

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

GOVERNMENTAL OPERATIONS COMMITTEE

*Jerri Winfrey-Carter, Chairperson, Ward 5
Ladel Lewis, Vice Chairperson, Ward 2*

*Eric Mays, Ward 1
Judy Priestley, Ward 4
Allie Herkenroder, Ward 7*

*Quincy Murphy, Ward 3
Tonya Burns, Ward 6
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.

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

220040 Special Order/Resolution 210590.1/Objection to the Transfer of Tax-Reverted Property

A Special Order as requested by Council President Mays to discuss amended Resolution No. 210590.1 -- a resolution objecting to the transfer of tax-reverted property from Genesee County to the City of Flint.

RESOLUTIONS

220038 Public Hearing/Rules Governing Meetings of the Flint City Council

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to conduct a public hearing for the purpose of public input on the proposed amendments to the Rules Governing Meetings of the Flint City Council on the _____ day of _____, 2022, in City Council Chambers, 1101 S. Saginaw Street, Flint.

220059 Recreation Agreement/City of Flint/Mott Park Recreation Association (MPRA)

Resolution resolving that the Flint City Council hereby authorizes entering into this 50-year lease agreement with Mott Park Recreation. [NOTE: MPRA has maintained the property described in this agreement since 2011, and is dedicated to expanding access to quality recreational facilities and programs to all citizens of the City of Flint. The parcels are described as: 40-11-351-098, 40-14-128-001, 40-14-128-002, 40-14-101-001, 40-14-101-002, 40-14-101-003 and

40-14-251-001.]

APPOINTMENTS

220060 Appointment/Economic Development Corporation (EDC) Board of Directors/Moteez Wilson

Resolution resolving that the Flint City Council approves the appointment of Moteez Wilson (2310 Clement Street, Flint, MI 48504) to the Economic Development Corporation (EDC) Board of Directors, for the remainder of a six-year term, commencing immediately upon adoption of this resolution, and expiring March 27, 2024, replacing Maurice Davis.

DISCUSSION ITEMS

220096 Discussion Item/Marihuana Advisory Committee

A Discussion Item as requested by Councilperson Ladel Lewis to talk about forming a Marihuana Advisory Committee and to discuss putting caps on dispensaries. [Referral Action Date: 12/14/2022 @ City Council Meeting.]

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.]

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.]

210551 Discussion Item/Dead Trees

A Discussion Item as requested by Councilperson Winfrey-Carter to talk about dead trees and the impacts on sidewalks. [Referral Action Date: 10/11/2021 @ City Council Special Affairs Committee Electronic Public Meeting.]

210614 Discussion Item/Parking Meters

Discussion item as requested by Councilperson Winfrey-Carter: re, she would like to discuss parking meters. [Referral Action Date: 12/13/2021 @ Special Affairs Committee Meeting.]

ADJOURNMENT

RESOLUTION NO.: 220038

PRESENTED: January 19, 2022

ADOPTED:

**Resolution to Approve a Public Hearing Regarding the
Amended Changes to Rules Governing Meetings of the Flint City Council**

By the Flint City Council:

WHEREAS, an ad hoc Rules committee was established on November 15, 2021, for the purpose of revision to the Rules Governing Meetings of the Flint City Council (the Rules), which were adopted as amended on June 12, 2017; and

WHEREAS, significant amendments to the Rules have been made by the ad hoc Rules committee for the purposes of clarity and consistency therein; and

WHEREAS, Section 1-801 et seq. of the Flint City Charter requires a public hearing for proposed amendments of the Rules.

THEREFORE BE IT RESOLVED, that the appropriate City officials are hereby authorized to do all things necessary to conduct a public hearing for the purpose of public input on the proposed amendments to the Rules Governing Meetings of the Flint City Council on the ____ day of _____, in City Council Chambers, 1101 S. Saginaw Street, Flint.

APPROVED AS TO FORM:

CITY COUNCIL:

Angela Wheeler, Chief Legal Officer

Eric Mays, City Council President

RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL

GENERAL

PREAMBLE

OPEN MEETINGS ACT (OMA)

FREEDOM OF INFORMATION ACT (FOIA)

RULE 1 PARLIAMENTARY AUTHORITY

RULE 2 SUSPENSION AND AMENDMENT OF RULES

ORGANIZATION #1

RULE 3 COUNCIL PRESIDENT; PRESIDING AT MEETINGS

RULE 4 APPOINTMENT OF COMMITTEES

ORGANIZATION #2

RULE 5 TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

RULE 6 AGENDA FOR REGULAR MEETINGS OF COUNCIL; AGENDAS FOR COMMITTEE MEETINGS

RULE 7 ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

ACTION BY COUNCIL

RULE 8 FORM OF ACTION; DIVISION OF QUESTION

RULE 9 VOTING; VOTING – ABSTAINING VOTES

RULE 10 INTRODUCTION AND ENACTMENT OF ORDINANCES

MOTIONS #1

RULE 11 CONSIDERATION OF MOTIONS

RULE 12 SUPPORT FOR MOTIONS

RULE 13 MOTION TO ADJOURN

RULE 14 MOTION TO RECESS

RULE 15 MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

RULE 16 MOTION TO VOTE IMMEDIATELY (PREVIOUS QUESTION OR CALL THE QUESTION)

RULE 17 MOTION TO LIMIT OR EXTEND DEBATE

MOTIONS #2

RULE 18 MOTION TO POSTPONE DEFINITELY

RULE 19 MOTION TO REFER (COMMIT)

RULE 20 MOTION TO AMEND

RULE 21 MOTION TO POSTPONE INDEFINITELY

RULE 22 MOTION TO RECONSIDER

RULE 23 MOTION TO RESCIND

RULE 24 REQUEST TO WITHDRAW A MOTION

MOTIONS #3

RULE 25 INCIDENTAL MOTIONS – POINT OF ORDER

RULE 26 INCIDENTAL MOTIONS – ~~POINT OF~~ REQUEST FOR INFORMATION

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

RULE 27 MAINTENANCE OF ORDER AND DEBATE

RULE 28 RIGHT TO SPEAK IN DEBATE

RULE 29 PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

RULE 30 GENERAL CONDUCT AND STANDARDS OF CONDUCT

RULE 31 ETHICS

RULE 32 DISCIPLINARY ACTIONS

REVIEW OF CITY COUNCIL RULES

RULE 33 ANNUAL REVIEW OF CITY COUNCIL RULES

GENERAL

PREAMBLE

These are rules governing the orderly conduct of Flint City Council meetings in accordance with Robert's Rules of Order and certain laws.

OPEN MEETINGS ACT (OMA)

City Council meetings are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275.

FREEDOM OF INFORMATION ACT (FOIA)

All documents of the meetings of the Flint City Council (i.e. agendas, minutes, attachments, transcripts, recordings) are public documents subject to the FOIA, MCL 15.231 *et seq.*, unless subject to exemptions rule in FOIA.

PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically by Council Rules, State, or Local law, shall be governed by Robert's Rules of Order 11th Ed. If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- Rule 1.2 The President or Chair (Presiding Officer) ~~SHALL (is required to)~~ shall decide all questions arising under these rules and general parliamentary practice, subject to appeal. ~~While on all questions of order, and of interpretation of the rules, and of priority of business, it is the DUTY of~~ The Chairman ~~to shall~~ first decide the question, and it is the privilege of any member to ~~may~~ "appeal from the decision." If the appeal is seconded, the Chairman ~~shall~~ states his ~~their~~ decision, and that it has been appealed from, and then states the question thus: "Shall the decision of the Chair stand as the judgment of Council?" The Chairman can then, ~~without leaving the chair,~~ state the reasons for his ~~their~~ decision, after which it is open to debate. ~~Unless~~ The appeal shall be determined by a majority of the Council ~~persons~~ Councilmembers ~~elect~~, vote against the Chair's ruling, the ruling stands.
- Rule 1.3 City Council can appoint a person of their choosing to be the Parliamentary Authority, but any Councilmember may make reference to either City Council Rules, which take precedence over Robert's Rules, or reference to Robert's Rules when the issue is not covered in City Council Rules.

Commented [WK1]: Per 3-204(A) of the City Charter, "Except as otherwise provided by this Charter no action of the City Council shall be effective unless a majority of the members elect of the City Council vote in favor of the action."

SUSPENSION AND AMENDMENT OF RULES

- Rule 2.1 ~~Any individual~~ The rules may be suspended on the vote of two-thirds of the Council ~~persons~~ Councilmembers ~~elect~~, to allow for consideration of business that would not otherwise be allowed, unless other rules provide for an alternative means of ~~conducting said business.~~ A motion to suspend a rule is not debatable.
- Rule 2.2 The rules may be amended in accordance with Section 1-801 of the Flint City Charter.

ORGANIZATION #1

COUNCIL PRESIDENT; PRESIDING AT MEETINGS

- Rule 3.1 The Council shall have a President and a Vice-President, each chosen by a majority of the Council ~~persons~~ Council members -elect for a ~~one-year~~ term which shall end on the second Monday in November.
- Rule 3.2 The President shall preside at the meetings of the Council and, in the absence of the President, the Vice-President shall preside. If both the President and Vice-President are absent, a Chairperson from a Council Committee shall preside in the following order: Finance, Governmental Operations, Legislative, Grants.

COMMITTEES

- Rule 4.1 The President, unless otherwise directed by the Council, shall appoint all committee chairs and vice-chairs for a one-year term which shall end on the second Monday in November.
- Rule 4.2 The standing committees of the City Council are Finance, Governmental Operations, Legislative, Grants, and Special Affairs. The Council President may determine in which order they are addressed.
- Rule 4.3 Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.). Finance Committee shall meet at 5:00 pm on the Wednesdays a week before regular Council meetings. [Note - see Rule 6.8A]
- Rule 4.4 Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.). Legislative Committee shall meet after Finance Committee. [Note - see Rule 6.8B]
- Rule 4.5 Governmental Operations Committee - Business conducted consists of all matters relating to governmental function (e.g. multi-member bodies, policies and procedures, matters related to City government and City departments, etc.). Governmental Operations Committee shall meet after Legislative Committee. [Note - see Rule 6.8C]
- Rule 4.6 Grants Committee - Business conducted consists of all matters relating to City grant programs and grant awards (e.g. applying for grants, accepting and monitoring of grants, federal and state grant monies, and local grant dollars, etc.). Grants Committee shall meet after Governmental Operations Committee. [Note - see Rule 6.8D]
- Rule 4.7 Special Affairs Committee - Reserved for any standing committee agenda item needing additional discussion or information, as well as for any emergency agenda submission. Special Affairs Committee shall meet at 4:30 p.m. right before regular Council meetings on the 2nd and 4th Mondays of the month. [Note - see Rule 6.8E]
- Rule 4.8 All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.

- Rule 4.9 The President, at his/her~~their~~ own discretion, may create ad hoc committees and shall appoint these committees' chairs and members. The President shall determine the number of ~~Council member~~Councilmembers comprising these committees.

ORGANIZATION #2

TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

- Rule 5.1 All meetings of the City Council and all committees of the Council shall take place in the Council Chambers on the third floor of City Hall or at such other places as the Council may determine.
- Rule 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.
- Rule 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.
- Rule 5.4 In the event of a call for a special meeting or a change in the time or place of a meeting, the Clerk shall be notified and shall see that each ~~Councilperson~~Councilmember and the public are informed as is required by the Open Meetings Act.
- Rule 5.5 The Mayor shall be notified of all meetings of the City Council.

AGENDA FOR REGULAR MEETINGS OF COUNCIL

- Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President or any presiding Chair of any committee of the Council, or at the request of the Mayor or Clerk, prior to the start of the meeting. After roll call, the presiding officer shall ask for "any additions or changes to the agenda". Agenda changes or additions need to be approved by the presiding officer.
- Rule 6.2 Any agenda matters that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by the appropriate documentation such as staff review reports, etc., and must be signed by the required signatories.
- Rule 6.3 The deadline for contacting City Council staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.
- Rule 6.54 The presiding officer shall choose a person to lead the Pledge of Allegiance.
- Rule 6.56 Opening Ceremonies will consist of Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence for deceased or ailing individuals. Spiritual leaders (of many faiths) will ~~will~~may be invited and scheduled to offer a short prayer after the Pledge of Allegiance. The City Clerk will be responsible for making these arrangements.

AGENDAS FOR COMMITTEE MEETINGS

- Rule 6.8 Items denoted with ** will only appear on a committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda.
- Rule 6.8a Finance Committee Agenda - Roll Call, **Closed Session [Executive Session], **Special Order, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment
- Rule 6.8b Legislative Committee Agenda - Roll Call, **Resolutions, Ordinances, Discussion Items, Outstanding Discussion Items, Adjournment
- Rule 6.8c Governmental Operations Committee Agenda - Roll Call, **Special Order, **Licenses, Resolutions, Appointments, Discussion Items, Outstanding Discussion Items, Adjournment
- Rule 6.8d Grants Committee Agenda - Roll Call, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment
- Rule 6.8e Special Affairs Agenda - Roll Call, **Closed Session [Executive Session], **Special Order, Resolutions, Appointments, Ordinances, Discussion Items, Additional Council Discussion, Adjournment
- Rule 6.9 Rules 6.1, 6.2, 6.3 and 6.4 concerning regular Council meetings also apply here to Committee meetings. except that any Committee member may request that an agenda items be placed on the agenda for that Committee. Section 31.12 of the Disorderly Persons Ordinance applies to all committee meetings.

ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

- Rule 7.1 The order of business at Regular Meetings of the City Council shall be as follows:
- I Call to Order, Roll Call and opening ceremonies
 - II Reading of Disorderly Persons Section
 - III Request for Changes and/or Additions to Agenda
(Council shall vote to adopt any amended agenda.)
 - IV Presentation of Minutes
(Council shall vote to accept minutes.)
 - V Special Orders
(Any Councilperson/Councilmember may request that permission for a Special Order be placed on the agenda, but it must first be approved by both the Council President, and Committee Chair if raised during a Committee meeting.)
 - VI Public Hearings
 - VII Public Speaking
(Three {3} minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of a meeting to those wishing to speak during this agenda item. No additional speakers or slips will be accepted after the meeting begins. Speakers may not allocate or "donate" their allotted time to another person. Council

members may not speak during public speaking, nor may they make response comments to speakers. Council members may use their five (5) minutes for final comments to address any issues that have been addressed by public speakers.)

- VIII Petitions and Unofficial Communications
- IX Official Communications – From Mayor and Other City Officials
- X Additional Communications
- XI Appointments
- XII Licenses
- XIII Resolutions (A Council member who desires to

speaking in debate must obtain

the floor by being recognized by the presiding Chair. In the debate, each member has the right to speak twice (for a maximum of five (5) minutes) on the same question on the same day, but cannot make a second speech on the same question so long as any member who has not spoken on that

question desires the floor. A member who has spoken twice on a particular question on the same day has *exhausted his/her right*

to debate that question for that day. A timer will be utilized. No "banking" of time or division of time for future use is allowed.

Council members may request to ask questions of Administrative staff, etc. During debate on any agenda item, Guest speaker time allowed shall be determined by the presiding Chair and is not considered to be part of the limited debate time allocated to council members.

- XIV Liquor Licenses
- XV Introduction and First Reading of Ordinances
- XVI Second Reading and Enactment of Ordinances
- XVII Additional Discussion Items
- XVIII Final Council Comments
- XIV Adjournment

ORGANIZATION #3

CLOSED SESSIONS

Rule 7.2 Pursuant to the Open Meetings Act, the Flint City Council may meet in Closed Session for one or more of the following purposes: The Open Meetings Act provides exemptions to the rule that government body meetings must be open to the public.

Meeting in closed session—a public body may meet in a closed session only for one or more of the permitted purposes specified in Section 8 of the OMA.

The limited purposes include, among others:

- (1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.
- (2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
- (3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- (4) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.
- (5) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.
- (6) To consider material exempt from discussion or disclosure by state or federal statute. But note—a board is not permitted to go into closed session to discuss an attorney's oral opinion, as opposed to a written legal memorandum.

7.3 ————— A closed session must be conducted during the course of an open meeting.

Section 2(e) of the OMA defines "closed session" as "a meeting or part of a meeting of a public body that is closed to the public." Section 9(1) of the OMA provides that the minutes of an open meeting must include "the purpose or purposes for which a closed session is held."

—Rule 7.43 ————— GOING INTO CLOSED SESSION [EXECUTIVE SESSION] – A 2/3 roll call vote of the Councilmembers-Elect is required to meet in closed session for purposes (3) through (6), as listed in Rule 7.2. A majority vote of the Councilmembers-Elect is sufficient for purposes (1) and (2), as listed in Rule 7.2. The roll call vote and the purpose or purposes for meeting in closed session shall be recorded in the minutes of the meeting at which the vote is taken.

SECTION

7(1) OF THE OMA SETS OUT THE PROCEDURE FOR CALLING A
 CLOSED SESSION: A 2/3 ROLL CALL VOTE OF MEMBERS ELECTED
 OR APPOINTED AND SERVING IS REQUIRED TO CALL A CLOSED

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~~SESSION, EXCEPT FOR THE CLOSED SESSIONS PERMITTED UNDER SECTION 8(A), (B), (C), (G), (I), AND (J). THE ROLL CALL VOTE AND THE PURPOSE OR PURPOSES FOR CALLING THE CLOSED SESSION SHALL BE ENTERED INTO THE MINUTES OF THE MEETING AT WHICH THE VOTE IS TAKEN. THUS, A PUBLIC BODY MAY GO INTO CLOSED SESSION ONLY UPON A MOTION DULY MADE, SECONDED, AND ADOPTED BY A 2/3 ROLL CALL VOTE OF THE~~
~~MEMBERS APPOINTED AND SERVING DURING AN OPEN MEETING~~
~~FOR THE PURPOSE OF (1) CONSIDERING THE PURCHASE OR LEASE~~
~~OF REAL PROPERTY, (2) CONSULTING WITH THEIR ATTORNEY, (3)~~
~~CONSIDERING AN EMPLOYMENT APPLICATION, OR (4)~~
~~CONSIDERING MATERIAL EXEMPT FROM DISCLOSURE UNDER~~
~~STATE OR FEDERAL LAW. A MAJORITY VOTE IS SUFFICIENT FOR~~
~~GOING INTO CLOSED SESSION FOR THE OTHER OMA PERMITTED~~
~~PURPOSES.~~

Rule 7.45 ~~LEAVING A CLOSED SESSION [EXECUTIVE SESSION]~~ - The City Council may leave a closed session upon a majority vote of the Councilmembers-elect. THE OMA IS
~~SILENT AS TO HOW TO LEAVE A CLOSED SESSION. SUGGESTED~~
~~IS~~
~~FOR A MOTION TO BE MADE TO END THE CLOSED SESSION WITH~~
~~A MAJORITY VOTE NEEDED FOR APPROVAL. ADMITTEDLY, THIS~~
~~IS A DECISION MADE IN A CLOSED SESSION, BUT IT CERTAINLY~~
~~ISN'T A DECISION THAT "EFFECTUATES OR FORMULATES PUBLIC~~
~~POLICY." WHEN THE PUBLIC BODY HAS CONCLUDED ITS CLOSED~~
~~SESSION, THE OPEN MEETING MINUTES SHOULD STATE THE TIME~~
~~THE PUBLIC BODY RECONVENED IN OPEN SESSION AND, OF~~

~~COURSE, ANY VOTES ON MATTERS DISCUSSED IN THE CLOSED
SESSION MUST OCCUR IN AN OPEN MEETING.~~

Rule — 7.56 ~~—— DECISIONS ON MATTERS DISCUSSED IN CLOSED SESSION TO BE
MADE DURING OPEN SESSION DECISIONS MUST BE MADE DURING AN
OPEN MEETING, NOT THE~~

~~————— CLOSED SESSION [EXECUTIVE SESSION] — SECTION 3(2) OF THE
————— OMA REQUIRES THAT "ALL DECISIONS OF A PUBLIC BODY
SHALL
————— BE MADE AT A MEETING OPEN TO THE PUBLIC." SECTION 2(D) OF
————— THE OMA DEFINES "DECISION" TO MEAN "A DETERMINATION,
————— ACTION, VOTE, OR DISPOSITION UPON A MOTION, PROPOSAL,
————— RECOMMENDATION, RESOLUTION, ORDER, ORDINANCE, BILL,
OR
————— MEASURE ON WHICH A VOTE BY MEMBERS OF A PUBLIC BODY
IS
————— REQUIRED AND BY WHICH A PUBLIC BODY EFFECTUATES OR
————— FORMULATES PUBLIC POLICY." All determinations, actions, votes, or
dispositions of motions, proposals, recommendations, resolutions, orders,
ordinances, bills, or measures by which the City Council effectuate or formulates
public policy must be made during an open session. "~~

Rule — 7.76 ~~—— All matters discussed in closed session are privileged and not to be shared
with any person outside of the closed session. ALL MATTERS DISCUSSED IN
CLOSED SESSION [EXECUTIVE~~

~~————— SESSION] AND MATERIALS PROVIDED ARE PRIVILEGED
————— INFORMATION AND ARE NOT TO BE SHARED WITH ANY
————— PERSON(S) OUTSIDE OF THE SESSION.~~

ACTION BY COUNCIL

FORM OF ACTION BY COUNCIL: DIVISION OF QUESTION

(NOTE — THIS ACTION IS OFTEN UTILIZED BY COUNCIL FOR MASTER
RESOLUTIONS AND SEPARATION OF SPECIFIC RESOLUTIONS)

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- Rule 8.1 All official action of the Council as required by the City Charter shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made upon motion, including decisions on parliamentary procedure.
- Rule 8.2 No motion may be debated by the Council until it has been stated by the presiding officer and it must be reduced to writing if requested by the presiding officer or any Councilperson/Councilmember.
- Rule 8.3 If a question before the Council is susceptible of division, it shall be divided on the demand of any Councilperson/Councilmember.

VOTING

- Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote.
- Rule 9.2 The determination of any question at a committee meeting shall be by voice vote unless a member objects, in which case upon call of the Chair for a vote. ~~If there is an objection, a roll call vote shall be taken.~~
- Rule 9.3 The voting on all roll calls shall be rotated so that the Councilperson/Councilmember representing the First Ward shall cast the first vote on the first roll call of any meeting, the Councilperson/Councilmember from the Second Ward shall cast the first vote on the second roll call at any meeting, and so on throughout the meeting so that the first vote on a roll call shall be solicited from the succeeding Councilperson/Councilmember. Following the first vote on any roll call, the remaining Councilperson/Councilmembers shall be called in consecutive order until all nine Councilperson/Councilmembers have been afforded an opportunity to vote on any question.
- Rule 9.4 A Councilmember must be seated at their designated seating place in order to vote. Proxy votes are not allowed.
- Rule 9.5 INTERRUPTION OF VOTES – Interruptions during the taking of a vote are permitted only before any member has actually voted, unless, as sometimes occurs in ballot voting, other business is being transacted during voting or tabulating.
- Rule 9.6 RULE AGAINST EXPLANATION BY MEMBERS DURING VOTING - A member has no right to “explain his vote” during voting, which would be the same as debate at such a time.
- Rule 9.7 CHANGING ONE'S VOTE – A member has a right to change his vote up to the time the result is announced by the Chair. A request to change a vote after the Chair's announcement requires After that s/he can make the change only by the unanimous consent of the assembly requested body and granted, without debate, and may only be made immediately after the Chair's announcement. ~~immediately following the chair's announcement of the result of the vote.~~

Rule 9.8 ABSTAINING VOTES – To “abstain” means to not vote at all.

Rule 9.9 ABSTAINING FROM VOTING ON A QUESTION OF DIRECT PERSONAL INTEREST – No member should vote on a question in which he/she has a direct personal or pecuniary interest not common to the other members of the organization. Voting on questions which affect oneself – the rule on abstaining from voting on a question of direct personal interest does not mean that a member should not vote for him/herself for an office or other position to which members generally are eligible, or should not vote when other members are included with him in a motion.

INTRODUCTION AND ENACTMENT OF ORDINANCES

~~(BOTH Any City Councilmember or the Mayor may introduce an Ordinance CITY COUNCIL AND THE LEGAL DEPARTMENT MAY INTRODUCE~~

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~~AN ORDINANCE))~~

Rule 10.1 Upon the introduction of any ordinance, the City Clerk shall proceed as directed in Section 3-30201 *et seq* of the Flint City Charter.

Rule 10.2 After a public hearing has been completed, any ~~Councilperson~~Councilmember may move the enactment of the ordinance.

Rule 10.3 If the ordinance is amended to the extent that there has been inadequate notice to the public of the content of the ordinance, it shall not be enacted until the procedures of Section 3-301 *et seq* of the Flint City Charter ~~Section 3-302~~ are complied with.

Rule 10.4 Every ordinance must state the date that it becomes effective. After the vote on the enactment of the ordinance, any ~~Councilperson~~Councilmember may move that it be given immediate effect upon publication, rather than the date stated. Any effective date earlier than thirty days after enactment requires a two-thirds vote of the ~~Councilperson~~Councilmembers-elect.

Rule 10.5 Every ordinance shall be submitted to the Chief Legal Officer of the City ~~(FOR CORRECT FORMAT, NOT CONTENT)~~ for review and approval as to form prior to enactment.

MOTIONS

CONSIDERATION OF MOTIONS

Rule 11.1 When a question is under debate, the Chair will receive only the following motions:

- Rule 13 to adjourn
- Rule 14 to recess
- Rule 15 to postpone temporarily (lay on the table)
- Rule 16 to vote immediately (previous question)
- Rule 17 to limit debate
- Rule 18 to postpone definitely

- Rule 19 to refer (commit)
- Rule 20 to amend
- Rule 21 to postpone indefinitely
- Rule 22 to reconsider
- Rule 23 to rescind
- Rule 24 to withdraw a motion
- Rule 25 point of order
- Rule 26 point of request for information

Rule 11.2 If more than one of the above motions are made, they shall be considered in the order listed.

SUPPORT FOR MOTIONS

Rule 12.1 No motion may be considered or debated unless it has the support of ~~been seconded by at least one other Councilperson~~ Councilmember and has been properly stated by the Chair. ~~The Chair does not have to recognize a member before that member may second a motion.~~

Rule 12.2 Nominations need not be seconded.

MOTIONS #1

MOTION TO ADJOURN

Rule 13.1 A motion to adjourn is always in order. If it is made during the count of a vote, it will not be considered until after the vote is announced.

Rule 13.2 A motion to adjourn ~~will be decided without debate~~ is not debatable. However, the issue of the time to reconvene may be debated if it is introduced by the maker of the motion or by amendment.

MOTION TO RECESS

Rule 14.1 A motion to recess shall state the length of the recess and ~~shall be decided without debate~~ is not debatable

Rule 14.2 When a recess is taken during the pending of any question, the consideration of the question shall be resumed upon the reassembling of the Council.

Rule 14.3 The Chair may order a recess without objection.

MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

Rule 15.1 The Council may decide to postpone temporarily any matter pending before it. ~~The motion may be referred to as a motion to lay on the table.~~

Rule 15.2 ~~-----~~ A decision to lay upon the table shall have the effect of postponing the question involved, all pending amendments, and other adhering motions, until later in that meeting.

Rule 15.23 If a decision is made to resume consideration of a matter or to take up from the table, it shall return in exactly the same form as when it was postponed temporarily. A motion to resume consideration must be made at the same meeting.

Rule 15.3 ~~-----~~ If a motion to resume consideration fails or is not made, the pending matter shall be added to the next meeting agenda.

Rule 15.4 ~~-----~~ All matters postponed temporarily shall be considered at the meeting at which they were postponed. ~~If the motion to take up from the table fails, the issue is considered to have failed.~~

Rule 15.54 ~~-----~~ A motion to postpone temporarily or to resume consideration shall be decided ~~without debate.~~ is not debatable.

MOTION TO VOTE IMMEDIATELY (PREVIOUS QUESTION OR CALL THE QUESTION)

Rule 16.1 Any ~~Councilperson~~ Councilmember may move to vote immediately. If the motion is supported, debate will cease immediately. A two-thirds vote is required for the motion to carry. ~~Failure to cease talking shall result in disciplinary action. Violators shall be removed from the meeting.~~

Rule 16.2 If the motion receives a majority of the votes of the ~~Councilperson~~ Councilmembers elect, in accordance with Section 3-204(a) of the Charter, the Council shall vote on the pending question or questions in their regular order.

Rule 16.3 ~~-----~~ A motion to vote immediately is not debatable.

MOTION TO LIMIT OR EXTEND DEBATE

Rule 17.1 The Council may decide, by majority vote, to limit or determine the time that will be devoted to discussion of a pending motion or to modify or remove limitations already imposed on its decision. This may include a limit of time for each ~~councilperson~~ Councilmember to speak to the issue. ~~Failure to cease talking when a time limit has been reached shall result in disciplinary action. Violators shall be removed from the meeting.~~

Rule 17.2 If each ~~councilperson~~ Councilmember has a limited time to speak, this time limit shall include any questions asked and/or answered per the ~~councilperson~~ Councilmembers request.

Rule 17.3 ~~-----~~ A motion to limit or extend debate is not debatable.

MOTIONS #2

MOTION TO POSTPONE DEFINITELY

- Rule 18.1 The Council may decide to put off consideration of a pending main motion and to fix a definite time for its consideration.
- Rule 18.2 The debate on the motion to postpone definitely shall be limited to the reasons for the postponement and the time the main motion shall be taken up.

MOTION TO REFER (COMMIT)

- Rule 19.1 If a motion to refer a matter to a committee or other agency has been made, the Council shall proceed to decide the question of the referral.
- Rule 19.2 There shall be no further debate on the merits of the main motion or amendments to the main motion until the referral motion is decided.

MOTION TO AMEND

- Rule 20.1 A motion to amend must be germane to the main motion.
- Rule 20.2 An amendment may be amended but an amendment to an amendment may not be amended.

MOTION TO POSTPONE INDEFINITELY

- Rule 21.1 The Council may decide to prevent discussion or further discussion on a question by voting to postpone it indefinitely.
- Rule 21.2 A motion that has been postponed indefinitely cannot come up again at the same meeting. If it is reintroduced at a later meeting, it shall be treated as a new motion.

MOTION TO RECONSIDER

- Rule 22.1 A motion to reconsider any decision of the City Council may be made by any Councilperson/Councilmember that voted in the affirmative on the motion in question.
- Rule 22.2 A motion to reconsider may be made at the same meeting or not later than the next succeeding regular meeting of the Council provided that notice has been given to the Council prior to the start of the meeting.
- Rule 22.3 No question may be reconsidered more than once.
- Rule 22.4 If a decision of the Council has gone into effect, the motion to reconsider shall not be in order.

MOTION TO RESCIND

- Rule 23.1 Action to rescind, repeal or annul a previous action may be by resolution unless the previous action is an ordinance. Action to repeal a published ordinance may only be by ordinance regardless of whether the ordinance has gone into effect.

- Rule 23.2 Notice of a motion to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which the motion is to be made. However, the Council may vote by two-thirds of ~~Councilperson~~Councilmembers-elect to waive the notice.
- Rule 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

MOTIONS #3

REQUEST TO WITHDRAW A MOTION

- Rule 24.1 Any ~~Councilperson~~Councilmember may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. The ~~Councilperson~~Councilmember need not obtain concurrence of any other person.
- Rule 24.2 After the motion has been placed before the assembly, it may only be withdrawn by majority consent of all ~~Councilperson~~Councilmembers present. A request to withdraw is undebatable.
- Rule 24.3 No request to withdraw a motion may be made after the vote on the motion has commenced.

INCIDENTAL MOTIONS – POINT OF ORDER

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the presiding officer does not correct it, or when the presiding officer makes a breach of the rules.
- Rule 25.2 A point of order should not be used for minor infractions: that do not affect the substantive rights of the City Council, or a member
- Rule 25.3 A point of order does not need a second, can interrupt a speaker, is not debatable, and is decided by the chair.
- Rule 25.4 A point of order cannot be ignored by the presiding officer. A ruling of “agreement – out of order” or “disagree – denied” must be given. All debate and/or talking shall cease immediately when a point of order is raised, in order for the presiding officer to rule. Failure to cease talking shall result in disciplinary action. Violators shall be removed from the meeting
- Rule 25.5 Any two members have the right to appeal the presiding officer’s decision on a point of order. ~~This requires one member making (or taking) the appeal and another seconding (or supporting) it. Lack of support means the motion fails. If the motion is supported, the Council body votes to decide the question, as set forth in Rule 1.2. Members have no right to question the decision or ruling of the presiding officer unless they appeal from his/her decision.~~

INCIDENTAL MOTIONS – POINT REQUEST FOR OF INFORMATION

- Rule 26.1 A ~~requestpoint~~ request for information of information generally applies to information desired from a speaker.

Rule 26.2 Its purpose is to help one understand the process and the potential consequences of the next voting.

Rule 26.3 A request for information cannot be ignored by the presiding officer, but the presiding officer – upon hearing the request – may decide whether the request is legitimate and can proceed, or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes. The Presiding Officer must rule with either “Proceed” or “Denied”.

Rule 26.4 A request for information point of information can be given made with a very short explanation but using this tactic as an opportunity to gain the floor is not allowed. Multiple abuses of use of point of information is cause for disciplinary action.

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

MAINTENANCE OF ORDER AND DEBATE

(The public and City Council are both subject to the disorderly ~~person~~ persons ordinance section 31-101 and the general code of conduct. Additionally, the Chair or Presiding Officer has a responsibility and duty to enforce these rules and sanctions for the purpose of maintenance of order. Only the Chair or Presiding Officer may determine and rule on who/what is in or out of order. Violations of this rule shall result in removal from the meeting.)

Rule 27.21 When a member has been called to order, the Chair shall determine whether or not he or she is in order. Every question of order shall be decided by the Chair subject to an appeal to the Council by any member. If a member is called to order for words spoken, the exceptional words shall be immediately taken down in writing so that the presiding officer or Council may be better able to judge the matter.

Rule 27.32 During any portion of any meeting, ~~council member~~ Councilmembers may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason. Any council member or audience member who engages in this behavior during a meeting ~~shall be removed from the meeting.~~

Rule 27.43 Only the presiding officer may call an individual (or staff member, or department head, etc.) up to the podium (and/or table) to speak. Other ~~council member~~ Councilmembers would have to petition the presiding officer to make this request.

RIGHT TO SPEAK IN DEBATE

Rule 28.1 Every ~~Councilperson~~ Councilmember and every person granted the privilege of speaking to the City Council, on any matter before the City Council, shall address all remarks to members of the Council and shall not speak until recognized.

Rule 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the ~~Councilperson~~ Councilmember who is first to speak.

Rule 28.3 A Councilmember who desires to speak, on any matter before the City Council, must obtain the floor by being recognized by the presiding Chair. Unless otherwise specified by these rules each member has the right to speak up to twice on the same

question on the same day, for 5 minutes during each round, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day or who has exhausted their allocated time has exhausted his/her right to debate on that question for that day. The Clerk shall utilize a timer and track members time.

Rule 28.4 Councilmembers may request, from the presiding Chair, the opportunity to ask questions of Administrative Staff, etc., during debate on any agenda item. Any such questions and responses shall be incorporated as part of the Councilmember's allotted time.

PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

Rule 29.1 All meetings of the Council shall be open to the public in accordance with law.

Rule 29.2 If a member of the public wishes to address the City Council, they may do so at the regular City Council meeting. He or she shall submit, prior to the start of the meeting, a statement in writing containing his or her name and address and the topic to be covered. A box will be placed at the entrance to the Council Chambers for the collection of the statements.

Rule 29.3 Members of the public shall have no more than 3 minutes per speaker during public comment. Only one speaking opportunity per speaker. Numbered speaker slips will be provided prior to the start of a meeting to those wishing to speak during this portion of the agenda. No additional speakers or slips will be accepted after the meeting begins. ~~City council member~~Councilmembers may not also address ~~councilspeak~~ as a member of the public at this time. Public Speakers may not allocate or "donate" their allotted time to another person.

Rule 29.4 If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the President at the opening of the hearing or at the conclusion of the remarks of the previous speaker.

Rule 29.5 Members of the public shall have no more than ~~40~~ 3 minutes to address the City Council during a public hearing.

Rule 29.6 Councilmembers may not speak during public hearings nor may they make response comments to speakers.

~~Rule 29.76~~ Any person ~~while being heard~~speaking at a Council meeting may be called to order by the President or any ~~Councilperson~~Councilmember for failure to be germane, for vulgarity, for personal attack of persons or institutions, or for speaking in excess of the allotted time.

~~Rule 29.87~~ Any person who is called to order shall thereupon yield the floor until the President shall have determined whether he or she is in order. Every question of order shall be decided by the President subject to an appeal by any ~~Councilperson~~Councilmember to the Council. If a person so engaged in presentation shall be determined by the Council to be out of order, that person shall not be permitted to continue at the same meeting except on special leave of the Council.

~~Rule 29.98~~ Councilperson/Councilmembers may not respond to any public speakers, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes and is subject to all rules of decorum and discipline, until Final Council Comments.

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

GENERAL CONDUCT AND STANDARDS OF CONDUCT

Rule 30.1 Every councilperson/Councilmember is subject to the established rules or general conduct and the standards of conduct as may be adopted by the City Council.

ETHICS

Rule 31.1 Every councilperson/Councilmember is subject to the established ethics rules of the City of Flint Charter and Ethics Ordinance.

DISCIPLINARY ACTIONS

Rule 32.1 Every councilperson/Councilmember is subject to the established rules and disciplinary actions for violations of rules and city ordinances.

REVIEW OF CITY COUNCIL RULES

Rule 33.1 Every December, the City Council shall place an item on the Special Affairs Committee agenda for a review of these rules.

Rule 33.2 At his/her own discretion, the Council President may at any time appoint a committee and its members to review and offer revisions of City Council Rules.

~~Rule 33.3~~ The rules may be revised upon a 2/3 majority vote of City Council members, per the City Charter. All Council members are subsequently and immediately subject to the approved rules.

Rule 33.4~~3~~ It is the responsibility and duty of the Council President, Vice President, and all the Committee Chairs to ensure that these rules are adhered to and to apply the recommended disciplinary actions if they are not. Failure to do so is itself a violation of the rules and can subjects the violator to disciplinary actions.

RULES ORIGINALLY ADOPTED: MAY 10, 1976

1ST AMENDMENT ADOPTED: MAY 24, 2010

2ND AMENDMENT ADOPTED: APRIL 27, 2015

3RD AMENDMENT ADOPTED: JUNE 12, 2017

4TH AMENDMENT ADOPTED:

220059



RESOLUTION NO. _____

PRESENTED: _____ FEB - 9 2027 _____

ADOPTED: _____

RESOLUTION TO ENTER INTO AGREEMENT WITH MOTT PARK RECREATION

BY THE CITY ADMINISTRATOR:

WHEREAS, This agreement (hereinafter "Agreement") is for the purpose of renewing and expanding the partnership agreement entered into between the City of Flint, a municipal corporation (hereinafter "City") and Mott Park Recreation Association (hereinafter "Association"), collectively referred to herein as the "Parties."

WHEREAS, the City of Flint Master Plan sets goals to provide and maintain a balanced and equitable system of parks and recreation opportunities; and

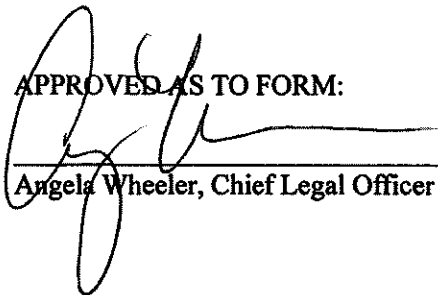
WHEREAS, the Association is a 501(c)(3) non-profit volunteer organization which has maintained the property described in this agreement since 2011 and is dedicated to expanding access to quality recreational facilities and programs to all citizens of the City of Flint; and

WHEREAS, the property which is the subject matter of this Agreement is described as parcels:

- 40-11-351-098
- 40-14-128-001
- 40-14-128-002
- 40-14-101-001
- 40-14-101-002
- 40-14-101-003
- 40-14-251-001

THEREFORE BE IT IS RESOLVED, that the Flint City Council hereby authorize the entering into this 50 year lease agreement with Mott Park Recreation.

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

Clyde Edwards, City Administrator

Council President Eric B. Mays



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 1.26.2022

BID/PROPOSAL# NA

AGENDA ITEM TITLE: Mott Park Recreation Agreement

PREPARED BY Victoria Cooper
(Please type name and Department)

VENDOR NAME: Mott Park Recreation

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution to enter into a 50 year agreement with Mott Park Recreation for park maintenance.

FINANCIAL IMPLICATIONS: no

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

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

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

ACCOUNTING APPROVAL: _____ **Date:** _____



CITY OF FLINT

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

(If yes, please indicate how many years for the contract) 50 YEARS

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

BUDGET YEAR 1 NA

BUDGET YEAR 2 NA

BUDGET YEAR 3 NA

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

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

DEPARTMENT HEAD SIGNATURE:

A handwritten signature in black ink, appearing to be "R. J. ...", written over a horizontal line.

(PLEASE TYPE NAME, TITLE)

MOTT PARK RECREATION AGREEMENT

This agreement (hereinafter "Agreement") is for the purpose of renewing and expanding the partnership agreement entered into between the City of Flint, a municipal corporation (hereinafter "City") and Mott Park Recreation Association (hereinafter "Association"), collectively referred to herein as the "Parties."

WHEREAS, the City of Flint Master Plan sets goals to provide and maintain a balanced and equitable system of parks and recreation opportunities; and

WHEREAS, the Association is a 501(c)(3) non-profit volunteer organization which has maintained the property described in this agreement since 2011 and is dedicated to expanding access to quality recreational facilities and programs to all citizens of the City of Flint; and

WHEREAS, the property which is the subject matter of this Agreement is described as parcels:

40-11-351-098
40-14-128-001
40-14-128-002
40-14-101-001
40-14-101-002
40-14-101-003
40-14-251-001

Hereinafter referred to as the "Park"

THEREFORE, in consideration of the mutual covenants contained herein, the consideration of which is hereby stipulated to, the Parties agree as follows:

1. Operation of the Park. The Association is hereby given the use, control and operation of the premises formerly described as the Mott Park Golf Course, including the club house, (hereinafter "Park").
2. Grant Administration. The Parties will work collectively to oversee the application and implementation of grants for capital improvements to the Park. From the date of the execution of this agreement, applications for grants (any implementation thereof), shall be the joint responsibility of the City and the Association to the greatest extent possible. Grants applied for by the Association shall be approved by the City of Flint department head prior to acceptance.
3. Park As Is. The City is providing the use of the Park AS IS, with all faults, and makes no representations regarding the condition of the Park usability for any purpose. The Association shall inspect the Park and make all determinations as to its usability for any purpose prior to the use of the Park.

4. Compliance with Laws, Regulations and Park Rules; Enforcement. The Parties agree to comply with all federal, state, and local laws, regulations and permitting requirements in the performance of this Agreement.
5. Park Reservations and Special Events. The Association will coordinate facility reservations at the Park pursuant to a fee schedule approved by the City. The Association may retain such fees collected solely for reinvestment in Park maintenance, operations and improvements.
6. Facility Rental. The Association may rent the clubhouse upon such terms as shall be approved by the City and any proceeds obtained thereby will be used for maintenance, operational expenses, or improvements to the Park. Rentals or subletting of the clubhouse or storage space for a term no longer than the terms of this Agreement, must be approved in writing by the City of Flint Department head prior to any legal agreement entered into by the Association. The Association will coordinate with the City on facility rental fees pursuant to a fee schedule approved by the City.
7. Park Maintenance. The Association agrees to maintain the Park area and the clubhouse, including mowing, trimming, snow removal, forestry work and tree trimming on a regular basis. The Association will be responsible for payment of the expenses of maintenance or operation of the clubhouse. The City will be responsible for the utility payments and security for the building, i.e. security system already located and installed on the property. Any capital improvements undertaken by the City will be done at the sole discretion of the City. The Association is hereby given the right and authority to perform such improvements to the Park as shall be first approved by the City.
8. Repairs. The Association shall be responsible for all building repairs including, but not limited to:
 - a. Building repairs that resulted from deferred or ignored maintenance,
 - b. Repair of internal and external doors, exterior fabric, furnace, water system repairs, structural components, electrical repairs, waste treatment, plumbing, toilets, gas, air conditioning.
9. Coordination. The Staff of the Association and the City will meet periodically to review the status of the Park operations and all of their issues arising under this Agreement. Additionally, the City may form and manage a Citizen Advisory Committee, which the Association agrees to meet with bi-annually to receive input therefrom.
10. Deliverables. The Association shall provide a quarterly report to the City and the status of programs, projects and partnerships related to the Park. These reports shall include a full accounting of the revenue generated pursuant to this Agreement. The Association shall provide a written 5-year capital improvement plan to the City of Flint Planning Division for review and approval.

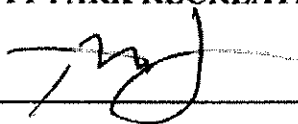
11. Temporary Suspension. The Association acknowledges that this Agreement and the rights granted hereunder are subordinate to the necessity of the City to serve its residents due to acts of God or other emergencies and in such event, the Association agrees to surrender immediately upon demand, the use of the Park (or any portion thereof) to the City for the purpose of managing the premises during the pendency of such events. Determination of such events shall be made by the Chief of Police of the Flint Police Department.
12. Indemnity and Hold Harmless. To the fullest extent provided by law, the Association agrees to defend, indemnify and hold harmless the City, its elected and appointed officials, employees and others working on behalf of the City, against any criminal violations, including all costs connected therewith, and any criminal violations, which may arise out of the use of the club house, and/or as a result of Association's negligent acts or omissions, that any of the Association's employees, agents or representatives arising out of their performance of this Agreement.
13. Right to Entry. The City of Flint may enter the Park at any time in order to examine the Park, inspect the building, inspect mechanical equipment, repairs and/or alterations. In the event of an actual or apparent emergency, the City of Flint may enter the Park at any time without notice. The Association shall not change any lock or install additional locks without prior written consent and without providing a copy of all keys. Keys must be provided on the date the lock(s) are added and/or changed.
14. No Assignment. Association shall not have the right to assign any interest in this Agreement or the premises without the prior written consent of the City.
15. Term and Termination. This Agreement shall be for a term of fifty (50) years from the execution of this agreement. Either Party may terminate this agreement with thirty (30) days advance written notice to the other Party.
 - a. A default under any of the provisions of this Agreement, by either party, may be cured by the defaulting party within 30 days of receipt of a notice of default. Failure to address shall constitute grounds for termination of this Lease Agreement.
 - b. In the event this Agreement is terminated, all obligation of the City of Flint under this Agreement shall cease.
 - c. Upon termination of this Agreement, the Association agrees to yield possession of the premises within 90 days of the date of notice of reserving the right to re-enter the premises solely to obtain personal property and/or organizational possession as the time of default.
16. General Terms and Conditions. This Agreement represents the entire agreement between the Parties with respect to the subject matter hereto and supersedes all prior agreements, conversations, and understandings with respect hereto. Any amendment to this Agreement shall be in writing and signed by the Parties. Failure of the City to require performance of any provision herein shall not affect the City's right to require performance of any provision thereafter, nor shall such a waiver constitute a waiver of any subsequent breach of this Agreement. If any provision of this Agreement is found to be invalid or

unenforceable, the remainder of the Agreement shall remain in full force and effect as though the invalid or unenforceable provision had never been included.

This Agreement is valid and enforceable with electronic or facsimile signatures and may be executed in multiple counterparts, all of which together shall form one agreement.

WHEREFORE, the Parties have executed this Agreement by affixing their signatures below.

MOTT PARK RECREATION ASSOCIATION:



Date 1-12-22
Its TOM SAXTON
MPPRA BOARD PRESIDENT

CITY OF FLINT, a Michigan Municipal Corp.: (ALSO INCLUDE MAYOR'S SIGNATURE BLOCK IF OVER \$50,000)

Sheldon A. Neeley, Mayor Date

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer Date



CITY OF FLINT, MICHIGAN
Department of Law

William Klm
Acting City Attorney

Sheldon Neely
Mayor

MEMORANDUM

TO: Eric B, Mays, City Council President
Inez Brown, City Clerk

FROM: Victoria Cooper, Litigation Assistant

C: Clyde Edwards, City Administrator
William Kim, Acting City Attorney

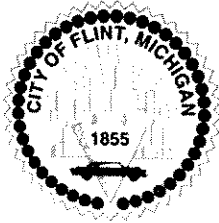
RE: Request for Executive Session Wednesday February 23, 2022,

DATE: February 17, 2022

**Confidential communications between Attorney
and client are privileged and as such MAY NOT
be divulged, distributed or disseminated without
approval of the Legal Department**

This is a request for the Department of Law to address at an Executive Session on Wednesday February 23, 2022 at the City Council Committee Meeting to discuss amending the settlement agreement in the matter of file no. 16-10277 Concerned Pastors et el v Nick Khouri et el.

:vc



RESOLUTION NO.: 220060

PRESENTED: FEB - 9 2022

ADOPTED:

Resolution to Appoint Ms. Moteez Wilson to the Economic Development Corporation Board

By the City Administrator:

WHEREAS, The Economic Development Corporation has a vacancy that needs to be filled, and

WHEREAS, Ms. Moteez Wilson has extensive experience in banking and business development, and

WHEREAS, Ms. Moteez has experience serving on the Flint Housing Commission and is familiar with the housing needs of the community and is a Flint resident,

IT IS RESOLVED, That Ms. Moteez Wilson be appointed to the Economic Development Corporation Board, with a term of six years, replacing Maurice Davis.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler (Jan 25, 2022 13:40 EST)
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCES:

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

FOR THE CITY OF FLINT:

CLYDE D EDWARDS
CLYDE D EDWARDS (Jan 27, 2022 11:59 EST)
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Eric Mays, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW

January 25, 2022

AGENDA ITEM TITLE: Resolution to Appoint Ms. Moteez Wilson to the Economic Development Corporation Board

PREPARED BY: Department of Economic Development - Samantha Fountain

VENDOR NAME:

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The attached resolution is to appoint Ms. Moteez Wilson as a member to the Economic Development Corporation Board of Directors. Ms. Wilson has extensive experience in banking and her knowledge of financial markets makes her an excellent candidate for the position. Ms. Wilson will serve a six-year term as part of this appointment. Ms. Wilson is a Flint resident, residing at 2310 Clement Street, Flint, Michigan 48504.

FINANCIAL IMPLICATIONS: None.

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

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

ACCOUNTING APPROVAL: _____ Date: _____

FINANCE APPROVAL: _____ Date: _____

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)

BUDGET YEAR 1 N/A

BUDGET YEAR 2 N/A

BUDGET YEAR 3 N/A

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

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

DEPARTMENT HEAD SIGNATURE:



CITY OF FLINT

Samantha Fountain

Samantha Fountain, Acting Economic Development Director



MOTEEZ A. WILSON

Vice President / Executive Summary

PROFILE

Moteez Wilson has extensive experience history in finance, managing developing relationships. She has the ability to develop and articulate strategic vision that focus on service. Throughout her diverse career Ms. Wilson has implemented numerous training and mentoring programs promoting leadership skills. Moteez takes a vision and makes it a reality through sound strategy development. She intuitively sees the threads of opportunity that wind through an organization, brings them together into a coherent whole, helps others extend their thinking, and drives material business advantage.

CONTACT

PHONE:
810-423-0882

EMAIL:
mowilson23@gmail.com

HOBBIES

Golfing
Tennis
Movies

EDUCATION

University of Phoenix

Bachelor of Science in Business Admiration & Management
Graduate Magna Cum Laude
June -2007

Ohio State University

Major: Political Science
1986-1988

WORK EXPERIENCE

Housing Urban Development -Elderly / Disabled Service Coordinator August 2018 - September 2019

Responsible for working with the community service providers to meet the needs of the residents, act as a liaison with outside agencies and organizations to ensure resident have adequate support

PNC Bank NA- Vice President Business Banking January 2013-September 2017

Responsible for managing a portfolio of business banking clients who require financial services and products to meet their needs. Analyze the client's financial and operating strategies and recommend alternative or additional financial services.

Bank of America – Vice President/ Client Manager September 2010–January 2013

Generated profitable and deep relationships by functioning as a trusted advisor to my clients and prospects. Managed portfolio of clients with revenue size 5-20 million in gross sales.

SKILLS

Team worker who is able to adapt in highly changing situations
Excellent problem solving and communication skills
Familiarity with Power Point, Excel ,Outlook and Word
Highly skilled leader with skills in delegating task and team building
Exceptional organizational skills
Excellent presentation skills with both large and small groups

Moteez Wilson

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Michigan

BUSINESS BANKING/VICE PRESIDENT/ GOVERNMENT

EXECUTIVE SUMMARY

Expert in: Business Development ~ Lending ~ Banking ~ Management ~ Government

PROFESSIONAL EXPERIENCE

The State Bank, Fenton, Mi
CRA Officer, Vice President

September 2019 – Present

- Serves as the bank's CRA Officer.
- Responsible for research, analyze and interpret all applicable CRA regulations and statues and implement changes to and/or enhance existing policies and procedures.
- Coordinate, document and review lending, investment and service activity.
- Perform periodic review of bank's assessment areas to ensure reasonableness of the delineation.
- Perform a Fair Lending Assessment and a Fair Housing Assessment.
- Serve as the bank's principal liaison with external CRA compliance auditors, examiners and regulators.
- Maintain relevant CRA reports and files, including data and documentation.
- Prepare, analyze, and monitor banks statistics to determine adequate loan penetration of low- and moderate-income households and small businesses.
- Work with Regional Managers and local Market Managers to develop lending and investment programs that help meet the lending needs of low- and moderate-income households.
- Maintains an ongoing monitoring program which will provide management with timely information about the bank's CRA compliance position and gaps in CRA delivery of services, products, and investments to allow management to modify its goals and activities as required to maintain a Satisfactory CRA compliance rating
- Creates, updates, and maintains continuous records of CRA qualified products delivered, loans applied for and granted, and services provided within the CRA assessment area to facilitate periodic review of the bank's CRA compliance level and CRA performance. Updates the CRA Public File as needed. Maintains CRA-Whiz software (or equal) for report and analytics purposes.
- Working in concert with the bank's Training and Development Officer, delivers training to management vis-à-vis CRA compliance requirements and the bank's CRA plan, and delivers training to facilitate the delivery of CRA qualified investments, products and services by line and staff personnel who are in a functional position to contribute to CRA performance.
- Through contact with government officials and community leaders in the bank's CRA assessment area, identifies credit and services needs within the community and works with senior management to develop programs and sets goals to meet such needs as are identified, within the context of the bank's business model and peer performance.

Port Huron Housing Commission, Port Huron, MI
Elderly/ Disabled Service Coordinator

August 2018 – September 2019

- Responsible for working with the community service providers to tailor services to meet the needs of the eligible residents to stabilize housing, meet ongoing and future needs of the aging residents.
- Responsible for establishing a case management system to monitor and evaluate service delivery and outcomes.
- Coordinate and facilitate activities, programs, and events etc. for residents to foster a sense of community encouraging residents to support and assist each other moving toward self-sufficiency and creating a sense of home.
- Responsible for the assessment of (ALL) senior/disabled residents that includes the following areas: Employment, Education, Health, Family Support, Housing, Income Management, Transportation, Nutrition, and Daily Living Skills.
- Maintain good working relationships with community agencies for referral purposes and participate in appropriate community meetings.
- Attend and assist staff at meetings scheduled with residents with concerns or complaints.
- Provide timely and accurate reports of service activities, programing, events, and attendance.
- Provide information on activities, programing, and events for the PHHC newsletters, website, social media, and related resident notices.
- Develop, maintain, and facilitate Resident Councils at each senior village and encourage the formation of resident groups.

PNC Bank, Tucker, GA
Vice President-Business Banker II

January 2013 – September 2018

- Responsible for managing a portfolio of business banking clients who require financial services and products to meet their needs.
- Accountable for prospecting new business and retaining and deepening existing relationships
- Analyze the client's financial and operating strategies and recommend alternative or additional financial services to best meet the client's immediate and long-term personal and business needs.
- Well versed in all PNC products and services for proper identification of cross-selling opportunities.
- Cultivate internal partnerships with other lines of business to increase opportunities.
- Consistently networking in the community and with centers of influence.
- Proven track record of prospecting new business and enhancing existing relationships.
- Identify all major and most secondary credit issues
- Independently prepare timely, high-quality analytical work upon which significant reliance is placed in the credit approval process
- Establish risk ratings in conjunction with Market Loan Managers, prepare reports, participate in portfolio review meetings, and manage assets with assistance
- Prepare timely annual and periodic reviews, and the satisfactory resolution of credit deficiencies and renewals such as collateral exceptions
- Administer independently a portfolio of somewhat complex credit relationships while interacting with other underwriting staff and Credit Officers

Bank of America, Atlanta, GA
AVP-Business Banker/AVP- Client Manager

September 2010-January 2013

- Generated profitable and deep relationships by functioning as a trusted advisor to my clients and prospects.
- Proven track record of prospecting new business, enhancing existing relationships and meeting or exceeding sales goals
- Prospected, cold called, networked and developed new business opportunities within the small business banking community in a specific territory
- Well versed in all Bank of America products and services to ensure relationship building opportunities
- Built strong client relationships by proactively leveraging ideas, insights and relationships to generate new and incremental business for Bank of America.
- Managed portfolio of clients with revenue size 1- 10 million in gross sales
- Pre- underwrite loans before underwriter or Approval Officers reviewed the deals
- Identify all major and most secondary credit issues
- Independently prepare timely, high-quality analytical work upon which significant reliance is placed in the credit approval process
- Establish risk ratings in conjunction with Market Loan Managers, prepare reports, participate in portfolio review meetings, and manage assets with assistance
- Prepare timely annual and periodic reviews, and the satisfactory resolution of credit deficiencies and renewals such as collateral exceptions
- Administer independently a portfolio of somewhat complex credit relationships while interacting with other underwriting staff and Credit Officers

Flint Housing Commission, Flint, MI
Family Self-Sufficiency Program Director

December 2009-September 2010

- Managed and developed individuals in public housing to become self-sufficient while moving toward their potential in becoming active participants in the program.
- Located resources and built relationship with organizations to help this goal.
- Established positive working relationships with service providers to ensure the provision of a continuum of services.
- Prepared weekly, monthly, quarterly, annual and semi-annual reports.
- Grant writing preparation along with conducting research, and identifying resources.
- Traveled to various places implementing programs & assistance to low income elderly, youth and homeless.

PROFESSIONAL EXPERIENCE CONTINUED

Sallie Mae Retail Division, Detroit, Michigan 8/2000- 8/2003
Regional Manager/ Vice President of Sales

- Managed 30 retail stores, sold intimate apparel to high end customers throughout Michigan footprint
- Met 125% of quota my entire career with Sallie Mae Division- promoted to Vice President of Sales within 14 months

Best Buy Electronics, Detroit, Michigan 5/1994-8/2000
Human Resources Supervisor, Sales Manager, Regional Operations Manager

- Responsible for retention and growth, marketing P&L management
- Opening new stores, hiring and recruiting staff for all departments in the Metro Detroit area

Increased revenue and sales, by implementing new sales modules through coaching, training and team building

- Managed multiple departments, Supervisors, Managers and General Managers

Sunglass Hut, Detroit, Michigan 1990-1994

Store Manager, Area Manager, Regional Manager

EDUCATION

University Of Phoenix, Bachelor of Science in Business Administration

University Of Phoenix, Master Business Administration

Ohio State University, 1986-1988

EDUCATION AND PROFESSIONAL DEVELOPMENT

Certified Property Management

Nan McKay- Certified Family Self Sufficiency Program Coordinator

NAHRO-Professional Development System

NAHRO-Certified Executive Management, (CME).

NAHRO-Certified Public Housing, (CPH).

Bank of America- Credit Training, 101/201

PNC- Loan Training- Certified, 301

PNC- Certified Women's Business Advocate

Chamber of Commerce Ambassador

COMPUTER SKILLS

MS Word, Excel, Access, PowerPoint, Outlook, CBS System, Windows, NT, XP, Internet and Lotus Notes.

REFERENCES AVAILABLE UPON REQUEST