

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, March 14, 2022

5:30 PM

Council Chambers

CITY COUNCIL

*Eric Mays, President, Ward 1
Allie Herkenroder, Vice President, Ward 7*

*Ladel Lewis, Ward 2
Judy Priestley, Ward 4
Tonya Burns, Ward 6*

*Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5
Dennis Pfeiffer, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****PRAYER OR BLESSING****READING OF DISORDERLY PERSONS CITY CODE SUBSECTION**

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

PRESENTATION OF MINUTES**SPECIAL ORDERS**

220117 Special Order/City Trees

A Special Order as requested by Council President Eric Mays concerning a possible ordinance for City trees that fall on properties with the city of Flint.

PUBLIC HEARINGS

220068.6 Public Hearing/Ordinance 220068/Ward 3

A Public Hearing for Ordinance No. 220068, an ordinance to amend the Code of the City of Flint as requested by Darren Dado (PC-21-419) to change the District boundaries or regulations established in Chapter 50 thereof, specifically allowing under 50-4 a zoning map amendment, as follows: 3801 West Boulevard Drive, Flint MI 48502, Parcel No. 41-18-154-038, legally described as GENERAL MOTORS PARK NUMBER ONE LOTS 630 THRU 635 INCL, LOTS 678 THRU 691 INCL PART OF LOTS 734 THRU 742 INCL ALL DESC AS FOLLS: BEG AT A PT THAT IS S 89 DEG 16 MIN 24 SEC W, 576.29 FT AND S 11 DEG 00 MIN 09 SEC W, 234.70 FT AND S 36 DEG 50 MIN 43 SEC E, 621.43 FT AND S 26 DEG 30 MIN 52 SEC E, 499.08 FT AND S 21 DEG 55 MIN 01 SEC E, 184.51 FT AND S 00 DEG 21 MIN 36 SEC E, 1356.17 FT AND N 89 DEG 11 MIN 28 SEC E, 544.08 FT AND S 01 DEG 39 MIN 43 SEC E, 327.92 FT AND S 12 DEG 48 MIN 41 SEC W, 160.0 FT AND S 4 DEG 11 MIN 30 SEC W, 412.91 FT FROM NW COR OF SEC 32, T8N, R7E; TH S 4 DEG 11 MIN 30 SEC W, 29.36 FT; TH S 01 DEG 46 MIN 02 SEC W, 80.12 FT; TH S 01 DEG 46 MIN 02 SEC W, 170.3 FT; TH S 01 DEG 39 MIN 59 SEC E, 500.03 FT; TH N 28 DEG 14 MIN 59 SEC E, 288.57 FT ALG THE WLY ROW LINE OF W BLVD DR; TH CONT ALG SD WLY LINE N 28 DEG 13 MIN 08

SEC E, 484.34 FT; TH N 28 DEG 13 MIN 08 SEC E, 125.93 FT; TH S 88 DEG 20 MIN 01 SEC W, 430.0 FT TO POB from "D-6" General and Highway-Commercial Service District and future zoned City Corridor to "E" Heavy Commercial-Limited Manufacturing District. THE PLANNING COMMISSION RECOMMENDS DENIAL.

PUBLIC SPEAKING

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), three (3) minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of the meeting to those wishing to speak during this agenda item.

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.

PETITIONS AND UNOFFICIAL COMMUNICATIONS

COMMUNICATIONS (from Mayor and Other City Officials)

ADDITIONAL COMMUNICATIONS

APPOINTMENTS

APPOINTMENTS (May Be Referred from Special Affairs)

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.

RECONSIDERATION

[NOTE: Reso No. 220115, a Resolution to Respond to the Public Health and Negative Economic Impacts of the Pandemic by Addressing Blight, FAILED to Move to Council during the March 9th Committee Meetings. It is presented here for Council's (re)consideration.]

220115 Public Health Response/Addressing Blight/American Rescue Plan Act (ARPA) Funding

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to address blight and to implement this [Blight] program, with

the City of Flint's ARPA administration, compliance and implementation firm reviewing and ensuring compliance with the latest US Department of Treasury final rules, and funding coming from the American Rescue Plan Act (ARPA) Fund (287).

RESOLUTIONS

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

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

- 220105** Contract/Rowe Professional Services/Project Management Services/SLE-SLR and Restoration Projects

Resolution resolving that the appropriate City Officials are to enter into a contract with Rowe Professional Services for Project Management Services for the SLE/SLR and restoration projects for an overall amount not-to-exceed \$2,900,000.00.

- 220109** Contract/Carriage Town Ministries/CARES Entitlement Funding/Covid-19 Related Activities

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to enter into a contract with Carriage Town Ministries for CARES Act funding, in the amount of \$81,590.00, for shelter operations related to Covid relief.

- 220110** CO#1/Contract/Lang Construction/Chemical Systems Feed Building

Resolution resolving that the appropriate City Officials are authorized to issue a Change Order to Lang Construction for chemical feed system, in an amount NOT-TO-EXCEED \$330,107.21 for FY22, for the total aggregate Purchase Order amount NOT-TO-EXCEED \$4,416,064.21 for FY22.

- 220113** CO#1/Contract/Spaulding DeDecker/Added Engineering Costs/Miller Road Water Main Rehabilitation

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to enter into Change Order No. 1 to the contract with Spaulding DeDecker to add water main engineering services to the project to rehabilitate Miller Road, in an amount NOT-TO-EXCEED \$300,000.00, and a revised aggregate amount of \$576,591.00, with the City of Flint's ARPA administration, compliance and implementation firm reviewing and ensuring compliance with the latest US Department of Treasury final rules, and funding coming from the American Rescue Plan Act (ARPA) Fund (287).

220114 Contract/Zito Construction Company/Miller Road Water Main Replacement

Resolution authorizing the appropriate City Officials to do all things necessary to enter into a contract with Zito Construction to replace the water main during the rehabilitation of Milelr Road, between Hammerberg Road and Ballenger Highway, in an amount NOT-TO-EXCEED \$1,873,634.27, with the City of Flint's ARPA administration, compliance and implementation firm reviewing and ensuring compliance with the latest US Department of Treasury final rules, and funding coming from the American Rescue Plan Act (ARPA) Fund (287).

220116 Incentives/Public Safety Recruitment

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to appropriate \$500,000.00 of ARPA [American Rescue Plan Act] funds for the purpose of distributing incentives to qualifying Flint Police Department officers and Flint Fire Department certified fire suppression personnel, with the City of Flint's ARPA administration, compliance and implementation firm reviewing and ensuring compliance with the latest US Department of Treasury final rules, before pay compensation is distributed and paid from the American Rescue Plan Act Fund (287).

220118 Retention/Outside Legal Counsel/Flint City Council/Transfer of Tax-Reverted Properties

Resolution resolving that the City Council requests that outside legal counsel be retained to prosecute a lawsuit on behalf of the City, seeking recovery of 46 properties specified in the City Council's December 21, 2021 Resolution.

RESOLUTIONS (May Be Referred from Special Affairs)**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.]

220119 Adoption/City of Flint Ward Boundaries (As Proposed)

Resolution resolving that the Flint City Council adopts new ward boundaries within the city of Flint as proposed, pursuant to MCL 168.657 and the Flint City Charter.

LIQUOR LICENSES**INTRODUCTION AND FIRST READING OF ORDINANCES**

INTRODUCTION AND FIRST READING OF ORDINANCES (May Be Referred from S.A.)

220112 Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Article XV (Convenience Stores)

An ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XV (Convenience Stores), by amended Sections 12-91 through 12-93, and the addition of Section 12-94 (Hours of Operation).

SECOND READING AND ADOPTION OF ORDINANCES

220068 Amendment/Chapter 50/PC-21-419/Darren Dado/Rezoning/3801 West Boulevard Drive/From 'D-6' to 'E'/Ward 3

An ordinance to amend the Code of the City of Flint has been requested by Darren Dado (PC-21-419) to change the District boundaries or regulations established in Chapter 50 thereof, specifically allowing under 50-4 a zoning map amendment, as follows: 3801 West Boulevard Drive, Flint MI 48502, Parcel No. 41-18-154-038, legally described as GENERAL MOTORS PARK NUMBER ONE LOTS 630 THRU 635 INCL, LOTS 678 THRU 691 INCL PART OF LOTS 734 THRU 742 INCL ALL DESC AS FOLLS: BEG AT A PT THAT IS S 89 DEG 16 MIN 24 SEC W, 576.29 FT AND S 11 DEG 00 MIN 09 SEC W, 234.70 FT AND S 36 DEG 50 MIN 43 SEC E, 621.43 FT AND S 26 DEG 30 MIN 52 SEC E, 499.08 FT AND S 21 DEG 55 MIN 01 SEC E, 184.51 FT AND S 00 DEG 21 MIN 36 SEC E, 1356.17 FT AND N 89 DEG 11 MIN 28 SEC E, 544.08 FT AND S 01 DEG 39 MIN 43 SEC E, 327.92 FT AND S 12 DEG 48 MIN 41 SEC W, 160.0 FT AND S 4 DEG 11 MIN 30 SEC W, 412.91 FT FROM NW COR OF SEC 32, T8N, R7E; TH S 4 DEG 11 MIN 30 SEC W, 29.36 FT; TH S 01 DEG 46 MIN 02 SEC W, 80.12 FT; TH S 01 DEG 46 MIN 02 SEC W, 170.3 FT; TH S 01 DEG 39 MIN 59 SEC E, 500.03 FT; TH N 28 DEG 14 MIN 59 SEC E, 288.57 FT ALG THE WLY ROW LINE OF W BLVD DR; TH CONT ALG SD WLY LINE N 28 DEG 13 MIN 08 SEC E, 484.34 FT; TH N 28 DEG 13 MIN 08 SEC E, 125.93 FT; TH S 88 DEG 20 MIN 01 SEC W, 430.0 FT TO POB from "D-6" General and Highway-Commercial Service District and future zoned City Corridor to "E" Heavy Commercial-Limited Manufacturing District. THE PLANNING COMMISSION RECOMMENDS DENIAL.

ADDITIONAL DISCUSSION ITEMS

FINAL COUNCIL COMMENTS

ADJOURNMENT

220115



RESOLUTION NO.: _____

PRESENTED: _____

3/09/2022

ADOPTED: _____

**RESOLUTION TO RESPOND TO THE PUBLIC HEALTH AND NEGATIVE ECONOMIC IMPACTS OF THE PANDEMIC BY ADDRESSING
BLIGHT**

By the Mayor:

WHEREAS, the American Rescue Plan Act states eligible activities include: rehabilitation, renovation, maintenance, or costs to secure vacant or abandoned properties to reduce their negative impact; costs associated with acquiring and securing legal title of vacant or abandoned properties and other costs to position the property for current or future productive use; removal and remediation of environmental contaminants or hazards from vacant or abandoned properties, when conducted in compliance with applicable environmental laws or regulations; demolition or deconstruction of vacant or abandoned buildings (including residential, commercial, or industrial buildings) paired with greening or other lot improvement as part of a strategy for neighborhood revitalization; greening or cleanup of vacant lots, as well as other efforts to make vacant lots safer for the surrounding community; conversion of vacant or abandoned properties to affordable housing; inspection fees and other administrative costs incurred to ensure compliance with applicable environmental laws and regulations for demolition, greening, or other remediation activities.

WHEREAS, the administration is recommending \$3,000,000.00 towards rehabilitation of blighted properties or demolition of abandoned or vacant properties; hiring of personnel to assist with the City's Blight Program; and procurement of needed demolition equipment. Funds will be used in the following ways, until exhausted:

- \$2,000,000.00 for the rehabilitation of blighted properties or demolition of abandoned or vacant properties
- \$500,000.00 to hiring personnel to assist with and manage the City's Blight Program
- \$500,000.00 for the procurement of needed demolition equipment

Funding for this program shall come from the American Rescue Plan Act fund (287).

WHEREAS, addressing vacant or abandoned property and blight throughout the City would respond to the public health and negative economic impacts of the pandemic in disproportionately impacted neighborhoods.

WHEREAS, living near such property is correlated with worse physical health and mental health outcomes, such properties pose an environmental hazard and present a barrier to economic recovery. Renovation or demolition of vacant or abandoned property could benefit the City's health and raise property values.

IT IS RESOLVED, that the appropriate City Officials are authorized to do all things necessary to address blight and to implement this program. Before funds are distributed, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of the Treasury final rules. Funds will be paid from the American Rescue Plan Act fund (287).

APPROVED AS TO FORM:

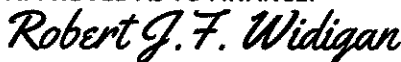

William Kim (Mar 7, 2022 17:43 EST)

William Y. Kim
Acting Chief Legal Officer

FOR THE CITY OF FLINT:

Mayor Sheldon A. Neeley

APPROVED AS TO FINANCE:



Robert J.F. Widigan
Chief Finance Officer

APPROVED BY CITY COUNCIL:

Eric B. Mays, City Council President



RESOLUTION NO.: _____

PRESENTED: _____

ADOPTED: _____

**RESOLUTION TO RESPOND TO THE PUBLIC HEALTH AND NEGATIVE ECONOMIC IMPACTS OF THE PANDEMIC BY ADDRESSING
BLIGHT**

By the Mayor:

WHEREAS, the American Rescue Plan Act states eligible activities include: rehabilitation, renovation, maintenance, or costs to secure vacant or abandoned properties to reduce their negative impact; costs associated with acquiring and securing legal title of vacant or abandoned properties and other costs to position the property for current or future productive use; removal and remediation of environmental contaminants or hazards from vacant or abandoned properties, when conducted in compliance with applicable environmental laws or regulations; demolition or deconstruction of vacant or abandoned buildings (including residential, commercial, or industrial buildings) paired with greening or other lot improvement as part of a strategy for neighborhood revitalization; greening or cleanup of vacant lots, as well as other efforts to make vacant lots safer for the surrounding community; conversion of vacant or abandoned properties to affordable housing; inspection fees and other administrative costs incurred to ensure compliance with applicable environmental laws and regulations for demolition, greening, or other remediation activities.

WHEREAS, the administration is recommending \$3,000,000.00 towards rehabilitation of blighted properties or demolition of abandoned or vacant properties; hiring of personnel to assist with the City's Blight Program; and procurement of needed demolition equipment. Funds will be used in the following ways, until exhausted:

- \$2,000,000.00 for the rehabilitation of blighted properties or demolition of abandoned or vacant properties
- \$500,000.00 to hiring personnel to assist with and manage the City's Blight Program
- \$500,000.00 for the procurement of needed demolition equipment

Funding for this program shall come from the American Rescue Plan Act fund (287).

WHEREAS, addressing vacant or abandoned property and blight throughout the City would respond to the public health and negative economic impacts of the pandemic in disproportionately impacted neighborhoods.

WHEREAS, living near such property is correlated with worse physical health and mental health outcomes, such properties pose an environmental hazard and present a barrier to economic recovery. Renovation or demolition of vacant or abandoned property could benefit the City's health and raise property values.

IT IS RESOLVED, that the appropriate City Officials are authorized to do all things necessary to address blight and to implement this program. Before funds are distributed, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of the Treasury final rules. Funds will be paid from the American Rescue Plan Act fund (287).

APPROVED AS TO FORM:

William Y. Kim
Acting Chief Legal Officer

FOR THE CITY OF FLINT:

Mayor Sheldon A. Neeley

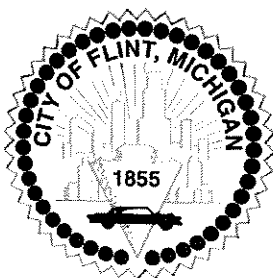
APPROVED AS TO FINANCE:

Robert J. F. Widigan

Robert J.F. Widigan
Chief Finance Officer

APPROVED BY CITY COUNCIL:

Eric B. Mays, City Council President



220095

RESOLUTION: _____

PRESENTED: FEB 23 2022

ADOPTED: _____

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

BY THE CITY ADMINISTRATOR:

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

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

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

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

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

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

APPROVED AS TO FORM:

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

William Kim, Acting City Attorney

APPROVED AS TO FINANCE:

Robert J. F. Widigan

Robert J.F. Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:

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

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

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



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 2/17/2022

BID/PROPOSAL# N/A

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

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

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

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

FINANCIAL IMPLICATIONS: No

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

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

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



CITY OF FLINT

ACCOUNTING APPROVAL: Robert J. F. Widigan Date: _____

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

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

BUDGET YEAR 1 N/A

BUDGET YEAR 2 N/A

BUDGET YEAR 3 N/A

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

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

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









2022 Concerned Pastors Settlement Amendment

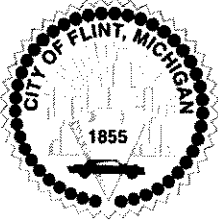
Final Audit Report

2022-02-17

Created:	2022-02-17
By:	William Kim (wkim@cityofflint.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAlox4WnMc2vMHpLbfDtexs5E055ZLBLKi

"2022 Concerned Pastors Settlement Amendment" History

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



STATE OF MICHIGAN DTMB
CONTRACT # 00829
BY THE CITY ADMINISTRATOR:

220105

RESOLUTION NO.: _____
PRESENTED: 2/23/2022
ADOPTED: _____

**RESOLUTION TO ROWE PROFESSIONAL SERVICES FOR PROJECT MANAGEMENT SERVICES FOR
SERVICE LINE REPLACEMENT AND RESTORATION**

The Division of Purchases & Supplies has utilized the State of Michigan's indefinite-scope cooperative contract for Rowe Professional Services, 540 S. Saginaw St. Suite 200, Flint MI, 48502, for the next phase of service line replacement and restorations.

WHEREAS The Department of Public Works has utilized Rowe Professional Services as the program manager for the exploration/replacement (SLE/SLR) project(s) since May of 2019. Due to their experience with the ongoing project, their knowledge of working with EGLE, The State of Michigan, and CityWorks software used by the city, they would like to continue working with Rowe for the next phase of these projects.

WHEREAS, The City of Flint, Department of Public Works is requesting authorization to enter into a contract with Rowe Professional Services, for Project Management Services for SLE/SLR management, in an amount not-to-exceed \$400,000.00, and restoration management services, in an amount not-to-exceed \$2,500,000.00 for an overall total contract price of \$2,900,000.00.

Funding for said services are budgeted and will come from the following account:

Account Number	Account Name	Grant Code	Amount
496-540.006-801.051	Project Management Svcs	FEPA 18WIIN-1	\$2,900,000.00
		GRAND TOTAL	\$2,900,000.00

IT IS RESOLVED, That the Appropriate City Officials are to Enter into a Contract with Rowe Professional Services for Project Management Services for the SLE/SLR and restoration projects for an overall amount not-to-exceed \$2,900,000.00.

APPROVED AS TO FORM:

William Kim
William Kim (Feb 18, 2022 11:43 EST)

William Kim, Acting City Attorney

APPROVED AS TO FINANCE:

Jennifer Ryan
Jennifer Ryan (Feb 18, 2022 11:42 EST)

Robert Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:

CLYDE D EDWARDS
CLYDE D EDWARDS (Feb 21, 2022 11:37 EST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Eric Mays, City Council President

APPROVED AS TO PURCHASING:

Lauren Rowley

Lauren Rowley, Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: February 4, 2022

BID/PROPOSAL#

AGENDA ITEM TITLE: Resolution Authorizing Appropriate City Officials to Enter into a Contract with Rowe Professional Services Company for Project Management Services

PREPARED BY: Yolanda Gray, Department of Public Works Accounting Supervisor

VENDOR NAME: Rowe Professional Services Company

BACKGROUND/SUMMARY OF PROPOSED ACTION:

ROWE Professional Services has been assisting the City of Flint as the program manager for the service line exploration/replacement (SLE/SLR) project since May 2019. Throughout this timeframe ROWE has worked with the Michigan Department of Environment, Great Lakes, and Energy (EGLE), State of Michigan and other stakeholder to research what residential properties have not been explored/replaced and documented this data into the CityWorks system. Not all residential properties have had service lines explored or replaced for a variety reasons. ROWE has submitted a proposal to continue to assist the City of Flint as SLE/SLR program managers. Restoration of roads, walkways, drives, and lawns need to be provided after SLE/SLR is completed at each property. The City of Flint has been managing the restoration work and due to manpower restraints, ROWE has been requested to provide program management. The program management for restoration is similar to the SLE/SLR where data will be gathered and uploaded into the CityWorks software which ROWE is familiar with. The total cost for SLE/SLR management is not to exceed \$400,000.00 and restoration management is not to exceed \$2,500,000.00 with a total contract price of \$2,900,000.00.

FINANCIAL IMPLICATIONS:

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

Dept.	Name of Account	Account Number	Grant Code	Amount
496	Project Management Services	496-540.006-801.051	FEPA18WIIN-1	\$2,900,000.00
GRAND TOTAL				\$2,900,000.00

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

ACCOUNTING APPROVAL: Yolanda Gray **Date:** 2-4-22

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☒ NO ☐
(If yes, please indicate how many years for the contract) 1 YEAR(S)



CITY OF FLINT

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

BUDGET YEAR 1

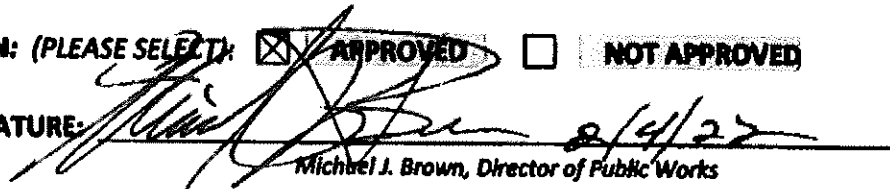
BUDGET YEAR 2

BUDGET YEAR 3

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

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

DEPARTMENT HEAD SIGNATURE:

A handwritten signature in black ink, appearing to read "Michael J. Brown", followed by the date "2/4/22".

Michael J. Brown, Director of Public Works



February 1, 2022

Mr. Clyde Edwards
City of Flint
1101 S. Saginaw Street
Flint, MI 48502

RE: 2022 Service Line Exploration/Replacement and Restoration
Professional Services Proposal

Dear Mr. Edwards:

ROWE Professional Services Company is pleased to submit this proposal to continue to assist the City of Flint with your lead service line replacement project. As you are aware, ROWE has been assisting the city as your program manager for the Service Line Exploration/Service Line Replacement (SLE/SLR) project since May 2019. Throughout that timeframe, we have worked with city departments, the Michigan Department of Environment, Great Lakes, and Energy (EGLE), State of Michigan, and other stakeholders to research what residential properties have not been explored/replaced and document that data into the Cityworks system. Not all residential properties have had service lines explored or replaced for a variety of reasons, thus the reason for our proposal to continue to assist the city as program managers.

In addition to the SLE/SLR program, there is the restoration of roads, walkways, drives, lawns, etc., that needs to be completed once the SLE/SLR is complete at each property. To date, the city has been managing the restoration work but, due to manpower constraints, ROWE has been requested to be the program management for this component and assist the city. The work involved with the program management of the restoration is very similar to the SLE/SLR where data will be gathered and uploaded into the Cityworks software which ROWE is very familiar with.

We offer the following scope of services for the SLE/SLR program management:

SLE/SLR Services

- **Project Scope** – For purposes of developing our scope and budget, it is anticipated that there are up to 1,000 properties remaining that need have a SLE/SLR completed.
- **Prepare SLE/SLR Construction Bid Packages** – In coordination with the city, ROWE will prepare construction bid packages that include sufficient information for the contractors to understand and price the project work for the remaining residential properties. The bid package will be similar to the one the city produced in 2019 with minor changes that will be recommended based on our experience with this program over the past 2+ years.

Flint, MI (HQ): 540 S. Saginaw Street, Suite 200, 48502 | Phone: (810) 341-7000

Civil Engineering | Surveying | Landscape Architecture | Asset Inventory Mapping | Planning

Flint, MI (HQ) | Lapeer, MI | Farmington Hills, MI | Kenosha, WI | Mt. Pleasant, MI | Okemos, MI | Myrtle Beach, SC | www.rowepsc.com

- **Advertise and Receive Bids** – The city will advertise the project bid packet, conduct the pre-bid conference, and issue addenda required for the project. We will administer a pre-bid meeting with prospective contractors to explain the status of the SLE/SLR program, what is expected of the selected contractor(s), and overall schedule.
- **List of Remaining Homes** – ROWE will review the existing data that has been used in our previous contract to compile addresses of remaining homes. We will maintain records of these in the Cityworks software.
- **Contact Homeowners/Residents** – The contractor(s) will be responsible for contacting the property owners to obtain permission to perform work on private property. These permissions will be sent to ROWE to vet out and then develop a work order within the Cityworks software, if necessary.
- **Construction Coordination** – ROWE will coordinate weekly progress meeting to discuss items such as progress/schedule, issues with the contractor(s) and other stakeholders.
- **Construction Observation** – ROWE will provide one on-site inspector for each of the contractors' sites during all construction activities (excavations, service line material inspections, and LSL replacements).
- **Pay Applications/Change Orders** – By utilizing the data entered into Cityworks software, ROWE will work with the contractor(s) to develop monthly pay applications for approval by the city. If funding from outside the city is being utilized, we will verify that the documentation for each pay application and/or change order meets the funding requirements.
- **Reporting** – ROWE will prepare the required reporting for work completed. We anticipate that the reports will be similar to those prepared under our previous contract which includes weekly, monthly, and quarterly reports. We will work with the city departments early in the program to determine the frequency of such reports.

The following is our proposed scope of work for the Restoration Services program management.

Restoration Services

- **Project Scope** – For purposes of developing our scope and budget, it is anticipated that there are up to 8,500 properties remaining that need restoration completed. The restoration for each property may vary from work in the street, sidewalk repair, drive repair, lawn restoration, and fence replacement.
- **Identifying List of Homes** – ROWE will review the existing data that can be provided by the city to develop an initial list of homes that need some form of restoration completed. Once we have compiled that data, we will perform a drive-by site visit to confirm that the field conditions support the need for work to be performed. The observation from the field will be documented in Cityworks to assist with the development of the work orders. Since many of these homes have had SLE/SLR work completed for several years, the homeowner may have already taken care of the restoration, therefore there will be no work order generated for that address.
- **Prepare Service Restoration Construction Bid Packages** – In coordination with the city, ROWE will prepare construction bid packages that include sufficient information for the contractors to understand and price the project work. The bid package will be similar to the one the city produced in 2019 with recommended changes based on our understanding of how

restoration work was performed. The quantities identified in the bid documents will be based on our review of the data plus our field visit.

- **Advertise and Receive Bids** – The city will advertise the project bid packet, conduct the pre-bid conference, and issue addenda required for the project. We will administer a pre-bid meeting with prospective contractors to explain the status of the restoration program, what is expected of the selected contractor(s) and overall schedule
- **Contact Homeowners/Residents** – The contractor(s) will be responsible for contacting the property owners to confirm the restoration work completed and when the work will be completed. Documentation of this meeting will need to be sent to ROWE to vet out and then develop a work order within the Cityworks software, if necessary.
- **Construction Coordination** – ROWE will coordinate weekly progress meeting to discuss items such as progress/schedule, issues with the contractor(s) and other stakeholders.
- **Construction Observation** – ROWE will provide an on-site inspector(s) to observe the restoration work being performed by the contractor(s). We will keep the City Transportation department informed of locations and schedules when work will be performed in paved roadways so the city will have the opportunity to be on site to observe the work.
- **Pay Applications/Change Orders** – By utilizing the data entered into Cityworks software, ROWE will work with the contractor(s) to develop monthly pay applications for approval by the city. If funding from outside the city is being utilized, we will verify that the documentation for each pay application and/or changes order meets the funding requirements.
- **Reporting** – ROWE will prepare the required reporting for work completed. We will work with the city departments early in the program to determine what reports are required and the frequency of such reports.

SCHEDULE

Based on our recent discussions, we understand the city is interested in getting this project bid out and award the contracts by late winter so work can begin as soon as the weather permits in the spring. The following is our proposed schedule for our services:

Proposal submitted to City for review	January 28 th
City Council Award of ROWE Contract	February 9 th
Project Kick Off with ROWE/City	February 10 th or 11 th
ROWE to analyze available data for Restoration	February 14 th – 25 th
ROWE to perform field site visit	February 21 st - March 4 th
Bid Package Complete For SLE/SLR	March 4 th
Bid Package Complete for Restoration	March 18 th
Advertisement of Both Bid Packages	Mid/Late March
Pre-Bid Meetings	Early April
Bid Opening of Both Bid Packages	April
Award of Contract(s)	Late April
Construction to Begin	May
Construction Complete	TBD

COMPENSATION

ROWE acknowledges that we will conform to the contractual agreement with our MIDEAL/MDTMB State of Michigan Cooperative agreement submitted on January 17, 2019. We note that

Mr. Clyde Edwards
February 1, 2022
Page 4

we are in our fourth year of our contract and our rates will be adjusted in our next MDTMB ISID submittal anticipated for the end of 2022 or early 2023.

Compensation for our serviced will be billed on our hourly rate schedule. The work for the SLE/SLR is more defined since ROWE has been involved with this program for almost 3 years. The work associated with the restoration is less defined and will require more up-front time analyzing the data available and then performing field work. Our proposed fees are noted below:

Task	Budget
SLE/SLR Program Management	\$400,000
Restoration Program Management	\$2,500,000
Total Budget	\$2,900,000

We appreciate the opportunity to continue to provide the City of Flint professional engineering services. With our corporate headquarters located in the downtown area, we are committed to assisting the city with your infrastructure improvements.

If you agree with our proposal, please prepare an engineering services contract for our review and execution. You can contact either Rick Freeman or Jeff Markstrom to discuss our proposal in more detail at (810) 341-7500.

Sincerely,
ROWE Professional Services Company

Jeffrey Markstrom

Digitally signed by Jeffrey Markstrom, PE
DN: cn=Jeffrey Markstrom, o=ROWE Professional Services
Company, c=US, email=jmarkstrom@rowe.com, ou=State
Date: 2022.02.01 10:11:26 -0500

Jeffrey B. Markstrom, PE
Design Services Division Manager

Rick Freeman

Digitally signed by Rick Freeman
DN: cn=Rick Freeman, o=ROWE Professional Services
Company, c=US, email=rffreeman@rowe.com, ou=State
Date: 2022.02.02 10:24:30 -0500

Rick A. Freeman, PE
Principal/Director of Engineering

R:\Projects\PROPOSAL\ENGINEER\City of Flint\2022 SLE Restoration\SLE-SLR and Resoration Proposal.docx



CITY OF FLINT

220109

RESOLUTION NO.: _____

PRESENTED: 3/09/2022

ADOPTED: _____

Resolution Authorizing a Contract with Carriage Town Ministries for CARES Entitlement Funding in the amount of \$81,590 to Carry Out Covid-19 Related Activities

BY THE CITY ADMINISTRATOR:

WHEREAS, The City of Flint is a recipient of Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) in the amount of \$2,441,943 for ESG. These funds must be used to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance, and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.

WHEREAS, At its meeting on August 10, 2021, the Flint City Council authorized allocations to several agencies. At the time, Carriage Town Ministries had not yet requested funds.

WHEREAS, Carriage Town Ministries of Flint has indicated a need for appliances, beds and bedding, a vehicle, and other items associated with the operation of the shelter. The shelter has requesting funding in the amount of \$81,590.

WHEREAS, ESG-CV Shelter operations funding is available to be allocated to eligible agencies/activities.

WHEREAS, Per the requirements of CPD Notice 21-08, issued July 19, 2021 by the U.S. Department of Housing and Urban Development, The Community and Economic Development Division will publish on the City's website, a notification of CARES Act Award to Carriage Town Ministries and how funds will be used.

WHEREAS, Funding is available in the following accounts:


Dept.	Name of Account	Account Number	Grant Code	Amount
P&D	ESG Shelter Operations	282-750.101-502.750	FHUD-ESGCA	\$81,590
P&D	ESG Shelter Operations	282-750.101-963.100	FHUD-ESGCA	\$81,590



CITY OF FLINT

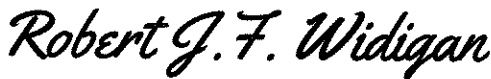
IT IS RESOLVED, That the appropriate City officials are authorized to do all things necessary to enter a contract with Carriage Town Ministries for CARES Act funding in the amount of \$81,590 for shelter operations related to Covid relief.

APPROVED AS TO FORM:


William Kim (Feb 22, 2022 14:25 EST)

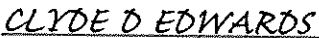
William Kim, Acting Chief Legal Officer

APPROVED AS TO FINANCES:




Robert J.F. Widigan, Chief
Financial Officer

ADMINISTRATION:


CLYDE D EDWARDS (Feb 24, 2022 16:35 EST)

Clyde Edwards, City Administrator

CITY COUNCIL:


Eric Mays, President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: February 21, 2022

AGENDA ITEM TITLE: Resolution Authorizing a Contract with Carriage Town Ministries for CARES Funding in the amount of \$81,590 to Carry Out Covid-19 Related Activities

PREPARED BY: Department of Planning and Development – Community and Economic Development Division – G.R. Dunlap

VENDOR NAME:

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint is a recipient of Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) in the amount of \$2,441,943 for Emergency Solutions Grant funding (ESG). These funds must be used to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance, and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.

At its meeting on August 10, 2021, the Flint City Council authorized allocations of ESG-CV to several local shelters to address issues related to the effects of the Covid-19 pandemic. Carriage Town Ministries, a local shelter for families, that had not requested funds previously, is now in need of funding for its shelter. The requested amount is \$81,590.

Per the requirements of Community Planning and Development Notice 21-08, issued July 19, 2021, by the U.S. Department of Housing and Urban Development, the City will publish how it will use its ESG-CV funds. The Community and Economic Development Division will publish on the City's website, a notification of CARES Act Award to Carriage Town Ministries and how funds will be used.

FINANCIAL IMPLICATIONS: Funds for this purpose are reserved to provide services to the homeless population in Flint and serve to prevent, prepare for or respond to coronavirus. Funds determined to be ineligible paid and drawn must be repaid using general fund dollars.



CITY OF FLINT

BUDGETED EXPENDITURE? YES ☐ NO ☐ IF NO, PLEASE EXPLAIN: N/A

*****Chart of Accounts being changed via BSA. Accounts used will be ESG-CA uncommitted accounts. When new accounts can be created, Journal Entries to move to correct account will be processed, the PO will be liquidated and reopened with correct accounts.*****

Dept.	Name of Account	Account Number	Grant Code	Amount
P&D	ESG Shelter Operations	282-750.101-502.750	FHUD-ESGCA	\$ 81,590
P&D	ESG Shelter Operations	282-750.101-963.100	FHUD-ESGCA	\$ 81,590

PRE-ENCUMBERED? YES ☒ NO ☐ REQUISITION NO: 220005400

ACCOUNTING APPROVAL: *Carissa Dotson, remotely* Date: 2/21/22

FINANCE APPROVAL: *Martita Moffett-Page*
Martita Moffett-Page (Feb 22, 2022 16:07 EST) Date: 02/22/2022

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) n/a

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

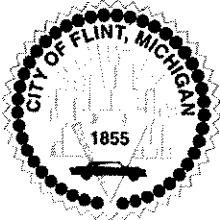
OTHER IMPLICATIONS (i.e., collective bargaining): N/A

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

DEPARTMENT HEAD SIGNATURE:

Suzanne Wilcox

Suzanne Wilcox, Director



PROPOSAL# 20-550

BY THE CITY ADMINISTRATOR:

RESOLUTION NO.:

PRESENTED:

ADOPTED:

220110

3/09/2022

CHANGE ORDER RESOLUTION TO LANG CONSTRUCTION FOR CHEMICAL SYSTEMS FEED BUILDING


WHEREAS, The City of Flint Department of Purchases and Supplies solicited bids for The City of Flint Water Plant for chemical feed systems in 2019. On December 9, 2019 resolution #190490 was adopted to award the lowest bidder, Lang Constructors, a contract amount not to exceed \$4,085,957.00. Funding for services were made available out of the \$77,000,000 Water Infrastructure Improvements for the Nation (WIIN) grant. Due to COVID-19 mechanical and electrical contractors sustained significant costs and schedule impacts. Cost increases for materials and delays in getting said materials resulted in delays to the project, as well as unforeseen problems found while construction commenced extending the construction schedule and increasing costs.

WHEREAS, These costs total \$330,107.21 and require a change order #1, for a total contract not to exceed \$4,416,064.21. Funds are available in 496-553.000-801.057 FEPA18WIIN1.

Account Number	Account Name	Grant Code	Amount
496-553.000-801.057	Chemical Feed System	FEPA18WIIN-I	330,107.21

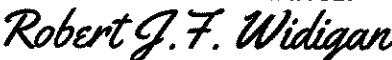
IT IS RESOLVED, that the appropriate City Officials are authorized to issue a Change Order to Lang Construction for chemical feed system, in an amount not-to-exceed \$330,107.21 for FY22 for the total aggregate Purchase Order amount not-to-exceed \$4,416,064.21 for FY22 (07/01/21 - 06/30/22).

APPROVED AS TO FORM:


William Kim (Mar 1, 2022 16:18 EST)

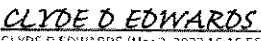
William Kim, Acting City Attorney

APPROVED AS TO FINANCE:



Robert J.F. Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:


CLYDE D. EDWARDS (Mar 2, 2022 16:15 EST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Eric Mays, City Council President

APPROVED AS TO PURCHASING:


Jennifer Ryan (Mar 1, 2022 15:53 EST)

Lauren Rowley
Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: March 1, 2022

BID/PROPOSAL# 20000550

AGENDA ITEM TITLE: Resolution Authorizing Appropriate City Officials to Enter Into Change Order #1 with Lang Constructors

PREPARED BY: Yolanda Gray, Department of Public Works Accounting Supervisor

VENDOR NAME: Lang Constructors

BACKGROUND/SUMMARY OF PROPOSED ACTION:

As part of the City of Flint's EPA order, a chemical systems feed building was required. On December 9, 2019 resolution #190490 was adopted to award the lowest bidder, Lang Constructors, a contract amount not to exceed \$4,085,957.00. Funding for services were made available out of the \$77,000,000 Water Infrastructure Improvements for the Nation (WIIN) grant. Due to COVID-19 mechanical and electrical contractors sustained significant costs and schedule impacts. Cost increases for materials and delays in getting said materials resulted in delays to the project, as well as unforeseen problems found while construction commenced extending the construction schedule and increasing costs. These costs total \$330,107.21 and require a change order #1, for a total contract not to exceed \$4,416,064.21. Funds are available in 496-553.000-801.057 FEPA18WIIN1.

FINANCIAL IMPLICATIONS:

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

Dept.	Name of Account	Account Number	Grant Code	Amount
496	Chemical Feed System	496-553.000-801.057	FEPA18WIIN-1	\$330,107.21
GRAND TOTAL				\$330,107.21

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

ACCOUNTING APPROVAL: Yolanda Gray **Date:** 3-1-22

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)



CITY OF FLINT

BUDGET YEAR 1


BUDGET YEAR 2

BUDGET YEAR 3

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

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

DEPARTMENT HEAD SIGNATURE:


(PLEASE TYPE NAME, TITLE)

3/1/22



535 Griswold Street, Suite 930
Detroit, Michigan 48226
tel: 313 963-1313

February 28, 2022

Mr. Michael Brown
Director Department of Public Works
City of Flint
1101 Saginaw Street
Flint, MI 48502

Subject: Chemical Systems Feed Building
Construction Contract No. 19-905
PO number 20-002358
Change Order Request #1

Dear Mr. Brown:

Please find attached Change Proposal Request (CPR) Nos. 17 through 31 from Lang Constructors, Inc. for the Chemical Systems Feed Building Project. These CPR's address Contract modifications as described below and make-up Change Order #1. All CPR's have been discussed and reviewed by the Engineer, Program Manager, and yourself.

CDM Smith has reviewed the following requests and offer the following descriptions and opinions:

Description of Contract Modifications

CPR No. 17 – Uncompacted Backfill Beneath Underground Chemical Feed Pipes - During installation of the four (4) underground double-wall chemical feed pipes it was discovered that the backfill around the Flint (GCDC) vault excavation was not properly backfilled by D'Agostini. Resolution of this problem required the removal of the uncompacted material and placement and compaction of the material.

CPR No. 18 – Add Valve Riser - During site grating a valve riser for an unknown underground valve was discovered. Resolution of this problem required excavation and installation of a new riser piece.

CPR No. 19 – Relocation of Unknown 480V Buried Electric Conduit - During installation of the roadway a 4-inch unknown active buried conduit was discovered and conflicted with the roadway subbase material. Resolution of this problem required excavation of an adjacent trench to lower the conduit and installation of an electrical manhole.

CPR No. 20 – Sample Vault Relocation - During construction of the sample vault, unknown underground utility conflicts were identified and required relocation the vault. Due to sample vault





Chemical Systems Feed Building
February 28, 2021
Page 2

location requirements, the vault had to be reconfigured to fit the new location. Resolution of this problem required excavation of new location to confirm available space and 48-inch pipeline access and reconfiguration of the vault.

CPR No. 21 – Photocell - During construction it was discovered that the Contract Documents did not provide for an exterior lighting control switch. Resolution of this problem required addition of wiring, conduit, and a photocell.

CPR No. 22 – Sodium Hypochlorite Valves (4) Functionality - During commissioning it was discovered that the four (4) installed Hypo System flow control valve actuators did not include opened/closed position indicator as an output signal. Resolution of this problem required the four (4) valves to be removed and replaced with valves with the required functionality.

CPR No. 23 – Caustic Low-Level Switch - During commissioning it was discovered that the piping arrangement was trapping air in the riser pipe and interfering with Caustic bulk storage tank Low-Level switch operation. Resolution of this problem required rerouting the vent pipe from existing riser pipe and connecting to an existing unused flange connection on top of tank to allow automatic venting of trapped air to bulk storage tank.

CPR No. 24 - Additional Guard Posts – The City of Flint staff requested additional guard posts to protect the exposed chemical feed piping located on north side of building. In addition, the Contractor was asked to provide a small concrete foundation in lieu of asphalt foundation for exterior emergency shower/eyewash. The Contractor is unable to install asphalt pavement due to cold weather. **This request for additional work has been deleted as the City of Flint will complete it with City staff.**

CPR No. 25 – Flow Control Automation - The City of Flint requested automated computer control of the two source waters (GLWA and GCDC) into the Flint distribution system. The new water source from GCDC will complicate flow control into the Flint distribution system and require constant operator attention. Programmed control will provide more accurate control of flow from the GLWA and GCDC and reduce the need for constant operator adjustment.

CPR No. 26 – Ortho Phosphoric Acid Analyzer Automatic Cleaning System – The City of Flint staff requested the addition of the add-on automatic cleaning system for better analyzer operation. At higher phosphate concentrations, the sensor requires more frequent cleaning. **This request for additional work has been deleted as the City of Flint will complete it with City staff.**

CPR No. 27 – Mechanical Contractor COVID-19 Cost Escalation and Supply Chain Impacts - The Mechanical Contractor, Goyette, indicated that during construction they sustained significant cost and schedule impacts due to COVID-19. The project was bid prior to COVID-19 (Nov 2019) and was





Chemical Systems Feed Building

February 28, 2021

Page 3

completed during the COVID-19 pandemic. Cost of most construction materials increased, and frequent shipment delays occurred; thus, extending the construction schedule and increasing overhead costs.

CPR No. 28 – Electrical Contractor COVID-19 Cost Escalation and Supply Chain Impacts - The Electrical Contractor, Newkirk, indicated that during construction they sustained significant cost and schedule impacts due to COVID-19. The project was bid prior to COVID-19 (Nov 2019) and was completed during the COVID-19 pandemic. Cost of most construction materials increased, and frequent shipment delays occurred; thus, extending the construction schedule and increasing overhead costs.

CPR No. 29 – Carrier Water - During commissioning it was discovered that the Contract Documents contained a conflict, and the wrong size pipe was installed. Resolution of this problem required removal and replacement of a segment of pipe with a larger size.

CPR No. 30 – Level Indicator Probe Replacement - During commissioning it was discovered that the Sodium Hypochlorite and Phosphoric Acid was attacking the liquid level probes causing discoloration and probe deterioration. Resolution of this problem required removal and replacement of a total of eight (8) probes with a chemical resistant material.

CPR No. 31 – Removal and Replacement of Sodium Hypochlorite Injection Quills - Recently it was discovered that the Sodium Hypochlorite "neat solution" was attacking the 316 stainless steel chemical injection quills and causing leaks. Resolution of this problem required removal and replacement of chemical injection quills with a chemical resistant material.

Contractor's Change Order Request

CPR No. 17 – Uncompacted Backfill Beneath Underground Chemical Feed Pipes - The Contractor completed this work at risk at a not to exceed total cost of \$5,410.60.

CPR No. 18 – Add Valve Riser - The Contractor completed this work at risk at a not to exceed total cost of \$2,283.86.

CPR No. 19 – Relocation of Unknown 480V Buried Electric Conduit - The Contractor completed this work at risk at a not to exceed total cost of \$6,412.30.

CPR No. 20 – Sample Vault Relocation - The Contractor completed this work at risk at a not to exceed total cost of \$15,451.75.





Chemical Systems Feed Building

February 28, 2021

Page 4

CPR No. 21 – Photocell - The Contractor completed this work at risk at a not to exceed total cost of \$2,395.00.

CPR No. 22 – Hypo Valves (4) Functionality - The Contractor completed this work at risk at a not to exceed total cost of \$8,179.00.

CPR No. 23 – Caustic Low-Level Switch - The Contractor completed this work at risk at a not to exceed total cost of \$8,637.62.

CPR No. 24 – Additional Guard Posts - The Contractor proposes to complete this work at a not to exceed total cost of \$0.00. **This request for additional work has been deleted as the City of Flint will complete it with City staff.**

CPR No. 25 – Flow Control Automation - The Contractor proposes to complete this work at a not to exceed total cost of \$32,480.70.

CPR No. 26 – Ortho Phosphoric Acid Analyzer Automatic Cleaning System - The Contractor proposes to complete this work at a not to exceed total cost of \$0.00. **This request for additional work has been deleted as the City of Flint will complete it with City staff.**

CPR No. 27 – Mechanical Contractor COVID-19 Cost Escalation and Supply Chain Impacts - The Contractor completed this work at risk at an extra total cost of \$75,110.26.

CPR No. 28 – Electrical Contractor COVID-19 Cost Escalation and Supply Chain Impacts - The Contractor completed this work at risk at an extra total cost of \$109,809.00.

CPR No. 29 – Carrier Water - The Contractor completed this work at risk at an extra total cost of \$4,731.80.

CPR No. 30 – Level Indicator Probe Replacement - The Contractor completed this work at risk at an extra total cost of \$46,233.89.

CPR No. 31 – Removal and Replacement of Chemical Injection Quills - The Contractor has not completed this work but has made a temporary repair to stop the leaking. He has provided a quote to complete the permanent repair at a total cost of \$12,970.60.

Recommendation

CDM Smith recommends the City of Flint accept Change Proposal Request Nos. 17 through 31. These Change Proposal Requests total \$330,107.21 and will result in an increase in the total Contract amount from \$4,085,957.00 to \$4,416,064.21.





Chemical Systems Feed Building
February 28, 2021
Page 5

These Change Proposal Requests also increased Contract time. We are proposing a new **Substantial Completion Date of April 15, 2022**, and a new **Final Completion Date of June 15, 2022**. We are recommending a later Final Completion to allow for Spring repair of exterior items and the asphalt paving. Substantial Completion requires all Contract Work to be complete except for punch list items, contract closeout, and the asphalt paving which will be completed between SC and FC.

Should you have any questions or need any further information, please do not hesitate to call.

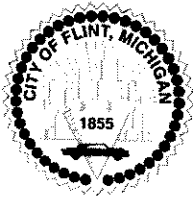
James J. Broz, P.E.

A handwritten signature in black ink that reads "James J. Broz".

Senior Project Manager
CDM Smith Inc.

cc: John Young
Scott Dungee
Yolonda Gray
Rob Isabel





220113

RESOLUTION NO.:

PRESENTED:

3/09/2022

ADOPTED:

(Proposal #20000558)

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO SPALDING DEDECKER FOR C.O. #1 ADDING ENGINEERING COSTS FOR ADDING A
WATER MAIN FOR THE MILLER RD. REHABILITATION**


The American Rescue Plan Act includes provision to support local governments as they make necessary investment in sewer and water infrastructure. The administration is recommending that Coronavirus Local Fiscal Recovery Funds (CLFRF)/American Rescue Plan Act (ARPA) support funds be utilized to replace the water main on Miller Rd., between Hammerberg Road and Ballenger Highway.

On January 10, 2022, the Proper City Officials were authorized to enter into a contract per resolution #210214 with Spalding DeDecker, 905 South Blvd. East, Rochester Hills, Michigan for Construction Engineering (CE) services to rehabilitate Miller Rd. from Hammerberg to Ballenger Hwy. in an amount not to exceed \$276,591.00, and

The watermain replacement engineering services was not included on the original resolution. The cost to add engineering design services will result in additional fees in the amount of \$300,000.00. Funding for said services will come from the City's Coronavirus Local Fiscal Recovery Funds (CLFRF)/American Rescue Plan Act (ARPA).

IT IS RESOLVED, that the appropriate City Officials are authorized to do all things necessary to enter into change order #1 to the contract with Spalding DeDecker to add water main engineering services to the project to rehabilitate Miller Rd., in an amount not to exceed \$300,000.00 and a revised aggregate amount of \$576,591.00. Before funds are distributed, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of the Treasury final rules. Funding for this program shall come from the American Rescue Plan Act fund (287).

APPROVED AS TO FORM:


William Y. Kim (Mar 7, 2022 17:43 EST)

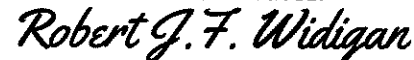
William Y. Kim
Acting Chief Legal Officer

FOR THE CITY OF FLINT:


Clyde D. Edwards (Mar 7, 2022 17:45 EST)

Clyde Edwards, City Administrator

APPROVED AS TO FINANCE:



Robert J.F. Widigan
Chief Finance Officer

APPROVED BY CITY COUNCIL:

Eric B. Mays, City Council President

FY22 – KRN

TODAY'S DATE: March 7, 2022

BID/PROPOSAL# N/A

AGENDA ITEM TITLE – Additional engineering services for Miller Rd. water main replacement

PREPARED BY Kathryn Neumann for Michael J. Brown, Director of Public Works

VENDOR NAME: Spalding DeDecker

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The purpose of this resolution is to add engineering services for the water main replacement along Miller Rd. from Ballenger Highway to Hammerberg Rd. and all together with necessary related work.

FINANCIAL IMPLICATIONS: Funding for said services will come from the City's Coronavirus Local Fiscal Recovery Funds (CLFRF)/American Rescue Plan Act (ARPA)..

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

Dept.	Name of Account	Account Number	Grant Code	Amount
		FY22 GRAND TOTAL		\$300,000.00

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

ACCOUNTING APPROVAL: _____ **Date:** _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☒ NO ☐

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

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

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

DEPARTMENT HEAD SIGNATURE:

Michael J. Brown, Director of Public Works

220114



RESOLUTION NO.: _____

PRESENTED: 3/09/2022

ADOPTED: _____

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO ZITO CONSTRUCTION COMPANY
FOR MILLER ROAD WATER MAIN REPLACEMENT**

The American Rescue Plan Act includes provision to support local governments as they make necessary investment in sewer and water infrastructure. The administration is recommending that Coronavirus Local Fiscal Recovery Funds (CLFRF)/American Rescue Plan Act (ARPA) support funds be utilized to replace the water main on Miller Road, between Hammerberg Road and Ballenger Highway.

Michigan Department of Transportation (MDOT) is rehabilitating Miller Road from Hammerberg to Ballenger Hwy. The contractor for said project is Zito Construction Company. Zito Construction Company has submitted a quote for the addition of a water main replacement to the Miller Road reconstruction project; and

The water main on Miller Road, between Hammerberg Road and Ballenger Highway has had numerous breaks and repairs since its installation, adding to the extenuating concerns such as flooding and water backups in the surrounding neighborhoods. The current water main is cast iron pipe installed circa 1964, with an average life expectancy of 40-50 years. It is imperative that any water main replacement work be completed before the Miller Road Reconstruction Project construction begins, which has an anticipated start date of April 2022. The cost to add the water main construction in a not to exceed \$1,873,634.27. Funding for said services will come from the American Rescue Plan Act fund (287).

IT IS RESOLVED, that the appropriate City Officials are authorized to do all things necessary to enter into a contract with Zito Construction to replace the water main during the rehabilitation of Miller Rd. between Hammerberg Road and Ballenger Hwy., in an amount not to exceed \$1,873,634.27. Before funds are distributed, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of the Treasury final rules. Funding for this program shall come from the American Rescue Plan Act fund (287).

APPROVED AS TO FORM:

William Y. Kim
William Kim (Mar 7, 2022 17:43 EST)

William Y. Kim
Acting Chief Legal Officer

FOR THE CITY OF FLINT:

Clyde D. Edwards
Clyde D. Edwards (Mar 7, 2022 17:45 EST)

Clyde Edwards, City Administrator

APPROVED AS TO FINANCE:

Robert J. F. Widigan

Robert J.F. Widigan
Chief Finance Officer

APPROVED BY CITY COUNCIL:

Eric B. Mays, City Council President

TODAY'S DATE: March 7, 2022

BID/PROPOSAL# N/A

AGENDA ITEM TITLE – Water main replacement - Miller Rd. from Ballenger Hwy. to Hammerberg Rd.

PREPARED BY Kathryn Neumann for Michael J. Brown, Director of Public Works

VENDOR NAME: Zito Construction

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The purpose of this resolution is to add the water main replacement along Miller Rd. from Ballenger Highway to Hammerberg Rd. and all together with necessary related work.

FINANCIAL IMPLICATIONS: Funding for said services will come from the City's Coronavirus Local Fiscal Recovery Funds (CLFRF)/American Rescue Plan Act (ARPA)..

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

Dept.	Name of Account	Account Number	Grant Code	Amount
		FY22 GRAND TOTAL		\$1,873,634.27

PRE-ENCUMBERED? YES ☒ NO ☐ REQUISITION NO:

ACCOUNTING APPROVAL: _____ **Date:** _____

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

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

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

DEPARTMENT HEAD SIGNATURE:

Michael J. Brown, Director of Public Works

220116



RESOLUTION NO.:

PRESENTED:

3/09/2022

ADOPTED:

RESOLUTION AUTHORIZING PUBLIC SAFETY RECRUITMENT INCENTIVES

By the Mayor:

WHEREAS, The American Rescue Plan Act (ARPA) provides provisions related to public health and increased government employment and public sector capacity.

WHEREAS, the administration proposes to provide \$7,500.00 incentives for newly hired Flint Police Department certified officers and Flint Fire Department certified fire suppression personnel and \$5,000.00 to newly hired recruits from the police and fire academies to expand the hiring field of qualifying candidates. The proposal is to appropriate \$500,000.00 for said funding which is to come from the American Rescue Plan Act funds as shown below:

Account Number	Account Name	Amount
287-171.716-702.000	American Rescue Plan Act fund (287)	\$500,000.00
Total		\$500,000.00

Funding for incentive pay shall come from general ledger account 287-171.716-702.000.

WHEREAS, incentive pay will be paid to recruit and retain qualifying Flint Police Department sworn officers and Flint Fire Department certified fire suppression personnel.

IT IS RESOLVED, that the appropriate City Officials are authorized to do all things necessary to appropriate \$500,000.00 of ARPA funds for the purpose of distributing incentives, as stated above, to qualifying Flint Police Department officers and Flint Fire Department certified fire suppression personnel. Before incentive pay compensation is distributed, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of the Treasury final rules. Incentive pay shall be paid from the American Rescue Plan Act fund (287).

APPROVED AS TO FORM:

 William Kim (Mar 8, 2022 09:50 EST)

William Y. Kim
Acting Chief Legal Officer

FOR THE CITY OF FLINT:

 Mayor Sheldon A. Neeley

APPROVED AS TO FINANCE:

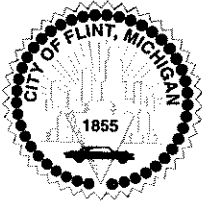
 Jennifer Ryan (Mar 8, 2022 09:41 EST)

Robert J.F. Widigan
Chief Finance Officer

APPROVED BY CITY COUNCIL:

 Eric B. Mays, City Council President

220118



RESOLUTION NO.: _____

PRESENTED: 3/14/2022

ADOPTED: _____

**RESOLUTION REQUESTING RETENTION OF OUTSIDE COUNSEL TO FILE SUIT
OVER THE DECEMBER 2021 TRANSFER OF TAX-REVERTED PROPERTIES**

BY THE CITY COUNCIL:

WHEREAS on November 2, 2021, the Genesee County Treasurer notified the City of Flint that 649 tax-reverted properties were available to the City, and that, pursuant to MCL §211.78m(6), unless the City objected by December 16, 2021, the properties would be transferred to the City; and

WHEREAS the issue of these tax reverted properties was discussed by the Flint City Council on Wednesday December 8, Monday, December 13, and Thursday December 16, without the City Council approving any resolution authorizing the acceptance of these properties; and

WHEREAS on Friday, December 17, 2021, City Administration sent a letter to the Genesee County Treasurer objecting to the transfer of the tax-reverted properties because – per §3-311 of the Flint City Charter – the City lacked the authority to accept those properties without the approval of the City Council; and

WHEREAS the Genesee County Treasurer accepted the City's objection and transferred all 649 tax-reverted properties to the Genesee County Land Bank; and

WHEREAS on Tuesday, December 21, 2021, the City Council adopted a resolution expressing a desire to obtain 46 of the tax-reverted properties and reject the remaining 603; and

WHEREAS, the Genesee County Treasurer did not transfer the 46 tax-reverted properties to the City; and

WHEREAS the City Council now wishes that the City file suit to obtain title to the 46 properties transferred from the Genesee County Treasurer to the Genesee County Land Bank; and

WHEREAS the Law Department recommends against the filing of such a suit for the reasons stated in a confidential legal opinion provided to the City Council;

IT IS RESOLVED that the City Council requests that the outside counsel be retained to prosecute a lawsuit on behalf of the City, seeking recovery of the 46 properties specified in the City Council's December 21, 2021 Resolution.

APPROVED BY CITY COUNCIL:

APPROVED BY THE MAYOR:

Eric Mays, City Council President

Sheldon A Neeley, Mayor

APPROVED AS TO FORM:



William Kim, Acting City Attorney

220068

ORDINANCE NO. _____

A Proposed ordinance to amend Chapter 50 of the Code of the City of Flint has been requested by Darren Dado (PC 21-419) for a rezoning change for the property at 3801 W. Boulevard Dr. (Parcel ID# 47-32-311-018) from D-6 General and Highway Commercial – Service District to E Heavy Commercial Limited Manufacturing.

The Planning Commission recommends **DENIAL** of a Zoning Ordinance map amendment concerning this property located in WARD 3.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. That the code of the City of Flint is hereby amended to change the District boundaries or regulations established in Chapter 50 thereof, specifically allowing under 50-4 a zoning map amendment, as follows:

3801 W. Boulevard Drive, Flint, MI 48502 parcel #41-18-154-038 legally described as GENERAL MOTORS PARK NUMBER ONE LOTS 630 THRU 635 INCL, LOTS 678 THRU 691 INCL PART OF LOTS 734 THRU 742 INCL ALL DESC AS FOLLS: BEG AT A PT THAT IS S 89 DEG 16 MIN 24 SEC W, 576.29 FT AND S 11 DEG 00 MIN 09 SEC W, 234.70 FT AND S 36 DEG 50 MIN 43 SEC E, 621.43 FT AND S 26 DEG 30 MIN 52 SEC E, 499.08 FT AND S 21 DEG 55 MIN 01 SEC E, 184.51 FT AND S 00 DEG 21 MIN 36 SEC E, 1356.17 FT AND N 89 DEG 11 MIN 28 SEC E, 544.08 FT AND S 01 DEG 39 MIN 43 SEC E, 327.92 FT AND S 12 DEG 48 MIN 41 SEC W, 160.0 FT AND S 4 DEG 11 MIN 30 SEC W, 412.91 FT FROM NW COR OF SEC 32, T8N, R7E; TH S 4 DEG 11 MIN 30 SEC W, 29.36 FT; TH S 01 DEG 46 MIN 02 SEC W, 80.12 FT; TH S 01 DEG 46 MIN 02 SEC W, 170.3 FT; TH S 01

DEG 39 MIN 59 SEC E, 500.03 FT; TH N 28 DEG 14 MIN 59 SEC E, 288.57 FT ALG THE WLY ROW LINE OF W BLVD DR; TH CONT ALG SD WLY LINE N 28 DEG 13 MIN 08 SEC E, 484.34 FT; TH N 28 DEG 13 MIN 08 SEC E, 125.93 FT; TH S 88 DEG 20 MIN 01 SEC W, 430.0 FT TO POB from “D-6” General and Highway Commercial – Service District and future zoned “City Corridor” to “E” Heavy Commercial Limited Manufacturing

Sec. 2. This ordinance shall take effect on the ___ day of _____, 2022 A.D.

Approved this ___ day of _____, 2022 A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler (Jan 21, 2022 16:38 EST)

Angela Wheeler, Chief Legal Officer



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: January 21, 2022

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: ORDINANCE RECOMMENDING DENIAL OF A REZONING REQUEST FOR THE PROPERTY AT 3801 W. BOULEVARD DR. (PARCEL ID# 47-32-311-018) FROM D-6 TO E TO ALLOW FOR A MARIHUANA GROW FACILITY

PREPARED BY Suzanne Wilcox, Director of Planning and Development

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

At its meeting on December 14, 2021, the Flint Planning Commission DENIED the submitted request for a rezoning from D-6 General and Highway Commercial – Service District to E Heavy Commercial Limited Manufacturing for 3801 W. Boulevard Dr. (PID# 47-32-311-018). Mr. Dado intends to use the property for a marihuana grow facility. The property is currently zoned D-6 and under the Master Plan zoning the property would be City Corridor. Overall, this request appears to bring the parcel out of compliance with the Master Plan as the D-6 district appears to be more consistent with the vision for the City Corridor land use classification rather than the proposed E zoning. The staff report identified that there are nearby parcels zoned industrial and that rezoning would not be disruptive or inconsistent with the character of the area. However, the recommendation was that approval of the rezoning would bring the parcel out of compliance with the Master Plan. Planning Commission recommended denial of the proposed rezoning with the findings that it would constitute spot zoning and that it does not comply with the Master Plan.

FINANCIAL IMPLICATIONS: No financial implications

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

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

PRE-ENCUMBERED? YES ☐ NO ☒ REQUISITION NO:



CITY OF FLINT

ACCOUNTING APPROVAL: n/a Date: _____

FINANCE 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

BUDGET YEAR 2

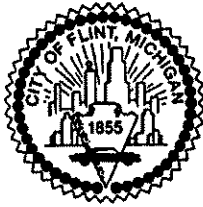
BUDGET YEAR 3

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

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

DEPARTMENT HEAD SIGNATURE: _____
(Suzanne Wilcox, Director of Planning and Development)

CA ORDINANCE APPROVAL FOR COUNCIL: CLYDE D EDWARDS
CLYDE D EDWARDS (Jan 24, 2022 13:41 EST)
(Clyde Edwards, City Administrator)



CITY OF FLINT

FLINT PLANNING COMMISSION
ROBERT WESLEY, CHAIRMAN

STAFF REPORT (PC 21- 419)

DATE: December 8, 2021

TO: City of Flint Planning Commission

STAFF REPORT BY: Bill Vandercook, Zoning Coordinator

ADMINISTRATIVE DEPT: Department of Planning and Development

SUBJECT: PC 21-419: Darren Dado requests a rezoning from D-6 to E to allow for a Marihuana Facility at 3801 W. Boulevard Drive. (PID 47-32-311-018).

LOCATION: 3801 W. Boulevard Drive

AFFECTED WARD: Subject site is located in Ward 3.

PERTINENT SECTION OF THE ORDINANCE: **§ 50-151 PLANNING COMMISSION — ACTION**

EXISTING LAND USE PATTERNS:

North- Vacant - Commercial
East- Open Space Commercial Public
South- Open Space Commercial Public
West- ROW

EXISTING ZONING PATTERNS:

Subject Property – D-6 (General Highway and Commercial Services)

North- D-6 (General and Highway Commercial-Service District)
East- A-2 (Single-Family Medium Density District – Open Space)
South- A-2 (Single-Family Medium Density District)
West- I-475

ANALYSIS

The applicant, Darren Dado, requests a rezoning from D-6 to E at 3801 W. Boulevard Dr. The applicant intends to use the property for a marihuana facility. This parcel is zoned City Corridor in the draft zoning ordinance and the land use is classified as "City Corridor" in the Master Plan. When weighing the appropriateness of a rezoning request the most critical factor is conformity with the Master Plan. This means consistency with the relevant goals and policies as well as the land use plan. Rezoning requests that bring a parcel more in line with the Master Plan are ideal and should only be denied if the commission identifies a factor that renders the Master Plan inadequate, outdated, or flawed. The following are factors to consider when making your decision

1. Mistake – A mistake in the Master Plan can be an assumption made based on incorrect data, an area on a future land use map that is incorrectly labeled, or other factors that, if known at the time of the Master Plan adoption, would have been corrected.
2. Changes in conditions – Master Plans are developed based on conditions as they were when the plan was drafted. If conditions change then the adopted goals, policies, and land use decisions may no longer be valid.
3. Change in Policy – The Master Plan is the Planning Commission's vision for the city. When an issue arises that alters the Commission's vision, a decision can be made that is contrary to the current Master Plan.

Overall, this request appears to bring the parcel out of compliance with the Master Plan. The "City Corridor" land use classification is described in the Master Plan as "an area of the City that accommodates a wide range of commercial and institutional uses strung along Flint's major roadways." This classification is intended to, "host a range of commercial uses of varying types and intensities, including commercial uses that serve and draw customers from a larger region, including grocery stores and large format retailers."

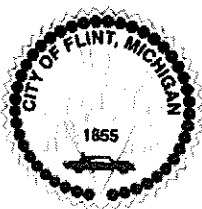
Although there is no direct one-to-one correlation between the current zoning districts and the Master Plan's proposed districts, the D-6 district appears to be more consistent with this vision for the City Corridor land use classification than the proposed E zoning. The D-6 district is described in the zoning ordinance as, "intended to accommodate primarily those establishments offering accommodations, supplies or service to motorists, and certain specialized uses, retail outlets, repair and service establishments, which, although serving the entire city or a major section thereof, do not customarily locate in the central business district or in community business districts." The E district is described in the zoning ordinance as, "intended to accommodate heavy commercial and certain light manufacturing uses which are generally incompatible with uses appropriate in retail business districts but which do not warrant an exclusive industrial classification."

There are nearby parcels zoned industrial. The nearest parcel to the west, located across 1-475, is zoned G Heavy Manufacturing. The parcel is well buffered from other properties due to its located between I-475 and the Flint River. For these reasons, approval of the requested rezoning would not be disruptive or inconsistent with the character of the area.

STAFF RECOMMENDATION

Approval of this rezoning will bring the parcel out of compliance with the Master Plan.





CITY OF FLINT

FLINT PLANNING COMMISSION
ROBERT WESLEY, CHAIRMAN

December 14th, 2021

Darren Dado
11184 Maple Shores
Goodrich, MI 48438

RE: Planning Commission Action Notification

PC21-419: Darren Dado requests a rezoning from D-6 to E to allow for a Marihuana Facility at 3801 W Boulevard Drive (PID# 47-32-311-018).

At its meeting on December 14th, 2021 the Flint Planning Commission **DENIED** the request for a rezoning from D-6 to E to allow for a Marihuana Facility at 3801 W Boulevard Drive for the following findings of: 1) spot zoning and 2) that it does not comply with the Master Plan.

If you have any questions, please contact the Planning & Zoning Office at (810) 766-7426 ext. 3060

Sincerely,

William Vandercook
Zoning Coordinator
City of Flint - Planning & Zoning Division
1101 S. Saginaw St. Rm. S105
P: 810.766.7426 x.3060