

# **City of Flint, Michigan**

*Third Floor, City Hall  
1101 S. Saginaw Street  
Flint, Michigan 48502  
[www.cityofflint.com](http://www.cityofflint.com)*



## **Meeting Agenda - Final**

**Monday, February 4, 2019**

**5:30 PM**

**Council Chambers**

### **CITY COUNCIL**

*Herbert J. Winfrey, President, Ward 6  
Monica Galloway, Vice President, Ward 7*

*Eric Mays, Ward 1*

*Santino J. Guerra, Ward 3*

*Jerri Winfrey-Carter, Ward 5*

*Maurice D. Davis, Ward 2*

*Kate Fields, Ward 4*

*Allan Griggs, Ward 8*

*Eva L. Worthing, 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.*

**REQUESTS FOR CHANGES AND/OR ADDITIONS TO AGENDA**

*Council shall vote to adopt any amended agenda.*

**SPECIAL ORDER**

190024 Special Order/Freeman Robotics

A Special Order as requested by 9th Ward Councilperson Eva Worthing to allow for a presentation by Kim Weber, Organizer, F.R.A.Y.T. Leviathone, FRC Team 1322, re: Freeman Elementary Robotics Team.

**PRESENTATION OF MINUTES****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.*

**COMMUNICATIONS****APPOINTMENTS**

**RESOLUTIONS****180590**      Approval/City of Flint Statement of Policy/Anti-Bullying

Resolution resolving that the Flint City Council agrees to adopt the Anti-Bullying Policy, as requested by Human Resources.[ NOTE: Policy is attached.]

**180591**      Approval/City of Flint Statement of Policy/Harassment and Discrimination in the Work Place/Complaint Procedure

Resolution resolving that the Flint City Council agrees to adopt the Harassment and Discrimination in the Work Place Policy, and Complaint Procedure, as requested by Human Resources.[NOTE: Policy is attached.] [NOTE: Policy last adopted on April 22, 2015.]

**190001**      Policies & Guidelines/Consideration of Poverty Exemption Applications

Resolution resolving that to be eligible for consideration of a hardship exemption pursuant to MCL 211.7u in the City of Flint that a person must be the owner and must occupy the property as a homestead, as defined, for which the exemption is requested; file a completed and notarized application; submit copies of federal and state income tax returns for all persons that resided in the homestead, including property tax credit forms and/or Statement of Benefits paid from the Michigan Department of Social Services or Social Security Administration; and meet City of Flint poverty income standards (which is part of this resolution), AND, resolving that the applicant and all qualifying persons that resided in the home must have an annual adjusted income less than the amounts shown (in this resolution), AND, resolving that the applicant's asset level, excluding the homestead, may not exceed \$10,000.00, regardless of income level, AND, resolving that the applicant may not have ownership interest in any real estate other than the homestead, nor shall anyone else living outside of the household have interest in this homestead and (the applicant) must own the home for at least one calendar year, AND, resolving that a hardship exemption may be granted for only one year at a time, AND, resolving that the City of Flint Board of Review shall request identification of the applicant and/or proof of ownership of the homestead under consideration for hardship exemption, AND, resolving that the board of review may request from the applicant any supporting documents which may be utilized in determining a hardship exemption request, AND, resolving that the completed hardship exemption application must be filed after January 1, but before the day prior to the last day of the board of review in the year for which exemption is sought, AND, resolving that the board of review shall administer an oath wherein the applicant testifies as to the accuracy of the information provided, AND, resolving that the board of review may deviate from the established policy and guidelines only for substantial and compelling reasons, and that the applicant will be notified in writing the reasons for deviating from the policy and guidelines for hardship exemption, AND, resolving that to conform with the provisions of Public Act 390 of 1994, this resolution is hereby given immediate effect, as requested by the Assessments.

**190008**      Multi-Year/Contract/American Electric Motor Corp./Motor Repair & Rewind Services

Resolution resolving that the proper city officials, upon the City Council's approval, are hereby authorized to enter into a contract with American Electric Motor Corp. for two-year motor repair and rewind services, as requested by Water Plant/Water Pollution Control, in an annual amount NOT-TO-EXCEED \$45,000.00 [Sewer Fund Acct. No. 590-550.202-775.000 = \$3,000.00 and Acct. No. 590-550.202-930.000 = \$17,000.00, and Water Fund Acct. No. 591-545.201-930.000 = \$25,000.00.]

**190009**      Public Hearing Date/Plant Rehabilitation District/1101 S. Center Road/Zone 2

Resolution resolving that a public hearing to consider the establishment of a Plant Rehabilitation District (on the property commonly known as 1101 S. Center Road (Zone 2), Flint, be held at 5:30 p.m. on the \_\_\_\_ day of \_\_\_\_\_ 2019, in City Council Chambers, Flint City Hall, 1101 S. Saginaw Street, Flint, as requested by the Community and Economic Development Division (CED), and that notice of such hearing shall be published in an official paper of general circulation not less than ten (10) days prior to said hearing, AND, resolving that at said hearing interested parties shall have an opportunity to appear and be heard.

**190010**      Public Hearing Date/Plant Rehabilitation District/1101 S. Center Road/Zones 3 & 4

Resolution resolving that a public hearing to consider the establishment of a Plant Rehabilitation District (on the property commonly known as 1101 S. Center Road (Zones 3 & 4), Flint, be held at 5:30 p.m. on the \_\_\_\_ day of \_\_\_\_\_ 2019, in City Council Chambers, Flint City Hall, 1101 S. Saginaw Street, Flint, as requested by the Community and Economic Development Division (CED), and that notice of such hearing shall be published in an official paper of general circulation not less than ten (10) days prior to said hearing, AND, resolving that at said hearing interested parties shall have an opportunity to appear and be heard.

**190013**      CO#1/Contract/EMAR Construction/Repairs to Single-Family Homes/1318 West Moore Street/1414 West Moore Street

Resolution resolving that the appropriate city officials are authorized to execute Change Order #1 to increase the EMAR Construction contract for 1318 West Moore Street and 1414 West Moore Street, Contract #18-012, by \$24,557.00, for a total revised amount of \$72,491.00, as requested by the Division of Community and Economic Development [Planning & Development General Fund Acct. No. 101-371.209-801.000.] [NOTE: The repair services were procured using Community Development Block Grant (CDBG) Funds, however, the properties suffered vandalism while sitting vacant and must be repaired before they can be sold. Since CDBG funds cannot be used again on the same properties, the money will come from Planning & Development's General Fund.]

- 190014** CO#1/Contract/EMAR Construction/Repairs to Three (3) Single-Family Homes/Smith Village
- Resolution resolving that the appropriate city officials are authorized to execute Change Order #1 to increase the EMAR Construction contract (for three single-family homes in Smith Village), Contract #18-108, by \$27,556.00, for a total revised amount of \$81,233.00, as requested by the Division of Community and Economic Development [Planning & Development General Fund Acct. No. 101-371.209-801.000.] [NOTE: The repair services were procured using Community Development Block Grant (CDBG) Funds, however, the properties suffered vandalism while sitting vacant and must be repaired before they can be sold. Since CDBG funds cannot be used again on the same properties, the money will come from Planning & Development's General Fund.]
- 190017** Extension/Sale of Alcoholic Beverages/St. Patrick's Day
- Resolution resolving that in order to support the celebration of St. Patrick's Day in the City of Flint, as well as to promote Flint restaurants and bars, the sale of beer, wine, spirits, mixed spirits and liquor shall be permitted on Sunday, March 17, 2019, from 7 a.m. until Monday, March 18, 2019, at 2 a.m.
- 190023** Budget Amendment/C.S. Mott Grant/Salary/Department of Public Works Director/Grant Writer/Economic Development/Rebuilding Flint the Right Way
- Resolution resolving that city officials are hereby authorized to do all things necessary to amend the FY2019 budget to include additional funding for the DPW Director salary [partial-\$154,398.00], as well as [for economic development (\$60,000.00), Rebuilding Flint the Right Way (\$60,000.00) and grant writer (\$120,000.00).] All funds are to be placed in the 296 Fund and into Grant Code LCSM-17-FRTA, and city officials are authorized to abide by the terms of C.S. Mott Grant #2016-00651. [NOTE: The Charles Stewart Mott Foundation awarded Flint \$417,199.00 in January 2017 to assist in Flint's financial recovery process.]

## **RESOLUTIONS (May Be Referred from Special Affairs)**

- 190025** Collective Bargaining Agreement/City of Flint/Police Officers Labor Council Sergeants Unit
- Resolution resolving that the Flint City Council approves the Collective Bargaining Agreement between the City of Flint and the Police Officers Labor Council Sergeants Unit.

## **LIQUOR LICENSES**

## **INTRODUCTION AND FIRST READING OF ORDINANCES**

- 180523.1** Amendment/Ordinance/Chapter 2 (Administration)/Article VI (City Wide Advisory Council) [CWAC]

Amended ordinance to amend Chapter 2 (Administration), Article VI (City Wide Advisory Council), of the Code of the City of Flint by amending Sections 2-26 through 2-26.4, and adding new sections 2-26.5 (Conflicts of Interests) and 2-26.6 (Disqualification). [NOTE: Ordinance amended to include "reprogrammed funds."]

**190012** Amendment/Ordinance/Article VI/Chapter 35 (Personnel)/Section 35-112.13 (Adoption-Job Description & Qualifications)/Ombudsperson

An ordinance to amend the Flint City Code of Ordinances by amending Article VI, Chapter 35 (Personnel); Section 35-112.13 (Adoption - Job Description and Qualifications), to add Ombudsperson.

## **SECOND READING AND ADOPTION OF ORDINANCES**

## **FINAL COUNCIL COMMENTS**

## **ADJOURNMENT**

180590

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 11-20-18

ADOPTED: \_\_\_\_\_

**RESOLUTION TO ADOPT THE ANTI-BULLYING POLICY**

**BY THE MAYOR:**

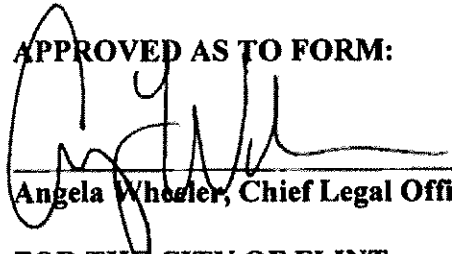
**WHEREAS,** The City of Flint intends to protect the rights of public servants and employees by adopting policies and procedures regarding bullying.

**WHEREAS,** The City has prepared an Anti-Bullying Policy. The policy is attached.


**WHEREAS,** Mayor, Karen W. Weaver recommends adopting the Anti-Bullying Policy.

**THEREFORE, BE IT RESOLVED** that the Flint City Council agrees to adopt the Anti-Bullying Policy.

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

**FOR THE CITY OF FLINT:**

  
\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

**APPROVED AS TO FINANCE:**

  
\_\_\_\_\_  
Hughey Newsome, Chief Financial Officer

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
Herbert Winfrey, City Council President

# Resolution Routing

**TO:** Resolution Signatories  
**FROM:** **Law Department**  
**SUBJECT:** RESOLUTION FOR APPROVAL

This RESOLUTION has been forwarded to you for your respective review and approval.

**Date recorded:** 11/15/2018 18-6470

All documents should be reviewed within three working days after receipt by your office.

## Anti-Bullying Policy

The attached resolution is submitted to the Legal Dept. for approval as to form only:

<b>Review and Approval:</b>	<b>IN</b>	<b>OUT</b>	<b><u>Approval</u></b>
1. City Attorney (Form Only):		11/15/2018	
2. Finance		11/15/2018	
3. City Administrator			

**Please call Jennifer at ex. 2082**





## City of Flint

<b>Policy: Anti-Bullying Policy</b>	<b>Original Date:</b>
<b>Issued by the City of Flint Legal Department and the Human Resources &amp; Labor Relations Department</b>	<b>Revision Date:</b>

Disclaimer: No statements in this policy are intended or set forth as contractual commitments or obligations of the City to any individual employee or group of employees or to establish an exception to the employment-at-will doctrine beyond that specified in contracts or pertinent collective bargaining agreements. If there are differences between the various collective bargaining agreements and this policy, the pertinent collective bargaining agreement takes precedence.

## INTRODUCTION

The following is the City of Flint's policy prohibiting bullying of City public servants<sup>1</sup>, employees or job applicants. The Complaint/Report Procedure described in this policy should be utilized to report bullying. The City will take appropriate action to prevent bullying and will protect the rights of public servants and employees who file complaints.

## PURPOSE

The City of Flint ("City") considers workplace bullying unacceptable and will not tolerate it under any circumstances. This policy shall apply to all public servants, employees, contractors, interns, externs, and volunteers. Any employee found in violation of this policy will be disciplined, up to and including discharge.

### A. Work Place Bullying Defined

The City defines bullying as persistent, malicious, unwelcome, severe and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee, whether verbal, physical or otherwise, at the place of work and/or in the course of employment.

The City promotes a healthy workplace culture where all employees are able to work in an environment free of bullying behavior.

The City encourages all public servants and employees to report any instance of bullying behavior. Any reports of this type will be treated seriously, investigated promptly and impartially. The complaint and procedure policy will be followed as found in this policy.

### B. Work Place Bullying Behavior

The City considers the following types of behavior as workplace bullying. Please note, this list is not meant to be exhaustive and is only offered by way of example:

1. Exclusion or social isolation;
2. Excessive monitoring or micro-managing;
3. Personal attacks (angry outbursts, excessive profanity, or name-calling);
4. Encouragement of others to turn against the targeted employee;
5. Sabotage of a co-worker's work product or undermining of an employee's work performance;
6. Stalking;

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<sup>1</sup> Public Servants: All persons employed or otherwise engaged by the Corporation of the City of Flint to conduct business on its behalf including but not limited to elected officials, appointed employees, members of boards and commissions, classified employees, contractual employees, and volunteers. Flint City Charter §1-405

7. Unwelcome touching or uncontested-to touching;
8. Invasion of another's person's personal space;
9. Unreasonable interference with an employee's ability to do his or her work (i.e., overloading of emails);
10. Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets; and
11. Conduct a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests

#### C. Complaint/Report Procedure

The following procedure shall be utilized by the City public servants and employees for the processing of complaints relating to bullying in the work place. This procedure shall apply only to those complaints directed against a person who at the time of the filing of the complaint is a City of Flint employee or public servant. The procedure may be utilized with regard to complaints covering administrators, supervisory personnel and co-employees. While the procedure itself is not directly applicable to complaints involving non-employees of the City of Flint, any bullying from such individuals in the City of Flint work place should be brought to the attention of the employee's supervisor and/or the Human Resources Director.

##### 1. City of Flint Fact Finding Procedure

- i. An employee, regardless of position, who feels he or she is being or has been subjected to bullying is expected to notify the Human Resources Director or his/her supervisor (or a higher level supervisor if the immediate supervisor is the offending party) immediately by issuing their complaint in writing or verbally. All complaints will be forwarded to the Human Resources Director if the offending party. If the Human Resources Director is believed to have violated the City's Anti-Bullying Policy, the employee should immediately file a written or verbal complaint with the City Attorney.
- ii. The written complaint must provide the following:
  - a. The dates and times the instances of bullying have occurred;
  - b. The identity of the perpetrators;
  - c. Any known witnesses;
  - d. The nature of the conduct amounting to bullying; and
  - e. A request for an investigation.
- iii. If a verbal complaint is made then the person who took the complaint must reduce the complaint to writing and provide the requirements listed under Section E(1)(ii)

The Human Resources/Labor Relations Director then assigns an Investigator to the complaint. Information received during the complaint process will be treated as confidentially as may be permitted under the circumstances, giving due regard to an employee's right to be apprised of and respond to allegations made against him or her.

## **2. Investigation Process**

- i. During the investigation a statement of public servants and/or employees or others with any possible knowledge of the situation are obtained through interviews. The statement may be reduced to writing for signature by the maker of the statement recorded or transcribed at the discretion of the investigator.
- ii. The complainant and the accused employee may be accompanied at the time of the statement by his or her union steward. Other persons may not be allowed at the time the statement is made.
- iii. Any physical and/or documentary evidence is collected or secured.
- iv. Upon completion of the investigation, a summary report of the findings and the Investigator's recommendation is prepared and submitted to the Human Resources Director.
- v. The Human Resources Director in consultation with the City Administrator will issue the final determination as to whether the City's Anti-Bullying Policy has been violated.
- vi. If it is found the Policy has been violated, the Human Resources and Labor Relations Director in consultation with the City Administrator will determine what amount of disciplinary action is appropriate, and initiate implementation of discipline.

Although confidentiality will be maintained to the extent practicable throughout the investigation process, notification to the accused may occur at any step of this investigation process.

At any stage in the process an investigation may be discontinued or held in abeyance due to conflicting or insufficient evidence, improper motivation or lack of jurisdiction as determined by the Investigator. The Human Resources Director, in consultation with the City Administrator, shall have final authority to determine whether an investigation proceeds or is discontinued. If the Human Resources Director is the subject of such investigation, final authority shall rest with the City Attorney.

**3. Unsubstantiated Complaints**

- i. If, as a result of the investigation, it is determined no violation of the policy has occurred, or there is insufficient information from which to make a determination whether a violation has occurred: The complaint and alleged bully shall be notified of the finding and the reason(s) therefore.

**D. False Allegations**

- i. If after an investigation the City of Flint finds clear and convincing evidence a complainant knowingly made false complaints, the complainant may be subject to disciplinary action up to and including termination.

DRAFT

180591

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 11-20-18

ADOPTED: \_\_\_\_\_

**RESOLUTION TO ADOPT HARASSMENT AND DISCRIMINATION IN THE WORK  
PLACE POLICY AND COMPLAINT PROCEDURE**

**BY THE MAYOR:**

**WHEREAS,** The City of Flint intends to protect the rights of public servants and employees by adopting policies and procedures regarding discrimination and harassment.

**WHEREAS,** The City has prepared a Harassment and Discrimination in the Work Place Policy and Complaint Procedure. The policy is attached.

**WHEREAS,** Mayor, Karen W. Weaver recommends adopting the Harassment and Discrimination in the Work Place Policy and Complaint Procedure.

**THEREFORE, BE IT RESOLVED** that the Flint City Council agrees to adopt the Harassment and Discrimination in the Work Place Policy and Complaint Procedure.

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

**FOR THE CITY OF FLINT:**

  
\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

**APPROVED AS TO FINANCE:**

  
\_\_\_\_\_  
Hughey Newsome, Chief Financial Officer

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
Herbert Winfrey, City Council President

# Resolution Routing

**TO:** Resolution Signatories  
**FROM:** **Law Department**  
**SUBJECT:** RESOLUTION FOR APPROVAL

This RESOLUTION has been forwarded to you for your respective review and approval.

Date recorded: 11/15/2018

18-6469

All documents should be reviewed within three working days after receipt by your office.

## Harassment and Discrimination Policy

The attached resolution is submitted to the Legal Dept. for approval as to form only:

Review and Approval:	IN	OUT	<u>Approval</u>
1. City Attorney (Form Only):		11/15/2018	
2. Finance		11/15/2018	
3. City Administrator			

**Please call Jennifer at ex. 2082**



## City of Flint

<b>Policy: Harassment and Discrimination In the Work Place Policy and Complaint Procedure</b>	Original Date:
Issued by the City of Flint Legal Department and the Human Resources & Labor Relations Department	Revision Date:

Disclaimer: No statements in this policy are intended or set forth as contractual commitments or obligations of the City to any individual employee or group of employees or to establish an exception to the employment-at-will doctrine beyond that specified in contracts or pertinent collective bargaining agreements. If there are differences between the various collective bargaining agreements and this policy, the pertinent collective bargaining agreement takes precedence.



## INTRODUCTION

The following is the City of Flint's policy prohibiting discrimination and harassment of City public servants<sup>1</sup>, employees or job applicants on any basis protected by federal, state or local law. The Complaint/Report Procedure described in this policy should be utilized to report discrimination and harassment. The City will take appropriate action to prevent discrimination and harassment and will protect the rights of public servants and employees who file complaints.

## PURPOSE

Because the City of Flint ("the City") is an equal opportunity employer, it is the policy of the City that public servants, officials, employees and applicants shall receive consideration and treatment consistent with all equal employment opportunity laws in all terms and all conditions of work. This includes a workplace free of discriminatory and harassing conduct as those terms are defined. The City does not discriminate against anyone on the basis of race, color, religion, ancestry, national origin, place of birth, sex, sexual orientation, gender identity, gender expression, familial status, age, or non-disqualifying physical or mental disability, or any basis protected by federal, state, or local law.

The City strives to provide a work environment which promotes respect and in which each employee has the opportunity to develop to his or her full potential. Discrimination and harassment are strictly prohibited, not only because they violate the law, but also because they are contrary to the City's interest in attracting, retaining and promoting the most talented, effective and dedicated employees.

The City has an internal Complaint/Report Procedure to address and resolve complaints of discrimination and harassment. The City will take appropriate action to prevent discrimination and harassment, and to protect the rights of public servants who file complaints.

### A. Discrimination is Prohibited

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<sup>1</sup> Public Servants: All persons employed or otherwise engaged by the Corporation of the City of Flint to conduct business on its behalf including but not limited to elected officials, appointed employees, members of boards and commissions, classified employees, contractual employees, and volunteers. Flint City Charter §1-405

The City requires all applicants, public servants, and employees be treated as individuals, on the basis of their own qualifications, skills, abilities, conduct and performance.

Discrimination on account of any status protected by law, including but not limited to those identified in the first paragraph above, is prohibited. This Policy applies to all employment practices, including recruitment, hiring, evaluation, promotion, transfer, discipline and termination, as well as to all forms of compensation and benefits.

All personnel working for the City, including public servants, contractors, students, interns, externs and volunteers are required to comply with this Policy, including the Complaint/Report procedure. All personnel must behave in a non-discriminatory and business-like manner in all dealings with co-workers and all non-employees of the City contracted in the course of employment. The Policy also prohibits discrimination and harassment by persons doing business with the City, including vendors.

## **B. Harassment is Prohibited**

Additionally, this Policy prohibits harassment, both in the workplace and in other work-related activities, such as business trips and business-related meetings and social events. No employee should have to tolerate harassment of the type described in this Policy and the City takes allegations of harassment seriously. The City will promptly investigate all reports and complaints of prohibited harassment. If it is determined inappropriate conduct has occurred, the City will take corrective and remedial action appropriate to the situation. If any public servant or employee engages in harassment prohibited by this Policy, they will be subject to disciplinary action, up to and including discharge.

## **C. Sexual Harassment is Prohibited**

Sexual harassment in the workplace or in other work-related settings is illegal and is prohibited by this Policy. Sexual harassment is typically defined as unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature, when:

- Submission to that conduct is made explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of that conduct is used as a basis for employment decisions; or
- The conduct has the effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

For the purpose of this Policy "unwelcome" means "unwanted." An employee should never assume any such conduct is welcomed by others.

Under the definition given above, sexual harassment includes a direct or implied request by a supervisor for sexual favors in exchange for favorable job action (such as a favorable review, a salary increase or promotion) or in exchange for avoiding unfavorable job action (such as demotion, discipline or discharge). Any such requests are strictly prohibited and will result in disciplinary action or discharge. If any supervisor or manager makes any such direct or implied request, it must be reported as described in the policy. The City will take actions appropriate to fully investigate allegations of harassment.

The legal definition of sexual harassment also includes other types of conduct. While it is not possible to describe all circumstances which may constitute sexual harassment, the following are examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity and pervasiveness of the conduct:

- Sexual advances and propositions, with or without physical contact;
- Making or threatening reprisal for a negative response to sexual advances;
- Sexual epithets and jokes and written or oral remarks about a person's sex life, body or sexual activities, sexual deficiencies or prowess;
- Displaying or circulating obscene or sexually suggestive objects, pictures, cartoons, internet materials or screen-savers;
- Gossip or questions about someone's sexual experiences, gender identification, or orientation or talking about sexual experiences;
- Assaults, pinching, hugging, kissing or touching of an offensive or sexual nature or rubbing up against the body or impeding or blocking movement;
- Leering, wolf whistles, catcalls, sexual slurs or gestures, or sexually suggestive, insulting or degrading comments;
- Sexually suggestive or obscene letters, notes, e-mails or invitations; and
- Repeated flirtation, requests for dates and the like by anyone to someone who has indicated such attentions are not welcome.

*Whether such conduct is deemed to be illegal or not, unwelcome and offensive conduct of these types by any individual toward anyone is prohibited by this Policy. Anyone found to be in violation of this policy is subject to disciplinary action up to and including termination and any other penalties recognized by Federal, State and Local law.*

## **D. Other Types of Harassment are Prohibited**

Not all harassment is sexual. This Policy also prohibits verbal or physical harassment of any person because of his or her race, color, religion, ancestry, national origin, place of birth, sex, sexual orientation, gender identity, gender expression, familial status, age, disability, height, weight, marital status, or protected status or exercise of legal rights, including the right to report violations of this Policy, where such conduct is unwelcome and has the effect

of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Whether any such conduct is deemed to be illegal or not, conduct such as that described below is prohibited:

- Epithets, slurs, ridicule, insults, or threatening, intimidating or hostile acts, including those that purport to be "jokes" or "pranks," made to or about someone because of his or her membership in a protected class or exercise of legal rights;
- Stereotyping or offensive comments, cartoons, pictures or objects that denigrate or insult members of a protected class or those who exercise legal rights; and
- Demeaning, hostile or derogatory remarks directed at someone because of his or her protected class status or exercise of legal rights.

These are just some examples of conduct which may constitute harassment, depending upon the totality of circumstances, including the severity and pervasiveness of the conduct.

## **E. Complaint/Report Procedure**

The following procedure shall be utilized by the City public servants and employees for the processing of complaints relating to discrimination and harassment. This procedure shall apply only to those complaints directed against a person who at the time of the filing of the complaint is a City of Flint employee or public servant. The procedure may be utilized with regard to complaints covering administrators, supervisory personnel and co-employees. While the procedure itself is not directly applicable to complaints involving non-employees of the City of Flint, any discrimination or harassment from such individuals in the City of Flint work place should be brought to the attention of the employee's supervisor and/or the Human Resources Director.

### **1. City of Flint Fact Finding Procedure**

- i. An employee, regardless of position, who feels he or she is being or has been subjected to illegal discrimination or harassment by another person on the basis of their race, color, sex, religion, ancestry, national origin, place of birth, sex, sexual orientation, gender identity, gender expression, familial status, age, disability height, weight, marital status, is expected to notify the Human Resources Director or his/her supervisor (or a higher level supervisor if the immediate supervisor is the offending party) immediately by issuing their complaint in writing or verbally. All complaints will be forwarded to the Human Resources Director unless the Human Resources Director is the offending party. If the Human Resources Director is believed to have violated the City's No Harassment and Discrimination in the Work Place Policy, the employee should immediately file a written or verbal complaint with the City Attorney.

- ii. The written complaint must provide the following:
  - a. The dates and times the instances of discrimination or harassment have occurred;
  - b. The identity of the perpetrators;
  - c. Any known witnesses;
  - d. The nature of the conduct amounting to the discrimination or harassment; and
  - e. A request for an investigation
- iii. If a verbal complaint is made then the person who took the complaint must reduce the complaint to writing and provide the requirements listed under Section E(1)(ii).

The Human Resources/Labor Relations Director then assigns an Investigator to the complaint. Information received during the complaint process will be treated as confidentially as may be permitted under the circumstances, giving due regard to an employee's right to be apprised of and respond to allegations made against him or her.

## **2. Investigation Process**

- i. During the investigation a statement of public servants and/or employees or others with any possible knowledge of the situation are obtained through interviews. The statement may be reduced to writing for signature by the maker of the statement recorded or transcribed at the discretion of the investigator.
- ii. The complainant and the accused employee may be accompanied at the time of the statement by his or her union steward. Other persons may not be allowed at the time the statement is made.
- iii. Any physical and/or documentary evidence is collected or secured.
- iv. Upon completion of the investigation, a summary report of the findings and the Investigator's recommendation is prepared and submitted to the Human Resources Director.
- v. The Human Resources Director in consultation with the City Administrator will issue the final determination as to whether the City's No Harassment and Discrimination in the Work Place Policy has been violated.

- vi. If it is found the Policy has been violated, the Human Resources and Labor Relations Director in consultation with the City Administrator will determine what amount of disciplinary action is appropriate, and initiate implementation of discipline.

Although confidentiality will be maintained to the extent practicable throughout the investigation process, notification to the accused may occur at any step of this investigation process.

At any stage in the process an investigation may be discontinued or held in abeyance due to conflicting or insufficient evidence, improper motivation or lack of jurisdiction as determined by the investigator. The Human Resources Director, in consultation with the City Administrator, shall have final authority to determine whether an investigation proceeds or is discontinued. If the Human Resources Director is the subject of such investigation, final authority shall rest with the City Attorney.

### **3. Unsubstantiated Complaints**

- i. If, as a result of the investigation, it is determined no violation of the policy has occurred, or there is insufficient information from which to make a determination whether a violation has occurred: The complainant and alleged harasser shall be notified of the finding and the reason(s) therefore.

## **F. Federal, State and Local Laws**

Federal, state and local laws prohibit illegal discrimination, harassment and retaliation. It is the policy of the City to comply with all state and federal laws which prohibit illegal harassment and discrimination in the workplace, including the Elliott-Larsen Civil Rights Act and Title VII of the 1964 Civil Rights Act.

## **G. False allegations**

If after an investigation the City of Flint finds clear and convincing evidence a complainant knowingly made false complaints, the complainant may be subject to disciplinary action up to and including termination.

# **CITY OF FLINT**

## **ALCOHOL & DRUG FREE WORKPLACE AND TESTING POLICY**

### **1. PURPOSE**

The City of Flint recognizes the importance of a drug and alcohol free workplace. The abuse of drugs, alcohol or other chemical substances by an employee endangers the safety of the public, the employee, and other City employees. The City recognizes it is in its best interest, as well as the best interest of its employees and the public, to prevent and eliminate drug, alcohol and/or substance abuse in the work place. Any employee found using, possessing, selling, distributing or being under the influence of an illegal chemical substance and/or alcohol during working hours, while on City property, or while using City equipment will be subject to discipline up to and including termination of employment.

### **2. APPLICATION**

This policy applies to all employees as well as all applicants for employment once they have received a conditional offer of employment.

Nothing in this policy shall conflict with the Collective Bargaining Agreements of any employees. If a provision of this policy conflicts, the Collective Bargaining Agreement prevails.

Because of Federal law requirements, any employee who is convicted of manufacturing, distributing, dispensing, possessing, or use of controlled substances in the workplace must report that fact within five days of the conviction to the Director of Human Resources and Labor Relations. If your job relates to, or is funded by a Federal grant or contract, the City is required to notify the Federal Government of your conviction within ten (10) days.

### **3. APPLICANT PRE-EMPLOYMENT TESTING**

All applicants will undergo drug and/or alcohol testing following a conditional offer of employment, but prior to final hiring and assignment. Refusal to undergo a test, or a positive test, will result in the City withdrawing its conditional offer of employment. In addition, adulteration of a specimen or a drug or alcohol test will be considered as a refusal to undergo a test.

### **4. FOR CAUSE TESTING**

Drug and/or alcohol testing may be conducted on any employee at any time the City has reasonable suspicion there is cause to believe an employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:

- a. Observation of drugs or alcohol on or about the employee's person or in the employee's vicinity;
- b. Observation of conduct on the part of the employee that suggests that the employee is impaired or is under the influence of drugs or alcohol;

- c. Receipt of a report of drug or alcohol use by an employee while at work;
- d. Information that an employee has tampered with drug or alcohol testing at any time;
- e. Negative job performance patterns by the employee; or
- f. Excessive or unexplained absenteeism or tardiness.

The supervisor will verbally inform the employee of the reason for the test. Additionally, a written record of the situation leading to the drug or alcohol test will be created and signed by the supervisor(s) within 24 hours of the event. A copy of the report will be forwarded to the Human Resources and Labor Relations Department.

#### **5. POST-ACCIDENT TESTING**

Post-Accident drug and/or alcohol testing may be conducted on an employee where there has been damage to City property or equipment while the employee was at work or the employee or another person has sustained an injury while at work. The post-accident test will be administered while the employee is still on duty or as close as possible. No employee required to take a post-accident alcohol or drug test may use any alcohol or drugs of any kind following the accident until the employee undergoes the post-accident testing.

#### **6. RANDOM TESTING**

The City of Flint will randomly test employees for compliance with its drug-free workplace policy. As used in this policy, "random testing," means a method of selection of employees for testing, performed by an outside third party. The selection will result in an equal probability that any employee from a group of employees will be tested. Furthermore, the City of Flint has no discretion to waive the selection of an employee selected by this random selection method.

The City may, at various times, randomly select members of the following employment groups, at its discretion, for unannounced random testing for drugs or alcohol:

- a. Police officers
- b. Firefighters
- c. Safety-Sensitive Employees: Persons engaged in activities that directly affect the safety of the public.
- d. Employees whose work requires possession of a CDL.

#### **7. SCHEDULED PERIODIC TESTING**

The City of Flint reserves the right to conduct periodic testing on a regularly scheduled basis for employees in designated departments, classifications or workgroups.

#### **8. RETURN TO DUTY TESTING**

When an employee has a confirmed positive test result, or has been sent to a drug dependency program at the request of the City of Flint as a condition of continued



employment, the employee will be required to be tested at least six (6) times in the first twelve (12) months following the employee's return to active duty. Return to Duty tests must be conducted under direct supervision.

#### **9. SUBSTANCES COVERED BY DRUG AND ALCOHOL TESTING**

Employees will be tested for their use of commonly abused controlled substances, which include amphetamines, barbiturates, benzodiazepines, opiates, cannabinoids\*, cocaine, methadone, methaqualone, phencyclidine (PCP), propoxyphene and chemical derivatives of these substances.

Employees must advise testing lab employees of all prescription drugs taken in the past month before the test and be prepared to show proof of such prescriptions to testing lab personnel.

*\* Despite Michigan law, marijuana for medical or recreational use is a Drug Enforcement Administration listed Schedule I controlled substance and therefore is prohibited.*

#### **10. MARIJUANA USE PROHIBITED**

The State of Michigan has enacted legislation allowing for the recreational and medical use of marijuana. Despite Michigan law, marijuana for medical or recreational use is a Drug Enforcement Administration listed Schedule I controlled substance. Therefore, the marijuana use remains prohibited when engaged in activities governed by Federal law specifically, the U.S. Department of Transportation (DOT) Drug and alcohol testing regulations.

The City of Flint, as an employer, is required to ensure the safety and protection of the citizens served by its employees. Therefore, the enactment of the Medical Marijuana Act (MMA) and recreational marijuana usage legislation does not override existing policies concerning the following:

- The City of Flint Alcohol & Controlled Substance Testing Policies and Procedures for Employers with Commercial Driver's License (CDL) or City policies affiliated with DOT Federal Transit Administration Regulations;
- Negligent entrustment of City vehicles;
- Driving while impaired or yielding positive test results post-accident, including the operation of City vehicles or a private vehicle while conducting City business;
- Any employee engaged in conduct or action prohibited by the MMA;
- Smoking marijuana in public;
- Possession of marijuana at schools or correctional facilities;
- Operating a vehicle under the influence of marijuana;
- Selling marijuana during hours of employment, at any City work site and/or on City property;
- Being in possession of marijuana while on City premises or on duty; and
- Working while under the influence of marijuana.

#### **11. TESTING METHODS AND PROCEDURES**

All testing will be conducted by a licensed independent medical laboratory, which will follow testing standards established by the state or federal government. Testing will be conducted on a urine sample provided by the employee to the testing laboratory under procedures established by the laboratory to ensure privacy of the employee, while protecting against tampering/alteration of the test results.

Employees will be considered to be engaged at work for the time spent in taking any tests and will be compensated for such time at their regular rate.

The City of Flint will pay for the cost of the testing, including the confirmation of any positive test result by gas chromatography. The testing lab will retain samples in accordance with state law, so an employee may request a retest of the sample at his or her own expense if the employee disagrees with the test result.

#### **12. REFUSAL TO UNDERGO TESTING**

Employees who refuse to submit to a test are subject to disciplinary action, up to and including immediate discharge.

#### **13. POSITIVE TEST**

If an employee tests positive on an initial screening test, the employee will be temporarily suspended while the confirmation test is being conducted. On receipt of the confirmation test, the employee will be subject to disciplinary action, up to and including discharge. Discipline selected by the City of Flint will depend on a variety of factors, including, but not limited to, the prior work record of the employee, the length of prior employment, the prior accident and attendance record of the employee, the circumstances that led to the testing, and the proposals by the employee to address the problem.

#### **14. RIGHT TO EXPLAIN TEST RESULTS**

All employees and applicants have the right to meet with the testing laboratory personnel, and with the City of Flint, to explain their test results. These discussions should be considered confidential, except information disclosed in such tests will be communicated to personnel within the City of Flint Human Resources and Labor Relations department or within the lab who need to know such information to make proper decisions regarding the test results or regarding the employment of the individual.

#### **15. RIGHT TO REVIEW RECORDS**

Employees have a right to obtain copies of all test results from the testing laboratory, or from the City of Flint. When an employee disagrees with the test results, the individual may request the testing laboratory repeat the test. Such repeat testing will be at the expense of the individual, unless the repeat test overturns the original report of the lab, in which case the City of Flint will reimburse the employee for the costs incurred for the retest.

**16. CONFIDENTIALITY REQUIREMENTS**

All records concerning test results will be kept in medical files that are maintained separately from the personnel file of the employee.

Testing laboratories may conduct testing only for substances included on the disclosure list provided to the individual, and may not conduct general testing related to the medical conditions of the individual that are unrelated to drug use.

**17. RETESTING**

Employees may request a retest of their positive test results within five (5) working days after notification by the City of Flint of such positive test result. This retest is at the expense of the individual, unless the original test result is called into question by the retest.

Where the employee or applicant believes the positive test result was affected by taking lawful or prescribed substances, the individual may be suspended without pay pending receipt of confirming information to substantiate the claims of the individual. Normally, the individual will be provided no more than five (5) business days in which to provide this additional information.

Once City of Flint has determined whether there is evidence to indicate the test results are incorrect, the City of Flint will advise the individual of its decision.

**18. TREATMENT, TERMINATION AND REHIRE**

Employees who test positive for any drug(s) listed on the disclosure list have two (2) choices. One, the employee may agree to enter an authorized treatment program approved by the City of Flint, and agree to subsequent retesting for a period of two (2) years after returning from treatment. Or two, the employee will be terminated immediately and will not be considered for rehire until he or she can show he or she has remained drug-free for a period of two years or more.

**19. RESPONSIBILITIES OF INDIVIDUALS**

In order to comply with the provisions of this policy, each employee assumes the following responsibilities:

- a. *Working under the Influence of Performance Impairing Medication:* Employees who have been prescribed legal medications that might affect the safe performance of their duties are required to notify their supervisors prior to performing any hazardous or dangerous tasks.
- b. *Reporting to Work or Working While Impaired:* Employees may not report to work and may not continue to work while impaired by any restricted substance identified in this policy.
- c. *Reporting Violations:* The services provided by certain employees are performed, at times, under hazardous and dangerous conditions. Thus,

employees are encouraged to come forward and report any violation of this policy to management. This information may be instrumental in the prevention of serious accidents and injuries on the job.

Any questions concerning this policy, its interpretation or application should be directed to the Human Resources and Labor Relations Department.

Policy Enacted: 2004

Policy Revision: November 20, 2006

Policy Revision: December 4, 2018

190001

RESOLUTION NO.:

PRESENTED: 1 - 9 - 19

ADOPTED:

**RESOLUTION ESTABLISHING GUIDELINES FOR GRANTING OF HARDSHIP  
EXEMPTIONS FROM PROPERTY TAXES PURSUANT TO MCL 211.7u AND  
ESTABLISHING BEGINNING DATE FOR THE BOARD OF REVIEW**

WHEREAS, P.A. 390 of 1994, which amended Section 7u of Act 206 of the Public Acts of 1893, as amended by Act 313 of the Public Acts of 1993, being section 211.7u of the Michigan Compiled Laws, requires the governing body of the assessing unit to determine and make available to the public the policy and guidelines for granting of poverty exemptions under MCL 211.70;

THEREFORE, BE IT RESOLVED, That to be eligible for consideration of a hardship exemption pursuant to MCL 211.7u in the City of Flint, a person must be the owner and must occupy the property as a homestead, as defined, for which the exemption is requested; file a completed and notarized application; submit copies of federal and state income tax returns for ALL persons that resided in the homestead including property tax credit forms and/or Statement of Benefits paid from Michigan Department of Social Services or Social Security Administration; and meet City of Flint poverty income standards;

BE IT FURTHER RESOLVED, That the applicant and ALL qualifying persons that resided in the home must have an annual adjusted income less than the amounts shown in Attachment A;

BE IT FURTHER RESOLVED, That the applicant's asset level, excluding the homestead, may not exceed \$10,000; regardless of income level, as shown in Attachment A of this resolution.

BE IT FURTHER RESOLVED, That the applicant may not have ownership interest in any real estate other than the homestead, nor shall anyone else living outside of the household have interest in this homestead and must own the home for at least one calendar year;

BE IT FURTHER RESOLVED, That a hardship exemption may be granted for only one year at a time;

BE IT FURTHER RESOLVED, That the board of review shall request identification of the applicant and/or proof of ownership of the homestead under consideration for hardship exemption;

BE IT FURTHER RESOLVED, That the board of review may request from the applicant any supporting documents which may be utilized in determining a hardship exemption request;

BE IT FURTHER RESOLVED, That the completed hardship exemption application must be filed after January 1, but before the day prior to the last day of the board of review in the year for which exemption is sought;

BE IT FURTHER RESOLVED, That the board of review shall administer an oath wherein the applicant testifies as to the accuracy of the information provided;

BE IT FURTHER RESOLVED, That the board of review may deviate from the established policy and guidelines only for substantial and compelling reasons. The applicant will be notified, in writing, the reasons for deviating from the policy and guidelines for hardship exemption;

BE IT FINALLY RESOLVED, That to conform with the provisions of P.A. 390 of 1994, this resolution is hereby given immediate effect.

#### **ATTACHMENT A**

#### **POVERTY LEVEL GUIDELINES**

Household allowance is the number of persons dwelling under one roof

<b>Family Unit:</b>	<b>Gross Annual Income Can Not Exceed:</b>	<b>Adjusted Annual Household Income Can Not Exceed:</b>
Family unit of 1 member	\$20,000	\$17,000
Family unit of 2 members	\$22,500	\$19,125
Family unit of 3 members	\$25,000	\$21,250
Family unit of 4 members	\$27,500	\$23,375
Family unit of 5 members	\$29,300	\$24,905
Family unit of 6 members	\$32,960	\$28,016
Family unit of 7 members	\$37,140	\$31,569
Family unit of 8 members	\$41,320	\$35,122
Each family member greater than 8	\$5,000	\$4,250

**BE IT RESOLVED,**

**APPROVED AS TO FORM:**


  
Angela Wheeler, City Attorney

  
Dr. Karen W. Weaver, Mayor

**APPROVED AS TO FINANCE:**

  
Hughey Newsome, Chief Financial  
Officer

**CITY COUNCIL:**

  
Herbert Winfrey, Council President

## RESOLUTION STAFF REVIEW

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**DATE:** 11/28/2018

**Agenda Item Title:** Poverty Exemption

**Prepared By:** Stacey Kaahe

**Background/Summary of Proposed Action:**

Criteria in accordance with P.A. 390 of 1994, which amended Section 7u of Act 206 of the Public Acts of 1893, as amended by Act 313 of the Public Acts of 1993, being section 211.7u of the Michigan Compiled Laws, for Poverty Exemption Guidelines and Asset Test to be used by the Board of Review. This year there were no requests from the Board of Review to make changes to the guidelines. The only changes were the adjustment to the income level that is set by the Federal Poverty guidelines and then the City of Flint decreases by an additional 15%. Their income is used to calculate the taxable value for a tax bill at no more than 3.5% of their income.

**Financial Implications:**

This is a tool for the Board of Review that gives guidance when considering qualifications for a hardship exemption from property taxes for residents who own and occupy their home. This exemption does not apply to commercial or industrial properties.

**Budgeted Expenditure?** No Please explain if no: This is a standard application and guidelines that must be set annually.

**Account No.:**

**Pre-encumbered?** No Requisition #

**Other Implications (i.e., collective bargaining):**

**Staff Recommendation:** Approval

Staff Person: Stacey Kaahe  
Stacey Kaahe, Assessor

Approval: Hughey Newsome  
Hughey Newsome, Director of Finance

## 2019 HARDSHIP EXEMPTION APPLICATION INSTRUCTIONS

### THIS APPLICATION SHOULD BE RETURNED TO:

City of Flint, Assessing Division, 1101 S Saginaw St, Flint MI 48502

### 2019 City of Flint

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To be considered for a hardship exemption, the following steps must be followed:

1. The Petitioner must complete this application in full, including signatures on the last page and those signatures **must be notarized**. Return the application and attachments to the Assessing Department at least 5 days prior to the beginning of the Board of Review.
2. Per City of Flint Resolution, you must attach signed copies of the following for all persons living in the household AND all owners of the residence:
  - \_\_\_ 2018 FEDERAL INCOME TAX RETURN (1040)
  - \_\_\_ 2018 W 2's & 1099's.
  - \_\_\_ 2018 MICHIGAN INCOME TAX RETURN (MI-1040)
  - \_\_\_ 2018 HOMESTEAD PROPERTY TAX CREDIT FORM (MI-1040CR)
  - \_\_\_ 2018 SOCIAL SECURITY BENEFIT STATEMENT (SSA-1099)
  - \_\_\_ YEAR END STATEMENTS FOR ASSET INFORMATION (*SEE LIST ON PG 5 OF 8*)
  - \_\_\_ IF YOU'RE CLAIMING NO INCOME, YOU MUST SUBMIT A DETAILED & NOTARIZED LETTER EXPLAINING HOW EXPENSES ARE BEING MET.
  - \_\_\_ IF BILLS ARE PAID BY FRIEND/FAMILY MEMBER OR YOU RECEIVED MONEY FROM A FRIEND OR FAMILY MEMBER, YOU MUST PROVIDE A SIGNED AND NOTARIZED LETTER FROM THAT PERSON(S) STATING HOW MUCH FINANCIAL SUPPORT THEY GIVE
3. Produce a valid driver's license or other form of picture identification;
4. Be able to produce a deed, land contract, or other evidence of ownership of the property for which the exemption is being requested, **if not in Assessor's records**;
5. Meet the federal poverty income guidelines for the household, which are updated annually in the federal register by the United States Department of Health and Human Services; and
6. Meet the claimant and total household **asset levels** set by the Flint City Council.

**If your application does not include copies of the above documents or if your signature is not notarized, it will be considered incomplete and therefore ineligible for a Hardship Exemption.**

Hardship Exemption as defined by the Michigan Compiled Laws is as follows:

Section 211.7u: The homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under this act.

Please be aware that as an applicant for Hardship Exemption, you must also comply with the following sections of the Michigan Compiled Laws:

Section 211.116 Perjury: Any person who, under any of the proceedings required or permitted by this act, shall willfully swear falsely, will be guilty of perjury and subject to its penalties.



If received timely, your application will be presented at the next scheduled Board of Review. The Board of Review schedule for 2019 is as follows:

March: Begins on Monday, March 11, 2019  
July: Tuesday, July 16, 2019  
December: Tuesday, December 10, 2019

If you have any questions, feel free to contact the Assessing Department at 810-766-7255

### **INCOME & ASSET GUIDELINES FOR HARDSHIP EXEMPTIONS**

If your income exceeds the amounts shown or your assets exceed the amounts shown, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from this policy and guidelines, you are **NOT** eligible for a Hardship Exemption.

The applicant **shall not** be eligible for consideration, if 85% of the total household income exceeds the current income standards developed by the Flint City Council. The excluded 15% of the total household income shall be earmarked for family medical needs.  
For 2019, the limits are:

<b>Family Unit:</b>	<b>Gross Annual Income Can Not Exceed:</b>	<b>Adjusted Annual Household Income Can Not Exceed:</b>
Family unit of 1 member	\$20,000	\$17,000
Family unit of 2 members	\$22,500	\$19,125
Family unit of 3 members	\$25,000	\$21,250
Family unit of 4 members	\$27,500	\$23,375
Family unit of 5 members	\$29,500	\$24,905
Family unit of 6 members	\$32,960	\$28,016
Family unit of 7 members	\$37,140	\$31,569
Family unit of 8 members	\$41,320	\$35,122
Each family member greater than 8	\$5,000	\$4,250

When determining any poverty exemption, all assets of the family unit, as well as all available sources of income or funds shall be considered. The value of additional assets shall not exceed three (3) times the annual household income of the applicant.

### **Asset Eligibility**

Applicants can have **no more than \$10,000 in assets** to be eligible for consideration and no more cash than an amount equal to one month's gross household income. Assets do not include the homestead or one (1) automobile. Assets do include: stocks, bonds, mutual funds, insurance policies, coin collections, boats, ORVs, motorcycles, recreational vehicles, second homes or sellable property, retirement accounts, jewelry, etc.

## **GUIDELINES BY WHICH HARDSHIP EXEMPTIONS ARE DETERMINED**

1. Completed application form and all required documents and attachments **MUST** be filed with the City Assessor's Office no later than:

March 13, 2019 for action by the March Board of Review; or

July 12, 2019 for action by the July Board of Review; or

December 6, 2019 for action by the December Board of Review.

Sign the form when you return it to the City Assessor's Office. It **MUST** be notarized **OR** witnessed by a member of the City Assessor's staff.

**NOTE:** The filing of a claim constitutes an appearance before the Board of Review. Also, the dates for filing will be updated annually in accordance with the State of Michigan Property Tax Calendar.

2. The Board of Review determines if Income Standards have been met.
3. The Board of Review determines if Asset limits have been met.
  - a. Cash assets to the total household may not exceed an amount equal to one month's gross household income. Cash assets are defined as cash, money held in checking or savings accounts, money markets and other financial institution accounts, and/or instruments or securities which can be readily converted to cash.
  - b. Non-cash assets to the total household may not exceed \$10,000. Non-cash assets are defined as those which are not considered to be cash assets, as defined above. The following assets are excluded from this limit:
    1. Applicant's homestead
    2. Applicant's household personal property
    3. Assets not accessible by the applicant, co-owner or any member of the applicant's household.
    4. All applicants, if approved by the Board of Review, shall pay taxes equal to 3.5% of household income. ***This does not include any special assessments that are assessed to the property.***
    5. The Board of Review will consider all revenue and non-revenue producing assets of the owner, co-owner and all members of the household. Any attempt to hide and/or shift assets to another person, business or corporation shall be grounds for denial.

4. The Board of Review will consider the effect of all Michigan Income Tax Credits the applicant receives or can receive. Credits include Homestead Property Tax credits, Senior Citizen Prescription Drug credits and Home Heating credits.
5. If no income is submitted then the Board of Review will use monthly expenses to determine annual income.
6. Applications must be filed every year. If granted, the exemption is for current year only.
7. **Applicant may not have ownership interest in any real estate other than the homestead and must own the homestead for, at least, one (1) calendar year.** Also, no person living outside the household shall have interest in the homestead.
8. All applications will be reviewed by the Board of Review. The Board may ask applicants, or their authorized agents, to be physically present to answer questions. Teleconferencing for the purpose of asking questions of the applicant is allowable if the applicant is not able to attend.
9. Applicants, or their authorized agents, may have to answer questions regarding such subject as financial affairs, health and/or the status of people living in the principal residence at a meeting that is open to the public.
10. All applications will be evaluated based on data and statements given to the Board by the applicant. The Board can also use information gathered from any other source.
11. The Board of Review shall follow the policy and guidelines established herein when granting or denying an exemption.
12. The Board of Review may deviate from the guidelines if it determines there are substantial and compelling reasons which are to be communicated, in writing, to the applicant. Compelling reasons include, but are not limited to, excessive medical expenses or excessive expenses necessary for the care of elderly or handicapped persons.
13. Applicants may be subject to investigation of their entire financial and property records by the City. This would be done to verify information given or statements made to the Board of Review or assessor in regards to the poverty tax claim.
14. Household income limits are adjusted each year to comply with the Federal Poverty Guidelines.
15. Applicants will be sent a written notice of the Board of Review's final decision. An applicant may appeal the Board of Review's decision to the Michigan Tax Tribunal. An assessor may also appeal the Board of Review's decision. Appeals must be filed with the Michigan Tax Tribunal by the following dates:

July 31<sup>st</sup> for a decision made by the March Board of Review  
35 days from the decision of the July or December Board of Review

## THE GENERAL PROPERTY TAX ACT (EXCERPT)

### Act 206 of 1893

**211.7u Principal residence of persons in poverty; exemption from taxation; applicability of section to property of corporation; eligibility for exemption; application; policy and guidelines to be used by local assessing unit; duties of board of review; appeal of property assessment; "principal residence" defined.**

Sec. 7u. (1) The principal residence of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under this act. This section does not apply to the property of a corporation.

(2) To be eligible for exemption under this section, a person shall do all of the following on an annual basis:

(a) Be an owner of and occupy as a principal residence the property for which an exemption is requested.

(b) File a claim with the supervisor or board of review on a form provided by the local assessing unit, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year. The filing of a claim under this subsection constitutes an appearance before the board of review for the purpose of preserving the claimant's right to appeal the decision of the board of review regarding the claim.

(c) Produce a valid driver's license or other form of identification if requested by the supervisor or board of review.

(d) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the supervisor or board of review.

(e) Meet the federal poverty guidelines updated annually in the federal register by the United States department of health and human services under authority of section 673 of subtitle B of title VI of the omnibus budget reconciliation act of 1981, Public Law 97-35, 42 U.S.C. 9902, or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

(3) The application for exemption under this section shall be filed after January 1 but before the day prior to the last day of the board of review.

(4) The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines the local assessing unit uses for the granting of exemptions under this section. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and total household income and assets.

(5) The board of review shall follow the policy and guidelines of the local assessing unit in granting or denying an exemption under this section unless the board of review determines there is substantial and compelling reasons why there should be a deviation from the policy and guidelines and the substantial and compelling reasons are communicated in writing to the claimant.

(6) A person who files a claim under this section is not prohibited from also appealing the assessment on the property for which that claim is made before the board of review in the same year.

(7) As used in the section, "principal residence" means principal residence or qualified agricultural property as those terms are defined in section 7dd.

**History:** Add. 1980, Act 142, Imd. Eff. June 2, 1980; -- Am. 1993, Act 313, Eff. Mar. 15, 1994; -- Am. 1994, Act 390, Imd. Eff. Dec. 29, 1994; -- Am. 2002, Act 620, Imd. Eff. Dec. 23, 2002; -- Am. 2003, Act 140, Eff. Jan 1, 2004.

**Popular name:** Act 206

YEAR 2019

PARCEL NO. \_\_\_\_\_

**HARDSHIP EXEMPTION APPLICATION****\*\*\*\*\* Confidential Information \*\*\*\*\*****PETITIONER INFORMATION**

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Phone Number: Daytime: ( ) \_\_\_\_\_ Evening: ( ) \_\_\_\_\_

Cell Phone: ( ) \_\_\_\_\_

Property Address for Which Relief is Being Sought:	<u>Marital Status</u>	<u>No. of Years</u>
_____	<input type="checkbox"/> Married	_____
_____	<input type="checkbox"/> Divorced	_____
_____	<input type="checkbox"/> Widowed	_____
_____	<input type="checkbox"/> Separated	_____
Spouse Name: _____	<input type="checkbox"/> Single	_____

**PETITIONER EMPLOYMENT STATUS:****SPOUSE EMPLOYMENT STATUS:**

<input type="checkbox"/> Disabled – No of years _____	<input type="checkbox"/> Disabled – No of years _____
<input type="checkbox"/> Do you qualify for disability benefits? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Do you qualify for disability benefits? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Employed Full-time	<input type="checkbox"/> Employed Full-time
<input type="checkbox"/> Employed Part-time	<input type="checkbox"/> Employed Part-time
<input type="checkbox"/> Retired – No. of Years _____	<input type="checkbox"/> Retired – No. of Years _____
<input type="checkbox"/> Unemployed – No. of Years _____	<input type="checkbox"/> Unemployed – No. of Years _____
<input type="checkbox"/> Laid-off – No. of Years _____	<input type="checkbox"/> Laid-off – No. of Years _____
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Occupation: \_\_\_\_\_  
(If employed)Occupation: \_\_\_\_\_  
(If employed)

Employer: \_\_\_\_\_ Spouse's Employer: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_

Describe your disability or health problems: Describe spouse's disability or health problems:


## MORTGAGE INFORMATION

- A. Purchase Date: \_\_\_\_\_ Amount Paid: \_\_\_\_\_  
B. Mortgage/Land Contract Balance: \_\_\_\_\_  
C. Monthly Payment: \_\_\_\_\_ Does this payment include taxes? ☐ Yes ☐ No  
D. Number of Years Remaining on the mortgage/land contract: \_\_\_\_\_  
E. Are your property taxes paid? ☐ Yes ☐ No  
F. Did you apply for a poverty exemption last year? ☐ Yes ☐ No  
G. Do you have an ownership interest in any other real estate in Michigan or anywhere else?  
☐ Yes ☐ No  
If yes, please list:  
Location: \_\_\_\_\_ Tax I.D. No: \_\_\_\_\_  
Current State Equalized Value: \_\_\_\_\_ Estimated Current Value: \_\_\_\_\_  
Purchase Date: \_\_\_\_\_ Purchase Price: \_\_\_\_\_  
Attach additional sheet if necessary

- I. Are you and/or your spouse the sole owners of the subject property? ☐ Yes ☐ No  
If no, list all owners and their percentage of ownership:

---

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- J. Have any improvements, changes or additions been made to the property in the last two (2) years?  
☐ Yes ☐ No If yes, please explain:

---

- K. Do you anticipate selling the homestead property for which relief is sought in the next year?  
☐ Yes ☐ No Explain:

---

- L. Does anyone contribute to your support? ☐ Yes-Amount \$ \_\_\_\_\_  
☐ No, Explain:

---

- M. Is anyone able to contribute to your support? ☐ Yes ☐ No, Explain:

---

**RESIDENT STATUS**

Please list ALL people currently living in your household other than yourself and your spouse:

	1	2	3	4
Name				
Age				
Relationship				
Occupation				
Annual Income				
Claimed as Dependent	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Heir to Estate?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

**ASSET INFORMATION**

What are your current assets in addition to the real estate noted previously?

Cash	\$	_____
Savings Accounts/Certificates & Money Markets	\$	_____
Checking Accounts	\$	_____
Stocks/Bonds/Treasury Bills	\$	_____
Insurance	\$	_____
Other	\$	_____
Investments	\$	_____
IRA, Keogh, Annuities, Deferred Compensation	\$	_____
Personal property held as an investment	\$	_____
(i.e. gems, jewelry, coin collection, antiques cars etc)	\$	_____
<b>TOTAL:</b>	\$	_____

Vehicles, Cars, Trucks, Boats, Trailers, etc.

	#1	#2	#3
<b>Make</b>			
<b>Model</b>			
<b>Year</b>			
<b>Value</b>			
<b>Balance Owed</b>			

**LOAN DEBT**

Do you have other loans or land contracts outstanding? (attach additional sheet if necessary)

<b>To Whom</b>	
<b>Address</b>	
<b>Monthly Payment</b>	
<b>Current Balance</b>	

<b>To Whom</b>	
<b>Address</b>	
<b>Monthly Payment</b>	
<b>Current Balance</b>	



**EXPENSE INFORMATION**Average **M-o-n-t-h-l-y** Expenses:**MONTHLY AMOUNT**

Rent/House Payment (Principal & Interest)	\$ _____
Life Insurance	\$ _____
Health Insurance	\$ _____
Home Insurance	\$ _____
Auto Insurance	\$ _____
Taxes (Principal Residence)	\$ _____
Taxes on other property	\$ _____
Car Payment	\$ _____
Special Assessment	\$ _____
Utilities:	
Gas/Oil	\$ _____
Electricity	\$ _____
Telephone	\$ _____
Water/Sewer	\$ _____
Child Care	\$ _____
Food/Clothing	\$ _____
Other Loans	\$ _____
Medical	\$ _____
Lawn care/snow removal	\$ _____
Cable/Dish	\$ _____
Other (Specify)     Examples: Newspaper, Gasoline Disposal Service, Water Softener, Pet Food, License Plates, Church, Christmas Giving	\$ _____
<b>TOTAL MONTHLY EXPENSES:</b>	<b>\$ _____</b>

**VERIFICATION OF EXPENSES MAY BE REQUIRED**Do you have any major or unusual expenses?   ☐ Yes   ☐ No

If yes, please explain:

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(Attach additional sheet if necessary)

**INCOME INFORMATION**

Please list all sources of your personal income. Please indicate the amount from each source on an **A-n-n-u-a-l** basis.

**ANNUALLY**

Wages, salaries, tips, sick, strike and subpay, etc.	\$ _____
All interest and dividend income (including non-taxable interest)	\$ _____
Net rent, business or royalty income	\$ _____
Retirement pension and annuity benefits	\$ _____
Name of Payer _____	
Net farm income	\$ _____
Capital gains less capital losses	\$ _____
Alimony and other taxable income	\$ _____
Social Security, SSI or railroad retirement benefits	\$ _____
Child support, WIC	\$ _____
Unemployment compensation and TRA benefits	\$ _____
Workers' compensation, veterans' disability compensation	\$ _____
ADC and GA benefits	\$ _____
All other public assistance payments	\$ _____
Describe _____	
Other Non-taxable income	\$ _____
Describe _____	
<b>TOTAL ANNUAL INCOME:</b>	<b>\$ _____</b>

What was the total income from all sources of everyone living in your household for the past two (2) years?

Last Year \_\_\_\_\_ Prior Year \_\_\_\_\_

Do you anticipate any major changes in income for the coming year: ☐ Yes ☐ No

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE READ CAREFULLY:**

I/We, am/are unable to pay the full property taxes on the above described property and hereby make application for property tax relief in accordance with Section 211.7u Michigan Compiled Laws.

I/We have read this application and fully understand the contents thereof. I/We declare that the statements made herein are complete, true, and correct to the best of my/our knowledge. I/We further understand that if any information contained herein is found to be false or incomplete, any and all relief granted by this application will be forfeited and placed back on the assessment roll with penalties and interest occurring on the additional tax liability in accordance with Section 211.119 Michigan Compiled Laws.

Petitioner's Signature: \_\_\_\_\_

Spouse's Signature: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public/Assessing Office Staff

\_\_\_\_\_ County,

My Commission Expires: \_\_\_\_\_

## **RESOLUTION REVIEW FORM**

FROM: Finance Department

NO. 18-6483

RESOLUTION NAME:

**Resolution establishing guidelines for granting hardship exemptions from property taxes pursuant to MCL 211.7u and establishing beginning date for the Board of Review.**

---

### **1. RESOLUTION REVIEW – LEGAL**

Date in: 12/01/18

The attached Resolution and Staff Review is submitted to the Legal Department for approval. The Legal Department reviewed this Resolution as to form and content and by signing this form approves as to form and content.

BY:

(see signature on resolution)

Date: 12/01/18

Angela Wheeler, Interim Chief Legal Officer

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### **2. RESOLUTION REVIEW – FINANCE**

Date in: 11/30/18

The attached Resolution and Staff Review is submitted to the Finance Department for approval. The Finance Department reviewed this Resolution as to finance compliance and by signing this form approves as to finance compliance.

BY:

(see signature on resolution)

Date: 11/30/18

Hughey Newsome, Chief Financial Officer

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### **3. RESOLUTION REVIEW – MAYOR**

Date in: 12/01/18

The attached Resolution is submitted to the Mayor for approval. The Mayor reviewed this Resolution as to administration compliance and by signing this form approves as to administration compliance.

BY:

Date: \_\_\_\_\_

\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

190008

(Proposal #19000549)

SUBMISSION NO.: \_\_\_\_\_

PRESENTED: 1-23-19

ADOPTED: \_\_\_\_\_

BY THE CITY ADMINISTRATOR:

RESOLUTION TO AMERICAN ELECTRIC FOR MOTOR REPAIR/REWIND

RESOLUTION

The Department of Purchases & Supplies has solicited proposals for two year motor repair/rewind services as requested by Water Plant and Water Pollution Control Facilities; and

American Electric Motor Corp., PO Box 7178, Flint, Michigan was the low bidder from five solicitations for said requirements. Funding for said services will come from the following accounts: 590-550.202-775.000 (\$3,000), 590-550.202-930.000 (\$17,000), 591-545.201-930.000 (\$25,000); and

IT IS RESOLVED, that the Proper City Officials are hereby authorized to enter into a contract with American Electric Motor Corp. for two year motor repair/rewind services in an annual amount not to exceed \$45,000.00. (Sewer Fund, Water Fund - in the accounts reference above)

APPROVED PURCHASING DEPT.:

  
Bryan D. Bond  
Interim Purchasing Manager

APPROVED AS TO FORM

  
Angela Wheeler  
Chief Legal Officer

APPROVED AS TO FINANCE:

  
Hughey Newsome  
Chief Financial Officer

  
Steve Branch, City Administrator

FY 19 – KRN

## RESOLUTION STAFF REVIEW

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November 20, 2018

**Agenda Item Title:** Two- Year Electric Motor Repair/Rewind Services for WPC

**Submitted By:** John Florshinger, Utilities Maintenance/SCADA Supervisor

**Background/Summary of Proposed Action:**

WPC utilizes a large number of electric motors of multiple voltages, ranging from fractional horsepower to 1750 horsepower, to operate the many pumps and other wastewater treatment equipment. When the motors become worn or fail, it is usually more cost-effective to repair or rebuild, rather than replace, them. Keeping these motors reliable and functional is critical to the continuous operation of the treatment process.

**Financial Implications:**

Please use accounts 590-550.202-775.000 (\$3,000.00), and 590-550.202-930.000 (\$17,000.00) when issuing this two-year (FY19-FY20) contract in the amount not to exceed \$40,000.00.

**Budgeted Expenditure:** ☒ Yes ☐ No Please explain if no:

<b><u>Account No:</u></b>	Year 1	590-550-202-775.000	\$3,000.00,	590-550.202-930.000
			\$17,000.00	Total: \$20,000.00
	Year 2	590-550-202-775.000	\$3,000.00,	590-550.202-930.000
			\$17,000.00	Total: \$20,000.00

**Pre-encumbered:** Yes ☐ No ☐ Requisition: 180000370

**Other Implications (i.e., collective bargaining):** None.

**Staff Recommendation:** Approval Recommended

**Staff Person:**



(Robert J. Case, WPC Supervisor)

## RESOLUTION STAFF REVIEW

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**DATE:** December 5, 2018

**Agenda Item Title:** 2 Year Electric Motor Repair/Rewind Services WTP

**Prepared By:** Melanie Poisson, Utilities/Water Treatment Plant

**Background/Summary of Proposed Action:**

The City of Flint Water Plant utilizes a large number of electric motors of multiple voltages, ranging from fractional horsepower to 1750 horsepower, to operate the many pumps and other equipment. When the motors become worn or fail, it is usually more cost-effective to repair or rebuild rather than replace them. Keeping these motors reliable and functional is critical to continuous operation. The amount being requested is \$25,000.00 per year for FY19 and FY20. After bid review, the vendor selected is American Electric Motor, Inc.

**Financial Implications:** Funding

**Budgeted Expenditure?** Yes ☒ No ☐ Please explain if no:

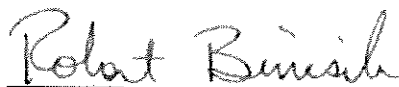
**Account #:** 591-545.201-930.000

**Pre-encumbered?** Yes ☒ No ☐ Requisition # 180000192

**Other Implications (i.e., collective bargaining):** None

**Staff Recommendation:** Recommend Approval

**Staff Person:**



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Robert Bincsik, Director - Department of Public Works

190009

Resolution No.: \_\_\_\_\_

Presented: 1-23-19

Adopted: \_\_\_\_\_

**Resolution Setting Hearing Date to Consider the Establishment of a  
Plant Rehabilitation District**

(1101 N. Center Road, Zone 2 – P.A. 198 of 1974, as amended)

**By the Mayor**

The City of Flint, a qualified local governing unit under Public Act 198 of 1974, proposes to create a Plant Rehabilitation District as requested by the owners of property legally described in the Attachment and commonly known as 1101 N Center Road, Zone 2.

Before acting upon the request, the Flint City Council, pursuant to Public Act 198 of 1974, shall afford an opportunity for a hearing on the establishment of the Plant Rehabilitation District, at which time the owners and other interested parties may appear and be heard.

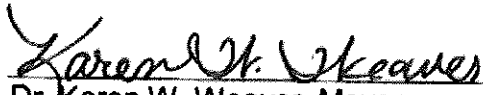
**IT IS RESOLVED**, That such a hearing to consider the establishment of a Plant Rehabilitation District be held on the \_\_\_\_\_ of \_\_\_\_\_, 2019 at 5:30 p.m. in the City Council Chamber of Flint City Hall, 1101 S. Saginaw Street, Flint, Michigan, and the notice of such hearing be published in an official paper of general circulation, not less than ten (10) days prior to said hearing.

**BE IT FURTHER RESOLVED**, That at said hearing, interested parties shall have an opportunity to appear and be heard.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

ADMINISTRATION

  
\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

CITY COUNCIL

\_\_\_\_\_  
Herbert J. Winfrey, President



## RESOLUTION STAFF REVIEW FORM

**DATE** – December 20, 2018

**Agenda Item Title:**

- ✓ 1. Resolution Setting a Hearing Date to Establish a Plant Rehabilitation District (1101 N. Center Rd., Zone 2 - P.A. 198 of 1974, as amended)
2. Resolution Approving the Establishment of a Plant Rehabilitation District (1101 N. Center Rd., Zone 2 – P.A. 198 of 1974, as amended)

**Prepared By**

Department of Planning and Development - Community and Economic Development Division

**Background/Summary of Proposed Action:**

These resolutions are to 1.) set a public hearing date on which to allow for public comments on the establishment of a Plant Rehabilitation District (PRD) and 2.) subsequent approval of the district.

Once established, a PRD allows the eligible applicant to apply for an Industrial Facilities Exemption Certificate. If approved, the taxes on the building within the district is frozen at the assessed value of the building prior to improvement.

**Financial Implications:** - None

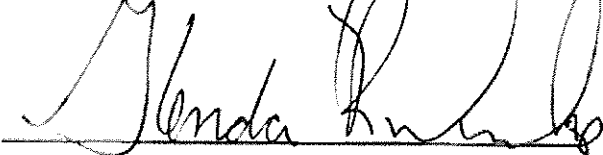
**Budgeted Expenditure:** Yes ☒ No ☐ **Please explain, if no:**

**Account #:** Reviewed and approved by C. Dotson N/A  
Date

**Pre-encumbered:** Yes ☐ No ☐ **Requisition #** \_\_\_\_\_

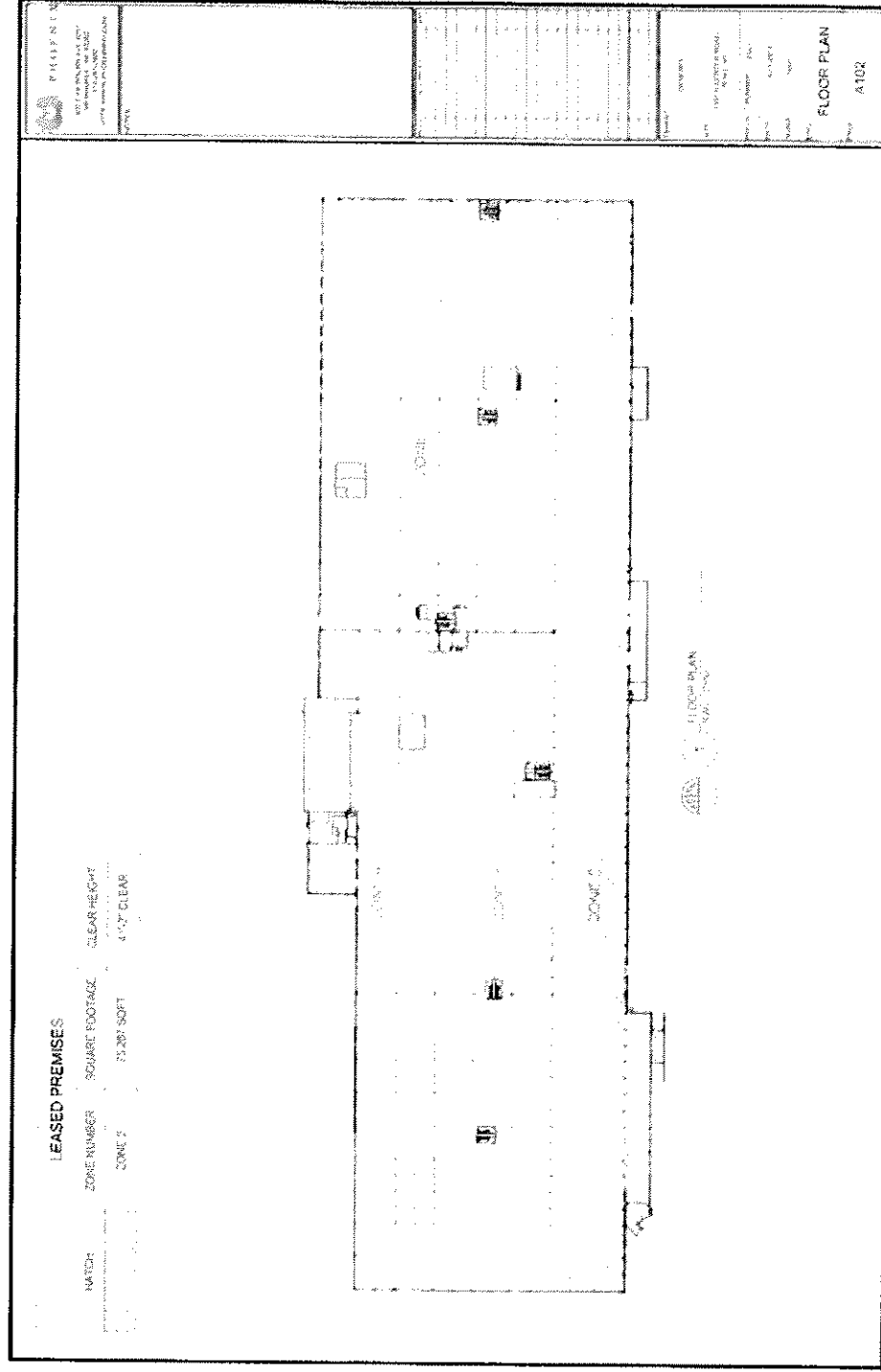
**Other Implications (i.e., collective bargaining:** None known

**Staff Recommendation:** Administration recommends approval.



Glenda R. Dunlap, Program Manager

# EXHIBIT A SITE PLAN OF PREMISES



[Exhibit A to Lease by and between Phoenix Flint, LLC and Gensee Packaging, Inc. for certain premises located at 1101 N. Center Road in Flint, Michigan]

## **1101 N. CENTER ROAD – LEGAL DESCRIPTIONS**

### **PROPERTY**

#### **Parcel B:**

The South 1/2 of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, City of Flint, Genesee County, Michigan, Except that part owned and occupied by the Grand Trunk Railway Company. Also Except the West 40 feet of the South 1/2 of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, lying North of the Grand Trunk Western Railroad Company right of way, and Also Except the West 40 feet of the South 1/2 of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, lying South of the Grand Trunk Western Railroad Company Right of Way. Also Except part of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, City of Flint, Genesee County, Michigan, described as BEGINNING at the intersection of the Northerly line of Robert T. Longway Boulevard (previously referred to as Kearsley Street), with the Easterly line of Averill Avenue, said point being N01°29'W along the North and South 1/4 line, 33.0 feet and N87°52'E, 40.0 feet from the interior 1/4 corner of said Section 9; Thence N01°29'W along said Easterly line, 17.36 feet to the intersection of said Easterly line of Averill Avenue and the Southerly line of the Grand Trunk Western Railroad Right of Way; Thence N89°26'E along said Southerly line, 10.0 feet; Thence S62°18'42"E, 34.40 feet to the Northerly line of Robert T. Longway Boulevard; Thence S87°52'W along said Northerly line, 40.0 feet to the POINT OF BEGINNING.

#### **LEASE AREA 1 – Genesee Packaging, Inc. 215,000sf**

Land over the above described Parcel B, being part of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, City of Flint, Genesee County, Michigan, more particularly described as: Commencing at the North 1/4 Corner of said Section 9; thence along the North line of said Section 9, S89°05'51"E, 40.00 feet; thence S00°44'47"W, 40.00 feet to the intersection of the South line of Davison Road (40 foot half width - public) and the East line of N Averill Avenue (80 foot wide - public); thence along said East line S00°44'47"W, 1281.89 feet to the Northwest corner of said Parcel B; thence continuing along said East line, also being the West line of said Parcel B, S00°44'47"W, 758.22 feet; thence S88°23'50"E, 118.00 feet to the POINT OF BEGINNING; thence continuing S88°23'50"E, 483.15 feet; thence N01°36'10"E, 59.98 feet; thence S88°23'50"E, 99.65 feet; thence N01°36'10"E, 6.89 feet; thence S88°23'50"E, 138.26 feet; thence S01°36'10"W, 18.85 feet; thence S88°23'50"E, 83.60 feet; thence S01°36'10"W, 288.64 feet; thence N88°23'50"W, 804.67 feet; thence N01°36'10"E, 240.63 feet to the POINT OF BEGINNING. Containing ±212,863 square feet of land.

#### **LEASE AREA 2 – Genesee Packaging, Inc. 75,267sf**

Land over the above described Parcel B, being part of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, City of Flint, Genesee County, Michigan, more particularly described as: Commencing at the North 1/4 Corner of said Section 9; thence along the North line of said Section 9, S89°05'51"E, 40.00 feet; thence S00°44'47"W, 40.00 feet to the intersection of the South line of Davison Road (40 foot half width - public) and the East line of N Averill Avenue (80 foot wide - public); thence along said East line S00°44'47"W, 1281.89 feet to the Northwest corner of said Parcel B; thence continuing along said East

line, also being the West line of said Parcel B, S00°44'47"W, 758.22 feet; thence S88°23'50"E, 118.00 feet; thence S01°36'10"W, 240.63 feet to the POINT OF BEGINNING; thence S88°23'50"E, 804.67 feet; thence S01°36'10"W, 91.32 feet; thence N88°23'50"W, 804.67 feet; thence N01°36'10"E, 91.32 feet to the POINT OF BEGINNING. Containing ±73,486 square feet of land.

**RESOLUTION REVIEW FORM**

FROM: DCED/- GRD  
Department/Author

DATE  
NO.

December 20, 2018  
18-6494  
Law Office Login #

RESOLUTION NAME: **Reso Setting Hearing Date for Plant Rehab District - 1101 N. Center Rd. Zone 2**

Date In:

**1. RESOLUTION REVIEW - PLANNING AND DEVELOPMENT DIRECTOR**

By: Suzanne Wilcox  
Planning and Development Director

DATE: 12/20/18  
(Date)

Date In:

**2. RESOLUTION REVIEW - LEGAL**

The attached RESOLUTION is submitted to the Legal Department for Approval as to FORM ONLY.  
The Legal Department has reviewed the RESOLUTION as to Form on  
this form approves as to FORM ONLY

12-21-18  
(Date)

By:  
Legal Officer

DATE: 12-21-18

190010

Resolution No.: \_\_\_\_\_

Presented: 1-23-19

Adopted: \_\_\_\_\_

**Resolution Setting Hearing Date to Consider the Establishment of a  
Plant Rehabilitation District**

(1101 N Center Road, Zones 3 & 4 – P.A. 198 of 1974, as amended)

**By the Mayor**

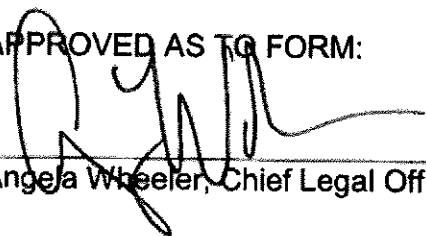
The City of Flint, a qualified local governing unit under Public Act 198 of 1974, proposes to create a Plant Rehabilitation District as requested by the owners of property legally described in the Attachment and commonly known as 1101 N. Center Road, Zones 3 & 4.

Before acting upon the request, the Flint City Council, pursuant to Public Act 198 of 1974, shall afford an opportunity for a hearing on the establishment of the Plant Rehabilitation District, at which time the owners and other interested parties may appear and be heard.

**IT IS RESOLVED**, That such a hearing to consider the establishment of a Plant Rehabilitation District be held on the \_\_\_\_\_ of \_\_\_\_\_, 2019 at 5:30 p.m. in the City Council Chamber of Flint City Hall, 1101 S. Saginaw Street, Flint, Michigan, and the notice of such hearing be published in an official paper of general circulation, not less than ten (10) days prior to said hearing.

**BE IT FURTHER RESOLVED**, That at said hearing, interested parties shall have an opportunity to appear and be heard.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

ADMINISTRATION

  
\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

CITY COUNCIL

\_\_\_\_\_  
Herbert J. Winfrey, President

## RESOLUTION STAFF REVIEW FORM

**DATE** – December 20, 2018

**Agenda Item Title:**

- ✓ 1. Resolution Setting a Hearing Date to Establish a Plant Rehabilitation District (1101 N. Center Rd., Zones 3 & 4 – P.A. 198 of 1974, as amended)  
2. Resolution Approving the Establishment of a Plant Rehabilitation District (1101 N. Center Rd., Zones 3 & 4 – P.A. 198 of 1974, as amended)

**Prepared By**

Department of Planning and Development - Community and Economic Development Division

**Background/Summary of Proposed Action:**

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Once established, a PRD allows the eligible applicant to apply for an Industrial Facilities Exemption Certificate. If approved, the taxes on the building within the district is frozen at the assessed value of the building prior to improvement.

**Financial Implications:** - None

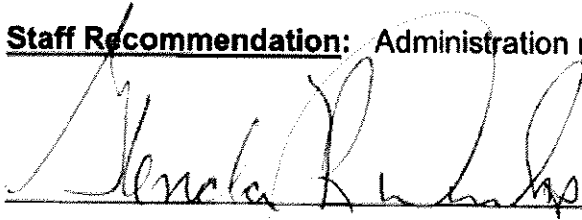
**Budgeted Expenditure:** Yes ☒ No ☐ **Please explain, if no:**

**Account #:** Reviewed and approved by C. Dotson N/A  
Date

**Pre-encumbered:** Yes ☐ No ☐ **Requisition #** \_\_\_\_\_

**Other Implications (i.e., collective bargaining):** None known

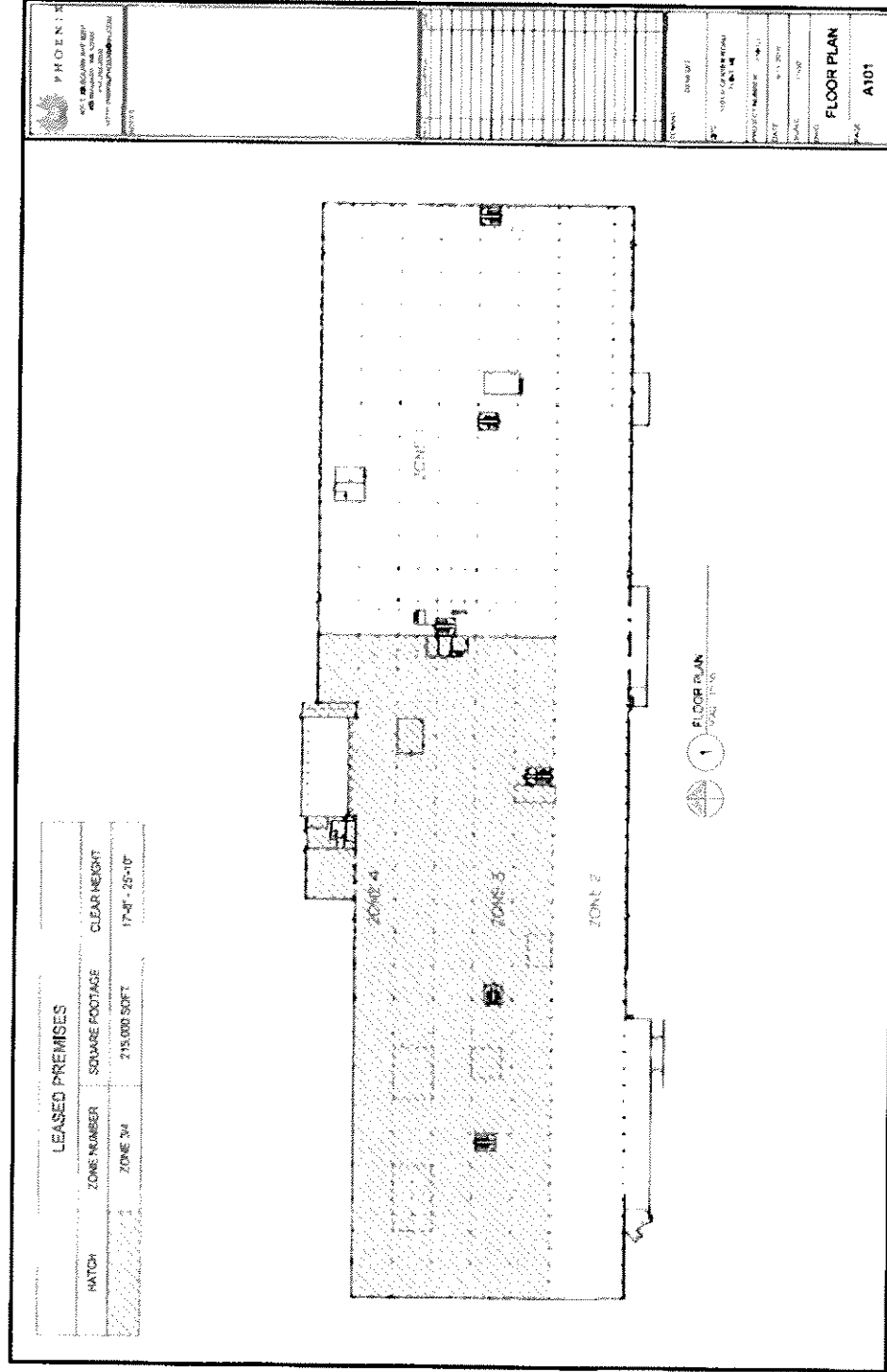
**Staff Recommendation:** Administration recommends approval.



Glenda R. Dunlap, Program Manager

# EXHIBIT A

## SITE PLAN OF PREMISES



[Exhibit A to Lease by and between Phoenix Flint, LLC and Genesee Packaging, Inc. for certain premises located at 1101 N. Center Road in Flint, Michigan]



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The South 1/2 of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, City of Flint, Genesee County, Michigan, Except that part owned and occupied by the Grand Trunk Railway Company. Also Except the West 40 feet of the South 1/2 of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, lying North of the Grand Trunk Western Railroad Company right of way, and Also Except the West 40 feet of the South 1/2 of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, lying South of the Grand Trunk Western Railroad Company Right of Way. Also Except part of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, City of Flint, Genesee County, Michigan, described as BEGINNING at the intersection of the Northerly line of Robert T. Longway Boulevard (previously referred to as Kearsley Street), with the Easterly line of Averill Avenue, said point being N01°29'W along the North and South 1/4 line, 33.0 feet and N87°52'E, 40.0 feet from the interior 1/4 corner of said Section 9; Thence N01°29'W along said Easterly line, 17.36 feet to the intersection of said Easterly line of Averill Avenue and the Southerly line of the Grand Trunk Western Railroad Right of Way; Thence N89°26'E along said Southerly line, 10.0 feet; Thence S62°18'42"E, 34.40 feet to the Northerly line of Robert T. Longway Boulevard; Thence S87°52'W along said Northerly line, 40.0 feet to the POINT OF BEGINNING.

#### **LEASE AREA 1 – Genesee Packaging, Inc. 215,000sf**

Land over the above described Parcel B, being part of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, City of Flint, Genesee County, Michigan, more particularly described as: Commencing at the North 1/4 Corner of said Section 9; thence along the North line of said Section 9, S89°05'51"E, 40.00 feet; thence S00°44'47"W, 40.00 feet to the intersection of the South line of Davison Road (40 foot half width - public) and the East line of N Averill Avenue (80 foot wide - public); thence along said East line S00°44'47"W, 1281.89 feet to the Northwest corner of said Parcel B; thence continuing along said East line, also being the West line of said Parcel B, S00°44'47"W, 758.22 feet; thence S88°23'50"E, 118.00 feet to the POINT OF BEGINNING; thence continuing S88°23'50"E, 483.15 feet; thence N01°36'10"E, 59.98 feet; thence S88°23'50"E, 99.65 feet; thence N01°36'10"E, 6.89 feet; thence S88°23'50"E, 138.26 feet; thence S01°36'10"W, 18.85 feet; thence S88°23'50"E, 83.60 feet; thence S01°36'10"W, 288.64 feet; thence N88°23'50"W, 804.67 feet; thence N01°36'10"E, 240.63 feet to the POINT OF BEGINNING. Containing ±212,863 square feet of land.

#### **LEASE AREA 2 – Genesee Packaging, Inc. 75,267sf**

Land over the above described Parcel B, being part of the Northeast 1/4 of Section 9, Town 7 North, Range 7 East, City of Flint, Genesee County, Michigan, more particularly described as: Commencing at the North 1/4 Corner of said Section 9; thence along the North line of said Section 9, S89°05'51"E, 40.00 feet; thence S00°44'47"W, 40.00 feet to the intersection of the South line of Davison Road (40 foot half width - public) and the East line of N Averill Avenue (80 foot wide - public); thence along said East line S00°44'47"W, 1281.89 feet to the Northwest corner of said Parcel B; thence continuing along said East

line, also being the West line of said Parcel B, S00°44'47"W, 758.22 feet; thence S88°23'50"E, 118.00 feet; thence S01°36'10"W, 240.63 feet to the POINT OF BEGINNING; thence S88°23'50"E, 804.67 feet; thence S01°36'10"W, 91.32 feet; thence N88°23'50"W, 804.67 feet; thence N01°36'10"E, 91.32 feet to the POINT OF BEGINNING. Containing ±73,486 square feet of land.

**RESOLUTION REVIEW FORM**

FROM: DCED/- GRD  
Department/Author

DATE  
NO.

December 20, 2018  
18-6496  
Law Office Login #

RESOLUTION NAME: 4  
**Reso Setting Hearing Date for Plant Rehab District - 1101 N. Center Rd. Zones 3 &**

Date In: \_\_\_\_\_

**1. RESOLUTION REVIEW - PLANNING AND DEVELOPMENT DIRECTOR**

By: Suzanne Wilcox  
Planning and Development Director

DATE: 12/20/18  
(Date)

Date In: \_\_\_\_\_

**2. RESOLUTION REVIEW - LEGAL**

The attached RESOLUTION is submitted to the Legal Department for Approval as to FORM ONLY.  
The Legal Department has reviewed the RESOLUTION as to Form on this form approves as to FORM ONLY.

12-21-18 and by signing  
(Date)

By: \_\_\_\_\_  
Legal Officer

DATE: 12-21-18

190013

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 1-23-19

ADOPTED: \_\_\_\_\_

Resolution Authorizing the Division of Community and Economic Development to execute Change Order #1 to increase the existing EMAR Construction contract 18-012 by \$24,557.00 for a contract total of \$72,491.00.

BY CITY COUNCIL:

The Division of Community and Economic Development procured repair services for the single-family homes located at 1318 and 1414 W Moore Street (Duplex) in the City of Flint. While completing the repair work to the homes to the construction specifications as written, the contractor identified additional work that needed to be completed to sell the properties. The current amount of the existing contract is \$47,934.00.

The property suffered vandalism while sitting vacant and only having a security alarm system in place. This has necessitated work to allow for the properties to proceed to sale. Prior rehab work was done utilizing CDBG Funds, preventing the use of further Federal Funds for the same work. It is necessary to utilize general funds to allow for completion of the work, the homes sold to income-qualified buyers, and the grant activity subsequently closed out, preventing a repayment of any federal funds already put into the homes.

Funds for the program are available in the Planning and Development General Fund Account in the amount of \$24,557.00, account 101-371.209-801.000.

IT IS RESOLVED, that appropriate City officials are authorized to execute Change Order #1 to increase the EMAR Construction, 1318 W Moore and 1414 W Moore contract 18-012 by \$24,557.00 for a total revised \$72,491.00 in account 101-371.209-801.000.

  
Angela Wheeler  
Chief Legal Officer

  
Hughey Newsome  
Chief Financial Officer

  
Dr. Karen W. Weaver, Mayor

\_\_\_\_\_  
Herbert Winfrey, Council President

RESOLUTION STAFF REVIEW FORM

DATE: January 15, 2019

Agenda Item Title:

Resolution Authorizing the Division of Community and Economic Development to execute Change Order #1 to increase the existing EMAR Construction contract 18-012 by \$24,557.00 for a contract total of \$72,491.00.

Prepared By: Sarah Quellmaiz, HOME Program Manager

Requestor: Department of Planning and Development

Background/Summary of Proposed Action:

The Division of Community and Economic Development procured repair services for the single-family homes located at 1318 and 1414 W Moore Street (Duplex) in the City of Flint. While completing the repair work to the homes to the construction specifications as written, the contractor identified additional work that needed to be completed to sell the properties. The current amount of the existing contract is \$47,934.00.

The property suffered vandalism while sitting vacant and only having a security alarm system in place. This has necessitated work to allow for the properties to proceed to sale. Prior rehab work was done utilizing CDBG Funds, preventing the use of further Federal Funds for the same work. It is necessary to utilize general funds to allow for completion of the work, the homes sold to income-qualified buyers, and the grant activity subsequently closed out, preventing a repayment of any federal funds already put into the homes.

Financial Implications:

Funding in the amount of \$24,557.00 is available in Planning & Development General Fund account 101-371.209-801.000.

Budgeted Expenditure: Yes X No      Please explain, if no:

Account #: Reviewed and approved by C. Dotson

\$24,577.00 is currently available in 101-371.209-801.000.

Upon adoption of the resolution, specific accounts will be created to identify the agency and activity

Pre-encumbered: Yes XX No     

Requisition #:

190001396

Other Implications: There are no other known implications at this time.

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL

  
Suzanne Wilcox, Director, Planning and Development

# RESOLUTION REVIEW FORM

FROM: CED  
Division

DATE  
NO.

January 15, 2019  
19-0003  
Law Office Login #

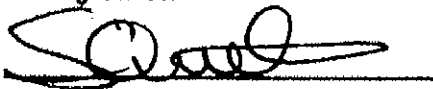
RESOLUTION NAME: Resolution Authorizing the Division of Community and Economic Development to execute Change Order #1 to increase the existing EMAR Construction contract 18-012 by \$24,557.00 for a contract total of \$72,491.00.

Date in:

## 1. RESOLUTION REVIEW - CED PROGRAM MANAGER

The attached RESOLUTION is approved by a Program Manager in the Division. By signing, the Program Manager approves this resolution to be processed for signatures.

By: Sarah Quellmalz  
Program Manager



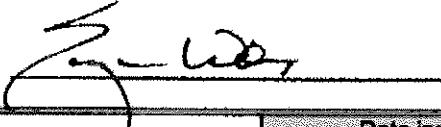
DATE: 1/15/19  
(Date)

Date in:

## 2. RESOLUTION REVIEW - DEPT OF PLANNING AND DEV DIRECTOR

The attached RESOLUTION is approved by the DPD Director. By signing, the DPD Director approved this resolution to be processed for signatures.

By: Suzanne Wilcox  
Director



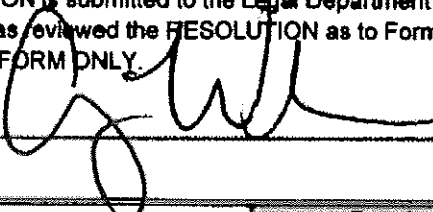
DATE: 1/15/19  
(Date)

Date in:

## 3. RESOLUTION REVIEW - LEGAL

The attached RESOLUTION is submitted to the Legal Department for Approval as to FORM ONLY. The Legal Department has reviewed the RESOLUTION as to Form on this form approves as to FORM ONLY. and by signing

By: Angela Wheeler  
Chief Legal Officer



DATE: 1/15/19

Date in:

## 4. RESOLUTION REVIEW - FINANCE

The attached RESOLUTION is submitted to the FINANCE Department for approval as to FINANCE COMPLIANCE: The Finance Department reviewed this RESOLUTION, on this form approves as to FINANCE COMPLIANCE.

By: Hughey Newsome  
Chief Financial Officer



DATE: 1/16/19

190014

RESOLUTION NO. \_\_\_\_\_

PRESENTED: 1-23-19

ADOPTED: \_\_\_\_\_

Resolution Authorizing the Division of Community and Economic Development to execute Change Order #1 to increase the existing EMAR Construction(Phillip Johnson) contract 18-108 for vandalism repairs at 1405 Chippewa, 470 E Wood, and 1508 Donald by \$27,556.00 for a total contract of \$81,233.00.

**BY CITY COUNCIL:**

The Division of Community and Economic Development procured repair services for Three (3) single-family homes located in Smith Village in the City of Flint. While completing the repair work to the homes to the construction specifications as written, the contractor has identified additional work that is needed prior the closing of sale on the remaining addresses, all of which are set to close as soon as these repairs are completed. The amount of the existing contract is \$53,677.00.

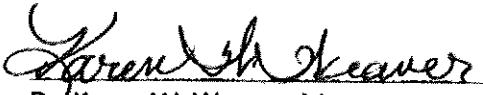
The property suffered vandalism while sitting vacant. This has necessitated work to be completed that will allow for the properties to proceed to closing. Prior rehab work was done utilizing Federal Grant Funds, preventing the use of further Federal Grant Funds for the same work. It is necessary to utilize general funds to allow for completion of the work, the homes sold to the identified income-qualified buyers, and the grant activity to subsequently be closed out, preventing a repayment of any federal funds already put into the homes.

Funds for the program are available in Planning and Development General Fund Account in the amount of \$27,556.00, account number 101-371.209-801.000.

IT IS RESOLVED, that appropriate City officials are authorized to execute Change Order #1 to increase the EMAR Construction(Phillip Johnson) contract 18-108 by \$27,556.00 for a total revised amount of \$81,233.00 in account 101-371.209-801.000.

  
\_\_\_\_\_  
Angela Wheeler  
Chief Legal Officer

  
\_\_\_\_\_  
Hughey Newsome  
Chief Financial Officer

  
\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

\_\_\_\_\_  
Herbert Winfrey, Council President

RESOLUTION STAFF REVIEW FORM

DATE: January 15, 2019

Agenda Item Title:

Resolution Authorizing the Division of Community and Economic Development to execute Change Order #1 to increase the existing EMAR Construction(Phillip Johnson) contract 18-108 for vandalism repairs at 1405 Chippewa, 470 E Wood, and 1508 Donald by \$27,556.00 for a total contract of \$81,233.00.

Prepared By: Sarah Quellmalz, HOME Program Manager

Requestor: Department of Planning and Development

Background/Summary of Proposed Action:


The Division of Community and Economic Development procured repair services for Three (3) single-family homes located in Smith Village in the City of Flint. While completing the repair work to the homes to the construction specifications as written, the contractor has identified additional work that is needed prior the closing of sale on the remaining addresses, all of which are set to close as soon as these repairs are completed. The amount of the existing contract is \$53,677.00.

The property suffered vandalism while sitting vacant. This has necessitated work to be completed that will allow for the properties to proceed to closing. Prior rehab work was done utilizing Federal Grant Funds, preventing the use of further Federal Grant Funds for the same work. It is necessary to utilize general funds to allow for completion of the work, the homes sold to the identified income-qualified buyers, and the grant activity to subsequently be closed out, preventing a repayment of any federal funds already put into the homes.

Financial Implications:

Funding in the amount of \$27,556.00 is available in Planning & Development General Fund accounts.

Budgeted Expenditure: Yes X No \_\_\_\_ Please explain, if no:

Account #: Reviewed and approved by C. Dotson   
\$27,556 is currently available in 101-371.209-801.000.

Upon adoption of the resolution, specific accounts will be created to identify the agency and activity

Pre-encumbered: Yes XX No \_\_\_\_ Requisition #: 190001396

Other Implications: There are no other known implications at this time.

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL

  
Suzanne Wilcox, Director, Planning and Development



# RESOLUTION REVIEW FORM

FROM: CED  
Division

DATE  
NO.

January 15, 2019  
19-8004  
Law Office Login #

RESOLUTION NAME:

Resolution Authorizing the Division of Community and Economic Development to execute Change Order #1 to increase the existing EMAR Construction(Phillip Johnson) contract 18-108 for vandalism repairs at 1405 Chippewa, 470 E Wood, and 1508 Donald by \$27,556.00 for a total contract of \$81,233.00.

Date in:

## 1. RESOLUTION REVIEW - CED PROGRAM MANAGER

The attached RESOLUTION is approved by a Program Manager in the Division. By signing, the Program Manager approves this resolution to be processed for signatures.

By: Sarah Quellmalz  
Program Manager



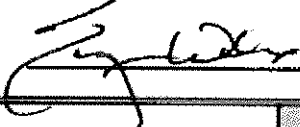
DATE: 1/15/19  
(Date)

Date in:

## 2. RESOLUTION REVIEW - DEPT OF PLANNING AND DEV DIRECTOR

The attached RESOLUTION is approved by the DPD Director. By signing, the DPD Director approved this resolution to be processed for signatures.

By: Suzanne Wilcox  
Director



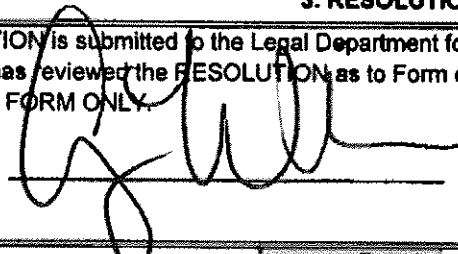
DATE: 1/15/18  
(Date)

Date in:

## 3. RESOLUTION REVIEW - LEGAL

The attached RESOLUTION is submitted to the Legal Department for Approval as to FORM ONLY:  
The Legal Department has reviewed the RESOLUTION as to Form on this form approves as to FORM ONLY.

By: Angela Wheeler  
Chief Legal Officer



DATE: 1/15/19  
(Date)

Date in:

## 4. RESOLUTION REVIEW - FINANCE

The attached RESOLUTION is submitted to the FINANCE Department for approval as to FINANCE COMPLIANCE:  
The Finance Department reviewed this RESOLUTION, on 1-16-19 and by signing this form approves as to FINANCE COMPLIANCE.

By: Hughey Newsome  
Chief Financial Officer



DATE: 1-16-19

190017

RESOLUTION NO. \_\_\_\_\_

PRESENTED: 1-23-19

ADOPTED: \_\_\_\_\_

**RESOLUTION EXTENDING THE SALE OF  
ALCOHOLIC BEVERAGES ON SUNDAY, MARCH 17, 2019**

**BY THE MAYOR:**

Public Act 2010, No. 213, became effective December 1, 2010 whereby alcoholic beverages may be sold between the hours of 7 a.m. Sunday until 2 a.m. Monday; and

The Act affords local communities discretion in whether to permit the sale of alcoholic beverages before noon on Sunday; and

Pursuant to Flint City Council Resolution No.101308, alcoholic beverages cannot be sold in Flint before noon on Sunday; and

The greater Flint community traditionally celebrates St. Patrick's Day with religious ceremony; family gatherings; a parade; a road race; and events at local restaurants and bars;

This year St. Patrick's Day occurs on Sunday, March 17, 2019; and


Several local restaurants and bars have requested permission to sell alcoholic beverages before noon, so as to promote business and ensure fair competition with neighboring communities that permit pre-noon Sunday alcohol sales.

**IT IS RESOLVED**, that in order to support the celebration of St. Patrick's Day in the City of Flint, as well as to promote Flint restaurants and bars, the sale of beer, wine, spirits, mixed spirits, and liquor shall be permitted on Sunday, March 17, 2019 from 7 a.m. until Monday, March 18, 2013 at 2 a.m.

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

**FOR THE CITY OF FLINT:**

  
\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

**APPROVED AS TO FINANCE:**

\_\_\_\_\_  
Hughey Newsome, Chief Financial Officer

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
Herbert Winfrey, City Council President

190023

SUBMISSION NO.:

PRESENTED: 1-23-19

ADOPTED:

**RESOLUTION****Resolution to Approve a Budget Amendment of the Charles Stewart Mott Foundation – Financial Recovery Technical Assistance Grant #2016-00651 Budget****BY THE CITY ADMINISTRATOR:**

Resolution # 170000.1, authorized the Charles Stewart Mott Foundation to award \$417,199.00 to the City of Flint to assist in Flint's financial recovery process on January 19, 2017. This grant, Grant #2016-00651 is recorded under City of Flint as grant code LCSM-17-FRTA, was awarded for Financial Recovery Technical Assistance. The adopted budget was amended to include the awarded funds for FY17 and any subsequent fiscal years that funding continued to remain available by the grantor. The project period was September 1, 2016 through March 31, 2018.

In June 2018, The Charles Stewart Mott Foundation approved an extension of the grant period without changes to the budget. The revised grant period was September 1, 2016 through June 30, 2019.

In January 2019, The Charles Stewart Mott Foundation approved another extension of the grant period along with a revised budget. The revised grant period was September 1, 2016 through November 30, 2019.

The approved budget included line item Executive Search for \$100,000.00; The revised budget removes the Executive Search line item and replaces it with Police Equipment \$22,801.00 and adds an additional \$77,199 to DPW director-partial, which partially pays for the salary of the City of Flint DPW Director.

Position	Approved Budget Amount	Revised Budget Amount
Economic Development	\$ 60,000	\$ 60,000
Rebuilding Flint the Right Way	60,000	60,000
Grant Writer	120,000	120,000
DPW Director - partial	77,199	154,398
Executive Search	100,000	-
Police Equipment	-	22,801
<b>TOTAL:</b>	<b>\$ 417,199</b>	<b>\$ 417,199</b>

**IT IS RESOLVED**, that appropriate City Officials are authorized to do all things necessary to amend the FY19 budget to include additional funding for the DPW Director salary as well as all line items in the aforementioned table. All funds are to be placed in the 296 fund and into grant code LCSM-17-FRTA. Furthermore, City official are authorized to abide by the terms of the C.S. Mott Grant #2016-00651 (attached).

**APPROVED AS TO FORM:**


  
Angela Wheeler, Chief Legal Officer

  
Dr. Karen W. Weaver, Mayor

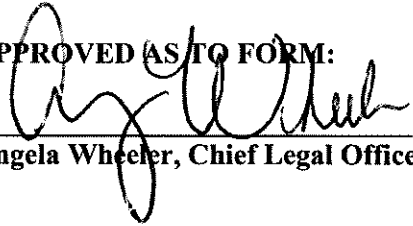
**APPROVED AS TO FINANCE:**

  
Hughey Newsome, Chief Financial Officer

**CITY COUNCIL:**

  
Herbert J. Winfrey, Council President

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**Angela Wheeler, Chief Legal Officer**

**APPROVED AS TO FINANCE:**

  
\_\_\_\_\_  
**Hughey Newsome, Chief Financial Officer**

\_\_\_\_\_  
**Dr. Karen W. Weaver, Mayor**

**CITY COUNCIL:**

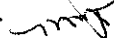
\_\_\_\_\_  
**Herbert J. Winfrey, Council President**

## RESOLUTION STAFF REVIEW

**Date:** January 15, 2019

**Agenda Item Title:** Resolution to Approve a Budget Amendment of the Charles Stewart Mott Foundation – Financial Recovery Technical Assistance Grant #2016-00651 Budget

**Prepared by:**

Martita Moffett-Page, Budget & Grants Administrator 

**Summary of Proposed Action:**

Recognizing a need for financial assistance with the cost of facilitating financial recovery technical assistance, the C.S. Mott Foundation awarded and the City accepted grant funds in the amount of \$417,199.00, with Resolution # 170000.1. The original grant period was from September 1, 2016 through March 31, 2018. The C.S. Mott Foundation has granted an extension of the grant period, revised to **September 1, 2016 through November 30, 2019**. In addition, the budget has been revised:

Position	Amount
Economic Development	\$ 60,000
Rebuilding Flint the Right Way	60,000
Grant Writer	120,000
DPW Director-partial	154,398
Police Equipment	22,801
<b>Total</b>	<b>\$417,199</b>

The approved budget included line item Executive Search for \$100,000.00; The revised budget removes the Executive Search line item and replaces it with Police Equipment \$22,801.00 and adds an additional \$77,199 to DPW director-partial.

**Financial Implications:**

**Budgeted Expenditure:** Yes   X   No      Please explain, if no:

**Account No.** Various Accounts under Grant Code LCSM-17-FRTA

**Pre-encumbered:** Yes      No   X   Requisition:

**Other implications (i.e. collective bargaining):**

No other implications are known.

**Staff Recommendation:** Recommend Approval

**APPROVAL**

  
Steve Branch, City Administrator

01/22/2019

GRANT LEDGER REPORT FOR CITY OF FLINT  
Date Range: 09/01/2016 to 12/31/2018

		ACTIVITY FOR						
GL NUMBER	DESCRIPTION	2016-17 AMENDED BUDGET	2017-18 AMENDED BUDGET	2018-19 AMENDED BUDGET	MONTH 12/31/18	YEAR-TO-DATE THRU 12/31/18	AVAILABLE BALANCE	LIFETIME ACTIVITY
Fund 296								
296-172.100-580.000	Local Grants	417,199.00	340,233.86	250,955.00	0.00	0.00	250,955.00	140,022.86
296-172.100-580.001	Prior yr revenue - local grant	0.00	26,221.14	0.00	0.00	0.00	0.00	26,221.14
296-172.100-801.000	Professional Service	120,000.00	120,000.00	120,000.00	6,795.00	6,795.00	120,000.00	6,795.00
296-270.100-801.000	Professional Service	100,000.00	100,000.00	100,000.00	0.00	0.00	100,000.00	
296-442.100-702.000	Wages & Salaries	23,000.00	23,000.00	12,227.17	1,346.59	8,079.59	4,147.58	18,852.42
296-442.100-719.100	Direct Fringes	2,412.70	2,412.70	1,453.55	119.88	719.39	734.16	1,678.54
296-442.100-719.150	Employer Pension DB Plan	7,798.84	7,798.84	3,275.51	881.36	6,163.46	{2,887.95}	10,686.79
296-442.100-719.200	Other Fringes	2,300.00	2,300.00	966.00	103.27	666.93	299.07	2,000.93
296-536.100-702.000	Wages & Salaries	11,500.00	11,500.00	1,658.93	1,230.14	7,380.70	{5,721.77}	17,221.77
296-536.100-719.100	Direct Fringes	1,206.35	1,206.35	330.25	109.51	657.09	{326.84}	1,533.19
296-536.100-719.150	Employer Pension DB Plan	3,899.42	3,899.42	1,637.76	805.11	5,630.23	{3,992.47}	7,891.89
296-536.100-719.200	Other Fringes	1,150.00	1,150.00	483.00	94.34	609.21	{126.21}	1,276.21
296-536.101-702.000	Wages & Salaries	11,500.00	11,500.00	3,191.05	1,038.60	6,231.70	{3,040.65}	14,540.65
296-536.101-719.100	Direct Fringes	1,206.35	1,206.35	466.56	92.47	554.82	{88.26}	1,294.61
296-536.101-719.150	Employer Pension DB Plan	3,899.42	3,899.42	1,637.76	679.76	4,753.65	{3,115.89}	7,015.31
296-536.101-719.200	Other Fringes	1,150.00	1,150.00	483.00	79.65	514.44	{31.44}	1,181.44
296-690.100-801.000	Professional Service	120,000.00	43,034.86	0.00	0.00	0.00	0.00	120,000.00
296-753.200-702.000	Wages & Salaries	4,000.00	4,000.00	2,151.76	231.07	1,386.21	765.55	3,234.45
296-753.200-719.100	Direct Fringes	419.60	419.60	254.89	20.61	123.46	131.43	288.17
296-753.200-719.150	Employer Pension DB Plan	1,356.32	1,356.32	569.65	151.20	1,057.36	{487.71}	1,844.03
296-753.200-719.200	Other Fringes	400.00	400.00	168.00	17.71	114.42	53.58	346.42
TOTAL FUND 296			(26,221.14)	(0.16)	13,796.27	51,437.66	{44,642.82}	51,437.82
TOTAL LCSM-17-FRTA - Fin. Recovery Tech Assist-CSMott Grant			(26,221.14)	(0.16)	13,796.27	51,437.66	{44,642.82}	51,437.82
TOTAL REPORT			(26,221.14)	(0.16)	13,796.27	51,437.66	{44,642.82}	51,437.82



CHARLES STEWART  
MOTT FOUNDATION®

January 10, 2019

The Honorable Karen Weaver, Mayor  
City of Flint  
1101 South Saginaw Street  
Flint, MI 48502

Project: Financial Recovery Technical Assistance  
(Grant #G-201600651)

Dear Honorable Mayor Weaver:

In response to the request of the City of Flint dated November 14, 2018, the Mott Foundation has approved an extension of the grant period for the above-referenced project.

The revised grant period is now September 1, 2016 through November 30, 2019. In addition, the budget has been revised as requested:

Economic Development	\$ 60,000
Rebuilding Flint the Right Way	60,000
Grant writer	120,000
DPW director-partial	154,398
Police equipment	<u>22,801</u>
Total	\$417,199

The revised reporting requirements are as follows:

Report Type	For Period Ending	Due On or Before
Progress Report	June 30, 2019	August 1, 2019
Progress Report	November 30, 2019	January 1, 2020 (New)

Payments are conditioned upon the Mott Foundation's receipt and acceptance of all reports as specified in the original grant award letter.

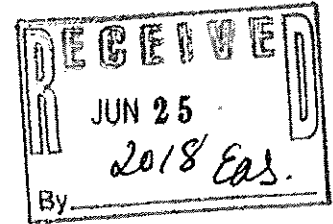
All other terms and conditions of this grant remain unchanged.

Sincerely,

Kimberly Roberson  
Program Director - Flint Area

AH:clb





June 21, 2018

The Honorable Karen Weaver  
City of Flint  
1101 S. Saginaw Street  
Flint, MI 48502-1420

Project: Financial Recovery Technical Assistance  
(Grant #G-201600651)

Dear Mayor Weaver:

In response to the request of the City of Flint dated April 2, 2018, the Mott Foundation has approved an extension of the grant period for the above-referenced project.

The revised grant period is now September 1, 2016 through June 30, 2019. The revised reporting requirements are as follows:

Report Type	For Period Ending	Due On or Before
Special Requirement (Pymt)		December 2, 2016 (Received)
Special Requirement (Pymt)		March 1, 2017 (Received)
Progress Report	June 30, 2017	August 1, 2017 (Waived)
Progress Report	March 31, 2018	May 1, 2018 (Waived)
Progress Report	June 30, 2019	August 1, 2019 (New)

All other terms and conditions of this grant remain unchanged.

Sincerely,

Kimberly Roberson  
Program Director - Flint Area

AH:clb

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SUBMISSION NO.: CA324 2016

PRESENTED: 12-19-16

ADOPTED: RTAB 1-19-17

**RESOLUTION AUTHORIZING THE AMENDMENT OF THE 2016-17 ADOPTED BUDGET  
FOR C.S. MOTT GRANT # 2016-00651 IN THE AMOUNT OF \$417,199.00**

**BY THE ADMINISTRATION:**

Whereas, the Charles Stewart Mott Foundation wishes to assist the City of Flint's financial recovery process,

Whereas, Grant #2016-00651 has been awarded in the amount of \$417,199.00 for Financial Recovery Technical Assistance, and

Whereas the FY17 adopted budget must be amended to include the awarded funds,

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to abide by the terms of C.S. Mott Grant # 2016-00651 in the amount of \$417,199.00, to appropriate revenue and expenditure amounts using grant code LCSM17-FRTA, and to make the grant funds available in the current and any subsequent fiscal years that funding continues to remain available by the grantor.

**APPROVAL:**

As to Form:

  
Legal Officer

  
Sylvester Jones, City Administrator

  
Kerry Nelson, Council President

PRESENTED TO CITY COUNCIL:

1-09-2017

ADOPTED BY CITY COUNCIL:

1-09-2017

As to Funding:

  
David Sabuda, Chief Financial Officer

  
Dr. Karen W. Weaver, Mayor

**RECEIVERSHIP TRANSITION ADVISORY  
BOARD:**

ADOPTED BY THE  
RECEIVERSHIP TRANSITION  
ADVISORY BOARD  
JANUARY 19, 2017

## RESOLUTION STAFF REVIEW FORM

**DATE:** December 15, 2016

**Agenda Item Title:** RESOLUTION AUTHORIZING THE AMENDMENT OF THE 2016-17 ADOPTED BUDGET FOR C.S. MOTT GRANT # 2016-000651 IN THE AMOUNT OF \$417,199.00

**Prepared By:** Tamar Lewis, Budget & Grants Administrator

**Background/Summary of Proposed Action:** Recognizing a need for financial assistance with the costs of facilitating financial recovery technical assistance, the C.S. Mott Foundation has awarded and the City has accepted grant funds in the amount of \$417,199.00 for the following:

Position	Amt
Grant Writer	\$ 120,000.00
DPW Director - partial	77,199.00
Executive Search	100,000.00
Economic Development	60,000.00
Rebuild Flint The Right Way	60,000.00
<b>TOTAL:</b>	<b>\$ 417,199.00</b>

**Financial Implications:**

**Budgeted Expenditure:** Yes \_\_\_\_\_ No X Please explain, if no: The funds will be added to the budget and encumbered upon approval of this resolution.

**Account #:** Various Accounts under Grant Code LCSTMOTT17-FRTA

**Pre-encumbered:** Yes \_\_\_\_\_ No X Requisition # \_\_\_\_\_

**Other Implications (i.e., collective bargaining:**

**Staff Recommendation:** Approval of this resolution is recommended.

**Approval:**

  
Sylvester Jones, Jr.  
City Administrator

		10.49%	\$ 16,954.00	10%	
Position	Wage	Direct Fringe	Other Fringe	Retirement	Amt
1 Grant Writer	120,000.00				\$ 120,000.00
2 DPW Director - partial	50,000.00	5,245.00	16,954.00	5,000.00	77,199.00
3 Executive Search					100,000.00
4 Economic Development					60,000.00
5 Rebuild Flint The Right Way					60,000.00
<b>TOTAL:</b>					<b>\$ 417,199.00</b>

1	101 - 172 100 - 801 000	120,000.00			120,000.00
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2	202 - 442 100 - 702 000	12,500.00			12,500.00
	203 - 442 100 - 702 000	12,500.00			12,500.00
	590 - 442 100 - 702 000	12,500.00			12,500.00
	591 - 442 100 - 702 000	12,500.00			12,500.00
	202 - 442 100 - 719 100		1,311.25		1,311.25
	203 - 442 100 - 719 100		1,311.25		1,311.25
	590 - 442 100 - 719 100		1,311.25		1,311.25
	591 - 442 100 - 719 100		1,311.25		1,311.25
	202 - 442 100 - 719 157			1,250.00	1,250.00
	203 - 442 100 - 719 157			1,250.00	1,250.00
	590 - 442 100 - 719 157			1,250.00	1,250.00
	591 - 442 100 - 719 157			1,250.00	1,250.00
	202 - 442 100 - 719 200		4,238.50		4,238.50
	203 - 442 100 - 719 200		4,238.50		4,238.50
	590 - 442 100 - 719 200		4,238.50		4,238.50
	591 - 442 100 - 719 200		4,238.50		4,238.50

3	101 - 270 100 - 801 000	100,000.00			100,000.00
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4,5	101 - 690 100 - 801 000	120,000.00			120,000.00
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\$ 390,000.00 \$ 5,245.00 \$ 16,954.00 \$ 5,000.00 \$ 417,199.00



December 2, 2016

The Honorable Karen Weaver, Mayor  
City of Flint  
1101 S. Saginaw Street  
Flint, MI 48502-1420

Project: Financial Recovery Technical Assistance  
(Grant No. 2016-00651)

Dear The Honorable Mayor Weaver:

We are pleased to inform you that, in response to your grant proposal dated August 26, 2016 ("Grant Proposal"), the Charles Stewart Mott Foundation has approved a grant in the amount of up to \$417,199 to the City of Flint ("you" or the "City") for the above-referenced project for the period September 1, 2016 through March 31, 2018.

This grant is being made in accordance with the following budget:

Consulting Services	
Economic Development	\$60,000
Rebuilding Flint the Right Way	60,000
Grant Writer	120,000
Executive Search	100,000
DPW Director-partial	<u>77,199</u>
Total	<u>\$417,199</u>

This is a one-time only grant and a renewal for any or all of the budget line items should not be anticipated.

#### Grant Payments

Subject to the grant conditions specified below, this grant will be paid as follows:

1. The initial grant payment of \$40,000 for one-third of the Economic Development and Rebuilding Flint the Right Way under the Consulting Services line item of the budget, contingent upon:
  - a) our receipt of the signed commitment letter;
  - b) satisfactory verification of acceptance of the Mott Foundation grant by the Flint City Council and the Receivership Transition Advisory Board (RTAB);

180523.1

ORDINANCE NO. \_\_\_\_\_

An Ordinance to amend the City of Flint Code of Ordinances by amending Chapter 2, Article VI, City Wide Advisory Committee.

**IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:**

Sec. 1. That the Ordinances of the City of Flint shall be amended by amending Chapter 2, Article VI, City Wide Advisory Committee, by amending sections 2-26 through 2-26.4, such Article VI to read in its entirety as follows:

**ARTICLE VI. CITY WIDE ADVISORY COUNCIL COMMITTEE**

**§ 2-26 CREATED.**

There is hereby created a City Wide Advisory COMMITTEE (CWAC) to act in an advisory capacity to the City of Flint in connection with all community and economic development programs. A major purpose is to fulfill grant requirements for citizen input on the use of federal and state funds.

Among the major duties of the CWAC is to: 1) Adopt and utilize an objective review and ranking process of subrecipient applications; and 2) Review and rank all application for subrecipient entitlement and discretionary federal and state grant awards and contracts including "reprogrammed" funds, and make recommendations to City Council and the Mayor for funding allocations. ~~This it to include use of funds by all city of Flint Departments.~~ THE CWAC IS AN ADVISORY BODY AND CAN MAKE NO FINAL FUNDING DECISIONS.

**§2-26.1 COMPOSITION; APPOINTMENT AND REMOVAL OF MEMBERS.**

- (a) The CWAC shall, except as otherwise provided herein, consist of 11 members. There shall be one member from each of the nine wards of the City serving on the CWAC. City Councilpersons of each of the nine (9) wards shall appoint one (1) member. The Mayor shall appoint two (2) members to the CWAC.
- (b) A member of the CWAC shall be a registered voter and a resident of the ward in which he or she is appointed.
- ~~(c) Removal as a member of the CWAC shall be for cause upon recommendation of the City Council, MAYOR AND IN ACCORDANCE WITH SECTION 6-101(B)(3) OF THE FLINT CITY CHARTER. The failure to attend at least seven (7) meetings annually shall be a cause for removal.~~
- (d) Members of the CWAC shall serve until their term of appointment shall expire, unless prior thereto, they should die, resign, accept appointment as one of the "initial appointments" as provided in §2-26.2, or are removed as herein provided. Once the present term of a current member expires, he or she shall not serve on the CWAC beyond that term unless appointed as provided in §2-26.2.

**§2-26.2 Term of Members**

The terms of the initial appointments to the CWAC from each ward shall be as follows:

Three (3) members shall serve a term of three (3) years; Four (4) members

shall serve a term of two (2) years; and Four (4) members shall serve a term of one (1) year. The initial terms of the members from each ward shall be determined by lot. Following the terms of the initial appointments, all terms of appointment shall be for three (3) years, provided however, that an appointment to fill a vacancy during a term shall be for the unexpired balance of that term. For purposes of this section "initial appointments" shall mean the first eleven (11) members appointed to the CWAC following the adoption of this ordinance establishing an 11-member CWAC. All successor appointments shall be made in the same manner as provided for in §2-26.1. A member of the CWAC may be reappointed to succeed him/herself.

Except for initial appointments, the effective date of all appointments shall be June 1<sup>st</sup>. For the initial appointments, the effective date of each such appointment shall be the date of City Council approval of said initial appointments, provided said approval is on or before June 1<sup>st</sup>. Appointments made after June 1<sup>st</sup> shall be given retroactive effect to June 1. The term of an appointment shall expire on May 31<sup>st</sup> of the year in which the appointment would expire. Members, may continue to serve beyond the expiration of their term, until their reappointment, the appointment of a successor, or their removal, whichever should occur first.

#### **§2-26.3 ORGANIZATIONS; TECHNICAL ASSISTANCE.**

The CWAC shall within thirty (30) days following the appointment of all members, organize, adopt a regular schedule of meetings, elect officers and

adopt such administrative procedures pursuant to §6-101 of the Flint City Charter as are necessary to accomplish the purposes mentioned in §2-26 hereof.

The Department of Planning and Development shall provide technical assistance to the CWAC in the performance of its duties.

#### **§2-26.4 COMPENSATION OF MEMBERS**

Members of the CWAC shall serve without compensation from the City or from any trust, donation or legacy to the City for their services as such members, but this limitation shall not preclude a member or his firm from receiving compensation from the City under contract or otherwise, for services rendered outside his duties as a member of the CWAC.

#### **§2-26.5 CONFLICTS OF INTERESTS**

ANY MEMBER OF THE CWAC WHO HAS A SUBSTANTIAL PERSONAL OR PRIVATE INTEREST IN ANY MATTER PROPOSED OR PENDING BEFORE THE CWAC MUST DISCLOSE THAT INTEREST PURSUANT TO THE ETHICS AND DISCLOSURE RULES SET FORTH IN THE CITY OF FLINT CHARTER SECTION 1-602(D)(1)-(3).

#### **§2-26.6 DISQUALIFICATION**

ANY CWAC MEMBER WHO HAS A PERSONAL OR PRIVATE INTEREST IN AN ORGANIZATION AND/OR PARTY THAT IS REQUESTING FUNDING FROM THE CITY OF FLINT IS DISQUALIFIED

FROM VOTING ON A FUNDING  
RECOMMENDATION FOR THE  
IMMEDIATE FUNDING PERIOD  
UNDER REVIEW IN THAT SAME  
FUNDING CATEGORY.

**FOR THE CITY:**

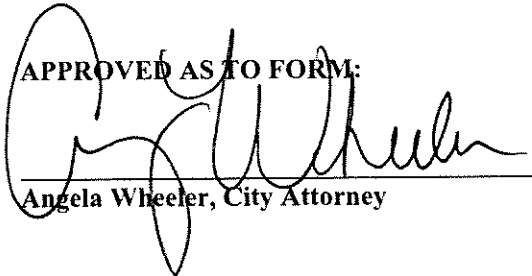
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**Dr. Karen W. Weaver, Mayor**

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**Inez M. Brown, City Clerk**

**APPROVED AS TO FORM:**



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**Angela Wheeler, City Attorney**



ORDINANCE NO. \_\_\_\_\_

An Ordinance to amend the Flint City Code of Ordinances by adopting Article VI Chapter 35, Personnel; Section 35-112.14, Adoption-Job Description and Qualifications-Ombudsperson.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 112. That Section 35-112 of the Code of the City of Flint shall be amended as follows.

**ARTICLE VI. PERSONNEL CODE**

**§ 35-112.14 ADOPTION – JOB DESCRIPTION AND QUALIFICATIONS OMBUDSPERSON**

Pursuant to the provisions of Flint City Charter 1-501(B), the job description and qualifications are hereby adopted by reference AND ATTACHED HERETO.

Sec. 2. This ordinance shall become effective this \_\_\_\_ day of \_\_\_\_\_ 2019.

Adopted this \_\_\_\_\_ day of

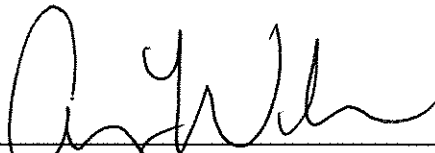
\_\_\_\_\_, A.D., 2019.

\_\_\_\_\_  
Karen W. Weaver, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

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APPROVED AS TO FORM:

  
\_\_\_\_\_  
Angela Wheeler, City Attorney

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35-112.14.docx

City of Flint  
Position Description

**OMBUDSPERSON**

**GENERAL STATEMENT OF DUTIES**

Receives and initiates investigations of complaints, concerns, reports and issues arising under the ethics provisions of the City of Flint Charter, from any person against public servants and City of Flint agencies for failure to adequately perform services as required by the City of Flint Charter, ordinances, regulations and policies; and for dereliction of duty and/or misconduct in office by public servants.

**SALARY**

**\$70,817.7600**

**SUPERVISION RECEIVED**

The Ombudsperson is an at-will position appointed by and serving at the will of the City of Flint Ethics and Accountability Board.

**SUPERVISION EXERCISED**

Exercises supervision over professional and clerical staff of the Ombudsperson's office.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

1. Establish rules for receiving and processing complaints, conducting investigations, hearings, and reporting findings;
2. Provide an informal internal avenue for resolution of complaints, and attempts to resolve issues in lieu of formal proceedings;
3. Must possess a high level of integrity;
4. Handles all inquiries, complaints, investigations, etc. in a professional and confidential manner;
5. Works to promote a relationship of trust and cooperation;
6. May subpoena witnesses, administer oaths, take testimony, and require production of evidence relevant to a matter under investigation;
7. May delegate in writing to a member of his/her staff the power to administer oaths and take testimony;
8. Provides an annual public report on complaints received and actions taken by the Ombudsperson's office.

**MINIMUM ENTRANCE REQUIREMENTS**

- A. Bachelor's Degree from an accredited college or university in Public Administration, Dispute Resolution, Psychology, Social Work, Human Services, or related field. Master's Degree preferred;
- B. Five years of experience in municipal or state government;
- C. Ability and willingness to work with both legislative and executive branches of government;
- D. Knowledge of pertinent laws and regulations;
- E. Five years of experience in counseling and/or alternative dispute resolution (examples: Mediation, Negotiations);
- F. Demonstrated investigative and analytical skills;
- G. Demonstrated ability to manage multiple tasks, in a professional and timely manner;
- H. Strong professional, civic or community service background;
- I. Demonstrated ability to supervise the staff of the office of the Ombudsperson; and
- K. Computer literate with excellent written and oral communication skills.

**NECESSARY SPECIAL REQUIREMENTS**

- A. Must pass a required criminal background check;
- B. Must pass a required drug test;

- C. No person shall be eligible to appointment to the office of Ombudsperson who has held any elective City office within two (2) years prior to the time of appointment;
- D. Upon acceptance of the position of Ombudsperson, the Ombudsperson cannot hold any office of trust or profit other than that of Ombudsperson or engage in any occupation for profit outside the duties of the Ombudsperson; and
- E. Upon acceptance of this position, the Ombudsperson, must operate and perform her/his duties in accordance with the United States Ombudsman Association Governmental Ombudsman Standards, and the City of Flint Personnel Rules policies and regulations.

#### **PHYSICAL DEMANDS**

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to finger, handle or feel objects, tools or controls; and reach with hands and arms. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus. The noise level in the work environment is usually quiet.

**The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.**

#### **APPLICATION PROCESS**

You must meet the minimum entrance requirements and attach supporting documentation to be considered for employment. A formal application packet, including (1) a resume, (2) a writing sample (of at least 2 pages in length), and (3) an application must be completed and submitted electronically through the City of Flint's website for consideration. Please be sure to complete the application in full. Writing samples and resumes may be uploaded with your application, but will not be accepted in lieu of a fully completed application and will not be considered for qualifying credit. Such statements as: "see resume" or "see attachment", will not be accepted. Failure to supply required documentation (i.e. transcripts, driver's license, etc.) will result in disqualification for consideration. **Applications are available at [www.cityofflint.com](http://www.cityofflint.com).** Phone calls, letters of interest, or other contacts will not be accepted or considered as a formal application or in compliance with the application process.

**ALL questions regarding the position of Ombudsperson and/or the submission of an application, MUST be directed solely to the Human Resources and Labor Relations Department (HRLR). The HRLR Department can be reached by email at [hr@cityofflint.com](mailto:hr@cityofflint.com).**