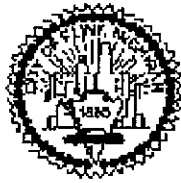


# **City of Flint, Michigan**

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



## **Meeting Agenda - Final**

**Monday, March 13, 2017**

**5:30 PM**

**Council Chambers**

### **CITY COUNCIL**

*Kerry L. Nelson, President, Ward 3  
Vicki VanBuren, Vice President, Ward 8*

*Eric Mays, Ward 1  
Kate Fields, Ward 4*

*Herbert J. Winfrey, Ward 6*

*Jacqueline Poplar, Ward 2  
Wantwaz D. Davis, Ward 5*

*Monica Galloway, Ward 7*

*Scott Kincaid, Ward 9*

*Inez M. Brown, City Clerk*

**CALL TO ORDER****ROLL CALL****PLEDGE OF ALLEGIANCE****PRESENTATION OF COMMITTEE/COUNCIL MINUTES**

170141 Summary Minutes/Flint City Council/Regular Meeting/February 27, 2017

Summary Minutes of the Flint City Council regular meeting held Monday, February 27, 2017, at 6:01 p.m., in the City Council Chambers, 3rd Floor, City Hall.

**PUBLIC HEARINGS**

*None*

**PUBLIC COMMENT**

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, April 27, 2015), members of the public may address the Council for three (3) minutes on ANY ITEM PERTAINING TO THIS AGENDA.*

**PETITIONS AND UNOFFICIAL COMMUNICATIONS**

170142 Report/The Flint Water Crisis/Michigan Civil Rights Commission (MCRC)

A copy of the Michigan Civil Rights Commission Report, re: The Flint Water Crisis: Systematic Racism Through the Lens of Flint, dated February 17, 2017.

170143 Proof of Service and Miscellaneous Documents/Michigan Tax Tribunal/VW Leasing, LLC v. City of Flint/MTT Docket No. 16-002441

Communication received January 23, 2017, re: Proof of Service (2), Notice of No Action Letter, Request for Time Extension, and Check Copy filed with the Michigan Tax Tribunal by VW Leasing, LLC regarding Parcels No. 30-00-100-009 and 20-00-189-214.

170144 Public Notice/Permit Application/Michigan Department of Environmental Quality (MDEQ)

Communication received February 3, 2017, re: A Public Notice of a permit application by the Genesee County Parks and Recreation Commission concerning the 25-5161 Branch Road, Flint, Steppingstone Falls Bank Stabilization Project.

170145 Public Notice/Karegnondi Water Authority (KWA)

Public Notice received March 10, 2017, re: A Notice of Cancellation for the March 15, 2017 Karegnondi Water Authority (KWA) meeting.

## COMMUNICATIONS FROM CITY OFFICIALS

### 170146 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures (5) dated January/February/March 2017, re: (1) W. Boulevard Drive (groundwater/stormwater monitoring and oil sheen removal-Feb. 6th); (2) SB Chavez Drive (building demolition-Feb. 14th); (3) E. Boulevard Drive and James P. Cole Blvd (tree removal-March 13th); (4) Saginaw Street (water pipe replacement-March 10th); and (5) Court Street (gas line replacement-March 13th).

### 170147 Emergency Purchase/ServPro/William E. Walter/Emergency Cleanup

Communication dated February 24, 2017 (received February 27, 2017), from Derrick F. Jones, Purchasing Manager, to Flint City Council, re: Pursuant to Section 18-21.10 of the Flint City Code, the Purchasing Department is issuing notice to do all things necessary to have ServPro [no address noted] perform emergency cleanup of several City Hall offices, in an amount NOT-TO-EXCEED \$80,502.01, and to have William E. Walter [no address noted] repair a broken water line in City Hall, in an amount NOT-TO-EXCEED \$6,691.58 [Acct. No. 677-174.851-955.000], because the City Administration has declared an emergency due to damages caused by a broken hot water line within City Hall over a weekend, damaging several offices on multiple floors, with the damages sustained by this flooding posing a threat to the health and safety of the general public and City employees.

## ADDITIONAL COMMUNICATION

## APPOINTMENTS

## LICENSES

## RESOLUTIONS

### 170117 Settlement Agreement/City of Flint/Damage Claim/Kimberly Hicks

Resolution resolving that the City Administrator hereby authorizes settlement in the damage claim matter of Kimberly Hicks, in the amount of \$12,000.00, in satisfaction of any and all claims arising out of this matter, with payment drawn from appropriated funds in the Damage Claims Acct. No. 677-174.201-956.300. [Administration Submission No. CA3562017.]

### 170118 Settlement Agreement/City of Flint/Damage Claim/Enterprise Holdings/Claim No. 08477638

Resolution resolving that the City Administrator hereby authorizes settlement in the damage claim matter of Enterprise Holdings, Claim No. 08477638, in the amount of \$15,289.14, in satisfaction of any and all claims arising out of this matter, with payment drawn from appropriated funds in the Damage Claims Acct. No. 677-174.201-956.300. [Administration Submission No. CA3572017.]

- 170119** Settlement Agreement/William Mitchell v City of Flint/Genesee County Circuit Court Case No. 16-106899

Resolution resolving that the City Administrator hereby authorizes settlement in the litigation matter of William Mitchell v City of Flint, Genesee County Circuit Court Case No. 16-106899, in the amount of \$27,500.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in Suits & Settlement Acct. No. 677-174.201-956.300. [Administration Submission No. CA3582017.]

- 170121** Contract/Wade Trim, Inc./Design Re-engineering/Battery A Grit Chamber

Resolution resolving that the proper city officials are hereby authorized to enter into a contract with Wade Trim, Inc. for the design re-engineering of the Battery A Grit Chamber, as requested by Utilities/Water Pollution Control, in an amount NOT-TO-EXCEED \$242,000.00 [Sewer Fund Acct. No. 590-550.300-801.000]. [Administration Submission No. CA3602017.]

- 170131** Contract/Johnson & Anderson/Storm/Wastewater Asset Management Plan

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into a contract with Johnson & Anderson for a storm/wastewater asset management plan, as requested by Utilities/Water Service Center, in an amount NOT-TO-EXCEED \$1,650,000.00 [Sewer Fund Acct. No. 590-545.300-801.000 SDEQ-13-SAW.] [NOTE: According to the Staff Review, the Michigan Department of Environmental Quality (MDEQ) has awarded the city a Stormwater, Asset Management and Wastewater (SAW) grant in the amount of \$2,000,000.00, of which \$1,650,000.00 is to be used for an asset management plan for the sanitary and storm water collection systems.] [Administration Submission No. CA3612017.]

*[NOTE: The City Council AMENDED Resolution No. 170131 during the 3-08-2017 Committee Meetings, however, no vote was taken on the amendment. An amended resolution has been drafted and submitted to the Administration for signatures in anticipation of a Council vote on said amendment.]*

- 170132** Contract/Hubbell, Roth & Clark, Inc./Storm/Wastewater Asset Management Plan Development Services

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into a contract with Hubbell, Roth & Clark, Inc. for storm/wastewater asset management plan development services, as requested by Utilities/Water Pollution Control, in an amount NOT-TO-EXCEED

\$880,000.00 [Sewer Fund Acct. No. 590-550.300-801.000 SDEQ-13-SAW.]  
[NOTE: \$350,000.00 will be funded through a grant; the remaining  
\$130,000.00 and \$400,000.00 will be paid from the city's FY2017 and FY2018  
budgets, respectively.] [Administration Submission No. CA3622017.]

*[NOTE: The City Council AMENDED Resolution No. 170132 during the 3-08-2017  
Committee Meetings, however, no vote was taken on the amendment. An amended  
resolution has been drafted and submitted to the Administration for signatures in  
anticipation of a Council vote on said amendment.]*

**170133** Contract/Great Lakes Elevator/East Pump Station Elevator Refurbishment

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into a contract with Great Lakes Elevator for the refurbishment of the East Pump Station Elevator, as requested by Utilities/Water Pollution Control, in an amount NOT-TO-EXCEED \$168,500.00 [Sewer Fund Acct. No. 590-550.300-930.000.] [NOTE: The elevator no longer meets the current code regulations with the State of Michigan and must be fully refurbished before it is considered safe to use. Otherwise it will have to be removed.] [Administration Submission No. CA3632017.]

**170134** Contract/PCS Construction/Painting/South Storage Tank & Lid

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into a contract with PCS Construction for painting of the South Storage Tank and Lid, as requested by Utilities/Water Pollution Control, in an amount NOT-TO-EXCEED \$97,490.00 [Sewer Fund Acct. No. 590-550.300-930.000 = \$90,900.00 and Acct. No. Acct. No. 590-550.300-977.000 = \$7,000.00.] [Administration Submission No. CA3642017.]

**170135** Contract/LJ Electric, LLC/Installation/South Anaerobic Digesting Sludge Storage Tank Mechanical Equipment

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into a contract with LJ Electric, LLC for the installation of the South Anaerobic Digesting Sludge Storage Tank Mechanical Equipment, as requested by Utilities/Water Pollution Control, in an amount NOT-TO-EXCEED \$158,000.00 [Sewer Fund Acct. No. 590-550.300-930.000.] [Administration Submission No. CA3652017.]

**170136.1** Amended Resolution/Reallocation Request/Michigan Employee Retirement System/Employer Pension Reserve Assets

Amended resolution resolving that the governing body of the City of Flint, a participating municipality as defined in the Municipal Employees' Retirement Act as recodified by Act No. 427 of the Public Acts of 1984, as amended, and as the employer, hereby requests the Michigan Employee Retirement System (MERS) to reallocate the total market value of assets as of October 1, 2016, as listed in the below chart, AND, be it further resolved that the City acknowledges that the estimated, employer defined benefit contributions at

1/23/17 for FY2017/FY2018, and future funding years are listed in the chart below and are subject to annual actuarial review, valuation and employer contribution change, AND, in the near future (12/31/16) the actuary may issue a qualified annual valuation report if contributions in the near term don't come closer to actual payments being made to retirees, AND, resolving that the City Clerk is hereby directed to send a certified copy of this resolution to MERS-Finance, ATTN: Reallocations, 1134 Municipal Way, Lansing, MI 48917. [NOTE: The City of Flint is a member of MERS. The MERS funding scenario chosen calls for a smoothing of employer contributions among all defined benefit retiree divisions with the exception of the Hybrid pension plan. This action could bring down proposed first-year employer contributions from \$33.7 mill to \$20.6 million. The reallocation involves increasing employer reserve assets in two AFSCME 1600 union groups, one AFSCME 1799 union group, exempt employees and fire. Decreases in employer reserve assets will come from one AFSCME 1600 union group, one AFSCME 1799 union group, two police union groups, two lieutenants & captains union groups and three sergeants union groups.] [NOTE: Resolution amended to say that "the city acknowledges" not "the City Council acknowledges."] [Administration Submission No. CA3662017.]

## RESOLUTIONS (May Be Referred from Special Affairs)

- 170120.1** Amended Resolution/Grant Application/Crim Fitness Foundation/Michigan Department of Transportation/Safe Routes to School Grants/Eisenhower Elementary, Brownell-Holmes Stem Academy & Eagles Nest Academy
- Amended resolution resolving that the city has authorized the Crim Fitness Foundation to act as agent on behalf of the City of Flint to request Safe Routes to School Funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award, AND, resolving that the city commits to owning, operating, funding and implementing a maintenance program over the design life of the facilities constructed with Safe Routes to School funding, as requested by Transportation. [NOTE: Funding from the program will enable infrastructure projects (sidewalks, signage, crosswalks and curbs) to occur at Eisenhower Elementary, Brownell-Holmes Stem Academy and Eagles Nest Academy.] [NOTE: Resolution amended to change "By the City Council" to "By the Mayor."] [Administration Submission No. CA3592017.]
- 170138** Payment/Damage Claims
- Resolution resolving that all damage claims over \$2,500.00 must be submitted to the City Council for approval prior to disposition. [NOTE: The City Council wishes to be more involved in decisions regarding damage claims.]
- 170148** Amendment/2016-2017 Adopted Budget/Water and Flushing Credit Refund Program
- Resolution resolving that the appropriate City Officials are authorized to do all things necessary to amend the 2016-17 adopted budget to include revenue

and appropriations for reimbursement from the State of Michigan for expenses paid to Yeo & Yeo for their services in auditing the Water and Flushing Credit Refund Program, in the amount of \$46,982.00 [State Grants-Charges of Services Rendered Acct. No. 101-191.100-539.100 and Professional Services Acct. No. 101-191.100-801.000]. [Administration Submission No. CA3692017]

**170149**      Damage Claims/Processed by City Attorney's Office

Resolution resolving that all damage claims shall be processed by the City Attorney's Office and only those claims over \$10,000.00 shall be referred to the City Council prior to disposition. [Administration Submission No. CA3672017]

## **LIQUOR LICENSES**

### **ORDINANCES - First Reading**

### **ORDINANCES - Second Reading**

*None*

## **PUBLIC SPEAKERS**

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, April 27, 2015), members of the public may address the Council for three (3) minutes IN GENERAL.*

## **ADDITIONAL COUNCIL DISCUSSION**

## **ADJOURNMENT**