

City of Flint, Michigan

*Third Floor, City Hall,
1101 S. Saginaw Street
Flint, Michigan 48502
www.ci.flint.mi.us*



Meeting Agenda - Final

Wednesday, March 4, 2009

5:00 PM

Committee Room

FINANCE COMMITTEE

*Scott, Kincaid, Chairperson, Ward 9
Kerry Nelson, Vice Chairperson, Ward 3*

*Delrico J. Loyd, Ward 1 Jacqueline Poplar, Ward 2
Sandra Hill, Ward 4 Carolyn A. Sims, Ward 5
Sheldon Neeley, Ward 6 Jim Ananich, Ward 7
Ehren Gonzales, Ward 8*

Inez M. Brown, City Clerk

ROLL CALL

EXECUTIVE SESSION

The City Attorney's Office requests an Executive Session for the purpose of consulting with the Flint City Council regarding trial and settlement strategy in connection with pending litigation since an open meeting would have a detrimental financial effect on the litigating or settlement position of the City. (1 case)

RESOLUTIONS

081409.1 Corrected/FY09 Budget Adjustment/Budget Level/Cost Allocation Plan/68th District Court/From Line-Item Level to Departmental Level

A corrected resolution authorizing the appropriate City Officials to do all things necessary to adjust the Fiscal Year 2009 Budget, as agreed to by the Flint City Council and City Administration, to change the 68th District Court and all grants in the General Fund to a line item level department level, as it is the position of Administration that a department level budget is extremely necessary in order to process and spend the various grants in the General Fund in a timely manner.

090002 Bill Carr Signs/Various Decals & Other Services/Crime Watch Signs/Removing & Adding Decals to Police Vehicles

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Bill Carr Signs for crime watch signs and removing and adding of decals from police vehicles in the amount of \$7,409.50, as requested by the Flint Police Department.

090005 FY09/Conley's Collision/Vehicle Repairs/Bomb Squad Truck & Chevy Tahoe

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Conley's Collision for repairs for the bomb squad vehicle and a Chevy Tahoe, as requested by the Police Department, in the amount not to exceed \$4,075.64. (General Fund: 101-301.200-863.900; budgeted; pre-encumbered FPD FY09)

090181 FY09-10/Professional Services Contract/Cornerstone Benefit Group/Medicare Part D/Application & Reconciliation Process

Resolution authorizing the Risk Management & Benefits Division, upon City Council approval, to enter into a Professional Services Contract with Cornerstone Benefits Group, to continue the application and reconciliation process for the Medicare Part D Prescription Drug Rebate Program, for the period of July 1, 2009 to June 30, 2010 (due to their previous work - subsidy application) which is due March 31, 2009 with funding for said services to be made available from Risk & Benefits Management Professional Services account 736-000.105-716.100 for a not to exceed amount of \$15,000.00.

- 090182** FY09/Inventory/C& S Motors/International Repair Parts
- Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to C & S Motors for International repair parts (for City of Flint fleet when repairing vehicles) to establish FY09 inventory, in an amount not to exceed \$6,500.00 (Fleet/Central Garage Fund: 661-000.000-110.400).
- 090183** Contract/Sweers Eavestrough & Roofing Co./Roof Repairs/WPCF Administration Bldg. & Pre-Aeration Building
- Resolution authorizing the proper City Officials, upon City Council approval, to enter into a contract with Sweers Eavestrough & Roofing Company for roof repairs/replacements at the City of Flint's Water Pollution Control Facility Administration Building and Pre-Aeration Building, in an amount not to exceed \$25,641.00 (Sewer Fund: 590-550.300-977.000).
- 090184** Contract/5-Year Exclusive Non-Assignable Lease/Cardon, Inc./Swartz Creek Golf Course/Bar & Restaurant/Rental
- Resolution authorizing the proper City Officials, upon City Council approval, to enter into a five (5)-year exclusive, non-assignable lease contract with Cardon, Inc. for rental of the Swartz Creek Golf Course bar and restaurant facility with a three (3)-year option to extend said agreement with the following conditions: First year rent will be waived and rental payments will commence in April, 2010 for an annual amount of \$6,000.00 (Per Resolution Staff Review: including all utilities per year), thereafter, with revenues for said services to be credited to account 584-755.230-668.000 (Golf Course Fund), as requested by Parks & Recreation.
- See Also Discussion Item 080243.*
- 090185** Contract/Actuarial Services Company/Defined Contribution Conversion
- Resolution authorizing the Risk Management & Benefits Division, upon City Council approval, to enter into a contract with Actuarial Services Company to update the information needed to finalize the Defined Contribution conversion for eligible City employees due to their previous work on the transfer methodology (from FERS to MERS), with funding for said services to be made available from Risk & Benefits Management Professional Services account 677-174.100-801.000, in the amount of \$5,000.00,
- 090186** Submission/Application/FY2010-2013 TIP (Transportation Improvement Program)/Genesee County Metropolitan Planning Commission
- Resolution attesting the City of Flint's support for the applications submitted to the Genesee County Metropolitan Planning Commission for the FY2010-2013 Transportation Improvement Program (TIP) call for projects to secure funding for improvements to federal aid eligible roads within the City of Flint's jurisdiction and commitment to providing local funding for its' share of project

costs for projects selected for inclusion in the FY2010-2013 Transportation Improvement Program, as requested by the Transportation Department.

- 090187** Development Agreement/Section 108 Loan/Riviera Grand Properties, LLC/ Social Security Administration Building/2021 W. Carpenter Road
- Resolution authorizing the appropriate City Officials to do all things necessary to enter into a development agreement with developer, Riviera Grand Properties, LLC, 6020 W. Maple Road, Suite 503, West Bloomfield MI, to lend \$1,875,000.00 in Section 108 Loan guaranteed funds to construct a Social Security Administration Building at 2021 W. Carpenter Road.
- 090188** Professional Service Contract/Social System Research Institute/Race Relations Study
- Resolution authorizing the appropriate City Officials to do all things necessary to allow the Human Relations Commission to enter into a contract with Social System Research Institute, Dr. Robin Widgery, Researcher for data collection and analysis race relation study, in the total amount of \$61,600.00. The Human Relations Commission has been awarded a grant from Charles Stewart Mott Foundation for the period October 1, 2008 through July 31, 2009, in the amount of \$76,600.00 to conduct the study immediately, to be paid to the Social System Research Institute in three payments as the work is completed: \$34,000.00 for the first payment and the final two (2) payments in the amounts of \$23,300.00. (Per Resolution Staff Review: Account No. 101-175.100-580.000)
- 090189** FY09/Budget Amendment/Transfer/Fire Department/Professional Services/Tuition Reimbursement
- Resolution authorizing the appropriate City Officials to do all things necessary to process a budget amendment in the amount of \$2,710.00 to transfer: \$190.00 expense appropriation from 101-337.100-726.000 (Office of Fire Chief - Supplies), \$120.00 from 101-337.100-729.000 (Office of Fire Chief - Postage), \$100.00 from 101-337.100-731.000 (Office of Fire Chief - Subscriptions & Publications), \$300.00 from 101-337.100-900.000 (Office of Fire Chief - Printing & Publishing) and \$2,000.00 from 101-337.100-758.000 (Office of Fire Chief - Uniforms) to: 101-337.100-801.000 - \$2,159.54 (Office of Fire Chief - Professional Services) and 101-337.100-958.500 - \$550.46 (Office of Fire Chief - Tuition Reimbursement), as indicated on the attached budget adjustment, to help offset FY09 budget overruns.
- 090190** FY09/Budget Amendment/Transfer/Fire Department/Overtime
- Resolution authorizing the appropriate City Officials to do all things necessary to process a budget amendment in the amount of \$1,250.00 from: 101-337.202-730.000 - \$250.00 (Fire Admin - Training - Professional Dues & Publications) and \$500.00 from 101-337.202-731.000 (Fire Admin - Training - Subscriptions, Publications & Newspapers) and \$500.00 from 101-337.202-801.000 (Fire Admin - Training - Professional Service) to: 101-337.202-709.000 (Fire Admin - Training - Overtime), as indicated on the

attached budget adjustment, to help offset FY09 budget overruns.

090191 FY09/Budget Amendment/Fire Department/Fire Chief/Direct Fringes

Resolution authorizing the appropriate City Officials to do all things necessary to process a budget amendment to transfer \$92,727.00 from: 101-339.200-702.000 - \$66,038.00 expense appropriation (Fire Prevent - Inspection & Training - Wages & Salaries) and \$4,000.00 from 101-339.200-709.000 (Fire Prevent - Inspection & Training - Overtime) and \$21,439.00 from 101-339.220-719.100 (Fire Prevent - Inspection & Training - Direct Fringes) to: 101-337.100-719.100 (Office of Fire Chief - Direct Fringes), as indicated on the attached budget adjustment, to help offset FY09 budget overruns.

DISCUSSION ITEMS

080243 Swartz Creek Golf Course/Restaurant/RFP

Referral made by Councilman Gonzales to PARKS & REC/MAYOR/ADM. He would like to know the process for request for bid proposals as it relates to the Swartz Creek Golf Course. Have any RFPs been mailed? If so, have any responses been received? If no RFPs have been mailed, please provide an update on this facility.

Referral by Councilperson Gonzales to PARKS & RECREATION/MAYOR/ ADM. He asks that Administration work to get a vendor at the Swartz Creek Golf Course Clubhouse because the City is losing money due to leagues finding other facilities for golfing, not to mention the problems that season-pass holders are experiencing. Please provide a written response to all Councilpersons sharing suggestions for re-opening.

See Also Resolution 090184.

080284 Park Millage/Expenditures FY07-08/Fee Schedule (Centers & Showmobile)

Referral by Councilman Neeley to PARKS & REC/MAYOR/ADM. He had initially requested the following information in 2007. To date, no response has been received. He again asks Parks and Recreation to provide the following information to members of the Flint City Council and City Council Office: (1) What has the Parks Millage money been utilized for within this fiscal year (itemized)? The Park Millage money was earmarked for certain things. (2) Provide copies of the fee schedule for the rentals of City of Flint recreational centers and the showmobile. Mr. Bob Cook stated he would provide that information to the City Council.

No response received from administration, to date.

080474 Audit/Self-Insurance Fund (677)/Legal Department

Councilman Kincaid informed members of the Flint City Council he had requested Plante & Moran to provide a proposal for Council review and a resolution whereby they would perform an audit of the 677 Fund in the Legal

Department from the period of January 1, 2007 through December 31, 2007.

No response received from administration, to date.

080486 Capital Purchase/Police Department/14 Tahoes

Referral by Councilwoman Sims to CITY ADMINISTRATOR/MAYOR/ADM. She asked the City Administrator about the "Capital Purchase" for 14 new Tahoes for the Flint Police Department, as referred to by the City Administrator. The City Administrator agreed to provide the "particulars" about the finances of these vehicles with "Capital Purchase" monies, requesting the information from Finance and Budget Departments.

No response received from administration, to date.

080607 Fire Escrow Fund

Referral by Councilwoman Sims to CITY TREASURER/MAYOR/ADM. She requests a copy of the Fire Escrow Account activity and balance from July 1, 2004 through May 21, 2008. Copies should be provided to all City Council Members and the City Council Office prior to the next City Council Finance Committee Meeting.

No response received from administration, to date.

081030 Cameras/Monitors/Ward Captains/Legality

Referral by Councilwoman Sims to OMBUDSMAN. She asks the Ombudsman's Office to investigate the issue of monitors, cameras, etc. installed in mayoral appointed Ward Captains homes located in each of the nine wards of the City of Flint. The homes of these individuals also have had land lines placed in their homes to receive phone calls. Is this legal? Who has paid for this equipment? Who authorized the payment? Is it legal to have cameras in your home, installed by an elected official, to monitor other people and properties?

No response received from administration, to date.

081094 Adopted FY2007-2008 Budget/Administration & All City Departments/ Compliance

City Council Vice President, Sheldon Neeley, pointed out some City departments are not in compliance with the Adopted FY2007/2008 City of Flint budget, as adopted, and asks the administration and ALL City departments to watch their budgets as adopted by Council very carefully and remain in compliance, not overspending. The City Council does not need to be accused of shutting down major departments due to lack of adherence to budgetary controls to prevent overspending. He doesn't want the administration saying they are going to be short on funds. The City Council will not take the blame for department and administrative overspending.

081169 FY2006/2007/Demolition Contracts/CDBG Funds

Councilman Kincaid made a referral to MAYOR/ADM on April 28, 2008 to replace the resolution 080354 - CO #1/Contract Extension/City of Flint Utilities Department/CDBG/Water/Sewer Relining, in the amount of \$100,000.00, with a new resolution for demolition of properties throughout the City of Flint, for City Council approval.

081173 Fire Department/State Certified Mechanic/City of Flint

Referral by Councilman Loyd to FIRE DEPARTMENT/MAYOR/ADM. He asks the administration to (1) Look at the possibilities of the City of Flint hiring a State certified mechanic to do the in-house regular maintenance of Fire Department Vehicles. (2) In addition, the individual who has been doing this work has been laid off and should be brought back to work at the City Fire Department to continue the in-house regular maintenance of Fire Department vehicles. Larger maintenance work would continue to be done by a company certified to do that work; (3) Provide all members of Council and the City Council Office with a list (in writing) of the employees in the Fire Department who have been laid off, etc.

No response received from administration, to date.

081230 Freedom of Information (FOIA) Request/Michael Vance

Councilwoman Sims asked members of the Flint City Council to address the issue of a denial of a Freedom of Information Request made by the City Attorney's Office regarding Mr. Alex Harris's request for information regarding Mr. Michael Vance and monies paid him related to a lawsuit settlement, back pay, return of annual and sick time, current salary, fund from which his salary is paid, etc. See also City Council referral 080430 - Employee Status/Michael Vance/Backpay, initially made April 14, 2008, with no response received from the City Attorney's Office, to date. All settlements are to be approved by the Flint City Council and become a matter of public record. Mr. Harris is asking the City Council to intervene.

No response received from administration, to date.

081231 Water/Sewer Fund/Judgement/Legal Opinion

Request made by Finance Chairman, Scott Kincaid, to Trachelle C. Young, Chief Legal Officer, and hand-delivered on July 23, 2008, regarding the Water Fund. He requested a legal opinion on whether or not the payment to Atty. Tom Pabst in excess of \$1.5 million to satisfy the judgement against the City of Flint was allowable (legal) and from which fund the monies were taken. To date, no response has been received.

081243 Golden Age Magazine/City of Flint Senior Citizens Magazine/City Council Input

Referral by Councilman Neeley to PARKS/REC/MAYOR/ADM. He requests that information for the City of Flint senior citizens magazine from members of the Flint City Council also be included in this publication. Please provide process, in writing, to all members of Council and the City Council Office for submitting information to be published in this magazine geared for the senior

citizens of the City of Flint.

Referral by Councilman Neeley to PARKS/REC/MAYOR/ADM. He would like a written response from the Parks & Recreation Department to be provided to all members of Council and the City Council Office to the following: (1) Is the revenue received from advertising in the Senior Citizens Magazine coming back to the City of Flint? (2) What fund are these revenues being placed? (3) Are there advertisements sold in this magazine that are being paid for by the City of Flint? (4) If so, what is the name of the business, doctor, agency, company, etc., and what is the cost of the advertisement?

No response received from administration, to date.

081294 Attendance Requested/Director of Parks & Recreation/Forestry/Bob Cook

Referral made by Councilman Neeley/City Council to PARKS & RECREATION/FORESTRY/ MAYOR/ADM. Another request is being made by the Flint City Council to the Director of Parks & Recreation to appear before it to address resolutions presented by the Director of Parks & Recreation/Forestry and City Council and resident concerns. Several requests have previously been made; Mr. Cook has yet to appear before the City Council to provide responses to questions regarding resolutions and other questions/concerns of members of the City Council.

No response received from administration, to date.

081354 Legal Opinion/Layoff of Purchasing Director/Derrick Jones

Referral by Councilperson Sims to CITY ATTORNEY. She asks for a written legal opinion with regard to the layoff of Purchasing Director Derrick Jones, which addresses the following: [1] On the whole, was this a "legal" action by the Administration? [2] What was the official reason given - per Mr. Jones' layoff slip - for this action? [3] Was Mr. Jones formally replaced? By whom? [4] Is this replacement in direct violation of Flint City Charter Sections 4-203(B), 4-203(C), and/or 8-301(A)? [5] Are these recent staff realignments/mergers and position eliminations/reductions in Executive Staff and Departments temporary or permanent? Please provide a written response to all Councilpersons ASAP.

081460 Senior Citizens' Community Centers/Food & Supplies

Referral by Councilman Ananich to PURCHASING/MAYOR/ADM. He asks the Purchasing Department/Mayor/Adm. to solicit bids from other businesses (located within the City of Flint) to provide food and supplies to City of Flint Senior Citizens Community Centers.

No response received from administration, to date.

081488 Newly Acquired/Outfitted Vehicles

Councilwoman Sims asked that a Discussion Item be added to the Finance Committee Agenda regarding the acquisition and outfitting of vehicles by the Police Department/Parks & Recreation: SWAT Team, Bomb Squad, CSI,

Parks & Recreation Senior Citizens' Van, older Jeep, Dodge Chargers, etc., liability, insurance, license plates.

No response received from administration, to date.

081492 Neighborhood Stabilization Program

Update on Neighborhood Stabilization Program as submitted by Major Grants Division.

081513 Demolition/List of Structures

Referral by Councilman Kincaid to TRANSPORTATION/MAYOR/ADM. He asks the Transportation Director to provide all members of the City Council and the City Council Office with a list of structures (by ward) to be demolished in the City of Flint.

081514 CDBG Dollars/Genesee Towers/Demolition

Referral by Councilman Loyd to MAJOR GRANTS/MAYOR/ADM. He requests the presence of Mrs. Nancy Jurkewicz Rich (Director of Major Grants) at the next Finance Committee Meeting to address questions members of Council have regarding the demolition of Genesee Towers and CDBG dollars.

090069 Bomb Squad Truck/Acquisition/Bomb Squad

Referral by Councilman Neeley to POLICE DEPT./MAYOR/ADM. He requests a written response be provided to all members of Council and the City Council Office to the following referral: Any time there's any incident where we have a bomb threat or bomb scare, we dispatch the county or the State to come in to find the bomb and/or to disarm a bomb. Please provide written response to the following: (1) Does the City of Flint have its own internal Bomb Squad? (2) If so, (a) when was it established, (b) who is the supervisor of this unit? and (c) provide names of City employees (police officers, firefighters, etc.) who are a part of this squad and trained to find and disarm a bomb? (See Resolution 090005.)

Referral by Councilman Loyd to POLICE DEPT./MAYOR/ADM. He asks the administration to provide all members of the City Council with the specifics on the acquisition of the Bomb Squad truck: (1) How long it has been in the possession of the City of Flint Police Department; (2) means of acquisition, (3) cost, etc.

090088 Budget-To-Actual Reports

Finance Committee Chairman Kincaid requested the City Council President to forward communication to the Mayor/Adm. demanding they provide members of the City Council copies of the Budget-To-Actual reports, specifically, ending December 31, 2008. State law requires these documents SHALL be provided to the City Council. Copy of letter/communication should also be sent to the State Treasurer.

090089 Non-Payment/Greater Flint Arts Council/2008 4th of July Celebration

Referral by Councilman Neeley to FINANCE DEPARTMENT/MAYOR ADM. He asks for a written response to be provided to all members of Council and City Council Office to the following: (1) Who is serving as Finance Director for the City of Flint? (2) Has the \$20,000.00 approved by the Flint City Council for the 2008 4th of July Fireworks Celebration been forwarded to the Flint Arts Council? If not, provided explanation of why not and when this payment will be approved.

See Resolution 090112 in the amount of \$4,000.00 in Special Affairs Committee February 23, 2009.

090091 Investigation/Ombudsman/City Attorney/February 2, 2009

Referral by Councilwoman Poplar to OMBUDSMAN. She requests the Ombudsman's Office investigate the following issue and provide the City Council Office with a written Ombudsman's report on the results of the investigation of the following complaint. This information should be provided to the City Council as soon as possible.

On February 2, 2009, the Chief Legal Officer for the City of Flint was in Judge Hayman's courtroom with Atty. C. Frederick Robinson and David Davenport from 2:15 p.m. until 4:30 p.m.

1. Was the Chief Legal Officer for the City of Flint a paid spectator for these proceedings?
2. Who was Ms. Young representing in this case - the City Council or the Mayor?
3. Was she attending this court proceeding on City time at the taxpayers' expense?
4. Or, was vacation time used by Ms. Young if she was not representing the City?
5. If Ms. Young was not in court representing the City Council or the Mayor, would this be considered a conflict of interest?
6. Was Atty. C. Frederick Robinson being paid by the City of Flint as he IS one of the known attorneys for Donald J. Williamson?

Response received from Brenda L. Purifoy, Ombudsman, dated February 16, 2009, addressed to Finance Committee Chairman, Scott Kincaid, stating: "On 16 February 2009 the Office of Ombudsman received council complaint #0090091 from the Finance Committee. Councilwoman Poplar requests that the Office of Ombudsman investigate the issue involving Trachelle Young, CLO for the City of Flint and her appearance in the courtroom of Judge A. Hayman with Atty. C. Frederick Robinson and David Davenport on 02 February 2009. It is always recommended that all complainants exhaust all avenues available to find remedies before making a complaint to this office. The Master Opinion of the Ombudsman pg 11-2, " The Ombudsman should generally avoid getting involved in complaints until grievants have exhausted all administrative remedies." The Office of Ombudsman is limited in staff and inundated with complaints from citizens of this community. To this end I defer to City Charter sections 3-205 and 3-206." cc: 2nd Ward Councilperson Jackie Poplar, Council President Jim Ananich. (POF)

090123

Consumers' Energy/Senior Citizens/Millage Dollars

Referral by Councilwoman Sims to PARKS & REC/MAYOR/ADM/GENESEE COUNTY PLANNING COMMISSION. She requests the presence of Ms. Julie Hinterman (Genesee County Planning Commission) and Ms. Tina Conley at the next Finance Committee Meeting to address members of the City Council questions and concerns regarding the Senior Centers and the use of the Senior Millage dollars to help seniors during the winter months.

See Special Affairs Committee Meeting, February 23, 2009.