

EM SUBMISSION NO.: EME6812014

PRESENTED: 12-17-14

ADOPTED: 12-18-14

**RESOLUTION AUTHORIZING THE CITY OF FLINT TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH THE GENESEE COUNTY LAND BANK
TO SPECIFY TERMS AND CONDITIONS FOR REMOVAL OF APPROACHES AND
REPLACEMENT OF CURBS**

BY THE EMERGENCY MANAGER:

The Genesee County Land Bank is demolishing vacant and blighted structures in the City of Flint and has requested to be responsible for removing approaches and replacing curbs on various properties. The Genesee County Land Bank agrees to use only authorized sidewalk contractors licensed within the City of Flint.

The Department of Public Works is requesting authorization for the appropriate City Officials to do all things necessary to enter into a Memorandum of Understanding with the Genesee County Land Bank and to comply with the City of Flint and Michigan Department of Transportation regulations and specifications when removing approaches or replacing curbs.

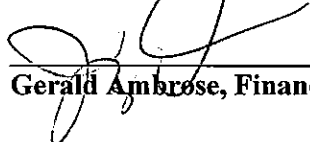
IT IS RESOLVED, that the appropriate City Officials are authorized to execute a Memorandum of Understanding between the City of Flint and the Genesee County Land Bank for the purpose of removing approaches and replace curbs at various properties that are being demolished within the City of Flint.

APPROVED AS TO FORM:



Peter M. Bade, City Attorney

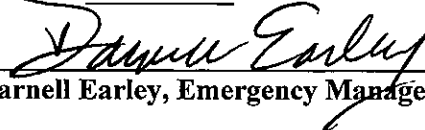
APPROVED AS TO FINANCE:



Gerald Ambrose, Finance Director

EFM DISPOSITION:

ENACT ✓ REFER TO COUNCIL _____ FAIL _____



Darnell Earley, Emergency Manager

DATED: 12-18-14

RESOLUTION STAFF REVIEW

DATE: December 8, 2014

Agenda Item Title: Authorization to Enter Into a Memorandum of Understanding with the Genesee County Land Bank

Prepared By: Kathryn Neumann for Howard Croft

Background/Summary of Proposed Action: The Department of Public Works is requesting authorization for appropriate City Officials to do all things necessary to enter into a Memorandum of Understanding with the Genesee County Land Bank to remove approaches and replace curbs on various properties that are being demolished by the Land Bank.

The Genesee County Land Bank agrees to adhere to the City of Flint and Michigan Department of Transportation (MDOT) regulations and specifications when removing approaches and replacing curbs. The Genesee County Land Bank also agrees to use only City of Flint licensed sidewalk contractors to perform said work.

Financial Implications: None.

Budgeted Expenditure? Yes No **Please explain if no:** No cost to the City of Flint

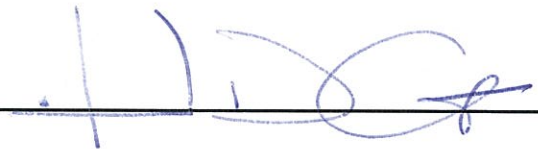
Account No.:

Pre-encumbered? Yes No **Requisition #**

Other Implications (i.e., collective bargaining): None

Staff Recommendation: Recommend Approval

Staff Person: _____


Howard Croft, Director of Infrastructure & Development

MEMORANDUM OF UNDERSTANDING

Removal of Approaches/Replacement of Curbs

WHEREAS, the Genesee County Land Bank Authority, a public body corporate organized pursuant to the Michigan Land Bank Fast Track Act, MCL 124.751-124.774, (the "GCLB"), is demolishing vacant and blighted structures in the City of Flint, (the "City"); and

WHEREAS, the GCLB demolition is funded through federal, state, local and private sources; and

WHEREAS, the GCLB wishes to remove approaches and replace curbs on various properties that are being demolished by the GCLB within the City; and

NOW THEREFORE, the City and GCLB agree as follows:

1. When removing approaches and replacing curbs at various demolished properties, GCLB agrees to only authorize Sidewalk Contractors licensed with the City of Flint ("Contractor") to perform removal and replacement work;
2. The City authorizes GCLB to remove approaches and replace curbs at various demolished properties after the GCLB Contractor obtains a "Sidewalk" permit for each location from the City's Development Division;
3. Prior to issuing a sidewalk permit to a GCLB Contractor, the City's Development Division will identify in their database the requested permit is for an address that is listed as being owned or managed by the GCLB;
4. GCLB agrees that GCLB Contractors will adhere to City of Flint and Michigan Department of Transportation (MDOT) regulations and specifications when removing approaches or replacing curbs;
5. GCLB agrees that GCLB Contractors must saw cut existing curb and construct all curbs according to the MDOT Standard Plan for Concrete Curb and Concrete Curb & Gutter, E-curb (hereto attached) in alignment with the existing curb elevation;
6. If it is determined the proposed curb cannot align with the existing curb elevation, the GCLB and the City will jointly determine a resolution utilizing the most cost effective method. However, if no resolution can be agreed upon, the GCLB may choose to not replace the curb and preserve the approach for that address. GCLB agrees this option will only be available if no approach removal work has been initiated;

7. GCLB's Contractors shall be required to grade, seed and straw the parkway where the approach is removed within 30 days of removing the approach so that the affected area is restored to an adequate condition as deemed appropriate by the City;

8. GCLB agrees that GCLB Contractors must reference the 2012 MDOT Standard Specifications for Construction, Division 6- Portland Cement Concrete Pavements, when performing concrete work during the winter months. Curb construction will only be allowed when temperature limits are ambient air temperatures of 25 degrees F and rising. GCLB Contractors will be allowed 14 days after removing the approach to replace the curb and at least grade the area behind the curb. Turf restoration must be completed in the spring through to November 15th if weather permits ;

9. GCLB agrees that all substandard work will be repaired within 30 days of receiving a repair notification from the City and will be repaired to a condition that complies with MDOT Standard Plan for Concrete Curb and Concrete Curb & Gutter, E-curb;

10. The GCLB's Contractor will be required to contact the City's Right-of-Way Enforcement Officer to schedule an inspection of the completed area within 7 days of concluding the approach removal/curb installation. GCLB's Contractor shall remediate any of the City's concerns relative to the approach removal/curb installation within 30 days. The City will notify the GCLB within seven (7) business days after the expiration of the 30-day remediation period if the Contractor fails to comply. The City and GCLB agrees the City's sidewalk inspection fees are included in the Sidewalk permit fee.

Any notice allowed or required by this Agreement will be sent to:

Mr. Douglas Weiland
 Executive Director
 Genesee County Land Bank Authority
 452 S. Saginaw Street
 Flint, MI

Mr. Darnell Earley
 Emergency Manager
 City of Flint
 1101 S. Saginaw Street
 Flint, MI

Dated _____

Dated 12-18-14

By: _____

By: 

Douglas Weiland
 Its: Executive Director

Darnell Earley
 Its: Emergency Manager