

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, November 30, 2020

5:30 PM

ELECTRONIC PUBLIC MEETING

CITY COUNCIL

*Kate Fields, President, Ward 4
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7*

*Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING**AMENDED PUBLIC NOTICE*****In Accordance with the Newly Revised Open Meetings Act
FLINT CITY COUNCIL ELECTRONIC PUBLIC MEETING***

On Friday, October 5, 2020, the Michigan Supreme Court (MSC) issued an order declaring the Emergency Powers of Governor (EPG) Act as an unconstitutional delegation of legislative authority, which was the primary authority relied on by Governor Whitmer for her COVID-19 related executive orders. Subsequently, Governor Whitmer requested that the MSC clarify that their order does not go into effect until October 30, 2020. On Monday October 12, 2020, the Michigan Supreme Court rejected Governor Whitmer's request to delay the effect of its decision to strike down the EPG. On Tuesday, October 13, 2020, Senate Bill 1108 passed, amending the Open Meetings Act to allow municipalities to hold electronic meetings before January 1, 2021 and retroactive to March 18, 2020. On Friday, October 16, 2020, Governor Whitmer signed into law Senate Bill 1108 amending the Open Meetings Act. On November 15, an order from the Michigan Department of Health and Human Services (DHHS) prohibits gatherings at non-residential venues beginning November 18. Therefore, pursuant to the amended Open Meetings Act and the DHHS order, the following meeting is scheduled electronically:

***RECESSED Flint City Council Meeting
Monday, November 30, 2020, at 5:30 p.m.******(Meeting recessed from Monday, November 23, 2020)***

- 1. The public and media may listen to the meeting online by live stream at <<https://www.youtube.com/watch?v=qQJ-NnFncDg>> or through Start Meeting Solution by dialing (617) 944-8177.*
 - 2. Meeting attendees may also participate in the meeting by calling (617) 944-8177.*
 - 3. Persons with disabilities may participate in the meeting by the above-mentioned means or by emailing a request for an accommodation to CouncilPublicComment@cityofflint.com, with the subject line Request for Accommodation, or by contacting the City Clerk at (810) 766-7418 to request accommodation - including but not limited to interpreters.*
- If there are any questions concerning this notice, please direct them to City Council office at (810) 766-7418.*

RETURN TO ORDER**ROLL CALL****MEMBER REMOTE ANNOUNCEMENT**

Pursuant to the newly revised Open Meetings Act, each Council member shall state that they are attending the meeting remotely and shall state where he or she is physically located (county or city and state).

MEMBER CONTACT INFORMATION

Eric Mays - (810) 922-4860; Maurice Davis - mdavis@cityofflint.com; Santino Guerra - sguerra@cityofflint.com; Kate Fields - kfields@cityofflint.com; Jerri Winfrey-Carter - jwinfrey-carter@cityofflint.com; Herbert Winfrey - (810) 691-7463; Monica Galloway - mgalloway@cityofflint.com; Allan Griggs - agriggs@cityofflint.com; Eva Worthing - eworthing@cityofflint.com.

PROCEDURES ON CONDUCTING ELECTRONIC PUBLIC MEETINGS

All boards and commissions must adhere to all laws established under the Michigan Compiled Laws and in accordance with the revisions to the Open Meetings Act adopted in Senate Bill 1108, as passed on October 13, 2020, and signed into law on October 16, 2020.

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.

PRESENTATION OF MINUTES

- 200491** Summary Minutes/Flint City Council/November 9, 2020
- Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, November 9, 2020, at 5:31 p.m.
- 200492** Summary Minutes/Flint City Council/November 12, 2020 (Recessed from November 9, 2020)
- Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, November 12, 2020 (recessed from November 9, 2020), at 5:30 p.m.

SPECIAL ORDERS

- 200497** Special Order/Resolution/Emergency Amendment to Council Rules
- A Special Order as requested by Councilperson Eva Worthing to discuss Resolution No. 200493 -- A resolution to approve emergency amendment to City Council rules.

RESOLUTIONS

[NOTE: During Agenda Changes on November 23, Councilperson Worthing asked to have a Special Order on Emergency Rules, and then to vote on the resolution to approve them (Resolution No. 200493) after the Executive Session. The vote was 9:0.]

- 200493** Approval/Emergency Amended Rules Governing Meetings of the Flint City Council

Resolution resolving that the Flint City Council approves the attached amendments to the [Rules Governing Meetings of the Flint City Council], for 60 days, with immediate effect.

SPECIAL ORDERS CONTINUED

[NOTE: During Agenda Changes on November 23, Councilperson Galloway asked to add two Special Orders (No. 200495 and 200496) to the agenda. The vote was 9:0 on each.]

200495 Special Order/Pierce Golf Course

A Special Order as requested by Councilperson Monica Galloway to discuss Pierce Golf Course and the status of the burned-out club house.

200496 Special Order/Composting

A Special Order as requested by Councilperson Monica Galloway to discuss composting.

PETITIONS AND UNOFFICIAL COMMUNICATIONS

200471 Notice of Public Hearing/Michigan Public Service Commission (MPSC)

Notice of Public Hearing received November 16, 2020, re: Michigan Public Service Commission (MPSC) notice of hearing for the electric customers of Consumers Energy Co., Case No. U-20802, to be held November 19, 2020, at 9:30 a.m., by Video/Teleconferencing.

200472 Notification of Meeting Cancellation/Karegnondi Water Authority (KWA)

Notification of Meeting Cancellation received November 13, 2020, re: The Karegnondi Water Authority (KWA) Board meeting scheduled for November 16, 2020, is cancelled.

200473 Agenda and Attachments/Karegnondi Water Authority (KWA) Meeting

Communication received November 12, 2020, re: An agenda and attachments for the Karegnondi Water Authority (KWA) Meeting to be held at 9:45 a.m., November 16, 2020, at the Genesee County Water Treatment Plant.

200474 Public Notice/Genesee County Metropolitan Alliance (GCMA)

Communication received November 6, 2020, from the Genesee County Metropolitan Alliance (GCMA), re: The GCMA will have a meeting on Wednesday, November 18, 2020, at 7 p.m., via teleconference, to review a proposed amendment to the FY2020-2023 Transportation Improvement Program (TIP).

200475 Flyer/Genesee County Land Bank (GCLB)

Communication received November 13, 2019, re: Genesee County Land Bank received a grant from the C.S. Mott Foundation for demolition.

COMMUNICATIONS (from Mayor and other City Officials)

200476 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (6) dated November 2020, for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

ADDITIONAL COMMUNICATIONS

APPOINTMENTS

200478 Appointment/Human Relations Commission/Ron Luczak/Ward 4

Resolution resolving that the Flint City Council approves the appointment of Ron Luczak (2801 North Averill Avenue, Flint, MI, 48506), to serve on the City of Flint Human Relations Commission for a two-year term, commencing October 27, 2020, and expiring October 28, 2022.

LICENSES

SPECIAL ORDERS CONTINUED

[NOTE: During Agenda Changes on November 23, President Fields asked to have the Special Order for Rehmann Robson (Special Order No. 200477) moved to right before Resolutions. The vote was 9:0.]

200477 Special Order/Need for Change Order/Rehmann Robson

A Special Order as requested by Council President Kate Fields to allow Doug Deeter, a Principal at Rehmann Robson, to discuss why the firm needs a change order to its contract with the city.

RESOLUTIONS CONTINUED

[NOTE: During Agenda Changes on November 23, Councilperson Galloway asked the administration to discuss each resolution prior to the vote, without being interrupted by City Council members. The vote on the request was 9:0.]

200479 Budget Amendment/Transfer of Funds/City Council/Audit

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to amend the City Council budget to transfer \$7,500.00 from the City Council's Equipment Account (101-101.100-977.000) to the City Council's Professional Services Account (101-101.100-801.000), for auditing services, for an FY2020/2021 total of \$257,500.00, and an aggregate three-year total of

\$708,500.00. [NOTE: On June 24, 2020, the City Council approved Resolution No. 200258 to enter into a three-year contract with Rehmann Robson for auditing services. Based on the fact that the city will be required to have four major programs (rather than three) tested in the Single Audit for the fiscal year ended June 30, 2020, an additional fee of \$7,500.00 is required.]

200480 Contract/Lighthouse Group/General Liability & Terrorism Coverage

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to enter into a contract with Lighthouse Group [formerly known as Lake Agency] to provide the City with its general liability and terrorism coverage, through the Old Republic Union Insurance Co., at a premium NOT-TO-EXCEED \$411,900.00 for a 12-month period beginning November 23, 2020 through November 23, 2021, as requested by Finance [Self Insurance Fund Acct. No. 677-174.851-955.000.]

200481 City of Flint/Opt in/Pay as You Stay (PAYS) Program

Resolution resolving that the appropriate city officials are hereby authorized, upon City Council's approval, to do all things necessary to opt into the Pay as You Stay (PAYS) Program. [NOTE: Gov. Gretchen Whitmer signed House Bill 5124, Pay as You Stay (PAYS), which added new sub sections to MCL 211.78g of the General Property Tax Act (Act 206 of 1893 "GPTA"). The revision is meant to help struggling homeowners stay in their homes by providing affordable payment plans, as well as reducing the amount of delinquent taxes owed on their primary residence. The new law allows County Treasurers to implement a program for homeowners who are receiving a property tax exemption under MCL 211.7u. The local unit Treasurer must provide written notice of intent to participate along with an approved resolution to the Genesee County Treasurer's Office no later than December 1, 2020.]

200482 Approval/City of Flint/Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities

Resolution resolving that the Flint City Council authorizes the City Administrator to do all things necessary to adopt the Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities. [NOTE: The city intends to follow all recommended health and safety guidelines to ensure a safe environment for employees and the public (due to COVID-19). Accordingly, the city desires to adopt the attached policy, effective immediately and until April 14, 2021. In the event the Michigan Occupational Safety and Health Administration (MIOSHA) emergency rules are extended, the policy will remain in effect until such date and subject to any amendments subsequently adopted.]

200483 Setting a Public Hearing/Street Vacation/Decker Street Between Robert T. Longway Boulevard and Kearsley Street

Resolution resolving that a public hearing to consider the vacation of Decker Street between Robert T. Longway Boulevard and Kearsley Street, shall be held on the

_____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

200484 Setting a Public Hearing/Street Vacation/Kearsley Street Between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street)

Resolution resolving that a public hearing to consider the vacation of Kearsley Street between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street), shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

200485 Setting a Public Hearing/Street Vacation/Simpson Court Between 9th and 10th Streets

Resolution resolving that a public hearing to consider the vacation of Simpson Court between 9th and 10th Streets, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: Genesee Health System is looking to build a 60,000-square building at the south corner of Saginaw and 9th streets, between 9th and 12th streets. They are looking to build the new facility due to the water crisis and the children and families affected. They also want to consolidate services that are currently offered in three buildings.]

200486 Setting a Public Hearing/Street Vacation/1415 Beach Street Between 9th and 10th Streets

Resolution resolving that a public hearing to consider the vacation of 1415 Beach Street between 9th and 10th streets, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: Genesee Health System is looking to build a 60,000-square building at the south corner of Saginaw and 9th streets, between 9th and 12th streets. They are looking

to build the new facility due to the water crisis and the children and families affected. They also want to consolidate services that are currently offered in three buildings.]

200487 Settlement/Eulas VanPalt v City of Flint, Worker's Compensation No. W18001851

Resolution resolving that the City Administrator, upon City Council's approval, authorizes settlement in the matter of Eulas VanPalt v City of Flint, Worker's Compensation No. W18001851, in the amount of \$38,357.43, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was requested on this matter on November 23, 2020.]

200494 Setting a Public Hearing/Adoption of City of Flint Board & Commission Procedures on Conducting Electronic Public Meetings

A public hearing on the adoption of City of Flint Board & Commission Procedures on Conducting Electronic Public Meetings will be held at 5:30 p.m. Monday, December 21, 2020, by Electronic Public Meeting.

SPECIAL ORDERS CONTINUED

[NOTE: During Agenda Changes on November 23, Council President Fields asked to move the Special Order on Nuisances (Special Order No. 200569) until after Resolutions. The vote was 9:0.]

200469 Special Order/Abatement/Nuisances

A Special Order as requested by Councilperson Davis to discuss nuisance abatement, and how to close businesses, like liquor stores and gas stations, that allow people to congregate and violence erupts.

LIQUOR LICENSES

INTRODUCTION AND FIRST READING OF ORDINANCES

200489 Ordinance/Amendment/Chapter 31 (General Offenses)/Article I (In General)/Addition of Section 31-65 (Hours of the Sale of Liquor)

An ordinance to amend the Code of the City of Flint by amending Chapter 31 (General Offenses), Article I (In General), by the addition of Section 31-65 (Hours of the Sale of Liquor).

200490 Amendment/Ordinance/Chapter 24 (Housing)/Article I (International Property Maintenance Code)/Addition of Section 24-5 (Landlords Removal and Disposal Process Regarding Evictions)

An ordinance to amend the Code of the City of Flint by amending Chapter 24 (Housing), Article I (International Property Maintenance Code), with the

addition of Section 24-5 (Landlords Removal and Disposal Process Regarding Evictions).

SECOND READING AND ENACTMENT OF ORDINANCES

DISCUSSION ITEM

200442 Discussion Item/State of Emergency/Statewide and Locally

A Discussion Item as requested by Councilperson Mays, re: He would like to discuss the Supreme Court rulings on Gov. Whitmer's Executive Orders and how that relates to Flint.

ADDITIONAL DISCUSSION ITEMS

FINAL COUNCIL COMMENTS

ADJOURNMENT

200491

City of Flint, Michigan

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



Meeting Minutes - Draft

Monday, November 9, 2020

5:31 PM

Agenda amended to include a Special Order, a Resolution and a revised Ordinance.

ELECTRONIC PUBLIC MEETING

CITY COUNCIL

*Eric Mays, Ward 1
Santino J. Guerra, Ward 3
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7*

*Maurice Davis, Ward 2
Kate Fields, Ward 4
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING

CALL TO ORDER

City Clerk Inez M. Brown called this organizational meeting of the Council to order at 5:31 p.m.

MEMBER REMOTE ANNOUNCEMENT

ORGANIZATION OF THE CITY COUNCIL (Council President)

The City Council shall elect from its members a presiding officer who shall be known as the President of the Council.

Results:

*Eric Mays = Eric Mays
Maurice Davis = Kate Fields
Santino Guerra = Kate Fields
Kate Fields = Kate Fields
Jerri Winfrey-Carter = Monica Galloway
Herbert Winfrey = Monica Galloway
Monica Galloway = Monica Galloway
Allan Griggs = Kate Fields
Eva Worthing = Kate Fields*

Eric Mays = 1; Kate Fields = 5; Monica Galloway = 3

CALL TO ORDER (President-Elect)

ORGANIZATION OF THE CITY COUNCIL (Council Vice President)

The City Council shall elect from its members an officer who shall be known as the Vice President of the Council.

Results:

*Eric Mays = Eric Mays
Maurice Davis = Maurice Davis
Santino Guerra = Maurice Davis
Kate Fields = Maurice Davis
Jerri Winfrey-Carter = Monica Galloway
Herbert Winfrey = Monica Galloway
Monica Galloway = Monica Galloway
Allan Griggs = Maurice Davis
Eva Worthing = Maurice Davis*

Eric Mays = 1; Maurice Davis = 5; Monica Galloway = 3

ORGANIZATION OF THE CITY COUNCIL (Other Officers and Committees)

President Kate Fields said appointments to Committees will be made at a later date.

MOTION

Councilperson Mays, with support from Councilperson Winfrey-Carter, made a motion to name Councilperson Galloway as Chair of the Finance Committee. The motion failed 3:6 (No: Guerra, Fields, Winfrey, Galloway, Griggs, Worthing).

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

MEMBER CONTACT INFORMATION

PLEDGE OF ALLEGIANCE

Councilperson Jerri Winfrey-Carter led the Pledge of Allegiance.

PRAYER OR BLESSING

PROCEDURES ON CONDUCTING ELECTRONIC PUBLIC MEETINGS

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

REQUESTS FOR CHANGES AND/OR ADDITIONS TO AGENDA

Councilperson Galloway asked to have Public Speaking/Council Response after agenda changes. The motion passed 8:1 (No: Griggs). Councilperson Galloway asked to move Special Orders after the Master Resolution, except for Special Order 200467, which Councilperson Mays asked to have after Public Speaking/Council Response. The motion passed 9:0. Councilperson Mays, with support from Councilperson Galloway, made a motion to place Special Order 200467 with the other Special Orders. The motion passed 9:0.

EXECUTIVE (CLOSED) SESSION

The Department of Law requested an Executive Session for the purpose of updating the City Council on the status of the Water Litigation. Councilperson Worthing, with support from Councilperson Winfrey, made a motion to go into Executive Session. The motion failed 5:3 (No: Mays, Winfrey-Carter, Galloway).

MOTION

Councilperson Davis, with support from Councilperson Worthing, made a motion to recess this meeting until 5:30 p.m. Thursday, November 12, 2020. The motion passed 5:3 (No: Mays, Winfrey-Carter, Galloway).

PRESENTATION OF MINUTES

200463 Summary Minutes/Flint City Council/October 26, 2020

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, October 26, 2020, at 5:30 p.m.

TABLED

SPECIAL ORDERS

200467 Special Order/Blight Discussion

A Special Order as requested by Council President Monica Galloway to discuss blight with Deputy Chief of Staff Duvarl Murdock.

Special Orders 200467, 200394, 200434 and 200455 were postponed to the 11-12-20 Meeting.

Discussed

200394 Special Order/Status/1702 Kenwood

A Special Order as requested by Councilperson Eric Mays on the status of 1702 Kenwood, including what is being proposed for that location.

Discussed

200434 Special Order/Hours/Sale of Beer, Wine, Liquor & Other Alcoholic Beverages

A Special Order as requested by Councilperson Griggs to discuss hours for the sale of beer, wine, liquor and other alcoholic beverages.

Discussed

200455 Special Order/Hours/Sale of Beer, Wine, Liquor & Other Alcoholic Beverages

A Special Order as requested by Councilperson Davis to discuss hours for the sale of beer, wine, liquor and other alcoholic beverages.

Discussed

PUBLIC HEARINGS

PUBLIC SPEAKING

COUNCIL RESPONSE

PETITIONS AND UNOFFICIAL COMMUNICATIONS

200465 Public Notice/Genesee County Metropolitan Planning Commission (GCMPC)/Comprehensive Traffic Safety Study/Intersections in Genesee County/Candidates for Roundabouts

Communication received October 29, 2019, from the Genesee County Metropolitan Planning Commission (GCMPC), re: The Genesee County Metropolitan Planning Commission (GCMPC) is conducting a comprehensive traffic safety study to evaluate over 3,600 intersections throughout Genesee County, building on the initial Skim Analysis performed in 2018. The goal of this study is to further define

the best candidates for a roundabout based on the crash history, traffic volumes and current intersection operations. For more information, go to www.facebook.com/GeneseeCountyRIS.

TABLED

- 200466** Michigan Department of Health and Human Services (MDHHS)/Epidemic Order Oct. 9/Regarding COVID-19

Flyer dated October 9, 2020 from the Michigan Department of Health and Human Services (MDHHS): Flyer details limits on attendance at residential gatherings, limits on attendance at non-residential venues (indoors and outdoors), capacity limitations, food service establishments and organized sports, and a mandate that face coverings are still required. For more information, visit michigan.gov/coronavirus.

TABLED

COMMUNICATIONS (from Mayor and other City Officials)

- 200464** Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (10) dated October and November 2020, and January 9, 2020, for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

TABLED

ADDITIONAL COMMUNICATIONS

APPOINTMENTS

- 200431** Reappointment/Downtown Development Authority (DDA)/Robert C. Kittel

Resolution resolving that the Flint City Council approves the reappointment of Robert C. Kittel (6015 Greenwich Lane, Grand Blanc, MI 48439) to the Downtown Development Authority (DDA) Board to a two-year term, commencing on Oct. 27, 2020 and expiring Oct. 26, 2022. [NOTE: Mr. Kittel's term on the DDA Board expired in November 2006, but he continued to serve.]

Appointments 200431, 200432 and 200456 were postponed to the 11-12-20 meeting.

POSTPONED

- 200432** Reappointment/Downtown Development Authority (DDA)/Louis Hawkins

Resolution resolving that the Flint City Council approves the reappointment of Louis Hawkins (1126 Cool Ridge Drive, Grand Blanc, MI 48439) to the Downtown Development Authority (DDA) Board to a three-year term, commencing on Oct. 27, 2020 and expiring March 31, 2023. [NOTE: Mr. Hawkins' term on the DDA Board

expired in March 2006, but he continued to serve.]

POSTPONED

200456 Appointment/Human Relations Commission/Jameca Patrick-Singleton/Ward 5

Resolution resolving that the Flint City Council approves the appointment of Jameca Patrick-Singleton (705 Wilberforce Lane, Flint, MI, 48503), to serve on the City of Flint Human Relations Commission for a three-year term, commencing October 27, 2020, and expiring October 28, 2023.

POSTPONED

LICENSES

RESOLUTIONS

200457 Ferguson Waterworks/Water Main & Service Connection Parts

A resolution resolving that the proper city officials are authorized to approve the issuance of a purchase order to Ferguson Waterworks, as requested by the Water Service Center, for water main and service connection parts, in an amount NOT-TO-EXCEED \$100,000.00 [Water Fund Acct. No. 591-540.202-726.000.]

Resolutions 200457, 200458, 200459, 200460, 200462 and 200468 were postponed to the 11-12-20 meeting.

POSTPONED

200458 CO#1/Contract/Goyette Mechanical Co./2018 Phase V Service Line Replacements/Two (2) Zones of Ten (10) Zones

Resolution resolving that the proper City Officials, upon City Council's approval, are hereby authorized to enter into change order #1 [to the] contract with Goyette Mechanical Co. for incurred costs servicing two (2) zones of the ten (10) service line replacement zones due to the elimination of hydro-vac services, in an amount NOT-TO-EXCEED \$1,169,686.00, with disbursement of funding from the Michigan Department of Environment, Great Lakes and Energy (EGLE) [Water Service Lines Acct. No. 496-540.210-801.060.] [NOTE: The Flint City Council approved Resolution No. 180200 on May 2, 2018, authorizing a contract with Goyette Mechanical Co. for servicing two (2) zones of the ten (10) service line replacement zones in an amount NOT-TO-EXCEED \$5,626,830.00, with disbursement of funding from EGLE. In June 2018, an internal change to the contract was directed eliminating hydro-vac services. Due to this change not being part of the bid specifications, additional costs in the amount of \$1,169,686.00 were incurred. EGLE has given approval to provide disbursement of funding for these incurred costs.]

POSTPONED

200459 Grant Acceptance/Charles Stewart Mott Foundation/Maintenance of City of Flint Parks

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to abide by the terms of C.S. Mott Grant No. 2019-05848, in the amount of \$336,200.00, to appropriate revenue and expenditure amounts using grant code PCSM-PARKS20, and to make the grant funds available to the current and any subsequent fiscal years that funding continues to remain available by the grantor [Parks Revenue Fund 296-691.407-580.000 and Parks Expense Acct. No. 296-691.407-801.000.] [NOTE: The grant was awarded to help maintain and secure City of Flint parks as outlined in the Partnership Agreement entered into between the City of Flint and Genesee County Parks and Recreation Commission.]

POSTPONED

200460 Interlocal Agreement/Genesee County Designated Assessor

Resolution resolving that the Flint City Council of the City of Flint approves the Interlocal Agreement naming Stacey Kaake, an individual qualified and certified by the State Tax Commission as a Michigan Master Assessing Officer, to be the County Designated Assessor for Genesee County, AND, resolving that Mayor Sheldon Neeley is authorized to sign the Interlocal Agreement. [NOTE: MCL 211.10g established the requirement for a designated assessor in each county and that such designation should be made before December 31, 2020. To meet the requirement of appointing a Designated Assessor for Genesee County, the assessing districts in Genesee County and the County of Genesee have agreed to designate Stacey Kaake as Designated Assessor. The Interlocal Agreement naming the Designated Assessor shall be binding upon all assessing districts upon its approval by the County Board of Commissioners, Stacey Kaake, a majority of the assessing districts and the State Tax Commission. The Designated Assessor shall only act as the assessor of record for an assessing district when required by the State Tax Commission.]

POSTPONED

200462 Contract/J. Ranck Electric, Inc./Street Improvements/M. L. King Avenue/Community Development Block Grant Funds

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to enter into a contract with J. Ranck Electric, Inc., for the purposes of street improvements along M. L. King Avenue, in an amount NOT-TO-EXCEED \$121,935.00 [Master Planning Public Facilities & Improvements Fund Acct. No. 274-748.207-805.051 and Master Planning Sidewalks Fund Acct. No. 274-748.209-805.063.] [NOTE: Planning & Zoning was awarded Community Development Block Grant (CDBG) funding to complete street improvements along M. L. King Avenue.]

POSTPONED

200468 Setting a Public Hearing/Alley Vacation/1415-1419 North Dort Highway

Resolution resolving that a public hearing to consider the vacation of the public alley located at 1415-1419 North Dort Highway, Flint (Parcel Nos. 41-08-239-008, 41-08-239-009, 41-08-239-001 and 41-08-239-002), including the entire 15-foot alleyway along the street address of 1415 to 1419 North Dort Highway, including the portion of the alleyway from there towards its terminus at Missouri Street, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: The applicant intends to construct a retail pharmacy location with drive-through services and a contiguous parking for customers' use. To undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can commence. There is an existing 15-foot alleyway (public) which must be vacated.]

POSTPONED

LIQUOR LICENSES**INTRODUCTION AND FIRST READING OF ORDINANCES****200461** Amendment/Chapter 35 (Personnel)/Article V (Working Conditions)/Amendment of Section 35-89 (Holidays)

An ordinance to amend the Code of the City of Flint by amending Chapter 35, (Personnel), Article V (Working Conditions) by amending Section 35-89 (Holidays). [NOTE: Amendment adds Juneteenth to the list of holidays.]

Ordinance 200461 was postponed to the 11-12-20 meeting.

POSTPONED

SECOND READING AND ENACTMENT OF ORDINANCES**DISCUSSION ITEM****200442** Discussion Item/State of Emergency/Statewide and Locally

A Discussion Item as requested by Councilperson Mays, re: He would like to discuss the Supreme Court rulings on Gov. Whitmer's Executive Orders and how that relates to Flint.

Discussion Item 200442 was postponed to the 11-12-20 meeting.

POSTPONED

ADDITIONAL DISCUSSION ITEMS

FINAL COUNCIL COMMENTS

ADJOURNMENT

After a vote to recess until Thursday, November 12, 2020, this meeting adjourned at 10:32 p.m.

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council

City of Flint, Michigan

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



Meeting Minutes - Draft

Thursday, November 12, 2020

5:30 PM

(Meeting recessed from November 9, 2020)

ELECTRONIC PUBLIC MEETING

CITY COUNCIL

*Kate Fields, President, Ward 4
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7*

*Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

RETURN TO ORDER

Council President Kate Fields returned this meeting to order (recessed from 11-9-20) at 5:30 p.m.

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

MEMBER REMOTE ANNOUNCEMENT

MEMBER CONTACT INFORMATION

PROCEDURES ON CONDUCTING ELECTRONIC PUBLIC MEETINGS

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

PRESENTATION OF MINUTES

200463 Summary Minutes/Flint City Council/October 26, 2020

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, October 26, 2020, at 5:30 p.m.

The motion was to approve the minutes with any corrections.

A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be Placed on File. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

PETITIONS AND UNOFFICIAL COMMUNICATIONS

200465 Public Notice/Genesee County Metropolitan Planning Commission (GCMPC)/Comprehensive Traffic Safety Study/Intersections in Genesee County/Candidates for Roundabouts

Communication received October 29, 2019, from the Genesee County Metropolitan Planning Commission (GCMPC), re: The Genesee County Metropolitan Planning Commission (GCMPC) is conducting a comprehensive traffic safety study to evaluate over 3,600 intersections throughout Genesee County, building on the initial Skim Analysis performed in 2018. The goal of this study is to further define the best candidates for a roundabout based on the crash history, traffic volumes and current intersection operations. For more information, go to

www.facebook.com/GeneseeCountyRIS.

This Matter was Placed on File on the Consent Agenda.

- 200466** Michigan Department of Health and Human Services (MDHHS)/Epidemic Order Oct. 9/Regarding COVID-19

Flyer dated October 9, 2020 from the Michigan Department of Health and Human Services (MDHHS): Flyer details limits on attendance at residential gatherings, limits on attendance at non-residential venues (indoors and outdoors), capacity limitations, food service establishments and organized sports, and a mandate that face coverings are still required. For more information, visit michigan.gov/coronavirus.

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS (from Mayor and other City Officials)

- 200464** Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (10) dated October and November 2020, and January 9, 2020, for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

ADDITIONAL COMMUNICATIONS

APPOINTMENTS

- 200431** Reappointment/Downtown Development Authority (DDA)/Robert C. Kittel

Resolution resolving that the Flint City Council approves the reappointment of Robert C. Kittel (6015 Greenwich Lane, Grand Blanc, MI 48439) to the Downtown Development Authority (DDA) Board to a two-year term, commencing on Oct. 27, 2020 and expiring Oct. 26, 2022. [NOTE: Mr. Kittel's term on the DDA Board expired in November 2006, but he continued to serve.]

POSTPONED

Substituted

Councilperson Mays was removed from the meeting (muted) at 6:21 p.m.

Present: Councilperson: Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

Absent: Councilperson: Councilperson Mays

- 200431** Reappointment/Downtown Development Authority (DDA)/Robert C. Kittel

Resolution resolving that the Flint City Council approves the reappointment of Robert C. Kittel (6015 Greenwich Lane, Grand Blanc, MI 48439) to the Downtown

Development Authority (DDA) Board to a two-year term, commencing on Oct. 27, 2020 and expiring Oct. 26, 2022. [NOTE: Mr. Kittel's term on the DDA Board expired in November 2006, but he continued to serve.]

A motion was made by Councilperson Davis, seconded by Councilperson Griggs, that this matter be Approved. The motion carried by the following vote:

Aye: 6 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Griggs and Councilperson Worthing

No: 2 - Councilperson Winfrey-Carter and Councilperson Galloway

Absent: 1 - Councilperson Mays

200432 Reappointment/Downtown Development Authority (DDA)/Louis Hawkins

Resolution resolving that the Flint City Council approves the reappointment of Louis Hawkins (1126 Cool Ridge Drive, Grand Blanc, MI 48439) to the Downtown Development Authority (DDA) Board to a three-year term, commencing on Oct. 27, 2020 and expiring March 31, 2023. [NOTE: Mr. Hawkins' term on the DDA Board expired in March 2006, but he continued to serve.]

A motion was made by Councilperson Davis, seconded by Councilperson Griggs, that this matter be Approved. The motion carried by the following vote:

Aye: 7 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

No: 1 - Councilperson Winfrey-Carter

Absent: 1 - Councilperson Mays

200456 Appointment/Human Relations Commission/Jameca Patrick-Singleton/Ward 5

Resolution resolving that the Flint City Council approves the appointment of Jameca Patrick-Singleton (705 Wilberforce Lane, Flint, MI, 48503), to serve on the City of Flint Human Relations Commission for a three-year term, commencing October 27, 2020, and expiring October 28, 2023.

A motion was made by Councilperson Winfrey-Carter, seconded by Councilperson Guerra, that this matter be Approved. The motion carried by the following vote:

Aye: 5 - Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, Councilperson Winfrey and Councilperson Galloway

Abstain: 3 - Councilperson Fields, Councilperson Griggs and Councilperson Worthing

Absent: 1 - Councilperson Mays

LICENSES

RESOLUTIONS

200457 Ferguson Waterworks/Water Main & Service Connection Parts

A resolution resolving that the proper city officials are authorized to approve the issuance of a purchase order to Ferguson Waterworks, as requested by the Water Service Center, for water main and service connection parts, in an amount NOT-TO-EXCEED \$100,000.00 [Water Fund Acct. No. 591-540.202-726.000.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200458 CO#1/Contract/Goyette Mechanical Co./2018 Phase V Service Line Replacements/Two (2) Zones of Ten (10) Zones

Resolution resolving that the proper City Officials, upon City Council's approval, are hereby authorized to enter into change order #1 [to the] contract with Goyette Mechanical Co. for incurred costs servicing two (2) zones of the ten (10) service line replacement zones due to the elimination of hydro-vac services, in an amount NOT-TO-EXCEED \$1,169,686.00, with disbursement of funding from the Michigan Department of Environment, Great Lakes and Energy (EGLE) [Water Service Lines Acct. No. 496-540.210-801.060.] [NOTE: The Flint City Council approved Resolution No. 180200 on May 2, 2018, authorizing a contract with Goyette Mechanical Co. for servicing two (2) zones of the ten (10) service line replacement zones in an amount NOT-TO-EXCEED \$5,626,830.00, with disbursement of funding from EGLE. In June 2018, an internal change to the contract was directed eliminating hydro-vac services. Due to this change not being part of the bid specifications, additional costs in the amount of \$1,169,686.00 were incurred. EGLE has given approval to provide disbursement of funding for these incurred costs.]

SEPARATED FROM MASTER RESOLUTION**200459** Grant Acceptance/Charles Stewart Mott Foundation/Maintenance of City of Flint Parks

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to abide by the terms of C.S. Mott Grant No. 2019-05848, in the amount of \$336,200.00, to appropriate revenue and expenditure amounts using grant code PCSM-PARKS20, and to make the grant funds available to the current and any subsequent fiscal years that funding continues to remain available by the grantor [Parks Revenue Fund 296-691.407-580.000 and Parks Expense Acct. No. 296-691.407-801.000.] [NOTE: The grant was awarded to help maintain and secure City of Flint parks as outlined in the Partnership Agreement entered into between the City of Flint and Genesee County Parks and Recreation Commission.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200460 Interlocal Agreement/Genesee County Designated Assessor

Resolution resolving that the Flint City Council of the City of Flint approves the Interlocal Agreement naming Stacey Kaake, an individual qualified and certified by the State Tax Commission as a Michigan Master Assessing Officer, to be the County Designated Assessor for Genesee County, AND, resolving that Mayor Sheldon Neeley is authorized to sign the Interlocal Agreement. [NOTE: MCL 211.10g established the requirement for a designated assessor in each county and that such designation should be made before December 31, 2020. To meet the requirement of appointing a Designated Assessor for Genesee County, the assessing districts in Genesee County and the County of Genesee have agreed to designate Stacey Kaake as Designated Assessor. The Interlocal Agreement naming the Designated Assessor shall be binding upon all assessing districts upon its approval by the County Board of Commissioners, Stacey Kaake, a majority of the assessing districts and the State Tax Commission. The Designated Assessor shall only act as the assessor of record for an assessing district when required by the State Tax Commission.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200462

Contract/J. Ranck Electric, Inc./Street Improvements/M. L. King Avenue/Community Development Block Grant Funds

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to enter into a contract with J. Ranck Electric, Inc., for the purposes of street improvements along M. L. King Avenue, in an amount NOT-TO-EXCEED \$121,935.00 [Master Planning Public Facilities & Improvements Fund Acct. No. 274-748.207-805.051 and Master Planning Sidewalks Fund Acct. No. 274-748.209-805.063.] [NOTE: Planning & Zoning was awarded Community Development Block Grant (CDBG) funding to complete street improvements along M. L. King Avenue.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200468

Setting a Public Hearing/Alley Vacation/1415-1419 North Dort Highway

Resolution resolving that a public hearing to consider the vacation of the public alley located at 1415-1419 North Dort Highway, Flint (Parcel Nos. 41-08-239-008, 41-08-239-009, 41-08-239-001 and 41-08-239-002), including the entire 15-foot alleyway along the street address of 1415 to 1419 North Dort Highway, including the portion of the alleyway from there towards its terminus at Missouri Street, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: The applicant intends to construct a retail pharmacy location with drive-through services and a contiguous parking for customers' use. To undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can commence. There is an existing 15-foot alleyway (public) which must be vacated.]

SEPARATED FROM MASTER RESOLUTION

Passed The Consent Agenda

A motion was made by Councilperson Galloway, seconded by Councilperson Guerra, including all the preceding items marked as having been adopted on a Consent Agenda. The motion carried by the following vote:

Aye: 8 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

Absent: 1 - Councilperson Mays

SEPARATED FROM THE MASTER RESOLUTION

200458 CO#1/Contract/Goyette Mechanical Co./2018 Phase V Service Line Replacements/Two (2) Zones of Ten (10) Zones

Resolution resolving that the proper City Officials, upon City Council's approval, are hereby authorized to enter into change order #1 [to the] contract with Goyette Mechanical Co. for incurred costs servicing two (2) zones of the ten (10) service line replacement zones due to the elimination of hydro-vac services, in an amount NOT-TO-EXCEED \$1,169,686.00, with disbursement of funding from the Michigan Department of Environment, Great Lakes and Energy (EGLE) [Water Service Lines Acct. No. 496-540.210-801.060.] [NOTE: The Flint City Council approved Resolution No. 180200 on May 2, 2018, authorizing a contract with Goyette Mechanical Co. for servicing two (2) zones of the ten (10) service line replacement zones in an amount NOT-TO-EXCEED \$5,626,830.00, with disbursement of funding from EGLE. In June 2018, an internal change to the contract was directed eliminating hydro-vac services. Due to this change not being part of the bid specifications, additional costs in the amount of \$1,169,686.00 were incurred. EGLE has given approval to provide disbursement of funding for these incurred costs.]

A motion was made by Councilperson Guerra, seconded by Councilperson Winfrey, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

Absent: 1 - Councilperson Mays

200468 Setting a Public Hearing/Alley Vacation/1415-1419 North Dort Highway

Resolution resolving that a public hearing to consider the vacation of the public alley located at 1415-1419 North Dort Highway, Flint (Parcel Nos. 41-08-239-008, 41-08-239-009, 41-08-239-001 and 41-08-239-002), including the entire 15-foot alleyway along the street address of 1415 to 1419 North Dort Highway, including the portion of the alleyway from there towards its terminus at Missouri Street, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15)

days prior to said hearing. [NOTE: The applicant intends to construct a retail pharmacy location with drive-through services and a contiguous parking for customers' use. To undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can commence. There is an existing 15-foot alleyway (public) which must be vacated.]

A motion was made by Councilperson Davis, seconded by Councilperson Griggs, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

Absent: 1 - Councilperson Mays

SPECIAL ORDERS

200467 Special Order/Blight Discussion

A Special Order as requested by Council President Monica Galloway to discuss blight with Deputy Chief of Staff Duvarl Murdock.

Presented

200394 Special Order/Status/1702 Kenwood

A Special Order as requested by Councilperson Eric Mays on the status of 1702 Kenwood, including what is being proposed for that location.

This Special Order was dropped by a 5:3 vote (No: Winfrey-Carter, Winfrey, Galloway).

Presented

200434 Special Order/Hours/Sale of Beer, Wine, Liquor & Other Alcoholic Beverages

A Special Order as requested by Councilperson Griggs to discuss hours for the sale of beer, wine, liquor and other alcoholic beverages.

This Special Order was postponed to the next City Council meeting on 11-23-20.

Discussed

200455 Special Order/Hours/Sale of Beer, Wine, Liquor & Other Alcoholic Beverages

A Special Order as requested by Councilperson Davis to discuss hours for the sale of beer, wine, liquor and other alcoholic beverages.

This Special Order will be renamed "nuisance abatement."

Discussed

200469 Special Order/Abatement/Nuisances

A Special Order as requested by Councilperson Davis to discuss nuisance

abatement, and how to close businesses, like liquor stores and gas stations, that allow people to congregate and violence erupts.

This Special Order was postponed to the next meeting on 11-23-20.

Discussed

LIQUOR LICENSES

ROLL CALL

Councilperson Galloway left the meeting at 8:50 p.m.

Present: Councilperson: Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Winfrey, Councilperson Griggs and Councilperson Worthing

Absent: Councilperson: Councilperson Mays and Councilperson Galloway

INTRODUCTION AND FIRST READING OF ORDINANCES

200461 Amendment/Chapter 35 (Personnel)/Article V (Working Conditions)/Amendment of Section 35-89 (Holidays)

An ordinance to amend the Code of the City of Flint by amending Chapter 35, (Personnel), Article V (Working Conditions) by amending Section 35-89 (Holidays). [NOTE: Amendment adds Juneteenth to the list of holidays.]

A motion was made by Councilperson Winfrey, seconded by Councilperson Davis, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:

Aye: 7 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Griggs and Councilperson Worthing

Absent: 2 - Councilperson Mays and Councilperson Galloway

SECOND READING AND ENACTMENT OF ORDINANCES

DISCUSSION ITEM

200442 Discussion Item/State of Emergency/Statewide and Locally

A Discussion Item as requested by Councilperson Mays, re: He would like to discuss the Supreme Court rulings on Gov. Whitmer's Executive Orders and how that relates to Flint.

POSTPONED

ADDITIONAL DISCUSSION ITEMS

FINAL COUNCIL COMMENTS

ADJOURNMENT

Council President Kate Fields adjourned this Electronic Public Meeting at 9:05 p.m., after a motion by Councilperson Winfrey, with support from Councilperson Griggs. The vote was 7-0.

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council



PRESENTED: _____

200493

PRESENTED: _____

NOV 23 2020

ADOPTED: _____

RESOLUTION TO APPROVE EMERGENCY AMENDMENT TO COUNCIL RULES

BY THE CITY COUNCIL:

WHEREAS, the City Council adopted its last version of Rulings Governing Meetings of the Council ("Council Rules") on June 12, 2017, and that City Council's annual review of Council Rules takes place every December during the Special Affairs Committee agenda; and

WHEREAS, it has been impractical for City Council to hold Council Committee meetings during the COVID-19 Pandemic since it was deemed an unnecessary hardship to the City Council staff and put their health safety at risk; and

WHEREAS, it has been over three years since the previous amendment of City Council rules; and

WHEREAS, on October 9, 2019, the Rules Committee approved various amendments to the Council Rules, as proposed in the attached version of the Council Rules; and

WHEREAS, to have productive meetings during this pandemic it is of utmost importance to have the Council Rules include those amendments, on an emergency basis pursuant to Flint City Charter Section 1-801(H), for a period of 60 days.

THEREFORE, BE IT RESOLVED that the Flint City Council approves the attached amendments to the City Council rules for 60 days, with immediate effect.

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

RULES GOVERNING MEETINGS OF THE COUNCIL

GENERAL

PREAMBLE

OPEN MEETINGS ACT (OMA)

FREEDOM OF INFORMATION ACT (FOIA)

RULE 1 PARLIAMENTARY AUTHORITY

2 SUSPENSION AND AMENDMENT OF RULES

ORGANIZATION #1

RULE 3 COUNCIL PRESIDENT; PRESIDING AT MEETINGS

4 APPOINTMENT OF COMMITTEES

ORGANIZATION #2

5 TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

6 AGENDA FOR REGULAR MEETINGS OF COUNCIL; AGENDAS FOR
COMMITTEE MEETINGS

7 ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

ACTION BY COUNCIL

RULE 8 FORM OF ACTION; DIVISION OF QUESTION

9 VOTING; VOTING – ABSTAINING VOTES

10 INTRODUCTION AND ENACTMENT OF ORDINANCES

MOTIONS #1

RULE 11 CONSIDERATION OF MOTIONS

12 SUPPORT FOR MOTIONS

13 MOTION TO ADJOURN

14 MOTION TO RECESS

15 MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

16 MOTION TO VOTE IMMEDIATELY (PREVIOUS QUESTION OR CALL
THE QUESTION)

17 MOTION TO LIMIT OR EXTEND DEBATE

MOTIONS #2

- 18 MOTION TO POSTPONE DEFINITELY
- 19 MOTION TO REFER (COMMIT)
- 20 MOTION TO AMEND
- 21 MOTION TO POSTPONE INDEFINITELY
- 22 MOTION TO RECONSIDER
- 23 MOTION TO RESCIND
- 24 REQUEST TO WITHDRAW A MOTION

MOTIONS #3

- 25 INCIDENTAL MOTIONS – POINT OF ORDER
- 26 INCIDENTAL MOTIONS – POINT OF INFORMATION

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

- RULE 27 MAINTENANCE OF ORDER AND DEBATE
- 28 RIGHT TO SPEAK IN DEBATE
- 29 PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

- RULE 30 GENERAL CONDUCT AND STANDARDS OF CONDUCT
- 31 ETHICS
- 32 DISCIPLINARY ACTIONS

REVIEW OF CITY COUNCIL RULES

- RULE 33 ANNUAL REVIEW OF CITY COUNCIL RULES

GENERAL

PREAMBLE

These are rules governing the orderly conduct of Flint City Council meetings in accordance with Robert's Rules of Order Newly Revised (1970 Major Revision) and certain laws.

OPEN MEETINGS ACT (OMA)

City Council meetings are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275.

FREEDOM OF INFORMATION ACT (FOIA)

All documents (i.e. agendas, minutes, attachments, transcripts, recordings) are subject to FOIA, unless subject to exemptions rule in FOIA.

PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically by Council Rules, Federal, State, or Local law, shall be governed by Robert's Rules of Order Newly Revised (1970 Major Revision). If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- 1.2 The President or Chair (Presiding Officer) SHALL (is required to) decide all questions arising under these rules and general parliamentary practice, subject to appeal. While on all questions of order, and of interpretation of the rules, and of priority of business, it is the DUTY of the Chairman to first decide the question, it is the privilege of any member to "appeal from the decision." If the appeal is seconded, the Chairman states his decision, and that it has been appealed from, and then states the question thus: "Shall the decision of the Chair stand as the judgment of Council?" The Chairman can then, without leaving the chair, state the reasons for his decision, after which it is open to debate. No member is allowed to speak more than once except the presiding officer who may answer arguments against the decision or give additional reasons by speaking a second time at the close of debate. A majority or tie vote of the Councilmembers-elect sustains the decision of the chair. The appeal shall be determined by a majority of the Councilpersons-elect.
- 1.3 City Council can appoint a person of their choosing to be the Parliamentary Authority, but any Council member may make reference to either City

Council Rules, which take precedence over Robert's Rules, or reference to Robert's Rules when the issue is not covered in City Council Rules.

SUSPENSION AND AMENDMENT OF RULES

- Rule 2.1 The rules may be suspended on the vote of two-thirds of the Councilpersons-elect.
- 2.2 The rules may be amended in accordance with Section 1-801 of the Flint City Charter.

ORGANIZATION #1

COUNCIL PRESIDENT; PRESIDING AT MEETINGS

- Rule 3.1 The Council shall have a President and a Vice-President, each chosen by a majority of the Councilpersons-elect for a one year term which shall end on the second Monday in November.
- 3.2 The President shall preside at the meetings of the Council and, in the absence of the President, the Vice-President shall preside. If both the President and Vice-President are absent, a Chairperson from a Council Committee shall preside in the following order: Finance, Governmental Operations, Legislative, Grants.

COMMITTEES

- Rule 4.1 The President, unless otherwise directed by the Council, shall appoint all committee chairs and vice-chairs for a one-year term which shall end on the second Monday in November.
- 4.2 The standing committees of the Council are Finance, Governmental Operations, Legislative, Grants, And Special Affairs. The Council President may determine in which order they are addressed.
- 4.3 Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.). Finance Committee shall meet at 5:00 pm on the Wednesdays a week before regular Council meetings. [Note - see Rule 6.8A]

- 4.4 Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.). Legislative Committee shall meet after Finance Committee. [Note - see Rule 6.8B]
- 4.5 Governmental Operations Committee - Business conducted consists of all matters relating to governmental function (e.g. multi-member bodies, policies and procedures, matters related to City government and City departments, etc.). Governmental Operations Committee shall meet after Legislative Committee. [Note - see Rule 6.8C]
- 4.6 Grants Committee - Business conducted consists of all matters relating to City grant programs and grant awards (e.g. applying for grants, accepting and monitoring of grants, federal and state grant monies, and local grant dollars, etc.). Grants Committee shall meet after Governmental Operations Committee. [Note - see Rule 6.8D]
- 4.7 Special Affairs Committee - Reserved for any standing committee agenda item needing additional discussion or information, as well as for any emergency agenda submission. Special Affairs Committee shall meet at 4:30 p.m. right before regular Council meetings on the 2nd and 4th Mondays of the month. [Note - see Rule 6.8E]
- 4.8 All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.
- 4.9 The President, at his/her own discretion, may create ad hoc committees and shall appoint these committees' chairs and members. The President shall determine the number of Council members comprising these committees.

ORGANIZATION #2

TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

- Rule 5.1 All meetings of the City Council and all committees of the Council shall take place in the Council Chambers on the third floor of City Hall or at such other places as the Council may determine.
- 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.

- 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.
- 5.4 In the event of a call for a special meeting or a change in the time or place of a meeting, the Clerk shall be notified and shall see that each Councilperson and the public are informed as is required by the Open Meetings Act.
- 5.5 The Mayor shall be notified of all meetings of the City Council.

AGENDA FOR REGULAR MEETINGS OF COUNCIL

- Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President or any presiding Chair of any committee of the Council, or at the request of the Mayor or Clerk, prior to the start of the meeting. After roll call, the presiding officer shall ask for "any additions or changes to the agenda". Agenda changes or additions need to be approved by the presiding officer.
- 6.2 Any agenda matters that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by the appropriate documentation such as staff review reports, etc., and must be signed by the required signatories.
- 6.3 The deadline for contacting staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.
- 6.4 City Council agendas for regular and standing committees shall normally be available to Councilpersons on the Friday before the meeting.
- 6.5 The presiding officer shall chose a person to lead the Pledge of Allegiance.
- 6.6 Opening Ceremonies will consist of Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence for deceased or ailing individuals.
- 6.7 Spiritual leaders (of many faiths) will be invited and scheduled to offer a short prayer after the Pledge of Allegiance. The City Clerk will be responsible for making these arrangements.

AGENDAS FOR COMMITTEE MEETINGS

- 6.8 Items denoted with ** will only appear on a committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda.
- 6.8a Finance Committee Agenda - Roll Call, **Closed Session [Executive Session], public comment, **Special Order, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8b Legislative Committee Agenda - Roll Call, Public Comment, **Resolutions, Ordinances, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8c Governmental Operations Committee Agenda - Roll Call, Public Comment, **Special Order, **Licenses, Resolutions, Appointments, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8d Grants Committee Agenda - Roll Call, Public Comment, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8e Special Affairs Agenda - Roll Call, **Closed Session [Executive Session], Public Comment, **Special Order, Resolutions, Appointments, Ordinances, Discussion Items, Additional Council Discussion, Adjournment
- 6.9 Rules 6.1, 6.2, 6.3 and 6.4 concerning regular Council meetings also apply here to Committee meetings. Section 31.12 of the Disorderly Persons Ordinance applies to all committee meetings.

ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

- Rule 7.1 The order of business at Regular Meetings of the City Council shall be as follows:
- I Call to Order, Roll Call and opening ceremonies
 - II Reading of Disorderly Persons Section
(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.)
 - III Request for Changes and/or Additions to Agenda
(Council shall vote to adopt any amended agenda.)

- IV Presentation of Minutes
(Council shall vote to accept minutes.)
- V Special Orders
(Any Councilperson may request permission for a Special Order, but it must first be approved by both the Council President, and Committee Chair if during a Committee meeting.)
- VI Public Hearings
(Council members may not speak during Public Hearings, nor may they make response comments to speakers. Public Hearing speakers are limited to a total of three [3] minutes.)
- VII Public Speaking
(Three [3] minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of a 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.)
- VIII Petitions and Unofficial Communications
- IX Official Communications – From Mayor and Other City Officials
- X Additional Communications
- XI Appointments
- XII Licenses
- XIII Resolutions
(A Council member who desires to speak in debate must obtain the floor by being recognized by the presiding Chair. In the debate, each member has the right to speak twice [for a maximum of five (5) minutes] on the same question on the same day, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day has *exhausted his/her right to debate* that question for that day. A timer will be utilized. No "banking" of time or division of time for future use is allowed.

Council members may request to ask questions of Administrative staff, etc. During debate on any agenda item.

Guest speaker time allowed shall be determined by the presiding Chair and is not considered to be part of the limited debate time allocated to council members.

- XIV Liquor Licenses
- XV Introduction and First Reading of Ordinances
- XVI Second Reading and Enactment of Ordinances
- XVII Additional Discussion Items
- XVIII Final Council Comments
- XIV Adjournment

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

(Refer to Open Meetings Act [OMA], Public Act 267 Of 1976, MCL 15.261 through 15.275, and The OMA Handbook By AG Bill Schuette.)

- 7.2 The Open Meetings Act provides exemptions to the rule that government body meetings must be open to the public.

Meeting in closed session – a public body may meet in a closed session only for one or more of the permitted purposes specified in Section 8 of the OMA.

The limited purposes include, among others:

(1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.

(2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

(4) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(5) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.

(6) To consider material exempt from discussion or disclosure by state or federal statute. But note – a board is not permitted to go into closed session to discuss an attorney's oral opinion, as opposed to a written legal memorandum.

7.3 A closed session must be conducted during the course of an open meeting. Section 2(c) of the OMA defines "closed session" as "a meeting or part of a meeting of a public body that is closed to the public." Section 9(1) of the OMA provides that the minutes of an open meeting must include "the purpose or purposes for which a closed session is held."

7.4 Going into Closed Session [Executive Session] – Section 7(1) of the OMA sets out the procedure for calling a closed session: a 2/3 roll call vote of members elected or appointed and serving is required to call a closed session, except for the closed sessions permitted under Section 8(a), (b), (c), (g), (i), and (j). The roll call vote and the purpose or purposes for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken. Thus, a public body may go into closed session only upon a motion duly made, seconded, and adopted by a 2/3 roll call vote of the members appointed and serving during an open meeting for the purpose of (1) considering the purchase or lease of real property, (2) consulting with their attorney, (3) considering an employment application, or (4) considering material exempt from disclosure under state or federal law. A majority vote is sufficient for going into closed session for the other OMA permitted purposes.

7.5 Leaving a Closed Session [Executive Session] – the OMA is silent as to how to leave a closed session. Suggested is for a motion to be made to end the closed session with a majority vote needed for approval. Admittedly, this is a decision made in a closed session, but it certainly isn't a decision that "effectuates or formulates public policy." When the public body has concluded its closed session, the open meeting minutes should state the time the public body reconvened in open session and, of course, any votes on matters discussed in the closed session must occur in an open meeting.

- 7.6 Decisions Must Be Made During an Open Meeting, Not the Closed Session [Executive Session] – section 3(2) of the OMA requires that "all decisions of a public body shall be made at a meeting open to the public." section 2(d) of the OMA defines "decision" to mean "a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, order, ordinance, bill, or measure on which a vote by members of a public body is required and by which a public body effectuates or formulates public policy."
- 7.7 All matters discussed in closed session [executive session] and materials provided are privileged information and are not to be shared with any person(s) outside of the session.

ACTION BY COUNCIL

FORM OF ACTION BY COUNCIL; DIVISION OF QUESTION
(NOTE – THIS ACTION IS OFTEN UTILIZED BY COUNCIL FOR MASTER RESOLUTIONS AND SEPARATION OF SPECIFIC RESOLUTIONS)

- Rule 8.1 All official action of the Council as required by the City Charter shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made upon motion, including decisions on parliamentary procedure.
- 8.2 No motion may be debated by the Council until it has been stated by the presiding officer and it must be reduced to writing if requested by the presiding officer or any Councilperson.
- 8.3 If a question before the Council is susceptible of division, it shall be divided on the demand of any Councilperson.

VOTING

- Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote.
- 9.2 The determination of any question at a committee meeting shall be upon call of the Chair for a vote. If there is an objection, a roll call vote shall be taken.
- 9.3 The voting on all roll calls shall be rotated so that the Councilperson representing the First Ward shall cast the first vote on the first roll call of any

meeting, the Councilperson from the Second Ward shall cast the first vote on the second roll call at any meeting, and so on throughout the meeting so that the first vote on a roll call shall be solicited from the succeeding Councilperson. Following the first vote on any roll call, the remaining Councilpersons shall be called in consecutive order until all nine Councilpersons have been afforded an opportunity to vote on any question.

- 9.4 A councilperson must be seated at his/her designated seating place in order to vote. Proxy votes are not allowed.
- 9.5 Interruption of Votes - interruptions during the taking of a vote are permitted only before any member has actually voted, unless, as sometimes occurs in ballot voting, other business is being transacted during voting or tabulating.
- 9.6 Rule Against Explanation by Members During Voting - a member has no right to "explain his vote" during voting, which would be the same as debate at such a time.
- 9.7 Changing One's Vote - a member has a right to change his vote up to the time the result is announced. After that s/he can make the change only by the unanimous consent of the assembly requested and granted, without debate, immediately following the chair's announcement of the result of the vote.
- 9.8 Abstaining Votes - to "abstain" means to not vote at all.
- 9.9 Abstaining from Voting on a Question of Direct Personal Interest - no member should vote on a question in which he/she has a direct personal or pecuniary interest not common to other members of the organization.
Voting on questions which affect oneself - the rule on abstaining from voting on a question of direct personal interest does not mean that a member should not vote for him/herself for an office or other position to which members generally are eligible, or should not vote when other members are included with him in a motion.

INTRODUCTION AND ENACTMENT OF ORDINANCES
(BOTH CITY COUNCIL AND THE LEGAL
DEPARTMENT MAY INTRODUCE AN ORDINANCE)

- Rule 10.1 Upon the introduction of any ordinance, the City Clerk shall proceed as directed in Section 3-302 of the Charter.

- 10.2 After a public hearing has been completed, any Councilperson may move the enactment of the ordinance.
- 10.3 If the ordinance is amended to the extent that there has been inadequate notice to the public of the content of the ordinance, it shall not be enacted until the procedures of Section 3-302 are complied with.
- 10.4 Every ordinance must state the date that it becomes effective. After the vote on the enactment of the ordinance, any Councilperson may move that it be given immediate effect upon publication, rather than the date stated. Any effective date earlier than thirty days after enactment requires a two-thirds vote of the Councilpersons-elect.
- 10.5 Every ordinance shall be submitted to the Chief Legal Officer (for correct format, not content) for review prior to enactment.

MOTIONS

CONSIDERATION OF MOTIONS

Rule 11.1 When a question is under debate, the Chair will receive only the following motions:

| | |
|---------|--|
| Rule 13 | to adjourn |
| Rule 14 | to recess |
| Rule 15 | to postpone temporarily (lay on the table) |
| Rule 16 | to vote immediately (previous question) |
| Rule 17 | to limit debate |
| Rule 18 | to postpone definitely |
| Rule 19 | to refer (commit) |
| Rule 20 | to amend |
| Rule 21 | to postpone indefinitely |
| Rule 22 | to reconsider |
| rule 23 | to rescind |
| rule 24 | to withdraw a motion |
| rule 25 | point of order |
| rule 26 | point of information |

11.2 If more than one of the above motions are made, they shall be considered in the order listed.

SUPPORT FOR MOTIONS

- Rule 12.1 No motion may be considered or debated unless it has the support of at least one other Councilperson and has been properly stated by the Chair.
- 12.2 Nominations need not be seconded.

MOTION TO ADJOURN

- Rule 13.1 A motion to adjourn is always in order. If it is made during the count of a vote, it will not be considered until after the vote is announced.
- 13.2 A motion to adjourn will be decided without debate. However, the issue of the time to reconvene may be debated if it is introduced by the maker of the motion or by amendment.

MOTION TO RECESS

- Rule 14.1 A motion to recess shall state the length of the recess and shall be decided without debate.
- 14.2 When a recess is taken during the pending of any question, the consideration of the question shall be resumed upon the reassembling of the Council.
- 14.3 The Chair may order a recess without objection.

MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

- Rule 15.1 The Council may decide to postpone temporarily any matter pending before it. The motion may be referred to as a motion to lay on the table.
- 15.2 A decision to lay upon the table shall have the effect of postponing the question involved, all pending amendments, and other adhering motions.
- 15.3 If a decision is made to resume consideration of a matter or to take up from the table, it shall return in exactly the same form as when it was postponed temporarily. A motion to resume consideration must be made at the same meeting.
- 15.4 All matters postponed temporarily shall be considered at the meeting at which they were postponed. If the motion to take up from the table fails, the issue is considered to have failed.

- 15.5 A motion to postpone temporarily or to resume consideration shall be decided without debate.

MOTION TO VOTE IMMEDIATELY
(PREVIOUS QUESTION OR CALL THE QUESTION)

- Rule 16.1 Any Councilperson may move to vote immediately. If the motion is supported, debate will cease immediately. A two-thirds vote is required for the motion to carry. Failure to cease talking shall result in disciplinary action. Violators shall be removed from the meeting.
- 16.2 If the motion receives a majority of the votes of the Councilpersons-elect, in accordance with Section 3-204(a) of the Charter, the Council shall vote on the pending question or questions in their regular order.

MOTION TO LIMIT OR EXTEND DEBATE

- Rule 17.1 The Council may decide, by majority vote, to limit or determine the time that will be devoted to discussion of a pending motion or to modify or remove limitations already imposed on its decision. This may include a limit of time for each councilperson to speak to the issue. Failure to cease talking when a time limit has been reached shall result in disciplinary action. Violators shall be removed from the meeting.
- 17.2 If each councilperson has a limited time to speak, this time limit shall include any questions asked and/or answered per the councilpersons request.

MOTIONS #2

MOTION TO POSTPONE DEFINITELY

- Rule 18.1 The Council may decide to put off consideration of a pending main motion and to fix a definite time for its consideration.
- 18.2 The debate on the motion to postpone definitely shall be limited to the reasons for the postponement and the time the main motion shall be taken up.

MOTION TO REFER (COMMIT)

Rule 19.1 If a motion to refer a matter to a committee or other agency has been made, the Council shall proceed to decide the question of the referral.

19.2 There shall be no further debate on the merits of the main motion or amendments to the main motion until the referral motion is decided.

MOTION TO AMEND

Rule 20.1 A motion to amend must be germane to the main motion.

20.2 An amendment may be amended but an amendment to an amendment may not be amended.

MOTION TO POSTPONE INDEFINITELY

Rule 21.1 The Council may decide to prevent discussion or further discussion on a question by voting to postpone it indefinitely.

21.2 A motion that has been postponed indefinitely cannot come up again at the same meeting. If it is reintroduced at a later meeting, it shall be treated as a new motion.

MOTION TO RECONSIDER

Rule 22.1 A motion to reconsider any decision of the City Council may be made by any Councilperson that voted in the affirmative on the motion in question.

22.2 A motion to reconsider may be made at the same meeting or not later than the next succeeding regular meeting of the Council provided that notice has been given to the Council prior to the start of the meeting.

22.3 No question may be reconsidered more than once.

22.4 If a decision of the Council has gone into effect, the motion to reconsider shall not be in order.

MOTION TO RESCIND

Rule 23.1 Action to rescind, repeal or annul a previous action may be by resolution unless the previous action is an ordinance. Action to repeal a published ordinance may only be by ordinance regardless of whether the ordinance has gone into effect.

- 23.2 Notice of a motion to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which the motion is to be made. However, the Council may vote by two-thirds of Councilpersons-elect to waive the notice.
- 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

REQUEST TO WITHDRAW A MOTION

- Rule 24.1 Any Councilperson may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. The Councilperson need not obtain concurrence of any other person.
- 24.2 After the motion has been placed before the assembly, it may only be withdrawn by majority consent of all Councilpersons present.
- 24.3 No request to withdraw a motion may be made after the vote on the motion has commenced.

MOTIONS #3

INCIDENTAL MOTIONS – POINT OF ORDER

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the presiding officer does not correct it, or when the presiding officer makes a breach of the rules. **A POINT OF ORDER, REQUEST FOR INFORMATION, OR PARLIAMENTARY INQUIRY CANNOT INTERRUPT THE CHAIR OR ANOTHER MEMBER, WHO HAS BEEN PROPERLY RECOGNIZED TO SPEAK. THE CHAIR MAY STILL CALL MEMBERS TO ORDER.**
- 25.2 A point of order should not be used for minor infractions.
- 25.3 A point of order does not need a second, ~~can interrupt a speaker,~~ is not debatable, and is decided by the chair.
- 25.4 A point of order cannot be ignored by the presiding officer. A ruling of "agreement - out of order" or "disagree - denied" must be given. All debate and/or talking shall cease immediately when a point of order is raised, in

order for the presiding officer to rule. Failure to cease talking shall result in disciplinary action. Violators shall be removed from the meeting.

25.5 Any two members have the right to *appeal* the presiding officer's decision on a point of order. This requires one member making (or taking) the appeal and another seconding (or supporting) it. Lack of support means the motion fails. If the motion is supported, the council body votes to decide the question. Members have no right to question the decision or ruling of the presiding officer unless they appeal from his/her decision.

25.6 **IN ORDER TO CALL FOR A POINT OF ORDER, A SPECIFIC RULE NUMBER MUST BE NOTED OR IT IS CONSIDERED AN ABUSE OF A POINT OF ORDER.**

INCIDENTAL MOTIONS - REQUEST FOR INFORMATION

Rule 26.1 A request for information generally applies to information desired from a speaker. **A POINT OF ORDER, REQUEST FOR INFORMATION, OR PARLIAMENTARY INQUIRY CANNOT INTERRUPT THE CHAIR OR ANOTHER MEMBER, WHO HAS BEEN PROPERLY RECOGNIZED TO SPEAK. THE CHAIR MAY STILL CALL MEMBERS TO ORDER.**

26.2 Its purpose is to help one understand the process and the potential consequences of the next voting.

26.3 A request for information cannot be ignored by the presiding officer, but the presiding officer – upon hearing the request – may decide whether the request is legitimate, and can proceed, or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes. The presiding officer must rule with either "proceed" or "denied" if the information is desired of a councilperson who is speaking, the presiding officer must inquire if the member will yield for a question and the councilperson may decide whether or not to yield.

26.4 A request for information can be given with a very short explanation, but using this tactic as an opportunity to gain the floor is not allowed. Multiple abuses of use of point of information is cause for disciplinary action.

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

MAINTENANCE OF ORDER AND DEBATE
(THE PUBLIC AND CITY COUNCIL ARE BOTH SUBJECT TO THE DISORDERLY

PERSON-PERSONS ORDINANCE SECTION 31-10 AND THE GENERAL CODE OF CONDUCT. ADDITIONALLY, THE CHAIR OR PRESIDING OFFICER HAS A RESPONSIBILITY AND DUTY TO ENFORCE THESE RULES AND SANCTIONS FOR THE PURPOSE OF MAINTENANCE OF ORDER. ONLY THE CHAIR OR PRESIDING OFFICER MAY DETERMINE AND RULE ON WHO/WHAT IS IN OR OUT OF ORDER. VIOLATIONS OF THIS RULE SHALL RESULT IN REMOVAL FROM THE MEETING.)

- Rule 27.1 No councilpersons shall leave their seats while a motion is on the floor. No councilpersons shall leave a meeting of the council without first having obtained leave to do so from the president, presiding officer or committee chair. If a councilperson leaves a meeting without having obtained this permission, the presiding officer is to assume the councilperson has left the meeting and will not, cannot, return without the presiding officer's permission. A councilperson who has left a meeting may not vote without having first obtained the presiding officer's permission to return to the meeting.
- 27.2 When a member has been called to order, the Chair shall determine whether or not he or she is in order. Every question of order shall be decided by the Chair subject to an appeal to the Council by any member. If a member is called to order for words spoken, the exceptional words shall be immediately taken down in writing so that the presiding officer or Council may be better able to judge the matter.
- 27.3 During any portion of any meeting, council members may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason. Any council member or audience member who engages in this behavior during a meeting shall be removed from the meeting.
- 27.4 Only the presiding officer may call an individual (or staff member, or department head, etc.) Up to the podium (and/or table) to speak. Other council members would have to petition the presiding officer to make this request.
- 27.5 **FOR AGENDA ITEMS, THERE WILL BE AN UNTIMED QUESTION AND ANSWER (Q&A) PERIOD FOR DEPARTMENT HEADS AND OTHERS, BUT NO DEBATE OR GENERAL COMMENTS WILL BE ALLOWED DURING THAT TIME.**

RIGHT TO SPEAK IN DEBATE

- Rule 28.1 Every Councilperson and every person granted the privilege of speaking to the Council shall address all remarks to members of the Council and shall not speak until recognized.
- 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the Councilperson who is first to speak.
- 28.3 **DISCUSSION OF ANY MATTER (RESOLUTION, SPECIAL ORDER, ETC) WILL BE LIMITED TO FIVE (5) MINUTES TOTAL, PER MEMBER, ON ANY GIVEN ITEM, WITH MEMBERS PERMITTED TO RESERVE PART OF THEIR TIME TO SPEAK A SECOND TIME. NO FURTHER BANKING OF TIME AND NO YIELDING OF TIME IS PERMITTED.**
- 28.4 **DISCUSSION OR DEBATE ON ANY AGENDA ITEM (RESOLUTION, ORDINANCE, ETC) CANNOT TAKE PLACE UNLESS THERE IS A MOTION ON THE FLOOR.**

PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

- Rule 29.1 All meetings of the Council shall be open to the public in accordance with law.
- 29.2 If a member of the public wishes to address the City Council, they may do so at the regular City Council meeting. He or she shall submit, prior to the start of the meeting, a statement in writing containing his or her name and address and the topic to be covered. A box will be placed at the entrance to the Council Chambers for the collection of the statements.
- 29.3 Members of the public shall have no more than 3 minutes per speaker during public comment. Only one speaking opportunity per speaker. Numbered speaker slips will be provided prior to the start of a meeting to those wishing to speak during this portion of the agenda. No additional speakers or slips will be accepted after the meeting begins. City council members may not also address council as a member of the public at this time. Speakers may not allocate or "donate" their allotted time to another person.
- 29.4 If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the President at the opening of the hearing or at the conclusion of the remarks of the previous speaker.

- 29.5 Members of the public shall have no more than 10 minutes to address the City Council during a public hearing.
- 29.6 Any person while being heard at a Council meeting may be called to order by the President or any Councilperson for failure to be germane, for vulgarity, for personal attack of persons or institutions, or for speaking in excess of the allotted time.
- 29.7 Any person who is called to order shall thereupon yield the floor until the President shall have determined whether he or she is in order. Every question of order shall be decided by the President subject to an appeal by any Councilperson to the Council. If a person so engaged in presentation shall be determined by the Council to be out of order, that person shall not be permitted to continue at the same meeting except on special leave of the Council.
- 29.8 Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes and is subject to all rules of decorum and discipline.

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

GENERAL CONDUCT AND STANDARDS OF CONDUCT

- Rule 30.1 Every councilperson is subject to the established rules of general conduct and the standards of conduct.

ETHICS

- Rule 31.1 Every councilperson is subject to the established rules of the City of Flint ethics ordinance.

DISCIPLINARY ACTIONS

- Rule 32.1 Every councilperson is subject to the established rules and disciplinary actions for violations of rules and City ordinances.

REVIEW OF CITY COUNCIL RULES

ANNUAL REVIEW OF CITY COUNCIL RULES

Rule 33.1 Every December, the City Council shall place an item on the Special Affairs Committee agenda for a review of these rules.

33.2 At his/her own discretion, the council president may at any time appoint a committee and its members to review and offer revisions of city council rules.

33.3 The rules may be revised upon a 2/3 majority vote of city council members, per the City Charter. All council members are subsequently and immediately subject to the approved rules.

33.4 It is the responsibility and duty of the council president, vice president and all committee chairs to ensure that these rules are adhered to, and to apply the recommended disciplinary actions if they are not. Failure to do so is itself a violation of the rules and subjects the violator to disciplinary actions.

Rules Originally Adopted: May 10, 1976

1st Amendment Adopted: May 24, 2010

2nd Amendment Adopted: April 27, 2015

3rd Amendment Adopted: June 12, 2017

4th Amendment Adopted: November 23, 2020

RESOLUTION: 200478

PRESENTED: 11-23-20

ADOPTED:

**Resolution Approving the Appointment of Ron
Luczak to the Human Relations Commission**

BY THE CLERK:

Per the City Charter that went into effect on Jan. 1, 2018, the Human Relations Commission shall be comprised of nine members, one from each ward in the City of Flint; and

Each Council member shall appoint one resident of his or her ward to serve on the Commission, which aims to assist in the elimination of prejudice, hate and discrimination and promote equality in the treatment of all residents; and

4th Ward Councilwoman Kate Fields recommends the appointment of Ron Luczak (2801 North Averill Avenue, Flint, MI, 48506) to the Human Relations Commission.

THEREFORE, BE IT RESOLVED, that the Flint City Council approves the appointment of Ron Luczak to the Human Relations Commission, for a two-year term that begins October 27, 2020, and ends on October 28, 2022.

APPROVED AS TO FORM:

APPROVED BY FLINT CITY COUNCIL:

Angela Wheeler, Chief Legal Officer

Kate Fields, City Council President

Ronald Luczak

2801 n. Averill ave

Flint, MI 48506

Fourth Ward Resident since December, 1992

810-407-2617

Education: 1980 graduate of Elizabeth Ann Johnson High School
Mount Morris, Michigan.

Employment: 1979-1982 Pro-Clean Cleaners, all Flint store locations.
1982-1985 Schwegmanns Dry Cleaners, Tulsa Oklahoma.
1985-1991 Backstage Audio, Flint Michigan.
1991-2005 The Flint Journal Warehouse, Flint Michigan.
2005-Present, Self employed "Luczak Guitars"-
Luthier (Guitar Builder/Musical Instrument repair).

Skills: Customer service, Business acumen.

Community Volunteer work:

Flint River Watershed Coalition Stewards Service 2018-2019

Neighborhood cleanups coordinator 2017- 2018- 2019- 2020

Clean & Green coordinator 2018- 2019- 2020

Carriage Town neighborhood association board member 2017-
2018- and Secretary 2019- 2020

RESOLUTION NO.: 200479

PRESENTED: 11-23-2020

ADOPTED:

Resolution Authorizing the Amendment of the Adopted City Council Budget in the Amount of \$7,500.00

BY THE FLINT CITY COUNCIL:

On June 24, 2020, the City Council approved Resolution No. 200258 to enter into a three-year contract with Rehmann Robson for Auditing services, in the amount of \$250,000.00 for FY 2020/2021, and a total contract price of \$701,000.00, plus out-of-pocket expenses; and

Based on the criteria as set forth in the Uniform Guidance, the city will be required to have four major programs tested in the Single Audit for the fiscal year ended June 30, 2020. Based on the audit engagement letter, any programs in excess of three deemed major per the Uniform Guidance will have an additional fee of \$7,500.00; and

There currently are not enough funds in this year's City Council Professional Services account, which is used to fund the auditing services, to pay an additional \$7,500.00. Therefore, \$7,500.00 will be transferred from City Council Equipment Acct. No. 101-101.100-977.000 (the remaining balance will be \$17,500.00) to the City Council's Professional Services Acct. No. 101-101.100-801.000.

IT IS RESOLVED, then, that the appropriate city officials are hereby authorized to do all things necessary to amend the City Council budget to transfer \$7,500.00 from the City Council's Equipment Account to the City Council's Professional Services Account, for auditing services, for a FY2020/2021 total of \$257,500.00, and an aggregate three-year total of \$708,500.00.

APPROVED AS TO FORM:

Angela Wheeler
Chief Legal Officer

APPROVED AS TO FINANCE:

Amanda Trujillo
Acting Chief Financial Officer

APPROVED BY ADMINISTRATION:

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields, Council President

August 26, 2020

City Council
City of Flint
1101 South Saginaw Street
Flint, MI 48502

We are pleased to confirm our understanding of the services we are to provide the (the
"City") for the year then ended June 30, 2020.

We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City as of and for the year then ended June 30, 2020. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion nor provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Schedules Required by GASB 68 - Pension Plan
3. Schedules Required by GASB 75 - OPEB Plan

We have also been engaged to report on supplementary information other than RSI, such as combining and individual fund financial statements, that accompanies the City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves and other additional procedures, in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1. Combining and individual fund financial statements
2. Schedule of expenditures of federal awards

Rehmann is an independent member of Nexia International.



The following other information accompanying the basic financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and for which our auditor's report will disclaim an opinion:

1. Introductory section of the Comprehensive Annual Financial Report
2. Statistical section of the Comprehensive Annual Financial Report

Audit Objectives

The objective of our audit is the expression of opinions as to whether the City's financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the basic financial statements taken as a whole. Our audit of the City's financial statements does not relieve management or those charged with governance of their responsibilities. The objective also includes reporting on -

- Internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance)

The reports on internal control and compliance will each include a paragraph that states that the purpose of the report is solely to describe (1) the scope of testing of internal control over financial reporting and compliance and the result of that testing and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance, (2) the scope of testing internal control over compliance for major programs and major program compliance and the result of that testing and to provide an opinion on compliance but not to provide an opinion on the effectiveness of internal control over compliance, and (3) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance and with the Uniform Guidance in considering internal control over compliance and major program compliance. The paragraph will also state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. We will issue a written report upon completion of our audit of the City's financial statements. Our report will be addressed to the City Council. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs to our audit report. If our opinions on the financial statements or the Single Audit compliance opinion are other than unmodified, we will discuss the

reasons with management in advance. If circumstances occur and come to our attention related to the condition of the City's records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, or we become aware that information provided by the City is incorrect, incomplete, inconsistent, misleading, contains material omissions, or is otherwise unsatisfactory which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

As we have discussed, we intend to make reference to the audits of Hurley Medical Center and Flint Area Enterprise Community, performed by other auditors.

The concept of materiality is inherent in the work of an independent auditor. An independent auditor places greater emphasis on those items that have, on a relative basis, more importance to the financial statements and greater possibilities of material error than with those items of lesser importance or those in which the possibility of material error is remote. For this purpose, materiality has been defined as "the magnitude of an omission or misstatement of accounting and financial reporting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would have been changed or influenced by the omission or misstatement."

Audit Procedures and Our Responsibilities—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the City or to acts by management or employees acting on behalf of the City. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that comes to our attention, including such matters related to components. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, including those related to components, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, creditors, and financial institutions. We may request written representations from the City's attorneys as part of the engagement, and they may bill the City for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from management about the financial statements and related matters.

We have advised the City of the limitations of our audit regarding the detection of fraud and the possible effect on the financial statements (including misappropriation of cash or other assets) not withstanding our obligations per the Single Audit Amendments of 1996 and the Uniform Guidance. We can, as a separate engagement, perform extended procedures specifically designed to potentially detect defalcations. Management acknowledges that the City has not engaged us to do so and does not wish us to do so at this time.

Management is responsible for the basic financial statements, schedule of expenditures of federal awards, and all accompanying information as well as all representations contained therein. Management is also responsible for identifying government award programs and understanding and complying with the compliance requirements, and for preparation of the schedule of expenditures of federal awards in accordance with the requirements of the Uniform Guidance. As part of the audit, we will assist with preparation of the City's financial statements, schedule of expenditures of federal awards, and related notes, as well as the data collection form. Management will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and the data collection form, and that management has reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Management agrees to assume all management responsibilities for any nonaudit services we provide; oversee the services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, and/or experience; evaluate the adequacy and results of these or other nonattest services performed by our Firm; and understand and accept responsibility for the results of such services.

We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management functions or responsibilities.

Audit Procedures - Internal Controls

Our audit will include obtaining an understanding of the City and its business environment, including internal control over financial reporting sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures that are appropriate in the circumstances. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal

award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control, or to identify significant deficiencies or material weaknesses in internal control, or to express an opinion on the effectiveness of internal control over financial reporting. Accordingly, we will express no such opinion. However, during the audit, we will communicate to the appropriate level of management and those charged with governance internal control related matters that are required to be communicated under professional standards, *Government Auditing Standards* and the Uniform Guidance including such matters related to components. These matters refer to significant matters related to the financial statement audit that are, in our professional judgment, relevant to the responsibilities of those charged with governance in overseeing the City's financial reporting process. When applicable, we are responsible for communicating certain matters required by laws or regulations, or by additional requirements that may be applicable to this engagement. Auditing standards generally accepted in the United States of America do not require the independent auditor to design or perform procedures for the purpose of identifying other matters to communicate with those charged with governance. Management is responsible for assessing the implications of and correcting any internal control-related matters brought to the City's attention by us.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of those procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Management Responsibilities

Management is solely and completely responsible for designing, implementing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and internal control over compliance, and for ongoing monitoring activities, to help ensure that appropriate goals and objectives are met and that there is reasonable assurance that government programs are administered in compliance with compliance requirements. Management is also responsible for the selection and application of accounting principles including those related to components; for the preparation and fair presentation of the financial statements in conformity with an acceptable financial reporting framework, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements. Management is responsible for determining, and has determined, that the applicable and appropriate financial reporting framework to be used in the preparation of the City's

financial statements is accounting principles generally accepted in the United States of America (GAAP).

Management is also solely and completely responsible for making all financial records and related information available to us, and for ensuring that financial information is reliable and properly recorded. Management is also responsible for providing us with (1) access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request from management for the purpose of the audit, and (3) unrestricted access to persons within the City from whom we determine it necessary to obtain audit evidence.

Management's responsibilities also include identifying significant vendor relationships in which the vendor has the responsibility for program compliance and for the accuracy and completeness of that information. Management's responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

We understand that management will provide us with such information required for our audit, including a reasonably adjusted trial balance, and that management is responsible for the accuracy and completeness of that information. Assistance provided by our Firm in the preparation of a reasonably adjusted trial balance is considered an additional billable service.

We will advise management and the City Council about appropriate accounting principles and their application and may assist in the preparation of the City's financial statements, but the ultimate responsibility for the financial statements remains with management with oversight by those charged with governance. As part of our engagement, we may propose standard, adjusting, or correcting journal entries to the City's financial statements. Management is responsible for reviewing the entries, understanding the nature of any proposed entries and the impact they have on the financial statements, and the implications of such entries on the City's internal control over financial reporting. Further, the City is responsible for designating a qualified management-level individual to be responsible and accountable for overseeing these nonattest services.

Management is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Management's responsibilities include informing us of its knowledge of any allegations of fraud, suspected fraud or illegal acts affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, management is responsible for identifying and ensuring that the City complies with applicable laws, regulations, contracts, agreements, and grants. Additionally, as required by the Uniform Guidance, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review at the conclusion of fieldwork.

Management is responsible for preparation of the schedule of expenditures of federal awards in conformity with the Uniform Guidance. Management agrees to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we reported on the schedule of expenditures of federal awards. Management also agrees to include the audited financial

statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon OR make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Management's responsibilities include acknowledging to us in the representation letter that (a) management is responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (b) that management believes the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with the Uniform Guidance; (c) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (d) management has disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

Management is also responsible for the preparation of the other supplementary information, which we have been engaged to report on, that is presented fairly in relation to the basic financial statements. Management agrees to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. Management also agrees to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Management's responsibilities include acknowledging to us in the representation letter that (a) management is responsible for presentation of the supplementary information in accordance with GAAP; (b) that management believes the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (c) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (d) management has disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. Management is also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as management's planned corrective actions, for the report, and for the timing and format for providing that information.

During the course of our engagement, we will request information and explanations from management regarding the City's operations, internal control over financial reporting, various matters concerning fraud risk, future plans, specific transactions, and accounting systems and procedures. At the conclusion of our engagement, we will require, as a precondition to the issuance of our report, that management provide certain representations in a written management representation letter.

We are not hosts for any City information. Management is expected to retain all financial and non-financial information that management uploads to a portal (document sharing site), and management is responsible for downloading and retaining in a timely manner anything we upload. Portals are meant as a method only of transferring and sharing data, and are not intended for the storage of City information, which may be deleted at any time. Management is expected to maintain control over the City's accounting systems to include the licensing of applications and the hosting of said applications and data. We do not provide electronic security or back-up services for any of the City's data or

records. Giving us access to the City's accounting system does not make us hosts of information contained within.

Fees

The estimated fee for the audit of the financial statements will be charged at rates commensurate with the value of our professional services rendered and are not expected to exceed \$225,000, plus out-of-pocket costs such as mileage, food and hotels for the staff assigned to the City's audit while they are on-site at the City performing the audit. Out-of-pocket expenses are not expected to exceed \$10,000. The above fee includes a single audit with up to three major programs. If additional major programs are required to be tested in accordance with the Uniform Guidance, our fee will be increased by \$7,500 for each major program in excess of three. Rehmann will notify City Council in writing as soon as practical after identification of the need for testing of additional major programs in accordance with the Uniform Guidance and in advance of incurring these fees. Since advanced preparation is essential to an efficient audit process, (as trying to audit a moving target is inherently difficult and costly), if the City does not have the necessary staff (either City employees or supplemental employees provided by outside contractors) to appropriately prepare for the audit there will be an additional fee \$33,750. Rehmann will notify City Council in writing explaining the additional fee as soon as practical after the identification of the problem and in advance of incurring the aforementioned fees. This additional fee is separate from any change orders that the City may approve for our assistance in preparing a reasonably adjusted trial balance.

If we are requested to perform any tasks outside the normal scope of an audit, we will discuss the related circumstances with City Council Finance Committee chair and arrive at a fee estimate for the additional requested assistance, at which time a change order will be prepared for Council's approval prior to Rehmann incurring additional cost. In these circumstances, we will issue a change order form (an attached example is provided) to document the agreement between the City and Rehmann.

Our invoices for these fees will be rendered each month as work progresses and are payable within 14 days of presentation.

The following items will be required of the City:

1. City finance staff will meet with Rehmann by September 4, 2020 to develop a mutually agreed upon milestone timeline for the entire audit process that will allow for the issuance of the City's reports no later than December 18, 2020.
2. Once this timeline is set, if the City is not able to meet certain milestones in the agreed upon timeline and the audit cannot be issued by December 18, 2020, then the audit will not be completed and issued until subsequent to December 31, 2020 (i.e., it is understood that Rehmann staff will be unavailable during the holidays (December 19-31).
3. The City will provide reasonably adjusted trial balances, schedule of expenditures of federal awards, general ledger detail and substantially all reconciled supporting documentation one week before the agreed upon fieldwork date.
4. The City staff (and outside contractors) will be responsive to all audit requests and provide necessary information in a timely manner.

This fee is based on the assumption that unexpected circumstances will not be encountered during the audit. This fee is based on anticipated cooperation from the City's personnel, continued readiness and proactive assistance on their part in providing us with complete and accurate information (whether financial or nonfinancial in nature) considered necessary by us to form an appropriate opinion, and the assumption that unexpected circumstances will not be encountered during the audit. Such

circumstances include, but are not necessarily limited to significant addition or deletion of funds, component units or related entities and first-time application of significant new professional accounting or auditing pronouncements. In addition, the fee above assumes management will analyze and maintain appropriate support for significant valuation assertions embodied in the financial statements including the valuation of investment securities, the actuarial methods and assumptions used to calculate the net pension and other postemployment benefits liabilities, impairment of capital assets including those held for sale, the valuation of inventories and land held for resale, allowances for uncollectible receivables, and the estimate for incurred-but-not-reported self insurance claims. If significant additional time is necessary, we will discuss the related circumstances with management and arrive at a new fee estimate, which may or may not occur before we incur the additional time. In these circumstances, we may also submit a request for a change order subject to City Council approval (an attached example is provided.)

Engagement Administration, and Other

Management shall discuss any independence matters with Rehmann that, in management's judgment, could bear upon Rehmann's independence.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and a corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with management the electronic submission and certification. If applicable, we will provide copies of our reports for the City to include with the reporting package the City will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

The audit documentation for this engagement is the property of Rehmann and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to a cognizant or grantor agency for audit or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify management of any such request. If requested, access to such audit documentation will be provided under the supervision of Rehmann personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the cognizant agency, oversight agency for audit, or pass-through City. If we are aware that a federal awarding agency, pass-through City, or auditee is contesting an audit finding, we will contact the parties contesting the audit finding for guidance prior to destroying the audit documentation.

Our audit engagement and our responsibility as auditors ends on delivery of our audit report to the City Council and presentation of the audit at the Regular or Special City Council meeting. Any follow-up services that might be required will be part of a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

City Council
City of Flint
August 26, 2020
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Government Auditing Standards require that we provide the City with a copy of our most recent external peer review report and any subsequent peer review reports received during the period of the contract. Our 2017 peer review report accompanies this letter. Rehmann will provide the City with a copy of its 2020 peer review report once it is issued, which is expected sometime in 2021.

This engagement letter, including the attached Rehmann Audit Engagement Letter Terms and Conditions which are incorporated herein by reference as if set forth within the body of this engagement letter in their entirety, reflect the entire understanding between us relating to the audit services covered by this agreement. This agreement may not be amended or varied except by a written document signed by both parties. It replaces and supersedes any previous proposals, correspondence, and understandings, whether written or oral. The agreements of the City and Rehmann contained in this document shall survive the completion or termination of this engagement. If any term hereof is found unenforceable or invalid, this shall not affect the other terms hereof, all of which shall continue in effect as if the stricken term had not been included.

We appreciate the opportunity to be of service to the City and believe the arrangements outlined above and in the attached Rehmann Audit Engagement Letter Terms and Conditions accurately summarize the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement, please sign the enclosed copy of this document and return it to us.

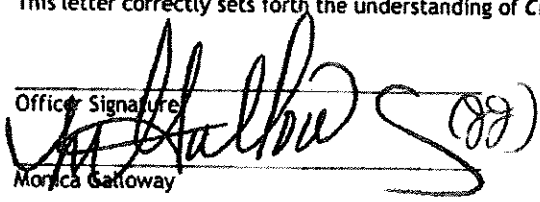
Rehmann Robson LLC

Doug Deeter, CPA Principal
Executive responsible for supervising the
engagement and signing our report
Stephen Blann, CPA, CGFM - Principal

ACKNOWLEDGED AND ACCEPTED:

This letter correctly sets forth the understanding of *City of Flint*.

Office Signature


Monica Galloway

Flint City Council President

9-3-20
Date

Rehmann Audit Engagement Letter Terms and Conditions

ADDITIONAL SERVICES - The City may request that we perform additional services not addressed in this engagement letter. If this occurs, we will communicate with management regarding the scope of the additional services and the estimated separate fees. We also may submit a request for a change order subject to City Council approval (an attached example is provided), or a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our attest services will continue to be governed by the terms of this engagement letter.

CODE OF CONDUCT - Management is responsible for identifying any violations by employees of the City's code of conduct.

CHANGES IN STANDARDS, LAWS AND REGULATIONS - We perform services for the City based on present professional standards, laws and regulations. While we may on occasion be able to communicate with management with respect to changes in professional standards, laws and regulations, as a general principle we cannot undertake with clients to advise them of every change that may occur. The City can always obtain reassurance in this regard by contacting us for an updated review of the City's situation.

MANAGEMENT'S REPRESENTATIONS - The procedures we will perform in our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the written and oral representations that we receive from management. Accordingly, false, misleading, incomplete, inconsistent, or omitted representations could cause us to expend unnecessary efforts or could cause material error or a fraud to go undetected by our procedures. In view of the foregoing, the City agrees that we shall not be responsible for any material misstatements in the City's financial statements that we may fail to detect as a result of false, inaccurate, incomplete, inconsistent, or misleading representations that are made to us by management. In addition, the City further agrees to the extent permitted by law to indemnify and hold us harmless for any liability and all reasonable costs, including legal fees, that we may incur as a result of the services performed under this engagement in the event there are false or misleading representations made to us by any member of the City's management.

CLIENT ASSISTANCE - We understand that the City's employees will prepare all cash, accounts receivable, and other confirmations we request and will locate and refile any documents selected by us for testing. In addition, management will provide us with copies of all minutes and other documents that we believe may have a bearing on our evaluation of the City's financial affairs.

WORK SPACE - The City shall provide reasonable work space for Rehmann personnel at audit work sites, as well as occasional clerical support services.

TIMELY DECISIONS AND APPROVALS - The City understands that Rehmann's performance is dependent on the City's timely and effective satisfaction of its own activities and responsibilities in connection with this engagement, as well as timely decisions and approvals by City personnel.

ACCURACY AND COMPLETENESS OF INFORMATION - Management agrees to ensure that all information provided to us is accurate, complete, and consistent in all material respects, contains no material omissions and is updated on a prompt and continuous basis. In addition, management will also be responsible for obtaining all third-party consents, if any, required to enable Rehmann to access and use any third-party products necessary to our performance.

EMAIL - The City acknowledges that (a) Rehmann, the City and others, if any, participating in this engagement may correspond or convey documentation via Internet e-mail unless the City expressly requests otherwise, (b) no party has control over the performance, reliability, availability, or security of Internet e-mail, and (c) Rehmann shall not be liable for any loss, damage, expense, harm or inconvenience resulting from the loss, delay, interception, corruption, or alteration of any Internet e-mail due to any reason beyond Rehmann's reasonable control.

OFFERS OF EMPLOYMENT - Professional standards require us to be independent with respect to the City in the performance of our services.

Any discussions that management has with personnel of our Firm regarding employment could pose a threat to our independence. Therefore, we request that management inform us prior to any such discussions so that we can implement appropriate safeguards to maintain our independence.

Neither party shall, during the term of this engagement letter and for one (1) year after its termination, solicit for hire as an employee, consultant or otherwise any of the other party's personnel without such other party's express written consent.

ADDITIONAL FEES AND BILLING POLICIES - It must be understood that the nature of our engagement requires us to exercise our independent professional judgment with respect to various auditing, accounting and related issues. In reaching our conclusions, we must retain the right to judge the nature and scope of the work required in order to conform to professional standards, as well as the work we deem necessary to enable us to reach the conclusions and form the opinions required of us. If our judgment as to the scope of the work required causes us to reassess our estimate of fees for this engagement, we will so advise the City. We reserve the right to refrain from performing additional work (and thereby incurring additional time charges) unless and until the City has confirmed its understanding of, and agreement to, any additional estimated charges.

Our fee estimate is based upon our discussions with management, in which management has disclosed no unusual problems or issues which would require us to conduct an audit of unusual scope or otherwise expend time and effort in excess of that normally anticipated in an engagement of this type. The estimate also assumes that we will have the full cooperation of City personnel, as required, and that there is a reasonable continuity of City personnel familiar with the matters to which our engagement relates. In addition, our fee is based on the experience level of our personnel, at their respective standard hourly rates, performing certain audit procedures at certain timeframes. If we are caused to vary from that planning formula, additional fees will need to be charged to allow for more experienced personnel performing the work, reallocation of our client priority, overtime, etc. Further, management will provide us with the schedules and records that we request (which ordinarily are detailed in a request list in advance of our fieldwork) and that all such schedules and records will be provided to us timely in accordance with the scheduled fieldwork dates, to be mutually agreed upon. If the requested schedules and records are not provided to us in accordance with the scheduled dates and we are unable to continue our work, we will attempt to resume our work as soon as the schedules and records are provided to us and our professionals assigned to the engagement again become available.

As a result of well-publicized events, global economic convergence, and the continued evolution of the accounting profession, accounting and auditing standard setters and regulators are continually evaluating the need for changes that may affect the City. Such changes may result in changes in financial reporting and expanding the nature, timing and scope of activities we are required to perform to provide the services discussed in this letter. Proposed changes and shortened deadlines could result in a reduction of the level of assistance and preparedness the City is able to provide. We expect that our clients may continue to look to us to assist them with these changes. To the extent any changes require us to increase the time required to provide the services described in this letter or to complete new tasks required by such changes, we will notify the City Council to request an adjustment to our fees, that is mutually agreed to in writing and approved by City Council. We will endeavor to advise the City of anticipated changes to our fees on a timely basis.

In accordance with our Firm policies, work may be suspended if the City's account becomes 30 days or more overdue and will not be resumed until the account is paid in full or we have a definitive payment agreement approved by our Firm administrator in Saginaw, Michigan. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed even if we have not issued our report. The City will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination.

Our terms and conditions impose a late charge of 1.5% per month, which is an annual percentage rate of 18%. Balances not paid within 30 days of

Rehmann Audit Engagement Letter Terms and Conditions

the receipt of invoice are past due and a late charge of 1.5% will be applied to the entire past due amount.

Rehmann now charges a 3% convenience fee on credit card payments.

TERMINATION OF SERVICES - We reserve the right to suspend or terminate services for reasonable cause such as failure to pay our invoices on a timely basis or failure to provide adequate information in response to our inquiries necessary for successful performance of our audit services. Our engagement will be deemed to be completed upon written notification of termination, even if we have not completed the audit and issued our signed auditors' report. The City is obligated to compensate us for the time expended to that point and to reimburse us for all out-of-pocket expenditures through the date of termination.

We acknowledge the City's right to terminate our services at any time, and the City acknowledges our right to withdraw at any time, including, but not limited to, for example, instances where, in our judgment, (a) the conditions in the first paragraph of the Audit Objectives section of this letter exist, (b) our independence has been impaired, (c) we can no longer rely on the integrity of management, (d) management (or the Audit Committee, if applicable) fails to reasonably support our efforts to perform the engagement in accordance with what we believe is necessary to comply with professional standards, or (e) a lack of professionalism exhibited by management appears to demonstrate a lack of respect for our personnel such as that evidenced in inappropriate or threatening language/emails, subject in either case to our right to payment for charges incurred to the date of termination or our resignation.

In the event that we determine to resign, and the City seeks damages allegedly resulting from such resignation, our maximum liability to the City in the event we are held liable because of such resignation shall be limited to the fees actually paid to us for current year audit work performed up to the date of resignation.

INITIAL ISSUANCE OF OUR AUDIT REPORT ON FINANCIAL STATEMENTS - If the City intends to publish or otherwise reproduce our audit report on the financial statements and/or make reference to our Firm name, such as for inclusion in an annual report (such as, for example, in a CAFR), prospectus, official statement, or similar disclosure document, including incorporation by reference thereto, the City agrees to provide us with a copy of the final reproduced document for our review and approval before it is distributed, circulated or submitted. Additional fees for issuance or inclusion of our audit report and/or any other reference to our Firm in such other document, will be subject to the approval of the City.

With regard to electronic dissemination of audited financial statements, including financial statements published electronically on the City's Internet Web site, the City understands that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

SUBSEQUENT REPRODUCTION OF OUR AUDIT REPORT ON FINANCIAL STATEMENTS - If the City decides to include, publish or otherwise reproduce our audit report on the financial statements at a date subsequent to our original report issuance, such as for inclusion in a Preliminary or Official Statement, an exempt offering in connection with a sale of bonds or notes, or other securities, or in a similar exempt offering or other disclosure document such as a prospectus, official statement, etc. (hereinafter referred to as the "document"), our Firm is presumed not to be associated with such document, and we have no obligation to perform any procedures with respect to such document. In these circumstances, the City agrees to include in such document a statement that Rehmann has not been engaged to perform and has not performed, since the date of our audit report being reproduced, any procedures on the financial statements contained in such document or on any unaudited financial or other information contained in the document, or on the document itself. If, however, management or the City's agent (such as an underwriter, bond counsel, placement agent, financial advisor, broker-dealer, etc.) requests our involvement, thereby causing us to be engaged to or otherwise prepare a written acknowledgement (sometimes referred to as a "consent" or "agree to include") letter prior to including our audit report in such a document,

or requests or engages us to assist in preparing or reviewing financial or other information contained in such document, or participate in related oral due diligence meetings or offering discussions, our Firm then becomes associated with the document. In this event, in accordance with professional standards, we will be required to perform certain subsequent events-based or other limited procedures with respect to this or other unaudited information contained in the document shortly before the initial and any subsequent distribution, circulation, or submission. Fees for reissuance or inclusion of our audit report in such a document will be based on our standard hourly rates. If the City wishes to make reference in such a document to our Firm's role in connection with the purpose and dissemination of the document, the caption "Independent Auditors" may be used to title or label that section of the document. In accordance with professional standards, the caption "Experts" should not be used, nor should our Firm be referred to as "Experts" anywhere in the document.

INFORMAL ADVICE - As part of our engagement we may provide advice on operating, internal control over financial reporting and other matters that come to our attention. Informal advice is not considered to be a consulting service unless we have entered into a separate engagement.

THIRD PARTY PROCEEDINGS - As a result of our prior or future services to the City, we might be requested or subpoenaed to provide information or documents to management, a court, a trier of fact, or a third party in a legal, investigative, administrative, mediation, or arbitration or similar proceeding in which we are not a party. If this occurs, our efforts in complying with such requests will be billable to the City as a separate engagement, only if the request is made by the City. We shall be entitled to compensation for our time at our standard or special hourly rates and reasonable reimbursement for our expenses in complying with this request. For all such requests, we will observe the confidentiality requirements of our profession and will notify management promptly of the request. This paragraph will survive the termination of this agreement for any reason.

PEER REVIEW - Our Firm, as well as other major accounting firms, participates in a "peer review" program covering our audit and accounting practices. This program requires that once every three years we subject our quality assurance practices to an examination by another accounting firm. As part of the process, the other firm will review a sample of our work. It is possible that the work we perform for the City may be selected by the other firm for their review. If it is, the other firm is bound by professional standards to keep all information confidential. If management objects to having the work we perform for the City reviewed by our peer reviewer, please notify us in writing.

PROMOTIONAL MATERIALS - The City consents to Rehmann's use of your City name and a factual description of the services to be performed by Rehmann under this agreement in Rehmann's advertising and promotional materials and other proposal opportunities.

MEDIATION - If any dispute arises among the parties hereto, the parties agree first to try in good faith to settle the dispute by mediation administered by the American Arbitration Association under its Rules for Professional Accounting and Related Services Disputes before resorting to binding arbitration or litigation. Costs of mediator services shall be shared equally by all parties. Each party is responsible for its attorney fees and there will be no cost burden shifting by the mediator or arbitrator.

GOVERNING LAW - This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan, without regard to the principles of conflicts of law thereof.



EXAMPLE CHANGE ORDER

Client: (the "City")

Date:

Project Description (and estimated completion date, if appropriate):

Estimated Additional Fees: \$ _____

We believe it is our responsibility to exceed the City's expectations. This Change Order is being prepared because performance by us of the above project and/or additional service efforts was not anticipated in our original Agreement dated August 26, 2020. The estimated fees for the above project have been mutually agreed upon by the City and Rehmann. It is our goal to ensure that the City is never surprised by the price for any Rehmann service and, therefore, we have adopted the Change Order Policy. The estimated additional amount above is due and payable upon completion of the project described.

If management agrees with the above project description and the estimated fee amount, please authorize and date the Change Order below, after approved by the City Council. A copy is enclosed for the City's records. Thank you for letting us serve the City.

Agreed to and accepted:

Officer Signature

Printed Name

Title

Date

CliftonLarsonAllen

REPORT ON THE FIRM'S SYSTEM OF QUALITY CONTROL

To the Principals of Rehmann Robson LLC
The National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Rehmann Robson LLC, a member of Rehmann, LLC (the Firm) applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended March 31, 2017. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The Firm is responsible for designing a system of quality control and complying with it to provide the Firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The Firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the Firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards* (including compliance audits under the Single Audit Act), audits of employee benefit plans, an audit performed under the Federal Deposit Insurance Corporation Improvement Act (FDICIA) and examinations of service organizations (SOC 1 and SOC 2 engagements).

As a part of our peer review, we considered reviews by regulatory entities as communicated by the Firm in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Rehmann Robson LLC applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended March 31, 2017, has been suitably designed and complied with to provide the Firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. Rehmann Robson LLC has received a peer review rating of *pass*.

CliftonLarsonAllen LLP

CliftonLarsonAllen LLP

Minneapolis, Minnesota
September 15, 2017



CHANGE ORDER

Client: **City of Flint** (the "City")

Date: 11/12/2020

Project Description (and estimated completion date, if appropriate):

Based on the criteria as set forth in the Uniform Guidance the City will be required to have four major programs tested in the Single Audit for the fiscal year ended June 30, 2020. Based on the audit engagement letter, any programs in excess of three deemed major per the Uniform Guidance will have an additional fee of \$7,500.

Estimated Additional Fees: \$7,500

We believe it is our responsibility to exceed the City's expectations. This Change Order is being prepared because performance by us of the above project and/or additional service efforts was not anticipated in our original Agreement dated August 26, 2020. The estimated fees for the above project have been mutually agreed upon by the City and Rehmann. It is our goal to ensure that the City is never surprised by the price for any Rehmann service and, therefore, we have adopted the Change Order Policy. The estimated additional amount above is due and payable upon completion of the project described.

If the City agrees with the above project description and the estimated fee amount, please authorize and date the Change Order below, after approved by the City Council. A copy is enclosed for the City's records. Thank you for letting us serve the City.

Agreed to and accepted:

Officer Signature

Printed Name

Title

Date

CITY OF FLINT, MICHIGAN

Schedule of Findings and Questioned Costs For the Year Ended June 30, 2019

SECTION III - FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

2019-013 - Suspension and Debarment

Finding Type. Material Weakness in Internal Controls over Compliance (Procurement, Suspension and Debarment).

Programs. Drinking Water State Revolving Fund Cluster; U.S. Environmental Protection Agency; Passed through Michigan Department of the Environment, Great Lakes, and Energy; CFDA Number 66.468; All Award Numbers.

Criteria. The Uniform Guidance requires the City to determine if a vendor is suspended or debarred before entering into a contract.

Condition. The City was unable to provide documentation to support its consideration of suspension and debarment requirements for all 11 vendors in our selection.

Cause. Management has indicated that the City is checking suspension and debarment, but does not have the proper internal controls in place to ensure that documentation of the verification is retained in accordance with federal requirements.

Effect. Documentation was not available for 11 contracts selected for testing, which exposes the City to an increased risk that future noncompliance could occur and not be prevented or detected by the City's internal controls.

Questioned Costs. No costs were required to be questioned as a result of this finding inasmuch as our testing did not reveal any unallowed costs, and the vendors in question were not suspended or debarred.

Recommendation. We recommend that the City implement necessary internal controls to ensure documentation of its compliance with the requirements of the Uniform Guidance is maintained.

View of Responsible Officials. Management concurs with this finding.

CITY OF FLINT, MICHIGAN

■ Schedule of Findings and Questioned Costs For the Year Ended June 30, 2019

SECTION III - FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

2019-014 - Reporting (repeat comment)

Finding Type. Material Noncompliance/Material Weakness in Internal Controls over Compliance (Reporting).

Programs. Medicaid Cluster; U.S. Department of Health and Human Services; CFDA Number 93.778; All Award Numbers.

Criteria. Per the City's agreements with the State, the following reports are required to be submitted:

- i. Work Progress Reports - Quarterly
- ii. Fiscal Questionnaire - Annually
- iii. Obligation Report - Annually
- iv. Final Financial Status Report - Annually

Condition. The City was unable to provide documentation that any of the above reports were submitted, as required. Either the reports were not submitted, or evidence of their submission was not retained.

Cause. This condition appears to be the result of miscommunication within various City departments as to what reports need to be submitted and who is responsible.

Effect. As a result of this condition, the City did not comply with the provisions of its Medicaid cluster grant agreements, and is exposed to an increased risk of having future costs disallowed.

Questioned Costs. No costs were required to be questioned as a result of this finding inasmuch as our testing did not reveal any unallowed costs.

Recommendation. We recommend that the City implement policies, procedures and internal controls to ensure that all required reports are submitted and evidence of the submission retained.

View of Responsible Officials. Management concurs with this finding.

CITY OF FLINT, MICHIGAN

Schedule of Findings and Questioned Costs For the Year Ended June 30, 2019

SECTION III - FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

2019-015 - Grant Accounting and Draw Requests

Finding Type. Immaterial Noncompliance/Material Weakness in Internal Controls over Compliance (Reporting).

Programs:

- i. Medicaid Cluster; U.S. Department of Health and Human Services; CFDA Number 93.778; All Award Numbers.
- ii. Drinking Water State Revolving Fund Cluster; U.S. Environmental Protection Agency; Passed through Michigan Department of the Environment, Great Lakes, and Energy; CFDA Number 66.468; All Award Numbers.

Criteria. 2 CFR 200.302(a) states, "Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds. In addition, the state's and the other non-Federal entity's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award."

Condition. We selected 15 grant draws for testing (a single draw request includes both federal programs), and noted 10 instances in which the signed draw requests provided were not able to be reconciled to the general ledger. None of the differences were significant to the programs, however, reconciling the draws to the general ledger was difficult and required additional audit work. Additionally, we noted three instances in which signed draw requests were not available at the end of the audit and approximately \$834,000 in expenditures that were not on any requests as of the date of this report, which is almost nine months after year end.

Cause. This condition appears to be the result of a lack of internal controls at the City which would require management to agree each draw request to the general ledger prior to submitting it to the granting agency for reimbursement and to verify that draw requests are done timely. This is important for cash flow and for accurate reporting.

Effect. As a result of this condition, the City is at increased risk that reporting submitted to the State is not accurate.

Questioned Costs. No costs were required to be questioned as a result of this finding inasmuch as our testing did not reveal any unallowed costs.

Recommendation. We recommend that the City implement policies, procedures and internal controls to ensure that all reports are completed timely, approved appropriately and agree to its accounting records.

View of Responsible Officials. Management concurs with this finding.

CITY OF FLINT, MICHIGAN

Schedule of Findings and Questioned Costs For the Year Ended June 30, 2019

SECTION III - FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

2019-016 - Subrecipient Monitoring Activities

Finding Type. Immaterial Noncompliance/Significant Deficiency in Internal Controls over Compliance (Subrecipient Monitoring).

Programs. HOME Investment Partnership Program; U.S. Department of Housing and Urban Development; CFDA Number 14.239; All Award Numbers.

Criteria. A pass-through entity must monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, complies with the terms and conditions of the subaward, and achieves performance goals (2 CFR sections 200.331(d) through (f)), plus any additional procedures identified as necessary based upon the evaluation of subrecipient risk or specifically required by the terms and conditions of the award.

Condition. We noted during testing that the City utilized “desk audits” as its only method of during-the-award monitoring. While this is an acceptable monitoring activity, the use of this as the only activity should be supported by a formal risk assessment process and associated policies and procedures that dictate what monitoring plan must be followed for specific ranges of subrecipient risk. We did observe that the City has a risk assessment worksheet that classifies subrecipients as low, medium or high risk, but did not find that there was a procedure in place to link the assessed risk to the appropriate monitoring plan.

Cause. This condition appears to be the result of vacancies in the program manager position over the past few fiscal years.

Effect. As a result of this condition, the HOME program at the City is not fully in compliance with requirements related to subrecipient monitoring, and is exposed to an increased risk that its subrecipients may also be out of compliance without the City's knowledge.

Questioned Costs. No costs were required to be questioned as a result of this finding inasmuch as our testing did not reveal any unallowed costs.

Recommendation. We recommend that the City review policies and procedures related to the subrecipient monitoring process to make sure that there is a logical connection between the results of risk assessment activities and the monitoring plan devised for each subrecipient. The City should also consider the applicable compliance requirements related to this program and make sure that your monitoring plan covers all applicable areas.

View of Responsible Officials. Management concurs with this finding.

CITY OF FLINT, MICHIGAN

Schedule of Findings and Questioned Costs For the Year Ended June 30, 2019

SECTION III - FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

2019-017 - Housing Quality Standards (HQS) Inspections

Finding Type. Material Noncompliance/Material Weakness in Internal Controls over Compliance (Special Tests and Provisions).

Programs. HOME Investment Partnership Program; U.S. Department of Housing and Urban Development; CFDA Number 14.239; All Award Numbers.

Criteria. During the period of affordability (i.e., the period for which the non-Federal entity must maintain subsidized housing) for HOME assisted rental housing, the participating jurisdiction must perform on-site inspections to determine compliance with property standards and verify the information submitted by the owners no less than (a) every 3 years for projects containing 1 to 4 units, (b) every 2 years for projects containing 5 to 25 units, and (c) every year for projects containing 26 or more units.

Condition. For certain properties, all of which fall in the 5 to 25 unit range shown in the criteria section, HQS inspections have not been completed since the 2015-16 fiscal year. One property selected for testing is also under review for non-compliance with the required submission of tenant data, staying current on utilities and property taxes, as well as not granting access for HQS inspections.

Cause. This condition appears to be the result of delays in processing HQS inspections due to vacancies in the program manager and City inspector positions, as well as a legal challenge to the City's rental inspection process.

Effect. As a result of this condition, the HOME program at the City is not in compliance with requirements related to Housing Quality Inspections, and is exposed to an increased risk that housing units may fail to comply with property standards.

Questioned Costs. No costs were required to be questioned as a result of this finding inasmuch as our testing did not reveal any unallowed costs.

Recommendation. We recommend that the City take the necessary steps to, either internally or through outsourcing, bring all properties in compliance with HQS inspection requirements. We further recommend that the City review policies and procedures related to this process to make sure that such a lapse will not occur in the future.

View of Responsible Officials. Management concurs with this finding.

CITY OF FLINT, MICHIGAN

■ Schedule of Findings and Questioned Costs

For the Year Ended June 30, 2019

SECTION III - FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

2019-018 - Written Policies Required by the Uniform Grant Guidance (repeat comment)

Finding Type. Immaterial noncompliance

Program. All programs.

Criteria. The Uniform Guidance requires a non-federal entity that has expended federal awards for a grant awarded on or after December 26, 2014 to have written policies pertaining to: 1) Payments (draws of federal funds and how to minimize the time lapsing between the receipt of federal funds and the disbursement to contractors/employees/subrecipients) (§200.302(6)); 2) Allowability of costs charged to federal programs (§200.302(7)); and 3) Compensation (personnel & benefits) (§200.430-431).

Condition. Although the City has processes in place to cover these areas, there are no formal written policies covering payments, allowability of costs and compensation in accordance with the Uniform Guidance.

Cause. This condition appears to be the result of a time lag in identifying the requirement and developing a plan for compliance.

Effect. As a result of this condition, the City did not fully comply with the Uniform Guidance applicable to the above noted grants.

Questioned Costs. No costs have been questioned as a result of this finding.

Recommendation. We recommend that the City develop these policies as soon as practical, but no later than the end of fiscal year 2020.

View of Responsible Officials. Management concurs with this finding.

■ ■ ■ ■ ■

Unaudited

City of Flint, Michigan
Schedule of Expenditures of Federal Awards
June 30, 2020

| Federal Grantor | CFDA Number | Federal Expenditures | Per Prior Year SEFA Expenditures | Change From PY |
|---|------------------------|---------------------------------|---|---------------------------|
| U.S. Department of Commerce | | | | |
| Economic Development Cluster | | | | |
| Title IX Revolving Loan Fund - Program Income | 11.307 | 1,481,176 | 1,435,369 | 45,807 |
| Total U.S. Department of Commerce | | 1,481,176 | | |
| U.S. Department of Housing and Urban Development | | | | |
| Community Development Block Grant Entitlement Cluster | | | | |
| Community Development Block Grants - 2013 | 14.218 | 10,652 | | |
| Community Development Block Grants - 2014 | 14.218 | 43,597 | | |
| Community Development Block Grants - 2015 | 14.218 | 58,189 | | |
| Community Development Block Grants - 2016 | 14.218 | 240,734 | | |
| Community Development Block Grants - 2017 | 14.218 | 28,291 | | |
| Community Development Block Grants - 2018 | 14.218 | 345,935 | | |
| Community Development Block Grants - 2019 | 14.218 | 1,390,594 | | |
| Community Development Block Grants - 2020 | 14.218 | 703,443 | | |
| Total Community Development Block Grant Entitlement Cluster | | 2,821,435 | 4,423,934 | (1,602,499) |
| Choice Neighborhood Planning Grants | | | | |
| HOPE VI Cluster | | | | |
| Choice Neighborhood Planning Grant | 14.892 | 6,311,593 | 202,279 | 6,109,314 |
| Total HOPE VI Cluster | | 6,311,593 | | |
| Neighborhood Stabilization Program (Recovery Act) Program Income | 14.892 | 85,183 | - | 85,183 |
| Total Choice Neighborhood Planning Grants | | 6,396,776 | | |
| Emergency Solutions | | | | |
| Emergency Solutions Grant Program - 2018 | 14.231 | 12,245 | | |
| Emergency Solutions Grant Program - 2019 | 14.231 | 134,626 | | |
| Emergency Solutions Grant Program - 2020 | 14.231 | 148,918 | | |
| Total Emergency Solutions Grant | | 295,789 | 405,723 | (109,934) |
| Home Investment Partnerships | | | | |
| Home Investment Partnerships Program - 2013 | 14.239 | - | | |
| Home Investment Partnerships Program - 2016 | 14.239 | 92,268 | | |
| Home Investment Partnerships Program - 2017 | 14.239 | 229,882 | | |
| Home Investment Partnerships Program - 2018 | 14.239 | 369,613 | | |
| Home Investment Partnerships Program - 2019 | 14.239 | 323,316 | | |
| Home Investment Partnerships Program - 2020 | 14.239 | - | | |
| Total Home Investment Partnerships Program | | 1,015,079 | 2,721,885 | (1,706,806) |
| Lead Based Paint Hazard Control Grant | 14.900 | 69,618 | 3,122 | 66,496 |
| Total U.S. Department of Housing & Urban Development | | 10,598,697 | | |
| U.S. Department of Labor | | | | |
| WIA/WIOA Cluster: | | | | |
| WIA Adult Program | 17.258 | 11,003 | - | 11,003 |
| Total WIA/WIOA Cluster: | | 11,003 | | |
| Total U.S. Department of Labor | | 11,003 | | |
| U.S. Environmental Protection Agency | | | | |
| Drinking Water State Revolving Fund Cluster: | | | | |
| Passed through the Michigan Department of Environmental Quality: | | | | |
| Capitalization Grants for Drinking Water State Revolving Funds - WIIN Arcadis | 66.468 | 56,140 | | |
| Capitalization Grants for Drinking Water State Revolving Funds - WIIN | 66.468 | 557,365 | | |
| Capitalization Grants for Drinking Water State Revolving Funds - WIIN | 66.468 | 10,763,827 | | |
| Capitalization Grants for Drinking Water State Revolving Funds - WIIN | 66.468 | 12,819,808 | | |
| Total Drinking Water State Revolving Fund Cluster | | 24,197,140 | 6,377,160 | 17,819,980 |
| Total U.S. Environmental Protection Agency | | 24,197,140 | | |
| U.S. Department of Justice | | | | |
| National Sexual Assault Kit Initiative | 16.833 | 295,207 | | |
| National Sexual Assault Kit Initiative | 16.833 | 48,987 | | |
| | | 344,194 | 517,240 | (173,046) |
| Passed through Flint Township: | | | | |
| Edward Byrne Memorial Justice Assistance Grant Program | | | | |

| | | | | |
|---|--------|------------|------------|--------------------------------|
| Edward Byrne Memorial Justice Assistance Grant - 2016 | 16,738 | 24,712 | | |
| Edward Byrne Memorial Justice Assistance Grant - 2017 | 16,738 | 62,679 | | |
| Edward Byrne Memorial Justice Assistance Grant - 2019 | 16,738 | 9,907 | | |
| Technology Innovation for Public Safety 2018 | 16,738 | 95,276 | | |
| Total Edward Byrne Memorial Justice Assistance Grant | | 192,574 | 157,388 | 35,186 |
| Total U.S. Department of Justice | | 536,768 | | |
| U.S. Department of Health and Human Services | | | | |
| Substance Abuse and Mental Health Services Projects of Regional and National Significance | 93,243 | 599,775 | 899,251 | (299,476) |
| Passed through Michigan State University, DHHS: | | | | |
| Childhood Lead Poisoning Prevention Projects, State and Local Childhood Lead Poisoning Prevention and Surveillance of Blood Lead Levels in Children | 93,197 | 2,215 | | |
| Lead Poisoning Prevention and Surveillance of Blood Lead Levels in Children | 93,197 | 14,077 | | |
| | | 16,292 | 5,764 | 10,528 |
| Passed through Genesee County Health Department: Healthy Start Initiative | 93,926 | 137,691 | 28,140 | 109,551 |
| Total U.S. Department of Health and Human Services | | 753,758 | | |
| Corporation for National and Community Service | | | | |
| Volunteers in Service to America | 94,013 | 2,053 | 2,861 | (808) |
| Total Corporation for National and Community Service | | 2,053 | | |
| Total Medicaid Cluster | | - | 4,596,304 | (4,596,304) |
| Staffing for Adequate Fire & Emergency Response | | - | 1,633,047 | (1,633,047) |
| Total Federal Awards | | 37,580,595 | 23,409,467 | 14,171,128 |
| | | | | Total Increase from Prior year |



RESOLUTION NO.: 200480
PRESENTED: NOV 23 2020
ADOPTED: _____

**RESOLUTION AUTHORIZING RETAINING LIGHTHOUSE TO PROVIDE EXCESS
GENERAL LIABILITY INSURANCE COVERAGE**

BY THE MAYOR:

WHEREAS, the City of Flint through the, The Lighthouse Group, its current broker, solicited proposals for general liability coverage; and

WHEREAS, the Department is recommending that the Lighthouse Group be retained to provide the City with general liability insurance coverage through the Old Republic Union Insurance Company for the period 11/23/2020-11/23/2021 at a cost of \$406,400.00. Optional Terrorism coverage is available for an additional \$5,500.00 for a total cost of \$411,900.00;

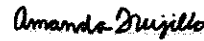
IT IS RESOLVED, that the appropriate City officials are authorized to enter into a contract with the Lighthouse Group to provide the City with its general liability and terrorism coverage through the Old Republic Union Insurance Company at a premium not to exceed \$411,900.00 for a 12-month period beginning 11/23/2020 to 11/23/2021. Funding for these services will come from account 677-174.851-955.000.

APPROVED AS TO FORM:



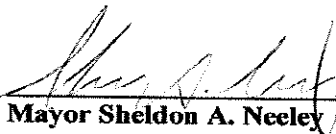
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:



Amanda Trujillo, Acting Chief Financial Officer

FOR THE CITY OF FLINT:


Mayor Sheldon A. Neeley

APPROVED BY CITY COUNCIL:

Kate Fields, Council President

STAFF REVIEW

Date: 11/16/2020

Agenda Item Title: Resolution Authorizing Retaining the Lighthouse Group to Provide Excess General Liability insurance coverage

Prepared By: V. Foster for Amanda Trujillo, Department of Finance

Background/Summary of Proposed Action:

The Lighthouse Group, the city's insurance broker, solicited quotes for its excess general liability policy. Of the six carriers to respond, five declined.

The City's current carrier, the Old Republic Union Insurance Company responded with a formal quote of \$406,400. It is the recommendation of the Lighthouse Group and the Chief Financial Officer to add terrorism coverage for an additional \$5,500. The total premium for all coverage will be \$411,900.

Financial Implications: None. Funding is available in the self-insurance fund to cover premium costs.

Budgeted Expenditure: Yes

Account No: 677-174.851-955.000

Staff Recommendation:

The Department of Finance is recommending coverage through the Lighthouse Group with Old Republic Insurance Company for a 12-month policy for a total cost of \$411,900. It is the recommendation of the Chief Financial Officer

Recommendation approval:

Amanda Trujillo

Amanda Trujillo
Acting Chief Financial Officer



Lighthouse
G R O U P

Insurance Proposal
Prepared For

City of Flint

EFFECTIVE 11-23-2020 TO 11-23-2021

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Lighthouse Group

Our mission at the Lighthouse Group is the profitable and ethical delivery of innovative insurance solutions for the protection of our clients.

Lighthouse Insurance Group was formed in 1995 and is one of the largest privately held insurance agencies in Michigan.

We are well positioned to provide excellent service for all your business and personal insurance needs including:

- Commercial Lines
- Personal Lines
- Employee Benefits
- Life Insurance
- Financial Services

Along with these business units, Lighthouse provides seminars for clients and the public on currently relevant issues. These are done in conjunction with several insurance companies, with which we have solid, long term relationships.

We have multiple locations throughout Michigan to serve your needs, and our investment in technology has allowed Lighthouse to provide exemplary response time, as well as comprehensive claims and risk management services.

We have active memberships with local Chambers of Commerce, various industry associations, and serve on Advisory Boards of several insurance companies. We also have many Industry Specific Programs tailored to give specialized coverages when they are needed.

Named Insureds

City of Flint

Location Schedule

| Loc # | Bldg # | Address | City | State | Zip | Description |
|-------|--------|------------------------------|-------|-------|-------|-----------------------|
| 0001 | 0001 | 1101 S. Saginaw St. Room 203 | Flint | MI | 48502 | City Hall |
| 0001 | 0002 | 1101 S. Saginaw St. Room 203 | Flint | MI | 48502 | Dome Auditorium |
| 0001 | 0003 | 1101 S. Saginaw St. Room 203 | Flint | MI | 48502 | S. Building |
| 0002 | 0004 | 1101 S. Saginaw St. Room 203 | Flint | MI | 48502 | N. Building |
| 0003 | 0005 | 210 E Fifth St | Flint | MI | 48502 | Police Dept. |
| 0004 | 0006 | 3420 St John Street | Flint | MI | 48502 | Police Academy |
| 0005 | 0007 | 4535 M.L. King Ave | Flint | MI | 48502 | Archie Parks |
| 0006 | 0008 | 310 E Fifth St | Flint | MI | 48502 | Station #1 HQ |
| 0007 | 0009 | 1525 M.L. King Ave | Flint | MI | 48502 | Station #3 |
| 0008 | 0010 | 4309 Industrial | Flint | MI | 48502 | Station #4 |
| 0009 | 0011 | 716 W Pierson Rd | Flint | MI | 48502 | Station #6 |
| 0010 | 0012 | 202 E Atherton | Flint | MI | 48507 | Station #8 |
| 0011 | 0013 | 3310 E Court St | Flint | MI | 48502 | Water Service Cen. |
| 0011 | 0014 | 3318 E Court St | Flint | MI | 48502 | Misc. Storage |
| 0012 | 0015 | 4500 N Dort Hwy | Flint | MI | 48506 | Treatment Plant |
| 0012 | 0016 | 4500 N Dort Hwy | Flint | MI | 48506 | Ozone Plant |
| 0012 | 0017 | 4500 N Dort Hwy | Flint | MI | 48506 | Elevated Tank Cont |
| 0012 | 0018 | 4500 N Dort Hwy | Flint | MI | 48506 | Pumping Station 4 |
| 0012 | 0019 | 4500 N Dort Hwy | Flint | MI | 48506 | Electric Substation |
| 0012 | 0020 | 4500 N Dort Hwy | Flint | MI | 48506 | Water Control 2 |
| 0012 | 0021 | 2800 Hammerburg Rd | Flint | MI | 48507 | Booster Station |
| 0013 | 0022 | 1614 Dupont | Flint | MI | 48504 | Westside Reservoir |
| 0014 | 0023 | G-12233 E Potter Road | Flint | MI | 48507 | Water Control 1 |
| 0015 | 0024 | G-4652 Beecher Rd | Flint | MI | 48507 | Sewage Treatment |
| 0015 | 0025 | G-4652 Beecher Rd | Flint | MI | 48507 | Admin Bldg-Lab |
| 0015 | 0026 | G-4652 Beecher Rd | Flint | MI | 48507 | Service Building |
| 0015 | 0027 | G-4652 Beecher Rd | Flint | MI | 48507 | Influent Box |
| 0015 | 0028 | G-4652 Beecher Rd | Flint | MI | 48507 | 'A' Grit Tanks |
| 0015 | 0029 | G-4652 Beecher Rd | Flint | MI | 48507 | 'B' New Grit Bldg |
| 0015 | 0030 | G-4652 Beecher Rd | Flint | MI | 48507 | Primary Settling tank |
| 0015 | 0031 | G-4652 Beecher Rd | Flint | MI | 48507 | Aeration Tank |
| 0015 | 0032 | G-4652 Beecher Rd | Flint | MI | 48507 | Final Settling |
| 0015 | 0033 | G-4652 Beecher Rd | Flint | MI | 48507 | Storage Building |
| 0015 | 0034 | G-4652 Beecher Rd | Flint | MI | 48507 | Blower, Filler |
| 0015 | 0035 | G-4652 Beecher Rd | Flint | MI | 48507 | Equip, Micro strainer |
| 0015 | 0036 | G-4652 Beecher Rd | Flint | MI | 48507 | Chlorine Contact |
| 0015 | 0037 | G-4652 Beecher Rd | Flint | MI | 48507 | Trickling Filter |
| 0015 | 0038 | G-4652 Beecher Rd | Flint | MI | 48507 | Sludge Thickening |
| 0015 | 0039 | G-4652 Beecher Rd | Flint | MI | 48507 | Blended Sludge |
| 0015 | 0040 | G-4652 Beecher Rd | Flint | MI | 48507 | Gas Sphere Storage |
| 0015 | 0041 | G-4652 Beecher Rd | Flint | MI | 48507 | Old Pre-Aeration |
| 0015 | 0042 | G-4652 Beecher Rd | Flint | MI | 48507 | Old Final Settling |

| Loc # | Bldg # | Address | City | State | Zip | Description |
|-------|--------|------------------------------|-------|-------|-------|--------------------------|
| 0015 | 0043 | G-4652 Beecher Rd | Flint | MI | 48507 | NW Pumping Station |
| 0015 | 0044 | G-4652 Beecher Rd | Flint | MI | 48507 | LPO, Vacuum |
| 0015 | 0045 | G-4652 Beecher Rd | Flint | MI | 48507 | Storage Building |
| 0015 | 0046 | G-4652 Beecher Rd | Flint | MI | 48507 | E. Sewage Pump Station |
| 0015 | 0047 | G-4652 Beecher Rd | Flint | MI | 48507 | Hypochlorite Tank |
| 0015 | 0048 | G-4652 Beecher Rd | Flint | MI | 48507 | Air Filter A |
| 0015 | 0049 | G-4652 Beecher Rd | Flint | MI | 48507 | Air Filter B |
| 0015 | 0050 | G-4652 Beecher Rd | Flint | MI | 48507 | Air Filter C |
| 0015 | 0051 | G-4652 Beecher Rd | Flint | MI | 48507 | Sulfur Dioxide Bldg |
| 0015 | 0052 | G-4652 Beecher Rd | Flint | MI | 48507 | Storage |
| 0016 | 0053 | 251 E. Blvd Drive | Flint | MI | 48507 | Avon St Pumping |
| 0017 | 0054 | Avon Street | Flint | MI | 48503 | Sewage Retention Tank |
| 0018 | 0055 | 1524 Mackin Rd & 1416 Dupont | Flint | MI | 48503 | Water Pump Station |
| 0018 | 0056 | 2305 W 3rd Ave | Flint | MI | 48503 | Third Ave Pump |
| 0019 | 0057 | 6625 Fleming Rd | Flint | MI | 48504 | Sewage Lift Station |
| 0020 | 0058 | 5629 Fleming Rd | Flint | MI | 48504 | Sewage Lift Station |
| 0021 | 0059 | 2300 Branch | Flint | MI | 48506 | Sewage Lift Station |
| 0022 | 0060 | 2420 Brownwell | Flint | MI | 48504 | Sewage Lift Station |
| 0023 | 0061 | 1106 S Averill St | Flint | MI | 48506 | Forestry Division, Shop |
| 0023 | 0062 | 1106 S Averill St | Flint | MI | 48506 | Office |
| 0023 | 0063 | 1106 S Averill St | Flint | MI | 48506 | Storage Bldg |
| 0023 | 0064 | 1106 S Averill St | Flint | MI | 48506 | Pole Barn Garage |
| 0023 | 0065 | 1106 S Averill St | Flint | MI | 48506 | Maintenance Bldg |
| 0024 | 0066 | 930 E Blvd Drive | Flint | MI | 48502 | Shop & Garage |
| 0024 | 0067 | 930 E Blvd Drive | Flint | MI | 48502 | Shop At Rear |
| 0024 | 0068 | 930 E Blvd Drive | Flint | MI | 48502 | New Storage Bldg |
| 0025 | 0069 | 4266 E Pierson Rd | Flint | MI | 48506 | Cart Storage Barn |
| 0025 | 0070 | 4266 E Pierson Rd | Flint | MI | 48506 | Pump House |
| 0025 | 0071 | 4266 E Pierson Rd | Flint | MI | 48506 | Kearsley Lake Golf |
| 0026 | 0072 | 2401 Nolen Drive | Flint | MI | 48503 | Mott Golf & Clubhouse |
| 0026 | 0073 | 2401 Nolen Drive | Flint | MI | 48503 | Equip Storage |
| 0026 | 0074 | 2401 Nolen Drive | Flint | MI | 48503 | Pump House Bridges |
| 0027 | 0075 | 1221 S Vernon | Flint | MI | 48506 | Pierce Golf & Clubhouse |
| 0028 | 0076 | 1901 Hammerburg Rd | Flint | MI | 48507 | Swartz Creek Golf |
| 0028 | 0077 | 1901 Hammerburg Rd | Flint | MI | 48507 | Equip Storage |
| 0028 | 0078 | 1901 Hammerburg Rd | Flint | MI | 48507 | Pump House |
| 0028 | 0079 | 1901 Hammerburg Rd | Flint | MI | 48507 | Bridges Outside Equip |
| 0028 | 0080 | 1901 Hammerburg Rd | Flint | MI | 48507 | Golf Car Storage Barn |
| 0029 | 0081 | 3300-3400 N Saginaw | Flint | MI | 48502 | Borston Fieldhouse |
| 0030 | 0082 | 2201 Forest Hill | Flint | MI | 48504 | Haskell Community Cent |
| 0031 | 0083 | 1301-09 Pingree St | Flint | MI | 48505 | Brennan Comm Center |
| 0031 | 0084 | 1301-09 Pingree St | Flint | MI | 48505 | Wilkins Park Ballfield |
| 0032 | 0085 | 1002 W Home | Flint | MI | 48504 | Hasselbring Center |
| 0033 | 0086 | 249 Peer Ave | Flint | MI | 48504 | McKinley Sr Citizens Cen |
| 0034 | 0087 | Vernon-Broadway | Flint | MI | 48506 | Amos Park Basketball |
| 0035 | 0088 | E Fifth Ave-Root St | Flint | MI | 48506 | Barney Fountain |
| 0036 | 0089 | Brownell-W Dayton | Flint | MI | 48504 | Bessett Park Outside |
| 0037 | 0090 | Woodland-E Court St | Flint | MI | 48504 | Burroughs Park |
| 0038 | 0091 | M. L. King Ave-2 E Pierson | Flint | MI | 48532 | Clara Wilborn Shelter |
| 0039 | 0092 | Averill-I-69 Expressway | Flint | MI | 48506 | Cook Park Shelter |
| 0040 | 0093 | Damon-N Saginaw St | Flint | MI | 48506 | Dewey Park Shelter |
| 0041 | 0094 | E Hamilton-Ave A | Flint | MI | 48505 | Dryant Park |
| 0042 | 0095 | 640 W Pasadena | Flint | MI | 48505 | Forest Park Shelter 1 |
| 0042 | 0096 | 640 W Pasadena | Flint | MI | 48505 | Forest Park Shelter 2 |
| 0042 | 0097 | 640 W Pasadena | Flint | MI | 48505 | Forest Park Exercise |
| 0043 | 0098 | 1101 Kearsley Park Blvd | Flint | MI | 48503 | Kearsley Park Pavilion |
| 0043 | 0099 | 1101 Kearsley Park Blvd | Flint | MI | 48503 | Kearsley Park 4 Bridges |
| 0044 | 0100 | W Court & Middleton | Flint | MI | 48503 | Mann Hall Park Sign |

| Loc # | Bldg # | Address | City | State | Zip | Description |
|-------|--------|-------------------------|-------|-------|-------|-------------------------------|
| 0045 | 0101 | Tacklen-Mann Hall | Flint | MI | 48505 | McCallum Park Sign |
| 0046 | 0102 | M.L King Ave-N Saginaw | Flint | MI | 48502 | McFarlan Monuments 2 |
| 0047 | 0103 | Lippincott & Clifford | Flint | MI | 48503 | Foot Bridge |
| 0048 | 0104 | Mason-Welch Blvd | Flint | MI | 48503 | Bolawane Park Sign |
| 0049 | 0105 | Miller Rd-Court St | Flint | MI | 48532 | Mobley Park |
| 0050 | 0106 | River Village | Flint | MI | 48532 | River City 5 Windmills |
| 0051 | 0107 | Saginaw St | Flint | MI | 48502 | Riverbank Park Fountain |
| 0051 | 0108 | Saginaw St | Flint | MI | 48502 | Grand Fountain Elec |
| 0051 | 0109 | Saginaw St | Flint | MI | 48502 | Fountain Emergency Lights |
| 0051 | 0110 | Saginaw St | Flint | MI | 48502 | Recirculation System |
| 0051 | 0111 | Saginaw St | Flint | MI | 48502 | Vault Sump Pumps |
| 0051 | 0112 | Saginaw St | Flint | MI | 48502 | Misc Pump Fibradams |
| 0051 | 0113 | Saginaw St | Flint | MI | 48502 | Misc. Pumps-Meter Pit |
| 0051 | 0114 | Saginaw St | Flint | MI | 48502 | Misc Pump Fibradams 2 |
| 0051 | 0115 | Saginaw St | Flint | MI | 48502 | Elec Panels Ext In Water Well |
| 0051 | 0116 | Saginaw St | Flint | MI | 48502 | Outside Lighting |
| 0051 | 0117 | Saginaw St | Flint | MI | 48502 | Pulaski Monument |
| 0052 | 0118 | Harrison St | Flint | MI | 48502 | Rest Rooms |
| 0052 | 0119 | Harrison St | Flint | MI | 48502 | UAW Sit Down Monument |
| 0053 | 0120 | SE Saginaw St | Flint | MI | 48502 | Misc Pumps Electric Vault |
| 0054 | 0121 | Chicago Blvd-Clancy | Flint | MI | 48502 | Sarginson Park Shelter |
| 0055 | 0122 | 3201 Hammerburg Rd | Flint | MI | 48507 | Stanley Broome Park |
| 0055 | 0123 | 3201 Hammerburg Rd | Flint | MI | 48507 | Park Lights Scoreboard |
| 0055 | 0124 | 3201 Hammerburg Rd | Flint | MI | 48507 | Fencing & Backstops |
| 0055 | 0125 | 3201 Hammerburg Rd | Flint | MI | 48507 | Press Box |
| 0055 | 0126 | 3201 Hammerburg Rd | Flint | MI | 48507 | Concession Bldg |
| 0056 | 0127 | 3821 N Franklin | Flint | MI | 48506 | Whaley Park Shelter |
| 0056 | 0128 | 3821 N Franklin | Flint | MI | 48506 | Whaley Park Outside |
| 0056 | 0129 | 3821 N Franklin | Flint | MI | 48506 | Whaley Park Lights |
| 0056 | 0130 | 3821 N Franklin | Flint | MI | 48506 | Whaley Park Grand Stands |
| 0056 | 0131 | 3821 N Franklin | Flint | MI | 48506 | Whaley Park Press Box |
| 0056 | 0132 | 3821 N Franklin | Flint | MI | 48506 | Concession Bldg |
| 0056 | 0133 | 3821 N Franklin | Flint | MI | 48506 | Whaley Park Softball Lights |
| 0056 | 0134 | 3821 N Franklin | Flint | MI | 48506 | Whaley Park Softball Stands |
| 0057 | 0135 | 1701 Utah | Flint | MI | 48506 | Whaley Park Dasher Boards |
| 0058 | 0136 | Pengelly-Milton | Flint | MI | 48504 | Windiate Park Court |
| 0059 | 0137 | Brookside-Woodlawn | Flint | MI | 48504 | Woodlawn Park Bridge |
| 0059 | 0138 | Brookside-Woodlawn | Flint | MI | 48504 | Tennis Court |
| 0060 | 0139 | Morningside Dr | Flint | MI | 48504 | Shelter (Carpenter) |
| 0061 | 0140 | 702 W 12th Street | Flint | MI | 48503 | New City Garage |
| 0061 | 0141 | 702 W 12th Street | Flint | MI | 48503 | Gas Station Warehouse |
| 0061 | 0142 | 702 W 12th Street | Flint | MI | 48503 | New City Garage |
| 0061 | 0143 | 702 W 12th Street | Flint | MI | 48503 | 12,000 Gallon Tank |
| 0061 | 0144 | 702 W 12th Street | Flint | MI | 48503 | 3,000 Gallon Fuel Oil Storage |
| 0062 | 0145 | 630 S Saginaw St | Flint | MI | 48502 | 68th District Court |
| 0063 | 0146 | 3402 Western Rd | Flint | MI | 48506 | Station #5 |
| 0064 | 0147 | 1100 S Cedar St | Flint | MI | 48502 | Cedar St Pump Station |
| 0065 | 0148 | 420 E Boulevard Drive | Flint | MI | 48502 | Farmers Mkt |
| 0066 | 0149 | R/420 E Boulevard Drive | Flint | MI | 48502 | Farmers Mkt |

Public Entity Liability

COVERAGE FORM USED

| Coverage | Occurrence/Claims Made | Retroactive Date |
|--------------------------------|------------------------|------------------|
| General Liability | Occurrence | NA |
| Errors and Omissions Liability | Claims Made | 08/22/2013 |
| Employment Practices Liability | Claims Made | 08/22/2013 |
| Sexual Harassment Liability | Claims Made | 08/22/2013 |
| Sexual Abuse Liability | Claims Made | 11/02/2016 |
| Employee Benefits Liability | Claims Made | 08/22/2013 |

GENERAL LIABILITY

| Coverage | Limit | Retention |
|------------------------------------|------------|-----------|
| General Liability per Occurrence | 10,000,000 | 3,000,000 |
| General Liability Annual Aggregate | 10,000,000 | |
| Liquor Liability | Included | |
| Incidental Medical Malpractice | Included | |
| Fire Damage Legal Liability | Included | |

AUTOMOBILE LIABILITY

| Coverage | Limit | Retention |
|--|------------|-----------|
| Automobile Liability per Accident | 10,000,000 | 3,000,000 |
| Garagekeepers Legal Liability per Accident | 1,000,000 | 3,000,000 |

LAW ENFORCEMENT LIABILITY

| Coverage | Limit | Retention |
|--|------------|-----------|
| Law Enforcement Liability per Occurrence | 10,000,000 | 3,000,000 |
| Law Enforcement Liability Annual Aggregate | 10,000,000 | |
| Incidental Medical Services | Included | |

ERRORS AND OMISSIONS LIABILITY

| Coverage | Limit | Retention |
|---|------------|-----------|
| Errors and Omissions Liability per Claim | 10,000,000 | 3,000,000 |
| Errors and Omissions Liability Annual Aggregate | 10,000,000 | |
| Employment Practices Liability | Included | |
| Sexual Harassment Liability | Included | |
| Fire Damage Legal Liability | Included | |

SEXUAL ABUSE LIABILITY

| Coverage | Limit | Retention |
|---|------------|-----------|
| Sexual Abuse Liability per Claim | 10,000,000 | 3,000,000 |
| Sexual Abuse Liability Annual Aggregate | 10,000,000 | |

EMPLOYEE BENEFITS LIABILITY

| Coverage | Limit | Retention |
|--|------------|-----------|
| Employee Benefits Liability per Claim | 10,000,000 | 3,000,000 |
| Employee Benefits Liability Annual Aggregate | 10,000,000 | |

City of Flint

Premium Summary

| Coverage | Carrier | Expiring Premium | Renewal Premium | Difference | Premium % Change |
|-------------------------|--------------------|------------------|-----------------|---------------------------------------|------------------|
| Public Entity Liability | Old Republic Union | \$343,951.50 | \$406,400 | \$62,448.50 | 18.16% |
| Terrorism (Optional) | | | | \$5,500 | |
| Total Premium | | \$343,951.50 | \$406,400 | \$62,448.50 (not including Terrorism) | 18.16% |

| Company | Best Rating | Admitted or Non Admitted |
|--------------------------------------|-------------|--------------------------|
| Old Republic Union Insurance Company | A+ | Non Admitted |

Terrorism coverage is available for additional \$5,500 plus applicable taxes and fees.

All quoted premiums are annual estimates.

Your insurance policies can be delivered either by paper form or electronic flash drive. Please let us know which option you prefer.

Marketing

- Berkley Ins. Co – Declined due to claims
- Chubb – Declined – not able to compete
- Lexington Insurance – Declined – no market
- Liberty – Declined due to the financial condition of the city
- Travelers – Declined the GL as their GL rates would not be able to compete

Underwriting Notes

- Communicable Disease Exclusion form to be added at renewal (AR SHIP 0307 10-20)

Outstanding Items

- Completed, signed, and dated terrorism form

Payment Plans

- Annual



OLD REPUBLIC UNION INSURANCE COMPANY

POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

You are hereby notified that under the Terrorism Risk Insurance Act as amended, you have a right to purchase insurance coverage for losses resulting from acts of terrorism as defined in Section 102(1) of the Act. The term "act of terrorism" means any act that is certified by the Secretary of the Treasury - in consultation with the Secretary of Homeland Security, and the Attorney General of the United States - to be an act of terrorism, to be a violent act or an act that is dangerous to human life, property, or infrastructure, to have resulted in damage within the United States or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission, and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 85 % through 2015, 84 % beginning on January 1, 2016, 83 % beginning on January 1, 2017, 82 % beginning on January 1, 2018, 81 % beginning on January 1, 2019 and 80 % beginning on January 1, 2020 OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

Acceptance or Rejection of Terrorism Insurance Coverage

FAILURE TO RETURN THIS SIGNED FORM PRIOR TO POLICY INCEPTION INDICATING AN ELECTION TO PURCHASE TERRORISM COVERAGE, AS DEFINED BY THE ACT, WILL BE DEEMED YOUR REJECTION OF TERRORISM COVERAGE. HOWEVER, PAYMENT OF THE TERRORISM PREMIUM PRIOR TO POLICY INCEPTION WILL BE DEEMED AN ACCEPTANCE OF THIS OFFER OF TERRORISM COVERAGE.

Please indicate your selection by an ☒:

- ☐ I hereby elect to purchase terrorism coverage for a prospective premium of \$5,500.00
- ☐ I hereby decline to purchase terrorism coverage for certified acts of terrorism. I understand that I will have no coverage for losses resulting from certified acts of terrorism.

City of Flint

Name of Insured

Policyholder/Applicant's Signature

Old Republic Union Insurance Company

Name of Insurer

Print Name

IRB

Policy Number

Date

11/23/2013

Effective Date:

POLICY NUMBER

AR SIPP 03 07 10 20

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

COMMUNICABLE DISEASE EXCLUSION

This endorsement modifies the insurance provided under the following

SELF-INSURED PACKAGE POLICY

The following exclusion is added to the COMMON POLICY EXCLUSIONS:

Any loss, occurrence, accident, claim or suit arising out of or resulting from the potential, actual or alleged transmission or contraction of any communicable disease.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the

- A. Supervising, hiring, employing, training or monitoring of others that may be infected with and spread a communicable disease;
- B. Testing for a communicable disease;
- C. Failure to prevent the spread of the disease; or
- D. Failure to report the disease to authorities.

Except as amended in the endorsement, this insurance is subject to all coverages, terms and conditions in the policy to which this endorsement is attached.

AR SIPP 03 07 10 20

Old Republic Union Insurance Company, 2020
PMA Companies, 2020

Page 1 of 1

Agreement and Acceptance

The undersigned insured acknowledges that they have read and understood the Insurance Proposal as presented by the Lighthouse Insurance Group, Inc. and authorizes them to bind coverage.
Effective Date: 11/23/2020

Policy Type: Public Entity Liability

PROPOSED COVERAGE HAS BEEN REJECTED/MODIFIED AS OUTLINED:

1.

2.

3.

..

Named Insured: City of Flint

Title: _____

Signature: _____ Date: _____

RETURN TO THE ATTENTION OF: Cort Niemi
EMAIL: cnieni@lighthousegroup.com
MAIL: Lighthouse Insurance Group, Inc.
56 Grandville Ave, Ste 300
Grand Rapids, MI 49503

Commercial Lines Coverage Options

In addition to the below coverage options, there may be more insurance products available for your consideration.

Property

We do not determine property values, as we do not have any specific expertise in making this evaluation. It is in your best interest to evaluate the amount of your contents to determine the appropriate limits. Additionally, it is in your best interest to seek a building valuation survey to determine the appropriate construction cost of any building coverage.

- Off Premises Power Failure
- Spoilage Coverage
- Business Income & Extra Expense
- Ordinance or Law
- Vacancy Permit
- Builders Risk
- Mfg Selling Price
- Property of Others
- Leased or Rented Property
- Peak Season Coverage
- Equipment Breakdown
- Earthquake
- Flood
- Dependent Property

General Liability

Higher limits may also be available for General Liability coverages.

- Employment Practices Liability
- Liquor Liability
- Employee Benefits Liability
- Product Recall Coverage
- Pollution Liability

Inland Marine

- Installation Floater
- Replacement Cost
- Miscellaneous Tools / Equipment
- Leased or Rented Equipment
- Sign Coverage
- Scheduled Equipment / Tools
- Valuable Papers / Accounts Receivable
- Bailee Liability
- Patterns, Dies, Molds

Crime

- Employee Dishonesty
- Forgery / Alterations
- Money & Securities

Business Auto

- Drive Other Car
- Hired & Non-Owned Auto Liability
- Hired Car Physical Damage

Miscellaneous

- Umbrella Liability / Higher Limits on Current Umbrella
- Professional Liability
- Data Breach / Cyber Liability
- Directors & Officers Coverage
- Fiduciary Liability
- Bonds
- Trade Credit Insurance

Cyber Liability Quiz

What is your Internet Privacy and/or Security Risk?

Take this quick quiz to determine your level of risk.

1. Are you involved in any of the following industries:
 - Education
 - Healthcare
 - Financial Services
 - Retail
2. Do you provide services to clients on your website?
3. Do you collect, receive, transmit or store personally identifiable information or personal health information? For example, Social Security numbers, driver's license numbers, email addresses, bank account numbers, credit/debit card numbers, etc.
4. Do you need to develop or update procedures to comply with privacy legislation? For Example, Health Insurance Portability and Accountability Act – HIPPA, The Gramm-Leach-Bliley Act or other legislation with respect to the protection of other confidential information?
5. Do your employees use laptops, cell phones, smart phones, or tablets?
6. Do you store sensitive data on your network in the cloud or even in paper files?
7. Do you manage the content of your website and/or host the infrastructure yourself instead of using a third party?
8. Do you have a Written Information Security Plan?

Your Score:

2 or less answered yes:

Your risk is low. However, Cyber Liability coverage is worth considering.

3 to 4 answered yes:

Your risk is great and obtaining Cyber Liability should be a priority.

5 or more answered yes:

Your risk is significant! Without proper coverage afforded by Cyber Liability, the financial well-being of your company is at risk.



life insurance review and audit program



for individuals and families

- Life Insurance
- Return of Premium Life Insurance
- Annuities
- Disability Income Protection
- Long-term Care
- Life Insurance Review and Audit Program
- Individual Mortgage Pay-off in Event of Death

for business owners

- Business Continuation Planning (Life and Disability Insurance)
- Key Person Coverage (Life and Disability Insurance)
- Debt Coverage or Life Insurance Required by Bank
- Estate Analysis - Legacy Trust
- Executive Owner Premier Audit Program
- Voluntary Products

As a client of Lighthouse Group, you are eligible to take advantage of our Life Insurance Review & Audit Program free of charge. An evaluation of your personal and business life insurance policies can provide the reassurance your plans are set to meet your needs when and how you expect them to.

With more than 30 years of experience, John Wiener will provide an in-depth and objective review of the life insurance you have in place today. With direct access to more than 30 insurance carriers, John will propose only the best alternatives directly in line with your goals and budget. Life insurance coverage can change over time, therefore we recommend policies be reviewed every three years.

Since over 80 percent of life insurance policies don't live up to client expectations due to overpriced premiums, incorrect design or early termination, this review is of tremendous value by providing peace of mind and protection for what matters most.

John Wiener Jr.
616.656.1745
jwiener@lighthousegroup.com



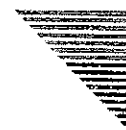
• Emmet

• Escanaba • Grand Rapids • Grand Blanc
 • Holland • • Troy
 • Kalamazoo • • Jackson

We're Local

- 8 locations statewide and over 170 employees
- Headquartered in Grand Rapids, MI
- Insurance leaders in group & individual benefits and personal & commercial insurance





Lighthouse Group's personalized and innovative approach to the ever-changing world of healthcare allows for your business to keep moving forward. By leveraging our extensive network of resources, we craft the plan you and your employees desire.

| | |
|---|---|
| COMPLIANCE MyWave access and support Miller Johnson - Legal Firm Compliance Checklist Benchmarking SPD Review 5500 Assistance | TECHNOLOGY Benefit Adm. - Employee Navigator Member Management Self-serve enrollment Variable Hour Tracking ACA Reporting - 1095 reporting |
| HR SUPPORT Employee Handbook Review Compensation Benchmarking Mock DOL Audit Training Resources Barb Jourdan - HR Consultant | WELLNESS On Staff Resources Consulting/Design Implementation/Ongoing Assistance Reporting/Analysis/Vendors |
| MEDICARE/INDIVIDUALS Onsite Educational Meetings 1 on 1 Consultations Transition to Medicare Employee Separation Services Individual Plan Options | DATA ANALYTICS Underwriter on Staff Monthly Claims Reporting PA 152 Analysis Predictive Modeling 3-5 Year Strategic Plan Milliman Reporting Services |
| EMPLOYEE COMMUNICATION Benefit Booklets Custom Communications ACA Updates Electronic & Print | |

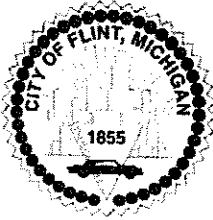
Custom approach to support your vision and values.

Ensure understanding of benefits offered.

Assist employees in time of need.



Insure Confidently.



RESOLUTION NO.: 200481

PRESENTED: NOV 23 2020

ADOPTED: _____

RESOLUTION TO OPT IN TO THE PAY AS YOU STAY (PAYS) PROGRAM

BY THE MAYOR:

WHEREAS, Governor Whitmer signed House Bill 5124, Pay as You Stay (PAYS), which added new sub sections to MCL 211.78g of the General Property Tax Act (Act 206 of 1893 "GPTA"); and

WHEREAS, this revision was meant to help struggling homeowners stay in their home by providing affordable payment plans as well as reducing the amount of delinquent taxes owed on their primary residence; and

WHEREAS, the new law allows County Treasurers to implement a program for homeowners who are receiving property tax exemption under MCL 211.7u; and

WHEREAS, the local unit Treasurer must provide written notice of intent to participate along with an approved resolution to the Genesee County Treasurer's Office no later than December 1, 2020; and

BE IT RESOLVED, that the appropriate officials are hereby authorized to do all things necessary to opt into the Pay as You Stay (PAYS) Program.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler (Nov 16, 2020 20:55 EST)

Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Amanda Trujillo
Amanda Trujillo (Nov 16, 2020 20:31 EST)

Amanda Trujillo, Acting Chief Financial Officer

FOR THE CITY OF FLINT:

Sheldon A. Neeley
Mayor Sheldon A. Neeley

APPROVED BY CITY COUNCIL:

Kate Fields
Kate Fields, Council President

STAFF REVIEW

Date: 11/16/2020

Agenda Item Title: Resolution to Opt In to the Pay as You Stay (PAYS) Program

Prepared By: V. Foster for Amanda Trujillo, Department of Finance-Treasury

Background/Summary of Proposed Action:

On March 2, 2020, Governor Whitmer signed House Bill 5124, Pay as You Stay (PAYS). The legislature was intended to help homeowners struggling with property taxes remain in their homes. The PAYS program provides affordable payment plans and reduces the amount of delinquent taxes a homeowner owes on their primary residence. The PAYS program will result in more owner-occupied homes, less blight, and fewer abandoned homes. Vacant and abandoned homes are linked to increased rates of crime. Each year more than 1,000 properties are generally forfeited to the County.

In order to participate in this program, the City must notify the Office of the Genesee County Treasurer no later than December 1, 2020.

Recommendation approval:

Amanda Trujillo

Amanda Trujillo (Nov 16, 2020 20:31 EST)

Amanda Trujillo
Acting Chief Financial Officer



**GENESEE COUNTY
OFFICE OF THE TREASURER**

1101 Beach Street, Suite 144
Flint, Michigan 48502-1475
Telephone (810) 257-3054
Fax (810) 257-3885

Deborah L. Cherry

November 16, 2020

City of Flint
Amanda Trujillo, Treasurer
1101 Saginaw Street
Flint, MI 48502

RE: Pay As You Stay (PAYS) program

Dear Local Treasurer:

On March 2, 2020, Governor Whitmer signed House Bill 5124, Pay As You Stay (PAYS), which added new sub sections to MCL 211.78g of the General Property Tax Act (Act 206 of 1893 "GPTA"). This revision was meant to help struggling homeowners stay in their home by providing affordable payment plans as well as reducing the amount of delinquent taxes owed on their primary residence. The new law allows the County Treasurers to implement a program for homeowners who are receiving a poverty tax exemption under MCL 211.7u.

As required under MCL 211.78g(10)a, this letter serves as notification that Genesee County intends to implement the PAYS program. According to MCL 211.78g(10)(b)(ii), **not later than 21 days from the date of this notice**, the local unit treasurer must provide written notice of intent to participate along with an approved resolution by the governing body to participate. The notice to participate must be mailed to the Genesee County Treasurer at 1101 Beach Street, Flint, MI 48502 and emailed to taxes@co.genesee.mi.us. If notice of participation is received, all properties within the local unit's jurisdiction will be included in the PAYS program. If a local treasurer fails to provide a notice of participation, it is presumed they do not intend to participate.

Included with this letter are Genesee County's terms and conditions of the PAYS program. They also include other relevant information regarding the impact the program will have on the local unit.

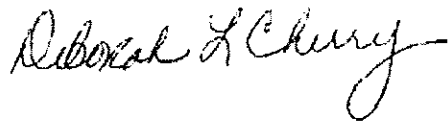
If you are electing to participate in Genesee County's PAYS program, we request that you send an excel listing of all properties who have received a poverty exemption under MCL 211.7u for tax years 2019 and 2020. (Going forward, you

will need to send this listing for tax years 2021 and 2022.) The files can be emailed to taxes@co.genesee.mi.us and the requested format would be as follows:

| | PARCEL NUMBER | ADDRESS | TAXPAYER NAME | POVERTY EXEMPTION TAX YEAR | PRECEEDING YEAR TAXABLE VALUE |
|---|------------------|---------|------------------|----------------------------------|--|
| 1 | | | | | |
| 2 | | | | | |

If you have any questions regarding this letter or the PAYS Program, please contact Chief Deputy Treasurer Carla Vandefifer at (810)257-2243 or by email at cvandefifer@co.genesee.mi.us . Please return your notice to participate to our office as soon as possible so we can begin assisting homeowners within your local unit.

Thank you,



Deborah L Cherry
Genesee County Treasurer

cc: Mayor Sheldon Neeley
Brian Larkin
Stacey Kaake, Assessor

GENESEE COUNTY PAY AS YOU STAY (PAYS) PROGRAM TERMS AND CONDITIONS

A. Properties that Qualify for PAYS Program

The PAYS Program will apply to property that meets the following conditions:

1. Has received or will be receiving a property tax exemption under the provisions of MCL 211.7u ("poverty exemption) for any tax year 2019 through 2022.
2. Has unpaid delinquent tax
3. Is located within a city, township or village in Genesee County that agrees to participate in the PAYS program pursuant to the terms of MCL 211.78g(10)(b)(ii).

B. Reduction in Delinquent Taxes

For property that meets all the qualifications to participate in PAYS (of section A above), one or more of the following methods to reduce unpaid delinquent taxes¹ may be available to a homeowner who agrees to participate in the program:

1. The total amount of unpaid delinquent taxes is greater than 10% of the property's taxable value for the year preceding the year the property was exempt under MCL 211.7u, then the amount required to redeem under MCL 211.78g(3)(a) will be reduced to equal 10% of the property's taxable value for the calendar year preceding the year the property was exempt under MCL 211.7u.
2. All interest, penalties and fees required to be paid under the General Property Tax Act (GPTA) with respect to unpaid delinquent taxes will be cancelled.

In regards to sections B(1) and B(2) above, the following will apply:

- (a) In the event a property has been exempt under MCL 211.7u for multiple calendar years, for purposes of determining the property's taxable value for calendar year "preceding" the year the property was exempt under MCL 211.7u, the calendar year immediately preceding the oldest consecutive calendar year the property was exempt under MCL 211.7u will be used. An example would be, if a property was exempt in 2017, 2018, and 2020, the taxable value for 2016 would be used, not the taxable value of 2019.

¹ Unpaid delinquent taxes means the amount of taxes turned over to Genesee County for collection. "taxes" includes interest, penalties, and fees imposed before the taxes become delinquent and unpaid special assessments or other assessments that are due and payable up to and including the date of the foreclosure hearing under section 78k.

- (b) If the property owner was granted the reduction of delinquent taxes to 10% of taxable value under section B(1) above, the amount to redeem the property could be reduced an additional 10% if paid in a single lump sum. **The single lump sum payment must be paid within 60 days after the date on the notice to the homeowner from the Genesee County Treasurer's Office that they are eligible for the reduction in delinquent taxes under the PAYS program.**
- (c) The Genesee County Treasurer's office will not impose any additional interest, penalties or fees during the time the property participates in the PAYS program.
- (d) The Genesee County Treasurer will offer a payment plan to all eligible homeowners under which the reduced amount payable under MCL211.78g(8) must be paid over a period not to exceed 36 months in equal monthly payments, without interest (the PAYS plan). The initial payment required to enter into a PAYS plan is the greater of 3% of the reduced amount or \$50.00. Under the PAYS agreement, if a homeowner misses 1 payment within a 3 month period, the County Treasurer's office will send the homeowner a "notice of missed payment". The homeowner will have the opportunity to pay the missed payment within 60 calendar days from the date of the "notice of missed payment". If the homeowner fails to pay the missed payment within 60 days, the homeowner will be considered to be in default of the PAYS plan.
- (e) If the homeowner is in default of the PAYS plan all of the following will apply:
 - 1. The amount required to be paid to redeem the property is the sum of (a) any unpaid delinquent taxes on the property and (b) interest under MCL 211.78g(3)(b) and any additional interest, penalties, fees and other charges otherwise applicable to any unpaid delinquent taxes on the property. This would include any interest, penalties and fees cancelled under MCL 211.78g(8) and,
 - 2. The property **must be included** in the immediately succeeding petition for foreclosure under MCL211.78h.
- (f) Once the homeowner has completely paid the reduced amount of delinquent taxes under section B above, and in accordance with the PAYS plan, any remaining unpaid taxes, interest, penalty and fees otherwise payable will be cancelled by the Genesee County Treasurer.

C. Impact on Local Units of Government and Taxing Jurisdictions

1. A reduction of unpaid delinquent taxes under MCL 211.78g(8) must be allocated to each taxing jurisdiction based that units taxes are in proportion to the total unpaid taxes certified to the County Treasurer in connection to the property.
2. All payments collected in connection with the property under MCL 211.78g(8), paid either in a lump sum or as part of a PAYS plan, must be distributed to each taxing jurisdiction that has had taxes certified to the Genesee County Treasurer for collection. The distribution will be based on the taxing jurisdictions unpaid delinquent taxes as a proportion to the total unpaid delinquent taxes.
3. If a payment reduction under MCL211.78g(8) is in effect for property for which Genesee County has issued notes under the GPTA that are secured by delinquent taxes and interest on the property, at any time within 2 years after the date the taxes were returned as delinquent, the County Treasurer will charge back to any taxing jurisdiction in Genesee County the face amount of the delinquent taxes owed at the date the taxes were turned over delinquent less any payments received by the Genesee County Treasurer's office on the property. All subsequent payments of delinquent taxes and interest on the paid on the property will be retained by the County Treasurer in a separate account and either paid to or credited to the account of the taxing jurisdiction.



RESOLUTION NO.: 200482

PRESENTED: NOV 23 2020

ADOPTED: _____

**RESOLUTION TO ADOPT TEMPORARY POLICY PROHIBITING IN-PERSON
WORK FOR EMPLOYEES BASED ON FEASIBILITY OF WORK ACTIVITIES**

BY THE CITY ADMINISTRATOR:

WHEREAS, In accordance with Department of Labor and Economic Opportunity, Michigan Occupational Safety and Health Administration (MIOSHA), General Rules/Emergency Rules Coronavirus Disease 2019 (COVID-19), the City is required to enact a temporary policy prohibiting in-person work for employees based on feasibility of work activities.

WHEREAS, Based on the findings of emergency, since March 2020, employers have reported 30 worker deaths from COVID-19 in Michigan and 127 in-patient hospitalizations for COVID-19 potentially linked to workplace exposure to SARS-CoV-2. MIOSHA has received over 3,800 complaints from employees alleging uncontrolled COVID-19 hazards in the workplace and 263 referrals from local government, including local health departments, indicating that businesses were not taking all the necessary measures to protect their employees from SARS-CoV-2 infection.

WHEREAS, The City intends to follow all recommended health and safety guidelines to ensure a safe environment for employees and the public. Accordingly, the City desires to adopt the attached policy effective immediately and until April 14, 2021. In the event that the MIOSHA emergency rules are extended, the policy will remain in effect until such date and subject to any amendments subsequently adopted.

WHEREAS, The City Administrator, recommends adopting the Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities.

THEREFORE, BE IT RESOLVED that the Flint City Council authorized the City Administrator to do all things necessary to adopt the Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer





RESOLUTION NO.: _____

PRESENTED: _____

ADOPTED: _____

FOR THE CITY OF FLINT:


Clyde D. Edwards, City Administrator


APPROVED BY CITY COUNCIL:

Kate Fields, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 11/18/2020

BID/PROPOSAL#

AGENDA ITEM TITLE: TEMPORARY POLICY PROHIBITING IN-PERSON WORK FOR EMPLOYEES BASED ON FEASIBILITY OF WORK ACTIVITIES.

PREPARED BY Angela Wheeler
(Please type name and Department)

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

In accordance with Department of Labor and Economic Opportunity, Michigan Occupational Safety and Health Administration (MIOSHA), General Rules/Emergency Rules Coronavirus Disease 2019 (COVID-19), the City is required to enact a temporary policy prohibiting in-person work for employees based on feasibility of work activities. Based on the findings of emergency, since March 2020, employers have reported 30 worker deaths from COVID-19 in Michigan and 127 in-patient hospitalizations for COVID-19 potentially linked to workplace exposure to SARS-CoV-2. MIOSHA has received over 3,800 complaints from employees alleging uncontrolled COVID-19 hazards in the workplace and 263 referrals from local government, including local health departments, indicating that businesses were not taking all the necessary measures to protect their employees from SARS-CoV-2 infection. The City intends to follow all recommended health and safety guidelines to ensure a safe environment for employees and the public. Accordingly, the City desires to adopt the attached policy effective immediately and until April 14, 2021. In the event that the MIOSHA emergency rules are extended, the policy will remain in effect until such date and subject to any amendments subsequently adopted.

FINANCIAL IMPLICATIONS: None

BUDGETED EXPENDITURE? YES ☐ NO ☐ IF NO, PLEASE EXPLAIN: N/A

| Dept. | Name of Account | Account Number | Grant Code | Amount |
|-------|-----------------|----------------|------------|--------|
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| | | | | |
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| | | | | |
| | | | | |

CITY OF FLINT

[illegible]

PRE-ENCUMBERED? YES N/A ☐ NO ☐ REQUISITION NO:

ACCOUNTING APPROVAL: _____ Date: _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒
(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining):

STAFF RECOMMENDATION: (PLEASE SELECT): X ☒ **APPROVED** ☐ **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE: Angela Wheeler
(PLEASE TYPE NAME, TITLE)



City of Flint

Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities

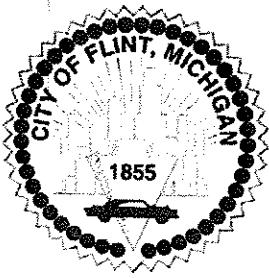
In accordance with Department of Labor and Economic Opportunity, Michigan Occupational Safety and Health Administration (MIOSHA), General Rules/Emergency Rules Coronavirus Disease 2019 (COVID-19), this policy has been enacted. Based on the findings of emergency, since March 2020, employers have reported 30 worker deaths from COVID-19 in Michigan and 127 in-patient hospitalizations for COVID-19 potentially linked to workplace exposure to SARS-CoV-2. MIOSHA has received over 3,800 complaints from employees alleging uncontrolled COVID-19 hazards in the workplace and 263 referrals from local government, including local health departments, indicating that businesses were not taking all the necessary measures to protect their employees from SARS-CoV-2 infection. The City intends to follow all recommended health and safety guidelines to ensure a safe environment for employees and the public. Accordingly, the City adopts the following policy effective immediately and until April 14, 2021. In the event that the MIOSHA emergency rules are extended, the policy will remain in effect until such date and subject to any amendments subsequently adopted.

1. Definitions

- (a) COVID-19 means coronavirus disease 2019, a severe acute respirator disease characterized by symptoms including fever, cough, fatigue, and shortness of breath which may progress to pneumonia, multi-organ failure, and death.
- (b) SARS-CoV-2 means persons who have been confirmed through diagnostic testing to have COVID-19.
- (c) Feasibility means capable of being done.

2. General Rule

Temporarily, to prevent basic infection prevention measures, City of Flint Employees subject to feasibility as determined by the employer and based on operational needs, may be permitted to complete work remotely.



City of Flint

Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities

3. Feasibility Analysis

The Employer will evaluate the feasibility of the employees work activities to be conducted remotely or if it requires in person work to be conducted as set forth below:

| Job/Task | Remote Task | In Person Task |
|----------|-------------|----------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

4. Performance and Accountability Standards

If it is determined that the work is able to be performed remotely, the employee is required to be accountable to his or her immediate supervisor on a daily basis providing a written daily report to his or her immediate supervisor.

5. Failure to Meet Performance Standards

If the work is able to be conducted remotely, but the employee is unable to perform the work and complete daily reports, then the employee will return to in person work, taking into consideration basis infection preventions measures and workplace controls, including but not limited to personal protective equipment.



City of Flint

Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities

Presented: _____

Adopted: _____

Resolution: _____

Department: Human Resources

Last Revised: _____



CITY OF FLINT

RESOLUTION NO.:

200483

PRESENTED:

NOV 23 7070

ADOPTED:

RESOLUTION RECOMMENDING SETTING A PUBLIC HEARING FOR THE STREET VACATION OF DECKER STREET BETWEEN ROBERT T. LONGWAY AND KEARSLEY STREET.

BY THE CITY ADMINISTRATOR:

The City of Flint desires to provide due notice to all persons interested as to the time and place of a hearing in respect to the proposed action of this body to vacate the street, alley or public ground known as **Decker Street between Robert T. Longway and Kearsley Street**.

Pursuant to the requirements of section 42-25 of the Flint City Code, a public hearing is required so that members of the Flint City Council may meet and hear objections to the proposed vacation and discontinuance of the above-described street, alley or public ground.

IT IS RESOLVED, that a public hearing to consider the vacation of Decker Street between Robert T. Longway and Kearsley Street shall be held on the _____ day of _____, 2020 at 5:30 p.m., in the City Council Chambers, 3rd Floor, City Hall, 1101 S. Saginaw St., Flint, Michigan.

IT IS FURTHER RESOLVED, that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

CITY COUNCIL:

Kate Fields, Council President

ADMINISTRATION:

Clyde Edwards
Clyde Edwards, City Administrator



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 11/16/2020

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: Resolution recommending Setting a Public Hearing for the Street Vacation of Decker Street between Robert T Longway and Kearsley St.

PREPARED BY Suzanne Wilcox, Director, Department of Planning and Development
(Please type name and Department)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

At its meeting on April 15, 2020, the Flint Planning Commission recommended APPROVAL to vacate Decker Street between Robert T Longway and Kearsley Street.

The Ruth Mott Foundation revisited and revised their Applewood Master Plan in 2019. The plan outlines several projects for the Applewood property. The property contains 18 acres within a gated estate and another 16 acres of property outside that also includes the triangle property between Decker and Robert T. The master plan also addresses two acres of adjoining property at 305 Walnut Street that was acquired from the Flint Cultural Center Corporation. The master plan calls for the construction of a welcome center to co-locate foundation staff from downtown offices, and staff that's currently located at Applewood. Within the historic grounds, they will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation. The assets this project provides are shared parking resources, resources for all Cultural Center campus partners and allows ongoing access to the adjoining view with gallery

This alley vacation request has been reviewed by all applicable City of Flint departments including the City Engineer, Traffic Engineer, Water Service Center, and Planning and Zoning Staff. The City Engineer has recommended that the City retain a street wide easement down the overall length of Decker Street to accommodate any and all utilities running down the street.

FINANCIAL IMPLICATIONS: The property will be discontinued forever as a public street, alley, or public ground and become the ownership of the adjacent property owner (Ruth Mott Foundation).

BUDGETED EXPENDITURE? YES ☐ NO ☐ IF NO, PLEASE EXPLAIN: n/a

| Dept. | Name of Account | Account Number | Grant Code | Amount |
|-------|-----------------|---------------------|------------|--------|
| | | | | |
| | | FY19/20 GRAND TOTAL | | |



CITY OF FLINT

PRE-ENCUMBERED? YES ☐ NO ☒ REQUISITION NO:

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒
(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH
BUDGET YEAR: (This will depend on the term of the bid proposal) n/a

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): n/a

STAFF RECOMMENDATION: (PLEASE SELECT): ☒ APPROVED ☐ NOT APPROVED

DEPARTMENT HEAD SIGNATURE:  Director, Department of Planning and Dev.
(PLEASE TYPE NAME, TITLE)



CITY OF FLINT

200484

RESOLUTION NO.: _____

PRESENTED: NOV 23 2020

ADOPTED: _____

**RESOLUTION RECOMMENDING SETTING THE PUBLIC HEARING FOR THE STREET VACATION OF
KEARSLEY STREET BETWEEN WALNUT AND ROBERT T. LONWAY (1400 KEARSELY STREET).**

BY THE CITY ADMINISTRATOR:

The City of Flint desires to provide due notice to all persons interested as to the time and place of a hearing in respect to the proposed action of this body to vacate the street, alley or public ground known as **Kearsley Street between Walnut and Robert T. Longway (1400 Kearsley Street)**.

Pursuant to the requirements of section 42-25 of the Flint City Code, a public hearing is required so that members of the Flint City Council may meet and hear objections to the proposed vacation and discontinuance of the above-described street, alley or public ground.

IT IS RESOLVED, that a public hearing to consider the vacation of Kearsley Street between Walnut and Robert T. Longway (1400 Kearsley Street) shall be held on the _____ day of _____, 2020 at 5:30 p.m., in the City Council Chambers, 3rd Floor, City Hall, 1101 S. Saginaw St., Flint, Michigan.

IT IS FURTHER RESOLVED, that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

CITY COUNCIL:

Kate Fields, Council President

ADMINISTRATION:

Clyde Edwards
Clyde Edwards, City Administrator



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 11/16/2020

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: Resolution recommending Setting a Public Hearing for the Street Vacation of Kearsley Street between Walnut and Robert T Longway (1400 Kearsley Street).

PREPARED BY: Suzanne Wilcox, Director, Department of Planning and Development
(Please type name and Department)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

At its meeting on April 15, 2020, the Flint Planning Commission recommended APPROVAL to vacate Kearsley Street between Walnut and Robert T. Longway (1400 Kearsley Street).

The Ruth Mott Foundation revisited and revised their Applewood Master Plan in 2019. The plan outlines several projects for the Applewood property. The property contains 18 acres within a gated estate and another 16 acres of property outside that also includes the triangle property between Decker and Robert T. The master plan also addresses two acres of adjoining property at 305 Walnut Street that was acquired from the Flint Cultural Center Corporation. The master plan calls for the construction of a welcome center to co-locate foundation staff from downtown offices, and staff that's currently located at Applewood. Within the historic grounds, they will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation. The assets this project provides are shared parking resources, resources for all Cultural Center campus partners and allows ongoing access to the adjoining view with gallery.

This alley vacation request has been reviewed by all applicable City of Flint departments including the City Engineer, Traffic Engineer, Water Service Center, and Planning and Zoning Staff. The City Engineer has recommended that the City retain a street wide easement down the overall length of Kearsley Street to accommodate any and all utilities running down the street.

FINANCIAL IMPLICATIONS: The property will be discontinued forever as a public street, alley, or public ground and become the ownership of the adjacent property owner (Ruth Mott Foundation).

BUDGETED EXPENDITURE? YES ☐ NO ☐ IF NO, PLEASE EXPLAIN: n/a

| Dept. | Name of Account | Account Number | Grant Code | Amount |
|-------|-----------------|---------------------|------------|--------|
| | | | | |
| | | FY19/20 GRAND TOTAL | | |



CITY OF FLINT

PRE-ENCUMBERED? YES ☐ NO ☒ REQUISITION NO:

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒

(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal) n/a

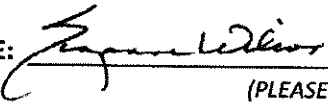
BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): n/a

STAFF RECOMMENDATION: (PLEASE SELECT): ☒ APPROVED ☐ NOT APPROVED

DEPARTMENT HEAD SIGNATURE:  Director, Dept of Planning and Dev.
(PLEASE TYPE NAME, TITLE)



CITY OF FLINT

200485

RESOLUTION NO.: _____

PRESENTED: NOV 23 2020

ADOPTED: _____

**RESOLUTION RECOMMENDING SETTING A PUBLIC HEARING FOR THE STREET VACATION OF
SIMPSON COURT BETWEEN 9TH AND 10TH STREET.**

BY THE CITY ADMINISTRATOR:

The City of Flint desires to provide due notice to all persons interested as to the time and place of a hearing in respect to the proposed action of this body to vacate the street, alley or public ground known as **Simpson Court between 9th and 10th Street.**

Pursuant to the requirements of section 42-25 of the Flint City Code, a public hearing is required so that members of the Flint City Council may meet and hear objections to the proposed vacation and discontinuance of the above-described street, alley or public ground.

IT IS RESOLVED, that a public hearing to consider the vacation of Simpson Court between 9th and 10th Street shall be held on the _____ day of _____, 2020 at 5:30 p.m., in the City Council Chambers, 3rd Floor, City Hall, 1101 S. Saginaw St., Flint, Michigan.

IT IS FURTHER RESOLVED, that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

CITY COUNCIL:

Kate Fields, Council President

ADMINISTRATION:

Clyde Edwards
Clyde Edwards, City Administrator



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 11/16/2020

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: Resolution recommending Setting a Public Hearing for the Street Vacation of 1410 Simpson Court between 9th and 10th Street.

PREPARED BY Suzanne Wilcox, Director, Department of Planning and Development
(Please type name and Department)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

At its meeting on November 4, 2020, the Flint Planning Commission recommended APPROVAL to vacate 1410 Simpson Court between 9th and 10th street. The Planning Commission approval was subject to a written agreement between the City of Flint and Genesee Health Systems (see: Modifications Required to Vacate Beach Street and Simpson Court dated 11-2-2020) attached.

Genesee Health Systems is looking to build a 60,000 square building at the south corner of Saginaw and 9th street between 9th and 12th streets. Genesee Health, formerly known as Genesee Community Health has been in the community since 1967. GHS cares for infants to older adults with complex mental health issues. They are looking to build the new facility is primarily due to the water crisis and children and families affected by the water crisis. The reason they need a new building is that they are currently operating out of three buildings and want to consolidate services.

Genesee Health Systems is hopeful the building will become a cornerstone building to enhance further development in this area.

This alley vacation request has been reviewed by all applicable City of Flint departments including the City Engineer, Traffic Engineer, Water Service Center, and Planning and Zoning Staff. This resolution just sets the public hearing; the agreement known as, Modifications Required to Vacate Beach Street and Simpson Court dated 11-2-2020, will be incorporated into the actual resolution approving the street vacation, should Council vote to approve said vacation.

FINANCIAL IMPLICATIONS: The property will be discontinued forever as a public street, alley, or public ground and become the ownership of the adjacent property owner (Uptown Reinvestment Corporation).

BUDGETED EXPENDITURE? YES ☐ NO ☐ IF NO, PLEASE EXPLAIN: n/a



CITY OF FLINT

| Dept. | Name of Account | Account Number | Grant Code | Amount |
|-------|-----------------|---------------------|------------|--------|
| | | | | |
| | | FY19/20 GRAND TOTAL | | |

PRE-ENCUMBERED? YES ☐ NO ☒ REQUISITION NO:

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒

(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal) n/a

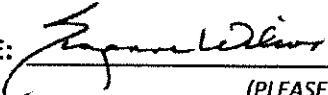
BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): n/a

STAFF RECOMMENDATION: (PLEASE SELECT): ☒ APPROVED ☐ NOT APPROVED

DEPARTMENT HEAD SIGNATURE:  Director of Planning and Development

(PLEASE TYPE NAME, TITLE)



CITY OF FLINT

200486

RESOLUTION NO.: _____

PRESENTED: NOV 23 2020

ADOPTED: _____

RESOLUTION RECOMMENDING SETTING A PUBLIC HEARING FOR THE STREET VACATION OF 1415 BEACH STREET BETWEEN 9TH AND 10TH STREET.

BY THE CITY ADMINISTRATOR:

The City of Flint desires to provide due notice to all persons interested as to the time and place of a hearing in respect to the proposed action of this body to vacate the street, alley or public ground known as 1415 Beach Street between 9th and 10th street.

Pursuant to the requirements of section 42-25 of the Flint City Code, a public hearing is required so that members of the Flint City Council may meet and hear objections to the proposed vacation and discontinuance of the above-described street, alley or public ground.

IT IS RESOLVED, that a public hearing to consider the vacation of 1415 Beach Street between 9th and 10th Street, shall be held on the _____ day of _____, 2020 at 5:30 p.m., in the City Council Chambers, 3rd Floor, City Hall, 1101 S. Saginaw St., Flint, Michigan.

IT IS FURTHER RESOLVED, that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

CITY COUNCIL:

Kate Fields, Council President

ADMINISTRATION:

Clyde Edwards
Clyde Edwards, City Administrator



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 11/16/2020

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: Resolution recommending Setting a Public Hearing for the Street Vacation of 1415 Beach Street between 9th and 10th street.

PREPARED BY Suzanne Wilcox, Director, Department of Planning and Development
(Please type name and Department)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

At its meeting on November 4, 2020, the Flint Planning Commission recommended **APPROVAL** to vacate 1415 Beach Street between 9th and 10th street. The Planning Commission approval was subject to a written agreement between the City of Flint and Genesee Health Systems (see: Modifications Required to Vacate Beach Street and Simpson Court dated 11-2-2020) attached.

Genesee Health Systems is looking to build a 60,000 square building at the south corner of Saginaw and 9th street between 9th and 12th streets. Genesee Health, formerly known as Genesee County Community Mental Health has been in the community since 1967. GHS cares for infants to older adults with complex mental health issues. They are looking to build the new facility is primarily due to the water crisis and children and families affected by the water crisis. The reason they need a new building is that they are currently operating out of three buildings and want to consolidate services.

Genesee Health Systems is hopeful the building will become a cornerstone building to enhance further development in this area.

This alley vacation request has been reviewed by all applicable City of Flint departments including the City Engineer, Traffic Engineer, Water Service Center, and Planning and Zoning Staff. This resolution just sets the public hearing; the agreement known as, Modifications Required to Vacate Beach Street and Simpson Court dated 11-2-2020, will be incorporated into the actual resolution approving the street vacation, should Council vote to approve said vacation.

FINANCIAL IMPLICATIONS: The property will be discontinued forever as a public street, alley, or public ground and become the ownership of the adjacent property owner (Uptown Reinvestment Corporation).

BUDGETED EXPENDITURE? YES ☐ NO ☐ IF NO, PLEASE EXPLAIN: n/a

| Dept. | Name of Account | Account Number | Grant | Amount |
|-------|-----------------|----------------|-------|--------|
|-------|-----------------|----------------|-------|--------|



CITY OF FLINT

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|--|--|---------------------|------|--|
| | | | Code | |
| | | | | |
| | | FY19/20 GRAND TOTAL | | |

PRE-ENCUMBERED? YES ☐ NO ☒ REQUISITION NO:

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒

(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal) n/a

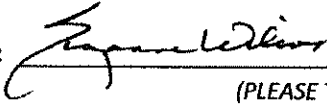
BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): n/a

STAFF RECOMMENDATION: (PLEASE SELECT): ☒ APPROVED ☐ NOT APPROVED

DEPARTMENT HEAD SIGNATURE:  Director, Dept of Planning and Dev.
(PLEASE TYPE NAME, TITLE)



RESOLUTION NO.:

200487

PRESENTED:

NOV 23 2020

ADOPTED:

**RESOLUTION TO APPROVE SETTLEMENT OF EULAS VANPALT V. CITY OF
FLINT, WORKER'S COMPENSATION NO. W18001851**

BY THE CITY ADMINISTRATOR:

WHEREAS, an Executive Session was requested in this matter on November 23, 2020;
and

Although the City of Flint admits no liability in the claim filed by Eulas VanPalt, the
Department of Law recommends settlement of this matter.

All parties have agreed to settlement in this matter in the amount of \$38,357.43; and

THEREFORE, BE IT IS RESOLVED that the City Administrator hereby authorizes settlement
in the matter of *Eulas VanPalt, City of Flint, Worker's Compensation No. W18001851*, in the
amount of \$38,357.43, in satisfaction of any and all claims arising out of said matter. Payment
shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Amanda Trujillo
Amanda Trujillo, Acting Chief Financial
Officer

FOR THE CITY OF FLINT:

Clyde Edwards
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields
Kate Fields, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 11/18/2020

BID/PROPOSAL#

AGENDA ITEM TITLE: RESOLUTION TO APPROVE SETTLEMENT OF EULAS VANPALT W18001851

PREPARED BY Angela Wheeler
(Please type name and Department)

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

An Executive Session was requested in this matter on November 23, 2020; and Although the City of Flint admits no liability in the claim filed by Eulas VanPalt, the Department of Law recommends settlement of this matter. All parties have agreed to settlement in this matter in the amount of \$38,357.43; and therefore request authorization of settlement in the matter of Eulas VanPalt. City of Flint, Worker's Compensation No. W18001851, in the amount of \$38,357.43, in satisfaction of any and all claims arising out of said matter. Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300.

FINANCIAL IMPLICATIONS:

BUDGETED EXPENDITURE? YES ☐ NO ☐ IF NO, PLEASE EXPLAIN:

| Dept. | Name of Account | Account Number | Grant Code | Amount |
|-------|-----------------|----------------------|------------|-------------|
| Law | | 677-266.200-956.300. | | \$38,357.43 |
| | | | | |
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CITY OF FLINT

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| | | | | |
| | | FY20/21 GRAND TOTAL | | \$38,357.43 |

PRE-ENCUMBERED? YES ☐ **NO** ☐ **REQUISITION NO:**

ACCOUNTING APPROVAL: _____ **Date:** _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒
(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining):

STAFF RECOMMENDATION: (PLEASE SELECT): ☒ **APPROVED** ☐ **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE: Charles Wheeler
(PLEASE TYPE NAME, TITLE)

RESOLUTION NO. 200494

PRESENTED: 11-23-20

ADOPTED:

**RESOLUTION SETTING A PUBLIC HEARING REGARDING THE
ADOPTION OF CITY OF FLINT BOARD AND COMMISSION
PROCEDURES ON CONDUCTING ELECTRONIC MEETINGS**

BY THE FLINT CITY COUNCIL:

All City of Flint Boards and Commissions must adhere to all laws established under the Michigan Compiled Laws and in accordance with revisions to the Open Meetings Act adopted in Senate Bill 1108, as passed on October 13, 2020, and signed into law on October 16, 2020; and

Pursuant to the Open Meetings Act revisions, and as the rulemaking authority for the City of Flint, the Flint City Council will conduct a hearing open to the public to discuss said revisions and the required procedures for City of Flint Boards and Commissions conducting electronic meetings after October 16, 2020; and

Pursuant to Flint City Charter §1-801(A), whenever the Charter requires adoption of a rule, it shall be adopted in accordance with that section; and

Pursuant to Flint City Charter §1-801(B), the person having rulemaking authority, or an agent, shall give public notice of a hearing by publication in a daily newspaper of general circulation in the City of Flint at least two (2) weeks in advance of the hearing.

IT IS RESOLVED that the Flint City Council hereby approves the setting of a public hearing regarding revisions to the Open Meetings Act adopted in Senate Bill 1108 concerning Electronic (Public) Meetings as conducted by all City of Flint Boards and Commission, with the public hearing to be held on Monday, December 21, 2020, at 5:30 p.m., by way of an Electronic Public Meeting.

APPROVED AS TO FORM:

APPROVED BY CITY COUNCIL:

Angela Wheeler, City Attorney

Kate Fields, City Council President

CITY OF FLINT, MICHIGAN
HEARING NOTICE
FLINT CITY COUNCIL

A public hearing will be held on **Monday, December 21, at 5:30 p.m.** by electronic public meeting to allow for public comment on:

200494.6

A public hearing will be held on adopting City of Flint Board and Commission Procedures on Conducting Electronic Meetings in accordance with the revisions to the Open Meetings Act adopted in Senate Bill 1108, as passed on October 13, 2020 and signed into law on October 16, 2020, as listed below:

1. At the beginning of each remote meeting, a public announcement shall be made by each member that is attending the meeting remotely, that he or she is attending the meeting remotely.
2. If the members attending the meeting remotely, with the exception of military duty, the member must identify specifically the member's physical location by stating one of the following from where he or she is attending the meeting remotely: County or Township or Village and State from which he or she is attending the meeting remotely.
3. Notice of a member's absence and how to contact members is to be provided in advance of the meeting of the public body to provide input on any business that will come before the public body (i.e. a listing of those attending remotely and an email address/or telephone number-the City Council directory information).
4. A meeting of the public body held electronically must be conducted in a manner that permits two-way communication so that members of the public body can hear and be heard by other members of the public body, and so that public participants can hear members of the public board and can be heard by members of the public body and other participants during public comment period.
5. A public body may use technology to facilitate typed public comments during the meeting submitted by members of the public participating in the meeting that may be read to or shared with members of the public body and the public.
6. A physical location is not required for any electronic meeting.
7. Members of a public body and members of the public participating electronically in a meeting as described are considered to be present and in attendance at the meeting.
8. The public body shall post advance notice of a meeting held electronically on the City's website that is fully accessible to the public either on the City's homepage or on a separate webpage dedicated to public notices for non- regularly scheduled or electronic public meetings.
9. Meetings must be posted at least 18 hours in advance of the meeting, state why the meeting is being held electronically, state how members of the public may participate in the meeting, and state how persons with disabilities may participate in the meeting.
10. The agenda for the electronic meeting must be available to the public at least two hours before the electronic meeting begins. This does not prohibit amendments to the agenda at the meeting.
11. The above mentioned procedures are effective before January 1, 2021 and retroactive to March 18, 2020.
12. After December 31, 2020, these procedures are permitted only in the following circumstances: Accommodation of members absent due to military duty; a medical condition; or a local state of emergency or a state of disaster.
13. In circumstances in which there is no local state of emergency or state of disaster, any member who is not on military duty or does not have a medical condition, must be physically present at the meeting to participate.

200489

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 31, General Offenses; Article I, In General by the addition of Section 31-65, Hours of the Sale of Liquor, which shall read in its entirety as follows:

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

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 31, General Offenses, Article I, In General, by the addition of Section 31-65, Hours of the Sale of Liquor, which shall read in its entirety as follows:

Sec 31-65 HOURS OF THE SALE OF LIQUOR.

THE HOURS OF OPERATION AND THE SALE OF BEER, WINE, LIQUOR OR OTHER ALCOHOLIC BEVERAGES AT LIQUOR STORES, CORNER STORES, CONVENIENCE STORES, AND GAS STATIONS FROM 7AM TO 9PM MONDAY THROUGH SATURDAY AND 12PM TO 9PM SUNDAY.

(A) DEFINITIONS: THE DEFINITION AND PROVISIONS CONTAINED IN THIS SECTION SHALL GOVERN THE CONSTRUCTION, MEANING AND APPLICATIONS OF THE FOLLOWING WORDS AND PHRASES USED IN THIS CHAPTER

1. BEER- A FERMENTED MALT

**BEVERAGE
CONTAINING 0.5%
OR MORE ALCOHOL
BY VOLUME.**

2. CIDER- AN ALCOHOLIC BEVERAGE THAT IS OBTAINED BY THE FERMENTATION OF THE JUICE OF APPLES OR PEARS AND THAT CONTAINS LESS THAN 0.5% ALCOHOL BY VOLUME. "CIDER" INCLUDES FLAVORED, SPARKLING, AND CARBONATED CIDER.

3. INTOXICATING LIQUOR (OR LIQUOR) - ALL ALCOHOL BEVERAGES (OTHER THAN BEER) CONTAINING 0.5% OR MORE ALCOHOL BY VOLUME AND ALL WINES.

4. ALCOHOLIC BEVERAGES- A STATUTORY TERM WHICH INCLUDES BEER, WINE, AND LIQUOR.

Adopted this _____ day of
_____ 2020, A.D.

(B) IT SHALL BE UNLAWFUL FOR A SALES PERSON, EMPLOYEE, CASHIER, AGENT OR REPRESENTATIVE OF A LIQUOR STORE, CORNER STORE, OR GAS STATION TO SELL BEER, WINE, LIQUOR, OR ANY OTHER ALOCHOLIC BEVERAGE BEFORE 7AM OR AFTER 9PM MONDAY THRU SATURDAY, AND BEFORE 12PM SUNDAY OR AFTER 9PM.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

(C) IT SHALL BE UNLAWFUL FOR A LIQUOR STORE, CORNER STORE, CONVENIENCE STORE, OR GAS STATION TO REMAIN OPEN PAST 9PM MONDAY THRU SUNDAY.

(D) ANY PERSON OR PERSONS WHO VIOLATES THIS CHAPTER IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY A FINE OF NOT MORE THAN \$500 AND/OR IMPRISIONMENT UP TO 90 DAYS OR BOTH SUCH FINE AND IMPRISIONMENT MAY BE IMPOSED AT THE DISCREATION OF THE COURT.

(E) IF ANY PROVISIONS OF THIS ORDIANACE SHALL BE HELD INVALID, THE REMAINDER OF THE ORDIANCE SHALL NOT BE AFFECTED THEREBY.

Sec. 2. This ordinance shall become
effective this _____ day of
_____ 2020. A.D.

200490

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 24, Housing; Article I, International Property Maintenance Code.

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

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 24, Housing, Article I, International Property Maintenance Code, by the addition of Section 24-5 Landlords Removal and Disposal Process Regarding Evictions which shall read in its entirety as follows:

§ 24-5 Landlords Removal and Disposal Process Regarding Evictions:

- (A) IT SHALL BE UNLAWFUL FOR A LANDLORD TO REMOVE, DISPOSE OF, OR PLACE A PROPERLY OR LEGALLY EVICTED TENANT'S BELONGINGS OR PROPERTY ONTO THE CURB, SIDEWALK, LAWN, YARD OR STREET AND LEAVE IT UNATTENDED.
- (B) A LANDLORD SHALL PROPERLY REMOVE OR DISPOSE OF A TENANT'S PROPERTY BY NOTIFYING TENANT OF ITS INTENTIONS AND MUST ADVISE TENANT WHEN AND WHERE BELONGINGS ARE OR WILL BE STORED.
- (C) IT SHALL BE THE RESPONSIBILITY OF THE LANDLORD TO PROPERLY REMOVE OR DISPOSE OF PROPERTY ABANDONED OR LEFT BEHIND BY TENANT(S) AND LANDLORD MAY ACCESS A

STORAGE FEE THAT MAY BE PASSED ON TO THE TENANT.

- (D) ANY PERSON OR PERSONS WHO VIOLATES THIS CHAPTER IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY A FINE OF NOT MORE THAN \$500 AND/OR IMPRISONMENT UP TO 90 DAYS OR BOTH. SUCH FINE AND/OR IMPRISONMENT MAY BE IMPOSED AT THE DISCRETION OF THE COURT.
- (E) IF ANY PROVISION OF THIS ORDINANCE SHALL BE HELD INVALID, THE REMAINDER OF THE ORDINANCE SHALL NOT BE AFFECTED THEREBY.

Sec. 2. This Ordinance shall become effective this _____ day of _____, 2020, A.D.

Adopted this _____ day of _____, 2020, A.D.

FOR THE CITY:

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer