

City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, April 7, 2021

5:00 PM

*Agenda amended to include Resolutions
210163, 210164 and 210165*

ELECTRONIC PUBLIC MEETING

FINANCE COMMITTEE

*Santino J. Guerra, Chairperson, Ward 3
Monica Galloway, Vice Chairperson, Ward 7*

Eric Mays, Ward 1

Kate Fields, Ward 4

Herbert J. Winfrey, Ward 6

Maurice D. Davis, Ward 2

Jerri Winfrey-Carter, Ward 5

Allan Griggs, Ward 8

Eva Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy City Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING**PUBLIC NOTICE
FLINT CITY COUNCIL ELECTRONIC PUBLIC MEETING**

On Friday, October 5, 2020, the Michigan Supreme Court (MSC) issued an order declaring that 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. On Friday, October 16, 2020, Governor Whitmer signed into law Senate Bill 1108 amending the Open Meetings Act. Subsequently, on December 22, 2020 Public Act 267 of 1976 was amended through Senate Bill 1246 extending the electronic meetings with no reason through March 31, 2021. The act also allows that after March 31, 2021 electronic meetings may be held if a local state of emergency was declared. On March 23, 2020, the Flint City Council extended Mayor Neeley's declaration of emergency indefinitely due to the COVID-19 pandemic. Therefore, this meeting will be held electronically.

Pursuant to Act 267 of the Public Acts of 1976 Open Meetings Act as amended and Flint City Charter Section 3-202, notice is hereby given that the Flint City Council hereby calls for a Regular Meeting of the Flint City Council scheduled to be held as follows:

**Flint City Council Committee Meetings
(Finance, Governmental Operations, Legislative & Grants)
Wednesday, April 7, 2021, at 5 p.m.**

The public and media may listen to the meeting online by live stream at <<https://www.youtube.com/channel/UCp2cWTuocUM3awU4xXWzwaw>> or through Start Meeting by dialing (617) 944-8177.

1. In order to speak during the PUBLIC SPEAKING PERIOD of each meeting by telephone, participants will also call (617) 944-8177:
 - a. All callers will be queued and muted until the Public Speaking portion of each 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 two (2) minutes for public speaking during each meeting;
 - d. The speaker will be returned to mute after the 2 minutes have expired;
 - e. After the telephonic public speakers for the last committee meeting are completed, emailed public comments will be read by the City Clerk. All emailed public comments will be timed for 2 minutes;
 - f. Per Rules Governing Meetings of the Council (Rule 7.1 VII), there will only be one speaking opportunity per speaker per meeting. Consequently, public participants who call in and speak during the public speaking period of the meetings WILL NOT have written comments as submitted read by the City Clerk.
 2. The public may send public comments by email to CouncilPublicComment@cityofflnt.com no later than 10 minutes prior to the meeting start time of 5 p.m.
 3. Persons with disabilities may participate in the meeting by the above-mentioned means or by emailing a request for an accommodation to CouncilPublicComment@cityofflnt.com, with the subject line Request for Accommodation, or by contacting the City Clerk at (810) 766-7418 to request for 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.

ROLL CALL

MEMBER REMOTE ANNOUNCEMENT

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

MEMBER CONTACT INFORMATION

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

PROCEDURES ON CONDUCTING ELECTRONIC 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.

EXECUTIVE (CLOSED) SESSION

An Executive Session as requested by the Department of Law to discuss the settlement of The Mackinac Center for Public Policy v City of Flint, Case No. 21-115412-CZ, and to provide an update on City of Flint v Mazel Tov Investment 770, LLC, Case No. 21-115306-CZ, and City of Flint v Cleven Williams IV and Mustafa Hopkins, Case No. 21-115421-CZ.

PUBLIC SPEAKING

COUNCIL RESPONSE

SPECIAL ORDERS

- 210108** Special Order/Pipe Replacement Program
- A Special Order as requested by Councilperson Mays to discuss the city's pipe replacement program. He requests that representatives from Lang Constructors, Inc.; WT Stevens Construction; and Rowe Professional Services Co. be present to answer questions.
- 210109** Special Order/Aecomm
- A Special Order as requested by Councilperson Mays to discuss the replacement of Aecomm.
- 210112** Special Order/Attendance Request/Mayor Sheldon Neeley/Eric Scorsone/Copy/Mr. Scorsone's Contract

A Special Order as requested by Councilperson Mays and voted on by City Council to review Eric Scorsone's contract with Mr. Scorsone and Mayor Sheldon Neeley.

RESOLUTIONS

210144 Licensing Renewal/Dell Marketing LP/Microsoft

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to issue a purchase order to Dell Marketing LP for Microsoft License renewal, as requested by Information Services, in an amount NOT-TO-EXCEED \$86,557.67 [Information Services Fund Acct. No. 636-228.100-814.600.] [NOTE: This is the third year of a three-year agreement.]

210145 J&M Tree Service/Additional Tree Work/City Parks

Resolution resolving that the proper city officials, upon City Council's approval, are authorized to do all things necessary to increase to total contracted amount with J&M Tree Service for additional tree work needed in city parks, as requested by Parks & Recreation, in an amount NOT-TO-EXCEED \$10,000.00 [Parks & Recreation Fund Professional Services Acct. No. 208-752.102-801.000]. [NOTE: The additional work needed total \$10,000.00 and would be set up as a new purchase order for emergency tree removal and trimming in parks.]

210146 Contract/Platinum Mechanical, Inc./Sludge Storage Pipe Fabrication Project

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to issue a contract to Platinum Mechanical, Inc. for a Sludge Storage Pipe Fabrication project, as requested by DPW, in an amount NOT-TO-EXCEED \$131,477.00 [Sewer Fund Building Additions & Improvements Acct. No. 590-550.300-976-000.]

210147 Settlement/Stacy Swimp v Mary Buszek et al/Case No. 2:18-cv-11914

Resolution resolving that the City Administrator hereby authorizes settlement, in the matter of Stacy Swimp v Mary Buszek et al, Case No. 2:18-cv-11914, in the amount of \$79,500.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was requested on this matter on March 8, 2021.]

210148 Payment/Settlement Agreement/Mackinac Center for Public Policy v City of Flint/Case No. 21-115412-CZ

Resolution resolving that the City Administrator is hereby authorized to pay the settlement offer in the matter of Mackinac Center for Public Policy v City of Flint, in the amount of \$175.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was held on this

matter on February 8, 2021.]

210163 Approval/Deficit Elimination Plan/Downtown Development Authority (DDA)/Self-Insurance Fund

Resolution resolving that the City Council approves the Deficit Elimination Plan as outlined. The City of Flint's Chief Financial Officer is authorized to do all things necessary to submit the Deficit Elimination Plan to the Michigan Department of Treasury for certification. [NOTE: The Downtown Development Authority has a deficit balance of \$138,003.00 as of June 30, 2020. Any costs not covered by the DDA will be covered by the city's General Fund. And the Self-Insurance Fund incurred numerous expenses related to insurance and legal costs, putting it in the red by \$922,563.00, as of June 30, 2020.]

210164 Easement Agreement/Genesee County Drain Commission (GCDC)/North Dort Highway Property at Frances Road

Resolution resolving that the Flint City Council approves the grant of a permanent non-exclusive easement to the Genesee County Drain Commission to own, operate and maintain the GCDC FL-02 Meter Facility for valuable consideration in the amount of \$1.00 to be paid to the City of Flint. [NOTE: The City of Flint entered into a Master Agreement on December 1, 2017, to build a secondary water source. The City of Flint has agreed to grant an easement to the GCDC on the city-owned property on North Dort Highway at Frances Road for valuable consideration in the amount of \$1.00.]

210165 Easement Agreement/Great Lakes Water Authority (GLWA)/North Dort Highway Property at Frances Road

Resolution resolving that the Flint City Council approves the grant of a permanent non-exclusive easement to the Great Lakes Water Authority (GLWA) to construct, operate, maintain, repair and/or replace the GLWA water main pipe for valuable consideration in the amount of \$1.00 to be paid to the City of Flint. [NOTE: The City of Flint entered into a Master Agreement on December 1, 2017, to build a secondary water source. The City of Flint has agreed to grant an easement to GLWA on the city-owned property on North Dort Highway at Frances Road for valuable consideration in the amount of \$1.00.]

DISCUSSION ITEMS

OUTSTANDING DISCUSSION ITEMS

ADJOURNMENT

CITY OF FLINT



PROPOSAL #19000025

RESOLUTION NO: 210144

PRESENTED: APR - 7 2021

ADOPTED: _____

BY THE CITY ADMINISTRATOR:

RESOLUTION TO DELL MARKETING, LP FOR MICROSOFT LICENSING RENEWAL

On May 13, 2019, the Flint Michigan City Council adopted resolution #190169 for a three-year agreement for Microsoft Licensing Renewal;

Dell Marketing, LP, One Dell Way, Round Rock, Texas was the responsive bidder through the State of Michigan MiDeal Program, contract #071B6600111. This is the third year of this contract

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

Name of Account	Account #	Grant #	Amount
Software	636-228.100-814.600	N/A	\$86,557.67
	FY21 GRAND TOTAL		\$86,557.67

IT IS RESOLVED, that the Proper City Officials, are hereby authorized to issue a purchase order to Dell Marketing, LP for Microsoft Licensing Renewal in the amount not to exceed for FY21 (07/01/20 - 06/30/21) \$86,557.67.

APPROVED AS TO FORM:
Angela Wheeler
Angela Wheeler (Mar 25, 2021 12:34 EDT)
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:
Shelbi Frayer
Shelbi Frayer (Mar 25, 2021 10:14 EDT)
Shelbi Frayer, Interim Chief Financial Officer

FOR THE CITY OF FLINT:
CLYDE D EDWARDS
CLYDE D EDWARDS (Mar 26, 2021 1:03 EDT)
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

APPROVED AS TO PURCHASING:
Joyce A. McClane
Joyce A. McClane (Mar 25, 2021 10:36 EDT)
Joyce A. McClane, Purchasing Manager



CITY OF FLINT

STAFF REVIEW FORM

TODAY'S DATE: 03/02/2021

BID/PROPOSAL#

AGENDA ITEM TITLE: Year 3 of 3 for Microsoft Enterprise Licensing

PREPARED BY Monique Cole, Information Technology
(Please type name and Department)

VENDOR NAME: Dell Marketing

BACKGROUND/SUMMARY OF PROPOSED ACTION:

M365APPSFORENTERPRISEFROMSAGCC SHRDSVR ALNG SUBSVL MVL PERUSR QTY 391
@\$85.88/YEAR

M365APPSFORENTERPRISEGCC SHRDSVR ALNG SUBSVL MVL PERUSR QTY 9
@\$119.69/YEAR

WINSVRSTDCORE ALNG SA MVL 16LIC CORELIC QTY 14 @ \$139.64/YEAR

WINSVRDCORE ALNG SA MVL 16LIC CORELIC QTY 3 @ \$1,004.92/YEAR

WINRMTDSKTPSRVCSCAL ALNG SA MVL USRCAL QTY 100 @\$21.61/YEAR

SQLSVRSTDCORE ALNG SA MVL 2LIC CORELIC QTY 14 @ \$585.16/YEAR

SHAREPOINTSVC ALNG SA MVL QTY 1 @ \$1212.72/YEAR

CORECAL ALNG SA MVL PLTFRM USRCAL QTY 400 @ \$45.72/YR

WINENTPERDVC ALNG UPGRDSAPK MVL PLTFRM QTY 9 @ \$55.69/YEAR

WINENTPERDVC ALNG SA MVL PLTFRM QTY 391 @ \$42.39/YEAR

APPROVED BY CITY COUNCIL ON 5/13/19

RESOLUTION #190169

BID #19-025

3 Year Total \$259,667.01

FINANCIAL IMPLICATIONS:

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



CITY OF FLINT

Dept.	Name of Account	Account Number	Grant Code	Amount
IT	SOFTWARE	636-228.100-814.600		\$86,557.67
			FY21 GRAND TOTAL	\$86,557.67
			GRAND TOTAL	\$86,557.67

PRE-ENCUMBERED? YES NO REQUISITION NO: 210004084

ACCOUNTING APPROVAL: _____ Date: _____

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

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

BUDGET YEAR 1 \$86,555.67

BUDGET YEAR 2 \$86,555.67

BUDGET YEAR 3 \$86,557.67

BUDGET YEAR 4

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

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE: Jeffrey D. Keen Jeffrey D. Keen, IT Director

(PLEASE TYPE NAME, TITLE)

DEPARTMENT HEAD MUST SIGN

190169

(BM #1900025)

SUBMISSION NO.:

PRESENTED: 5-8-19

ADOPTED: 5-13-19

RESOLUTION TO DELL COMPUTERS FOR MICROSOFT LICENSING RENEWAL

BY THE CITY ADMINISTRATOR:

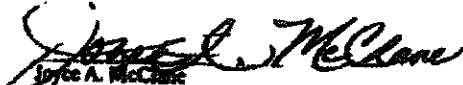
RESOLUTION

The Finance Department Division of Information Services has requested a three year Microsoft licensing renewal; and

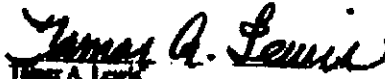
Dell Marketing, LP, One Dell Way, Round Rock, Texas was the lowest vendor to submit a price and has submitted a cost for said lease renewal through the State of Michigan MiDeal program contract #071B6600111. Funding for said services will come from the following account: 636-228.100-814.600; and

IT IS RESOLVED, that the Department of Purchases and Supplies issue a purchase order to Dell Marketing, LP for a three year Microsoft licensing renewal in the annual amount of \$86,555.67 and a three year aggregate amount of \$259,667.01. (Information Services Fund) \$86,555.67 FY19; \$86,555.67 pending adoption of the FY20 budget; \$86,557.67 pending adoption of the FY21 budget

APPROVED PURCHASING DEPT


Joyce A. McClane
Purchasing Manager

APPROVED AS TO FINANCE:

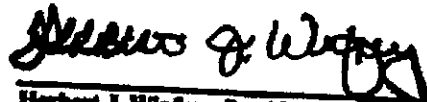

James A. Lewis
Deputy Finance Director

APPROVED AS TO FORM


For Angela Wheeler
Chief Legal Officer


Steve Branch, City Administrator

PY 19 - KRN


Herbert J. Winfrey, President
City Council



RESOLUTION NO.: 210145

PRESENTED: APR - 7 2021

ADOPTED: _____

RESOLUTION TO INCREASE TOTAL CONTRACTED AMOUNT WITH J&M TREE SERVICES BY \$10,000 FOR ADDITIONAL TREE WORK NEEDED IN CITY PARKS

BY THE CITY ADMINISTRATOR:

WHEREAS, funding is available in the Parks Professional Service account; and

WHEREAS, there is a need for forestry work to be completed in City Parks to take care of dead or dangerous trees; and

WHEREAS, there is a current purchase order with J&M Tree Services in the amount of \$74,000.00, and this additional \$10,000.00 of work would increase the contractors' total award amount to above the threshold that requires approval by way of resolution, and funding is available in the following account:

Dept.	Name of Account	Account Number	Grant Code	Amount
Parks	Professional Service	Expense: 208-752.102-801.000	N/A	\$10,000.00

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to increase the total contracted amount with J&M Tree Services in the amount of \$10,000.00 for additional tree work needed in City Parks.

APPROVED AS TO FINANCE:

Jennifer Ryan
Shelbi Frayer
Chief Financial Officer

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler
Chief Legal Officer

ADMINISTRATION:

Clyde Edwards
Clyde Edwards
City Administrator

CITY COUNCIL:

Kate Fields
City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 03/24/21

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: RESOLUTION TO INCREASE TOTAL CONTRACTED AMOUNT WITH J&M TREE SERVICES BY \$10,000 FOR ADDITIONAL TREE WORK NEEDED IN CITY PARKS

PREPARED BY: Roy Lash, Planning and Development Dept., 810.766.7426 x3009

VENDOR NAME: J&M Tree Services

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City currently has purchase orders with three separate tree services vendors in the amount of \$74,000.00. The Genesee Conservation District (who consults with the City on best practices and contracting as they relate to the City's forestry needs) recommended J&M Tree Services for additional tree work in City parks.

The additional work needed totals \$10,000.00, and would be set up as a new purchase order for emergency tree removal and trimming in parks.

FINANCIAL IMPLICATIONS:

BUDGETED EXPENDITURE? YES [X] NO [] IF NO, PLEASE EXPLAIN:

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Row 1: Parks, Professional Service, Expense: 208-752.102-801.000, N/A, \$10,000.00. Row 2: FY20/21 GRAND TOTAL

PRE-ENCUMBERED? YES [X] NO [] REQUISITION NO: 210004147

ACCOUNTING APPROVAL: Mary Jarvis Date: 03/24/21

FINANCE APPROVAL: Date:

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



CITY OF FLINT

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: *James L. Williams* Director, DPD
(PLEASE TYPE NAME, TITLE)



CITY OF FLINT

PROPOSAL #21000602

RESOLUTION NO: 210146
PRESENTED: APR - 7 2021
ADOPTED: _____

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO PLATINUM MECHANICAL, INC FOR
SLUDGE STORAGE PIPE FABRICATION PROJECT**

The Finance Department - Division of Purchases and Supplies solicited proposals for the Sludge Storage Pipe Fabrication Project for the Department of Public Works/Water Pollution Control-Flint and;

Platinum Mechanical, Inc, 5051 Exchange Drive, Flint, Michigan 48507, was the responsive bidder from one (1) solicitation 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
590-550.300-976.000	Building Additions & Improvements	\$ 131,477.00
FY21 (07/01/20 – 06/30/21) Total		\$ 131,477.00

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to issue a contract to Platinum Mechanical, Inc. for a Sludge Storage Pipe Fabrication Project in the amount not to exceed for FY21 (07/01/20 – 06/30/21) \$131,477.00.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Shelbi Frayer
Shelbi Frayer, Interim Chief Financial Officer

FOR THE CITY OF FLINT:

CLYDE D. EDWARDS
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

APPROVED AS TO PURCHASING:

JOYCE MCCLANE
Joyce A. McClane, Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 02/26/2021

BID/PROPOSAL#: Proposal 21000602

AGENDA ITEM TITLE: Sludge Storage Pipe Fabrication Project

PREPARED BY: John Florshinger
Utilities Maintenance & SCADA Supervisor

VENDOR NAME: Platinum Mechanical, Inc.

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint uses anaerobic digestion (AD) for the processing of wastewater sludges. The main process occurs within the AD complex (digester building). In 2010, major renovations and additions to the AD complex were completed. The AD complex has two (2) digesters, commonly known as the South and North digesters.
A single Sludge Storage Tank with the capacity of 250,000 gallons currently services both digesters. This is inadequate storage that must be addressed. The City is looking to repurpose two (2) old decant tanks, which can service approximately 250,000 gallons. This will increase the amount of storage needed for additional digested sludge. As part of this project the City is seeking qualified mechanical contractors to fabricate piping requirements for the East and West sludge storage tanks.
I recommend that the sole bidder, Platinum Mechanical, Inc., be awarded the bid in the amount of \$131,477.00 for Sludge Storage Pipe Fabrication Project.

FINANCIAL IMPLICATIONS: None

BUDGETED EXPENDITURE? YES [X] NO [] IF NO, PLEASE EXPLAIN:

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Row 1: DPW-WPC, Building Additions & Improvements, 590-550.300-976.000, \$131,477.00. Row 2: FY21 GRAND TOTAL, \$131,477.00.

PRE-ENCUMBERED? YES [X] NO [] REQUISITION NO: 210004014



CITY OF FLINT

ACCOUNTING APPROVAL:

JR

Date:

03/17/21

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)*: None.

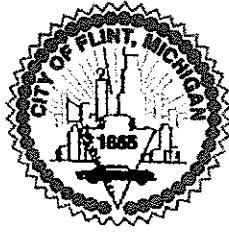
STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE:

Michael J. Brown

3/4/21

(Michael J. Brown, Interim DPW Director)



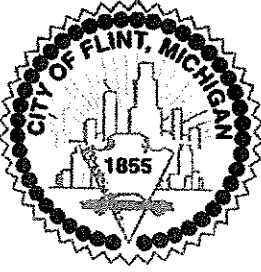
SEALED PROPOSALS RECEIVED IN THE DIVISION OF PURCHASES & SUPPLIES
For Sludge Storage Pipe Fabrication Project
PROPOSAL# 21000602

Approximate Annual Quantities – Not Guaranteed
 Furnish as requested for the period 7/1/20 – 6/30/21

Bidder# 1 - Platinum Mechanical, Inc.
5051 Exchange Drive, Flint, MI 48507

Description	Unit	QTY	Amount
Piping for Rotomix System for the East and West Tanks.	LS	1	69,975.00
Overflow piping.	LS	1	9,968.00
Incoming waste piping modifications.	LS	1	39,372.00
Piping for sludge removal to existing sludge dewatering devices.	LS	1	12,162.00
TOTAL			131,477.00

A SPECIAL NOTE FROM THE PURCHASING DIVISION
Bid results posted are before evaluation team review and award recommendation.



210147

RESOLUTION NO.: _____

APR - 7 2021

PRESENTED: _____

ADOPTED: _____

RESOLUTION TO APPROVE SETTLEMENT OF STACY SWIMP v MARY BUSZEK et al 2:18-cv-11914

BY THE CITY ADMINISTRATOR:

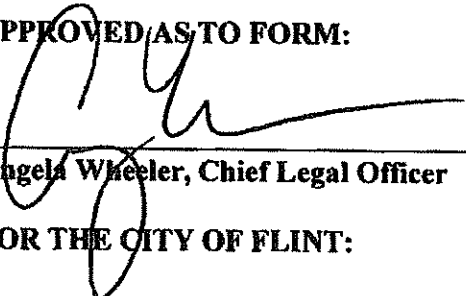
Executive Session was requested in this matter on March 8, 2021; and

Although the City of Flint admits no liability in the claims filed by Stacy Swimp, the Department of Law recommends settlement of this matter.

All parties have agreed to settlement in this matter in the amount of \$79,500; and

IT IS RESOLVED that the City Administrator hereby authorizes settlement in the matter of *Stacy Swimp v Mary Buszek et al 2:18-cv-11914*, in the amount of \$79,500, in satisfaction of any and all claims arising out of said matter. Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300.

APPROVED/AS TO FORM:



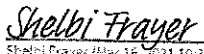
Angela Wheeler, Chief Legal Officer

FOR THE CITY OF FLINT:

CLYDE D EDWARDS
CLYDE D EDWARDS (Mar 17, 2021 11:43 EDT)

Clyde Edwards, City Administrator

APPROVED AS TO FINANCE:


Shelbi Frayer (Mar 16, 2021 10:35 EDT)

Shelbi Frayer, Chief Financial Officer

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 3/15/2021

BID/PROPOSAL#

AGENDA ITEM TITLE: Resolution to approve Swimp v Buszek 2:18 -cv-11914

PREPARED BY Victoria Cooper Law Department
(Please type name and Department)

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution to approve settlement of Federal Court File 2:18-cv-11914

FINANCIAL IMPLICATIONS:

BUDGETED EXPENDITURE? YES [] NO [] IF NO, PLEASE EXPLAIN:

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Row 1: Law, Suits and Settlements, 677-266.200-956.300, \$79,500. Bottom row: FY20/21 GRAND TOTAL

PRE-ENCUMBERED? YES [] NO [] REQUISITION NO:

ACCOUNTING APPROVAL: [Signature] Date: 03/15/21

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



CITY OF FLINT

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.: 210148

PRESENTED: APR - 7 2021

ADOPTED: _____

**RESOLUTION APPROVING PAYMENT OF SETTLEMENT AGREEMENT
BETWEEN MACKINAC CENTER FOR PUBLIC POLICY V. CITY OF FLINT**

BY THE CITY ADMINISTRATOR:

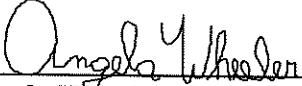
Executive Session was held in this matter on February 8, 2021; and

All parties have accepted the City of Flint's settlement offer in this matter in the amount of \$175.00; and

Although the City of Flint admits no liability in suit filed by the Mackinac Center for Public Policy, the Department of Law recommends payment of the settlement offer in this matter.


IT IS RESOLVED that the City Administrator is hereby authorized to pay the settlement offer in the matter of *Mackinac Center for Public Policy v. City of Flint* in the amount of \$175.00, in satisfaction of any and all claims arising out of said matter. Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300.

APPROVED AS TO FORM:



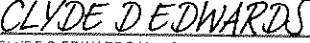
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:



Shelbi Frayer (Mar 31, 2021 17:26 EDT)
Shelbi Frayer, Interim Chief Financial Officer

FOR THE CITY OF FLINT:



CLYDE D EDWARDS (Apr 2, 2021 09:30 EDT)
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 01/25/2021

BID/PROPOSAL# NA

AGENDA ITEM TITLE: Resolution to Accept the Mackinac Center for Public Policy v. City of Flint Settlement Agreement,

PREPARED BY Kelly Thompson, *Legal Department*

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution to accept the settlement agreement between the Mackinac Center for Public Policy v. City of Flint, in the amount of \$175.00 arising out of a request for information under the Michigan Freedom of Information Act, MCL 15.243 *et seq* ("FOIA"). The City has provided all documents requested in plaintiff's FOIA request, and plaintiff has agreed to dismiss the case upon payment of filing and attorney fees, a sum of \$175.00.

Therefore, it is the Law Department's recommendation that the City of Flint accept and remit the proposed settlement amount of \$175.00 to the Mackinac Center for Public Policy.

FINANCIAL IMPLICATIONS: \$175.00

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
Law	Litigation and Suits	677-266.200-956.300		\$175.00
FY20/21 GRAND TOTAL				



CITY OF FLINT

PRE-ENCUMBERED? YES NO REQUISITION NO: _____

ACCOUNTING APPROVAL: _____ Date: _____

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

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

BUDGET YEAR 1 NA

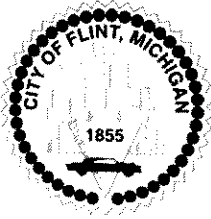
BUDGET YEAR 2 NA

BUDGET YEAR 3 NA

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

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED NOT APPROVED

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



RESOLUTION NO.: 210163

PRESENTED: APR - 7 2021

ADOPTED: _____

RESOLUTION TO APPROVE THE DOWNTOWN DEVELOPMENT AUTHORITY FUND AND CITY OF FLINT SELF-INSURANCE FUND DEFICIT ELIMINATION PLAN

BY THE CITY COUNCIL:

WHEREAS, 1971 PA 140 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury; and

WHEREAS, the City of Flint's Downtown Development Authority fund has a \$138,003 deficit balance as of June 30, 2020. The Flint Downtown Development Authority has taken all steps to reduce the costs associated with the component unit. Any costs not covered by the Flint Downtown Development Authority will be covered by the City's General fund; and

WHEREAS, the City of Flint's Self-Insurance fund has a deficit amount of \$922,563 as of June 30, 2020. The Self-Insurance fund incurred numerous expenses related to insurance and legal costs. Allocations to the Self-Insurance Fund will be reviewed and increased to offset the costs and remove the fund deficit. Reimbursements will be made from the City's funds relative to their expenses in the Self-Insurance Fund.

THEREFORE, BE IT RESOLVED that the City Council approves the Deficit Elimination Plan as outlined above. The City of Flint's Chief Financial Officer is authorized to do all things necessary to submit the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler (Mar 30, 2021 18:58 EDT)

Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Shelbi Frayer
Shelbi Frayer (Mar 30, 2021 15:56 EDT)

Shelbi Frayer, Chief Financial Officer

CITY COUNCIL:

Kate Fields, Council President

I, the undersigned, the duly qualified and acting Clerk of the City of Flint, County of Genesee, State of Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Flint at a regularly scheduled meeting held on _____, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as a part of Council minutes.

In witness whereof, I have hereunto set my official signature this _____ day of _____ 2021.

Inez Brown, City Clerk
City of Flint
Genesee County, Michigan



STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

February 8, 2021

**Notice of Intent To
Withhold State Payments**

Municipality Code: 252040
APR Form ID Number: 82407
Report ID Number: 110504

Sent Via Email

Chief Administrative Officer
City of Flint
atrujillo@cityofflint.com

Dear Chief Administrative Officer:

The Glenn Steil State Revenue Sharing Act of 1971, Public Act 140 of 1971, Section 21(2) states that units of local government (local units) that end their fiscal year in a deficit condition shall formulate a deficit elimination plan. Any assessment of a local unit's deficit condition should be made using the guidelines provided in Treasury Website (Numbered Letter 2016-1).

The Community Engagement and Finance Division received an audit report from your local unit for the fiscal year ending 2020. Your Certified Public Accountant has indicated a deficit in one or more funds as follows:

<u>FUND NAME</u>	<u>AMOUNT</u>
Sewer	No Plan Necessary
Water	No Plan Necessary
Downtown Development Authority	-\$138,003.00
Self-Insurance	-\$922,563.00
Grants	No Plan Necessary

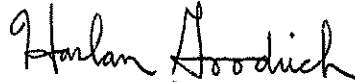
If a deficit exists in the General Fund, the General Fund plan should include a monthly breakdown of revenues and expenditures for the first two years of the projection and annual detail for the remaining years. For example, a five-year plan would show monthly detail for 24 months, and annual detail for the remaining three years. When a revised plan is submitted in the subsequent year, it would include a monthly breakdown for two years and an annual breakdown for the remaining two years. The monthly breakdown shall be for actual revenue and expenditures expected that month. For

example, property taxes should be included in the months the taxes are projected to be actually collected. It shall not be merely the annual revenue and expenditures divided by 12 months. This will allow for a more meaningful picture of how the municipality is progressing on a monthly basis.

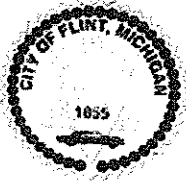
Except where indicated "No Plan Necessary," within 30 days from the date of this letter please upload a deficit elimination plan for all funds listed above and a certified resolution online by visiting Michigan.gov/MunicipalFinance and select Deficit Elimination Plan Upload. Should a plan not be filed within 30 days, we may withhold 25% of the local unit's State Incentive Payments or payments issued under Public Act 140 of 1971, the Glenn Steil State Revenue Sharing Act of 1971. Once withheld, payments are not released when a plan has been *filed*, but when a plan has been *evaluated and certified* by Treasury.

After receiving your plan, we will notify you by email if additional information is needed or that your plan has been certified. If you have any questions, contact the Municipal Finance Section at (517) 335-7469 or email questions to Treas_MunicipalFinance@Michigan.gov.

Sincerely,

A handwritten signature in black ink that reads "Harlan Goodrich". The signature is written in a cursive style with a large initial "H".

Harlan Goodrich, Municipal Finance Manager
Community Engagement and Finance Division



210164

RESOLUTION NO.: _____

PRESENTED: _____

APR - 7 2021

ADOPTED: _____

**RESOLUTION FOR THE CITY OF FLINT TO GRANT AN EASEMENT TO THE
GENESEE COUNTY DRAIN COMMISSION ON THE NORTH DORT HIGHWAY
PROPERTY**

BY THE CITY ADMINISTRATOR:

WHEREAS, The City of Flint entered into a Master Agreement on December 1, 2017 to build a Secondary Water Source; and

WHEREAS, The City of Flint has agreed to grant an easement to the Genesee County Drain Commission on the city-owned property located at North Dort Highway at Frances Road for valuable consideration in the amount of \$1.00; and

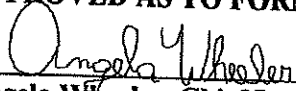
WHEREAS, the permanent easement will be used to by GCDC to own, operate, and maintain the GCDC water main and GCDC FL-02 Meter Facility as part of the Master Agreement; and

WHEREAS, Documents in support of this grant are attached; and

WHEREAS, The City Administrator, recommends approving the grant of a permanent non-exclusive easement to the Genesee County Drain Commission.

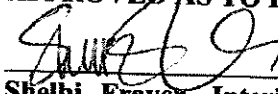
THEREFORE, BE IT RESOLVED that the Flint City Council approves the grant of a permanent non-exclusive easement to the Genesee County Road Commission to own, operate, and maintain, the GCDC water main and the GCDC FL-02 Meter Facility for valuable consideration \$1.00 to be paid to the City of Flint.

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:



Shelbi Frayer, Interim Chief Financial Officer

FOR THE CITY OF FLINT:


Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:


Kate Fields, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 04/1/2021

BID/PROPOSAL# NA

AGENDA ITEM TITLE: Resolution to Approve a Secondary Water Source Easement from the City of Flint to the Genesee County Drain Commission on the North Dort Highway Property

PREPARED BY JoAnne Gurley
Legal Department

VENDOR NAME: NA

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution to approve the City of Flint granting an easement to the Genesee County Road Commission to build a secondary water source.

In December 2017, the City of Flint entered into a Master Agreement where among one of the conditions, Flint would establish a secondary water source on North Dort Highway at Frances Road ("Property") with the Genesee County Road Commission (herein "GCDC") and the Great Lakes Water Authority (herein "GLWA").

For this project, the City has to grant easements on the Property to GCDC and GLWA. Additionally, Flint must maintain its own easement on the Property that will be attached to the land if it were ever to be sold.

Therefore, it is the Law Department's recommendation that the City of Flint approve the proposed Resolution to grant an easement for the valuable consideration of \$1.00 from the Genesee County Road Commission.

FINANCIAL IMPLICATIONS: NA

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount

**CITY OF FLINT EASEMENT AND RIGHT OF WAY
AGREEMENT WITH GENESEE COUNTY DRAIN
COMMISSIONER FOR A SECONDARY WATER SUPPLY,
WATER MAIN CONSTRUCTION AND MAINTENANCE**

Whereas, the City of Flint, a municipal corporation ("Flint" or "Grantor"), owns land situated in the County of Genesee, Michigan bearing the following Tax Parcel No and Legal Description:

Tax Parcel No. 11-06-200-037

Legal Description: All that part of the Northeast 1/4 of the Northeast 1/4 of Section 6, T8N, R7E, lying Westerly of Dort Highway, except the South 1015 feet and the East 153.90 feet of the Northwest 1/4 of the Northeast fractional 114, except the South 330 feet and West 146.4 feet of the East 300.3 feet of the Northwest 1/4 of the Northeast fractional 1/4, except the South 450 feet. (the "Property")

Whereas, Flint shall construct a water pipeline, commonly known as the Dort Highway Main, which is to be comprised of three sections: the Genesee County Drain Commissioner- Division of Water & Waste Services, a County Agency ("GCDC" or "Grantee") Main, the Great Lakes Water Authority, a municipal authority ("GLWA") Pipe, and the Flint Main. The GCDC Main shall extend from its upstream connection point to the existing GCDC pipeline on the north side of Frances Road into and through the meter in the GCDC FL-02 Meter Facility, where it will connect with the GLWA Pipe. The GLWA Pipe will, in turn, connect with the Flint Main outside the GCDC FL-02 Meter Facility. The Flint Main will continue from this connection point to the Flint Water Treatment Plant. Exhibits 1 and 2 to this Easement and Right of Way depict the Dort Highway Main and its constituent sections. GCDC shall own, operate, and maintain the GCDC Main. GLWA shall own and operate the GLWA Pipe, which GCDC shall maintain at no cost to GLWA. Flint shall own, operate, and maintain the Flint Main. GLWA and GCDC shall each own, operate, and maintain separate communication systems within the GCDC FL-02 Meter Facility, to which GLWA shall have reasonable access. GCDC shall maintain the meter in that Facility.

Whereas, Flint is providing this easement and right of way agreement over, across, under and through the Property to GCDC, for GCDC to operate, maintain and repair the GCDC Main, as sketched in Exhibit 1, and appurtenances, including communication systems.

This transfer is exempt from taxation pursuant to MCL §207.505 (a), MCL §207.526 (a) and MCL §207.526 (h)(i).

NOW, THEREFORE, Grantor, for and in consideration of the sum of One Dollar and 00/100 (\$1.00) Dollars and other good and valuable consideration provided it by Grantee, does hereby grant, convey, and release to Grantee a permanent 30' x 70' non-exclusive easement and right-of-way, to construct, operate, and maintain a water pipeline and does further grant, convey, and release to GCDC a permanent non-exclusive easement and right of way to enter upon sufficient land adjacent to said Easement and right of way for the purpose of pedestrian and vehicular ingress and egress by Grantee and its employees, agents, contractors, subcontractors, and assigns, and the construction, repair, and/or replacement of said GCDC Main and appurtenances including the GCDC FL-02 meter and communications systems, over, across, under, and through the Property and bearing the legal description of:

Commencing at the Northeast corner of said Section 6, thence S88°03'43"W 1570.58 feet along the North line of said Section 6, also being the centerline of East Frances Road (66 feet wide-public); thence SO10 56'17"E 33.00 feet to a point on the Southerly Right-of-Way line of said East Frances Road for a Point of Beginning; thence SO10 06'03"E 70.00 feet; thence S88°03'43"W 30.00 feet; thence N01 0 06'03"W 70.00 feet; thence N88°03'43"E 30.00 feet along the Southerly Right- of-Way line of said East Frances Road, to the Point of Beginning. ("Easement Area")

Grantor, for itself and its successors and assigns, covenants and agrees not to grant an easement or license to any public utility or other person or entity over, across, under, or through the Easement Area to construct, operate, or maintain a pipeline or any other structure, which impairs, impedes, or interferes with the operation, repair, replacement, and maintenance of the Dort Highway Main.

This conveyance includes a release of any and all claims for damage arising from or incidental to the exercise of any of the foregoing powers, except that if the said premises shall be disturbed by Grantee in the exercise of any of the foregoing powers, then said premises shall be restored to its original condition by Grantee, if responsible and except that any existing buildings, structures or fences, the removal or demolition of which shall be required for the reasonable exercise of the foregoing powers, shall be removed or demolished at the expense of Grantee. Grantor agrees not to construct any permanent structures within the public Easement Area and right of way described above or otherwise obstruct Grantee's use of such Easement Area and right of way for the purposes set forth herein.

The assignment and/or transfer of any right to the fee interest encumbered by these easements and rights-of-way shall require the consent of the Flint City Council. This instrument shall run with the land and be binding upon and inure to the benefit of the parties hereto, their representatives, successors and assigns.

IN WITNESS WHEREOF, the City of Flint, a municipal corporation, hereunto affixed signatures
this _____ day of _____, A.D., 2021.

GRANTOR:
City of Flint, a Municipal Corporation

GRANTEE:

By: _____
Mayor Sheldon A. Neeley, City of Flint Grantor

By: _____
Representative of Genesee County Drain
Commissioner – Division of Water & Waste Services

Approved as to Form:

Angela Wheeler, Chief Legal Officer

STATE OF MICHIGAN)
)
COUNTY OF GENESEE

On this _____ day of _____, 2021, before me, a Notary Public, in and for said County,
personally appeared to me Sheldon A. Neeley, Mayor, City of Flint, a Municipal Corporation as Grantor,
known to me to be the person described in and who executed the same as his/her free act and deed.

(Signature)

(Print Name)

Notary Public, _____ County, _____
Acting in the County of _____
My Commission expires: _____

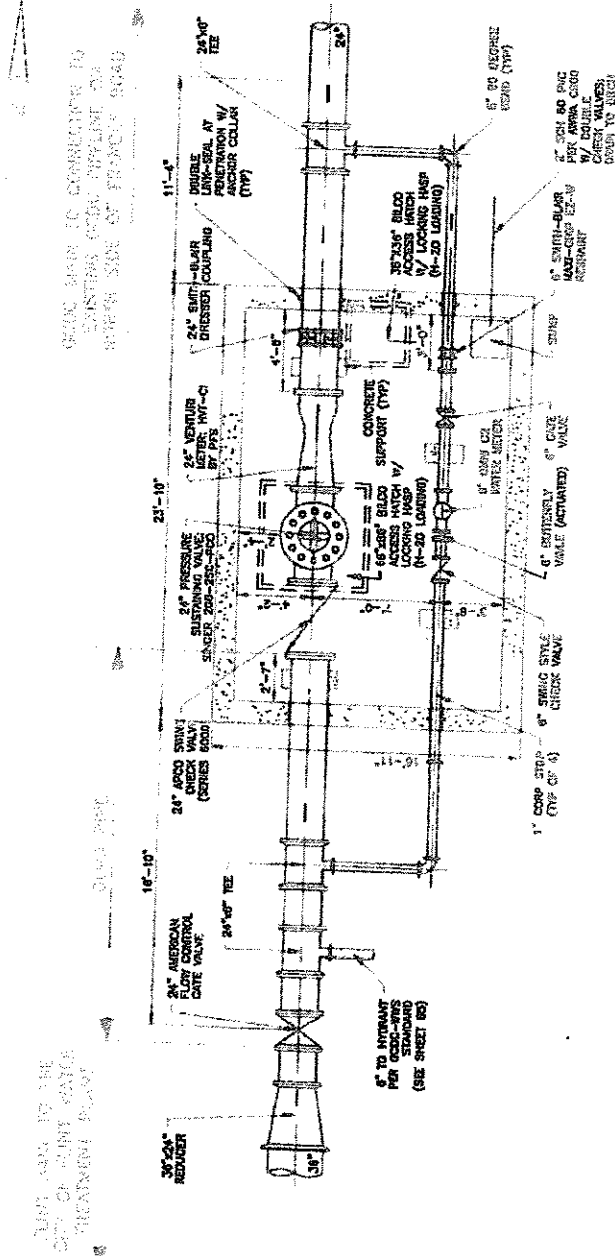
Easement Description and Exhibits Drafted by:
Wade Trim, Inc.
555 S. Saginaw, Suite 201
Flint, MI 48502

Return to:
City of Flint
Angela Wheeler, Law Department
1101 S. Saginaw Street, 3rd Floor

Flint, MI 48502

EASEMENT SKETCH EXHIBIT "1"

GCDC FL-02 METER FACILITY
FLINT SECONDARY WATER SUPPLY
(DORT HIGHWAY MAIN)



METER VAULT - PLAN
NO SCALE

FOR:
GENESEE COUNTY DRAIN
COMMISSIONER-
WATER & WASTE SERVICES
8537 N. DORT HWY.
25-11-06-200-037
Proposed Water Main Easement



**WADE
TRIM**

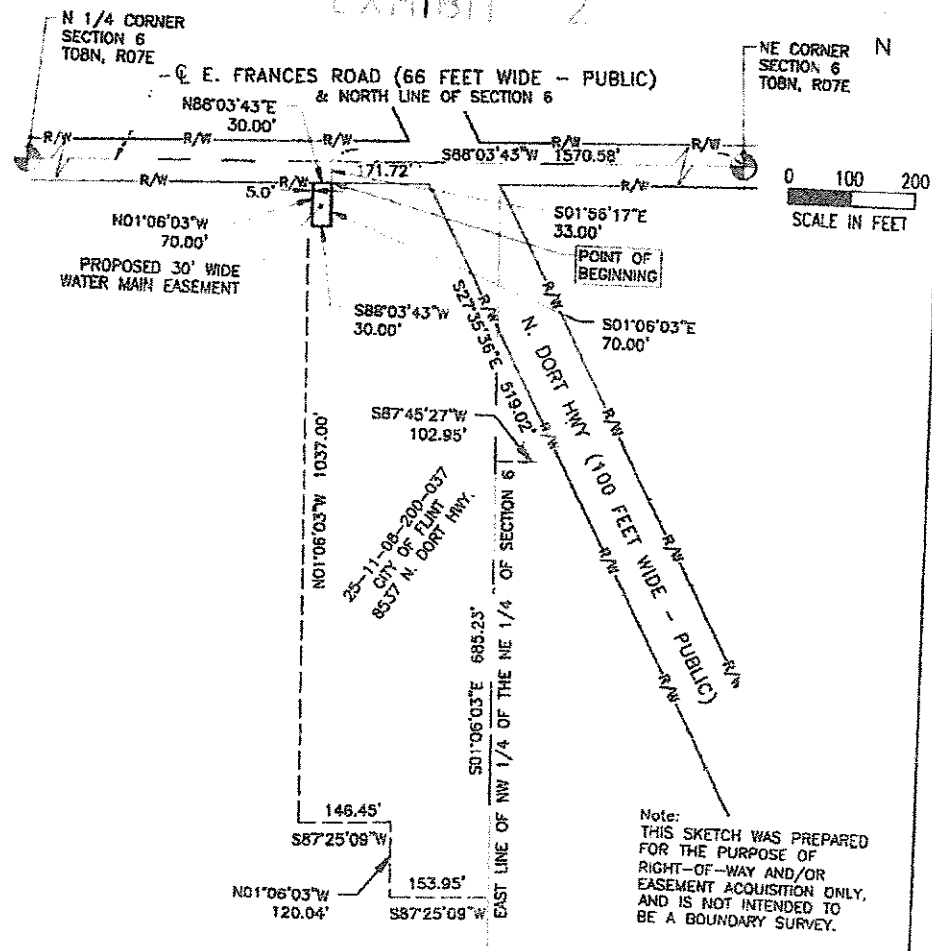
555 S. Saginaw Street, Suite 201
Flint, MI 48902
810.226.2565
www.wadetrim.com

SEC. 6	TOBN	R07E
BOOK #	PAGE #:	
DR BY: TW	COMP BY:	
CK BY: JRK	SRVY BY:	
JOB #:	COF1068.011	

DATE: 1/3/21 SHEET: 1 OF 2

© Wade Trim, Inc.

EASEMENT SKETCH EXHIBIT "2"



Note:
 THIS SKETCH WAS PREPARED FOR THE PURPOSE OF RIGHT-OF-WAY AND/OR EASEMENT ACQUISITION ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY.

EASEMENT DESCRIPTION:
 DESCRIPTION OF A 30 FOOT WIDE EASEMENT FOR WATER MAIN IN THE NORTHEAST 1/4 OF SECTION 6, T8N, R7E, GENESEE CHARTER TOWNSHIP, GENESEE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6, THENCE S88°03'43"W 1570.58 FEET ALONG THE NORTH LINE OF SAID SECTION 6, ALSO BEING THE CENTERLINE OF EAST FRANCES ROAD (66 FEET WIDE-PUBLIC); THENCE S01°56'17"E 33.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST FRANCES ROAD FOR A POINT OF BEGINNING; THENCE S01°06'03"E 70.00 FEET; THENCE S88°03'43"W 30.00 FEET; THENCE N01°06'03"W 70.0 FEET; THENCE NB8°03'43"E 30.00 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST FRANCES ROAD, TO THE POINT OF BEGINNING.

FOR:
 GENESEE COUNTY DRAIN COMMISSIONER-
 WATER & WASTE SERVICES
 8537 N. DORT HWY.
 25-11-06-200-037
 Proposed Water Main Easement

WADE TRIM
 565 S. Saginaw Street, Suite 201
 Flint, MI 48902
 810.235.2656
 www.wadetrtrim.com

SEC. 6 , T8N , R7E
 BOOK #: PAGE #:
 DR BY: BAL COMP BY: -
 CK BY: SRB SRVY BY: -
 JOB #: C0F106B.01F
 DATE: 1/3/21 SHEET: 2 OF 2

© Wade Trim Group, Inc.



210165

RESOLUTION NO.: _____

APR 7 2021

PRESENTED: _____

ADOPTED: _____

**RESOLUTION FOR THE CITY OF FLINT TO GRANT AN EASEMENT TO THE
GREAT LAKES WATER AUTHORITY ON THE NORTH DORT HIGHWAY
PROPERTY**

BY THE CITY ADMINISTRATOR:

WHEREAS, The City of Flint entered into a Master Agreement (“Agreement”) on December 1, 2017 to build a Secondary Water Source; and

WHEREAS, The City of Flint also granted a license to the Great Lakes Water Authority to City’s 72 inch water main to provide potable water to residents as a part of the Master Agreement in which the City of Flint and GLWA entered into Water Service Contract referenced in the Agreement; and

WHEREAS, The City of Flint has now agreed to grant an easement to the Great Lakes Water Authority on the city-owned property located at North Dort Highway at Frances Road for valuable consideration in the amount of \$1.00; and

WHEREAS, the permanent non-exclusive easement will be used to construct, operate, maintain, repair and/or replace the Great Lakes Water Authority water main pipe as part of the City’s Secondary Water Source; and

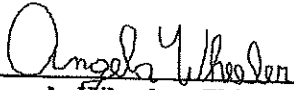
WHEREAS, Documents in support of this grant are attached; and

WHEREAS, The City Administrator, recommends approving the grant of the permanent non-exclusive easement to the Great Lakes Water Authority.


THEREFORE, BE IT RESOLVED that the Flint City Council approves the grant of a permanent non-exclusive easement to the Great Lakes Water Authority to construct, operate, maintain, repair and/or replace the Great Lakes Water Authority water main pipe, in consideration of the valuable consideration of \$1.00 to be paid to the City of Flint.

APPROVED AS TO FORM:

APPROVED AS TO FINANCE:



Angela Wheeler, Chief Legal Officer



Shelbi Frayer, Interim Chief Financial Officer

FOR THE CITY OF FLINT:



Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 04/1/2021

BID/PROPOSAL# NA

AGENDA ITEM TITLE: Resolution to Approve a Secondary Water Source Easement from the City of Flint to the Great Lakes Water Authority on the North Dort Highway Property

PREPARED BY JoAnne Gurley
Legal Department

VENDOR NAME: NA

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution to approve the City of Flint granting an easement to the Great Lakes Water Authority to build a secondary water source.

In December 2017, the City of Flint entered into a Master Agreement where among one of the conditions, Flint would establish a secondary water source on North Dort Highway at Frances Road ("Property") with the Genesee County Road Commission (herein "GCDC") and the Great Lakes Water Authority (herein "GLWA").

For this project, the City has to grant easements on the Property to GCDC and GLWA. Additionally, Flint must maintain its own easement on the Property that will be attached to the land if it were ever to be sold.

Therefore, it is the Law Department's recommendation that the City of Flint approve the proposed Resolution to grant an easement for valuable consideration of \$1.00 from the Great Lakes Water Authority.

FINANCIAL IMPLICATIONS: NA

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount

**CITY OF FLINT EASEMENT AND RIGHT OF WAY
AGREEMENT WITH GREAT LAKES WATER AUTHORITY
FOR A SECONDARY WATER SUPPLY, WATER MAIN
CONSTRUCTION AND MAINTENANCE**

Whereas, the City of Flint, a municipal corporation ("Flint" or "Grantor"), owns land situated in the County of Genesee, Michigan bearing the following Tax Parcel No and Legal Description:

Tax Parcel No. 11-06-200-037

Legal Description: All that part of the Northeast 1/4 of the Northeast 1/4 of Section 6, T8N, R7E, lying Westerly of Dort Highway, except the South 1015 feet and the East 153.90 feet of the Northwest 1/4 of the Northeast fractional 114, except the South 330 feet and West 146.4 feet of the East 300.3 feet of the Northwest 1/4 of the Northeast fractional 1/4, except the South 450 feet. (the "Property")

Whereas, Flint shall construct a water pipeline, commonly known as the Dort Highway Main, which is to be comprised of three sections: the Genesee County Drain Commissioner- Division of Water & Waste Services, a County Agency ("GCDC") Main, the Great Lakes Water Authority, a municipal authority ("GLWA" or "Grantee") Pipe, and the Flint Main. The GCDC Main shall extend from its upstream connection point to the existing GCDC pipeline on the north side of Frances Road into and through the meter in the GCDC FL-02 Meter Facility, where it will connect with the GLWA Pipe. The GLWA Pipe will, in turn, connect with the Flint Main outside the GCDC FL-02 Meter Facility. The Flint Main will continue from this connection point to the Flint Water Treatment Plant. Exhibits 1 and 2 to this Easement and Right of Way depict the Dort Highway Main and its constituent sections. GCDC shall own, operate, and maintain the GCDC Main. GLWA shall own and operate the GLWA Pipe, which GCDC shall maintain at no cost to GLWA. Flint shall own, operate, and maintain the Flint Main. GLWA and GCDC shall each own, operate, and maintain separate communication systems within the GCDC FL-02 Meter Facility, to which GLWA shall have reasonable access. GCDC shall maintain the meter in that Facility.

Whereas, Flint is providing this easement and right of way agreement over, across, under and through the Property to GLWA, for GLWA to operate, maintain and repair the GLWA Main, as sketched in Exhibit 1, and appurtenances, including communication systems.

This transfer is exempt from taxation pursuant to MCL §207.505 (a), MCL §207.526 (a) and MCL §207.526 (h)(i).

NOW, THEREFORE, Grantor, for and in consideration of the sum of One Dollar and 00/100 (\$1.00) Dollars and other good and valuable consideration provided it by Grantee, does hereby grant, convey, and release to Grantee a permanent 30' x 70' non-exclusive easement and right-of-way, to construct, operate, and maintain a water pipeline and does further grant, convey, and release to Grantee a permanent non-exclusive easement and right of way to enter upon sufficient land adjacent to said Easement and right of way for the purpose of pedestrian and vehicular ingress and egress by Grantee and its employees, agents, contractors, subcontractors, and assigns, and the construction, repair, and/or replacement of said GLWA Main and appurtenances including the communications systems, over, across, under, and through the Property and bearing the legal description of:

Commencing at the Northeast corner of said Section 6, thence S88°03'43"W 1570.58 feet along the North line of said Section 6, also being the centerline of East Frances Road (66 feet wide-public); thence SO10 56'17"E 33.00 feet to a point on the Southerly Right-of-Way line of said East Frances Road for a Point of Beginning; thence SO10 06'03"E 70.00 feet; thence S88°03'43"W 30.00 feet; thence N01 0 06'03"W 70.00 feet; thence N88°03'43"E 30.00 feet along the Southerly Right- of-Way line of said East Frances Road, to the Point of Beginning. ("Easement Area")

Grantor, for itself and its successors and assigns, covenants and agrees not to grant an easement or license to any public utility or other person or entity over, across, under, or through the Easement Area to construct, operate, or maintain a pipeline or any other structure, which impairs, impedes, or interferes with the operation, repair, replacement, and maintenance of the Dort Highway Main.

This conveyance includes a release of any and all claims for damage arising from or incidental to the exercise of any of the foregoing powers, except that if the said premises shall be disturbed by Grantee in the exercise of any of the foregoing powers, then said premises shall be restored to its original condition by Grantee, if responsible and except that any existing buildings, structures or fences, the removal or demolition of which shall be required for the reasonable exercise of the foregoing powers, shall be removed or demolished at the expense of Grantee. Grantor agrees not to construct any permanent structures within the public Easement Area and right of way described above or otherwise obstruct Grantee's use of such Easement Area and right of way for the purposes set forth herein.

The assignment and/or transfer of any right to the fee interest encumbered by these easements and rights-of-way shall require the consent of the Flint City Council. This instrument shall run with the land and be binding upon and inure to the benefit of the parties hereto, their representatives, successors and assigns.

IN WITNESS WHEREOF, the City of Flint, a municipal corporation, hereunto affixed signatures
this ____ day of _____, A.D., 2021.

GRANTOR:
City of Flint, a Municipal Corporation

By: _____
Mayor Sheldon A. Neeley, City of Flint Grantor

Approved as to Form:

Angela Wheeler, Chief Legal Officer

STATE OF MICHIGAN)
)
COUNTY OF GENESEE

On this ____ day of _____, 2021, before me, a Notary Public, in and for said County,
personally appeared to me Sheldon A. Neeley, Mayor, City of Flint, a Municipal Corporation as Grantor,
known to me to be the person described in and who executed the same as his/her free act and deed.

(Signature)

(Print Name)

Notary Public, _____ County, _____
Acting in the County of _____
My Commission expires: _____

Easement Description and Exhibits Drafted by:
Wade Trim, Inc.
555 S. Saginaw, Suite 201
Flint, MI 48502

Return to:
City of Flint
Angela Wheeler, Law Department
1101 S. Saginaw Street, 3rd Floor
Flint, MI 48502

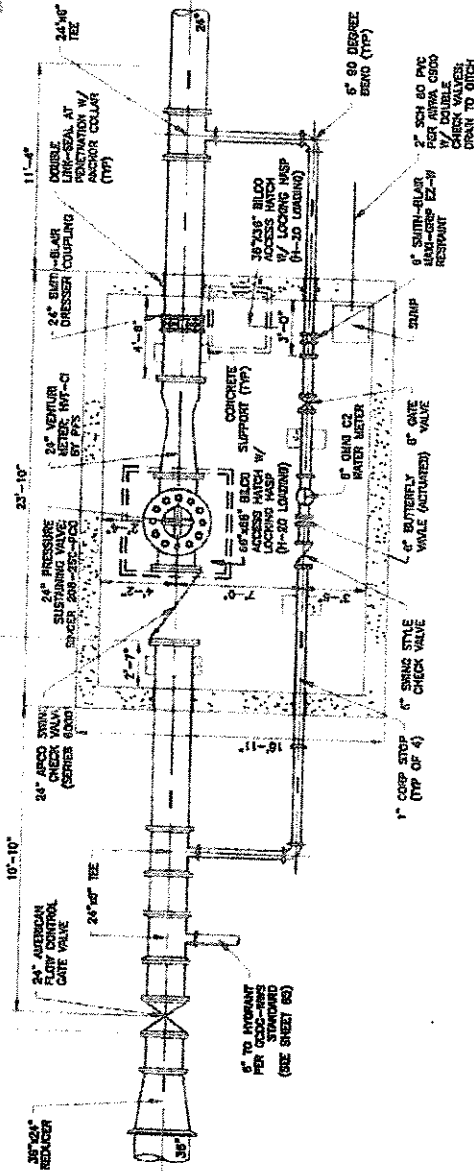
EASEMENT SKETCH EXHIBIT "1"

GODC FL-02 METER FACILITY
FLINT SECONDARY WATER SUPPLY
(DORT HIGHWAY MAIN)

CONNECTION TO CONNECTION TO
EXISTING 6" DIA. PIPE ON
NORTH SIDE OF DORT HIGHWAY

CONNECTION TO THE
CITY OF FLINT WATER
TREATMENT PLANT

MAIN PIPE



METER VAULT - PLAN
NO SCALE

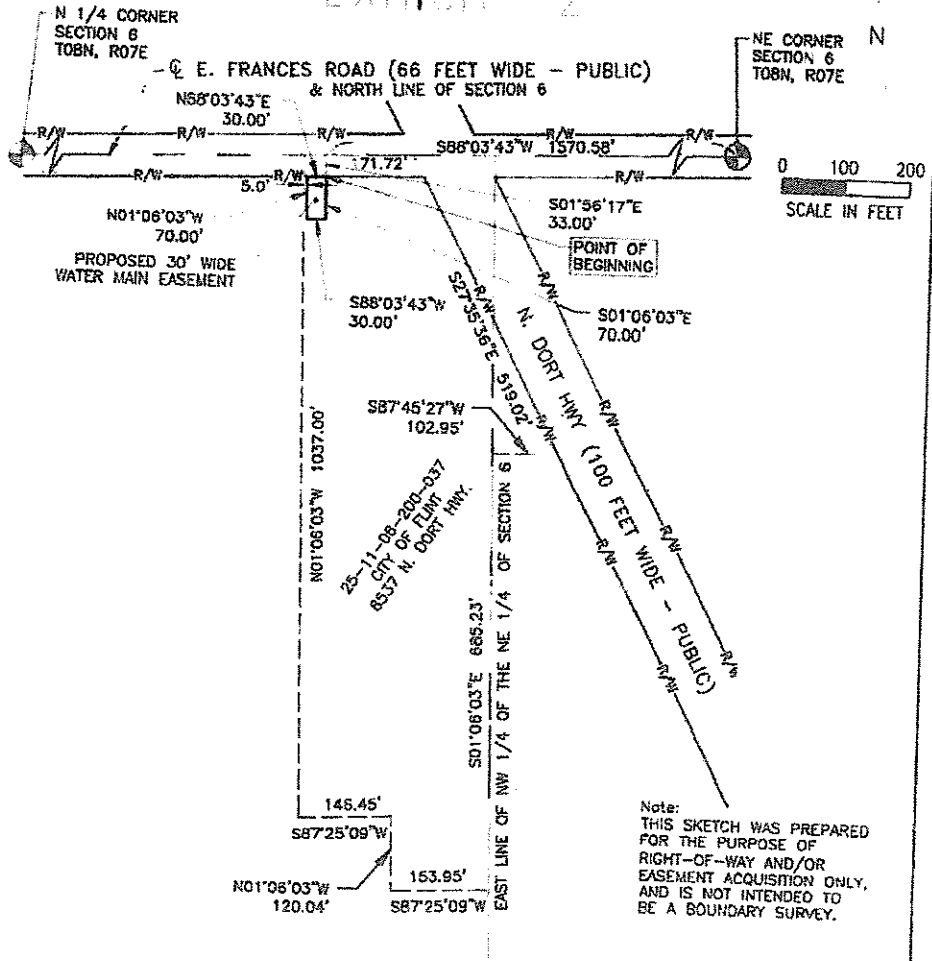
FOR:
GENESSEE COUNTY DRAIN
COMMISSIONER
WATER & WASTE SERVICES
8527 W. DORT HWY
25-11-06-200-337
Properly Water Main Extension

WADE TRIM
565 E. Saginaw Street, Suite 201
Flint, MI 48902
810.235.2865
www.wadetrtrim.com

SEC 6	TOWN	ROTE
BOOK #	PAGE #:	
DR BY: TWR	COMP BY: -	
CK BY: JRK	SRVY BY:	
JOB #:	COP1068.014	
DATE: 1/3/21	SHEET: 1 OF 2	

© Wade Trim Group, Inc.

EASEMENT SKETCH EXHIBIT "2"



Note:
THIS SKETCH WAS PREPARED FOR THE PURPOSE OF RIGHT-OF-WAY AND/OR EASEMENT ACQUISITION ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY.

EASEMENT DESCRIPTION:
DESCRIPTION OF A 30 FOOT WIDE EASEMENT FOR WATER MAIN IN THE NORTHEAST 1/4 OF SECTION 6, T8N, R7E, GENESEE CHARTER TOWNSHIP, GENESEE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6, THENCE S88°03'43"W 1570.58 FEET ALONG THE NORTH LINE OF SAID SECTION 6, ALSO BEING THE CENTERLINE OF EAST FRANCES ROAD (66 FEET WIDE-PUBLIC); THENCE S01°56'17"E 33.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST FRANCES ROAD FOR A POINT OF BEGINNING; THENCE S01°06'03"E 70.00 FEET; THENCE S88°03'43"W 30.00 FEET; THENCE N01°06'03"W 70.0 FEET; THENCE N88°03'43"E 30.00 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST FRANCES ROAD, TO THE POINT OF BEGINNING.

FOR:
GENESEE COUNTY DRAIN COMMISSIONER-
WATER & WASTE SERVICES
8537 N. DORT HWY.
25-11-06-200-037
Proposed Water Main Easement

WADE TRIM
555 E. Saphire Street, Suite 201
Flint, MI 48902
810.236.2655
www.wadetrims.com

SEC. 6, T8N, R7E
BOOK #: PAGE #:
DR BY: BAL COMP BY: -
CK BY: SRB SRVY BY: -
JOB #: COF1068.011
DATE: 1/3/21 SHEET: 2 OF 2

© Wade Trim Group, Inc.