

City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, October 6, 2021

5:00 PM

ELECTRONIC PUBLIC MEETING

GOVERNMENTAL OPERATIONS COMMITTEE

*Eva L. Worthing, Chairperson, Ward 9
Maurice D. Davis, Vice Chairperson, 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
Monica Galloway, Ward 7*

Allan Griggs, Ward 8

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, notice is hereby given that the Flint City Council will conduct four (4) regularly-scheduled committee meetings, to be held as follows:

Flint City Council Committee Meetings (Finance, Governmental Operations, Legislative and Grants) Wednesday, October 6, 2021, at 5 p.m.

1. The public and media may listen to the meeting online by live stream at <https://www.youtube.com/c/FlintCityCouncilMeetings> or through Start Meeting by dialing (617) 944-8177. (If unable to get through, please dial (206) 451-6011.)
 2. In order to speak during the PUBLIC SPEAKING PERIOD of each meeting by telephone, participants will also call (617) 944-8177. (If unable to get through, please dial (206) 451-6011):
 - 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 each 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 any written comments as submitted read by the City Clerk.
 3. The public may send public comments by email to CouncilPublicComment@cityofflint.com no later than 10 minutes prior to the meeting start time of 5 p.m.
 4. Persons with disabilities may participate in the meeting by the above-mentioned means or by emailing a request for an accommodation to CouncilPublicComment@cityofflint.com, with the subject line Request for Accommodation, or by contacting the City Clerk at (810) 766-7418 to request accommodation - including, but not limited to, interpreters.
- If there are any questions concerning this notice, please direct them to City Council office at (810) 766-7418.

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 1246, as passed on December 17, 2020, and signed into law on December 22, 2020, and subsequent amendments that may be adopted.

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.

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 ORDER

210411 Special Order/Flooding/Riverdale Road

A Special Order as requested by Councilperson Galloway regarding the persistent flooding on Riverdale Road.

RESOLUTIONS

- 210476** Approval/Request for Waiver/Potential Conflict of Interest/Attorney Richard M. Wilson, Jr.

Resolution resolving that the Flint City Council approves and consents to request for waiver of potential conflict of interest for Attorney Richard M. Wilson, Jr. [NOTE: Attorney Richard M. Wilson, Jr. has represented the Flint City Council in the review of water litigation, and he represents Consumers Energy in condemnation cases. Rule 1.7 of the Michigan Rules of Professional Conduct state that an attorney may not represent a client if that representation will be "directly adverse to another client" unless the client consents after consultation and the representation will not "adversely affect the relationship with the other client."]

- 210492** Recognition/Honorary Street Sign/Spencer Street Between Saginaw Street and Martin Luther King Boulevard/Claressa Shields Street

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things to recognize Claressa Shields with an honorary street sign designation on a one-block portion of Spencer Street between Saginaw Street and Martin Luther King Boulevard.

- 210493** Charitable Gaming License/State of Michigan Lottery Charitable Gaming Division/Buckham Fine Arts Project

Resolution resolving that the Buckham Fine Arts Project is recognized as a non-profit organization operating in the city of Flint for the purpose of obtaining a charitable gaming license, as issued by the State of Michigan Lottery Charitable Gaming Division, relative to conducting charity and fundraising events, as allowed by Act 382 of the Public Acts of 1972, as amended. [NOTE: The Buckham Fine Arts Project plans to conduct a raffle on November 12, 2021, in downtown Flint.]

- 210494** Opposition/Workplace Discrimination Based on Facial Hair

Resolution resolving that the Flint City Council opposes workplace discrimination based on beards or other facial hair in the absence of compelling reasons of health, safety and/or public welfare or unless it interferes with the safety of the employee; i.e., firefighters, or interference with employee safety or employee apparatus.

APPOINTMENTS

- 210398** Mayoral Appointment/Chief Financial Officer/Robert Widigan

Resolution resolving that the Flint City Council approves the recommendation by Mayor Sheldon Neeley to appoint Robert Widigan as Chief Financial Officer [at an hourly compensation rate of \$64.90 per hour (\$135,000.00 annually).] [General Fund Salary and Wages Acct. No. 101-191.100-703.000 = \$91,967.90 and LCSM-17-FRTA = \$43,032.10.] [NOTE: The difference in compensation between

the Interim Chief Financial Officer and Chief Financial Officer is retroactive to August 16, 2021.]

210498 Reappointment/Flint District Library Board/Kathy R. Jackson

Resolution resolving that the Flint City Council approves the reappointment of Kathy R. Jackson (132 West First Street, Flint, Michigan, 48502) to the Flint District Library Board for another three-year term, commencing October 1, 2021, and expiring September 30, 2024, as requested by Mayor Sheldon Neeley. [NOTE: By way of background, Ms. Jackson's term expired September 30, 2021.]

210499 Appointment/Flint District Library Board/Vivian Kao

Resolution resolving that the Flint City Council approves the appointment of Vivian Kao (1213 Beard Street, Flint, Michigan, 48503) to the Flint District Library Board for a three-year term, commencing October 1, 2021, and expiring September 30, 2024, as requested by Mayor Sheldon Neeley.

OUTSTANDING DISCUSSION ITEMS

210099 Discussion Item/Community Updates/City of Flint Web Site

A discussion item as requested by Councilperson Mays to discuss what constitutes a community update on the City of Flint's Web site. [Referral Action Date: 2/22/2021 @ City Council Electronic Public Meeting.]

210100 Discussion Item/Multi-Member Bodies

A discussion item as requested by Councilperson Mays to discuss multi-member bodies. [Referral Action Date: 2/22/2021 @ City Council Electronic Public Meeting.]

210114 Discussion Item/Eighteen (18) Properties in the City of Flint Pilot Program

A Discussion Item as requested by Councilperson Mays to review the 18 properties City Council retained from the Genesee County Land Bank, including a history of the finances for Jefferson School. [Referral Action Date: 2/17/2020 @ Electronic Governmental Operations Committee Meeting.]

210116 Discussion Item/Job Requirements/Salaries

A Discussion Item as requested by Councilperson Galloway to talk about job requirements and salaries for appointees. [Referral Action Date: 2/22/2020 @ Electronic City Council Meeting.]

210118 Discussion Item/Snow Plowing Strategy

A Discussion Item as requested by Councilperson Winfrey-Carter to talk about the city's snow plowing strategy with Transportation Director John Daly.

[Referral Action Date: 2/22/2020 @ Electronic City Council Meeting.]

210205

Discussion Item/Names of Those Driving City-Owned Vehicles

Referral by Councilperson Mays to ADMIN/FLEET, re: He would like the names of employees/appointees driving city-owned vehicles. [Referral Action Date: 4/14/2021 @ City Council Electronic Public Meeting.]

210208

Referral/Conversion to LED Lights

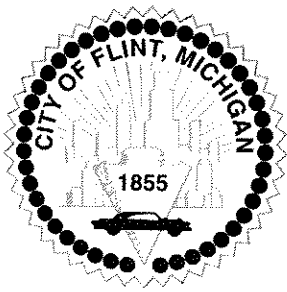
Referral as requested by Councilperson Fields to ADMINISTRATION: re, She asks that the administration look into large-scale conversion to LED lights. [Referral Action Date: 4/22/2021 @ City Council Governmental Operations Committee Electronic Public Meeting.]

210210

Referral/Monthly Reports/Drinking Water Quality

Referral by Councilperson Griggs to PUBLIC HEALTH ADVISOR, re: He would like for the city's Public Health Advisor to provide monthly drinking water quality reports. [Referral Action Date: 4/22/2021 @ City Council Grants Committee Electronic Public Meeting.]

ADJOURNMENT



RESOLUTION NO

210476

PRESENTED:

SEP 27 2021

ADOPTED:

**RESOLUTION APPROVING THE REQUEST FOR WAIVER OF POTENTIAL
CONFLICT OF INTEREST FOR ATTORNEY RICHARD M. WILSON JR.**

BY THE FLINT CITY COUNCIL:

WHEREAS, Attorney Richard M. Wilson Jr has done previous legal work for the Flint City Council.

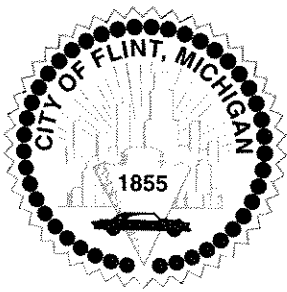
WHEREAS Attorney Richard Wilson represented Flint City Council in the review of water litigation.

WHEREAS his firm represents Consumers Energy in condemnation cases.

WHEREAS Under Michigan law, a condemning agency like Consumers Energy must join as defendants in the condemnation lawsuit all "owners" known to have of an interest in the property over or through which the easement is sought. Because strict compliance with the Uniform Condemnation Procedures Act (UCPA) is required, condemning agencies must take an expansive view of who an "owner" is under the UCPA to insure that no one with an interest in the property is excluded from asserting their rights to just compensation for the taking of the easement. Consequently, before a condemnation action is brought, it is necessary to conduct a thorough title search of the property over which the company seeks its easement, and also to consider other entities, such as municipalities and other public utilities, who may have unrecorded interests in the property because their facilities are located in an adjacent public right of way which is often considered to be part of the property.

WHEREAS, Rule 1.7 of the Michigan Rules of Professional Conduct state that an attorney may not represent a client if that representation will be "directly adverse to another client" unless the client consents after consultation and the representation will not "adversely affect the relationship with the other client."

WHEREAS, the (1) Flint City Council is Mr. Wilson's client, not the City of Flint itself. Therefore there is no actual conflict of interest under the professional rules; (2) a condemnation action will seek no affirmative monetary relief against the City of Flint and the City's presence in the lawsuit will only be because of the requirements of the statute and the anticipated presence of some of its municipal infrastructure; (3) to the contrary, if the City's utility infrastructure is affected at all (it should not be) by the condemnation, the City is entitled to relief against Consumers Energy; and finally (4) because the scope of Mr. Wilson's engagement on behalf of the City Council is limited to the Flint water cases, and does not extend to matters involving other litigation with the City or any of its departments, nothing that occurs in the condemnation cases can affect, adversely or otherwise, his relationship with the City Council.



THEREFORE BE IT RESOLVED that the Flint City Council approves and consents to request for waiver of potential conflict of interest for Attorney Richard Wilson Jr.

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Kate Fields, City Council President



OFFICE OF THE CITY CLERK

MEMORANDUM

INEZ M. BROWN
CITY CLERK

TO: Members - Flint City Council
FROM: Inez M. Brown, City Clerk
RE: Atty. Richard M. Wilson, Jr. - Request for Waiver of
Potential Conflict of Interest
DATE: September 20, 2021

Attached you will find a letter dated 9/16/21 from Atty. Richard M. Wilson, Jr. who represents the City Council on a scope of services limited to water cases (Flint). In the letter he indicates that he will be involved in certain legal matters that MAY appear to present a conflict of interest with the City of Flint; however, his involvement does not extend to matters involving other litigation with the city or city departments.

In any event, Atty. Wilson is asking that City Council review the content of the attached letter so that at a future Council meeting a motion can be passed to waive the conflict of interest so that his law firm can proceed with their representation of Consumers Energy.

In preparation for further discussion of this matter, I have discussed it with Council President Kate Fields and our Legal Department. As a result, a Resolution will be prepared in order for Council to vote on this matter at the next Special Affairs Committee meeting and regularly scheduled Council meeting to be held next Monday, September 27th.

In the meantime, if you have further questions/concerns regarding this matter, please feel free to let me know.

Thank you.

Attachments

cc: Angela Wheeler, Flint City Attorney

Mika Meyers

Richard M. Wilson, Jr.
E-mail rwilson@mikameyers.com

414 Water Street Manistee, MI 49660
Tel (231) 723-8333 Fax (231) 723-3888
Web mikameyers.com

Attorneys at Law

September 16, 2021

Flint City Council
1101 S. Saginaw Street
Flint, MI 48502

Attention: Inez Brown, City Clerk

Re: Request for waiver of potential conflict of interest

Dear City Council Members,

I am writing to report to you that I will be involved in certain legal matters that may appear to present a conflict of interest with the City of Flint, and to request the Flint City Council waive the potential conflict.

My law firm represents Consumers Energy Company in condemnation cases when the company needs to acquire easement rights for new power lines or other facilities and a property owner will not voluntarily sell those rights to the company. Under Michigan law, a condemning agency like Consumers Energy must join as defendants in the condemnation lawsuit all "owners" known to have of an interest in the property over or through which the easement is sought. Because strict compliance with the Uniform Condemnation Procedures Act (UCPA) is required, condemning agencies must take an expansive view of who an "owner" is under the UCPA to insure that no one with an interest in the property is excluded from asserting their rights to just compensation for the taking of the easement. Consequently, before a condemnation action is brought, it is necessary to conduct a thorough title search of the property over which the company seeks its easement, and also to consider other entities, such as municipalities and other public utilities, who may have unrecorded interests in the property because their facilities are located in an adjacent public right of way which is often considered to be part of the property. These unrecorded interests in the right of way are discovered through a request to MISS DIG.

Sometime in the next few months, we may be filing several condemnation actions involving properties located in the Atherton Road area of the City of Flint. Although we have not submitted a request to MISS DIG at this point, we expect that the City of Flint may have public utility installations in Atherton Road such as sewer and water lines that will require the City of Flint to be made a party to the actions.

Rule 1.7 of the Michigan Rules of Professional Conduct state that an attorney may not represent a client if that representation will be "directly adverse to another client" unless the client consents after consultation and the representation will not "adversely affect the relationship with the other client."

In support of my request, I direct your attention to the fact that: (1) the Flint City Council is my client, not the City of Flint itself, and so there is no actual conflict of interest under the professional rules; (2) a condemnation action will seek no affirmative monetary relief against the City of Flint and the City's presence in the lawsuit will only be because of the requirements of the statute and the anticipated presence of some of its municipal infrastructure; (3) to the contrary, if the City's utility infrastructure is affected at all (it should not be) by the condemnation, the City is entitled to relief against Consumers Energy; and finally (4) because the scope of my engagement on behalf of the City Council is limited to the Flint water cases, and does not extend to matters involving other litigation with the City or any of its departments, nothing that occurs in the condemnation cases can affect, adversely or otherwise, my relationship with the City Council.

Of course, attorneys should also avoid even the appearance of impropriety. Accordingly, even though there is no direct conflict of interest here, it is to avoid any appearance of impropriety that I make this request that the Council at one of its meetings in the near future, pass a motion waiving the potential conflict of interest to allow us to proceed with our representation of Consumers Energy.

If you should have any questions, please feel free to contact me, and thank you in advance for your cooperation.

Sincerely,



Richard M. Wilson, Jr.

cc: Ms. Angela Wheeler, City Attorney



CITY OF FLINT

RESOLUTION NO.: 210492

PRESENTED: OCT - 6 2021

ADOPTED: _____

**RESOLUTION AUTHORIZING AN HONORARY STREET SIGN
ON SPENCER STREET BETWEEN SAGINAW STREET AND MARTIN LUTHER KING, JR
BOULEVARD FOR CLARESSA SHIELDS STREET**

BY THE CITY ADMINISTRATOR:

WHEREAS, The City of Flint adopted an honorary street sign policy; and


WHEREAS, Claressa Shields has made a significant contribution to the City of Flint through civic, cultural, and humanitarian efforts; and

WHEREAS, the Honorary Street Sign Policy allows for the Mayor to introduce two honorary street titles per 4-year term in office; and

WHEREAS, an application has been made by the Mayor to honor Claressa Shields with an honorary street sign on a one block portion of Spencer Street between Saginaw Street and Martin Luther King, Jr. Boulevard; and

IT IS RESOLVED that the appropriate City officials are authorized to do all things to recognize Claressa Shields with an honorary street sign designation on a one-block portion of Spencer Street between Saginaw Street and Martin Luther King, Jr. Boulevard.

APPROVED AS TO FORM:



Angela Wheeler
Chief Legal Officer

ADMINISTRATION:



Clyde Edwards
City Administrator

CITY COUNCIL:

Kate Fields
City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 9/16/2021

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: RESOLUTION AUTHORIZING AN HONORARY STREET SIGN ON SPENCER STREET BETWEEN SAGINAW STREET AND MARTIN LUTHER KING, JR BOULEVARD FOR CLARESSA SHIELDS STREET

PREPARED BY Suzanne Wilcox, Director of Planning and Development

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint has adopted an honorary street sign policy that allows for the Mayor to introduce two honorary street titles per 4-year term in office. The mayor would like to use one of his authorized titles to honor Claressa Shields, who has made a significant contribution to the City of Flint through civic, cultural, and humanitarian efforts. An application has been made to designate a portion of Spencer Street between Saginaw Street and Martin Luther King, Jr. Boulevard with an honorary street sign for Claressa Shields.

FINANCIAL IMPLICATIONS: No financial implications

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

Dept.	Name of Account	Account Number	Grant Gode	Amount
		FY19/20 GRAND TOTAL		

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

ACCOUNTING APPROVAL: n/a **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



CITY OF FLINT

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): none

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

DEPARTMENT HEAD SIGNATURE: ^{*SW*}
Suzanne Wilcox, Director, Dept of Planning and Development
(PLEASE TYPE NAME, TITLE)



City of Flint - Honorary Street Sign Application

Honoree & Street Information

Name of Individual/Organization honored: Claressa Shields
(as it would appear on the honorary street sign)

Proper Name of Requested Street: Spencer Street

1st Street Intersecting the One Block Area: Mildred Street

2nd Street Intersecting the One Block Area (if applicable): Saginaw Street

Reason for Street Selection: Spencer Street is the street Claressa Shields grew up on.

Please check all that apply and provide details where necessary

☐ Honoree is deceased

☒ Honoree was a resident of Flint, MI

Honoree Address during Flint Residency 602 Spencer Street

☐ Military Service: _____

☒ Civic Contributions: _____
Claressa Shields is a longtime local hero, a two-time Olympic women's boxing gold medalist, and the undisputed middleweight women's boxing champion. Claressa has used her international notoriety to bring attention to the Flint Water Crisis and has donated significant resources to assist Flint residents. Claressa is also a community champion. Claressa has publicly acknowledged that she used boxing as an escape from childhood abuse. In partnership with Joy Tabernacle Church, she developed the Claressa Shields Community Project, a house that will bring services into the Civic Park neighborhood to help children grow into healthy adults and help families receive support when and where they need it. Claressa is an ambassador for Up2Us Sports, a national non-profit organization dedicating to supporting underserved youth and is also an ambassador for gender equality in sports, particularly boxing.

☒ Cultural Contributions: _____

Claressa Shields has held multiple world championships in three weight classes, including the undisputed female light middleweight, female middleweight, and the unified WBC and IBF female super middleweight titles. Shields currently holds the record for becoming a two and three-weight world champion in the fewest professional fights. As of November 2020, she was ranked as the world's best active female light middleweight and the best active female boxer. Shields is the only boxer in history, female or male, to hold all four major world titles in boxing - WBA, WBC, IBF, and WBO - simultaneously, in two weight classes. She is the first American woman to win an Olympic gold medal in boxing and in 2018 was named the Female Fighter of the Year.

☐ Historic Contributions: _____

☐ Humanitarian Contributions: _____

Applicant InformationApplicant First Name: Sheldon Applicant Last Name: Sheldon Neeley

Signature of Applicant: _____ Date: _____

Address: 2305 Begole Street, Flint, MI 48504Email: sheldonneeley@icloud.com Phone: 810-893-2249Are you a family member of the individual to be honored? ☐ Yes ☒ No

If yes, what is your relation? _____

If no, you must provide a letter of consent from the individual's immediate family.

Required Materials: Please check the boxes to verify the required materials are included with your application.☒ \$150.00 check payable to the "City of Flint"☒ Copy of petition circulated demonstrating support of the street sign.☒ Sufficient documentation validating the above criteria is attached to aid city staff in the processing of the application.☒ Letter of consent (if the applicant is not an immediate family member of the individual).**Submit completed application to:**City of Flint
Planning & Zoning
1101 S. Saginaw St. S105
Flint, MI 48502

For office use only:\$150.00 Application Fee Received: ☐Complete: ☐Incomplete: ☐Routed: ☐

What materials are missing?



POLICIES & PROCEDURES CITY OF FLINT, MICHIGAN

HONORARY STREET SIGN POLICY

PURPOSE:

Honorary street signs provide an opportunity to recognize City of Flint ("City") residents who have made significant contributions to the City, State of Michigan, or the United States of America. Honorary signs do not change the legal name of the street. This policy sets the criteria for conferring honorary street titles and, in order to create uniformity and design standards for signage.

DEFINITIONS:

1. **Honorary Street Name** – Signs posted above standard city street name signs which are intended to recognize and honor certain individuals or groups for a period of time without changing the official name of the street or the official addresses of residences and businesses on the street.
2. **Significant Contribution** – The individual/organization must have made a significant contribution through cultural, humanitarian, civic, historic, or military achievement.

ELIGIBILITY CRITERIA:

Recognition with an honorary street title shall be reserved for those individuals and organizations that have had an impact on the city as a whole by making a significant contribution which reflects positively on the City of Flint.

1. City Council members will review the request and base their recommendations of approval on the merits of the individual or organization listed within in the application.
2. If the recipient of the honorary street title is an individual, whether living or deceased, the individual should be (or have been) a resident or a native of the City, or be of particular importance to the City.
3. If the recipient of the honorary street title is an individual, the individual should have dedicated at least fifteen (15) consecutive years of community service to residents of the City.
4. If the recipient of the honorary street title is an organization, the organization should have been in operation for a minimum of fifteen (15) consecutive years and has its base of operations in the City, or should be of particular importance to the City, and a representative from the organization must sign a letter indicating their consent.

5. The designation is limited to a one-block section of the requested City Street.
6. The designation does not overlap a street section with another honorary street name.
7. Individual family tributes, or commercial-related and/or corporate-related recognition, do not qualify.
8. Given that this policy is intended to recognize City residents, applicants must live within the City Ward for which the naming is requested in.

COST:

Pursuant to the Master Fee Schedule, a non-refundable application fee of **\$150** must be submitted before the request is reviewed by appropriate City departments. For each sign location approved, a fee of **\$250.00** shall be charged, which will cover the cost of design, fabrication and installation of the sign.

Any costs incurred from maintenance, repair, or replacement of the sign shall be the full responsibility of the applicant.

UNIFORMITY:

All honorary signs shall be uniform in their design. The honorary sign is of a similar size and shape as a standard street sign but it will be brown and white instead of the normal green and white for public streets. Only one honorary sign will be allowed at an intersection because of the physical limitation of stacking a third sign on top of the original two. The honorary sign will be of a matching equivalent size to the existing street name sign and conform to the City's street sign regulations.

Final approval of the design will be authorized by the Director of Transportation/Street Maintenance.

APPROVAL:

Honorary street titles shall be approved by resolution. Prior to approval, City staff will notify the individual being nominated, if the recipient is an individual, with the contact information provided on the application. No more than two (2) honorary street titles may be introduced by each councilmember per full (four year) term in office. Two (2) additional honorary street titles may be introduced by the Mayor per full (four year) term. Individuals and organizations eligible for recognition shall be sponsored by the councilmember who represents the affected Ward, or by the Mayor.



RESOLUTION NO.: _____

210493

PRESENTED: _____ OCT - 6 2021

ADOPTED: _____

RESOLUTION RECOGNIZING BUCKHAM FINE ARTS PROJECT., AS A NONPROFIT ORGANIZATION OPERATING IN THE CITY OF FLINT FOR THE PURPOSE OF OBTAINING A CHARITABLE GAMING LICENSE, ISSUED BY THE MICHIGAN LOTTERY CHARITABLE GAMING ORGANIZATION.

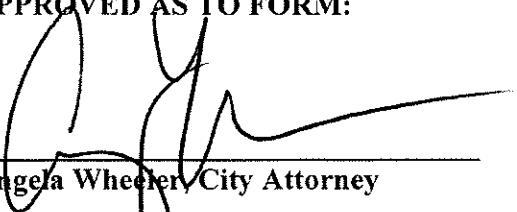
BY THE MAYOR:

Buckham Fine Arts Project., a non-profit organization, whose purpose is to enrich the cultural life of its surrounding communities by presenting a broad range of innovative contemporary art, both visual and performance, of the highest quality in standard.

The City of Flint, being the local governing body with authority to grant local charitable gaming licenses that also conform to requirements set forth by the State of Michigan, Buckham Fine Arts Project., a non-profit organization, having made proper application for a Charitable Gaming License to conduct a raffle on November 12, 2021 in downtown Flint. Ticket prices are \$10.00 for 1 ticket. This resolution is submitted in accordance with the qualification process pursuant to the State of Michigan, Bureau of State Lottery, as allowed by Act 382 of the Public Act of 1972, as amended.

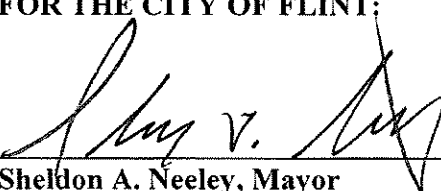
NOW THEREFORE BE IT RESOLVED, that Buckham Fine Arts Project., is recognized as a non-profit organization operating in the City of Flint for the purpose of obtaining a charitable gaming license, issued by the State of Michigan Lottery Charitable Gaming Division, relative to conducting charity and fundraising events, as allowed by Act 382 of the Public Act of 1972, as amended.

APPROVED AS TO FORM:



Angela Wheeler, City Attorney

FOR THE CITY OF FLINT:



Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President



Mission: It is the mission of Buckham Gallery to enrich the cultural life of its surrounding communities by presenting a broad range of innovative contemporary art, both visual and performance, of the highest quality and standard.

Purpose: To inform and educate the public by bringing to it experimental and ambitious art of a high standard of quality in a variety of media, both visual and non-visual.

September 13, 2021

To Whom It May Concern, City of Flint Legal Department,

Greetings. I am Michele Leclaire, Executive Director of Buckham Fine Arts Project, a.k.a. Buckham Gallery. We are submitting an application for a Charitable Gaming License and respectfully request a Resolution recognizing Buckham Fine Arts Project as a nonprofit organization in our community for Charitable Gaming License.

Per phone conversation with Victoria in the Legal Department, I am including a Mission statement, tax-exemption letter from the IRS, and details regarding our event and raffle. Also included is the "Local Governing Body Resolution For Charitable Gaming Licenses" form.

Raffle Details:

Title: BFAP Fall Fundraising Raffle

Event: Drawing will be held at 8:45PM, during the November Art Walk. The event is FREE to attend. Tickets will be sold once license is approved and up until drawing on November 12, 2021. Winner need not be present to win.

Location: 121 W 2nd Street, Flint, MI 48502

Date: November 12, 2021

Price of raffle tickets: \$10

Prize: \$500*

- **If 100 tickets are not sold, the drawing will revert to a 50/50 raffle."

Please let me know if you have any questions or need further documentation. I greatly appreciate your help and consideration.

Sincerely,

Michele Leclaire

Executive Director, Buckham Fine Arts Project | Buckham Gallery

Email: mleclaire@buckhamgallery.org

Gallery Phone: 810-239-6233

Cell Phone: 231-883-2958

BY-LAWS
BUCKHAM FINE ARTS PROJECT

ARTICLE I: PURPOSE

- A. To inform and educate the public by bringing to it experimental and ambitious art of a high standard of quality in a variety of media, both visual and non-visual.
- B. To actively encourage artists who are making unique and significant statements in their chosen disciplines by providing an exciting environment (physical as well as spiritual) in which to display or perform their work.
- C. Said corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that 1954 (or the corresponding provision of any future United States Internal Revenue Law). This corporation shall not carry on any activities prohibited under Section 501 [c] 3 of the Internal Revenue Code of 1954 and shall not engage in any activities the purpose of which is to provide direct pecuniary gain or profit to a member, notwithstanding any provision to the contrary.
- D. No substantial part of the activities of this corporation shall consist in the carrying on of propaganda or otherwise attempting to influence legislation, nor shall this corporation participate in or intervene in (including publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

ARTICLE II: MEMBERSHIP

- A. The membership of the corporation shall consist of the following categories:
 - a. Artist Members
 - b. Sustaining Members
 - c. Associate Members
- B. Definitions of the membership categories:
 - a. Artist Member: an artist member shall be either a practicing artist of demonstrated high achievement as determined by the persons who constitute the Exhibition Membership committee or a person who, in the opinion of said Committee demonstrates a strong potential for such achievement.
 - i. Artist members must have the capacity and the willingness to further the goals of the corporation. They are expected to perform functions pursuant to the operation of the corporation such as service on committees of the corporation, payment of dues, and working regularly according to the work schedule determined by the Board of Directors. Artist members must assist concretely in expediting the artistic program of the corporation and must exhibit or perform regularly as described in Article XII, Section C.
 - b. Sustaining Member: A sustaining member shall be a person with a clearly demonstrated capacity and willingness to further the purposes of the corporation. He or she is expected to serve the corporation in the same ways as an artist member except for the responsibility to exhibit or perform annually or to present a portfolio or other documentation of artwork with application for membership. A sustaining member who wishes to perform or exhibit may do so by following the same process provided for any person who is not an artist member.
 - c. Associate Member: An associate membership shall be accorded any person or organization who applies for such status to the Board of Directors and who pays the annual fee set up by the Board for such status. Associate members may serve in an auxiliary or advisory capacity in the operation of the corporation and may serve on any standing committee with the exception of the Exhibition/Membership Committee.
- C. Voting Rights:
 - a. Voting rights in the corporation shall be limited to Artist Members and Sustaining Members.
- D. Selection of Artist and Sustaining Members:

- a. The founding Board of Directors, as listed in the Articles of Incorporation will select the charter Article II group of Artist and Sustaining Members, adhering to the criteria established in this Article. Subsequent membership decisions will be made by the Board of Directors acting on the advice of the Exhibition/Membership Committee.
 - b. Persons who wish to become Artist or Sustaining members may apply to the Board of Directors in writing stating their qualifications. Appropriate documentation of their artistic work must be included for review before Artist Member status will be granted.
 - c. The Exhibition/Membership Committee recommends candidates for Artist or Sustaining membership to the Board of Directors when vacancies occur in either group.
 - d. Buckham Fine Arts Project does not discriminate on the basis of religion, race, color, national origin, age, sex, marital status, sexual preference, height, weight, arrest record, or handicap.
- E. Renewal of Membership:
- a. The Exhibition/Membership Committee will annually review the activities and contributions of all Artist and Sustaining Members to determine the advisability of renewal of their membership for the next year. They will recommend action to the Board concerning renewal or termination of membership. In the event of an appeal of this decision, the process described in Article II, Section H, 2 will be followed.
- F. Benefits of Membership:
- a. Artist Member: An artist member will receive without charge any publications produced by the corporation, be admitted free to events so designated by the board, vote as outlined in Article II, Section C, serve on the Board of Directors when elected, and serve on committees as described in Article VI.
 - b. Sustaining Member: A sustaining member will receive all the benefits of the Artist membership except as they may be limited by other articles in these By-Laws.
 - c. Associate Members: Individual associate members will receive all the above benefits except the right to serve on the board, vote in the corporation, and serve on the Exhibition/Membership Committee. Organizational associate memberships carry no benefits.
- G. Special Memberships:
- a. The Board of Directors shall have the power to recognize special patronage or contributions by creating special memberships whenever it deems fitting and proper. No obligations or powers accrue to these memberships. Any benefits of special memberships will be determined by the Board strictly on a case-by-case basis.
- H. Expulsion of Members
- a. The Board of Directors shall have the authority to expel any Artist or Sustaining Member who has controverted the purposes of the Corporation as enumerated in the Articles of Incorporation or who has failed to pay his or her dues for a period of three (3) months. The due process rights of persons subject to expulsion shall be carefully considered and the Board shall not exercise this authority capriciously or arbitrarily.
 - b. Members expelled by Board action have the right to appeal such action. The appeal process will be as follows:
 - i. The expelled person will indicate his or her objection to expulsion, in writing, to the Board of Directors.
 - ii. An expulsion Review Board shall be formed consisting of three voting members, two of whom must be Artist members. One member of this board shall be appointed by the President of the Board of Directors, one shall be appointed by the person appealing, one shall be mutually agreed upon by the President and the person making appeal.
 - iii. Decisions reach by an expulsion Review Board shall be final and not subject to further appeal.

ARTICLE III: BOARD OF DIRECTORS

- A. Service on the Board of Directors shall be limited to Artist and Sustaining members.

- B. There shall be a minimum of nine (9) and a maximum of twelve (12) directors. Two-thirds (2/3) of the seats on the board shall be held by Artist Members. The remainder may be held by Artist or Sustaining Members.
- C. Election and term of office for directors:
 - a. The Board of Directors will be elected at the annual meeting of those classes of membership eligible to vote.
 - b. Each director shall be elected for a term of three years and may serve two consecutive terms. There must be a gap of at least one year before the member is eligible for reelection. Directors will hold office until the expiration of the term for which elected or until his or her death, resignation, or removal.
 - c. Method of nomination and election to the Board:
 - i. Each year the President will appoint a nominating committee which will prepare a slate of nominations to fill anticipated vacancies on the Board.
 - ii. Additional nominations may be made by voting members at the annual meeting or in writing to the Nominating Committee prior to that evening.
 - iii. Voting members attending the annual meeting may cast ballots for up to the number of vacancies.
 - iv. Those receiving the highest number of votes will be elected.
 - v. In the event of a tie vote, a run-off election between the tied candidates will be held.
 - vi. Vacancies on the Board may be filled by majority vote of the Board for the unexpired portion of the Term. Nominations for such vacancies will be solicited from the membership at large.
- D. Powers and responsibilities of the Board of Directors:
 - a. To direct the work of the organization and to establish policies of operation.
 - b. To control and protect any property which the Corporation may acquire.
 - c. To appoint standing committees from the membership.
 - d. To hire an Executive Director who shall serve as the chief operating officer of the corporation; and to set the terms of employment and compensation of said Executive Director.

ARTICLE IV: OFFICERS OF THE CORPORATION

- A. The officers of the corporation shall be the same persons as the officers the Board be elected at the same time, and serve identical terms.
- B. The officers shall be President, Vice-President, Secretary, and Treasurer.
- C. The Executive Director shall act as the chief operating officer of the corporation and shall serve at the pleasure of the board of directors.
- D. Election of Officers
 - a. The officers will be elected by and among the Board at the first regular board meeting following the annual meeting. A majority vote of the board members present will be required to elect each officer.
- E. Duties of Officers:
 - a. **PRESIDENT:** Presides at all business meetings of the board of directors. The president is a signer of all legal documents. The president chairs the Exhibition/Membership committee.
 - b. **VICE PRESIDENT:** Performs the duties of president in the absence of the president or in the event of the president's inability to act or perform the duties of the office.
 - c. **SECRETARY:** Keeps the minutes of the meetings of the members and the Board of Directors. The secretary sees that all notices are duly given in accordance with the provisions of the bylaws or as required by law. The secretary is responsible for seeing that the corporate minutes are appropriately filed and safeguarded. The secretary is one of the signers of legal documents for the corporation.

- d. **TREASURER:** Assumes charge and custody of, and responsibility for, all funds and securities of the corporation within the policies determined by the board of directors; monitors the receipt and distribution of receipts for monies due and payable to the corporation; reports to the Board of Directors and the membership on the financial standing of the organization at their scheduled meetings; ensures all government reports are submitted on a timely basis; oversees the annual audit; acts as one of the signers on financial transactions, and serves as the chair of the Finance Committee.
- e. **EXECUTIVE DIRECTOR:** Is the chief operating officer of the corporation responsible for its operations, employed staff, and operational volunteers, acts as a signer of legal documents and financial transactions as authorized by the board of directors.
- F. **Vacancies on the Board:**
 - a. Any vacant office shall be filled by the Board for the unexpired portion of the term.
- G. **Removal of Board Members:**
 - a. A Board Member may, at the discretion of the Board of Directors, be removed as an officer of the corporation or from the Board of Directors by a two-thirds vote of the Board.

ARTICLE V: RULES OF ORDER

- A. Robert's Rules of Order will be the prevailing standard for conducting all meetings of the organization as far as practicable.

ARTICLE VI: COMMITTEES

- A. **The Nominating Committee shall:**
 - a. Be chaired by a continuing member of the Board;
 - b. Have no less than three (3) members or more than five (5), the majority of whom must be artist members;
 - c. Be responsible for developing a slate of Board of Directors nominees for presentation to the membership at the annual meeting;
 - d. Recommend to the Board of Directors nominees for any board vacancy which may occur during an elected director's term;
 - e. Have no more than one member serve on the committee for more than two years with the exception of the chair.
- B. **The Finance Committee shall:**
 - a. Be chaired by the treasurer;
 - b. Have no less than three (3) members, two (2) of whom are members of the Board of Directors;
 - c. Review, monitor, and report to the Board of Directors on the financial status of the organization;
 - d. Recommend policy to the Board of Directors;
 - e. Meet for no less than three (3) times during the fiscal year.
 - f. Prepare an annual budget for review and adoption by the Board.
- C. **The Exhibition/Membership Committee shall:**
 - a. Be chaired by the President of the Board of Directors;
 - b. Be limited to seven voting members, a majority of whom must be artist members;
 - c. Screen prospective members, conduct the annual review of all current artist and sustaining members, and make recommendations to the Board concerning candidates for membership and the renewal of current members;
 - d. Recommend policy to the Board of Directors on the content and operations of the artistic program of the corporation;

- e. Screen applicants for non-member exhibitions and performances;
 - f. Plan the yearly artistic program of the corporation.
- D. The president shall have the power to designate additional committees and to appoint members to such committees as may be necessary to carry out the purposes of the corporation.

ARTICLE VII: MEETINGS

A. Meetings of the Membership:

- a. A meeting of the voting membership, as defined in Article II, Section C, will be held once each year. Notice of this meeting will be given first-class mail two weeks in advance of the date.
- b. One-third of the voting membership constitutes a quorum at any duly announced meeting.
- c. A majority vote of the members present and eligible to vote shall be required to carry any motion unless otherwise state in these By-Laws.
- d. Non-voting members may participate in discussion during corporation meetings.

B. Meetings of the Board of Directors:

- a. The President of the Board of Directors may call a meeting of the Board of Directors at any time.
- b. The President or his/her designee must notify every director one week in advance of any meeting. Said notice may be by electronic transmission, unless specifically objected to by the director.
- c. A majority of the Board of Directors shall constitute a quorum at any meeting of the board.
- d. A simple majority of the entire Board shall be required to carry any motion brought before the Board of Directors.
- e. Any voting or non-voting member may be invited to participate in pertinent discussions during a Board of Directors meeting.

C. Meetings of the Board Officers

- a. If, in the event of a meeting of the Board of Directors, no quorum is met, the officers of the Board of Directors may hold a meeting of the Board Officers, consisting of no less than two of the Board of Directors' officers, plus any remaining directors present.
- b. Meetings of the Board Officer have full voting rights to conduct business in the same manner as a traditional Board meeting.

ARTICLE VIII: ADOPTION, AMENDMENT, OR REPEAL OF BY-LAWS AND ARTICLES OF INCORPORATION

- A. Except as noted in Section C of this Article, the By-Laws and Articles of Incorporation may be adopted, amended or repealed by a two-thirds majority vote of the membership, as defined in Article II, present and voting at either the annual membership meeting or at a special meeting convened pursuant to the procedure set forth in Section B.
- B. If a vote to adopt, amend or repeal the By-Laws or Articles of Incorporation is to occur at the Annual Meeting, written notice of the specific changes must be sent to the membership fourteen (14) days prior to the date of the Annual Meeting. If the vote to adopt, amend or repeal the By-Laws is to occur at a special meeting, written notice of the date, time and location of said meeting, along with notice of the specific changes to the By-Laws or Articles of Incorporation, must be sent to the membership fourteen (14) days prior to the date of the special meeting. A special meeting for the purposes enunciated herein may be held in conjunction with the monthly meeting of the Board of Directors.
- C. The following articles may not be amended or repealed:
 - a. ARTICLE II of the Articles of Incorporation and ARTICLE I of the By-Laws both of which relate to the purpose.
 - b. ARTICLE II, Section D of the By-Laws, which pertains to the membership section.

- c. ARTICLE VI, Section C of the By-Laws which relates to the standing Exhibition/Membership Committee.
- D. Members may participate in a meeting by means of conference telephone or other means of remote communication so long as all persons participating in the meeting can communicate with one another.
- E. Voting by proxy shall not be permitted.
- F. If it is impractical for the Executive Board to hold a formal meeting, the board may take action on a resolution so long as unanimous written consent is received from all Board members. Such consent may be obtained by e-mail or other forms of electronic transmission.

ARTICLE IX: POWERS

This corporation shall have the full powers allowed by law to manage its affairs and property. All powers and activities shall be exercised and managed directly by the Board of Directors, or they may be delegated under the ultimate direction and control of the Board of Directors. The Boars shall not permit any part of the net earnings or capital of the Corporation inure to the benefit of any private individual.

A volunteer director or officer of the corporation shall not be personally liable to the Corporation or its shareholders or members for monetary damages for a breach of fiduciary duty as a director or officer, except for liability:

- A. For any breach of the director's or officer's duty of lo9yalty to the Corporation or its shareholders or members;
- B. For acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law;
- C. Resulting from a violation of Section 551 (1) of the Michigan Nonprofit Corporation Act, unless the director has complied with Section 541(a) of the Act;
- D. For any transaction from which the director derived an improper personal benefit;
- E. For an act or omission that is grossly negligent.

The corporation assumes all liability to any person other than the Corporation or its directors or officers for all acts or omission of a volunteer director, volunteer officer or other volunteer occurring on or after the date of the filing of these Articles, if all of the following are met:

- A. The volunteer was acting or reasonably believed that he or she was acting within the scope of his or her authority.
- B. The volunteer was acting in good faith
- C. The volunteer's conduct was not an intentional tort.
- D. The volunteer's conduct did not amount to gross negligence or willful or wanton misconduct.
- E. The volunteer's conduct was not a tort arising out of the ownership, maintenance or use of a motor vehicle for which tort liability may be imposed in section 3135 of the insurance code of 1956, Act No. 210 of the Public Acts of 1956, being section 500.3135 of Michigan Compiled Laws.

Any claim for monetary damages for a volunteer director, volunteer officer or other volunteers' omissions shall not be brought or maintained against a volunteer director, volunteer officer or other volunteer. The claim shall be brought and maintained against the corporation.

In the event of the Michigan Non-Profit Corporation Act is hereafter amended to authorize corporate action further eliminating or limiting the personal liability of a director, then the liability of a director of the corporation shall be eliminated or omitted to the fullest extend permitted by the Michigan Business Corporation Act, as so amended. Any repeal modification or adoption of any provision in the Articles of Incorporation inconsistent with this article shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal, modification or adoption.

ARTICLE X: PROPERTY AND CAPITAL FUNDS

Real property of the corporation is held and managed by the Board of Directors, and only by its authority shall mortgages or other obligations be made chargeable to the real property of the corporation. The board shall hold all funds of the corporation and administer them in accordance with the requirements of state and federal laws and for the purpose indicated by any donors.

ARTICLE XI: CONFLICTS OF INTEREST

- A. Any conflict of interest of any voting member shall be disclosed to the Board of Directors, made a matter of record, and included in any annual report which may be required.
- B. Any voting member having a conflict of interest in a matter shall not vote on said matter and shall not be counted in determining the quorum at any meeting of the membership where said matter is discussed.
- C. The minutes of meetings in which a conflict of interest was reported shall reflect that such a disclosure was made, the abstention from voting, and the presence or absence of a quorum.
- D. Each member of the Board of Directors shall sign a Conflict of Interest Statement upon his/her election.

ARTICLE XII: ACTIVITIES

- A. A yearly program of exhibitions, performances, workshop, film and video showings and other artistic endeavors will be planned by the Exhibition/Membership Committee and will be submitted for approval to the Board of Directors.
- B. The Board of Directors shall be authorized to take any action they are empowered to take under these By-Laws and which are not illegal under any federal, state or municipal regulations in order to realize this program of events.
- C. Artist members will personally exhibit or perform in an individual capacity or as part of a group at least once every year.
- D. It is the intention of the corporation that a majority of the events forming the artistic program of the corporation will be exhibits or performances by persons who are not artist-members.
- E. Every effort will be made to include works and projects and persons from outside the Flint Area. The Exhibition/Membership Committee shall make an annual report stating the ratio of member to non-member events.
- F. The Exhibition/Membership Committee is empowered to establish rules and guidelines for juried exhibitions and other competitions and to establish the manner in which members or non-members must apply to be considered for inclusion in the artistic program.

ARTICLE XIII: DUES AND FEES

- A. Artist members and Sustaining members shall be assessed annual dues in an amount to be determined by the Board of Directors.
- B. Associate members shall pay an annual fee which shall be determined by the Board of Directors.
- C. Exemption from Dues or Fees
 - a. Exemption from the payment of dues for artist members may be granted by the Board of Directors on the basis of need. Persons granted such exemption may be asked to provide some special service. The granting of such exemptions shall be contingent upon a recommendation by the Exhibition/Membership Committee.
 - b. Exemptions may also be granted to individuals who render an extraordinary service of great value to the Corporation as determined by the Board of Directors.

ARTICLE XIV: DISSOLUTION

Any action to dissolve this corporation must be passed by a two-thirds affirmative vote of the voting members present at a duly called membership meeting. All real or capital assets of the corporation will be dispersed to other community arts non-profit 501 (c) 3 organization as determined by a majority vote of the Board of Directors.

Approved by the membership:

March 16, 1984

As amended 03/11/88

As amended 02/24/91

As amended 03/03/92

As amended 04/21/96

As amended 02/01/98

As amended 02/23/09

As amended 03/20/11

As amended 03/27/14

**Internal Revenue Service
District Director**

Department of the Treasury

Date: AUG 29 1986

Employer Identification Number:
38-2546411

Case Number:
310044407

Person to Contact:
Gary Muthert

Contact Telephone Number:
513-684-2501

Caveat Applies:
No

▷ The Buckham Fine Arts Project
134 ½ Second Street
Flint, MI 48502

Dear Sir or Madam:

Based on the information you recently submitted, we have classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Internal Revenue Code because you are an organization described in section 509(a)(1)**

Your exempt status under section 501(c)(3) of the Code is still in effect.

This classification is based on the assumption that your operations will continue as you have stated. If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status: 509(a)(1) and 170(b)(1)(A)(vi).

This supersedes our letter dated June 15, 1986.

If the above heading indicates that a caveat applies, the caveat below is an integral part of the letter.

Because this letter could help resolve any questions about your foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,


District Director

** and 170(b)(1)(A)(vi)

cc: Roger Linn
Fromholz, Paaue & Baker
5080 West Bristol Road
Flint, MI 48507



Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(K)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

county of _____, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL

Yeas: _____

Nays: _____

Absent: _____

DISAPPROVAL

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

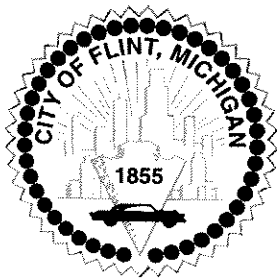
SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.

BSL-CG-1153(R6/09)



RESOLUTION NO.: 210494

PRESENTED: OCT - 6 2021

ADOPTED: _____

**RESOLUTION OPPOSING WORKPLACE DISCRIMINATION BASED ON FACIAL
HAIR**

BY THE CITY COUNCIL:

WHEREAS the Declaration of Rights in the Charter of the City of Flint recognizes that, “[t]he people of the City of Flint have in this Charter reaffirmed their faith in fundamental human rights and in the equal rights of men and women,” and

WHEREAS the Declaration of Rights in the Charter of the City of Flint’s also recognizes that the people of the City of Flint “have determined to promote social progress and to guarantee that City government serves the citizenry,” and

WHEREAS the Equal Employment Opportunity Commission has promulgated regulations requiring that employers must allow beards for religious or medical reasons, that do not interfere with required work, and

WHEREAS the decision to wear or not wear facial hair is a personal choice of the people of the City of Flint, and

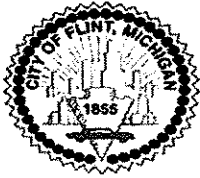
THEREFORE, BE IT RESOLVED that the Flint City Council opposes workplace discrimination based on beards or other facial hair in the absence of compelling reasons of health, safety, and/or public welfare or unless it interferes with the safety of the employee, i.e. firefighters, or interference with employee safety or safety apparatus.

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer



210398

RESOLUTION NO.: _____

PRESENTED: AUG 18 2021

ADOPTED: _____

**RESOLUTION APPROVING THE APPOINTMENT OF ROBERT WIDIGAN AS
CHIEF FINANCIAL OFFICER**

BY THE MAYOR:

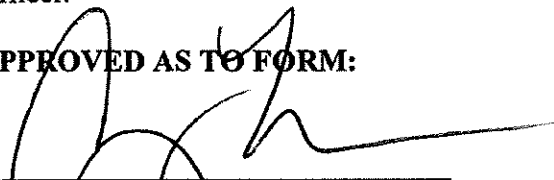
Pursuant to Flint City Charter Section 4-203(D), the Mayor of the City of Flint hereby appoints Robert Widigan as the Chief Financial Officer.

WHEREAS, the Chief Financial Officer shall be paid a salary based on an annual compensation rate of One-Hundred and Thirty-Five Thousand Dollars (\$135,000.00/\$64.90 hourly rate) (\$91,967.90) paid from account 101-191.100-703.000 Wages and Salaries and (\$43,032.10) paid from 296-172.100-703.000 (LCSM-17-FRTA), with the difference in compensation between the Interim Chief Financial Officer and Chief Financial Officer retroactive to August 16, 2021. The terms of appointment and resume are attached.

WHEREAS, Mayor Sheldon Neeley recommends that Robert Widigan be appointed as the Chief Financial Officer.

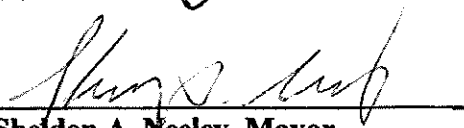
NOW THEREFORE BE IT RESOLVED that the Flint City Council approves the recommendation by Mayor Sheldon Neeley to appoint Robert Widigan as the Chief Financial Officer.

APPROVED AS TO FORM:



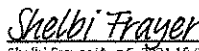
Angela Wheeler, Chief Legal Officer

FOR THE CITY OF FLINT:



Sheldon A. Neeley, Mayor

APPROVED AS TO FINANCE:



Shelbi Frayer (Aug 5, 2021 10:04 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: 8.3.2021

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Resolution Approving Robert Widigan Appointment to Chief Financial Officer

PREPARED BY

City of Flint Legal Department

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution authorizing the appointment of Robert Widigan as Chief Financial Officer. Mr. Widigan will be paid a salary based on an annual compensation rate of One-Hundred and Thirty-Five Thousand Dollars (\$135,000.00/\$64.90 hourly rate) and paid from account 101-191.100-703.000

FINANCIAL IMPLICATIONS: Payment shall be drawn from appropriated funds in and line item 101-191.100-703.000 (\$91,967.90) Wages and Salaries and account 296-172.100-703.000 (LCSM-17-FRTA) (\$43,032.10)

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

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒

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

DEPARTMENT HEAD SIGNATURE:

(PLEASE TYPE NAME, TITLE)

ROBERT J.F. WIDIGAN

310 N. Cedar St., Apt. 411 | Lansing, MI 48912 | 810.569.8296

rwidigan@gmail.com | www.robertwidigan.com

Experienced professional with a proven track record of success working in local and state government. I am looking for the opportunity to build lasting relationships and help the City of Flint move forward towards further success. Over the past 12 years, my work in local and state government has resulted in a deep understanding of the critical financial and operational issues facing local governments and how communities work and interact with each other.

SUMMARY OF PROFESSIONAL EXPERIENCE

- » Manages the fiscal operations of the City of Lansing including accounting, purchasing, budget preparation and monitoring, investment and debt management, reporting and audit compliance, financial projections and analysis, fringe benefits, and retirement funds
- » Serves as the City of Lansing's chief spokesperson regarding City finances and City policy to the City Council and other local community officials
- » Prepare financial forecasts, budgetary assessments, and fiscal policy recommendations
- » Oversees the financial management and planning and acts as the Mayor's representative in various arenas for the City
- » Develops or acquires financial systems for the City to ensure that fiscal management of the City's resources is accomplished in the most cost-effective, efficient manner, consistent with legal and regulating requirements
- » Seasoned municipal administrative professional, experienced in tasks necessary for local governments, served as the chief executive for Shelby, MI
- » Extensive experience working in local, regional, and state government with a focus on administrative, communications, community outreach, municipal finance, and operational functions
- » Oversaw day to day operations of local government
- » Experience leading 15 plus individuals
- » Experience building diverse and sustainable communities throughout Michigan
- » Development of public policies and local ordinances
- » Review and evaluate complex municipal government budgets, cash flows, and other financial reports
- » Recommends alternative strategies and financial and operational structuring to maximize allocated budget resources for municipal government
- » Formally responsible for analyzing trends, compiling local government data, and preparing reports for long-range strategic planning and recommendations for state support directly to local governments at the Michigan Department of Treasury (Treasury)
- » Experience managing multiple complex projects from conception to completion
- » Ability to adapt to diverse and ever-changing work conditions
- » Excellent team player and ability to work independently
- » Served as the communications and social media liaison for the Bureau of Local Government and School Services within Treasury where I developed and maintained daily social content strategies, promoting statewide Treasury news
- » Experience fostering strong community relations

WORK EXPERIENCE

Finance Director, City of Lansing, Ingham County, MI	Aug. 2020 – Present
Village Manager, Village of Shelby, Oceana County, MI	June 2018 – Aug. 2020
Departmental Analyst, Bureau of Local Government and School Services, Michigan Department of Treasury	June 2014 – June 2018
Co-Chair, Clayton Township Planning Commission, Charter Township of Clayton	May 2015 – June 2018
Treasurer, Genesee County Planning Commission Metropolitan Alliance, Charter Township of Clayton	Jan. 2013 – June 2018
» Jan. 2013 to Mar. 2017 served as Trustee; part-time	
President and Police Commissioner, Village of Lennon, Lennon, Michigan	Sep. 2009 – Feb. 2017
» Sep. 2009 to Nov. 2016 served as Councilman for the Village	
Intern, Office of Fiscal Responsibility, Michigan Department of Treasury	Jan. 2014 – May 2014

VOLUNTEER EXPERIENCE

Shelby Optimist Club Member, Optimist International	Nov. 2018 – Present
Vice-President, Oceana County Economic Alliance, 501(c)(3)	Jan. 2019 – Aug. 2020
Shelby Rotary Club Member, Rotary International	July 2018 – Aug. 2020
Founding Member, Shelby Roars, Shelby, Michigan	Aug. 2018 – Aug. 2020

EDUCATION

Bachelor of Business Administration (BBA), University of Michigan – Flint, School of Management	Feb. 2012 – May 2014
» Concentration in Accounting, GPA of 3.19	
» Beta Alpha Psi, International Honor Organization for Financial Information Students and Professionals	
Business Transfer, Mott Community College, Flint, Michigan	Sept. 2008 – Apr. 2012

HARD SKILLS

- » BS&A and OneSolution
- » Budget Development and Implementation
- » Budgetary Assessments
- » Community Marketing
- » Economic Development
- » Fiscal policy recommendations
- » Microsoft Office Suites and Google Apps
- » Policy and Ordinance Development
- » Project Management

SOFT SKILLS

- » Adaptable
- » Attention to Detail
- » Collaboration
- » Community Outreach and Communication
- » Effective Communication
- » Problem Solving
- » Punctuality
- » Self-Management
- » Time Management

ROBERT WIDIGAN TERMS OF APPOINTMENT

The Mayor of the City of Flint hereby appoints **Robert Widigan** as Chief Financial Officer in accordance with the provisions of Flint City Charter §§4-203(D) & 1-501.

1. **Scope of Services:** Under the general supervision of the Mayor and City Administrator, the Chief Financial Officer duties shall include those enumerated for the Chief Financial Officer in the Flint City Code of Ordinances, Chapter 2, Article XV, Department of Finance, the Chief Financial Officer Job Description and other duties that shall from time-to-time be required, in the absolute discretion of the Mayor, or his designee and; she shall be subject to all work rules and policies established by the City of Flint.

2. **Term of Appointment:** This appointment shall commence on April 15, 2021, 2021 and shall continue at the will of the Mayor.

3. **Compensation:** The Chief Financial Officer shall be paid a salary based on an annual compensation rate of One-Hundred and Forty-Eight Thousand Dollars (\$135,000.00/\$64.90 hourly rate). This salary shall be payable in regular timely installments, in the same manner as other employees of the City of Flint are paid. Such earnings shall be paid from account 101-191.100-703.000 (\$91,967.90), Wages & Salaries and account 296-172.100-703.000 (LCSM-17-FRTA) (\$43,032.10) with the difference in compensation between the Interim Chief Financial Officer and Chief Financial Officer made retroactive to August 16, 2021. The funding from the Mott Capacity Grant is contingent upon the availability of the funding. In the event, that the funding from the Mott Capacity Grant is no longer available, the salary will be reduced to \$91,967.10 unless other funding sources subsequently supplement the \$43,032.10.

4. **Benefits:** The Chief Financial Officer will be provided with fringe equal to those now or hereinafter provided for an exempt employee allocated above Level 23 including, but not limited to health care coverage, dental insurance, life insurance, personal time off, holiday pay, etc.; but expressly excluding membership in the Civil Service System. However, the Chief Financial Officer shall be eligible to participate in the City of Flint Hybrid Pension Plan as provided to other appointed officials, which may change from time-to-time. The Chief Financial Officer shall be 100% vested at all times, with respect to his own contributions.

For the purposes of providing to the Chief Financial Officer the above compensation and fringe benefits, the City of Flint shall place the Chief Financial Officer on the City's regular payroll so that all of said compensation and fringe benefits shall be provided to the Chief Financial Officer in the same manner as other employees of the City of Flint.

5. **Indemnification and Insurance:** The City of Flint shall indemnify and provide appropriate insurance coverage for the Chief Financial Officer for any attorney's fees, reasonable costs, and damage awards incurred by the Chief Financial Officer as a result of any malpractice action brought against him by any person as a result of his performance of duties pursuant to his Appointment. To the fullest extent permitted by law, the City of Flint shall defend, pay on behalf of, indemnify and hold harmless the Chief Financial Officer against any and all claims, demands, suits, or losses, including, but not limited to, civil rights actions, and providing for all costs connected therewith, and for any damages which may be asserted, claimed, or recovered against or from the Chief Financial Officer by reason of any injuries or damages including losses

that may arise as a result of his acts, omissions, faults or negligence in connection with the performance of the terms of his appointment. The City of Flint shall provide appropriate insurance coverage, although, the full indemnification of the Chief Financial Officer as articulated above shall not be in any way limited by the insurance coverage chosen by the City of Flint.

6. Termination: The City may terminate, without cause, this Agreement (and the resultant employment relationship) with the Chief Financial Officer before the expiration set forth herein. In the event that this Agreement is terminated without Good Cause, the Chief Financial Officer shall be entitled to accrued PTO.

The City may terminate, for Good Cause, this Agreement (and the resultant employment relationship) with the Chief Financial Officer before the expiration set forth herein. In the event that this Agreement is terminated with Good Cause, the Chief Financial Officer shall be entitled to accrued PTO.

The Chief Financial Officer may voluntarily terminate this Agreement before the expiration of the term set forth herein by providing fourteen (14) days advanced written notice, unless agreed upon otherwise by the Parties. In the event that this Agreement is terminated pursuant to this subsection, the Chief Financial Officer shall be entitled to accrued PTO.

“GOOD CAUSE”. For purposes of this Agreement the term "good cause" is defined as sole proven acts or omissions as follows:

A. Any willful, knowing, grossly negligent, or negligent breach, disregard or habitual neglect of any provision of this Agreement, or any willful, knowing, grossly negligent, or negligent breach, disregard or habitual neglect of any duty or obligation required to be performed by the Chief Financial Officer under this Agreement or applicable law.

B. Any misconduct of the Chief Financial Officer involving an act of moral turpitude, criminal illegality (excepting minor traffic violations), or habitual violations of the traffic laws, whether or not related to the Chief Financial Officer's official duties hereunder.

C. Any willful, knowing, grossly negligent, or negligent misapplication or misuse, direct or indirect, by the Chief Financial Officer, of public or other funds or other property, real, personal, or mixed, owned by or entrusted to the City, any agency or corporation thereof, or the Chief Financial Officer in his official capacity.

7. Waiver of Claims: Appointee agrees, in consideration for accepting payment pursuant to this Agreement, that Appointee will not file a lawsuit or claim of any type in any forum against the City for actions arising in any way related to employment by the City, and that if Appointee does, the lawsuit or claim will be immediately dismissed; and, notwithstanding the fact that the terms of this Agreement shall otherwise remain in full force and effect, Appointee will return to the City all of the consideration received from the City as a result of this Agreement, and Appointee will pay to the City all of the costs, expenses, and attorney fees incurred by the City in defending against such a lawsuit or claim. However, nothing in this

Agreement shall prevent Appointee from filing suit to challenge this Agreement or to enforce the terms of this Agreement.

8. **Whole Agreement:** Any additions, deletions or modifications to these terms of appointment must be in writing and signed by both parties. This document, consisting of three (3) pages in its entirety, embodies the entire agreement between the parties hereto.

Dated this ____ day of August 2021.

APPOINTEE:

Robert Widigan

FOR THE CITY:

APPROVED AS TO FORM:

Sheldon A. Neeley, Mayor

Angela Wheeler, Chief Legal Officer

S:\AWO\Terms of Appointment\Robert Widigan\2021.08.02 (Permanent) Widigan Terms of Appointment Chief Financial Officer.doc

210498

RESOLUTION NO.: _____

PRESENTED: OCT - 6 2021

ADOPTED: _____

**RESOLUTION RE-APPOINTING MS. KATHY JACKSON TO THE DISTRICT'S FLINT
PUBLIC LIBRARY BOARD**

BY THE MAYOR:

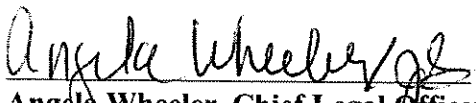
WHEREAS, the Library Agreement between the City of Flint and the Board of Education that created the Flint District Library, it requires the City of Flint to make regular appointments to the seven-member Board of the Flint Public Library; and

WHEREAS, Ms. Kathy Jackson (132 W. First Street, Flint, MI 48502), has expressed a sincere interest in serving on the Library Board.

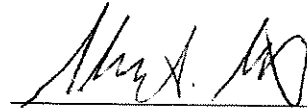
WHEREAS, Mayor Sheldon A. Neeley recommends and supports the re-appointment of Ms. Kathy Jackson to the Flint District Library Board.

BE IT RESOLVED that the Flint City Council approves the appointment of Ms. Kathy Jackson (132 W. First Street, Flint, MI 48502), to the Flint District Library Board for another three-year term that commence on October 1, 2021 and expiring September 30, 2024.

APPROVED AS TO FORM:


Angela Wheeler, Chief Legal Officer

FOR THE CITY OF FLINT:


Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

RESOLUTION NO.: 210499
PRESENTED: OCT - 6 2021
ADOPTED: _____

**RESOLUTION RECOMMENDING THE RE-APPOINTMENT OF VIVIAN KAO TO THE
DISTRICT'S FLINT PUBLIC LIBRARY BOARD**

BY THE MAYOR:

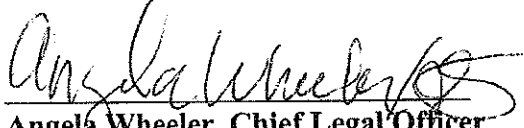
WHEREAS, the Library Agreement between the City of Flint and the Board of Education that created the Flint District Library, it requires the City of Flint to make regular appointments to the seven-member Board of the Flint Public Library; and

WHEREAS, Vivian Kao (1213 Beard Street, Flint, MI 48503), has expressed a sincere interest in serving on the Library Board.

WHEREAS, Mayor Sheldon A. Neeley recommends and supports the re-appointment of Vivian Kao to the Flint District Library Board.

BE IT RESOLVED that the Flint City Council approves the appointment of Vivian Kao (1213 Beard Street, Flint, MI 48503), to the Flint District Library Board for a three-year term that commenced on October 1, 2021 and expiring September 30, 2023.

APPROVED AS TO FORM:


Angela Wheeler, Chief Legal Officer

FOR THE CITY OF FLINT:

Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

RESOLUTION NO.: _____

PRESENTED: _____

ADOPTED: _____

**RESOLUTION RECOMMENDING THE APPOINTMENT OF VIVIAN KAO TO THE
DISTRICT'S FLINT PUBLIC LIBRARY BOARD**

BY THE MAYOR:

WHEREAS, the Library Agreement between the City of Flint and the Board of Education that created the Flint District Library, it requires the City of Flint to make regular appointments to the seven-member Board of the Flint Public Library; and

WHEREAS, Vivian Kao (1213 Beard Street, Flint, MI 48503), has expressed a sincere interest in serving on the Library Board.

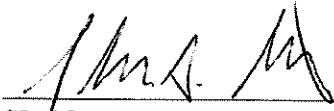
WHEREAS, Mayor Sheldon A. Neeley recommends and supports the appointment of Vivian Kao to the Flint District Library Board.

BE IT RESOLVED that the Flint City Council approves the appointment of Vivian Kao (1213 Beard Street, Flint, MI 48503), to the Flint District Library Board for a three-year term that commenced on October 1, 2020 and expiring September 30, 2023.

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

FOR THE CITY OF FLINT:



Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

VIVIAN Y. KAO

Department of Humanities, Social Sciences,
and Communication
Lawrence Technological University
21000 West Ten Mile Road
Southfield, MI 48075

1213 Beard Street
Flint, MI 48503
253.432.0098
vkao@ltu.edu
vivianykao1@gmail.com

Dr. Vivian Kao was born in Houston, Texas, and grew up in the Tacoma, Washington area. She attended the University of Washington, Tacoma, where she received her B.A. in Arts, Media, and Culture; and Rutgers University, where she received her M.A. and Ph.D. in English Literature. Vivian is a first-generation American born to Chinese parents who fled to Taiwan during China's Communist Revolution in 1949 and later immigrated to the United States. As a child, Vivian spent countless hours in libraries and reading library books at home. She developed a love for literature and books of all sorts that continues to the present day. She currently holds the position of Assistant Professor of Composition at Lawrence Technological University. She teaches courses in world literature, academic writing, and the humanities.

Vivian moved to Flint in 2015. She was a founding member of the Flint Montessori Parent Advisory Group in 2017 and helped to establish the Flint Public Montessori Program at Durant-Tuuri-Mott Elementary. She hopes to become more involved with local literacy initiatives and service organizations.

Vivian resides in Flint with her husband, Dr. Benjamin Pauli, and their two small humans, Julian (age 8) and Flynn (age 2).