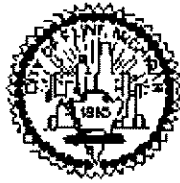


City of Flint, Michigan

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



Meeting Agenda - Draft

Monday, June 8, 2020

5:30 PM

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

CALL TO ORDER

SPECIAL PUBLIC NOTICE - ELECTRONIC PUBLIC MEETING

On March 10, 2020, Governor Gretchen Whitmer declared a State of Emergency after two individuals were confirmed testing presumptively positive for COVID-19. On March 12, 2020, Mayor Sheldon A. Neeley declared a local State of Emergency to exist in the City of Flint as a result of the threat of COVID-19, and closed City Hall to the public effective March 17, 2020. On March 22, 2020, Mayor Neeley asked residents to participate in a voluntary shelter in place. On March 23, 2020, the City Council approved the continuation of the declaration of a local State of Emergency. On June 1, 2020, Governor Whitmer instituted Executive Order No. 2020-110 in order to reaffirm, clarify and extend the suspension of activities not necessary to sustain or protect life, and took immediate effect. On May 22, 2020, Governor Whitmer instituted Executive Order No. 2020-99, a Declaration of state of emergency and state of disaster related to the COVID-19 pandemic, which took immediate effect and rescinded EO No. 2020-67 and 2020-68. On March 18, 2020, Governor Whitmer instituted Executive Order No. 2020-15, a temporary authorization of remote participation in public meetings and hearings. Executive Order No. 2020-48, instituted April 14, 2020, clarified and extended the duration of that relief (and rescinded EO 2020-15). On May 6, 2020, Governor Whitmer instituted Executive Order No. 2020-75, which extends the duration of said relief further, and rescinds EO 2020-48. Therefore, in accordance with Governor Whitmer's Executive Order 2020-75 promoting the public health and safety of the state of Michigan and its residents, and allowing for electronic public meetings during this pandemic, the following meeting is scheduled electronically: Flint City Council Meeting, Monday, June 8, 2020, at 5:30 p.m.

- 1. The public and media may listen to the meeting online by live stream at www.youtube.com/user/spectaclestv 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;*
 - 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.*
- 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 abovementioned means and/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.*

ROLL CALL

PLEDGE OF ALLEGIANCE

PRAYER OR BLESSING

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

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

REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote to adopt any amended agenda.

SPECIAL ORDERS

200236 Special Order/State of Emergency and Emergency Management

A Special Order as requested by Councilperson Mays, re: He asks that Mayor Sheldon Neeley address the City Council with regard to Flint City Code Sections 14-5 through 14-28, concerning a State of Emergency and Emergency Management.

PRESENTATION OF MINUTES**PUBLIC HEARINGS****PUBLIC SPEAKING****COUNCIL RESPONSE****PETITIONS AND UNOFFICIAL COMMUNICATIONS****COMMUNICATIONS (from Mayor and Other City Officials)****ADDITIONAL COMMUNICATIONS****APPOINTMENTS**

200237 Reappointment/Ethics and Accountability Board/Allen Gilbert

Resolution resolving that the Flint City Council approves the reappointment of Allen Gilbert to the Ethics and Accountability Board for a six-year term commencing June 25, 2020, and expiring June 26, 2026, as recommended by 7th Ward Councilperson Monica Galloway. [NOTE: Allen Gilbert was appointed on June 25, 2018, to a two-year term that expires on June 25, 2020.]

RESOLUTIONS

200238 Temporary Street Closures/Restaurants and Retail/Facilitation of Social Distancing

Resolution resolving that the City Council approves the closure of sections of Saginaw Street and Martin Luther King Avenue, subject to specific restrictions and conditions, AND, resolving that the City Council approves the closing of said streets beginning as early as Saturday, June 13, 2020, and ending on the date when the number of people allowed to gather in bars, restaurants or retail stores is no longer reduced by Governor Gretchen Whitmer or any other authority for public health and safety reasons related to the COVID-19 crisis, and at a date ending at the discretion of the City Administrator, AND, resolving that the City Administrator will do all things necessary to review applications for usage of the closed streets from businesses and organizations located on those streets and to approve usage for applicants meeting the insurance requirements as noted.

200239 Rescission/Resolution No. 190418/Overpayments from the State of Michigan's Self Insurer's Security Funds (SSIF)

Resolution resolving that the proper City Officials do all things necessary to rescind Resolution No. 190418 for Overpayments from the State of Michigan's Self Insurer's Security Funds (SSIF). [NOTE: On October 14, 2019, the proper City Officials were authorized under Reso No. 190418 to receive overpayments from the State of Michigan's Self Insurer's Security Fund, in the amount of \$334,556.62. The fund learned that Hurley Hospital was owned by the City of Flint and falls under the same umbrella for purposes of worker's compensation coverage.]

LIQUOR LICENSES**INTRODUCTION AND FIRST READING OF ORDINANCES****SECOND READING AND ADOPTION OF ORDINANCES****NEW BUSINESS****FINAL COUNCIL COMMENTS****ADJOURNMENT**

CITY OF FLINT – CODE OF ORDINANCES

Chapter 14/Civil Defense and Disaster

ARTICLE II. State of Emergency

§ 14-5 AUTHORITY OF MAYOR TO PROCLAIM.

During times of great public crises, disaster, rioting, catastrophe, or similar public emergency within this City, or reasonable apprehension of immediate danger thereof, when public safety is imperiled, the Mayor may, and is hereby authorized to, after consultation with the Mayor, the Chief Legal Officer, the Chief of Police and the Fire Chief, or their designated representatives, or those of said officials who are then reasonably available, and any other Department Head deemed necessary to the consultation by the Mayor, proclaim a state of emergency and designate the area or areas involved.

(Ord. 2214, passed 5-11-1970)

§ 14-6 DETERMINATION OF EXISTENCE TO BE IN WRITING.

The determination that a state of emergency exists shall be made in writing by the Mayor and shall be supported by written reports from the heads of those City departments directly responsible for bringing the emergency under control. The reports shall set out in detail the exact nature of the crisis, disaster, rioting, catastrophe or other public emergency and shall indicate a need for emergency measures. Such written determination and supporting reports shall be filed with the City Clerk within a reasonable time after the state of emergency has been declared and shall be public records.

(Ord. 2214, passed 5-11-1970)

§ 14-7 CURFEW – ESTABLISHMENT; PROMULGATION OF ORDERS, RULES AND REGULATIONS.

Following such proclamation or declaration, the Mayor may, and is hereby authorized to, establish a curfew and he may, and is hereby authorized to, promulgate such reasonable orders, rules and regulations in relation thereto as he deems necessary to protect life and property or to bring the emergency situation within the affected area or areas under control.

(Ord. 2214, passed 5-11-1970)

§ 14-8 SAME – APPLICABILITY.

Such orders, rules and regulations shall indicate the area or areas of the City which are subject to the curfew by clearly delineating the boundaries thereof. The time period during which the curfew is in effect shall be explicitly stated. The persons to be affected by the curfew shall also be clearly designated.

(Ord. 2214, passed 5-11-1970)

§ 14-9 SAME – MODIFICATION BY COUNCIL.

The City Council of this City, at a general or special meeting as provided by City Charter, may by resolution amend, modify or rescind such orders, rules or regulations promulgated by the Mayor

hereunder; provided, however, that such action by the City Council shall be by a majority of the Council members elected.

(Ord. 2214, passed 5-11-1970)

§ 14-10 SAME – MODIFICATION BY MAYOR.

In the event that the City Council has not acted pursuant to the authority granted in § 14-9 above, such orders, rules and regulations as may have been promulgated by the Mayor may be amended, modified or rescinded by the Mayor, from time to time, in like manner as provided herein §§ 14-5 through 14-8 of this ordinance, but shall cease to be in effect upon declaration by the Mayor that the emergency no longer exists.

(Ord. 2214, passed 5-11-1970)

§ 14-11 SAME – PUBLICATION OF NOTICE.

In the event curfew orders, rules or regulations are promulgated by the Mayor and in the event such orders, rules and regulations are thereafter amended, modified or rescinded by the City Council or by the Mayor, reasonable notice of such orders, rules, regulations, amendments, modifications or rescissions shall be given to the public by broadcasting over local radio and television stations regularly broadcasting in this City or by publication in any newspaper of general circulation in the City of Flint.

(Ord. 2214, passed 5-11-1970)

§ 14-12 INTENT.

It is hereby declared to be the legislative intent to invest the Mayor, subject only to the specific authority granted to the City Council in § 14-9, with sufficiently broad power of action in the exercise of the police power of the City with regard to the establishment and enforcement of such curfews to provide adequate control over persons and conditions during such periods of impending or actual public crisis or disaster. The provisions of this ordinance shall be broadly construed to effectuate that purpose.

(Ord. 2214, passed 5-11-1970)

§ 14-13 PROVISIONS SUPERSEDED BY ACTS OF GOVERNOR.

In the event that the Governor of this State shall act in any such public emergency pursuant to the emergency powers vested in him by Public Acts 302 of 1945, as amended, or pursuant to any other valid authority and shall proclaim a state of emergency in this City and shall promulgate orders, rules or regulations designed to bring the emergency situation under control, the provisions of this ordinance shall not be in effect.

(Ord. 2214, passed 5-11-1970)

Statutory reference:

Emergency powers of Governor, see MCLA 10.31

ARTICLE III. EMERGENCY MANAGEMENT

§ 14-14 DEFINITIONS.

For the purpose of this chapter, certain words and phrases used herein are defined as follows:

COORDINATOR. The Genesee County Emergency Management Coordinator.

COUNCIL. The City Council of the City of Flint.

DISASTER. An occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-made cause, including, but not limited to, fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots or civil disorders.

DISTRICT COORDINATOR. The State Police District Emergency Management Coordinator or his/her authorized representative.

EMERGENCY MANAGEMENT. This term shall have a broad meaning to include preparation for, and relief from, the effects of natural and manmade disaster as defined herein, and to include civil emergency services.

EMERGENCY MANAGEMENT FORCES. All disaster relief forces, all agencies of the municipal government, private and volunteer personnel, public officers and employees, and all other persons or groups of persons having duties or responsibilities under this ordinance or pursuant to lawful order or directive authorized by this ordinance.

EMERGENCY MANAGEMENT VOLUNTEER. Any person duly registered and appointed by the Coordinator and assigned to participate in the emergency services activity.

EMERGENCY OPERATIONS OFFICER. The City of Flint Fire Chief or his/her designee.

EMERGENCY OPERATIONS PLAN. The Emergency Operations Plan, jointly developed by the City of Flint and Genesee County which has been prepared under § 14-18 hereof to coordinate disaster response and recovery with the City of Flint. The City of Flint/Genesee County Emergency Operations Plan for the purposes of establishing eligibility for State disaster contingency fund allocations and any other funds available.

EMERGENCY PREPAREDNESS LIAISON. The City of Flint Fire Department officer who shall act as the Deputy Coordinator to provide coordination of City resources and response personnel with the Genesee County Emergency Management Coordinator and the City of Flint's Emergency Operations Officer.

LOCAL STATE OF EMERGENCY. A proclamation or declaration that activates the response and recovery aspects of any and all applicable local or interjurisdictional emergency operations plans and authorizes the furnishing of aid, assistance and directives under those plans.

MAYOR. The chief elected official of the City of Flint.

STATE OF DISASTER. An executive order or proclamation that activates the disaster response and recovery aspects of the State, local and interjurisdictional emergency operations plans applicable to the counties or municipalities affected.

STATE OF EMERGENCY. An executive order or proclamation that activates the emergency response and recovery aspects of the State, local and interjurisdictional emergency operations plans applicable to the counties or municipalities affected.

(Ord. 3176, passed 8-10-1991)

§ 14-15 ORGANIZATION.

(a) The Mayor, with the approval of the Council, is hereby authorized and directed to create an organization to prepare for community disaster utilizing to the fullest extent the existing agencies within the municipality. The Mayor, as executive head of the City government, shall be the Director of the Emergency Management Forces of the City and shall be responsible for their organization, administration and operation, working through the Coordinator and Operations Officer.

(b) The organization for providing emergency management shall consist of the following:

(1) An Emergency Management Coordinator, Emergency Operations Officer and Emergency Management Liaison, and any other assistants and employees deemed necessary and appropriate.

(2) The employees, equipment and facilities of all municipal departments, boards, institutions and commissions suitable for, or adaptable to emergency services activities may be designated by the Mayor as part of the total emergency management forces.

(c) All institutions and other agencies of the City government designated by the Mayor as emergency management forces shall cooperate with the Emergency Management Coordinator in the formulation of the emergency operation plan, and they shall assist the Coordinator in all matters pursuant to the provisions of this chapter.

(Ord. 3176, passed 8-10-1991)

§ 14-16 EMERGENCY MANAGEMENT COORDINATOR; ASSISTANT; DEPUTIES.

(a) The Genesee County Emergency Management Coordinator shall serve as the City's Emergency Management Coordinator.

(b) The City of Flint Emergency Operations Officer shall be the City of Flint Fire Department Chief or his/her designee. The Operations Officer shall direct the emergency preparedness forces of the City of Flint in accordance with the emergency operations plan. The City of Flint Emergency Operations Officer shall assume the duties of the Coordinator whenever he/she is unavailable during disasters.

(c) The Emergency Management Liaison shall assume the duties of the Emergency Operations Officer whenever he/she is unavailable during a disaster.

(d) Assistant Coordinators shall be designated to work with the Coordinator on emergency planning matters. There shall be one Assistant Coordinator appointed from each City department as designated by the department head, with the approval of the Mayor, as part of the emergency management forces.

(Ord. 3176, passed 8-10-1991)

§ 14-17 MAYOR; POWERS; DUTIES.

(a) The Mayor may exercise the emergency power and authority as specified herein. Whenever a situation requires, or is likely to require, that the Mayor invoke such power and authority, he shall as soon as reasonably expedient, convene the Council to perform its legislative and administrative duties as the situation demands, and shall report to the body relative to emergency activities. Nothing in this ordinance shall be construed as abridging or curtailing the powers of the Council unless specifically provided herein. Under the following circumstances, the Mayor may declare a state of emergency exists in the City of Flint and may assemble and utilize the Emergency Management Forces in accordance with the City of Flint's Emergency Operations Plan, and he/she may prescribe the manner and conditions of the use of such Emergency Management Forces.

(1) Whenever, on the basis of information received from authoritative sources, he/she believes that a large-scale disaster or emergency situation in the City or State is imminent.

(2) During any period of disaster in the City or State and thereafter as long as he/she shall deem it necessary.

(b) Whenever the Mayor deems that any condition in the City is beyond the control of local public or private agencies or has attained or threatens to attain the proportions of a major disaster, he/she may request the Governor to declare a state of disaster exists therein by instructing the Coordinator to contact the District Coordinator in accordance with Section 14 of Act 390 of the Public Acts of 1976, as amended.

(c) The Mayor, with the approval of the Council, is hereby empowered and has the authority:

(1) To appropriate and expend funds, make contracts, obtain and distribute equipment, materials and supplies for disaster purposes.

(2) To provide for the health and safety of persons and property including emergency assistance to the victims of a disaster.

(3) To assign and make equipment available for duty the employees, property or equipment of the municipality relating to firefighting, engineering, rescue, health, medical and related services, police, transportation, construction, and similar items or services for disaster relief purposes within or without the physical limits of the municipality.

(d) In the event of a foreign attack upon this State, to waive procedures and formalities otherwise required by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of permanent and temporary workers, the utilization of the volunteer workers, rental or equipment, the purchase and distribution with or without compensation of supplies, materials, and facilities, and the appropriation and expenditure of public funds.

(e) The Mayor, with the approval of the Council, shall establish procedures for the succession for government during emergencies where officials are unavailable for exercising the powers and discharging the duties of their respective offices.

(f) The Mayor, with the approval of the Council, may make regulations permitting the Coordinator and Operations Officer to assemble and utilize the Emergency Management Forces and provide disaster relief aid as prescribed herein.

(g) When obtaining formal approvals would result in delay of relief activity, the Mayor may, until the Council convenes, waive procedures and formalities otherwise required pertaining to the performance of public works, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase and distribution of supplies, materials and facilities and expenditures of existing funds, and the Council is also empowered to waive any such procedures and formalities.

(Ord. 3176, passed 8-10-1991)

§ 14-18 POWERS AND DUTIES OF EMERGENCY MANAGEMENT COORDINATOR.

(a) The Emergency Management Coordinator shall be responsible for the administration, planning and coordination of all emergency management activities in the City. The Coordinator shall maintain liaison with County, State and Federal authorities, and the authorities of adjacent and nearby political subdivisions so as to insure the most effective emergency operations.

(b) The Coordinator's duties shall include, but not be limited to, the following:

(1) Development of the City of Flint Emergency Operations Plan, and any other appropriate disaster plans, for the immediate use of all of the facilities, equipment, manpower, and other resources of the City for the purpose of minimizing or preventing damage to persons or property; and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and general welfare.

(2) Coordinating the recruitment and training of volunteer personnel and agencies to augment the personnel and facilities of the City for emergency purposes.

(3) Through public information programs, educating the population as to actions necessary and required for the protection of persons and property in case of a disaster.

(4) Conducting practice alerts and exercises to insure the efficient operation of the City's emergency organization and to familiarize residents of the City with emergency regulations, procedures, and operations.

(5) Coordinating the activity of all other public and private agencies engaged in any emergency or disaster relief programs.

(6) Negotiating with owners or persons in control of buildings or other property for the use of such buildings or property for emergency or disaster relief purposes, and designating suitable buildings as public shelters.

(7) Establishing and maintaining administrative control over a local radiological defense program, to include emergency management preparations for both peacetime radiation incidents and international wartime disasters.

(Ord. 3176, passed 8-10-1991)

Statutory reference:

Emergency Management Act, see MCLA 30.401 et seq.

§ 14-19 POWERS AND DUTIES OF LIAISON.

(a) The Emergency Management Liaison shall be responsible for aiding in the development of the City of Flint's emergency management programs with the Genesee County Emergency Management Coordinator.

(b) The Emergency Management Liaison's duties shall include, but not be limited to:

(1) Aiding in the development of the City Emergency Operations Plan, and any other appropriate disaster plans, for the immediate use of all of the facilities, equipment, manpower, and other resources of the City for the purpose of minimizing or preventing damage to persons or property; and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and general welfare.

(2) Coordinating the recruitment and training of volunteer personnel and agencies to augment the personnel and facilities of the City for emergency purposes.

(3) Conducting practice alerts and exercises to ensure the efficient operation of the City's emergency organization and to familiarize residents of the City with emergency regulations, procedures and operations.

(4) Coordinating municipal emergency management activities with those at the County level and adjacent municipalities.

(Ord. 3176, passed 8-10-1991)

§ 14-20 EMERGENCY OPERATIONS OFFICER; POWER AND DUTIES.

(a) The Emergency Operations Officer, at the direction of the Mayor, shall be responsible for directing and commanding the emergency resources of the City so as to insure the most effective emergency operations.

(b) His/her duties shall include, but not be limited to, protecting and restoring to usefulness government services and public utilities necessary for public health, safety and general welfare. (Ord. 3176, passed 8-10-1991)

§ 14-21 VOLUNTEERS; APPOINTMENTS; RECORDS.

(a) Each department, commission, board, or other agency of City government may at any time appoint or authorize the appointments of volunteer citizens to augment the personnel of the City department, commission, board, or agency in time of emergency. Such individuals shall be enrolled as Emergency Management Volunteers and shall be subject to the rules and regulations set forth by the respective department, commission, board, or agency head for such volunteers.

(b) The Coordinator may enlist volunteer citizens to form the personnel of an emergency service for which the City has no counterpart, or to temporarily augment personnel of the City engaged in emergency activities. The Coordinator shall maintain formal records of all such volunteers for workers' compensation purposes.

(Ord. 3176, passed 8-10-1991)

§ 14-22 RIGHTS OF CITY EMPLOYEES.

City employees assigned to duty as a part of the Emergency Management Forces pursuant to the provisions of this ordinance shall retain all of the rights, privileges, and immunities of City employees, and shall receive the compensation incident to their employment.

(Ord. 3176, passed 8-10-1991)

§ 14-23 NO GOVERNMENTAL OR PRIVATE LIABILITY.

This ordinance is an exercise of the City by its governmental functions for the protection of the public health, safety, and general welfare. As such, neither the City nor agents and representatives of the City, nor any individual, receiver, firm, partnership, corporation, association, nor trustee, nor any of the agents thereof acting in good faith carrying out, complying with, or attempting to comply with its ordinance shall be liable for any damage sustained to persons or property as a result of such activity.

(Ord. 3176, passed 8-10-1991)

§ 14-24 NONLIABILITY OF PERSONS OWNING OR CONTROLLING REAL ESTATE.

Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the City the right to inspect, designate and use the whole or any part of such real estate or premises for the purpose of sheltering persons during a disaster or during an authorized practice disaster exercise, shall not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission, or for loss of, or damage to, the property of such person.

(Ord. 3176, passed 8-10-1991)

§ 14-25 CONFLICTING ORDINANCES, ORDERS, RULES AND REGULATIONS SUSPENDED.

At all times when orders, rules and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede all other existing ordinances, orders, rules and regulations, insofar as the latter may be inconsistent therewith.

(Ord. 3176, passed 8-10-1991)

§ 14-26 VIOLATIONS; PENALTIES.

It shall be unlawful for any person willfully to obstruct, hinder or delay any Emergency Management Forces in the enforcement or accomplishment of any rule or regulation issued pursuant to this article, or to do any act forbidden by any rule or regulation issued pursuant to the authority contained in this article. It shall likewise be unlawful for any person to wear, carry or display any emblem, insignia or other means of identification as a member of Emergency Management Forces of the City of Flint unless authority to do so has been granted to such person by proper officials.

Convictions for violations of the provisions of this article shall be punishable as provided in § 1-7 of this Code.

(Ord. 3176, passed 8-10-1991)

§ 14-27 STATE ASSISTANCE WITH DISASTER-RELATED EXPENSES.

The City of Flint may establish any necessary accounts to provide for State assistance with disaster related expenses under provisions of Public Act 390 of the Michigan Public Acts of 1976, as amended.

(Ord. 3176, passed 8-10-1991)

§ 14-28 SEVERABILITY.

Should any section, clause or provision of this ordinance be declared by the courts to be invalid for any reason, such declaration shall not affect the validity of the ordinance as a whole or any part thereof, other than the section, clause or provision so declared to be invalid.

(Ord. 3176, passed 8-10-1991)

200237

RESOLUTION:

PRESENTED: 6-08-2020

ADOPTED:

**RESOLUTION OF REAPPOINTMENT
TO THE ETHICS & ACCOUNTABILITY BOARD**

BY THE CITY COUNCIL:

The Ethics and Accountability Board was created in June 2018 pursuant to Sections 3-501 through 3-505 of the Flint City Charter; and

Eleven members were appointed at that time to staggering terms; and

Allen Gilbert was appointed June 25, 2018 to a two-year term that expires in 2020, and

Councilperson Monica Galloway, Ward 6, has recommended the reappointment of Mr. Gilbert.

THEREFORE, BE IT RESOLVED that the Flint City Council approves the reappointment of Allen Gilbert to serve a six-year term on the Ethics and Accountability Board, commencing June 25, 2020, and expiring June 26, 2026.

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

APPROVED BY CITY COUNCIL:



200238

RESOLUTION NO: _____

PRESENTED: 6-08-2020

ADOPTED: _____

RESOLUTION TO APPROVE DOWNTOWN STREET CLOSURES FOR RESTAURANT AND RETAIL USE TO FACILITATE SOCIAL DISTANCING DUE TO THE COVID-19 PANDEMIC

BY THE CITY ADMINISTRATOR:

WHEREAS, Governor Whitmer has enacted a series of Executive Orders aimed at safeguarding public safety. These include mandates requiring minimal physical distancing. The Blue Ribbon Task Force and Restaurant and Retail subcommittee, in partnership with the Downtown Development Authority, and restaurant and retail businesses, has collaborated to create a solution to utilize downtown Flint streets to be utilized during this pandemic period to support economic recovery and build a more resilient community, including supporting physical distancing, encouraging patronage of downtown businesses, and reinforcing core values of safety, mobility, equity, and downtown vitality.

WHEREAS, It is the desire of the City to provide for street closure for a period of time to create more space for businesses and their customers whose seating or sales capacity is currently based on public safety restrictions for social distancing.

WHEREAS, Certain merchant and business associations in the City are requesting the closure of certain streets so that restaurants and retail businesses adjacent or near to the closed streets are able to use the street for seating and sales that comply with social distancing requirements during this pandemic period, which will support economic recovery and build a more resilient community, encouraging patronage of downtown businesses, and reinforcing core values of safety, mobility, equity, and downtown vitality;

WHEREAS, The sections that would be closed are Saginaw Street beginning at W. 2nd Street to Saginaw and E. 1st Street and Martin Luther King Avenue beginning at to Martin Luther King Avenue and Fifth Avenue. See Attached map of closures.

WHEREAS, The street closures will all restaurants and retail businesses adjacent or near to the closed streets are able to use the street for seating and sales that comply with social distancing requirements during this pandemic period, which will support economic recovery and build a more resilient community, encouraging patronage of downtown businesses, and reinforcing core values of safety, mobility, equity, and downtown vitality;

WHEREAS, Businesses who use the public right of way and other public spaces for their business operations should acknowledge their obligation to follow the requirements of emergency orders and declarations for the benefit of public health, the importance of social distancing, and the obligation they have as public accommodations to ensure that tables and chairs are appropriately distanced, personal protective equipment is appropriately worn by patrons and employees in accordance with public health recommendations, and that they are following all recommended public health precautions to the best of their abilities;

WHEREAS, City Council is permitted under Flint City Ordinance 42-8, to authorize persons to use the streets for the aforementioned purposes so long as proof of public liability insurance is secured, naming the City as an additional insured.

IT IS RESOLVED, That City Council approve the closure of the streets identified in the attached Map, subject to the specific restrictions and conditions set forth in this resolution;

IT IS RESOLVED, That City Council approve the closing of the streets identified in the Map beginning as early as Saturday, June 13, 2020, and ending on the date when the number of people allowed to gathering in bars, restaurants or retail stores is no longer reduced by Governor Gretchen Whitmer or any other authority for public health and safety reasons related to the COVID-19 crisis and at a date ending at the discretion of the City Administrator.

IT IS RESOLVED, That the City Administrator will do all things necessary to review applications for usage of the closed streets from businesses and organizations located on those streets and to approve usage for applicants meeting the insurance requirements above.

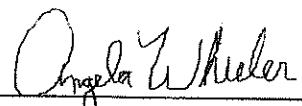
FOR THE CITY OF FLINT:

APPROVED BY CITY COUNCIL:

Sheldon A. Neeley, Mayor

Monica Galloway, City Council President

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer



Clyde D. Edwards, City Administrator



Center for Hope

E 5th Ave

MDCD Employment

Downtown, Flint, MI



White Build
Parking (Lot)

gt's Flowers and Gifts
very

White E
ing

Msu Extension-Genesee
County

oggy Bottom Bar
Temporarily closed

White Build
Parking (Lot)

The Durant

Alcohol &
Firearms

Garland St

Martin Luther King Ave



office

City of Flint
Administration Center

Flint
City Hall

E 1st St

E 1st St

Charles Stewart
Mott Foundation

Flint
War and Civil
War Museum

Flint
Grape Company
Production



The C

ROWE Professional
Services Company

E 2nd St

Historic Saginaw Street

W 1st St

Ferris Wheel

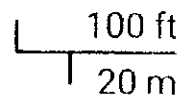
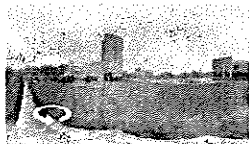


Saginaw St

W 2nd St

W 2nd St

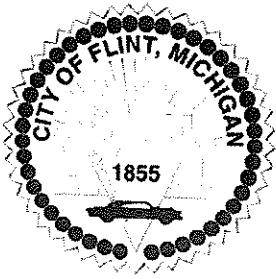
67th District Court



W 1st St

Downtown

Flint, MI · 11 min



200239

RESOLUTION NO: _____

PRESENTED: 6-08-2020

ADOPTED: _____

RESOLUTION TO RESCIND RESOLUTION #190418 FOR OVERPAYMENTS FROM THE STATE OF MICHIGAN'S SELF INSURER'S SECURITY FUNDS (SSIF)

BY THE CITY ADMINISTRATOR:

WHEREAS, On October 14, 2019, the Proper City Officials were authorized under resolution #190418 to receive overpayments from the State of Michigan's Self Insurer's Security Fund in the amount of \$334,556.62. The fund learned that Hurley Hospital was owned by the City of Flint and falls under its self-insurance umbrella for purposes of worker's compensation coverage.

WHEREAS, The City has discovered and it has been verified through the reconciliation of City of Flint, Hurley Medical Center and Eagle Claims records that the overpayment was made by Hurley and not the City of Flint. The City has not received these funds. They remain with the State of Michigan.

WHEREAS, The City is requesting resolution #190418 be rescinded. A copy of the resolution is attached.

IT IS RESOLVED, that the Proper City Officials, do all things necessary to rescind resolution #190418.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Amanda Trujillo, Acting Finance Director

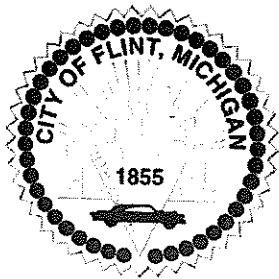
FOR THE CITY OF FLINT:

Clyde Edwards
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Monica Galloway, City Council President

[Handwritten initials]



190418

RESOLUTION NO.: _____

PRESENTED: 10-9-19

ADOPTED: 10-14-2019

**RESOLUTION TO RECEIVE OVER-PAYMENTS FROM THE STATE OF MICHIGAN
SELF INSURER'S SECURITY FUND**

BY THE CITY ADMINISTRATOR:


The State of Michigan Self Insurer's Security Fund began billing Hurley Hospital for assessments for its worker's compensation coverage in 1985. These assessments continued through 2017. At some point the fund learned that Hurley Hospital was owned by the City of Flint and falls under its self-insurance umbrella for purposes of worker's compensation coverage.

All parties have agreed to settlement in this matter; and

The State of Michigan has agreed to pay the City of Flint in the amount of \$334,556.62.

IT IS RESOLVED that the City Administrator hereby authorizes settlement between the City of Flint and the State of Michigan, in the amount of \$334,556.62, in satisfaction of any and all claims arising out of said matter. The appropriate City officials are authorized to do all things necessary to amend the 2019-20 adopted budget to recognize revenue in the amount of \$334,556.62 in account #677-000.000-078.000.

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:



Tamar Lewis, Deputy Finance Director

FOR THE CITY OF FLINT:



Steve Branch, City Administrator

APPROVED BY CITY COUNCIL:



Herbert Winfrey, City Council President