

City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, February 23, 2022

5:00 PM

Council Chambers

FINANCE COMMITTEE

*Tonya Burns, Chairperson, Ward 6
Judy Priestley, Vice Chairperson, Ward 4*

*Eric Mays, Ward 1
Quincy Murphy, Ward 3
Allie Herkenroder, Ward 7*

*Ladel Lewis, Ward 2
Jerri Winfrey-Carter, Ward 5
Dennis Pfeiffer, Ward 8*

Eva Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy City Clerk

ROLL CALL

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

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.

EXECUTIVE (CLOSED) SESSION

An Executive (Closed) Session as requested by the Department of Law to discuss amending the settlement agreement in the matter of the Concerned Pastors et al v Nick Khouri et al, File No. 16-10277.

PUBLIC SPEAKING

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), two (2) minutes per speaker. Only one speaking opportunity per speaker.

COUNCIL RESPONSE

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes.

SPECIAL ORDERS

220041 Special Order/Ernst & Young/American Rescue Plan Act (ARPA) Funds

A Special Order as requested by Council President Mays to discuss American Rescue Plan Act (ARPA) funds with representatives of compliance firm Ernst & Young.

210278 Special Order/Flint Water Crisis Criminal Cases/Former Special Prosecutor Todd Flood

A Special Order as requested by Councilperson Mays to discuss Flint water crisis criminal cases with Former Special Prosecutor Todd Flood.

RESOLUTIONS

220093 CO#1/Siemens Mobility/Eagle Signal Repair Parts & Services

Resolution resolving that the appropriate city officials, upon City Council's approval, are to do all things necessary to enter into Change Order #1 to Siemens Mobility for the purchase of Eagle signal repair parts and services, as requested by Traffic Engineering, in an amount NOT-TO-EXCEED \$100,000.00, and a total Purchase

Order amount NOT-TO-EXCEED \$200,000.00 [Major Street Fund Acct. No. 202-443.201-801.000 = \$10,000.00 and Acct. No. 202-443.201-752.000 = \$90,000.00.]

220094 Remit Payment/Spartan Akers/Completion/Neighborhood Stabilization Program (NSP)-1/Emergency Repairs Program

Resolution resolving that the Flint City Council approves and consents to the city remitting payment of \$14,906.00 to Spartan Akers and authorizes the City Administrator to do all things necessary to remit the said payment to Spartan Akers for services completed for the Neighborhood Stabilization Program (NSP)-1, with funding to be made from the Suits and Settlements account, as requested by Planning & Development. [NOTE: An Executive Session was held on this matter on February 9, 2022.]

220095 Amendment/Settlement Agreement/Concerned Pastors et al v Nick Khouri et al, File No. 16-10277

Resolution resolving that the Flint City Council approves and consents to amending the Settlement Agreement in Concerned Pastors, et al v Khouri, et al, as described. [NOTE: The parties have agreed to extend the deadline for completing the excavation and replacement of residential service lines to 2022, along with other related amendments to account for the current circumstances.]

DISCUSSION ITEMS

ADJOURNMENT



RESOLUTION NO.: 220093

PRESENTED: FEB 23 2022

ADOPTED: _____

BY THE CITY ADMINISTRATOR:

RESOLUTION TO SIEMENS MOBILITY FOR EAGLE SIGNAL REPAIR PARTS AND SERVICES
FY22 CHANGE ORDER #1

WHEREAS, The City of Flint Traffic Engineering Division, electrical side, uses Eagle signal parts for the City of Flint traffic lights. Siemens Mobility, 44425 Phoenix Drive, Sterling Heights, Michigan, 48314 is the current exclusive distributor and sole source for said parts for the State of Michigan.

WHEREAS, On October 11, 2021, Flint City Council adopted Resolution 210488 to Siemens Mobility for Eagle Signal repair parts and services in an amount not-to-exceed \$100,000.00 for FY22.


WHEREAS, The Traffic Engineering Division is requesting Change Order #1 to Siemens Mobility due to exhausting the funds needed for the necessity of repairing traffic signals that have been knocked down due to multiple intersection traffic accidents.

WHEREAS, The Traffic Engineering Division is requesting additional FY22 funding, in an amount not-to-exceed \$100,000.00 for FY22(07/01/21-06/30/22) traffic signal repair parts and services. The Funds will come from the following account(s):

Account Number	Account Name/ Grant Code	Amount
202-443.201-801.000	Major Street Fund	\$ 10,000.00
202-443.201-752.000	Major Street Fund	\$ 90,000.00
	FY22 GRAND TOTAL	\$ 100,000.00

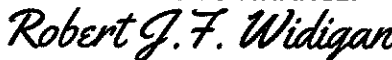
IT IS RESOLVED, That the Appropriate City Officials are to do all things necessary to enter into Change Order #1 to Siemens Mobility, for the purchase of Eagle signal repair parts and services, in a change order amount not-to-exceed \$100,000.00, with a total Purchase Order amount not to exceed \$200,000.00 for FY22 (07/01/21-06/30/22).

APPROVED AS TO FORM:


William Kim (Feb 15, 2022 16:31 EST)

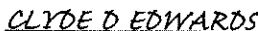
William Kim, Acting Chief Legal Officer

APPROVED AS TO FINANCE:



Robert J.F Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:


CLYDE D EDWARDS (Feb 15, 2022 22:06 EST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Eric Mays, City Council President

APPROVED AS TO PURCHASING:



Lauren Rowley, Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: February 9, 2022

BID/PROPOSAL#

AGENDA ITEM TITLE: Eagle signal repair parts and services

PREPARED BY Kathryn Neumann for John Daly, Director of Transportation

VENDOR NAME: Siemens Mobility

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The Traffic Engineering Division, electrical side, uses Eagle signal parts for City of Flint traffic lights. Siemens Mobility is the current exclusive distributor and sole source of said parts. Traffic Engineering was awarded a purchase order in the amount of \$100,000.00 but they have run out of money due to the number of "knock down" intersections. There have been a number of intersections where traffic accidents have knocked down the traffic signals. The City has a contractor to repair/replace these intersections, but the City purchases the supplies for the intersection - saving the City several thousand dollars by avoiding a mark-up fee.

FINANCIAL IMPLICATIONS: There is money in the account listed below.

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

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Rows include Major Street Fund entries and a total row for FY21 GRAND TOTAL.

PRE-ENCUMBERED? YES [X] NO [] REQUISITION NO: 22005328

ACCOUNTING APPROVAL: Matthew Baker (signature) Date: _____

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

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

STAFF RECOMMENDATION: (PLEASE SELECT): [X] APPROVED [] NOT APPROVED

DEPARTMENT HEAD SIGNATURE: John H. Daly III (signature) (John Daly, Director of Transportation)


July 11, 2019

RE: Sole source letter

To whom it may concern,

MoboTrex is pleased to notify you that as of July 5, 2019, Siemens ITS Michigan is the sole distributor authorized to sell, install, and support Eagle traffic control products within the state of Michigan for new projects. MoboTrex's cabinets and signals, and associated products, are sold under the brand name Eagle Traffic Control Systems.

Sincerely,



Brent Katauskas
Channel Sales Director
bkatauskas@mobotrex.com
(512) 521-3081



RESOLUTION NO.: 210488
 PRESENTED: OCT - 6 2021
 ADOPTED: OCT 11 2021

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO SIEMENS MOBILITY FOR
 EAGLE SIGNAL REPAIR PARTS AND SERVICES**

The City of Flint Traffic Engineering Division, electrical side, uses Eagle signal parts for the City of Flint traffic lights.

WHEREAS, Siemens Mobility, 44425 Phoenix Drive, Sterling Heights, Michigan 48314 is the current exclusive distributor and sole source for said parts for the State of Michigan.

WHEREAS, The City of Flint Traffic Engineering Division is requesting a purchase order for FY22 in the amount of \$100,000.00

Funding for said services are available in the following account for FY22 (07/01/21 – 06/30/22):

Account Number	Account Name	Amount
202-443.201-801.000	EAGLE TRAFFIC SIGNAL PARTS	\$ 100,00.00
	FY22 GRAND TOTAL	\$100,000.00

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue a purchase order to Siemens Mobility for Eagle signal repair parts and services in an amount not-to-exceed \$100,000.00 for the FY22 (07/01/21-06/30/22).

APPROVED AS TO FORM:

Tom Sparrow (Tom Sparrow for Angela Wheeler)
 Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Robert J. F. Widigan
 Robert Widigan, Interim Chief Financial Officer

FOR THE CITY OF FLINT:

Clyde D. Edwards
 Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields
 Kate Fields, City Council President

APPROVED AS TO PURCHASING:

Lauren Rowley
 Lauren Rowley
 Purchasing Manager



RESOLUTION NO.: _____

PRESENTED: FEB 23 2022

ADOPTED: _____

RESOLUTION AUTHORIZING OUTSTANDING PAYMENT TO SPARTAN AKERS FOR COMPLETED NSP-1 EMERGENCY REPAIRS PROGRAM

BY THE CITY ADMINISTRATOR:

Executive Session was requested and held on this matter on February 9, 2022

WHEREAS, The City of Flint's through the Department of Community and Economic Development entered into a contract with Spartan Akers Corporation on or about June 23, 2011 to perform emergency repairs and for preparation of Rehabilitation Certification and Environmental reviews for residential homes within Flint.

WHEREAS, proceeds to pay Spartan Akers were to be expended from the Neighborhood Stabilization Program; and

WHEREAS, Spartan Akers invoiced the City for \$15, 616 for work it completed but only \$255 was released to the company; and

WHEREAS, Spartan Akers has renewed its requests on several occasions including on or about November 19, 2021 for compensation for work involving the referenced program; and

WHEREAS, after research and analysis, the Law Department revives its initial recommendation from February 2012 that the outstanding payment of \$14,906 be made to Spartan Akers; and

WHEREAS, City Administrator Clyde Edwards recommends remitting payment to Spartan Akers.

Account Number	Account Name	Amount
	Suits and Settlements	\$14,905.00
	Grand Total	\$14,905.00

THEREFORE, BE IT IS RESOLVED, that the Flint City Council approves and consents to the City remitting payment of \$14,906 to Spartan Akers and authorizes the City Administrator to do all things necessary to remit the said payment to Spartan Akers for services completed for the NSP-1 program with funding to be made from Suits and Settlements.

APPROVED AS TO FORM:

William Kim (Feb 16, 2022 14:52 EST)
William Kim
Acting City Attorney

APROVED AS TO FINANCE:

Robert J .F.Widigan
Chief Financial Officer

FOR CITY OF FLINT:

CLYDE D EDWARDS (Feb 17, 2022 12:47 EST)
Clyde Edwards, City Administrator
©Joyce McClane -COF 02-01-20

CITY COUNCIL:

Eric B. Mays, Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: February 16, 2022

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: RESOLUTION AUTHORIZING OUTSTANDING PAYMENT TO SPARTAN AKERS FOR COMPLETED NSP-1 EMERGENCY REPAIRS PROGRAM

PREPARED BY: Suzanne Wilcox, Director, Department of Planning and Development

VENDOR NAME: Spartan Akers

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint Department of Community and Economic Development entered into a contract with Spartan Akers Corporation around June 23, 2011 to perform emergency repairs and for preparation of rehabilitation certifications and environmental reviews for residential homes within Flint, with expected payment from federal funds. Spartan Akers invoiced the City for \$15, 616 for work it completed but only \$255 was released to the company, and they have repeatedly requested reimbursement for the outstanding balance of this invoice. Upon research and analysis, the Law Department recommends that the outstanding payment of \$14,906 be made to Spartan Akers, with funding from the City's Suits and Settlements account.

FINANCIAL IMPLICATIONS: Funding is available in the City's Suits and Settlements account and paying this invoice will settle this matter in full.

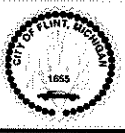
BUDGETED EXPENDITURE? YES [x] NO [] IF NO, PLEASE EXPLAIN:

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Row 1: Suits and Settlements. Row 2: FY21/22 GRAND TOTAL

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

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

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



CITY OF FLINT

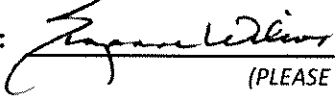
BUDGET YEAR 1

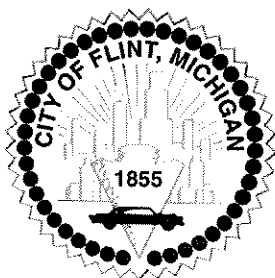
BUDGET YEAR 2

BUDGET YEAR 3

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

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

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



220095

RESOLUTION: _____

PRESENTED: FEB 23 2022

ADOPTED: _____

**RESOLUTION TO APPROVE AMENDMENT OF THE SETTLEMENT AGREEMENT
IN CONCERNED PASTORS ET AL V. KHOURI ET AL**

BY THE CITY ADMINISTRATOR:

WHEREAS the City of Flint previously agreed to resolve the case of *Concerned Pastors, et al v. Khouri, et al*, 16-10277 by means of a settlement initially entered into in March of 2017 and subsequently amended, which made available to the City of Flint the funds needed to conduct excavation and replacement of lead and galvanized steel residential service lines in the City of Flint; and

WHEREAS, in the years since the settlement was initially approved, the City of Flint has excavated the service lines at 26,886 homes and replaced 10,088 lead or galvanized steel service lines that were identified by those excavations; and

WHEREAS, due to the COVID-19 pandemic and related issues, excavation and replacement of service lines at several hundred addresses remains to be completed, past the previously agreed-upon schedule of completion by 2020; and

WHEREAS, the parties to the *Concerned Pastors* settlement have agreed to extend the deadline for completing the excavation and replacement of residential service lines to 2022, along with other related amendments to account for the current circumstances; and

WHEREAS, any such amendment will have no financial impact on the City of Flint's participation in the Settlement;

THEREFORE, BE IT RESOLVED that the Flint City Council approves and consents to amending the settlement agreement in *Concerned Pastors et al v Khouri et al* as described above.

APPROVED AS TO FORM:

William Kim

William Kim (Feb 17, 2022 14:47 EST)

William Kim, Acting City Attorney

APPROVED AS TO FINANCE:

Robert J. F. Widigan

Robert J.F. Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:

Clyde Edwards

Clyde D Edwards (Feb 17, 2022 14:38 CST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Eric B. Mays
Eric B. Mays, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 2/17/2022

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Resolution to Approve Amendment of the Settlement Agreement in Concerned Pastor et al v Khouri et al

PREPARED BY William Kim, Department of Law
(Please type name and Department)

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint previously entered into a settlement agreement in the case of *Concerned Pastors et al v Khouri et al*, E.D. Mich. Case No. 16-1027. In the immediate aftermath of the Flint Water Crisis, that settlement agreement provided the funding and framework for the replacement of lead and galvanized steel service lines in the City of Flint. Completion of the work was originally scheduled for completion in 2019. That schedule was later changed to 2020, but due to the COVID-19 Pandemic and related issues, work continued into 2021. A limited amount of excavation and replacement work remains to be completed, and the parties to the *Concerned Pastors* settlement have agreed upon an amended schedule to complete the excavation and replacement of lead and galvanized steel service lines in the City of Flint. The proposed amendment to the *Concerned Pastors* settlement memorializes those agreements and commits the City to completing the excavation and replacement of residential lead and galvanized steel service lines in the City by the fall of 2022.

FINANCIAL IMPLICATIONS: No

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN: No financial impact on the City of Flint, as funding comes from the State of Michigan under the settlement agreement.

Dept.	Name of Account	Account Number	Grant Code	Amount
FY 20/21 GRAND TOTAL				

PRE-ENCUMBERED? YES NO REQUISITION NO:



CITY OF FLINT

ACCOUNTING APPROVAL: Robert J. F. Widigan 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 N/A

BUDGET YEAR 2 N/A

BUDGET YEAR 3 N/A

OTHER IMPLICATIONS (i.e., collective bargaining): N/A

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE: /s/ William Y. Kim, Acting City Attorney
(PLEASE TYPE NAME, TITLE)

2022 Concerned Pastors Settlement Amendment

Final Audit Report

2022-02-17

Created:	2022-02-17
By:	William Kim (wkim@cityofflint.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAlox4WnMc2vMHPLbfDtexs5E055ZLBLKi

"2022 Concerned Pastors Settlement Amendment" History

-  Document created by William Kim (wkim@cityofflint.com)
2022-02-17 - 7:45:29 PM GMT
-  Document e-signed by William Kim (wkim@cityofflint.com)
Signature Date: 2022-02-17 - 7:47:13 PM GMT - Time Source: server
-  Document emailed to Robert J.F. Widigan (rwidigan@cityofflint.com) for signature
2022-02-17 - 7:47:15 PM GMT
-  Document e-signed by Robert J.F. Widigan (rwidigan@cityofflint.com)
Signature Date: 2022-02-17 - 8:34:05 PM GMT - Time Source: server
-  Document emailed to CLYDE D EDWARDS (cedwards@cityofflint.com) for signature
2022-02-17 - 8:34:07 PM GMT
-  Email viewed by CLYDE D EDWARDS (cedwards@cityofflint.com)
2022-02-17 - 8:37:40 PM GMT
-  Document e-signed by CLYDE D EDWARDS (cedwards@cityofflint.com)
Signature Date: 2022-02-17 - 8:38:13 PM GMT - Time Source: server
-  Agreement completed.
2022-02-17 - 8:38:13 PM GMT