

# **City of Flint, Michigan**

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



## **Meeting Agenda - Final**

**Monday, June 27, 2016**

**4:30 PM**

**Committee Room**

### **COMMITTEE-OF-THE-WHOLE**

*Herbert J. Winfrey, Chairperson, Ward 6*

*Eric Mays, Ward 1*

*Kerry Nelson, Ward 3*

*Wantwaz D. Davis, Ward 5*

*Vicki VanBuren, Ward 8*

*Jacqueline Poplar, Ward 2*

*Kate Fields, Ward 4*

*Monica Galloway, Ward 7*

*Scott Kincaid, Ward 9*

*Inez M . Brown, City Clerk*

## ROLL CALL

## EXECUTIVE SESSION

*The City Attorney's Office requests an Executive Session for the purpose of consulting with the City Council regarding trial and settlement strategy in connection with pending litigation, since an open meeting would have a detrimental financial effect on the litigating or settlement position of the City (2 cases).*

## RESOLUTIONS

- 160184** Approval and Adoption/Amended Biennial Master Fee Schedule/Fiscal Years 2015 and 2016/Lead Service Line Replacement Fee
- Resolution resolving that the appropriate City Officials be and are authorized to amend the Biennial Master Fee Schedule for fiscal years 2015 and 2016 to include the Lead Service Line Replacement Fee of \$140.00 and to implement and collect the Lead Service Line Replacement Fee, effective immediately upon adoption of this resolution. as requested by the Department of Public Works (DPW). [NOTE: DPW has determined the need for an adjustment to fees charged by the City for Consumer Pavement Breaks, and recommends that the Lead Service Line Replacement Fee be set at \$140.00 - which shall consist of \$70.00 for pre-inspection and \$70.00 for post-inspection of the replacement.] [Administration Submission No. CA1922016]
- 160210.1** Amended Resolution/Public Hearing Date/Proposed 2016-2017 Action Plan of the Consolidated Plan
- Amended resolution resolving that City Officials are authorized to set a public hearing date of July 11, 2016, for the purpose of receiving citizens' comments on the Proposed 2016-2017 Action Plan of the Consolidated Plan. [NOTE: Resolution amended to change the public hearing date from June 27, 2016 to July 11, 2016.]
- 160236** Settlement/Stratman v. City of Flint, et al/Genesee County Circuit Court Case No. 15-104485-CZ
- Resolution resolving that the City Administrator authorizes payment to Mark Stratman and his attorneys, Bernstein & Bernstein, in the amount of \$20,675.07, in satisfaction of any and all claims arising out of the litigation matter of Stratman v. City of Flint, et al, Case No. 15-104485-CZ, with funding made available from Litigation and Suits Acct. No. 677-266.200-956.300. [NOTE: An Executive Session was requested regarding this matter on May 23, 2016.]
- 160237** Settlement/Dawan Simpkins v. City of Flint/Genesee County Circuit Court Case No. 15-104809-NI
- Resolution resolving that the City Administrator authorizes payment to Dawan Simpkins and his attorney, Thomas B. Calcaterra, in the amount of \$15,000.00,

in satisfaction of any and all claims arising out of the litigation matter of Dawan Simpkins v. City of Flint, Case No. 15-104809-NI, with funding made available from Litigation and Suits Acct. No. 677-266.200-956.300. [NOTE: An Executive Session was requested regarding this matter on May 23, 2016.]

- 160238** Settlement/Brenda Shivers v. City of Flint/Genesee County Circuit Court Case No. 15-105476-NI
- Resolution resolving that the City Administrator authorizes payment to Brenda Shivers and her attorney, Thomas B. Calcaterra, in the amount of \$15,000.00, in satisfaction of any and all claims arising out of the litigation matter of Brenda Shivers v. City of Flint, et al, Case No. 15-105476-NI, with funding made available from Litigation and Suits Acct. No. 677-266.200-956.300. [NOTE: An Executive Session was requested regarding this matter on May 23, 2016.]
- 160239** Amended Agreement/Michigan Department of Natural Resources (MDNR)/Michigan Natural Resources Trust Fund/Riverbank Park Development Grant Project
- Resolution authorizing the City of Flint to enter into an amended agreement with the Michigan Department of Natural Resources (MDNR) for the Michigan Natural Resources Trust Fund Acquisition Grant No. TF12-109 for the purpose of extending the end date of the project period to October 30, 2016, to complete the Riverbank Park Development Grant Project.
- 160240** Amended Agreement/Michigan Department of Natural Resources (MDNR)/Michigan Natural Resources Trust Fund/McKinley Park Development Grant Project
- Resolution authorizing the City of Flint to enter into an amended agreement with the Michigan Department of Natural Resources (MDNR) for the Michigan Natural Resources Trust Fund Acquisition Grant No. TF13-070 for the purpose of extending the end date of the project period to October 30, 2016, to complete the McKinley Park Development Grant Project.
- 160241** Support/Transportation Improvement Program (TIP)/FY2017-2020 Draft List/Fleming Road Project
- Resolution attesting the City of Flint's support for the Fleming Road Project to be included in the Draft List of Prioritized Projects for the FY2017-2020 Transportation Improvement Program (TIP), AND, attesting the City's commitment to provide the local share of funding costs for the Fleming Road Project if awarded federal funding.
- 160242** Issuance of Appearance Tickets/Chief Legal Officer List
- Resolution resolving that the Flint City Council approves and authorizes the List of Persons Authorized by the Chief Legal Officer to Issue Appearance Tickets, as amended June 22, 2016.
- 160243** Final Project Plan/Authorized Project Representative/Application/Drinking

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Water Revolving Loan Fund (DWRF)/Distribution System Improvements

Resolution resolving that the Flint City Council adopts the Final Project Plan for water system improvements and approves the designation of JoLisa McDay, Interim Utilities Director, as the Project Representative for purposes of submitting the application for the Drinking Water Revolving Loan Fund (DWRF).

**160244** Grant Agreement/Flint Police Foundation/North End Community Crime Strategy (NECCS) Grant

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to enter into the North End Community Crime Strategy (NECCS) Grant Agreement, by and between the City of Flint and the Flint Police Foundation, to obtain funds in the amount of \$420,000.00, for the period of January 1, 2016 through December 31, 2018, AND, resolving that funds in the amount of \$420,000.00 made available from this grant be recognized as received by the City of Flint, and that said appropriation be made to City of Flint Grand Fund (296FD) to be used solely for the stated purposes as set forth in the Grant Agreement and related documents.

**160245** Brenntag Great Lakes/Phosphoric Acid

Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase order to Brenntag Great Lakes for the annual supply of phosphoric acid, as requested by Utilities/Water Plant, in an amount NOT-TO-EXCEED \$125,000.00.

**160246** Systems Specialties Co./Valve Actuators

Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase order to Systems Specialties Co. for valve actuators, as requested by Utilities/Water Plant, in an amount NOT-TO-EXCEED \$156,154.81.

**160247** Mid States Bolt & Screw/Miscellaneous Nuts, Bolts and Fasteners

Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase orders for the third year of a three-year pricing agreement to Mid States Bolt & Screw for miscellaneous nuts, bolts and fasteners, as requested by Various Departments, in an amount NOT-TO-EXCEED \$51,000.00, for an aggregate spend amount of \$147,800.00.

**160248** Knoblock Ace Hardware/Hardware and Hand Tools

Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase orders for the third year of a three-year hardware and hand tools agreement to Knoblock Ace Hardware, as requested by Various Departments, in an amount NOT-TO-EXCEED \$42,200.00, for an aggregate spend amount of \$133,200.00.

- 160250** Carrier & Gable, Inc./Traffic Signal Parts and Repairs  
Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase order to Carrier & Gable, Inc. for traffic signal parts and repairs, as requested by Traffic Engineering, in an amount NOT-TO-EXCEED \$140,000.00.
- 160251** Vulcan, Inc./Traffic Signs  
Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase order to Vulcan, Inc. for traffic signs, as requested by Traffic Engineering, in an amount NOT-TO-EXCEED \$80,000.00.
- 160252** GCR Tires & Service/Light Truck, Auto and Police Tires  
Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase order to GCR Tires & Service for the annual supply of light truck, auto and police tires, as requested by Fleet, in an amount NOT-TO-EXCEED \$120,000.00.
- 160253** Airgas USA, LLC/Liquid Oxygen  
Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase order to Airgas USA, LLC for the annual supply of liquid oxygen, as requested by Utilities/Water Plant, in an amount NOT-TO-EXCEED \$250,000.00.
- 160254** Dell USA LP-SLG Sales/Enterprise Licensing Agreement  
Resolution resolving that the Department of Purchases and Supplies is authorized to issue a purchase orders for the first year of a three-year enterprise licensing agreement to Dell USA LP/SLG Sales, as requested by Information Services, in an amount NOT-TO-EXCEED \$83,827.94 - FY17, and the same amount each of the subsequent years pending the adoption of the FY2018 and FY2019 Budgets, for a three year total of \$251,483.82.
- 160255** Contract/Lake Agency, Inc./Excess Worker's Compensation Insurance  
Resolution resolving that the appropriate City Officials are authorized to enter into a contract with Lake Agency, Inc. to provide Excess Worker's Compensation Insurance, as requested by Finance, in an amount NOT-TO-EXCEED \$77,003.00.
- 160256** Contract/Central Concrete Products/Concrete Materials  
Resolution resolving that the proper City Officials are authorized to enter into a contract with Central Concrete Products for concrete materials, as requested by Various Departments, in an amount NOT-TO-EXCEED \$124,500.00.
- 160257** Contract/Ace-Saginaw Paving Co./Asphalt Paving Materials

Resolution resolving that the proper City Officials are authorized to enter into a contract with and issue purchase order to Ace-Saginaw Paving Co. for asphalt paving materials, as requested by Various Departments, in an amount NOT-TO-EXCEED \$495,686.00.

**160258** Contract/Du All Cleaning, Inc./Janitorial Services

Resolution resolving that the proper City Officials are authorized to enter into a contract with Du All Cleaning, Inc. for janitorial services for a three-year period, as requested by Maintenance, in an amount NOT-TO-EXCEED \$88,960.00.

**160259** Contract/Rizzo Environmental Services/Waste Collection Services

Resolution resolving that the Mayor and City Administrator are authorized to enter into a contract with Rizzo Environmental Services for waste collection for a five-year period, as requested by DPW and Utilities/Transportation, in an amount NOT-TO-EXCEED \$17,418,644.00, with funding based on the approval of the appropriate allocation for said services during the budget process for the fiscal years represented in the contract.

**160260** Proposed City Charter Amendment/Millage Renewal/City Wide Police Services/Ballot Question/November 8, 2016 General Election

Resolution resolving that the City Council of the City of Flint adopts the proposed amendment, AND, resolving that the City Council of the City of Flint proposes that the City of Flint Charter Amendment be submitted to the electors of the City of Flint by being placed on the ballot of the November 8, 2016 General Election, as follows: "Proposal - Flint City Charter Amendment - Police Services Millage - Millage Renewal, Shall Section 7-201(A)(4) of the Charter of the City of Flint be amended to renew the existing millage of 2 mill (\$2.00 per \$1,000.00) on the taxable valuation as finally equalized, from July 1, 2017 through December 31, 2022 for the sole purpose of funding police services? It is estimated that two (2) mills would raise approximately \$1,167,822.00 in the first year of renewal. Yes \_\_\_ No \_\_\_", AND, resolving that the appropriate City Officials are authorized and directed to take all steps required by law to submit said ballot question to the electors of the City of Flint at the November 8, 2016 General Election.

**160261** Proposed City Charter Amendment/Millage Renewal/City Wide Parks, Forestry, and Recreation Program/Ballot Question/November 8, 2016 General Election

Resolution resolving that the City Council of the City of Flint adopts the proposed amendment, AND, resolving that the City Council of the City of Flint proposes that the City of Flint Charter Amendment be submitted to the electors of the City of Flint by being placed on the ballot of the November 8, 2016 General Election, as follows: "Proposal - Flint City Charter Amendment - City Wide Parks, Forestry, and Recreation Program - Millage Renewal, Shall Section 7-201(A)(2) of the Charter of the City of Flint be amended to renew the existing millage of 0.50 mill (\$0.50 per \$1,000.00) on the taxable valuation as finally equalized, from July 1, 2017 through December 31, 2026 for the

purposes of funding a city wide parks, forestry, and recreation program? It is estimated that 0.50 mill would raise approximately \$315,000.00 in the first year of renewal. Yes \_\_\_ No \_\_\_", AND, resolving that the appropriate City Officials are authorized and directed to take all steps required by law to submit said ballot question to the electors of the City of Flint at the November 8, 2016 General Election.

**160262** Proposed City Charter Amendment/Millage Renewal/Police and Fire Protection/Ballot Question/November 8, 2016 General Election

Resolution resolving that the City Council of the City of Flint adopts the proposed amendment, AND, resolving that the City Council of the City of Flint proposes that the City of Flint Charter Amendment be submitted to the electors of the City of Flint by being placed on the ballot of the November 8, 2016 General Election, as follows: "Proposal - Flint City Charter Amendment - Police and Fire Protection Millage - Millage Renewal, Shall Section 7-201(A) of the Charter of the City of Flint be amended to renew the existing millage of 6 mills (\$6.00 per \$1,000.00) on the taxable valuation as finally equalized, from July 1, 2017 through December 31, 2021, for the sole purpose of funding police and fire protection? It is estimated that six (6) mills would raise approximately \$3,503,464.00 in the first year of renewal. Yes \_\_\_ No \_\_\_", AND, resolving that the appropriate City Officials are authorized and directed to take all steps required by law to submit said ballot question to the electors of the City of Flint at the November 8, 2016 General Election.

**160263** Budget Amendments/FY2016 Budget

Resolution resolving that the FY16 Budget of the City of Flint be amended to reflect the changes in the listed budget adjustments to the City's General, Major Streets, Public Safety, Police, Building & Safety Department, Sewer, and Water Funds as dated June 20, 2016, AND, authorizing the appropriate City Officials to do all things necessary to incorporate said changes into the Budget and to assign the appropriate account numbers.

## APPOINTMENTS

**160264** Mayoral Appointment/Director of Finance-Treasurer/David L. Sabuda, CPA

Resolution resolving that the Flint City Council approves the appointment of David L. Sabuda, CPA, as the Director of Finance/Treasurer pursuant to the provisions contained in the Terms of Appointment, with agreed upon annual compensation at an hourly rate of \$64.00, with limited fringe benefits as outlined in Paragraph 4 of the Terms of Appointment, drawn from appropriated funds in Salary and Wages Acct. No. 101-191.100-702.000, with Mr. Sabuda's appointment in this capacity subject to the parameters set forth by resolution and the Terms of Appointment. [NOTE: Mr. Sabuda's appointment shall be effective beginning July 6, 2016, through and including February 3, 2017, and he shall serve the City under the direction of the Mayor as set forth by applicable law and ordinance.]

## ORDINANCES

- 160265** Amendment/Ordinance/Chapter 50 (Zoning)/4601 Fenton Road/Jeremy Shaw/Shaw Distilling/PC 16-301/Ward 8
- An ordinance to amend Chapter 50 (Zoning) of the Code of the City of Flint as requested by Jeremy Shaw, Shaw Distilling (PC 16-301), for a zoning change for the property at 4601 Fenton Road, Parcel No. 41-30-157-033, legally described as ATHERTON PARK LOTS 355, 356, 587 & 588, from "D-3" Community Business District to "D-5" Metropolitan Commercial-Service District. [Planning Commission recommends APPROVAL.]

## DISCUSSION ITEMS

- 160113** Discussion Item/Republic Services
- Discussion Item as requested by Councilperson Mays (3-28-2016 COTW Meeting), re: A discussion of Republic Services' bid information with CA Sylvester Jones and Mr. Hicks from Republic Services.
- 160195** Discussion Item/Action Plan/Citizens Participation Plan/City Wide Advisory Committee (CWAC)
- A discussion item as requested by Councilperson Fields, re: Action Plan, Citizens Participation Plan and City Wide Advisory Committee (CWAC).
- 160217** Discussion/Administrative Update
- An administrative update by City of Flint officials.
- 160220** Discussion Item/Attendance Request/Committee-of-the-Whole Meeting
- Referral by Councilperson Mays to MAYOR/CITY ADMINISTRATOR/OTHERS: Councilperson Mays is requesting that the following individuals attend the Committee-of-the-Whole meeting at 4:30 p.m. Monday, June 27, 2016, to discuss various aspects of the proposed service line replacement fee: Mayor Karen Weaver, City Administrator Sylvester Jones, Kay Muhammad, Jesse Buchanan, Sam Muma and representatives from the Legal and Finance Departments.
- 160221** Discussion Item/Master Fee Schedule/RFPs
- Referral by Councilperson Fields to LEGAL DEPARTMENT: She would like to know how the city can send out RFPs with pricing from a Master Fee Schedule that has not yet been approved by the City Council.
- 160222** Discussion Item/Master Fee Schedule/Issuance of RFPs
- Referral by Councilperson Fields to LEGAL DEPARTMENT: She would like to know if the city can issue RFPs for the same work again, after all the bids have



been opened and viewed.

**160223** Copies/'Rebuild Flint the Right Way'

Referral by Councilperson Fields to CITY ADMINISTRATOR: She would like a draft copy of "Rebuild Flint the Right Way." She would like the copies before Monday's Committee-of-the-Whole Meeting. Please provide enough copies for all councilpersons and for the record.

**160224** Discussion Item/Liability/Water Line Replacement Program

Referral by Councilperson Fields to LEGAL DEPARTMENT: She wonders who holds the liability if a contractor makes a mistake on a water line replacement job (like damaging a sewer pipe)?

**160225** Discussion Item/Republic Services Bid Information

Referral by Councilperson Mays to PURCHASING: He requests the presence of Purchasing Director Derrick Jones at the June 27, 2016, Committee-of-the-Whole Meeting to discuss 160113 (Republic Services).

**160226** Discussion Item/Proposed Ordinance/City Wide Advisory Council

Referral by Councilperson Fields to LEGAL: She asks the Legal Department to put the proposed draft ordinance in the proper format.

## **ADDITIONAL COUNCIL DISCUSSION**

## **ADJOURNMENT**