

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, November 9, 2020

5:30 PM

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

ELECTRONIC PUBLIC MEETING

CITY COUNCIL

*Monica Galloway, President, Ward 7
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1
Kate Fields, Ward 4*

Herbert J. Winfrey, Ward 6

Eva L. Worthing, Ward 9

*Santino J. Guerra, Ward 3
Jerri Winfrey-Carter, Ward 5
Allan Griggs, Ward 8*

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. Therefore, pursuant to the amended Open Meetings Act, the following meeting is scheduled electronically:

***Flint City Council Meeting
Monday, November 9, 2020, at 5:30 p.m.***

1. The public and media may listen to the meeting online by live stream at <https://www.youtube.com/watch?v=EucGxL7SyOI> or through Start Meeting Solution by dialing (617) 944-8177.
2. In order to speak during the PUBLIC SPEAKING PERIOD of the meeting by telephone, participants will also call (617) 944-8177:
 - a. All callers will be queued and muted until the Public Speaking portion of the agenda;
 - b. Public speakers will be unmuted in order and asked if they wish to address the City Council ON ANY SUBJECT;
 - c. Public speakers should state and spell their name for the record and will be allowed three (3) minutes for public speaking;
 - d. The speaker will be returned to mute after the 3 minutes have expired;
 - e. After the telephonic public speakers are completed, emailed public comments will be read by the City Clerk. All emailed public comments will be timed for 3 minutes;
 - f. Per Rules Governing Meetings of the Council (Rule 7.1 VII), there will only be one speaking opportunity per speaker. Consequently, public participants who call in and speak during the public speaking period of the meeting WILL NOT have written comments as submitted read by the City Clerk.
3. The public may send public comments by email to CouncilPublicComment@cityofflint.com no later than 10 minutes prior to the meeting start time of 5:30 p.m.
4. 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.

CALL TO ORDER

City Clerk Inez M. Brown shall call this regular City Council meeting to order for the purpose of electing a City Council President, in accordance with Section 3-201(B) of the Flint City Charter.

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).

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.

CALL TO ORDER (President-Elect)

The President-Elect shall formally call this City Council meeting to order.

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.

ORGANIZATION OF THE CITY COUNCIL (Other Officers and Committees)

The City Council may elect such other officers as it deems necessary.

The President-Elect of the City Council may appoint committee officers (Finance, Governmental Operations, Legislative, and Grants Committees) and sub-committees as deemed necessary.

ROLL CALL

MEMBER CONTACT INFORMATION

Eric Mays - (810) 922-48678; 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.

PLEDGE OF ALLEGIANCE

PRAYER OR BLESSING

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.

REQUESTS FOR CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote on any agenda changes.

EXECUTIVE (CLOSED) SESSION

The Department of Law requests an Executive Session for the purpose of updating the City Council on the status of the Water Litigation.

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.

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.

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.

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.

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.

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.

- 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.

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.]

- 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.]

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.

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.]

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.]

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.]

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.]

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.]

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.]

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.]

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

200463

City of Flint, Michigan

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



Meeting Minutes - Draft

Monday, October 26, 2020

5:30 PM

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ELECTRONIC PUBLIC MEETING

CITY COUNCIL

*Monica Galloway, President, Ward 7
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1
Kate Fields, Ward 4
Herbert J. Winfrey, Ward 6*

*Santino J. Guerra, Ward 3
Jerri Winfrey-Carter, Ward 5
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

Council President Monica Galloway called the meeting to order 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

PLEDGE OF ALLEGIANCE

Councilperson Maurice Davis 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 Fields made a motion to have Public Speaking/Council Response prior to the Executive Session. The motion passed 9-0. Councilperson Fields made a motion to have Special Orders after Resolutions. The motion passed 6-3 (No: Mays, Winfrey-Carter, Galloway). Councilperson Fields made a motion to drop Special Order 200394 (1702 Kenwood). The motion failed 3-6 (Yes: Fields, Griggs, Worthing). Councilperson Mays made a motion to have the add-on resolution (200454) placed before Resolutions. The motion passed 9-0. Councilperson Davis made a motion to have a second Special Order on liquor store and gas station hours after Special Order 200434. The motion passed 8-1 (No: Worthing). Councilperson Mays made a motion to move the Emergency Marihuana Ordinance to before the Executive Session. The motion passed 9-0.

INTRODUCTION AND FIRST READING OF ORDINANCES

200435 Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Article XVI (Medical Marihuana Facilities)/Addition of Section 12-96 (Sixty Day Emergency Opt In to Related Recreational Marihuana Facilities, Elimination of License Cap, to Extend that Section by Sixty (60) Days)

An ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XVI (Medical Marihuana Facilities), Section 12-96 (Sixty Day Emergency Opt In to Related Recreational

Marihuana Facilities, Elimination of License Cap, to Extend that Section by Sixty (60) Days.)

A motion was made by Councilperson Mays, seconded by Councilperson Davis, that this matter be PASSED. 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

EXECUTIVE (CLOSED) SESSION

The Department of Law held an Executive Session for the purpose of updating the City Council on the following: Goyette Mechanical v City of Flint, Case No. 19-113310-CK; Welch v City of Flint, Case No. 12-cv-13808-AJT-MKM; and Janice Adams, damage claim. The vote to go into Executive Session was 9-0. One more Executive Session was scheduled -- the Flint Water Cases, Case No. 5:16-cv-10444-JEL-MKM -- but the Council did not have the required votes to go into Executive Session (they needed six). The vote was 5-3 (No: Mays, Winfrey-Carter, Galloway).

PRESENTATION OF MINUTES

200445 Summary Minutes/Flint City Council/October 21, 2020

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Wednesday, October 21, 2020, at 5:31 p.m.

The motion was to place the minutes on file with any corrections.

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

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

Abstain, COI: 1 - Councilperson Guerra

PUBLIC HEARINGS

200379.6 Public Hearing/Street Vacation/Island Street Between West Kearsley Street and North Grand Traverse Street

A public hearing to consider the vacation of Island Street, between West Kearsley Street and North Grand Traverse Street, at which time the general public, property owners, etc. may appear (participate) and be heard.

HEARING HELD

200399.6 Public Hearing/Obsolete Property Rehabilitation Exemption Certificate Application/J&S Investments of Flint, LLC

A public hearing to consider an Obsolete Property Rehabilitation Exemption Certificate application for J&S Investments of Flint, LLC, on property located at

3701 Lapeer Road, and to allow the owners and other interested parties the opportunity to appear and be heard relative to said application. [NOTE: J&S. Investments of Flint, LLC, plans to rehabilitate the old Target Department store for warehousing and a retail furniture store (Ashley Home Furniture).]

HEARING HELD

PUBLIC SPEAKING

COUNCIL RESPONSE

PETITIONS AND UNOFFICIAL COMMUNICATIONS

200443 Notice of Public Hearing/Mt. Morris Township Planning Commission

Communication received October 22, 2020, re: Notification of a public hearing to be held by the Mt. Morris Township Planning Commission at 5:30 p.m. November 2, 2020 at the Morris Township Hall, G-5447 Bicentennial Drive, Mt. Morris [Special Land Use Application: Next Level Wellness, 4403 Clio Road, Unit 1, Flint].

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS (from Mayor and other City Officials)

200444 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (13) dated October 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.

This Matter was Placed on File on the Consent Agenda.

ADDITIONAL COMMUNICATIONS

ROLL CALL

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

Absent: Councilperson: Councilperson Griggs

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.]

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey, that this matter be POSTPONED for November 9, 2020. The motion carried by the following vote:

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

Absent: 1 - Councilperson Griggs

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 Mays, seconded by Councilperson Winfrey-Carter, that this matter be POSTPONED for November 9, 2020. The motion carried by the following vote:

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

Absent: 1 - Councilperson Griggs

200440 Appointment/Hurley Board of Managers/Corinne Edwards

Resolution resolving that the Flint City Council approves the appointment of Corinne Edwards (3410 Westwood Parkway, Flint, MI 48503) to complete the term of Dr. Ronald Stewart on the Hurley Board of Hospital Managers, with such term commencing on October 27, 2020, and expiring on April 30, 2025. [NOTE: By way of background, Dr. Stewart's term expired in May 2019, although he continued to serve.]

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

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

Abstain: 1 - Councilperson Mays

Absent: 1 - Councilperson Griggs

LICENSES

RESOLUTIONS

- 200454** 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, Nov. 23, 2020, by Electronic Public Meeting.

ADOPTED BY THE MASTER RESOLUTION

- 200379.2** Approval/Street Vacation/Island Street Between West Kearsley Street and North Grand Traverse Street

Resolution resolving that Island Street between West Kearsley Street and North Grand Traverse Street, Parcel No. 40-13-252-004, is hereby vacated and discontinued forever as a public street, alley or public ground, and the same is hereby placed on the assessments rolls for the purpose of taxation, AND, resolving that the City Clerk shall, within thirty (30) days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer.

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

- 200399.1** Approval/Obsolete Property Rehabilitation Exemption Certificate Application/J&S Investments of Flint, LLC

Resolution resolving that the Flint City Council hereby approves and grants a seven (7)-year Obsolete Property Rehabilitation Exemption Certificate for the real property, excluding land, located within the 3701 Lapeer Road District, beginning after project completion and continuing for a seven-year period. [NOTE: J&S Investments of Flint, LLC, plans to rehabilitate the old Target Department store for warehousing and a retail furniture store (Ashley Home Furniture).]

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

- 200436** Settlement/Janice Adams/Damage Claim

Resolution resolving that the Flint City Council agrees to approve the \$3,500.00 damage claim settlement to Janice Adams for damage to fence and shed, with payment drawn from appropriated funds in the Litigation and Suits Acct. No. 677-266.200-956.300. [NOTE: An Executive Session is requested for October 26, 2020.]

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

- 200437** Settlement/Goyette Mechanical v City of Flint/Genesee County Circuit Court Case No. 19-113310

Resolution resolving that the Flint City Council approves and consents to the

city settling Case No. 19-113310, with available state funding. [NOTE: The State of Michigan has made funding available sufficient to settle all claims in Case No. 19-113310, Goyette Mechanical v City of Flint, currently pending in the Genesee County Circuit Court. Although the city admits to no liability, the Law Department recommends formally offering to settle these matters, conditioned on the aforementioned state funding.] [NOTE: An Executive Session is requested for October 26, 2020.]

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

200438 Approval/Sixty (60)-Foot Utility Easement/Island Street Between West Kearsley Street and North Grand Traverse Street

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to enter into an Easement Agreement with Uptown Reinvestment Corp. down the overall length of the vacated Island Street between West Kearsley Street and North Grand Traverse Street, Parcel No. 40-13-252-004. [NOTE: Although Island Street between West Kearsley Street and North Grand Traverse Street is being vacated, the City Engineer is recommending that the city retain a 60-foot easement down the overall length of Island Street to accommodate a Sewer Main.

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

200439 Approval/Transfer/Obsolete Property Rehabilitation Exemption Certificate/2957 Carr Street

Resolution resolving that the Flint City Council hereby approves the Obsolete Property Rehabilitation application granting a transfer of the previously issued Exemption Certificate from the certificate holder, Fraser Flint, LLC, to Clear Capital, LLC, for the remainder of the 12-year exemption period, AND, resolving that once the transfer has been completed, the new owner will continue the rehabilitation of the apartments in the complex [at 2957 Carr Street.]

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

200446 Contract/The Lighthouse Group, LLC (formerly known as Lake Agency, Inc.)/Property Insurance Coverage

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to enter into a contract with The Lighthouse Group, LLC (formerly known as Lake Agency, Inc.) to provide Property, Commercial, Inland Marine, Crime and Contractors' Equipment [coverage] through Traveler's Insurance and Hartford Steam Boiler at a cost NOT-TO-EXCEED \$194,059.00 [Acct. No. 677-174.851-955.000].

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

200447

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to incorporate the approved appropriation changes into the FY2020-FY2021 operating budget of the City of Flint.

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

200448 Grant Acceptance/Department of Justice/Coronavirus Emergency Supplemental Funding Program

Resolution resolving that the appropriate city officials are authorized to do all things necessary to process a budget amendment recognizing grant revenue and corresponding appropriations under Grant Code DOJ-OJP20, in the amount of \$411,348.

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

200449 Weinstein Electric/Additional Support Services

Resolution resolving that the proper city officials, upon City Council's approval, approve Weinstein Electric for additional support services for exterior lighting retrofit for both the 12th Street Building and Salt Barn, in an amount NOT-TO-EXCEED \$32,827.00, and a revised aggregate amount of \$85,827.00, as requested by DPW [Major Street Fund Acct. No. 202-449.203-976.000.] [NOTE: The resolution does not state whether this is a contract or purchase order.]

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

200450 Siemens Mobility/Eagle Signal Repair Parts & Services

Resolution resolving that the appropriate city officials, upon City Council's approval, are hereby authorized to issue a purchase order to Siemens Mobility for Eagle signal repair parts and services, as requested by Traffic Engineering, in an amount NOT-TO-EXCEED \$100,000.00, and a total aggregate amount of \$120,000.00 [Major Street Fund Acct. No. 202-443.201-801.000.]

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

200451 Contract/The Garland Co./DBS, Inc./Roof Replacement/Brennan Community Center/Hasselbring Senior Center

Resolution resolving that the appropriate city officials, upon City Council's approval, are to do all things necessary to enter into a contract with The Garland Co./DBS, Inc., for roofs at both Brennan Community Center and Hasselbring Senior Center, in an amount NOT-TO-EXCEED \$177,005.00, as requested by the DPW [Public Improvement Fund Acct. No. 402-753.200-976.000.]

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

200452 Alta Equipment Co./Backup Generator [Rental]

Resolution resolving that the proper city officials, upon City Council's approval, are authorized to issue a purchase order to Alta Equipment Co. for a backup generator [rental at the Cedar Street pump station,] as requested by the Water Plant, in an amount NOT-TO-EXCEED \$114,000.00 [Water Fund Capital Improvement Fund Acct. No. 591-545.200-801.000.]

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

200453 Contract/Rauhorn Electric, Inc./Various Intersection Upgrades

Resolution that the proper city officials, upon City Council approval, are to do all things necessary to enter into a contract with Rauhorn Electric, Inc. for various intersection upgrades, as requested by Transportation, in an amount NOT-TO-EXCEED \$288,164.00 Major Street Fund Acct. No. 202-443.201-801.000.]

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

Passed The Consent Agenda

A motion was made by Councilperson Fields, 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: 7 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Worthing

Abstain: 1 - Councilperson Mays

Absent: 1 - Councilperson Griggs

SPECIAL ORDERS

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 postponed to 11-9-20.

Discussed

200423 Special Order/Neighborhood Safety Officers/Blight

A Special Order as requested by Councilperson Winfrey-Carter to allow the city's Neighborhood Safety Officers to discuss blight.

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 until 11-9-20.

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 was postponed to 11-9-20.

Discussed**LIQUOR LICENSES****SECOND READING AND ENACTMENT OF ORDINANCES****DISCUSSION ITEMS**

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 Monica Galloway adjourned this Electronic Public Meeting at 11:45 p.m., after a motion by Councilperson Guerra, with support from Councilperson Winfrey-Carter. The vote was 5-1 (No: Mays).

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council



RESOLUTION NO.:

200431

PRESENTED:

OCT 12 2020

ADOPTED:

**RESOLUTION RECOMMENDING THE REAPPOINTMENT OF ROBERT KITTEL
TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD**

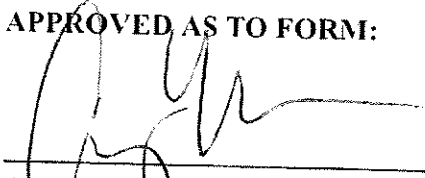
BY THE MAYOR:

WHEREAS, The purpose of the City of Flint Downtown Development Authority (DDA) Board is to act in accordance with Act 197 of the Public Acts of 1975 ("Act 197"), as such statute may be amended from time to time, including; To correct and prevent deterioration in the downtown district; to encourage historical preservation, to create and implement development plans in the district, to promote economic growth and redevelopment of the district, and to encourage the expansion of commercial enterprises in the downtown district, the Downtown Development Authority Board consists of eleven (11) members;

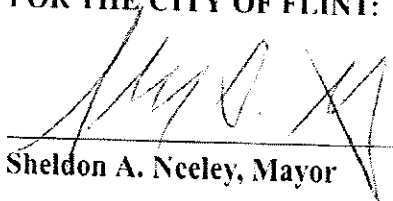
WHEREAS, Mayor Sheldon A. Neeley recommends and supports the reappointment of Robert Kittel to the Downtown Development Authority Board for a two (2) year term, that commenced on April 30, 2020, and expiring April 30, 2022.

NOW THEREFORE BE IT RESOLVED, that the Flint City Council approves the reappointment of Robert Kittel, to the Downtown Development Authority Board, to a two (2) year term that commenced on April 30, 2020 to April 30, 2022.

APPROVED AS TO FORM:


Angela Wheeler, City Attorney

FOR THE CITY OF FLINT:


Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:


Monica Galloway, City Council President



RESOLUTION NO.: 200432

PRESENTED: OCT 12 2020

ADOPTED: _____

**RESOLUTION RECOMMENDING THE REAPPOINTMENT OF LOUIS HAWKINS TO
THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD**

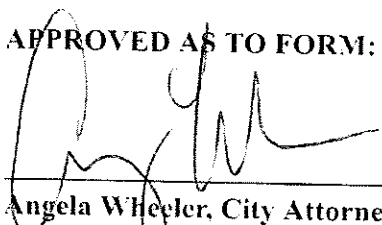
BY THE MAYOR:

WHEREAS, The purpose of the City of Flint Downtown Development Authority (DDA) Board is to act in accordance with Act 197 of the Public Acts of 1975 ("Act 197"), as such statute may be amended from time to time, including: To correct and prevent deterioration in the downtown district; to encourage historical preservation, to create and implement development plans in the district, to promote economic growth and redevelopment of the district, and to encourage the expansion of commercial enterprises in the downtown district, the Downtown Development Authority Board consists of eleven (11) members;

WHEREAS, Mayor Sheldon A. Neeley recommends and supports the reappointment of Louis Hawkins to the Downtown Development Authority Board for a three (3) year term, that commenced on April 30, 2020, and expiring April 30, 2023.

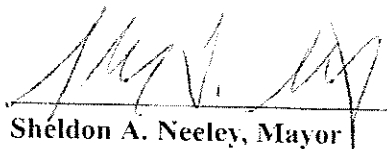
NOW THEREFORE BE IT RESOLVED, that the Flint City Council approves the reappointment of Louis Hawkins, to the Downtown Development Authority Board, to a three (3) year term that commenced on April 30, 2020 to April 30, 2023.

APPROVED AS TO FORM:



Angela Wheeler, City Attorney

FOR THE CITY OF FLINT:



Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

Monica Galloway, City Council President

RESOLUTION: 200456

PRESENTED: 11-9-20

ADOPTED:

**Resolution Approving the Appointment of Jameca
Patrick-Singleton 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

5th Ward Councilwoman Jerri Winfrey-Carter recommends the appointment of Jameca Patrick-Singleton (705 Wilberforce Lane, Flint, MI, 48503) to the Human Relations Commission.

THEREFORE, BE IT RESOLVED, that the Flint City Council approves the appointment of Jameca Patrick-Singleton to the Human Relations Commission, for a three-year term that begins October 27, 2020, and ends on October 28, 2023.

APPROVED AS TO FORM:

APPROVED BY FLINT CITY COUNCIL:

Angela Wheeler, Chief Legal Officer

Monica Galloway, City Council President

Jameca Patrick-Singleton, MSW

705 Wilberforce Lane

Flint, MI 48503

(810)397-5885

jpatricksingleton@yahoo.com

Profile

I am a community service professional who has substantial experience in non-profit and governmental executive leadership. My unique skillset has resulted in the development, management and evaluation of multiple programs created to address systemic community problems. I also have experience with staff supervision, fund development, community engagement and strategic planning.

Education

Michigan State University-Flint Program Flint, MI 08/2007 – 05/2010

Degree: **Masters of Social Work**

Concentration: **Organizational and Community Practice**

University of Michigan-Flint, MI 05/2003 through 07/2007

Degree: **Bachelors of Art with a major in Social Work**

Mott Community College- Flint, MI 09/1998 through 12/2000

Degree: **Associate in Applied Science with a major in Social Work**

Work experience

City of Flint

Chief Recovery Officer

Flint, MI

07/2017-11/2019

Responsibilities:

- Develop programs, provide day to day oversight and increase staff capacity for the Office of Community Recovery.
- Advise the Mayor of Flint on issues related to recovery from the Flint Water Crisis.
- Facilitate community conversations with diverse groups of residents to share information and resources related to community recovery needs, strategies, activities and initiatives.
- Integrate community engagement opportunities into the work of various City departments and facilitates department-level planning and design of those opportunities.
- Share information regarding best practices and innovative models in community and citizen recovery with community stakeholders and residents.
- Contribute to planning facilitation for new community initiatives under development in response to community infrastructure challenges.

Baker College and University of Michigan- Flint
Part-time Adjunct Faculty

Flint, MI
08/2010-08/2020

Responsibilities:

- Teach Social Work, Human Services and General Education courses at Baker College and University of Michigan- Flint.

Metro Community Development Inc.
Director of Coalition Building Programs

Flint, MI
02/2008-06/2017

Responsibilities:

- Supervised Coalition Building program staff, volunteers and interns and provide quarterly and annual performance evaluations.
- Provided financial reports to the Continuum of Care Executive Board and Metro Community Development board of directors.
- Coordinated Flint/Genesee County Continuum of Care Coalition and manage COC, ESG, and CDBG grants
- Wrote grants that brought approximately \$3,000,000 into the community annually for homeless assistance funding and provided fiduciary oversight for those funds.
- Worked closely with funders and the Flint/Genesee community to address local need for housing programs.
- Developed, implemented and reviewed programs to meet identified gaps in services in the Flint/Genesee County area.
- Developed and maintained department operating budget and assist with this process for the entire agency.
- Monitored and evaluated federal and state funded Continuum of Care grants.
- Coordinated the community to engage in the process of addressing community needs, utilizing the voice of local residents.
- Worked closely with local grant review committee to ensure fair review of local Continuum of Care grant applications.

Child Advocacy Center of Genesee County
Forensic Interviewer
Responsibilities:

Flint, MI
06/2007- 02/2008

- Interviewed children who were the alleged victims of sexual molestation and severe physical abuse in a child centered environment.
- Referred families to the appropriate medical and therapy programs for follow up services.
- Worked closely with law enforcement, child protective services, and the court system to address issues of safety for abused children.

Heritage Manor Health Care Center
Social Worker
Responsibilities:

Flint, MI
08/2006-06/2007

- Completed psycho-social assessments.
- Assisted in the Medicaid application process and act as a liaison between Department of Human Services and Client.
- Acted as a liaison between the residents and staff in the grievance procedure.
- Coordinated the dental, vision, podiatry, and beauty care services provided to the residents.

Lapeer Regional Medical Center
Behavioral Health Technician
Responsibilities:

Lapeer, MI
07/2004-10/2006

- Provided behavioral health services for patients on both the inpatient substance abuse and the inpatient mental health units.
- Facilitated educational sessions.
- Orientated patients to the unit upon admission.
- Observed and documented patient behavior.

Wellness HIV/AIDS Services Inc.

Flint, MI

Case Manager

02/2001-08/2003

Responsibilities:

- Assisted HIV infected persons with obtaining proper medical attention, mental health services, insurance, financial assistance, housing (HOPWA), transportation and other services.
- Assisted the client to create and implement an individual care plan.
- Facilitated a monthly support group for HIV positive women.
- Assisted in the recruitment and hiring of case managers.
- Billing and reporting for the case management department,
- Submitted reports to several funding sources.

**Board of
Directors/Volunteer
Affiliation**

- Baker College School of Human Services Advisory Board Member
- Mass Transportation Authority Board Member
- NAACP- Flint Chapter (Member and Volunteer)
- Wellness Services Board Member

CITY OF FLINT

200457



PROPOSAL #21000518

RESOLUTION NO: _____

PRESENTED: NOV - 9 2020

ADOPTED: _____

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO FERGUSON WATERWORKS FOR WATER MAIN AND
SERVICE CONNECTION PARTS**

The Finance Department-Division of Purchases and Supplies solicited bids for Water Main and Service Connection Parts as requested by the Water Service Center for two (2) years; and


Ferguson Waterworks, 4040 Eagles Nest, Flushing, Michigan was the responsive bidder for said requirements.

Funding for said services are available in the following account for FY21 (07/01/20 - 06/30/21):

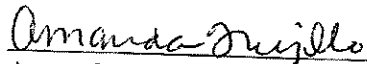
Account Number	Account Name	Amount
591-540.202-726.000	Repair Parts	\$100,000.00
	FY21 (07/01/20 THRU 06/30/21)	\$100,000.00

IT IS RESOLVED, that the Proper City Officials, are authorized to approve the issuance of a purchase order for FY21 (07/01/20 thru 6/30/21) to Ferguson Waterworks for Water Main and Service Connection Parts in the amount not to exceed \$100,000.00.

APPROVED AS TO FORM:


Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:


Amanda Trujillo, Acting Chief Financial Officer

FOR THE CITY OF FLINT:


Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Monica Galloway, City Council President

APPROVED AS TO PURCHASING:


Joyce A. McClane, Purchasing Manager



CITY OF FLINT

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO ☒

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

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 \$100,000.00

BUDGET YEAR 2 \$100,000.00

BUDGET YEAR 3

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

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

DEPARTMENT HEAD SIGNATURE: Paul Simpson
Paul Simpson, Water Distribution Supervisor, Prov.



SEALED PROPOSALS RECEIVED IN THE DIVISION OF PURCHASES & SUPPLIES
For 2 YEAR WATER SERVICE/WATER MAIN REPAIR PARTS
PROPOSAL #21000518

Approximate Annual Quantities – Not Guaranteed
Furnish as requested for the period 7/1/20 – 6/30/22

<i>Vendor</i>	<i>Total Unit Price Year 1</i>	<i>Total Unit Price Year 2</i>
Etna Supply Company, Grand Rapids, MI	\$3,749.05	\$3,016.15
Ferguson Waterworks, Flushing, MI	\$2,503.15	\$2,681.81



RESOLUTION NO.:

200458

PRESENTED:

NOV - 9 2020

ADOPTED: _____

**RESOLUTION AUTHORIZING APPROPRIATE CITY OFFICIALS TO ENTER INTO A CHANGE ORDER
WITH GOYETTE MECHANICAL COMPANY**

BY THE CITY ADMINISTRATOR:

WHEREAS, The Department of Purchases & Supplies solicited a proposal for 2018 Phase V service line replacements as requested by the Utilities Department; and

WHEREAS, Goyette Mechanical Co., 3842 Gorey Avenue, Flint, Michigan, was one of five (5) contractors whose proposal was selected for servicing two (2) zones of the ten (10) service line replacement zones for said requirements; and

WHEREAS, Flint City Council approved resolution #180200 on May 2, 2018, authorizing the Proper City Officials to enter into 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 the State of Michigan's Department of Environmental Quality (MDEQ), now known as Michigan Department of Environment, Great Lakes, and Energy (EGLE); and

WHEREAS, In June 2018 an internal change to the contract was directed eliminating hydro vac services; and

WHEREAS, Due to this change not being part of bid specifications, additional costs in the amount of \$1,169,686.00 were incurred; and

WHEREAS, EGLE has given approval to provide disbursement of funding in the amount of \$1,169,686.00 for the incurred costs; and

WHEREAS, Reimbursable funding will be made available in account 496-540.210-801.060 SDEQ-18LEAD; and

BE IT RESOLVED, that the Proper City Officials, upon Flint City Council's approval, are hereby authorized to enter into a change order contract with Goyette Mechanical Co., for incurred costs servicing two (2) zones of the ten (10) service line replacements zones due to the elimination of hydro vac services, in an amount not to exceed \$1,169,686.00 with disbursement of funding from EGLE.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Amanda Trujillo
Amanda Trujillo, Acting Chief Financial Officer

Clyde D. Edwards
Clyde Edwards, City Administrator

CITY COUNCIL:

Monica Galloway
Monica Galloway, Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: October 28, 2020

BID/PROPOSAL#

AGENDA ITEM TITLE: Resolution Authorizing Appropriate City Officials to Enter Into a Change Order Contract with Goyette Mechanical Company

PREPARED BY: Yolanda Gray, Department of Public Works Accounting Supervisor

VENDOR NAME: Goyette Mechanical Company

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The Department of Purchases & Supplies solicited a proposal for 2018 Phase V service line replacements as requested by the Utilities Department. Goyette Mechanical Co., 3842 Gorey Avenue, Flint, Michigan, was one of five (5) contractors whose proposal was selected for servicing two (2) zones of the ten (10) service line replacement zones for said requirements and were authorized to enter into a contract not to exceed \$5,626,830.00 on May 2, 2018. In June 2018 an internal change to the contract was directed eliminating hydro vac services. This change wasn't part of bid specifications which lead to incurred costs of \$1,169,686.00. Michigan Department of Environment, Great Lakes, and Energy (EGLE) has given approval to provide disbursement of funding in the amount of \$1,169,686.00 for the incurred costs.

FINANCIAL IMPLICATIONS:

BUDGETED EXPENDITURE? YES NO ☒ IF NO, PLEASE EXPLAIN: This wasn't a budgeted expenditure due to unforeseen internal change. However EGLE will provide reimbursable funding for additional costs.

Dept.	Name of Account	Account Number	Grant Code	Amount
496	Ph5 Water Service Lines	496-540.210-801.060	SDEQ-18LEAD	\$1,169,686.00
FY21 GRAND TOTAL				\$1,169,686.00

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

ACCOUNTING APPROVAL: Yolanda Gray **Date:** 10-28-2020



CITY OF FLINT

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:  11/2/20
(PLEASE TYPE NAME, TITLE)



RESOLUTION NO.:

200459

PRESENTED:

NOV - 9 2020

ADOPTED:

**RESOLUTION APPROVING AUTHORIZATION FOR THE MAYOR TO ACCEPT
\$336,200.00 GRANT FROM CHARLES STEWART MOTT FOUNDATION FOR THE
MAINTENANCE OF CITY PARKS IN FLINT**

BY THE MAYOR:

WHEREAS, the City was awarded grant funding from the Charles Stewart Mott Foundation in the amount of \$336,200.00; and

WHEREAS, grant #2019-05848 has been 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; and

WHEREAS, the total grant amount to be accepted shall be Three Hundred Thirty-Six Thousand, Two Hundred and no/100 (\$336,200.00) Dollars. The grant code and accounts have been established as follows:

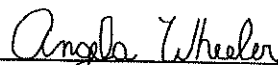
Dept.	Name of Account	Account Number	Grant Code	Amount
Parks	Local Grants	Revenue: 296-691.407-580.000	PCSM-PARKS20	\$336,200.00
Parks	Professional Service	Expense: 296-691.407-801.000	PCSM-PARKS20	\$336,200.00

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to abide by the terms of C.S. Mott Grant #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 in the current and any subsequent fiscal years that funding continues to remain available by the grantor.

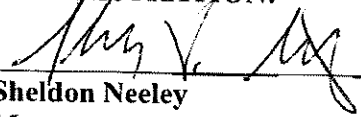
APPROVED AS TO FINANCE:


Amanda Trujillo
Deputy Finance Director

APPROVED AS TO FORM:


Angela Wheeler
Chief Legal Officer

ADMINISTRATION:


Sheldon Neeley
Mayor

CITY COUNCIL:


Monica Galloway
City Council President



CITY OF FLINT

(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:


(PLEASE TYPE NAME, TITLE)



RESOLUTION NO.: 200460
PRESENTED: NOV - 9 2020
ADOPTED: _____

RESOLUTION TO

Authorize the approval and signing of an Interlocal agreement for the Genesee County Designated Assessor

BY THE MAYOR:

WHEREAS, MCL 211.10g establishes the requirement for a designated assessor in each county and that such designation should be made before December 31, 2020; and,

WHEREAS, 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; and,

WHEREAS, 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; and,

WHEREAS, the Designated Assessor shall only act as the assessor of record for an assessing district when required to by the State Tax Commission pursuant to MCL 211.10g.

NOW, THEREFORE, BE IT RESOLVED that the [governing board] of [assessing district] 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,

BE IT FURTHER RESOLVED THAT, the Mayor, Sheldon Neely, is authorized to sign the Interlocal Agreement.

BE IT RESOLVED,

APPROVED AS TO FORM:



Angela Wheeler, City Attorney



Sheldon Neely, Mayor

APPROVED AS TO FINANCE:



Amanda Trujillo, Interim Chief Financial Officer

CITY COUNCIL:

Monica Galloway, Council President

**RECEIVERSHIP TRANSITION
ADVISORY BOARD:**

RESOLUTION STAFF REVIEW

DATE: 10/29/2020

Agenda Item Title: Interlocal Agreement for the Designated Assessor

Prepared By: Amanda Trujillo

Background/Summary of Proposed Action:

P.A. 660 of 2018 implemented an assessment reform. The Act put into law the Audit of Minimum Assessment Requirement, AMAR, and how it affects a local unit. This framework was put into place to guarantee the highest quality assessments for taxpayers as well as local units. Each County is required to have a Designated Assessor on record. The Designated Assessor is part of a process to ensure that local units comply with the statutory provisions of the AMAR. Please find attached a PowerPoint from the Genesee County Equalization to help better explain the process. Please find attached a memo from the Equalization Director to the County Commissioners, Resolution passed by the County Commissioners, a PowerPoint explaining the Designated Assessor process, and the Interlocal Agreement.

Financial Implications :

There is a retainer fee of \$200/year per unit.

Budgeted Expenditure? Yes, Please explain if no:

Account No.: 1401-257.100-801-.000

Pre-encumbered? No Requisition #

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

Staff Recommendation: Approval

Staff Person: Amanda Trujillo
Amanda Trujillo, Interim Director of Finance

Approval: Clyde Edwards
Clyde Edwards, City Administrator

11/2/20



GENESEE COUNTY DEPARTMENT OF EQUALIZATION
1101 BEACH STREET-SUITE 206, FLINT, MICHIGAN, 48502-1468
TELEPHONE (810) 257-3017 FAX (810) 768-7954

Melissa Hayduk, MMAO (4), CAE, PPE
DIRECTOR

To: Martin Cousineau, Chairman, Genesee County Board of Commissioners

From: Melissa K. Hayduk, Genesee County Equalization Director

Date: October 28, 2020

Re: Interlocal Agreement and Designated Assessor recommendation

P.A. 660 of 2018 requires each county to notify the State Tax Commission, no later than December 31, 2020, of the individual that will serve as the county's Designated Assessor. The county must provide the State Tax Commission with an inter-local agreement executed by the County Board of Commissioners, a majority of the assessing districts within that county, and the proposed Designated Assessor for that county.

The process of finding an individual qualified to take on the role of Designated Assessor and developing an Inter-local Agreement has involved quite a bit of time and effort. After receiving further clarification and an Inter-local Agreement template from the State Tax Commission in August, an RFP was created and submitted for Designated Assessor proposals. The RFP was posted on the County's website, MITN, the Michigan Assessors Association (MAA) and emailed to all members of the MAA and all of the Genesee County Assessors. The due date to submit a proposal was 2:00pm, October 8, 2020.

One proposal was received for the Designated Assessor. The proposal received is from Mrs. Stacey Kaake. Mrs. Kaake is a Michigan Master Assessing Officer and Michigan Certified Personal Property Examiner and is currently the assessor for the City of Flint. Mrs. Kaake also has a Masters in Public Administration from the University of Michigan, Flint. She is active in the Michigan Assessors Association, serving as Vice President. She also serves as a member on the State CAMA Data Standards Committee and is an IAAO member.

The inter-local agreement has been developed to include all the necessary provisions required by the State Tax Commission. This information has been reviewed and the matter is being brought before you for consideration.

If you approve the Inter-local Agreement, it will then be forwarded on to the Assessing Districts to obtain approval of a majority of the districts. I have reached out to the Assessing District's assessors and officials regarding the Designated Assessor and Inter-local Agreement by holding informational meetings to update them and provide them with the Michigan Department of Treasury documents relating to P.A. 660 of 2018.

The State Tax Commission will then determine if the individual named as the Designated Assessor is capable of ensuring that the Assessing Districts within the county will achieve and maintain substantial compliance.

The Inter-local Agreement naming Stacey Kaake as the Genesee County Designated Assessor is attached. The document, along with her resume, is ready for your review and consideration. The same is submitted with a recommendation to approve.

Please feel free to reach out to me at any time with any questions you may have regarding this matter.

Resolution to
Authorize the Approval and Signing of an Interlocal Agreement
For the Genesee County Designated Assessor

WHEREAS, MCL 211.10(g) establishes the requirement for a named Designated Assessor in each county within the state and that such designation should be made before December 31, 2020; and

WHEREAS, to meet the requirement of appointing a Designated Assessor for Genesee County, the Assessing Districts within Genesee County and the County of Genesee itself have agreed to designate Stacey Kaake as the Genesee County Designated Assessor; and

WHEREAS, the Interlocal Agreement naming the Designated Assessor shall be binding upon all Assessing Districts, Stacey Kaake, a majority of the Assessing Districts, and the State Tax Commission upon its approval by the County Board of Commissioners; and

WHEREAS, the Designated Assessor shall only act as the assessor of record for an Assessing District when required to by the State Tax Commission pursuant to MCL 211.10(g) or upon direct action of the governing board of an Assessing District.

NOW, THEREFORE, BE IT RESOLVED, that this Board of Commissioners of Genesee County, Michigan, approves and authorizes the Interlocal Agreement naming Stacey Kaake, an individual qualified and certified by the State Tax Commission as a Michigan Advanced Assessing Officer, to be the Designated Assessor for Genesee County (a copy of the Agreement and memorandum request being on file with the official records of the October 28, 2020, meeting of the Board of Commissioners) and the Board Chairperson is authorized to execute the Interlocal Agreement on behalf of Genesee County.

County: 25- GENESSEE

Parcel Count Report

Governmental Unit	Real				Personal				Grand Total
	Ag	Comm	Ind	Res	Ag	Comm	Ind	Res	
ARGENTINE TOWNSHIP	144	49	3	3218	0	0	0	0	3550
ATLAS TOWNSHIP	25	99	39	3395	0	188	3	0	3817
CLAYTON TOWNSHIP	211	93	13	2996	0	119	2	0	3553
DAVISON TOWNSHIP	83	230	37	6293	0	414	5	0	7129
FENTON TOWNSHIP	2	221	19	7676	0	304	10	0	8346
FLINT TOWNSHIP	0	1180	60	10087	0	1806	14	0	13850
FLUSHING TOWNSHIP	160	41	4	4043	0	91	1	0	4385
FOREST TOWNSHIP	167	83	27	2079	0	105	5	0	2538
GAINES TOWNSHIP	207	41	3	2924	0	52	0	0	3293
GENESEE TOWNSHIP	53	370	98	7463	0	391	12	0	8893
GRAND BLANC TOWNSHIP	0	593	119	13166	0	890	49	0	14995
MONTROSE TOWNSHIP	198	48	17	2470	0	110	2	0	2883
MT MORRIS TOWNSHIP	91	661	50	9136	0	584	6	0	11596
MUNDY TOWNSHIP	115	282	72	6424	0	548	10	0	7582
RICHFIELD TOWNSHIP	80	90	38	3950	0	182	6	0	4436
THETFORD TOWNSHIP	170	73	32	2707	0	111	0	0	3144
VIENNA TOWNSHIP	79	287	44	5349	0	357	7	0	6199
CITY OF CLIO	0	128	8	684	0	153	3	0	1046
CITY OF DAVISON	0	127	19	1512	0	244	7	0	1993
CITY OF FENTON	0	408	55	4096	0	681	35	0	5604
CITY OF FLINT	0	4541	464	50541	0	2212	88	0	57859
CITY OF FLUSHING	0	167	11	3163	0	257	4	0	3698
CITY OF GRAND BLANC	0	205	5	2380	0	401	2	0	3082
CITY OF MT MORRIS	0	111	3	1097	0	114	0	0	1447
CITY OF SWARTZ CREEK	0	154	8	2288	0	255	1	0	2804
CITY OF BURTON	0	744	207	12453	0	873	43	0	14621
CITY OF MONTROSE	0	66	2	603	0	64	0	0	788
CITY OF LINDEN	0	93	2	1651	0	142	0	0	1923
Totals	1785	11185	1459	173844	0	11723	315	0	205036

Designated Assessor Informational Meeting

Melissa K. Hayduk, MMAO, MCPPE
Genesee County Equalization Director
October 2020

What is Property Assessing Reform - P.A. 660 of 2018

In its simplest form, P.A. 660 provides a statutory framework to ensure proper assessing in order to guarantee the highest quality assessments for taxpayers as well as local units. The Act defines the requirements for a local unit to be determined to be in substantial compliance with the General Property Tax Act, provides timetables for audits as well as follow up audits and provides a process for bringing a local unit into compliance if they remain non-compliant after a follow up review (also known as the Designated Assessor (DA)).

Key Dates and Overall Timeline

- December 31, 2018: PA 660 of 2018 was enacted.
- December 31, 2020: The STC shall adopt and publish guidelines to implement the reform.
- December 31, 2020: Every county shall have a designated assessor on file with the STC.
- December 31, 2021: The new audit process of assessing districts will begin.
- December 31, 2021: The STC may initiate the process that results from an assessing district being issued a notice of noncompliance to ensure that the assessing district achieves and maintains substantial compliance.

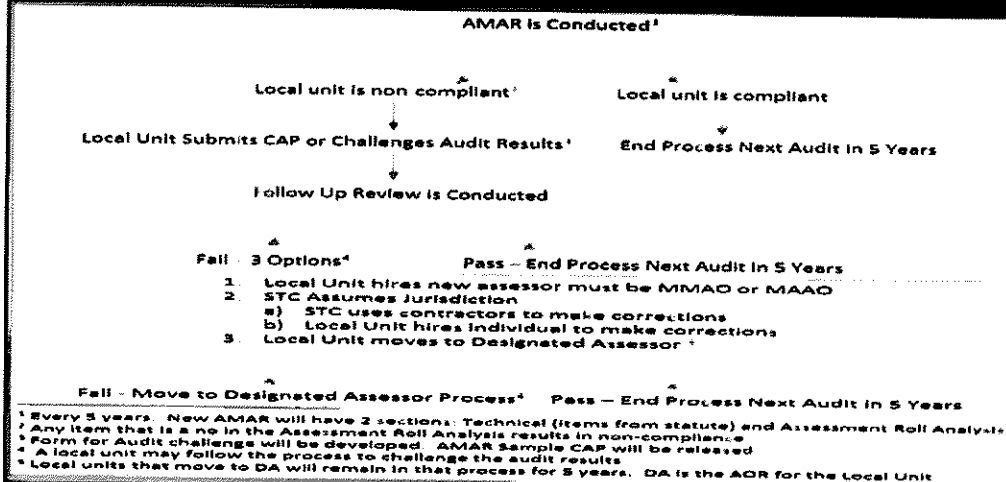
What do local units and Assessors need to know now?

- The majority of the provisions in the Act do not go into place until 2022.
- Local units can begin to prepare now by ensuring they are meeting the requirements in the current AMAR and if not, that they work to ensure corrections are made to bring them into compliance. This topic will be addressed in more detail in a future presentation.
- The Designated Assessor provision does not mandate that all assessors be an Advanced or Master Level and it does not mandate Countywide Assessing. More information on the Designated Assessor will be provided in later slides.

What do local units and Assessors need to know now?

- The State Tax Commission will be working to develop rules, guidelines and issue Bulletins to address provisions in the Act.
- Updates on Property Assessing Reform will be published on the State Tax Commission's website at: www.michigan.gov/statetaxcommission and a dedicated email address has also been established for questions regarding Property Assessing reform. Questions on Property Assessing Reform can be emailed to: AssessingReformQuestions@michigan.gov

Property Assessing Reform Process



Designated Assessor

- One of the most complex provisions within P.A. 660 is the Designated Assessor.
- What is the Designated Assessor?
 - The Designated Assessor is part of a process to ensure that local units are in compliance with the statutory provisions of the AMAR. In other words it is part of a process to make sure that local units are meeting minimum assessing requirements.

Designated Assessor

- As with the current AMAR process, the statute provides for an initial AMAR and a corrective action plan to be approved by the STC. The statute then provides for a follow up review to be conducted in accordance with the approved corrective action plan. If after that follow up review, the local unit remains in non-compliance then the local unit has three options: they can employ or contract with a new assessor of record at the Advanced or Master Level, they can allow for STC assumption of jurisdiction, or they can contract with the Designated Assessor for the County to serve as their assessor of record.

Designated Assessor

- Who are the Designated Assessors?
 - The statute provides the process for determining who the Designated Assessors will be. Each County is required to enter into an inter-local agreement that designates the individual who will serve as the County's Designated Assessor. That inter-local agreement must be approved by the County Board and a majority of the assessing districts in the County. Once the inter-local agreement is approved, it is sent to the State Tax Commission for final approval. The STC will determine if the individual named as the Designated Assessor is capable of ensuring they can achieve and maintain substantial compliance for any local unit that contracts with them.

Designated Assessor

- The Designated Assessor is not an automatic requirement for Countywide assessing or for the County Equalization Director to take over assessor for local units. While the County Equalization Director can certainly be named the Designated Assessor, it is not an automatic designation as the Designated Assessor as this is determined by the approved inter-local agreement.
- The Act contains a number of specific detailed provisions regarding the Designated Assessor including how long they serve, what happens in the case of a Designated Assessor that can no longer serve and appeal processes for local units regarding substantial compliance. Further detail regarding the Designated Assessor can be found in [Bulletin 8 of 2020](#).

Designated Assessor

- **Designated Assessor Term:**
 - Once an assessing district is under contract with a Designated Assessor, the Designated Assessor will remain in place for a minimum of five years. Statute does provide for a local unit to petition the Commission to end the contract after the Designated Assessor has been in place for 3 years.
 - The Commission shall approve termination of a contract if it is determined that the assessing district can achieve and maintain substantial compliance with the General Property Tax Act using a different assessor of record other than the Designated Assessor.

Designated Assessor

- **Designated Assessor Term (Cont.):**
 - The State Tax Commission may revoke the Designated Assessor and provide for an interim designated assessor if:
 - 1. The Designated Assessor dies or becomes incapacitated
 - 2. The Designated Assessor's employment status materially changes or
 - 3. The Designated Assessor is not capable of ensuring that the assessing district is able to achieve and maintain substantial compliance with MCL 211.10g.
 - The Interim Designated Assessor will remain in place until a new Designated Assessor can be selected following the inter-local agreement process.

Designated Assessor

- Designated Assessor Term (Cont.):

- If the Designated Assessor is serving as an assessor of record for an assessing district that is found to be in noncompliance, the State Tax Commission will appoint an individual to serve as the county's temporary Designated Assessor. The county will utilize the normal process to select and notify the Commission of the new Designated Assessor.

Designated Assessor

- Designated Assessor Costs:

- The Designated Assessor is permitted to charge an assessing district for the reasonable costs incurred in serving as the assessing district's assessor of record, including, but not limited to, the costs of overseeing and administering the annual assessment, preparing and defending the assessment roll, and operating the assessing office. The assessing district is required to pay these costs in accordance with the inter-local agreement. The costs and fees agreed to by the county, assessing districts and the Designated Assessor is a local issue and will vary statewide.
- The Commission will develop guidelines as required by statute for any local unit to protest charges by the Designated Assessor.

RFP Process

- What the County has done to secure a Designated Assessor:
 - August 2020 - STC provided inter-local agreement template
 - August 2020 - Equalization Director/Purchasing prepared and created RFP for posting
 - September 2020 - RFP posted, sent to local assessors and MAA email and posted for all members
 - October 2020 - Received one (1) proposal for Designated Assessor
 - October 2020 - Set up meetings with Assessing District Officials and Assessors to provide information, address concerns, answer questions and explain process.

Candidate

- Only one RFP received:
 - Stacey Kaake, MMAO, MCPPE
- Qualifications :
 - MMAO
 - MCPPE
 - Masters in Public Administration (UofM Flint)
 - Assessor, City of Flint (currently)
 - Compliant AMARs
 - Active in Michigan Assessor Association (VP)
 - State CAMA Data Standards Committee member
 - IAAO member

Candidate's Proposed Fees for Assessing Districts

- Retainer Fee:

- For as long as Stacey Kaake is the Designated Assessor a retainer fee for this agreement will be \$200.00 per unit, per year. This fee gives each unit 2 hours of work with the current assessor, per year, to answer questions regarding the AMAR, or to help address issues that may come from a future AMAR. This will help the current assessor and Designated Assessor to be preemptive of potential issues.
- Retainer fees are common practice for a professional service (ex. lawyers), as they are holding their license and any insurance while waiting for possible use of their service. Think of the fee and inter-local agreement as an insurance policy which guarantees that each Assessing District has a qualified assessing officer available if they are ever in need. Most Assessing Districts charge a 1% Administrative fee on the tax bills that can be used to offset this cost. The SIC has stated that they will charge a retainer fee in the event that they have to select a Designated Assessor for the county.

Candidate's Proposed Fees for Assessing Districts

All assessing maintenance contracts will be based on a per parcel basis with the following fee schedule.

Agricultural Real -	\$12.00 per parcel
Commercial Real -	\$15.00 per parcel
Industrial Real -	\$15.00 per parcel
Residential Real -	\$12.00 per parcel
Other Real -	\$16.00 per parcel
Personal Property -	\$20.00 per parcel
Special Act Parcels -	\$20.00 per parcel

The above stated fees shall include an annual on-site review of at least 20% of the total ad-valorem real property count.

Candidate's Proposed Fees for Assessing Districts

All re-appraisal contracts will be based on a per parcel basis with the following fee schedule.

Agricultural Real	\$65.00 per parcel
Commercial Real	\$65.00 per parcel
Industrial Real	\$65.00 per parcel
Residential Real	\$65.00 per parcel
Other Real	\$65.00 per parcel

Hourly fee schedule of personnel are as follows

MMAO Assessor - \$100.00 per hour

Office hours, if required by the Assessing District, will be billed at \$50.00 per hour.

Next Steps

- Assessors and incumbents can help educate newly elected officials regarding the DA, inter-local agreement and Assessing Reform so that they are well informed of the process and requirements.
- Equalization Director to recommend approval of DA and inter-local agreement to the BOC in November.
- After BOC approval - Equalization Director to send DA and inter-local agreement information out to the Assessing Districts to be reviewed and voted on. After the meeting, a signed resolution indicating the result can be submitted to the Equalization Director by email.
- Equalization Director to submit necessary paperwork to STC by December 31, 2020 deadline.
- Failure to timely notify the State Tax Commission of the county's Designated Assessor will result in the State Tax Commission selecting a Designated Assessor for the county.

What Can Local Units Do to Prepare for Property Assessing Reform?

- The Act defines the requirements for a local unit to be determined to be in substantial compliance with the General Property Tax Act, provides timetables for audits as well as follow up audits and provides a process for bringing a local unit into compliance if they remain non-compliant after a follow up review (also known as the designated assessor).
- These statutory changes make it even more important that local unit officials take a proactive role in assessment administration and work with their assessor to ensure proper assessing. The local unit board or council is responsible for making certain the local unit's assessing is meeting state requirements.

What Can Local Units Do to Prepare for Property Assessing Reform?

- Local units can begin to prepare now by ensuring they are meeting the requirements in the current AMAR and if not, that they work to ensure corrections are made to bring them into compliance. The AMAR form is available on the State Tax Commission website (www.michigan.gov/statetaxcommission) under the AMAR tab and provides links to the statutory or STC requirements.
- Officials should not wait until they're faced with the audit of their assessing practices to start thinking about assessing and property taxes. Making an effort today will give your local unit a better chance of passing the AMAR with flying colors.

What Can Local Units Do to Prepare for Property Assessing Reform?

- Officials must first make sure that their local unit employs an assessor who is certified at the proper level for their unit. Assessors must be certified through the STC and can achieve three levels: Michigan Certified Assessing Officer, Michigan Advanced Assessing Officer and Michigan Master Assessing Officer. The STC requires local units to have assessors at a certain level, based on the state equalized value of their property tax roll. Specific information regarding those levels is available on the STC website.

What Can Local Units Do to Prepare for Property Assessing Reform?

- Some assessors work for multiple local units. While this is a common practice, especially in rural areas, Townships and Cities should monitor how many units their assessors are assessing. Even if they are within the state's limits for units they can assess, Townships and Cities need to ensure you are receiving the highest quality work from your assessor. Quality, thorough work must be the priority in hiring an assessor, not the price.
- Once the assessor is employed, make sure they have all of the tools and funding necessary. A local unit must budget for resources to meet all state requirements, as well as a salary high enough to keep a quality assessor.

What Can Local Units Do to Prepare for Property Assessing Reform?

- As the employer, local units should set annual benchmarks with their assessors and make sure they're being met. Officials should ask questions, such as whether the assessor visited 20% of the local unit's properties this year or if the assessment roll was certified on time. One way to do this is setting aside time at meetings regularly to get reports from the assessor. Townships and Cities should review with their assessor the Supervising Preparation of the Rolls document (found on the STC website) to ensure the requirements are being met. They should also review the AMAR document prior to the audit to ensure all requirements are being met.
- If your local unit's elected officials are unfamiliar with the assessing process, invite your assessor to give a presentation at a meeting, which will help gain insights that are valuable to their work for the local unit.

Non Compliance Scenarios

- https://www.michigan.gov/documents/treasury/5_What_Can_Local_Units_Do_Now_to_Prepare_for_Reform_656361_7.pdf

Visit the STC Property Assessing Reform Website

• https://www.michigan.gov/treasury/0,4679,7-121-1751_2228_93084---,00.html

Questions??

Thank you.

Melissa K. Hayduk, MM&O, MC PPE
Genesee County Equalization Director
1101 Beach Street, Suite 206
Flint, MI 48502-1468
810-257-2631
mhayduk@co.genesee.mi.us

Act No. 660
Public Acts of 2018
Approved by the Governor
December 28, 2018
Filed with the Secretary of State
December 28, 2018
EFFECTIVE DATE: December 28, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Rep. Lower

ENROLLED HOUSE BILL No. 6049

AN ACT to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 10d, 10e, and 28 (MCL 211.10d, 211.10e, and 211.28), section 10d as amended by 1984 PA 19, section 10e as added by 1986 PA 223, and section 28 as amended by 2006 PA 143, and by adding section 10g.

The People of the State of Michigan enact:

Sec. 10d. (1) The annual assessment of property shall be made by an assessor who has been certified as qualified by the state tax commission as having successfully completed training in a school of assessment practices or by the passage of a test approved by the state tax commission and conducted by the state tax commission or an agency approved by the state tax commission that will enable the individual to properly discharge the functions of the office. The school shall be established by an approved educational institution in conjunction with the state tax commission and be supervised by the state tax commission and its agents and employees. The state tax commission may determine that a director of a county tax or equalization department or an assessor who has not received the training possesses the necessary qualifications for performing the functions of the office by the passage of an approved examination.

(2) The state tax commission may also grant a conditional 6-month certification to a newly elected assessing officer or an assessing officer appointed to fill an unexpired term if all of the following criteria are met:

- (a) The newly elected or appointed assessing officer applies for certification and pays the required filing fee.
- (b) The governing body of the assessing district requests the state tax commission to conditionally certify the newly elected or appointed assessing officer.
- (c) The newly elected or appointed assessing officer or the governing body of the assessing district submits a statement outlining the course of training he or she plans to pursue.
- (d) The period of time for which the conditional certification is requested does not exceed 6 months after the date that he or she assumes office.

(3) Conditional certification under subsection (2) shall not be granted for any assessing district more than once in 4 years.

(4) Conditional certification under subsection (2) shall only be granted to a newly elected or appointed assessing officer in an assessing district that does not exceed a total state equalized valuation of \$125,000,000.00.

(5) Upon presentation of evidence of the successful completion of the qualifications, the assessor shall be certified as qualified by the state tax commission.

(6) An assessing district that does not have an assessor qualified by certification of the state tax commission may employ an assessor so qualified. If an assessing district does not have an assessor qualified by certification of the state tax commission, and has not employed a certified assessor, the assessment shall be made by the county tax or equalization department or the state tax commission and the cost of preparing the rolls shall be charged to the assessing district.

(7) Every lawful assessment roll shall have a certificate attached signed by the certified assessor who prepared or supervised the preparation of the roll. A village that is located in more than 1 assessing district may, in a form and manner prescribed by the state tax commission, request state tax commission approval that the assessment of property within the village be combined with the assessment of property in 1 of those assessing districts. A certificate attached to an assessment roll pursuant to this subsection shall be in the form prescribed by the state tax commission. If after completing the assessment roll the certified assessor for the assessing district dies or otherwise becomes incapable of certifying the assessment roll, the director of the county tax or equalization department or the state tax commission shall certify the completed assessment roll at no cost to the assessing district.

(8) The assessing district shall assume the cost of training, if a certification is awarded, to the extent of course fees and recognized travel expenditures.

(9) An assessor who certifies an assessment roll over which he or she did not have direct supervision is guilty of a misdemeanor.

(10) The state tax commission shall promulgate rules for the issuance or revocation of certification.

(11) The director of a county tax or equalization department required by section 34 of this act shall be certified by the state tax commission at the level determined to be necessary by the state tax commission before being appointed by the county board of commissioners pursuant to section 34 or before performing or, after March 29, 1985, continuing to perform, the functions of the director of a county tax or equalization department. The state tax commission may grant a conditional extension of 12 months to an individual who is serving as the director of a county tax or equalization department on March 29, 1985 if all of the following conditions are satisfied:

- (a) At the time of applying for certification the individual is currently certified at not less than 1 level below the level required by the state tax commission for that county.
- (b) The individual applies for certification and pays the required fee.
- (c) The county board of commissioners requests the state tax commission to grant the extension.
- (d) The individual submits a statement to the state tax commission outlining the course of study he or she intends to pursue to obtain certification.

(12) The state tax commission may grant an additional 6-month extension to the conditional extension described in subsection (11) if the extension is requested by the county board of commissioners and the applicant demonstrates satisfactory progress in the course of study outlined to the state tax commission under subsection (11). In a county in which a vacancy has been created in the position of director of a county tax or equalization department and in which the position was previously filled by an individual certified at the level required by the state tax commission pursuant to this subsection, an individual certified at 1 level below the level required by the state tax commission pursuant to this subsection may serve in the position for 12 months after the vacancy has been created.

Sec. 10e. All assessing officials whose duty it is to assess real or personal property on which real or personal property taxes are levied by any taxing unit of the state shall use only the official assessor's manual or a manual approved by the state tax commission consistent with the official assessor's manual, with their latest supplements, as prepared or approved by the state tax commission as a guide in preparing assessments. Beginning with the tax

assessing year 1978, all assessing officials shall maintain records relevant to the assessments, including appraisal record cards, personal property records, historical assessment data, tax maps, and, through calendar year 2018, land value maps, consistent with standards set forth in the assessor's manual published by the state tax commission.

Sec. 10g. (1) Pursuant to subsection (2), on and after December 31, 2021, the state tax commission shall audit the assessing districts in this state to determine if they do all of the following:

(a) Employ or contract with an assessor of record that oversees and administers an annual assessment of all property liable to taxation in the assessing district, as provided in section 10, in accordance with the constitution and laws of this state. For an assessing district that amends its corrective action plan pursuant to subsection (3)(c), its assessor of record must be an advanced assessing officer or a master assessing officer.

(b) Use a computer-assisted mass appraisal system that is approved by the state tax commission as having sufficient software capabilities to meet the requirements of this act and to store and back up necessary data.

(c) Subject to state tax commission guidelines, have and follow a published policy under which its assessor's office is reasonably accessible to taxpayers. A policy under this subdivision must include, at a minimum, the items in subparagraphs (i) to (iv) and should include the item in subparagraph (v) as follows:

(i) A designation, by name, telephone number, and electronic mail address, of at least 1 official or employee in the assessor's office to whom taxpayer inquiries may be submitted directly by telephone or electronic mail.

(ii) An estimated response time for taxpayer inquiries submitted under subparagraph (i), not to exceed 7 business days.

(iii) Information about how a taxpayer may arrange a meeting with an official or employee of the assessor's office for purposes of discussing an inquiry in person.

(iv) Information about how requests for inspection or production of records maintained by the assessor's office should be made by a taxpayer and how those requests will be handled by the assessor's office.

(v) Information about any process that the assessor's office may have to informally hear and resolve disputes brought by taxpayers before the March meeting of the board of review.

(d) If a city or township building within the assessing district is in an area with broadband internet access, provide taxpayers online access to information regarding its assessment services, including, but not limited to, parcel information, land value studies and documentation, and economic condition factors. As used in this subdivision, "area with broadband internet access" means an area determined by the connect Michigan broadband service industry survey to be served by fixed terrestrial service with advertised speeds of at least 25 megabits per second downstream and 3 megabits per second upstream in the most recent survey available.

(e) Include the contact information described in subdivision (c)(i) in notices to taxpayers concerning assessment changes and exemption determinations, including, but not limited to, notices issued under section 24c.

(f) Ensure that its support staff is sufficiently trained to respond to taxpayer inquiries, require that its assessors maintain their certification levels, and require that its board of review members receive board of review training and updates required and approved by the state tax commission.

(g) Comply with section 44(4) with respect to any property tax administration fee collected under section 44.

(h) Have all of the following:

(i) Properly developed and documented land values.

(ii) An assessment database for which not more than 1% of parcels are in override.

(iii) Properly developed and documented economic condition factors.

(iv) An annual personal property canvass and sufficient personal property records according to developed policy and statutory requirements.

(v) A board of review that operates in accordance with this act.

(vi) An adequate process for determining whether to grant or deny exemptions according to statutory requirements.

(vii) An adequate process for meeting the requirements outlined in the state tax commission's publication entitled, "Supervising Preparation of the Assessment Roll", as those requirements existed on October 1, 2018.

(i) Comply with any other requirement that the state tax commission lawfully promulgates under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, in the exercise of its authority under this act that expressly states that it is intended as an additional requirement under this subsection.

(2) The state tax commission shall develop and implement an audit program to determine whether an assessing district is in substantial compliance with the requirements in subsection (1). If, after December 31, 2021, the state tax commission determines that an assessing district is not in substantial compliance with the requirements in subsection (1), the state tax commission may initiate the process described in subsection (3) to ensure that the assessing district achieves and maintains substantial compliance with those requirements.

(3) The state tax commission shall develop and implement a process to ensure that all assessing districts in the state achieve and maintain substantial compliance with the requirements in subsection (1). At a minimum, that process shall include all of the following actions and procedures:

(a) If the state tax commission determines that an assessing district is not in substantial compliance with the requirements in subsection (1) and elects to initiate the process described in this subsection, the commission shall provide the assessing district with a notice of noncompliance setting forth the reasons the assessing district is not in substantial compliance with the requirements in subsection (1) and requesting that the assessing district develop a corrective action plan approved by its governing body to address those deficiencies. Except as otherwise provided in subdivision (g), an assessing district shall file a corrective action plan requested under this subdivision with the state tax commission within 60 days after receipt of the notice of noncompliance. The state tax commission shall approve a corrective action plan filed under this subdivision or request changes to the plan within 60 days after filing.

(b) No earlier than May 1 and no later than September 1 of the calendar year immediately following the year of the notice described in subdivision (a), or, in the case of a corrective action plan approved by the state tax commission that extends beyond 1 year, no earlier than May 1 and no later than September 1 of the calendar year that is the second calendar year following the year of the notice described in subdivision (a), the state tax commission shall conduct an initial follow-up review with the assessing district and, within 90 days following that review, provide the district with an evaluation of its progress in implementing its corrective action plan and a notice of substantial compliance or noncompliance with the requirements in subsection (1).

(c) Except as otherwise provided in subdivisions (g) and (i), an assessing district that has received a notice of noncompliance as part of an initial follow-up review under subdivision (b) shall elect to either contract with the designated assessor for the county to serve as the district's assessor of record or amend its corrective action plan with the approval of the state tax commission to provide that the assessing district will employ or contract with a new assessor of record, who shall be an advanced assessing officer or a master assessing officer, to achieve and maintain substantial compliance with the requirements in subsection (1).

(d) If an assessing district amends its corrective action plan pursuant to subdivision (c), no earlier than May 1 and no later than September 1 of the following calendar year, the state tax commission shall conduct a second follow-up review with the assessing district and, within 90 days following that review, provide the district with an evaluation of its progress in implementing its corrective action plan and a notice of substantial compliance or noncompliance with the requirements in subsection (1).

(e) If the state tax commission, pursuant to subdivision (b) or (d), provides an assessing district a notice of substantial compliance with the requirements in subsection (1), no further follow-up reviews are required under this subsection.

(f) Except as otherwise provided in subdivision (g), if the state tax commission provides an assessing district a notice of noncompliance pursuant to a second follow-up review under subdivision (d) or notifies an assessing district that it has fallen out of substantial compliance less than 5 calendar years after the calendar year a notice of substantial compliance was issued under this subsection, the state tax commission may require the assessing district to contract with the designated assessor for the county to serve as the district's assessor of record. If the state tax commission notifies an assessing district that it has fallen out of substantial compliance with the requirements in subsection (1) more than 4 calendar years after the calendar year a notice of substantial compliance was issued, that notice of noncompliance shall be treated as an initial determination of noncompliance under this subsection.

(g) Within 30 days after receiving a notice of noncompliance under subdivisions (a), (b), (d), or (f), an assessing district may file a written petition with the state tax commission challenging the determination. The state tax commission shall arbitrate the dispute based on the documented facts supporting the notice of noncompliance and the information contained in the written petition and may request additional information as needed from the assessing district. If a petition is properly filed under this subdivision, the requirements applicable to an assessing district under subdivisions (a), (c), and (f) do not apply until the state tax commission notifies the assessing district of the results of the arbitration. With respect to the corrective action plan filing requirement in subdivision (a), the 60-day window for filing the plan will run from the date of this notice.

(h) Unless earlier times are agreed to by the state tax commission and the designated assessor, an assessing district that is under contract with a designated assessor under this subsection may petition the state tax commission no sooner than 3 years after commencement of the contract to end its contract with the designated assessor and may subsequently terminate the contract, subject to state tax commission approval, no sooner than 5 years after commencement of the contract. The state tax commission shall approve termination of a contract under this subdivision if it determines that the assessing district can achieve and maintain substantial compliance with the requirements in subsection (1) using a different assessor of record.

(i) Notwithstanding any other provision of this subsection, the state tax commission may immediately require an assessing district to contract with the designated assessor for the county to serve as the district's assessor of record if after the expiration of 90 days following a second notice of noncompliance under subdivision (b) or the issuance of a notice of arbitration results under subdivision (g), whichever is later, the assessing district has not either contracted

with the designated assessor for the county or employed or contracted with a new assessor of record pursuant to subdivision (c) or if both of the following apply:

(i) The assessing district has failed to file an acceptable corrective action plan with the state tax commission under subdivision (a) within 180 days following an initial notice of noncompliance under subdivision (a) or has failed to make a good-faith effort to implement a corrective action plan approved by the state tax commission under subdivision (a) within 240 days following an initial notice of noncompliance under subdivision (a).

(ii) The failure is likely to result in assumption of the assessing district's assessment roll.

(j) A designated assessor may charge an assessing district that is required to contract with the designated assessor under this subsection, and that assessing district shall pay, for the reasonable costs incurred by the designated assessor in serving as the assessing district's assessor of record, including, but not limited to, the costs of overseeing and administering the annual assessment, preparing and defending the assessment roll, and operating the assessing office. The state tax commission shall develop guidelines, which, at a minimum, shall provide for the ability of an assessing district to protest a charge to the state tax commission and the ability of the state tax commission to resolve disputes between the designated assessor and the assessing district regarding costs and charges.

(k) A designated assessor is a local assessing unit for purposes of the provisions in section 44 concerning the division and use of any collected property tax administration fees.

(4) Beginning December 31, 2020, every county shall have a designated assessor on file with the state tax commission, subject to all of the following:

(a) Subject to subdivision (d), to designate an assessor as a designated assessor, a county shall provide the state tax commission with an interlocal agreement that designates an individual who will serve as the county's designated assessor and shall petition the state tax commission to approve of the individual as the designated assessor for that county. The interlocal agreement must be executed by the board of commissioners for that county, a majority of the assessing districts in that county, and the individual put forth as the proposed designated assessor. For purposes of this subdivision and subsection (5)(d), an assessing district is considered to be in the county where all of, or in the case of an assessing district that has state equalized value in multiple counties, the largest share of, that assessing district's state equalized value is located.

(b) Except as otherwise provided in subdivision (d), if the state tax commission determines that an individual named in a petition submitted under subdivision (a) is capable of ensuring that contracting assessing districts achieve and maintain substantial compliance with the requirements in subsection (1), it shall approve the petition.

(c) Except as otherwise provided in subdivision (d), if the state tax commission determines that an individual named in a petition submitted under subdivision (a) is not capable of ensuring that contracting assessing districts achieve and maintain substantial compliance with the requirements in subsection (1), it shall reject the petition and request the submission of additional interlocal agreements under subdivision (a) until a suitable assessor has been presented.

(d) Except as otherwise provided in subdivision (e), an approved designated assessor designation shall not be revoked and no new designation shall be made under subdivision (a) earlier than 5 years following the date of the approved designation.

(e) The state tax commission may designate and approve, on an interim basis and pursuant to a formal agreement, an individual to serve as a county's designated assessor and, if applicable, revoke the approved designation of the current designated assessor under the following circumstances and subject to the following time limit:

(i) If the designated assessor dies or becomes incapacitated.

(ii) If the designated assessor was designated and approved based on his or her employment status and that status materially changes.

(iii) If it determines at any time that the designated assessor is not capable of ensuring that contracting assessing districts achieve and maintain substantial compliance with the requirements in subsection (1).

(iv) If, as of December 31, 2020, it has not been provided an interlocal agreement, executed as provided in subdivision (a), that presents a suitable individual to serve as the county's designated assessor.

(v) An approved designation under this subdivision is effective only until a new assessor has been designated and approved under subdivisions (a) to (c).

(5) As used in this section:

(a) "Advanced assessing officer" means an individual certified by the state tax commission pursuant to section 10d as a Michigan Advanced Assessing Officer(3) or, if the state tax commission changes its certification designations, an individual certified by the state tax commission to perform functions equivalent in scope, as determined by the state tax commission, to those that previously could have been performed by a Michigan Advanced Assessing Officer(3).

(b) "Assessing district" means a city, township, or joint assessing authority.

(c) "Corrective action plan" means a plan developed by an assessing district that specifically indicates how the assessing district will achieve substantial compliance with the requirements in subsection (1) and when substantial compliance will be achieved.

(d) "Designated assessor" means an individual designated and approved, as provided in subsection (4), to serve a county as the assessor of record for the assessing districts in that county that are required to contract with a designated assessor pursuant to the process specified in subsection (3).

(e) "Master assessing officer" means an individual certified by the state tax commission pursuant to section 10d as a Michigan Master Assessing Officer(4) or, if the state tax commission changes its certification designations, an individual certified by the state tax commission to perform functions equivalent in scope, as determined by the state tax commission, to those that previously could have been performed by a Michigan Master Assessing Officer(4).

(f) "Noncompliance" means that the identified deficiencies, taken together, pose a significant risk that the assessing district is unable to perform the assessing function in conformity with the state constitution and state statute. It is the opposite of substantial compliance and shall be determined based on a holistic evaluation of compliance with the requirements in subsection (1), taking into account the anticipated overall impact of the deficiencies on the assessing district's ability to perform the assessment function. A finding of noncompliance shall not be based on isolated technical deficiencies.

(g) "Substantial compliance" means that any identified deficiencies do not pose a significant risk that the assessing district is unable to perform the assessment function in conformity with the state constitution and state statute. It is the opposite of noncompliance.

(6) Not later than 2 years after the effective date of the amendatory act that added this section, the state tax commission shall adopt and publish guidelines to implement this section. The guidelines shall include, at a minimum, minimum standards and model policies to be followed for substantial compliance with the requirements of subsection (1) and shall identify those deficiencies that may lead to a finding of noncompliance and those deficiencies that are technical. The state tax commission may update the guidelines as needed to implement this section.

Sec. 28. (1) The township board shall appoint those electors of the township who will constitute a board of review for the township. At least 2/3 of the members must be property taxpayers of the township. Members appointed to the board of review shall serve for terms of 2 years beginning at noon on January 1 of each odd-numbered year. Each member of the board of review shall qualify by taking the constitutional oath of office within 10 days after appointment. The township board may fill any vacancy that occurs in the membership of the board of review. A member of the township board is not eligible to serve on the board or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve on the board or to fill any vacancy. A majority of the board of review constitutes a quorum for the transaction of business, but a lesser number may adjourn and a majority vote of those present will decide all questions. At least 2 members of a 3-member board of review shall be present to conduct any business or hearings of the board of review.

(2) The township board may appoint 3, 6, or 9 electors of the township, who will constitute a board of review for the township. If 6 or 9 members are appointed as provided in this subsection, the membership of the board of review must be divided into board of review committees consisting of 3 members each for the purpose of hearing and deciding issues protested pursuant to section 30. Two of the 3 members of a board of review committee constitute a quorum for the transaction of the business of the committee. All meetings of the members of the board of review and committees must be held during the same hours of the same day and at the same location.

(3) A township board may appoint not more than 2 alternate members for the same term as regular members of the board of review. Each alternate member must be a property taxpayer of the township. Alternate members shall qualify by taking the constitutional oath of office within 10 days after appointment. The township board may fill any vacancy that occurs in the alternate membership of the board of review. A member of the township board is not eligible to serve as an alternate member or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve as an alternate member or to fill any vacancy. An alternate member may be called to perform the duties of a regular member of the board of review in the absence of a regular member. An alternate member may also be called to perform the duties of a regular member of the board of review for the purpose of reaching a decision in issues protested in which a regular member has abstained for reasons of conflict of interest.

(4) The size, composition, and manner of appointment of the board of review of a city may be prescribed by the charter of a city. In the absence of or in place of a charter provision, the governing body of the city, by ordinance, may establish the city board of review in the same manner and for the same purposes as provided by this section for townships.

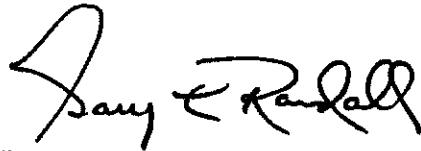
(5) A majority of the entire board of review membership shall indorse the assessment roll as provided in section 30. The duties and responsibilities of the board contained in section 29 shall be carried out by the entire membership of the board of review and a majority of the membership constitutes a quorum for those purposes.

(6) The governing bodies of 2 or more contiguous cities or townships may, by agreement, appoint a single board of review to serve as the board of review for each of those cities or townships for purposes of this act. The provisions in

subsections (1) to (5) should serve as a guide in determining the size, composition, and manner of appointment of a board of review appointed under this subsection.

Enacting section 1. It is the intent of the legislature to appropriate sufficient money to address start-up and training costs associated with this amendatory act, including, but not limited to, necessary costs incurred to train board of review members, increase the number of assessors qualified to serve as assessors of record, facilitate initial designated assessor designations, respond to assessor requests for technical assistance, enhance staff and programming within the state tax commission to improve technical support for assessors of record, and transition some assessment services to designated assessors.

This act is ordered to take immediate effect.



.....
Clerk of the House of Representatives



.....
Secretary of the Senate

Approved

.....
Governor

Genesee County Interlocal Agreement

to Approve the Designated Assessor

for the period commencing January 1, 2021 through December 31, 2025

Public Act 660 of 2018 requires a County to have a Designated Assessor on file with the State Tax Commission. Accordingly, the following Interlocal Agreement ("Agreement") has been executed by the Board of Commissioners for Genesee County ("County"), a majority of the Assessing Districts in Genesee County ("Assessing Districts"), and the individual put forth as the proposed County Designated Assessor ("Designated Assessor"). Genesee County and the Assessing Districts are collectively referred to through this agreement as the "Parties".

RECITALS

WHEREAS, the Assessing Districts are Municipal Corporations located within the County of Genesee, in the State of Michigan; and

WHEREAS, the Michigan Constitution of 1963, Article 7, Section 28 permits a political subdivision to exercise jointly with any other political subdivision any power, privilege, or authority which such political subdivisions share in common with each other and which each might exercise separately; and

WHEREAS, The Urban Cooperation Act of 1967, being MCL 124.505 et seq, and the Intergovernmental Transfer of Functions and Responsibility Act give effect to the Constitutional provision by providing that public agencies may enter into Interlocal agreements to carry out the respective functions, powers and authority; and

WHEREAS, P.A. 660 of 2018 requires each County to enter into an Agreement that designates the individual who will serve as the County Designated Assessor. That interlocal agreement must be approved by the County Board and a majority of the assessing districts in the County.

NOW, THEREFORE, based on the foregoing Recitals, and in consideration of the terms of this Agreement, the Parties and the Designated Assessor agree as follows:

BACKGROUND INFORMATION

1a. Designation of County Designated Assessor. The County and a majority of the Assessing Districts in the County designate Stacey Kaake, who is an individual qualified and certified by the State Tax Commission as a Master Assessing Officer (Certification # R-8424), to be the Designated Assessor for Genesee County.

1b. Assessing Districts covered under this interlocal agreement are as follows:
 ARGENTINE TOWNSHIP, ATLAS TOWNSHIP, CLAYTON TOWNSHIP, DAVISON TOWNSHIP, FENTON TOWNSHIP, FLINT TOWNSHIP, FLUSHING TOWNSHIP, FOREST TOWNSHIP, GAINES TOWNSHIP, GENESEE TOWNSHIP, GRAND BLANC TOWNSHIP, MONTROSE TOWNSHIP, MT. MORRIS TOWNSHIP, MUNDY TOWNSHIP, RICHFIELD TOWNSHIP, THETFORD TOWNSHIP, VIENNA TOWNSHIP, CITY OF BURTON, CITY OF FLINT, CITY OF CLIO, CITY OF DAVISON, CITY OF FENTON, CITY OF FLUSHING, CITY OF GRAND BLANC, CITY OF LINDEN, CITY OF MONTROSE, CITY OF MT. MORRIS, and CITY OF SWARTZ CREEK

1c. SEV totals by class (including special act values) for Genesee County as of 2020 are as follows.

Agricultural	219,370,714	Timber-Cutover	0
Commercial	2,455,941,400	Developmental	0
Industrial	392,704,900	Total Real Property	12,275,393,624
Residential	9,207,376,610	Personal Property	784,141,200
		Total Real and Personal Property	13,059,544,824

Total number of parcels, by classification, including special act rolls, within each local unit totals by class for Genesee County as of 2020 are labeled Parcel Count Report, attached at the end of this Agreement, and incorporated herein by this reference.

1d. List of any unique, complex, or high value properties within the County. General Motors, Great Lakes Gas Transmission and Consumers Energy.

1f. Term of Agreement. If approved by the State Tax Commission, the County Designated Assessor shall serve for a minimum of five (5) years from the date of the approved designation. The designation shall not be revoked, and no new designation shall be made earlier than five (5) years following the date of the approved designation, except in the event of the death or disability of the Designated Assessor.

1g. Agreement Effective Date. The effective date of this agreement shall commence on January 1, 2021, or at such time the State Tax Commission approves the designation of the Designated Assessor, whichever comes last.

1h. Place of Performance of Duties. The duties performed by the Designated Assessor shall be carried out at the principal office of the Designated Assessor located at 1415 Bluffview Lane, Grand Blanc, Michigan, 48439. Office hours at an Assessing District's Township or City Hall will be negotiated at such a time an Assessing District chooses to or is ordered to have the Designated Assessor act as their assessor of record.

QUALIFICATIONS OF DESIGNATED ASSESSOR

2a. Current assessor certification level and number. Stacey Kaake is currently certified as a Michigan Master Assessing Officer ("MMAO"). Certification number is R-8424.

2b. Current employment status of the Designated Assessor. Stacey Kaake is currently the assessor for the City of Flint.

2c. Prior local unit assessing experience. Stacey Kaake was the assessor of record for City of Burton, City of Bay City, and Independence Township.

2d. Conflict of interest disclosures. Stacey Kaake is the assessor of record for the City of Flint.

SCOPE OF SERVICES PROVIDED BY DESIGNATED ASSESSOR

3a. Preparation of assessment rolls. The Designated Assessor shall annually meet the guidelines of the State Tax Commissions document "Supervising Preparation of the Assessment Roll" for any Assessing District under contract with the Designated Assessor.

3b. Plan to correct deficiencies found in an Audit of Minimum Assessing Requirements ("AMAR") audit. The Designated Assessor shall file a Corrective Action Plan with the State Tax Commission within 30 days of assuming jurisdiction of an Assessing District who was found to have deficiencies on their latest AMAR audit. With the exception of a complete reappraisal, all identified AMAR deficiencies will be corrected within one year of assumption of the Assessing District, unless otherwise agreed upon by the Designated Assessor, Assessing District and the State Tax Commission.

3c. Attendance at Boards of Review Meetings. After assuming jurisdiction of an Assessing District, the Designated Assessor or their designee shall be present at all Boards of Review.

3d. Duties and responsibilities related to property tax appeals. The Assessing District shall retain ultimate control of all litigation and settlement negotiations and the Designated Assessor shall operate under the direction of the Assessing District in any litigation regarding a tax appeal, including appeals to the Small Claims Division.

Any appeal to the Tax Tribunal may result in the Assessing District obtaining competent legal counsel at its expense. If counsel shall desire the assistance of the Designated Assessor in the defense of such appeals, additional fees for preparing necessary appraisals and/or consultation shall be reviewed in advance by the Assessing District and agreed upon on a case-by-case basis. The Assessing District may choose to retain the Designated Assessor to prepare this report or may employ another firm to prepare a supportable and defensible report for an additional fee.

The Designated Assessor shall defend all appeals to the Small Claims Division of the Michigan Tax Tribunal. This shall include, but not be limited to, filing necessary petitions, preparing and submitting such material, statistics and other information as is necessary to properly defend any such appeal, and appearing at all hearings and meetings as are required for the purpose of defending said appeal. All the foregoing regarding appeals to the Small Claims Division is deemed to be included as part of the services compensated pursuant to the terms and provisions of this Agreement.

In all other potential appeals to the Michigan Tax Tribunal or State Tax Commission, the Designated Assessor shall provide as part of the services included under the terms and provisions of this Agreement such time and effort as is necessary to properly provide documents, analysis and advice as may be required in the determination of the Designated Assessor or the Assessing District to forestall the formal filing of an appeal or to settle a disputed case up to the date of the filing of a petition appealing a decision of the Assessing District or any of its agencies or boards to the Michigan Tax Tribunal or State Tax Commission. After the filing of said petition, the Designated Assessor shall be available to the Assessing District for such further assistance as is required by the Assessing District in the defense of such appeal. The Designated Assessor shall be available as an expert witness on behalf of the Assessing District in any proceedings. Mileage expenses for travel required for appearance at Tax Tribunal hearings or State Tax Commission hearings shall be reimbursed at the rate per mile recognized by the Internal Revenue Service's allowance for business use of an automobile and the hourly rate as identified in section 5a of this agreement.

3e. Reporting requirement and responsibility to meet with local unit officials. On or before December 31 of each year, at the Assessing District's request, the Designated Assessor shall prepare written recommendations and conclusions regarding the current state of the Assessing District's assessment rolls, by class, together with specific recommendations concerning actions which, in the opinion of the Designated Assessor, should be taken in order to achieve maximum equity in the assessment rolls and compliance with all State Tax Commission rules, regulations and guidelines.

3f. Any and all obligations of local unit assessing staff members. If an Assessing District employs any assessing staff other than the Assessor of Record, those staff members shall remain employees of the Assessing District. Those staff members will continue to conduct their duties as they understand them under the supervision of the Designated Assessor. If changes in duties are identified as necessary by the Designated Assessor, those changes will be discussed with the employee and Assessing District prior to implementation. No existing staff member will be terminated by the Designated Assessor without prior approval of the Assessing District.

3g. Responsibilities of Designated Assessor while not acting as an assessor of record for an assessing district under this agreement. The Designated Assessor will have no official duties of record until such time they are appointed the Assessor of Record of an Assessing District. Upon their request, The Designated Assessor will meet with the Assessing District to discuss potential solutions of any deficiencies identified by an AMAR audit to avoid any formal action by the State Tax Commission.

3h. Requirement to remain certified and in good-standing. The Designated Assessor shall maintain their MMAO Certification and remain in good standing with the State Tax Commission.

3i. Non-exclusivity of assessing services. Nothing in this Agreement prevents or limits the Designated Assessor from serving as the Designated Assessor, Assessor of Record or Equalization Director for this or any other County in Michigan.

DUTIES AND RESPONSIBILITIES FOR LOCAL ASSESSING DISTRICTS CONTRACTING WITH THE DESIGNATED ASSESSOR

4a. Access to required documents and information. While under contract with the Designated Assessor, the Assessing District shall provide reasonable access to all assessing records, documents, databases, and information. This shall include remote access, if available, to the Assessing District's computer and network system.

4b. Policies and procedures of Assessing District. While under contract with the Designated Assessor, the Assessing District shall make the Designated Assessor aware of any applicable local policies and procedures including technology, equipment, facilities, personnel, etc. that may apply to them as a contractor.

COST AND COMPENSATION FOR DESIGNATED ASSESSOR

5a. Payment terms and Fee Structure. All assessing maintenance contracts will be based on a per parcel basis with the following fee schedule:

Agricultural Real -	\$12.00 per parcel
Commercial Real -	\$15.00 per parcel
Industrial Real -	\$15.00 per parcel
Residential Real -	\$12.00 per parcel
Other Real -	\$16.00 per parcel
Personal Property -	\$20.00 per parcel
Special Act Parcels -	\$20.00 per parcel

The above stated fees shall include an annual on-site review of at least 20% of the total ad-valorem real property count.

All re-appraisal contracts will be based on a per parcel basis with the following fee schedule:

Agricultural Real -	\$65.00 per parcel
Commercial Real -	\$65.00 per parcel
Industrial Real -	\$65.00 per parcel
Residential Real -	\$65.00 per parcel
Other Real -	\$65.00 per parcel

Hourly fee schedule of personnel are as follows:

MMAO Assessor -	\$100.00 per hour
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MAAO Assessor -	\$50.00 per hour
MCAO Assessor -	\$30.00 per hour
Support Staff -	\$25.00 per hour

Office hours if required by the Assessing District will be billed at \$50.00 per hour, for any person with a level MAAO.

5b. Payment responsibility. All fees associated with serving as the Designated Assessor shall be paid directly by the user Assessing District under contract within 30 days of invoicing.

5c. Retainer fee. For as long as Stacey Kaake is the Designated Assessor a retainer fee for this agreement will be \$200.00 per Assessing District, per year which will be paid as indicated in 5b. This fee gives each unit 2 hours of work with the current assessor, per year, to answer questions regarding the AMAR, or to help address issues that may come from a future AMAR. This will help the current assessor and Designated Assessor to be preemptive of potential issues.

5d. Payment in the event of death or disability of the Designated Assessor. In the event of the disability of the Designated Assessor, all payments for completed work shall be made to the Designated Assessor.

In the event of the death of the Designated Assessor, all payments for completed work shall be made to Mark Kaake.

5e. Cost reimbursement for when the Designated Assessor is acting as assessor of record. Any cost incurred by the Designated Assessor outside of what is covered under the maintenance or reappraisal contract while acting as the assessor of record shall be reimbursed by the user Assessing District under contract within 30 days of invoicing.

5f. Identification of certain costs. The following items will be considered additional cost items and will be billed at their actual cost of supplies and materials plus the hourly fee of the personnel who completed the work as stated in section 5a of this Agreement.

- Setting up Tax database for tax collection
- Printing and or mailing of tax bills
- Printing and or mailing of assessment change notices
- Appraisal work for an entire MTT tribunal
- Expert witness testimony for an entire MTT tribunal

Unless otherwise agreed upon, the Designated Assessor will be responsible for the cost of employing additional assessing staff to bring the assessing unit into AMAR compliance.

MISCELLANEOUS

6a. Petition to State Tax Commission. Upon the execution and filing of this Interlocal Agreement, the County shall petition the State Tax Commission to approve the individual named in Section 1a of this Interlocal Agreement to serve as the County Designated Assessor. The individual shall serve as the County Designated Assessor upon approval of the State Tax Commission. If the State Tax Commission rejects the County's petition, then the parties agree to enter into additional Interlocal Agreements under MCL 211.10g(4)(a) until a suitable Assessor has been presented.

6b. Nondiscrimination. The Parties shall adhere to all Federal, State, and local laws, ordinances and regulations prohibiting discrimination in the performance of this Interlocal Agreement. The Parties shall not discriminate against a person to be served or an employee or applicant for employment because of race, color, religion, national origin, age, sex, disability that is unrelated to an individual's ability to perform the duties of a particular job or position, height, weight, or marital status. Breach of this section shall be regarded as a material breach of this Interlocal Agreement.

6c. Governing Law and Venue. This Agreement is entered into under the laws of the State of Michigan. Any litigation arising out of this Contract must be initiated within two years of the cause of action accruing and must be brought in a court of competent jurisdiction in Genesee County, Michigan.

6d. Liability. The Designated Assessor and its agents and employees are independent contractors and not employees of the County or the Assessing Districts. Each party to this Agreement will remain responsible for any claims arising out of that party's performance of this Agreement, as provided for in this Agreement or by law. This Agreement is not intended to either increase or decrease either party's liability to or immunity from tort claims. This Agreement is not intended to give, nor will it be interpreted as giving, either party a right of indemnification either by contract or at law for claims arising out of the performance of this Agreement.

6e. No Assignment or Modification. The Designated Assessor may not assign or subcontract this Agreement without express consent. The Agreement may be modified only in writing under the same formalities as this Agreement.

6f. Binding Effect. The provisions of this Contract apply to and bind the heirs, executors, administrators, and assigns of all signors.

6g. Headings. The paragraph headings in this Agreement are used only for ease of reference, and do not limit, modify, construe, or interpret any provision of this Agreement.

CERTIFICATION

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized agents.

COUNTY OF GENESEE

10/28/2020

DocuSigned by:
Martin Cousineau
Dr. Martin Cousineau, Chair
County Board of Commissioners

Date

ARGENTINE TOWNSHIP

Supervisor

Date

ATLAS TOWNSHIP

Supervisor

Date

CLAYTON TOWNSHIP

Supervisor

Date

DAVISON TOWNSHIP

Supervisor

Date

FENTON TOWNSHIP

Supervisor

Date

FLINT TOWNSHIP

Supervisor

Date

FLUSHING TOWNSHIP

Supervisor

Date

FOREST TOWNSHIP

Supervisor

Date

GAINES TOWNSHIP

Supervisor

Date

GENESEE TOWNSHIP

Supervisor

Date

GRAND BLANC TOWNSHIP

Supervisor

Date

MONTROSE TOWNSHIP

Supervisor

Date

MT. MORRIS TOWNSHIP

Supervisor

Date

MUNDY TOWNSHIP

Supervisor

Date

RICHFIELD TOWNSHIP

Supervisor

Date

THETFORD TOWNSHIP

Supervisor

Date

VIENNA TOWNSHIP

Supervisor

Date

CITY OF BURTON

Mayor

Date

CITY OF CLIO

Mayor

Date

CITY OF DAVISON

Mayor

Date

CITY OF FENTON

Mayor

Date

CITY OF FLINT

Mayor

Date

CITY OF FLUSHING

Mayor

Date

CITY OF GRAND BLANC

Mayor

Date

CITY OF LINDEN

Mayor

Date

CITY OF MONTROSE

Mayor

Date

CITY OF MT. MORRIS

Mayor

Date

CITY OF SWARTZ CREEK

Mayor

Date

COUNTY DESIGNATED ASSESSOR

Stacey Kaake

Date



PRESOLUTION NO.:

200462

PRESENTED:

NOV - 9 2020

ADOPTED:

RESOLUTION TO CONTRACT WITH J RANCK ELECTRIC INC. TO COMPLETE STREET IMPROVEMENTS ON M. L. KING AVENUE IN THE CITY OF FLINT

BY THE MAYOR:

WHEREAS, the City of Flint Planning and Zoning Division was awarded Community Development Block Grant (CDBG) funding to complete street improvements along M. L. King Avenue; and

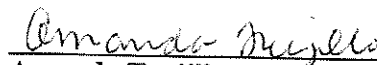
WHEREAS, the City of Flint completed a competitive bidding process and selected J Ranck Electric Inc. as the contractor to complete street improvements as outlined in the CDBG agreement with the City of Flint; and

WHEREAS, the total contract amount authorized shall be One Hundred Twenty-One Thousand, Nine Hundred Thirty-Five and no/100 (\$121,935.00) Dollars. The grant code and accounts have been established as follows:

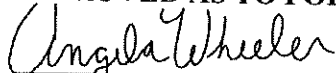
Dept.	Name of Account	Account Number	Grant Code	Amount
Master Planning	Public Facilities & Improvements	274-748.207-805.051	FHUD17CDBG	\$71,935.00
Master Planning	Sidewalks	274-748.209-805.063	FHUD-CDBG20	\$50,000.00

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to enter into a contract with J Ranck Electric Inc. in an amount not to exceed \$121,935.00 for the purposes of street improvements along M. L. King Avenue.

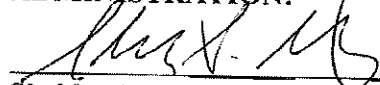
APPROVED AS TO FINANCE:


Amanda Trujillo
Deputy Finance Director

APPROVED AS TO FORM:


Angela Wheeler
Chief Legal Officer

ADMINISTRATION:


Sheldon Neeley
Mayor

CITY COUNCIL:


Monica Galloway
City Council President





CITY OF FLINT

PRE-ENCUMBERED? YES ☒ NO ☐ REQUISITION NO: 200003706

ACCOUNTING APPROVAL: _____ Date: _____

FINANCE APPROVAL: _____ Date: _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☒ NO ☐

(If yes, please indicate how many years for the contract) 1 YEAR

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)

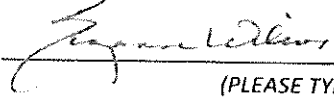
BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

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

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

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



CITY OF FLINT

200468

RESOLUTION NO.: _____

PRESENTED: NOV - 9 2020

ADOPTED: _____

RESOLUTION RECOMMENDING SETTING A PUBLIC HEARING FOR THE VACATION OF PUBLIC ALLEYWAY OF 1415 – 1419 N. DORT HIGHWAY, FLINT, MI (Parcels: 41-08-239-008, 41-08-239-009, 41-08-239-001, 41-08-239-002)

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 public alley located at 1415-1419 N. Dort Highway, Flint MI (Parcels 41-08-239-008, 41-08-239-009, 41-08-239-001, 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.

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 the public alley located at 1415-1419 N. Dort Highway, Flint MI (Parcels 41-08-239-008, 41-08-239-009, 41-08-239-001, 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 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.

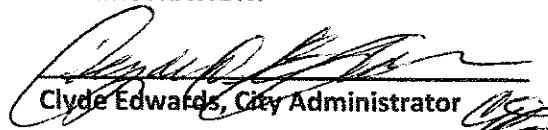
APPROVED AS TO FORM:


Angela Wheeler, Chief Legal Officer

CITY COUNCIL:

Monica Galloway, Council President

ADMINISTRATION:


Clyde Edwards, City Administrator



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 11/3/2020

BID/PROPOSAL#: N/A

AGENDA ITEM TITLE: RESOLUTION RECOMMENDING THE VACATION a Public Alleyway of 1415 – 1419 N. Dort Highway, Flint, MI. (Parcels: 41-08-239-008, 41-08-239-009, 41-08-239-001, 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.

PREPARED BY: Suzanne Wilcox, Planning and Development, x 3001

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

At its meeting on October 27, 2020 the Flint Planning Commission recommended to council the vacation of the alleyway as referenced above and submitted by the applicant.

The Applicant intends to construct a retail pharmacy location with Drive-through services; and contiguous parking lot for customers' use. To undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can be commenced. There is an existing platted 15-foot alleyway (public) which must be vacated.

This alley vacation request has been reviewed by all applicable City of Flint departments including the City Engineer who reviewed for Water and Sewer, Fire Department, Building Department and Planning and Zoning staff.

FINANCIAL IMPLICATIONS: The property will be discontinued forever as a public street, alley, or public ground and become the ownership of the adjacent property owners'.

BUDGETED EXPENDITURE? YES ☐ NO ☒ IF NO, PLEASE EXPLAIN: No expenditures required

Dept.	Name of Account	Account Number	Grant Code	Amount
N/A	N/A	N/A	N/A	N/A
FY19/20 GRAND TOTAL				N/A

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



CITY OF FLINT

ACCOUNTING APPROVAL: N/A Date: N/A

FINANCE APPROVAL: N/A Date: N/A

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)

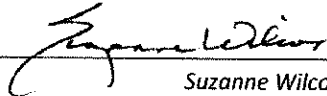
BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): There are no other implications

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

DEPARTMENT HEAD SIGNATURE: 
Suzanne Wilcox, Director

200461

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 35, Personnel; Article V, Working Conditions.

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 35, Personnel; Article V, Working Conditions, by the amending of Section 35-89 Holidays, which shall read in its entirety as follows:

§ 35-89 Holiday.

(a) Holiday observance.

(1) The following days shall be designated as holidays:

- a. Independence Day;
- b. Labor Day;
- c. Thanksgiving Day;
- d. Christmas Eve;

e. **CHRISTMAS DAY**

~~e.~~ f. New Year's Eve;

~~f.~~ g. New Year's Day;

~~g.~~ h. Martin Luther King Day; ~~and~~

~~h.~~ i. Memorial Day; **AND**

j. **JUNETEENTH.**

(2) All holidays shall be observed on the actual calendar day of their occurrence except in the following situations:

a. Martin Luther King Day shall be observed on a Monday; and

b. For employees with a normal workweek which enables them to have every Saturday and/or Sunday off, any holiday which has a calendar date falling on a Saturday and/or Sunday, the calendar date shall be ignored and the holiday shall be observed as follows:

1. Holidays occurring on a Saturday will be observed on the preceding Friday;
2. Holidays occurring on a Sunday will be observed on the following Monday;
3. Consecutive holidays occurring on Friday and Saturday will be observed on Thursday and Friday; and
4. Consecutive holidays occurring on Sunday and Monday will be observed on Monday and Tuesday.

(b) Holiday benefits — regular shift. Regular shift employees who are not required to work their regular shift on any holiday set forth in subsection (a) above shall receive eight hours pay at their straight time hourly rate.

(c) Holiday benefits — other than regular shift.

(1) Any regular employee allocated to level 22B and below required to work four or more hours in excess of a regular shift on any holiday set forth in subsection (a) hereof shall be paid one additional hour of pay at their straight time hourly rate for each hour worked in excess of eight, or in lieu of such payment the employee may elect to be credited with

one hour annual leave for each hour worked in excess of eight on that day.

(2) Any regular employee allocated to level 22B and below called in to work less than a full shift on any holiday set forth in subsection (a) above, whether or not the employee was on standby, shall, in addition to the compensation set forth in subsection (b) above, be credited with one hour annual leave for each hour worked on the holiday.

(d) Duplication of holiday benefits. Employees required to work both the calendar date and the designated date of a holiday shall receive holiday benefits only for the calendar date of the holiday.

(e) Unauthorized leave. Employees who are absent the last scheduled work day preceding the holiday, or the first scheduled work day following a holiday, which absence is not authorized, shall receive no pay for the holiday.

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

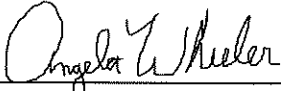
Adopted this _____ day of _____, 2020, A.D.

FOR THE CITY:

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer