

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, May 8, 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****SPECIAL ORDER**

170250 Special Order/Tax Lien Notices

A Special Order as requested by City Council President Nelson, Re: Statement from Mayor Weaver on Tax Lien Notices Issued in Flint.

PRESENTATION OF COMMITTEE/COUNCIL MINUTES

170231 Summary Minutes/Flint City Council/Special Meeting/March 23, 2017

Summary Minutes of the Flint City Council special meeting held Thursday, March 23, 2017, at 4:37 p.m., in the City Council Chambers, 3rd Floor, City Hall.

170232 Summary Minutes/Flint City Council/Regular Meeting/March 27, 2017

Summary Minutes of the Flint City Council regular meeting held Monday, March 27, 2017, at 5:31 p.m., in the City Council Chambers, 3rd Floor, City Hall.

170233 Summary Minutes/Flint City Council/Special Meeting/April 3, 2017

Summary Minutes of the Flint City Council special meeting held Monday, April 3, 2017, at 5:35 p.m., in the City Council Chambers, 3rd Floor, City Hall.

170234 Summary Minutes/Flint City Council/Regular Meeting/April 10, 2017

Summary Minutes of the Flint City Council regular meeting held Monday, April 10, 2017, at 5:40 p.m., in the City Council Chambers, 3rd Floor, City Hall.

170235 Summary Minutes/Flint City Council/Regular Meeting/April 24, 2017

Summary Minutes of the Flint City Council regular meeting held Monday, April 24, 2017, at 6:22 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

- 170236** Meeting Minutes/Genesee County Land Bank Authority (GCLBA)
- Meeting Minutes received March 2017, re: Meeting Minutes for the March 15, 2017 Genesee County Land Bank Authority Board of Directors meeting.
- 170237** Notice of Authorization/Michigan Department of Environmental Quality (MDEQ)
- Notice of Authorization received March 24, 2017, re: A Michigan Department of Environmental Quality (MDEQ) Notice of Authorization concerning Permit No. WRP005765 v. 1, Site Name 25 I-69 Reconstruction Ballenger Highway to Fenton Road.
- 170238** Notification of Municipalities/Genesee County Drain Commissioner
- Notification of Municipalities received April 20, 2017, re: A petition prayed for to allow Extending, Tiling, Constructing and Maintaining Drain #0843 Chapman (Whitney St. Branch of).
- 170239** Notification of Meeting Cancellation and Renotice/Karegnondi Water Authority (KWA)
- Notification of Meeting Cancellation and Renotice received April 10, 2017, re: The Karegnondi Water Authority (KWA) Board meeting scheduled for April 19, 2017, is cancelled - with a meeting rescheduled for May 17, 2017, at 2:00 p.m., Genesee County Water Treatment Plant, Columbiaville, MI.
- 170240** Meeting Notice/Office of Genesee County Sheriff/GAIN Auto Theft Unit
- Meeting Notice received April 17, 2017, re: A GAIN Auto Theft Board of Trustees meeting scheduled for April 24, 2017, at 2:00 p.m., Mundy Township Administration Building, Swartz Creek, MI.
- 170241** Notice to Local Unit(s) of Government of Land Use Restriction (LUG)/Arcadis of Michigan, LLC
- Notice to Local Unit(s) of Government of Land Use Restriction received April 17, 2017, re: A Notice to Local Unit(s) of Government of Land Use Restriction (LUG) for the property located at 902 S. Dort Highway (Site), Flint, MI, Facility ID No. 00034678, from Arcadis of Michigan, LLC.
- 170242** Letter of Map Amendment Determination Document (Removal)/Federal Emergency Management Agency (FEMA)

Letter of Map Amendment Determination Document (Removal) received April 20, 2017, re: A Letter of Map Amendment Determination Document (Removal) concerning Affected Map Panel No. 26049C0193D, Date 9/25/2009, Flooding Source: Gilkey Creek, from the Federal Emergency Management Agency (FEMA).

170243 2017 Median Family Income/Genesee County Metropolitan Planning Commission (GCMPC)

Communication received April 28, 2017, re: 2017 Median Family Income for Flint and Genesee County.

170244 Notice of Public Hearing/Michigan Public Service Commission [MPSC]

Notice of Public Hearing received April 28, 2017, re: Michigan Public Service Commission notice of hearing for the electric and natural gas customers of Consumers Energy Company, Case No. U-17771, to be held May 11, 2017, at 9:00 a.m., MPSC, Lansing.

170245 Notice of Public Hearing/Michigan Public Service Commission [MPSC]

Notice of Public Hearing received April 28, 2017, re: Michigan Public Service Commission notice of hearing for the electric customers of Consumers Energy Company, Case No. U-18322, to be held May 9, 2017, at 10:00 a.m., MPSC, Lansing.

170246 Change of Address Notice/Mobilitie, LLC

Communication received April 24, 2017, re: A Change of Address Notice for Mobilitie, LLC, with regard to a Right-of-Way Telecommunications Permit issued September 2, 2016, by and between the City of Flint and Mobilitie, LLC.

COMMUNICATIONS FROM CITY OFFICIALS

170247 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures (9) dated April 2017, re: (1) Crapo and Court Streets (Flintstone Challenge 5K Race-April 30th); (2) E. Boulevard Drive (remediation project along Flint River-May 1st); (3) Fifth Street (election ballot/equipment return-May 2nd); (4) Harrison and Second Streets (pulling cable-May 1st); (5) Second Street (crane lift-April 29th); (6) Miller Road (water replacement lines-May 5th); (7) Pershing Street (water replacement lines-May 6th); (8) Oakley Street (water replacement lines-May 8th); and (9) Clio Road (repairing utility cuts-May 8th).

170248 City of Flint Hospital Building Authority/Meeting Notice

Meeting Notice received March 2017, re: A Commission of the City of Flint Hospital Building Authority meeting scheduled for April 3, 2017, at 8:00 a.m., Hurley Medical Center, Flint, MI.

170249 Office of the City Clerk/Press Release/Certified City Council Candidates

Press Release dated May 1, 2017, re: A City Clerk Press Release naming individual candidates officially certified for the City of Flint Councilperson Primary Election to be held August 8, 2017.

ADDITIONAL COMMUNICATION

APPOINTMENTS

APPOINTMENTS (May Be Referred from Special Affairs)

170229.1 Amended Resolution/Appointment/Valley Area Agency on Aging (VAAA)/Board of Directors

An amended resolution resolving that Mayor Karen W. Weaver recommends the appointment of Jacquinne Reynolds (2621 Indian Bow Trail, Flint, MI 48507) to the Valley Area Agency on Aging's (VAAA) Board of Directors, AND resolving that Mrs. Reynolds is a resident of Flint, who has been married for 44 years, and is the mother of four children and the eldest of seven siblings, AND, resolving that Mrs. Reynolds is a long-time educator with experience as a teacher and principal with the Beecher Community Schools, a career counselor with Flint Genesee Job Corp, a teacher evaluator with Michigan State University, a consultant with Alternative Path Academy, and an adjunct professor at Saginaw Valley State University, AND, resolving that the Mayor of Flint recommends the appointment of Jacquinne Reynolds to the Valley Area Agency on Aging Board of Directors for a two-year term that will end on December 31, 2018. [Administration Submission No. CA4042017.1] [NOTE: Resolution amended to remove Ms. Reynolds' age, as well as a paragraph detailing her educational degrees.]

LICENSES

RESOLUTIONS

170221 Contract/M.L. Chartier Excavating, Inc./Water Line Hydro-Excavation

Resolution resolving that the proper city officials are hereby authorized to enter into a contract with M.L. Chartier Excavating, Inc. for water line hydro-excavation, in an amount NOT-TO-EXCEED \$700,000.00, pending receipt of Water Infrastructure Improvements for the Nation (WIIN) and/or the Children Health Insurance Program (CHIP) grants, as requested by Utilities [Water Fund Acct. No. 591-540.210-801.012.] [NOTE: According to the Staff Review, hydro-excavation is the process of removing or moving soil with

pressurized water in which an air conveyance or vacuum is then used to transfer the soil or debris, which is a more accurate way to identify the composition of the water service lines.]

170222 Contract/Dependable Sewer Cleaner/Water Line Hydro-Excavation

Resolution resolving that the proper city officials are hereby authorized to enter into a contract with Dependable Sewer Cleaner for water line hydro-excavation, in an amount NOT-TO-EXCEED \$550,000.00, pending receipt of Water Infrastructure Improvements for the Nation (WIIN) and/or the Children Health Insurance Program (CHIP) grants, as requested by Utilities [Water Fund Acct. No. 591-540.210-801.012.] [NOTE: According to the Staff Review, hydro-excavation is the process of removing or moving soil with pressurized water in which an air conveyance or vacuum is then used to transfer the soil or debris, which is a more accurate way to identify the composition of the water service lines.]

170223 FY2017/Budget Adjustment (Amendment)/Transfer of Funds/City Clerk/May 2, 2017 Election

Resolution resolving that the appropriate city officials are authorized to do all things necessary to amend the FY2016-2017 Budget of the City of Flint to reflect the changes in the city's General Fund. [NOTE: Due to the May 2, 2017 Special Election, the City Clerk's budget needs to be adjusted by \$70,885.35. The money will be transferred from postage, printing and publishing, repairs and maintenance, education, training and conferences and miscellaneous expenses to fund the election.]

170224 Budget Amendment/Police Department Grant/Office of Justice Programs/Department of Justice (DOJ)/Charter Township of Flint

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to appropriate revenue and expenditure amounts in Fund-Department No. 296-301.601, under Grant Code FDOJ16JAG, in compliance with the Department of Justice-Office of Justice Program guidelines, in the amount of \$155,606.00, as requested by the Police Department. [NOTE: The City of Flint applied for and accepted a 2016 Justice Assistance grant as a sub-grant from the Charter Township of Flint, who was awarded the grant from the DOJ-Office of Justice Programs.]

170225 FY2017/Budget Amendment/Transfer of Funds/Water Crisis/Legal Department

Resolution resolving that the appropriate city officials are authorized to do all things necessary to appropriate funds in the amount of \$500,000.00 in Suits & Settlements Acct. No. 677-266.200-801.500 from the 677 Fund (Self-Insurance fund) Fund Balance. [NOTE: Legal expenses related to the water crisis will exceed the budgeted appropriation in the self-insurance 677 fund.]

170226 Sale of City-Owned Land/Vacant Lot/Fenton Road/C & S Red Ribbon Holding,

LLC

Resolution resolving that the appropriate city officials are authorized to do all things necessary to enter into and complete the sale of the property commonly known as a vacant lot on Fenton Road, Parcel No. 41-19-303-002, for a cost of \$50.00, and transfer the property to C & S Red Ribbon Holding, LLC, 10851 Carol Ridge, Holly, MI 48442, in an AS IS condition by means of conveyance of a Quit Claim Deed, with revenue from the sale to be placed in General Fund Acct. No. 101-371.209-673.100.

RESOLUTIONS (May Be Referred from Special Affairs)

170220.1 Amended Resolution/Lease Agreement/AIS Construction Equipment/Leasing of Three (3) Backhoes/John Deere Financial

An amended resolution resolving that the proper city Officials, upon City Council approval, are authorized to order three (3) backhoe loaders through AIS Construction Equipment, and to enter into a five-year lease(s) agreement with John Deere Financial, as requested by Fleet, in an amount NOT-TO-EXCEED \$33,449.71 annually for five years (FY17 - FY21), pending adoption of each year's budget [Fleet/Central Garage Fund Acct. No. 661-451.100-940.000]. [Administration Submission No. CA4052017.1] [NOTE: Resolution amended to lease three (3) backhoes from AIS instead of two (2).]

170227 Approval/Issuance of Water Supply System Subordinate Lien Revenue Bonds/Series 2017

Resolution resolved by the City Council of the City of Flint, Genesee County, Michigan, as follows: SECTION 1 - Definitions; SECTION 2 - Necessity; Public Purpose: Project Costs; Period of Usefulness; SECTION 3 - Series 2017 Bonds Authorized; SECTION 4 - Series 2017 Bond Details; SECTION 5 - Payment of Principal and Interest; SECTION 6 - Forgiveness of Principal; SECTION 7 - Bond Registrar and Paying Agent; SECTION 8 - Execution and Delivery of the Series 2017 Bonds; SECTION 9 - Exchange and Transfer of the Series 2017 Bonds; SECTION 10 - Bondholders' Rights: Receiver; SECTION 11 - Rates and Charges; SECTION 12 - No Free Service or Use; SECTION 13 - Fixing and Revising Rates: Rate Covenant; SECTION 14 Funds and Accounts: Flow of Funds; SECTION 15 - Series 2017 Bond Proceeds; SECTION 16 - Series 2017 Bond Form; SECTION 17 - Sale, Issuance, Delivery, Transfer and Exchange of Series 2017 Bonds; SECTION 18 - Replacement of Bonds; SECTION 19 - Covenants; SECTION 20 - Additional Bonds; SECTION 21 - Reduction of Principal Maturities, Other Changes; SECTION 22 - Michigan Department of Treasury Approval; SECTION 23 - Severability: Section Headings; SECTION 24 - Conflicting Resolutions; and SECTION 25 - Effective Date. [NOTE: The City Council does hereby determine that it is necessary to acquire and construct improvements to the System by acquiring, constructing and installing the replacement of approximately 6,000 water service pipelines to remove lead and steel service lines from the street to home meters as described in the Drinking Water

Revolving Fund Final Supplemental Intended Use Plan Fiscal Year 2017, dated February 19, 2017, as Project No. 7421-1; site restoration work; and other related improvements (the "Project"); AND the cost of acquiring, constructing and installing the Project is estimated to be at least Forty Million Dollars (\$40,000,000.00); AND the city desires to issue bonds, as authorized by the provisions of Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to pay all or part of the cost of acquiring, constructing and installing the Project; AND the city wishes at this time to authorize the issuance of such bonds to defray the cost of acquiring, constructing and installing the Project and to sell the bonds to the Michigan Finance Authority ("the Authority") as authorized by Act 227, Public Acts of Michigan, 1985, as amended ("Act 227"), in order to enable the Authority to provide assistance with respect to the Project from the proceeds of the Drinking Water Revolving Fund, including funding provided through the Drinking Water Revolving Fund pursuant to the Water Infrastructure Improvements for the Nation Act of 2016, Pub. Law N. 114-322 ("WIIN Act"); AND the loan provided by the issuance of such bonds are eligible to receive subsidization under the WIIN Act, including 100 percent principal forgiveness, and Act 227 and Part 54, Safe Drinking Water Assistance of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994 ("Part 54").]

170230 Two-Year/Lease Agreement/City of Flint/Friends of Berston Field House

Resolution resolving that Mayor Karen W. Weaver is recommending a two-year Lease Agreement that will commence on May 1, 2017, and conclude on June 20, 2019, AND, resolving that the Friends of Berston Field House shall pay monthly rent of \$300.00, due on the first day of the month, and that the Friends of Berston Field House will maintain liability insurance in the amount of \$1,000,000.00 throughout the life of the Lease Agreement, AND, resolving that the Friends of Berston Field House shall take care of all mowing and plowing during the life of the Lease Agreement, AND, resolving that the Friends of Berston Field House shall be responsible for ALL building maintenance, including, but not limited to, cleaning the building and maintaining the inside and outside of the building, AND, resolving that the Friends of Berston Field House shall be responsible for 50 percent of all building repairs, with the remaining 50 percent being paid by the City of Flint, AND, resolving that the Friends of Berston Field House shall be responsible for security, including, but not limited to, the burglar alarm, security officers at events and other security as deemed necessary, AND, resolving that the Mayor of Flint recommends a two-year Lease Agreement for the Friends of Berston Field House. [NOTE: Lease Agreement is attached.]

LIQUOR LICENSES

ORDINANCES - First Reading

ORDINANCES - Second Reading

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