175,754,117
Bonds owned	7,485,879,345
Stocks	956,862,153
Premiums in course of collection	1,406,595,498
Accrued interest and other assets	1,957,852,150
Total Assets	<u>\$ 11,982,943,263</u>

Liabilities

Reserve for losses and adjustment expenses	\$4,026,358,684
Reserve for unearned premiums	2,547,334,728
Ceded reinsurance premiums payable	1,430,834,505
Amounts withheld or retained by company for account of others	158,863,371
Reserve for taxes, expenses and other liabilities	1,152,110,034
Total Liabilities	<u>\$9,315,501,322</u>
Surplus as regards policyholders	<u>2,667,441,941</u>
Total Surplus and Liabilities	<u>\$11,982,943,263</u>

By:


Executive Vice President, Chief
Financial Officer and Treasurer

Attest:


Executive Vice President,
General Counsel and Secretary

State of New Jersey)

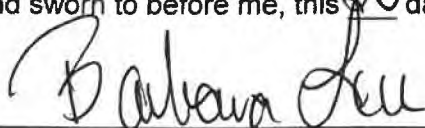
) SS

County of Hudson)

Thomas James Ahern, Executive Vice President, Chief Financial Officer and Treasurer and
Regan Abby Shulman, Executive Vice President, General Counsel and Secretary being duly sworn,
of ARCH INSURANCE COMPANY, Missouri; and that the foregoing is a true and correct
statement of financial condition of said company, as of December 31, 2024.

Subscribed and sworn to before me, this 20 day of March 2025

Notary Public



Barbara A Lee
NOTARY PUBLIC
State of New Jersey
ID # 50107758
My Commission Expires 6/27/2029