

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, September 11, 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****PRAYER OR BLESSING****READING OF DISORDERLY PERSONS CITY CODE SUBSECTION**

Any person that persists in disrupting this meeting will be in violation of Flint City Code Section 31-10, Disorderly Conduct, Assault and Battery, and Disorderly Persons, and will be subject to arrest for a misdemeanor. Any person who prevents the peaceful and orderly conduct of any meeting will be given one warning. If they persist in disrupting the meeting, that individual will be subject to arrest. Violators shall be removed from meetings.

REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote to adopt any amended agenda.

PRESENTATION OF MINUTES

170480 Summary Minutes/Flint City Council/Regular Meeting/August 14, 2017

Summary Minutes of the Flint City Council regular meeting held Monday, August 14, 2017, at 6:17 p.m., in the City Council Chambers, 3rd Floor, City Hall.

170481 Summary Minutes/Flint City Council/Special Meeting/August 24, 2017

Summary Minutes of the Flint City Council special meeting held Thursday, August 24, 2017, at 5:31 p.m., in the City Council Chambers, 3rd Floor, City Hall.

170482 Summary Minutes/Flint City Council/Regular Meeting/August 28, 2017

Summary Minutes of the Flint City Council regular meeting held Monday, August 28, 2017, at 6:12 p.m., in the City Council Chambers, 3rd Floor, City Hall.

170483 Summary Minutes/Flint City Council/Special Meeting/August 29, 2017

Summary Minutes of the Flint City Council special meeting held Tuesday, August 29, 2017, at 5:37 p.m., in the City Council Chambers, 3rd Floor, City Hall.

PUBLIC HEARINGS

PUBLIC SPEAKING

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), three (3) minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of the meeting to those wishing to speak during this agenda item. No additional speakers or slips will be accepted after the meeting begins. Speakers may not allocate or "donate" their allotted time to another person. Council members may not speak during Public Speaking, nor may they make response comments to speakers. Council members may use their five (5) minutes for Final Comments to address any issues that have been addressed by Public Speakers.

PETITIONS AND UNOFFICIAL COMMUNICATIONS

- 170484** Meeting Minutes/Genesee County Land Bank Authority (GCLBA)
- Meeting Minutes received July 2017, re: Meeting Minutes for the June 21, 2017 Genesee County Land Bank Authority Board of Directors meeting.
- 170485** Proof of Service and Petition/Michigan Tax Tribunal/Fairlane Construction and Renovation LLC v. City of Flint/MTT Docket No. 17-002309
- Communication received July 14, 2017, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by Fairlane Construction and Renovation LLC regarding Parcel No. 41-21-101-038.
- 170486** Financial Report/Karegnondi Water Authority (KWA)
- Communication received July 21, 2017, re: The Karegnondi Water Authority (KWA) June 2017 Financial Report.
- 170487** Notice of Public Hearing/Michigan Public Service Commission [MPSC]
- Notice of Public Hearing received July 25, 2017, re: Michigan Public Service Commission (MPSC) notice of hearing for the natural gas and electric customers of Consumers Energy Company, Case No. U-18331, to be held July 12, 2017, at 9:00 a.m., MPSC, Lansing.
- 170488** Board Packet/Karegnondi Water Authority (KWA)
- Communication received July 25, 2017, re: Board Packet for the Karegnondi Water Authority (KWA) Meeting held at 2:00 p.m., Wednesday, July 26, 2017.
- 170489** Update on Property Interest/Mortgage Contracting Services
- Communication received July 25, 2017, from Mortgage Contracting Services, re: Notice that Mortgage Contracting Services no longer has interest in 817 Copeman Boulevard, Flint, Michigan.
- 170490** Board Packet/Karegnondi Water Authority (KWA)

Communication received August 24, 2017, re: Board Packet for the Karegnondi Water Authority (KWA) Meeting held at 2:00 p.m., Wednesday, August 30, 2017.

OFFICIAL COMMUNICATIONS (From Mayor and Other City Officials)

170491 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures permits (15) dated July 2017 for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

170492 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures permits (22) dated August 2017 for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

170493 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures permits (6) dated September 2017 for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

170494 Office of the City Clerk/City Administration/Video Report

Communication dated July 19, 2017, from City Clerk Brown to City Administrator Sylvester Jones, re: The City of Flint has a franchise agreement with AT&T. Therefore, I'm forwarding you a copy of the AT&T Michigan Annual Video Report for your information.

ADDITIONAL COMMUNICATIONS

APPOINTMENTS

LICENSES

RESOLUTIONS

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), a Council member who desires to speak in debate must obtain the floor by being recognized by the presiding Chair. In the debate, each member has the right to speak twice (for a maximum of five [5] minutes) on the same question on the same day, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day has exhausted his/her right to debate that question for that day. A timer will be utilized. No "banking" of time or division of time for future use is allowed. Council members may request to ask questions of Administrative staff, etc. during debate on any agenda item. Guest speaker time allowed shall be determined by the presiding Chair and is not considered to be a part of the limited debate time allocated to Council members.

170467 Consumers Energy Company/Amendment/Generator Interconnection and Operating Agreement

Resolution resolving that City Officials are authorized to amend the Interconnection and Operating Agreement between Consumers Energy Company, Bioworks Energy LLC, and the City of Flint, to interconnect their respective equipment and electrical gear, and allow the City to draw power from both the Bioworks Energy generator and the normal Consumers equipment, with each of the three entities responsible for their equipment - except as delineated in the Interconnection Agreement - with the generators' combined design capacity nameplate rating not-to-exceed 550 kilowatts, unless the Agreement is further modified, as requested by Utilities. [NOTE: On May 19, 2015, the City of Flint entered into a contract with Bioworks Energy LLC (formerly known as SBI International) and Consumers Energy Company to allow Bioworks to operate an electrical generator at the City Water Pollution Control (WPC) plant. Consumers Energy owns and operates the electrical facilities and appurtenances in the State of Michigan, which supply power to the WPC plant.] [Administration Submission No. CA5092017]

170468 CO#2/Contract/Standard Life Insurance Company/Employee Life Insurance Coverage

Resolution resolving that the proper City Officials are authorized to enter into change order no. 2 to the contract with Standard Life Insurances Company for employee life and short-term disability insurance, in an amount NOT-TO-EXCEED \$154,830.00 during FY2018, as requested by Human Resources [Fringe Benefit Fund Acct. No. 627-853.300-717.000]. [NOTE: On January 23, 2017, City Officials were authorized to enter into change order no. 1 with Standard for additional funding of life and short-term disability insurance as a result of an increase in the City's staffing levels (in an amount of \$41,400.00 and a total contractual amount of \$454,320.00). The original resolution that precipitated the aforementioned change order was formally adopted on February 8, 2016, but did not provide the appropriate funding language that would allow payments in an amount NOT-TO-EXCEED \$154,830.00 during FY18 on the contract that expires March 18, 2018.] [Administration Submission No. CA5102017]

170469 First Supplement/Karegnondi Water Authority Financing Contract

Resolution resolving that: (1) the First Supplement [to the Karegnondi Water Authority Financing Contract] is hereby approved in substantially the form attached as Exhibit A. The Mayor and the City Clerk are authorized and directed to execute and deliver the First Supplement on behalf of the City. The First Supplement shall become effective immediately upon execution and delivery thereof by the City, the County and the Authority, AND, (2) the City hereby approves of the issuance of the Series 2017 Bonds by the Authority, under and pursuant to the terms of the Financing Contract, as supplemented by the First Supplement, in one or more series, in the aggregate principal amount of NOT-TO-EXCEED \$79,000,000.00, for the purposes of paying the costs of completing the acquisition, construction and equipping of the System, refunding the outstanding Series 2016 Bonds, and paying the costs of issuing and securing the Series 2017 Bonds, all as set forth in the First Supplement and, unless otherwise determined by the Mayor to be in the best interest of the City, bearing interest at a rate not exceeding eight percent (8%) per annum, having a final maturity date of not later than November 1, 2045, the principal of which is not subject to acceleration prior to the maturity, and having approximately level annual debt service with a deviation of not more than \$250,000 per year with the Mayor's determination being evidenced by the Mayor's execution and delivery of the First Supplement. The Series 2017 Bonds shall be issued in anticipation of; and shall be secured by, the contractual obligations of the City and the County as set forth in the Financing Contract. Pursuant to the Financing Contract, the City has pledged its limited tax full faith and credit for the prompt and timely payment of its obligations under the Financing Contract, AND, (3) the City hereby authorizes the Authority to prepare and circulate a Preliminary Official Statement and a final Official Statement in connection with the sale of the Series 2017 Bonds. The Mayor and the City Administrator (each an "Authorized Officer") are each hereby authorized to prepare, approve and distribute information describing the City to be used by the Authority in connection with the preparation and distribution by the Authority of the Preliminary Official Statement and the Official Statement, and to deem such information final for the purpose of enabling the purchaser of the Series 2017 Bonds to comply with the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission. Each Authorized Officer is authorized, if applicable, to execute the final Official Statement on behalf of the City, AND, (4) if required in connection with the sale and delivery of the Series 2017 Bonds, the City agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Series 2017 Bonds in accordance with the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission, and each Authorized Officer is hereby authorized to execute such undertaking on behalf of the City prior to delivery of the Series 2017 Bonds, AND, (5) the City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of interest on the Series 2017 Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended, AND, (6) the Mayor, City Administrator and City Clerk are each individually authorized to complete, execute and file any and all applications or requests for waivers with the

Michigan Department of Treasury necessary to effectuate the sale and delivery of the Series 2017 Bonds as contemplated by this resolution and the First Supplement, including, if necessary, an Application for State Treasurer's Approval to Issue Long-Term Securities, in such form as shall be approved by any of such officers, and to pay any and all necessary application or filing fees in connection therewith. The Mayor, City Administrator and City Clerk are each individually authorized to take all other actions, and to execute and deliver such other documents and certificates on behalf of the City, as may be necessary in connection with issuance, sale and delivery of the Series 2017 Bonds, AND, (7) the City has been advised that the Authority has retained Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield") as its bond counsel in connection with the issuance of the Series 2017 Bonds and the City hereby consents to the representation of the Authority by Miller Canfield. [NOTE: In accordance with the provisions of Act 233, the Karegnondi Water Authority, the City of Flint and the County of Genesee entered a Karegnondi Water Authority Financing Contract, dated as of August 1, 2013, whereby the Authority agreed to acquire, construct and equip a water supply system to provide untreated water to the City and the County. Pursuant to the Financing Contract, the Authority has previously issued its Water Supply System Bonds (Karegnondi Water Pipeline), Series 2014A, dated April 16, 2014, in the aggregate principal amount of \$220,500,000.00, and its Water Supply System Bonds (Karegnondi Water Pipeline), Series 2016, dated June 10, 2016, in the aggregate principal amount of \$74,370,000.00 (the "Series 2016 Bonds"), for the purpose of financing the costs of the acquisition, construction and equipping of the System. The Series 2016 Bonds have a stated maturity date of May 1, 2018, and the Authority, the City and the County have determined that it is necessary that the Authority refund all of the outstanding Series 2016 Bonds in order to establish permanent long-term financing for the capital costs of the System. The Authority, the City and the County have further determined that it is necessary for the Authority to issue additional bonds under and pursuant to the terms of the Financing Contract, in the aggregate principal amount of NOT-TO-EXCEED \$4,200,000.00, to pay or to reimburse the Authority for the costs of completing the acquisition, construction and equipping of the System. In order to finance these costs, and to pay the costs of refunding the Series 2016 Bonds, the Authority, the City and the County have determined that it is necessary for the Authority to issue additional bonds under and pursuant to the terms of the Financing Contract, in one or more series, in the aggregate principal amount of not to exceed \$79,000,000.00 (the "Series 2017 Bonds").]

RESOLUTIONS (May Be Referred from Special Affairs)

170466 Genesee Conservation District (GCD)/Hazardous Tree Removals/Management of City's Street Tree Activities

Resolution resolving that the proper City Officials are authorized to do all things necessary to allocate \$300,000.00 to Genesee Conservation District (GDC) to provide supplemental funding to contract hazardous tree removals in the city of Flint and manage of City's street tree activities through June 30, 2018, with funding made available from Acct. No. 202-449.215-801.000

(\$158,000.00) and Acct. No. 203-449.215-801.000 (\$142,000.00), as requested by Street Maintenance. [NOTE: On July 9, 2012, the City of Flint entered into a partnership with GDC via a Memorandum of Understanding (MOU), which authorized GDC to manage contracts for annual hazardous tree removals, maintain a wood utilization effort, and perform community plantings throughout the city. The MOU has no expiration date, but must be reviewed and amended as deemed necessary and agreed to by the parties.] [Administration Submission No. CA5072017]

LIQUOR LICENSES

INTRODUCTION AND FIRST READING OF ORDINANCES

SECOND READING AND ENACTMENT OF ORDINANCES

ADDITIONAL DISCUSSION ITEMS

FINAL COUNCIL COMMENTS

ADJOURNMENT