

City of Flint, Michigan

*Third Floor, City Hall
1101 S. Saginaw Street
Flint, Michigan 48502
www.cityofflint.com*



Meeting Agenda - Final

Wednesday, August 21, 2019

5:00 PM

Agenda Amended to Include Unfinished Business

Committee Room

FINANCE COMMITTEE

Monica Galloway, Chairperson, Ward 7

Eric Mays, Ward 1

Santino J. Guerra, Ward 3

Jerri Winfrey-Carter, Ward 5

Allan Griggs, Ward 8

Maurice D. Davis, Ward 2

Kate Fields, Ward 4

Herbert Winfrey, Ward 6

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

ROLL CALL

CHANGES AND/OR ADDITIONS TO THE AGENDA

Council shall vote on any agenda changes.

EXECUTIVE (CLOSED) SESSION

The Flint City Council (Councilperson Mays) requests an Executive Session for the purpose of discussing the Department of Law's Legal Opinion, re: Removal/Replacement of City Council Committee Chairs, dated August 12, 2019.

PUBLIC SPEAKING

Members of the public shall have no more than two (2) minutes to address the City Council on any subject.

SPECIAL ORDERS

190084 Special Order/Discussion of Letter

A special order as requested by Councilperson Mays, re: He would like to discuss a letter addressed to Councilpersons Fields, Griggs and Worthing.

190046 Special Order/Update/Investigative Hearing

Special Order as requested by Councilperson Mays to allow Attorney Harrell Milhouse to update City Council members on the Investigative Hearing regarding the flow of money from the State of Michigan to the City of Flint.

190045 Special Order/Master Fee Schedule/Review of Fees/Service Charges

Special Order as requested by Councilperson Mays concerning the recently amended (Resolution No. 180351 -- adopted July 23, 2018) Master Fee Schedule that added fees for micro-cell equipment, and to allow discussion of lowering service charge fees for low income residents.

190015 Special Order/Status of Water Fund/Water Liens

A Special Order as requested by Councilperson Fields and Worthing to discuss the status of the city's Water Fund and Water Liens.

UNFINISHED BUSINESS/RECONSIDERATION

At the August 12, 2019, City Council meeting, Councilperson Mays, seconded by Councilperson Winfrey-Carter, made a motion to table the reconsideration of Resolution No. 190280 to committees. The motion passed by a vote of 5-4. (Initially, Resolution No. 190280 was failed by City Council on July 22, 2019.)

190280 Purchase Order/AFSCME Local 1600/AFSCME Local 1799/Phase V Restoration Services/Two (2) Zones

Resolution authorizing the Department of Purchases and Supplies, upon City Council's approval, to issue a purchase order to AFSCME Local 1600 & 1799 for Phase V restoration services for the remaining two (2) zones for pavement right-of-way repair/restoration services, in an amount NOT-TO-EXCEED \$2,058,780.00, as requested by Public Works [Acct. No. 496-540.210-801.030 SDEQ-18LEAD1.]

RESOLUTIONS

190330.1 Amendment/Purchase Agreement/City of Flint/County of Genesee/Chevy Commons/Flint Riverfront Restoration Project

Amended resolution resolving that the Flint City Council approves entering into the Purchase Agreement between the City of Flint and the County of Genesee related to the nine (9) parcels of real property commonly known as Chevy Commons, AND, resolving that the Purchase Price, in accordance with the Purchase Agreement, shall be held in escrow by a third-party escrow agent, which will use the escrowed funds to pay the hard and soft costs of constructing certain improvements to public parks within the City of Flint park system, as described in the development plans and budget to be approved by the city in accordance with the Purchase Agreement, AND, resolving that all lawful conduct and actions of the employees, contractors and/or agents of the City of Flint to effectuate this resolution are hereby ratified, adopted, affirmed and approved. [NOTE: The County of Genesee desires to purchase the property from the City of Flint for a total purchase price of Six Million Two Hundred Sixty-Three Thousand Seven Hundred and 00/100 (\$6,263,700.00) Dollars. The Purchase Price consists of a grant in the amount of Four Million Six Hundred Ninety-Seven Thousand Seven Hundred Seventy-Five and 00/100 (\$4,697,775.00) Dollars and matching funds in the amount of One Million Five Hundred Sixty-Five Thousand Nine Hundred Twenty-Five and 00/100 (\$1,565,925.00) Dollars.] [NOTE: Resolution amended to add additional details.]

DISCUSSION ITEMS

190335 Referral/Attendance Request/Police Department/Chief Johnson

Referral by Councilperson Galloway to POLICE DEPARTMENT, re: She requests that FPD Chief Johnson attend the August 21, 2019 Council Committee meetings in order to discuss community concerns. [Referral Action Date: 8/12/2019 @ City Council Meeting.]

190337 Referral/Legal Opinion/Auditing Contract/Statute of Limitations

Referral by Councilperson Mays to CITY ATTORNEY, re: He requests a legal opinion regarding city council's motion during the August 12th council meeting to require a 5-year statute of limitations (as opposed to a 2-year SOL) concerning the contract with Rehmann Robson for FY2019 auditing services. [Referral Action Date: 8/12/2019 @ City Council Meeting.]

190338 Referral/Attendance Request/Chief Advisor & Outreach Development Liaison/Aonie Gilcreast

Referral by Councilperson Mays to ADMIN re: He requests that Chief Advisor & Outreach Development Liaison Aonie Gilcreast attend the August 21, 2019 Council Committee meetings in order to discuss a number of council concerns. [Referral Action Date: 8/12/2019 @ City Council Meeting.]

190344 Referral/Details/Communications Plan

Referral by Councilperson Fields to ADMIN/LEGAL, re: She would like additional details on who is called during specific emergencies and who would be the backup in case of vacation/sickness. [Referral Action Date: 8/7/2019 @ Finance Committee Meeting.]

OLD, OUTSTANDING DISCUSSION ITEMS

170061 Referral/Copy/Public Relations Contract

Referral by Councilperson Fields to ADMIN/LEGAL, re: She would like a copy of the public relations contract that was entered into with pipe replacement funding. [Referral Action Date: 1/18/2017 @ Finance Committee Meeting.]

170194 Repair/Copper Service Line/618 W. Alma

Referral by Councilperson Mays to ADM: He would like to know when the city plans to repair a ruptured copper service line at 618 W. Alma. [Referral Action Date: 4/19/2017 @ Finance Committee Meeting.]

170422 Copies/Bid/Contract/Martin Waymire

Referral by Councilperson Fields to FIN/LEGAL: She would like copies of the bid and the contract for public relations firm Martin Waymire. [Referral Action Date: 6/19/2017 @ Finance Committee Meeting.]

170424 Discussion Item/Water Assistance Program/Disadvantaged/Elderly Customers

Discussion item as requested by Councilperson Mays: He would like to talk about a water assistance program and/or agencies that can assist disadvantaged and/or elderly water customers. [Referral Action Date: 6/19/2017 @ Finance Committee Meeting.]

170577 Reimbursements/State of Michigan/City of Flint Departments

Referral from Councilperson Mays to FINANCE DIRECTOR: Regarding State of Michigan reimbursements to all city departments except Finance (see Discussion Item 170390): What has been requested and what has been reimbursed? [Referral Action Date: 11/21/17 @ Finance Committee Meeting.]

- 170601** Referral/2016 Tax Reverted Property/5306 North Street
- Referral by Councilpersons Mays and Guerra to LEGAL: He would like to know how and when the ownership of 5306 North Street (old Jefferson Elementary School) will be returned to the 2nd Chance Church (5306 North Street was the only tax reverted property whose transfer from Genesee County the City of Flint did not object to in 2016). [Referral Action Date: 12/13/2017 @ Special City Council Meeting.]
- 180001** Payments/State of Michigan's \$25 Million Discretionary Fund
- Referral and discussion item from Councilperson Mays to FIN: How much money has been taken from the State of Michigan's \$25 million in discretionary funds and what was it used for? [Referral Action Date: 1/3/18 @ Finance Committee Meeting.]
- 180002** Referral/Positions/Water Plant/Water Service Center/Wage Study
- Referral by Councilperson Fields to HUMAN RESOURCES/WATER SERVICE CENTER/DPW: She would like a list of all unfilled positions at the Water Plant and Water Service Center; she would like the list also to include what certifications are needed for each position, what the compensation packages are, and what the city has done so far to recruit for these positions. She is also asking if a wage study for City of Flint positions has been completed (or started). [Referral Action Date: 1/3/2018 @ Finance Committee Meeting.]
- 180015** Referral/List/Water Customers With Estimated Bills
- Referral by Councilperson Mays to FIN: He would like a list of water customers who had estimated bills and then were hit with high bills when actual readings were used. He would also like to know if these customers still have "holds" on their accounts and if they are in danger of having their water shut off. [Referral Action Date: 1/3/2018 @ Finance Committee Meeting.]
- 180025** Referral/Copy/"Transfer of Property"
- A referral from Councilperson Mays to LAW: He would like a copy of the Legal Department's interpretation of "Transfer of Property." [Referral Action Date: 1/17/2018 @ Finance Committee Meeting.]
- 180074** Referral/Copies/Current & Revised/WIIN Project Plans
- Referral by Councilperson Fields TO FINANCE/DPW, re: She would like copies of the plans, both old and new, for the WIIN grant, and a rationale for the amounts assigned to each. (For example, money allocated to the Water Plant was reduced after the city signed the long-term water deal with the Great Lakes Water Authority). [Referral Action Date: 2/21/2018 @ Finance Committee Meeting.]
- 180080** Referral/Kellogg Grant/Entire Proposal

A referral from Councilperson Fields to ADMIN/LAW, re: She would like a copy of the entire Kellogg Grant proposal. [Referral Action Date: 2/21/2018 @ Finance Committee Meeting.]

180084 Referral/Police Department/Number of Lawsuits/Cost of Lawsuits

A referral from Councilperson Fields to LAW, re: She would like to know how many lawsuits there have been in the last two years involving the Flint Police Department, including the status for each and the total estimated cost. [Referral Action Date: 2/21/2018 @ Finance Committee Meeting.]

180160 Discussion Item/Itemized Water Fund Revenues & Expenditures

A discussion item as requested by Councilperson Mays regarding the city's Water Fund. He would like itemized revenues and expenditures. [Referral Action Date: 3/22/2018 @ Finance Committee Meeting.]

180180 Referral/Community Development Block Grant (CDBG) Money/Salvation Army

A referral as requested by Councilperson Mays to Planning & Development: He would like to know if Community Development Block Grant (CDBG) money can be given to the Salvation Army. [Referral Action Date: 4/4/2018 @ Finance Committee Meeting.]

180204 Referral/Trial Water Shut-Off/Shut-On Policy

A referral as requested by Councilperson Fields to FIN: She would like to know how the new Trial Collection Policy for shutting water off and turning it back on it working. [Referral Action Date: 4/18/2018 @ Finance Committee Meeting.]

180206 Referral/Cost/Parliamentarian

A referral as requested by Councilperson Fields to CITY CLERK: She would like to know the cost for the City Council to hire a Parliamentarian. [Referral Action Date: 4/18/2018 @ Finance Committee Meeting.]

180234 Update/Great Lakes Water Authority Contract

A referral from Councilperson Fields to LEGAL: re, she would like an update on the Great Lakes Water Authority (GLWA) contract, particularly the additional elements within the contract. [Referral Action Date: 5/9/2018 @ Finance Committee Meeting.]

180294 Referral/LED Street Lights

Referral by Councilpersons Fields and Guerra to ADMIN, re: An action plan and project steps (equipment and labor) concerning the LED street lights. [Referral Action Date: 6/20/2018 @ Finance Committee Meeting.]

180297 Referral/Breakdown/Chief of Staff Budget

- Referral by Councilperson Fields to FINANCE, re: She would like a detailed breakdown of the \$75,000.00 budgeted for the Chief of Staff, including how, who, when and the date it was spent. [Referral Action Date: 6/25/2018 @ Special Affairs Committee Meeting.]
- 180298** Referral/Breakdown/Budgets/Mayor & City Administrator
- Referral by Councilperson Fields to FINANCE, re: She would like a detailed, itemized breakdown of the budgets for Mayor and City Administrator, particularly for wages and salaries -- who they're for and how much each earns. [Referral Action Date: 6/25/2018 @ Special Affairs Committee Meeting.]
- 180300** Referral/Quarterly Budget Amendment Reports
- Referral by Councilperson Fields to FINANCE, re: She would like to see quarterly budget amendment reports that are supposed to be supplied to City Council per the newly adopted City Charter. [Referral Action Date: 6/25/2018 @ Special Affairs Committee Meeting.]
- 180356** Discussion Item/Investigative Hearing
- Councilperson Mays asked that a discussion item about the Investigative Hearing City Council members approved for financial issues related to the Water Crisis be placed on the Finance Committee Agenda. [Referral Action Date: 7/9/2018 @ Finance Committee Meeting.]
- 180365** Attendance Request/Discussion/Filling Budgeted Positions in Water/Sewer
- Referral from Councilperson Mays to HUMAN RESOURCES/DEPARTMENT OF PUBLIC WORKS, re: He would like for Makini Jackson, Director of Human Resources, and Rob Binscik, Director of DPW, to attend the next Finance Committee meeting to discuss unfilled budgeted positions in water and sewer as identified on an organizational chart distributed at the last Finance Committee Meeting. [Referral Action Date: 7/18/2018 @ Finance Committee Meeting.]
- 180369** Referral/Number of Employees Needed/Turning Water On and Off
- Referral from Councilperson Mays to DEPARTMENT OF PUBLIC WORKS/FINANCE, re: He would like a breakdown of personnel needed to turn water on and then to turn water off. [Referral Action Date: 7/18/2018 @ Finance Committee Meeting.]
- 180419** Referral/Payments from Water Fund to Subcontractors
- Referral by Councilperson Fields to LAW, re: She would like to justification for paying a subcontractor (Arco) out of the Water Fund without City Council permission. [Referral Action Date: 8/8/2018 @ Finance Committee Meeting.]
- 180437** Referral/Accounting/Water Funds/Grant Funds/Budget Amendments

Referral by Councilperson Fields to FIN, re: She would like a detailed accounting of all 591 and 296 funds (with detailed subsets) and any from other accounts that the city has used to accept Water Funds/Grants, has paid invoices and expenditures from, and all related Budget Amendments made since January 2016 to current that relate to these funds. [Referral Action Date: 8/22/2018 @ Finance Committee Meeting.]

180438 Referral/Lead Service Line Replacements/Those Paid/Those Submitted for Reimbursement

Referral by Councilperson Fields to FIN, re: She would like any lead service line replacements that have been paid and/or submitted for reimbursement by contractors since May 2018 to current. [Referral Action Date: 8/22/2018 @ Finance Committee Meeting.]

180472 Referral/Contract Clauses/Great Lakes Water Authority (GLWA)/Collection Rate/Transmission Pipe

A referral as requested by Councilperson Fields to FIN/LEGAL: She would like the clauses in the Great Lakes Water Authority (GLWA) that speak to the collection rate for water/sewer customers and the transmission pipe. [Referral Action Date: 9/5/2018 @ Finance Committee Meeting.]

180474 Referral/Status of 'New' Program Manager/Division of Community & Economic Development (DCED)

A referral as requested by Councilperson Galloway to FIN/LEGAL/HR: Planning & Development Director Suzanne Wilcox has a clause in her contract that allows her to return to her former position (Program Manager for DCED) in the event that her supervisory position doesn't work out. But her former job was recently filled. Councilperson Galloway would like to know what would happen to the "new" Program Manager if Ms. Wilcox decided to return to that position. [Referral Action Date: 9/5/2018 @ Finance Committee Meeting.]

180508 Referral/Questions/Finance/Contracts/Invoices/Financial Statements/Rizzo

A referral as requested by Councilpersons Fields and Galloway to FIN: They would like answers to questions posed in a memo to Finance Director Hughey Newsome regarding contracts, invoices (including any outstanding invoices) and various financial statements, and specific questions about invoices and payments to trash company Rizzo (copy of memo provided). They would also like the account(s) the money was taken from, proof that it was budgeted, information regarding who authorized (signed the payments), and an answer as to why Rizzo was paid in 2018 and not 2016 or 2017. [Referral Action Date: 9/24/2018 @ Finance Committee Meeting.]

180509 Referral/Line Item Details/Revenues/Expenditures/Invoices Paid/First \$2 Million/State of Michigan

A referral as requested by Councilperson Fields to FIN: She would like line item details of revenues in and expenditures out on the first \$2 million received from

the State of Michigan. She would also like line item accounts and invoices paid from this \$2 million. [Referral Action Date: 9/24/2018 @ Finance Committee Meeting.]

180510 Referral/Federal Procurement Rules/Sub-Contractors

A referral as requested by Councilperson Fields to FIN/LEGAL: She would like a copy of the federal procurement rules as it relates to sub-contractors. [Referral Action Date: 9/24/2018 @ Finance Committee Meeting.]

180511 Referral/Attendance/Planning & Development Director/Action Plan

A referral as requested by Councilperson Mays to PLANNING & DEVELOPMENT: He would like for Planning & Development Director Suzanne Wilcox to attend the next Finance Committee meeting to discuss Special Order 180448 - the final allocations of the recent Action Plan, as well as any leftover funds. [Referral Action Date: 9/24/2018 @ Finance Committee Meeting.]

180512 Referral/Attendance/Finance Committee Meeting/Lead Line Replacements, Etc.

A referral as requested by Councilperson Mays to FIN/DPW/LEGAL/MAYOR/ADMIN: He wants to discuss lead line replacements, including hydrovac, excavation and restoration, with Mayor Weaver, Mr. Gilcreast, and DPW Director Rob Binscik, and representatives from the following: Aecom, Goyette Mechanical and Martha Brown Custom Builders, LLC. He also asks that City Attorney Angela Wheeler weigh in on whether this conversation should take place in open or closed session. [Referral Action Date: 9/24/2018 @ Finance Committee Meeting.]

180529 Referral/Revenue to Turn On, Turn Off Water Service

A referral as requested by Councilperson Galloway to FIN: How much revenue is generated from shutting off water? Turning on water? Was the water study that was promised ever completed? If so, what were the results? [Referral Action Date: 10/3/2018 @ Finance Committee Meeting.]

180532 Referral/Zito Construction

A referral as requested by Councilperson Galloway to FIN/DPW: She would like to know if Zito Construction is being assessed liquidated damages, according to their contract. Also, what are the estimated damages? How many houses does Zito need to complete? What else do they need to complete as part of their contract? [Referral Action Date: 10/3/2018 @ Finance Committee Meeting.]

180570 Referral/Waste Collection Contract

Referral by Councilperson Mays to ADMIN/DPW re: He would like a copy of the current waste collection contract with Republic for waste/rubbish collection. [Referral Action Date: 10/22/2018 @ City Council Meeting.]

- 180599** Referral/Attorneys Hired by the City
- Referral as requested by Councilperson Fields to LEGAL, re: She would like a listing of every attorney and/or law firm that has been hired by the City during the calendar years of 2015 through 2018, with totals for each attorney/firm listed by the same years. [Referral Action Date: 11/19/2018 @ Special Affairs Committee Meeting.]
- 180600** Referral/City Contract Totals/Lead Line Replacement Program
- Referral as requested by Councilperson Fields to ADMIN/DPW, re: She would like to know the current contract totals for lead service line replacement work contractors and subcontractors, up to and including AECOM, ARCO, DLZ, E Holdings (E & L Construction), Super Construction, A&S. Zito, Orchard, AFSCME, W.T. Stevens, Goyette, etc. [Referral Action Date: 11/19/2018 @ Special Affairs Committee Meeting.]
- 180601** Referral/Lead Pipe Contractors and Subcontractors
- Referral as requested by Councilperson Fields to ADMIN/DPW, re: She would like a listing of every contractor and subcontractor who has done or is doing work for the City concerning lead pipe replacement, with list to include phase worked, dates worked and payment/contract totals. [Referral Action Date: 11/19/2018 @ Special Affairs Committee Meeting.]
- 180604** Discussion Item/Water Account Trends
- Referral by Councilperson Fields: She would like to know if there are trends that can be identified in the city's Water Account. [Referral Action Date: 11/20/2018 @ Finance Committee Meeting.]
- 180605** Referral/Aecom/Procedures & Sub-Contractors
- Referral by Councilperson Fields: She would like to see documents that show Aecom followed proper procurement procedures, per the company's contract, and that the city approved all of their sub-contractors [Referral Action Date: 11/20/2018 @ Finance Committee Meeting.]
- 180614** Referral/Aecom/Written Documentation/Scope of Work
- Referral from Councilperson Fields to ADMIN/DPW: She would like written documentation of the change in scope of work that was given to Aecom that allowed them think they could continue working and move beyond 6,000 service lines. [Referral Action Date: 12/5/2018 @ Finance Committee Meeting.]
- 180615** Referral/Aecom/\$1.1 Million Change Order/Line Items
- Referral from Councilperson Fields to FIN: She would like a copy of the line items that represent the \$1.1 million in Aecom's change order. [Referral Action Date: 12/5/2018 @ Finance Committee Meeting.]

- 190035** Referral/Report/Funding/Service Line Replacement Program
- Referral from Councilperson Fields to FIN: She would like all funding utilized for the Service Line Replacement Program in a cohesive, understandable report from the beginning of the project to date, including all revenue paid in to all pertinent city accounts, identified by name, amount, purpose for use and date (including name and account numbers in subsets); all expenditures paid out, identified by name paid to, amount, purpose for use and date (including phase and date, and what account it was paid out of; all reimbursements requested, all paid and all outstanding, with pertinent details, and any reimbursement requests that were denied (with accompanying correspondence); all accounts payable at this point in time for this program, with pertinent details; a list of any/all funds encumbered for this program, at this point in time; a list of total accomplishments by any contractor paid for this program (include Phase and specific activity in detail); the total amount still available to be used for the Service Line Replacement Program, to include management of same program. [Referral Action Date: 1/23/2019 @ Finance Committee Meeting.]
- 190036** Referral/Local Capacity Development Line Item of the Water Infrastructure Improvements for the Nation (WIIN) Plan
- Referral from Councilperson Fields to FIN: She would like a full report of the narrative of intended use and how it has been used, with all financial detail, regarding the Local Capacity Development line item of the Water Infrastructure Improvements for the Nation (WIIN) plan. [Referral Action Date: 1/23/2019 @ Finance Committee Meeting.]
- 190055** Referral/Monthly Progress Report/Economic Development
- Referral by Councilperson Griggs to ADMIN/PLANNING and DEVELOPMENT, re: He requests that the Economic Development Division provide monthly progress reports to the City Council. [Referral Action Date: 2/04/2019 @ City Council Meeting.]
- 190072** Referral/Response/When \$433,276.00 is Reimbursed
- Referral from Councilperson Fields to FIN: She would like to be notified when the \$433,276.00 is reimbursed to the City of Flint from the State of Michigan. [Referral Action Date: 2/20/2019 @ Finance Committee Meeting.]
- 190073** Referral/Number of Signatures Needed/Proposals on Ballot
- A referral as requested by Councilperson Mays to CITY CLERK, re: He would like to know how many signatures are needed to get a ballot proposal on the August ballot if Councilmembers reject the five current proposals before them. [Referral Action Date: 2/20/2019 @ Finance Committee Meeting.]
- 190081** Referral/Increase in Salary and Benefits/Mayor and City Council

Referral by Councilperson Fields to ADMIN/FIN, re: She would like to know where the money will be coming from to cover the recent increases in salaries and/or benefits for the mayor and council, per recent action of the Local Officers Compensation Commission (LOCC). [Referral Action Date: 2/25/2019 @ City Council Meeting.]

190083 Referral/Salaries for Appointees

Referral by Councilperson Fields to ADMIN/FIN, re: She would like to know the salaries for all appointees, as follows: salary or hourly rate at time of hire, salary or hourly rate at time of appointment, current salary or hourly rates - as well as all raises from the time of appointment until now. [Referral Action Date: 2/25/2019 @ City Council Meeting.]

190113 Referral/Aging Report for Accounts Receivable

Referral by Councilperson Fields to ADMIN/FIN/TREASURY, re: She would like to know how much the City of Flint is carrying in past-due accounts receivable and how far back the balances go. She would also like a copy of the AR Aging Report. [Referral Action Date: 3/21/2019 @ Finance Committee Meeting.]

190114 Referral/Revenues/Turning Water Shut-Offs/Water Shut-ons

Referral by Councilperson Fields to ADMIN/FIN/TREASURY, re: She would like to know how much the City of Flint brings in for water shut-offs and shut-ons and if that number has gone up or down in recent months. [Referral Action Date: 3/21/2019 @ Finance Committee Meeting.]

190162 City of Flint/County of Genesee/Flint Holding Facility Operation

Discussion item as requested by Councilperson Guerra, re: He would like to know if the City of Flint will ever take over operation of the Flint Holding Facility, and how much that would cost versus outsourcing to Genesee County. [Referral Action Date: 4/17/2019 @ Finance Committee Meeting.]

190205 Referral/FastStart Restoration

Referral by Councilperson Guerra to ADMIN/DPW, re: He would like to know if city personnel can spot-check areas of the city where restoration has been completed to ensure that proper procedures were followed. [Referral Action Date: 5/22/2019 @ Finance Committee Meeting.]

190229 Appropriateness/Special Order 190084

Referral by Councilperson Fields to LAW, re: Is it appropriate to have Special Order 190084 (concerning a letter written to the state by three Councilpersons) on the agenda since it is part of a lawsuit filed by Councilman Mays against six council members? [Referral @ 6-5-19 Finance Committee Meeting.]

190255 Referral/Section 108 Loans

Referral by Councilperson Galloway to FINANCE/PLANNING AND DEVELOPMENT/ADMIN, re: She would like to know the particulars regarding any Section 108 Loans that are outstanding, since 2013, to include the who, what, where, why, etc. [Referral Action Date: 6/24/2019 @ Special Affairs Committee Meeting.]

190259 Referral/Damage Claims/Invoices/Damages Caused By Contractors

Referral by Councilperson Guerra to ADMIN/FINANCE/LAW, re: He would like copies of invoices and/or damage claims that have been filed and/or paid due to damage from FastStart contractors. [Referral Action Date: 7/2/2019 @ Finance Committee Meeting.]

190265 Referral/Pipe Replacement and Restoration Services/Role of Rowe Professional Services Co.

Referral by Councilperson Mays to ADMIN/DPW/LEGAL, re: With regard to its current contract with the City for FAST Start Program project management services, he would like to know what Rowe's role is in general for the entire program and, specifically, about Rowe's engagement when it comes to water service line restoration services. He also asks whether or not Rowe should be involved with the potential "re-bid" process that the Administration may be working on for service line restoration services. [Referral Action Date: 7/10/2019 @ Special City Council Meeting]

190266 Referral/Attendance Request/Rowe Professional Services Co.

Referral by Councilperson Mays to ADMIN/DPW/ROWE, re: He requests that representatives from Rowe Professional Services Co. attend the July 17, 2019 Finance Committee meeting in order to discuss Rowe's role as project management for FAST Start Program services and, particularly, the transfer of FAST Start Program addresses from the former program management company, AECOM. [Referral Action Date: 7/10/2019 @ Special City Council Meeting]

190291 Water Fund Reimbursement

Referral by Councilperson Fields to ADMIN/FIN, re: She would like to know if the \$433,000.00 that was paid out of the Water Fund for what were initially termed "ineligible expenses," but were later okayed by the state, according to Huey Newsome, were ever repaid into the Water Fund? [Referral Action Date: 7/17/19 Finance Committee Meeting.]

190292 Water Fund Status

Referral by Councilperson Fields to ADMIN/FIN, re: She would like to know the status of the Water Fund, including the number of outstanding bills, and if there is a plan in place to fix the fund if it's in a deficit. [Referral Action Date: 7/17/19 Finance Committee Meeting.]

NEW BUSINESS

ADJOURNMENT

FAILED
7-22-2019

SUBMISSION NO 190280
PRESENTED 7-17-19
ADOPTED _____

BY THE CITY ADMINISTRATOR

RESOLUTION TO THE CITY OF FLINT MAINTENANCE /AFSCME LOCAL 1600 & 1799 FOR PHASE V FOR PAVEMENT RIGHT-OF-WAY REPAIR/RESTORATION SERVICES

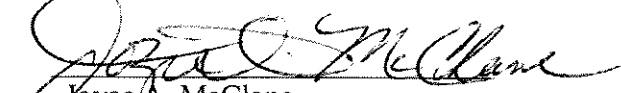
RESOLUTION

The Department of Purchases and Supplies received a staff review recommendation from the Department of Public Works for Phase V Restoration Services. Eight of the ten zones for restoration were previously awarded leaving two remaining zones; and

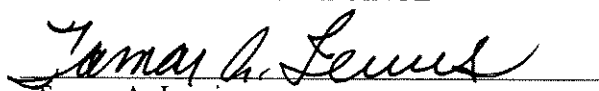
The City of Flint is recommending that AFSCME Local 1600 & 1799 be awarded the remaining two zones (totaling 1200 addresses) for pavement right-of-way repair/restoration services after water SLR's and SLE's in the amount not to exceed \$2,058,780.00 from account 496-540.210-801.030 SDEQ-18LEAD1, as they were the lowest responsive bidder; and

IT IS RESOLVED, Department of Purchases and Supplies is requesting authorization to issue a purchase order to **AFSCME Local 1600 & 1799 for Phase V Restoration Services** for the remaining two zones for pavement right-of-way repair/restoration services in the **amount not to exceed \$2,058,780.00.**

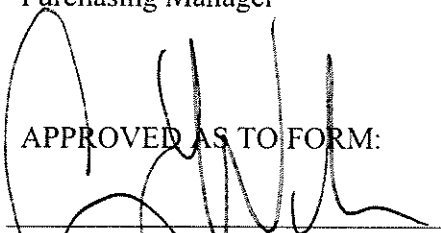
APPROVED PURCHASING DEPT.


Joyce A. McClane
Purchasing Manager

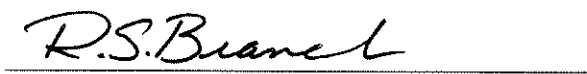
APPROVED AS TO FINANCE


Tamar A. Lewis
Deputy Finance Director

APPROVED AS TO FORM:


Angela Wheeler
Chief Legal Officer

APPROVED AS TO FINANCE:


Steve Branch
City Administrator



AECOM
G-3287 Beecher Road
Suite 1400
Flint, MI 48532
www.aecom.com

810 732 6712 tel
810 732 6768 fax

June 19, 2018

Mr. Bryan D. Bond
Purchasing Manager
City of Flint, Department of Purchases and Supplies
1101 S. Saginaw Street, Room 203
Flint, MI 48502

Reference: City of Flint Fast Start
2018 Phase V Restoration
Proposal No. 18-579
Bid Evaluation and Recommendation

Dear Mr. Bond:

Proposals for the Phase V Restoration project, as covered by the Contract Documents prepared by AECOM Technical Services, Inc. (AECOM) were received until 12:00 PM on Friday, June 15, 2018, by the City of Flint. Shortly thereafter, the bids received were opened and the bid prices were read aloud.

Five (5) bids were received. At the conclusion of the reading of all of the bids received, AECOM was authorized by the City to check the bids received and to prepare an official breakdown of all information received. In compliance therewith, we submit our Official Record of Bids Received, which has been certified by the Program Construction Manager, Mr. Darby Neidig, P.E. The bids are tabulated in order of the low bidder first, the second low bidder second, etc. A summary of the bids received is listed below:

Bidder	Total Base Bid Submitted	Corrected Total Base Bid	Max Number Work Areas
AFSCME Local 1600 / 1799	\$1,029,390.00	N/A	2
Goyette Mechanical	\$1,482,822.56	\$1,483,072.00	10
Zito Construction, Inc.	\$2,087,195.00	N/A	10
LA Construction Corporation	\$2,250,000.00	N/A	5
Martha Brown Custom Builders	\$2,710,850.00	N/A	10
Engineer's Estimate	\$1,066,825.00		

BID COMPLETENESS

The following items are required to be submitted with the Bids.

Acknowledgement of Addenda

- All bidders acknowledged Addenda 01 and 02.
- Goyette Mechanical did not acknowledge the quantity of Bid Item R.9 as 19,200 SF on the actual bid form per Addenda 02.

Bid Bond

- No Bid Bonds were properly submitted. Per Addendum 01, the Bid Bond was to be provided in an amount of 5% of the submitted Bid multiplied by the number of work zones.
- Goyette Mechanical and LA Construction provided a Bid Bond equal to 5% of the total price of their respective Bid but did not consider the number of zones in their Bid Bond.
- Zito Construction and Martha Brown Custom Builders provided a Bid Bond equal to \$75,000 multiplied by the number of work zones.
- ASFCME did not provide a Bid Bond.

It is our opinion that the irregularities listed above can be waived by the City of Flint, with the understanding that missing or incomplete information be corrected as requested by the City or discussed below. Corrections should be addressed prior to the City making a determination regarding the award of the Contract.

COST EVALUATION**Total Cost**

The total cost of the Bids and the corresponding variance from the low bid is summarized in the table below.

BIDDER	CORRECTED TOTAL BASE BID	DIFFERENCE VS. LOW BID	
AFSCME Local 1600 / 1799	\$1,029,390	\$0	0%
Goyette Mechanical	\$1,483,072	\$453,682	44.07%
Zito Construction, Inc.	\$2,087,195	\$1,057,805	102.76%
LA Construction Corporation	\$2,250,000	\$1,220,610	118.58%
Martha Brown Custom Builders	\$2,710,850	\$1,681,460	163.35%

Based upon the large variance (>100%) of the total cost of the bottom three bidders (Zito, LA Construction, and Martha Brown) from the low bidder (AFSCME), we believe that the bottom three bidders should be removed from further consideration and not awarded a portion of, or the entire Phase V Restoration contract. Our opinion is that only Bids submitted by AFSCME and Goyette Mechanical should be further evaluated for consideration of award for either a portion of or the entire Phase V Restoration contract.

RECOMMENDATION

We recommend that the City consider one of the two options described below based upon obtaining the information described below:

- OPTION #1: Award one or two zones to AFSCME and eight to nine remaining zones to Goyette Mechanical.
- OPTION #2: Award ten zones to Goyette Mechanical

ITEM	DESCRIPTION	QUANTITY	ENGINEER ESTIMATE		ASFCME LOCAL 1600 / 1799		GOYETTE MECHANICAL ¹		ZITO CONSTRUCTION		LA CONSTRUCTION		MARTHA BROWN	
			UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
M.1	Mobilization / Demobilization	1 LS	\$	\$	\$	\$	\$	\$	\$ 28,000.00	\$ 28,000.00	\$ 78,948.00	\$ 78,948.00	\$ 2,500.00	\$ 2,500.00
R.1	Asphalt Roadway, Major Roads	6,800 SF	\$ 12.00	\$ 79,200.00	\$ 16.39	\$ 108,174.00	\$ 18.74	\$ 127,614.00	\$ 40.00	\$ 264,000.00	\$ 35.97	\$ 237,402.00	\$ 45.00	\$ 297,000.00
R.2	Asphalt Roadway, Local Roads	34,700 SF	\$ 9.50	\$ 329,650.00	\$ 13.11	\$ 454,917.00	\$ 15.88	\$ 551,036.00	\$ 20.00	\$ 694,000.00	\$ 29.14	\$ 1,011,158.00	\$ 32.00	\$ 1,110,400.00
R.3	Concrete Roadway, State Highways	400 SF	\$ 15.00	\$ 6,000.00	\$ 21.63	\$ 8,652.00	\$ 17.40	\$ 6,960.00	\$ 45.00	\$ 18,000.00	\$ 21.72	\$ 8,688.00	\$ 80.00	\$ 32,000.00
R.4	Concrete Roadway, Major Roads	1,200 SF	\$ 11.00	\$ 13,200.00	\$ 21.63	\$ 25,956.00	\$ 17.40	\$ 20,880.00	\$ 40.00	\$ 48,000.00	\$ 20.97	\$ 25,164.00	\$ 80.00	\$ 96,000.00
R.5	Concrete Roadway, Local Roads	6,200 SF	\$ 9.00	\$ 55,800.00	\$ 17.30	\$ 107,260.00	\$ 15.82	\$ 98,084.00	\$ 32.00	\$ 198,400.00	\$ 16.60	\$ 102,920.00	\$ 70.00	\$ 434,000.00
R.6	Asphalt Driveway	2,900 SF	\$ 9.50	\$ 27,550.00	\$ 13.11	\$ 38,019.00	\$ 14.75	\$ 41,325.00	\$ 24.00	\$ 69,600.00	\$ 29.16	\$ 84,564.00	\$ 30.00	\$ 87,000.00
R.7	Concrete Driveway	2,900 SF	\$ 9.00	\$ 26,100.00	\$ 4.88	\$ 14,152.00	\$ 13.14	\$ 38,106.00	\$ 27.00	\$ 78,300.00	\$ 22.44	\$ 65,076.00	\$ 20.00	\$ 58,000.00
R.8	Curb and Gutter	4,100 LF	\$ 58.00	\$ 237,800.00	\$ 37.73	\$ 154,693.00	\$ 56.43	\$ 231,363.00	\$ 65.00	\$ 266,500.00	\$ 47.89	\$ 196,349.00	\$ 50.00	\$ 205,000.00
R.9	Concrete Sidewalk	19,200 SF	\$ 10.50	\$ 201,600.00	\$ 4.88	\$ 93,696.00	\$ 14.75	\$ 273,600.00	\$ 19.00	\$ 364,800.00	\$ 12.19	\$ 234,048.00	\$ 16.00	\$ 307,200.00
R.10	Greenbelt and Lawn Area	32,700 SF	\$ 2.75	\$ 89,925.00	\$ 0.73	\$ 23,871.00	\$ 3.00	\$ 98,100.00	\$ 1.85	\$ 60,495.00	\$ 6.29	\$ 205,683.00	\$ 2.50	\$ 81,750.00
				\$ 1,066,825.00		\$ 1,029,350.00		\$ 1,483,072.00		\$ 2,087,195.00		\$ 2,250,000.00		\$ 2,710,850.00

¹ Bid Items R.1, R.2 and R.9 do not tabulate correctly. Total Cost is reflective of the Unit Cost * Quantity.

190330.1

RESOLUTION NO.: _____

PRESENTED: 8-7-19

ADOPTED: _____

RESOLUTION TO ENTER INTO PURCHASE AGREEMENT BETWEEN THE CITY OF FLINT AND THE COUNTY OF GENESEE TO BENEFIT THE FLINT RIVERFRONT RESTORATION PROJECT

BY THE MAYOR:

WHEREAS, the City of Flint (the "City") and County of Genesee (the "County") (collectively, the "Parties") mutually desire to further the Flint Riverfront Restoration Project ("FRRP"), which will include further development of Chevy Commons, Riverbank Park, Vietnam Veterans Park, and improvements inside the banks of the Flint River between Chevrolet Avenue and Stewart Avenue;

WHEREAS, the County of Genesee has agreed to purchase nine (9) parcels of real property located in the City of Flint, Genesee County, State of Michigan, commonly known as Chevy Commons (the "Property") for the development of the FRRP in accordance with the terms and conditions set forth in the purchase agreement (the "Purchase Agreement");

WHEREAS, the County of Genesee desires to purchase the Property from the City of Flint;

WHEREAS, the Parties desire to transfer ownership of the Property from the City to the County upon the terms set forth in the Purchase Agreement;

WHEREAS, the total purchase price for the Property shall be Six Million Two Hundred Sixty Three Thousand Seven Hundred and 00/100 (\$6,263,700.00) Dollars (the "Purchase Price"). The Purchase Price consists of a grant in the amount of Four Million Six Hundred Ninety Seven Thousand Seven Hundred Seventy Five and 00/100 (\$4,697,775.00) Dollars and matching funds in the amount of One Million Five Hundred Sixty Five Thousand Nine Hundred Twenty Five and 00/100 (\$1,565,925.00) Dollars.

WHEREAS, in accordance with the Purchase Agreement, the Purchase Price will be held in escrow by a third party escrow agent, which will use the escrowed funds to pay the hard and soft costs of constructing certain improvements to public parks within the City of Flint park system and in the Flint River between Chevrolet and Stewart Avenue as described in the development plans and budget to be approved by the City in accordance with the Purchase Agreement. The improvements to be funded with the grant and matching funds are generally contemplated in the City's Master Plan as it relates to the FRRP;

WHEREAS, the Purchase Agreement provides that the Parties will restrict the use of the Property by utilizing deed restrictions which will limit the use of the Property to a park open to the general public for recreational purposes;

WHEREAS, the Purchase Agreement provides that residents of the City and County will not be charged an entrance fee for their use of the Property or a parking fee of any kind for parking within the boundaries of the Property, without the written consent of the City.

WHEREAS, subject to certain conditions more fully described in the Purchase Agreement, the Purchase Agreement grants the City a right of first option to repurchase the Property for One (\$1.00) Dollar in the event that the County desires to: i) sell, assign or otherwise convey or transfer the Property or any portion thereof, ii) grant a concession, lease or license or other use or occupancy agreement to any third party for the purpose of enabling or permitting the third party to operate or manage the Property, or any portion thereof, or iii) cease using the Property or any portion thereof as a park open to the general public for recreational purpose approved by the City and the County;

WHEREAS, the Purchase Agreement provides that the County shall not change the established name of the Property from Chevy Commons without the City's consent;

WHEREAS, any profits earned by the County's operation of the Riverfront Project, as defined in the Purchase Agreement, after payment of outstanding obligations related to the Riverfront Project, shall be equally shared amongst the City and the County;

WHEREAS, the FRRP goals and benefits will improve public safety in many ways. The project will make access to the river for fishing and other recreation much safer. Crime Prevention Through Environmental Design (CPTED) principles will be implemented along the Flint River Corridor;

WHEREAS, the FRRP will further remove the dams, and naturalize the river, improve water quality by increasing the dissolved oxygen content in the water, improve sediment and material transport, and return the river back to its natural geomorphology. In addition, the project has improved 71 stormwater outfalls, which will help reduce erosion and sedimentation;

WHEREAS, the FRRP will improve water quality, aquatic habitat, and provide fish passage for better fishing conditions. In addition to fishing, paddling will be possible for the first time in this stretch of the river. On land, the project will add park amenities, miles of trail that will connect neighborhoods to the river, and plenty of opportunities for children to play;

WHEREAS, with improved water quality and more recreation opportunities comes better health benefits. All residents deserve to have access to safe walking trails, places for kids to ride bikes, and access to a healthier river. By creating a healthier environment, the City and County will create a healthier place to live, which makes it easier for residents to live healthy lives. As Chevy Commons is being greened, it is not just reducing blight, stormwater will be actively managed and pre-treated through the use of green infrastructure which results in improving water quality for the Flint River. With nearly 40 acres greened already, habitat will be added along with the planting of hundreds of trees;

WHEREAS, by caring for our natural resources, Flint and Genesee County are being made a better place to live for residents and providing people across the state even more reasons to visit Flint, which, increases the quality of life in Flint and attracts more businesses. Given the far reaching implications of this project, it would be in the City's best interests to expand the momentum of development from downtown Flint across the entire corridor along the river upstream and into the City's neighborhoods; and

WHEREAS, Mayor, Dr. Karen W. Weaver recommends entering into the Purchase Agreement between the City of Flint and the County of Genesee, in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Flint City Council approves entering into the Purchase Agreement between the City of Flint and the County of Genesee related to the nine (9) parcels of real property commonly known as Chevy Commons.

FURTHER, BE IT RESOLVED, that the Purchase Price, in accordance with the Purchase Agreement, shall be held in escrow by a third party escrow agent, which will use the escrowed funds to pay the hard and soft costs of constructing certain improvements to public parks within the City of Flint park system as described in the development plans and budget to be approved by the City in accordance with the Purchase Agreement.

FURTHER, BE IT RESOLVED, that all lawful conduct and actions of the employees, contractors and/or agents of the City of Flint to effectuate this resolution are hereby ratified, adopted, affirmed and approved.

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

FOR THE CITY OF FLINT:

Dr. Karen W. Weaver, Mayor

APPROVED AS TO FINANCE:

Tamar Lewis, Deputy Finance Director

APPROVED BY CITY COUNCIL:

Herbert Winfrey, City Council President

RESOLUTION STAFF REVIEW

August 5, 2019

Agenda Item Title:

Resolution to Enter into Purchase Agreement Between the City of Flint and the County of Genesee to Benefit the Flint Riverfront Restoration Project.

Submitted By:

Law Department

Summary of Proposed Action:

The County of Genesee has agreed to purchase nine parcels of real property from the City of Flint commonly known as Chevy Commons. Sale of the property will allow for further advancement of the Flint River Restoration Project. The Flint River Restoration Project (FRRP) works to provide: 1) Improved Safety, 2) Improved Water Quality, 3) More Recreation, 4) Health Benefits, 5) Economic Development in and along the Flint River between Chevrolet Avenue and Carpenter Road. Two phases of the FRRP have already been complete; those being the removal of the superstructures of Hamilton and Fabri Dams, and the repair of 71 storm water outfalls along the Flint River from Robert T. Longway to Carpenter Road. The sale of the property will provide funding for the third phase of the project. The third phase of the project will provide improvements to Chevy Commons, Riverbank Park, Vietnam Veterans Park, provide fish passage upstream, and kayaking/canoeing opportunities downstream.

Financial Implications:

The purchase price of the property shall be \$6,263,700.00 from Michigan Department of Natural Resource grant funds. The payment will be placed into an escrow account, and then re-invested by the City of Flint in to the river for the FRRP. The grant was specifically written for this purpose and funds may only be used to invest in the FRRP.

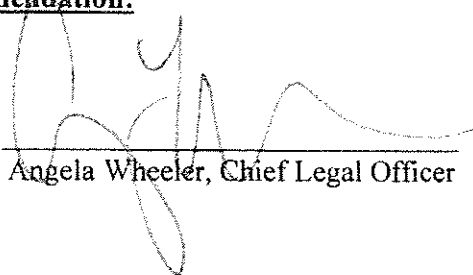
Other Implications:

None

Staff Recommendation:

Approval.

Staff Person:


Angela Wheeler, Chief Legal Officer