

City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, November 20, 2019

5:00 PM

Committee Room

GOVERNMENTAL OPERATIONS COMMITTEE

Maurice Davis, Chairperson, Ward 2

*Eric Mays, Ward 1
Kate Fields, Ward 4
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

*Santino Guerra, Ward 3
Jerrri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7
Eva L. Worthing, Ward 9*

Inez M. Brown, City Clerk

ROLL CALL

CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote on any agenda changes.

PUBLIC SPEAKING

Members of the public shall have no more than two (2) minutes to address the City Council on any subject.

SPECIAL ORDERS

- 190475** Special Order/Genesee County Clerk-Register John Gleason
- A Special Order as requested by Council Vice President Mays for the purpose of discussing with Genesee County Clerk/Register John Gleason his official role as it relates to city, village and township elections.
- 190357.1** Special Order/Possible Violations of Flint City Charter
- A Special Order request by Councilperson Mays to allow Council to discuss possible violations of the Flint City Charter concerning politics and discrimination.
- 190294** Special Order/Ordinances/Outside Counsel
- Special Order as requested by Councilperson Fields to discuss ordinances being held in legal and request for outside counsel.
- 190234** Special Order/\$750,000.00 Water Assistance Program
- Special Order as requested by Councilperson Mays to discuss about the \$750,000.00 in water assistance that Great Lakes Water Authority (GLWA) promised to Flint water customers. He also wants a list of customers whose bills have been adjusted and those who need their bills adjusted.
- 190230** Special Order/City of Flint Organizational Chart
- Special Order as requested by Councilperson Griggs to discuss an organizational chart for the city, including titles and names of people who currently hold the positions.
- 190153** Special Order/Concerns by Legal/City Auditor
- A Special Order as requested by 1st Ward Councilperson Mays in order to discuss concerns between 4th Ward Councilperson Fields and the City's auditors, Yeo and Yeo, as raised by City Attorney Wheeler during the April 8, 2019 SA/FCC meetings.

- 180606 Special Order/Strategic Plan
A Special Order as requested by Councilperson Fields to discuss the city's Strategic Plan.
- 180571 Special Order/Attendance Request/Republic Services
A Special Order as requested by Councilperson Winfrey-Carter, re: She asks that representatives from Republic Services attend the 11/20 Governmental Operations Meeting in order to discuss the company's contract and services provided to residents. [Referral Action Date: 10/22/2018 @ City Council Meeting.]
- 180555 Special Order/Blight Court
Special Order as requested by Councilperson Winfrey to discuss blight court.
- 180554 Special Order/Blight Elimination/Personnel/Equipment
Special Order as requested by Councilperson Mays on blight elimination, including personnel and equipment.
- 180553 Special Order/Human Relations Commission/Revenue Estimating Commission
Special Order as requested by Councilperson Fields to discuss the Human Relations Commission and the Revenue Estimating Commission.

RESOLUTIONS None

APPOINTMENTS

- 190197 Reappointment/Hurley Board of Managers/Dr. Ronald Stewart/Ward 2
Resolution resolving that the Flint City Council approves the reappointment of Dr. Ronald Stewart (2425 Welch Blvd., Flint, MI 48504 - Ward 2) to a five-year term on the Hurley Board of Hospital Managers, commencing May 15, 2019, and expiring April 30, 2024, as recommended by Mayor Karen W. Weaver.
- 190478 Mayoral Appointment/City Administrator/Clyde D. Edwards
Resolution resolving that the Flint City Council approves the recommendation by Mayor Sheldon A. Neeley to appoint Clyde D. Edwards as City Administrator, at an annual compensation rate of \$90,000.00, with such earnings paid from Salary and Wages Acct. No. 101-172.100-702.000.

OLD, OUTSTANDING DISCUSSION ITEMS

- 160410 Status/Speech Dictation Software

Referral made by Councilperson Eric Mays to CITY ADMINISTRATOR/POLICE CHIEF: He would like to know the status of speech dictation software. Please provide in writing for all councilpersons.

170024 Referral/Contract and Information/Natalie Pruett/Rebuild Flint the Right Way

Referral by Councilperson Fields to ADMIN, re: She requests a copy of the contract between the City and Natalie Pruett, as well a copy of the work produced for funding to this point for the Rebuild Flint the Right Way Project. [Referral Action Date: 1/09/2017 @ Special Affairs Committee Meeting.]

170123 Referral/Personnel Policy on Nepotism and Cronyism

Referral by Councilperson Fields to LEGAL/HUMAN RESOURCES/ADMIN, re: During the February 27th Special Affairs Committee meeting, representatives from the Human Resources Department stated that, sometime during the last year, they submitted to Legal a personnel policy regarding nepotism and/or cronyism for its review. Ms. Fields asks that HR provide a copy of this draft document to the City Council for its perusal. [Referral Action Date: 2/27/2017 @ Special Affairs Committee Meeting.]

170255 Referral/Road Construction Plan/PACER Report

Referral by Councilperson Fields: She would like to know if there is a road reconstruction plan. If there is she would like a copy. She would also like the latest PACER report, broken down by ward, a list of projects already submitted to the State and a list of all road construction plans. [Referral Action Date: 5/3/2017 @ Governmental Operations Committee Meeting.]

170402 Discussion Item/Michigan Civil Rights Commission (MCRC)/Resolution for Racial Equity

A discussion item as requested by Councilperson Mays, re: He would like to discuss the recommendations/resolution mentioned during a July 10th MCRC presentation on racial equity. [Referral Action Date: 7/10/2017 @ City Council Meeting.]

170599 Council Review/Rules Governing Meetings of the Council

Per the "Rules Governing Meetings of the Council", the Flint City Council shall review the "Rules Governing Meetings of the Council." [NOTE: The "Rules Governing Meetings of the Council" were originally adopted by the City Council on May 10, 1976, with a 1st Amendment adopted May 24, 2010, a 2nd Amendment adopted on April 27, 2015, and a 3rd Amendment adopted on June 12, 2017.]

180005 Referral/Police Investigation/Clubs With Recent Violations

A referral by Councilperson Galloway for LAW/POLICE: She would like to know

the status of the investigations into clubs with recent violations, including one on Saginaw Street and Piece of the Rock on Dort Highway. [Referral Action Date: 1/3/2018 @ Governmental Operations Committee Meeting.]

- 180056** Referral/Legal Opinion/Harassment and Discrimination in the Workplace
- Referral by Councilperson Fields to CITY ATTORNEY, re: She asks for a legal opinion as to whether or not Councilperson Mays' conduct during some council/committee meetings rises to the level of harassment, threats and/or intimidation, particularly in light of the City's Harassment and Discrimination Policy as adopted by EM Ambrose in April of 2015. [Referral Action Date: 2/12/2018 @ Special Affairs Committee Meeting.]
- 180073** Discussion Item/Road Restoration/Previous/Ongoing
- Discussion item proposed by Councilperson Fields, re: She would like a discussion item about road restoration, previous and ongoing, for Governmental Operations. [Referral Action Date: 2/21/2018 @ Finance Committee Meeting.]
- 180087** Discussion Item/Ethics Board/Ombudsperson
- A discussion item from Councilperson Fields to ADMIN/LAW, re: She would like to discuss setting up basic criteria for the Ethics Board and job qualifications for the Ombudsperson. [Referral Action Date: 2/21/2018 @ Governmental Operations Committee Meeting.]
- 180183** Referral/Certification/Files Shredded in Human Resources/Labor Relations
- A referral as requested by Councilperson Fields to Human Resources Director: She would like a copy of the certification for the files recently shredded in Human Resources/Labor Relations (as discussed at the April 4, 2018 Governmental Operations Meeting). [Referral Action Date: 4/4/2018 @ Governmental Operations Committee Meeting.]
- 180236** Revenue/Downtown Parking Meters
- Referral from Councilperson Guerra to LEGAL: re, he would like to know if the city can take back the revenue from parking meters from the Downtown Development Authority (DDA). [Referral Action Date: 5/9/2018 @ Governmental Operations Committee Meeting.]
- 180293** Discussion Item/Chief Public Health Advisor
- Discussion Item as requested by Councilperson Worthing, re: What is the exact role of the City's Chief Public Health Advisor?
- 180348** Referral/Question/Use of Electronic Cigarettes in Restaurants
- Referral by Councilperson Guerra to CITY ATTORNEY, re: He would like to know

if the use of electronic cigarettes (vaping) is a health concern inside restaurants.
[Referral Action Date: 6/20/2018 @ Finance Committee Meeting.]

180368

Update/Schedule for Mowing Right-of-Ways

Referral by Councilperson Winfrey-Carter to TRANSPORTATION: She would like to know when the right-of-ways will be cut, particularly in the area of Dayton and Mason. [Referral Action Date: 7/18/2018 @ Governmental Operations Committee Meeting.]

180411

Referral/Legal Opinion/Executive Staff and Departments/Directors and Appointees

Referral by Councilpersons Fields and Galloway to LEGAL, re: They ask for a legal opinion on, as well as general information, regarding executive staff and departments, etc., as follows: (1) What are Mayor Weaver's current five (5) Executive Staff positions, per City Charter Section 4-202, and who currently holds these positions?; (2) What are the City's current Executive Departments, per Charter Sec. 4-203?; (3) Who currently holds a position as (or is acting as) "Department Director", per Charter Sec. 4-203(F) (position title and individual)?; (4) To which positions has Mayor Weaver "appointed" someone and who has been named or appointed to those positions?; (5) What is the breakdown for all mayoral appointments, i.e., who/which positions are appointments, hirees, professional service agreement placements, etc. All information to include executive and departmental (City) staff, not board members. [Referral Action Date: 8/13/2018 @ City Council Meeting.]

180439

Discussion Item/Absentee Ballot Voting/City of Flint

Referral by Councilperson Mays to CLERK, re: He would like a discussion item about absentee ballot voting in the City of Flint on the Governmental Operations Agenda. [Referral Action Date: 8/22/2018 @ Governmental Operations Committee Meeting.]

180444

Referral/Street Sweepers

Referral by Councilperson Winfrey-Carter to ADMIN/STREET MAINTENANCE, re: She asks if street sweepers can again be utilized to address debris along the city's streets, as well as to help keep the areas around sewer drains clean. [Referral Action Date: 8/27/2018 @ City Council Meeting.]

180447

Discussion Item/City Council Referral Process

Discussion Item as requested by Councilperson Galloway, re: She would like to begin discussions regarding amendments to the City Council Rules, specifically concerning the Council's referral process and the need to have it outlined and incorporated into said rules. [Referral Action Date: 8/27/2018 @ City Council Meeting.]

180449

Referral/Issuance of Medical Marihuana Cards

Referral by Councilperson Galloway to LEGAL/CLERK, re: She asks whether or not businesses who deal with medical marihuana products can also issue medical marihuana cards [@ 2020 S. Center Road]. Under current laws, exactly who is allowed to issue these cards? [Referral Action Date: 8/27/2018 @ City Council Meeting.]

180475 Referral/Use of Random Predictive Software/Location of Lead Pipes

A referral as requested by Councilperson Guerra to FIN/DPW: He would like to know if the city used Random Predictive Software to predict the location of lead pipes. If so, why did the city stop using it and what was the success rate. If not, why not. [Referral Action Date: 9/5/2018 @ Governmental Operations Committee Meeting.]

180487 Discussion Item/Genesee County Warning Sirens

A discussion item as requested by Councilperson Guerra, re: He would like to discuss the county's warning (tornado) sirens that are tested on the first Saturday of each month (from March through November) because he has been getting complaints from residents who can't hear the warning. [Referral Action Date: 9/10/2018 @ Special Affairs Committee Meeting.]

180488 Discussion Item/Landlord Task Force

A discussion item as requested by Councilperson Guerra, re: He would like to discuss the possibility of having a task force whose responsibility would be checking on landlords and their properties with regard to code enforcement and other rules/laws. [Referral Action Date: 9/10/2018 @ Special Affairs Committee Meeting.]

180491 Referral/City Council Parliamentarian Session

Referral by Councilperson Worthing to CLERK, re: She would like to know if it is possible to schedule another parliamentarian session for City Council members, specifically with regard to Points of Order and Points of Information. [Referral Action Date: 9/10/2018 @ City Council Meeting.]

180493 Referral/Legal Opinion/City Charter Appointment Sections

Referral by Councilperson Fields to LEGAL, re: She would like to know if there are any legal ramifications or concerns for "violating" the City Charter with regard to mayoral appointments, requirements and timelines, etc. [Referral Action Date: 9/10/2018 @ City Council Meeting.]

180494 Referral/License to Operate

Referral by Councilperson Worthing to CLERK/LICENSING/BSI, re: She would like to know if 2020 S. Center Road and 1938 S. Dort Highway (Piece of the Rock) are open operating under business licenses formally approved by the City of Flint and,

if so, under what status are they operating. [Referral Action Date: 9/24/2018 @ City Council Meeting.]

180536 Referral/GLWA Board Appointment

Referral by Councilperson Fields to ADMIN, re: She would like to know the current status of the City's expected appointment to the Great Lakes Water Authority (GLWA) Board. [Referral Action Date: 10/8/2018 @ Special Affairs Committee Meeting.]

180537 Referral/Possible Business Violations

Referral by Councilperson Galloway to POLICE/PLANNING and DEVELOPMENT, re: She asks that the business at 1709 S. Saginaw Street (Platinum Hookah) be checked with regard to underage drinking, and drinking and marijuana usage taking place outside of the building. Complainant (owner of business at 1714 S. Saginaw) states that he has trouble keeping Platinum's customers from using his parking lot, that he has been threatened numerous times, and that the majority of the issues he is experiencing stem from the underage drinking. [Referral Action Date: 10/8/2018 @ City Council Meeting.]

180602 Referral/City Charter Amendments

Referral as requested by Councilperson Fields to LEGAL, re: She asks whether or not the Attorney's Office is working on Charter amendments and, if so, at whose direction? Why wasn't City Council made aware that Charter amendments were being made? What exactly are the amendments and what is their purpose? [Referral Action Date: 11/19/2018 @ Special Affairs Committee Meeting.]

180603 Referral/Optimized Corrosion Control

Referral as requested by Councilperson Griggs to ADMIN/DPW, re: He would like a copy of the EPA Administrative Consent Order that requires the City to have optimized corrosion control (see Reso No. 180582 - Arcadis of Michigan LLC). [Referral Action Date: 11/19/2018 @ City Council Meeting.]

180608 Attendance Request/Land Bank Officials

A referral as requested by Councilperson Mays: re, he would like for Deb Cherry and relevant Land Bank officials to attend the next Governmental Operations Committee to discuss Resolution 180589 (An Objection to the Transfer of Tax-Reverted Property). [Referral Action Date: 11/20/18 @ Governmental Operations Committee Meeting.]

190047 Referral/City Engineer's Involvement in Projects

A discussion item as requested by Councilperson Griggs to discuss whether the city engineer is involved in projects that other firms are contracted to do to insure

that federal and state guidelines are followed. [Referral Action Date: 2/6/2019 @ Finance Committee Meeting.]

190056 Discussion Item/Blight and Equipment

Discussion Item as requested by Councilperson Mays, re: He would like to discuss blight concerns throughout the city and the making sure that workers have the necessary equipment to get the job done efficiently and effectively (e.g. backhoe tractors, etc.). [Referral Action Date: 2/11/2019 @ City Council Meeting.]

190078 Referral/Charter Amendment (Ballot Proposal)

Referral by Councilperson Guerra to LEGAL, re: He requests that the Legal Department draft a Charter amendment in order to make the Flint City Council's election cycle 2020 instead of 2021. [Referral Action Date: 2/25/2019 @ Special Affairs Committee Meeting.]

190080 Referral/Meeting Minutes/Local Officers Compensation Commission [LOCC]

Referral by Councilperson Fields to CITY CLERK, re: She would like a copy of the minutes for the February 2019 LOCC meeting. [Referral Action Date: 2/25/2019 @ City Council Meeting.]

190152 Referral/Closed [Executive] Sessions/Ethics and Accountability Board (EAB)

Referral by Councilperson Fields to LEGAL, re: She asks that training be provided to the Ethics and Accountability Board (EAB) regarding closed/executive sessions. [Referral Action Date: 4/08/2019 @ Special Affairs Committee Meeting.]

190155 Discussion Item/Dump Permits

A discussion item as requested by Councilperson Davis, re: Dump permits. [Referral Action Date: 4/11/2019 @ Special City Council Meeting.]

190156 Discussion Item/Blight and Clean-Ups

A discussion item as requested by Councilperson Davis, re: Blight and City of Flint and Land Bank clean-ups. [Referral Action Date: 4/11/2019 @ Special City Council Meeting.]

190232 Restoration/List of Homes Restored/List of Homes Ready to be Restored

Referral by Councilperson Galloway to DPW, re: She would like lists for homes that have already been restored and those ready to be restored. [Referral @ 6-5-19 Governmental Operations Committee Meeting.]

190293 Ordinance/Disposition of City Property

Referral by Councilperson Fields to LEGAL, re: She would like a copy of the ordinance that deals with disposition of city property. [Referral Action Date: 7/17/19 Governmental Operations Committee Meeting.]

190295 Letter from Genesee County Treasurer Deb Cherry

Referral by Councilpersons Fields and Guerra to ADMIN/LEGAL, re: They would like a copy of the letter sent to the city from Genesee County Treasurer Deb Cherry regarding properties being transferred from the county to the city. [Referral Action Date: 7/17/19 Governmental Operations Committee Meeting.]

190297 City of Flint Boards/Number One Person Can Serve On

Referral by Councilperson Galloway to CITY CLERK: She would like to know how many City of Flint boards one person can serve on. [Referral Action Date: 7/17/2019 @ Governmental Operations Meeting.]

190336 Referral/Flint City Charter/Regular Departmental Reports

Referral by Councilperson Galloway to ADMIN/LEGAL, re: She would like to know when department heads will schedule regular times to meet with City Council, per City Charter Section 3-208. [Referral Action Date: 8/12/2019 @ City Council Meeting.]

Sec. 3-208 REGULAR DEPARTMENTAL REPORTS.

Upon City Council's request; the Mayor shall require department heads to appear before and report to City Council on a quarterly basis on activities within their departments, progress on departmental budgets, progress on performance goals set in departmental budgets, and to answer questions from City Council.

190339 Referral/Flint Police Department/Problems at the Downtown Flat Lot

Referral by Councilperson Galloway to POLICE DEPARTMENT, re: She asks that the police department look into public safety concerns at the downtown flat lot, particularly between the hours of 11:30 p.m. and 1:30 a.m. [Referral Action Date: 8/12/2019 @ City Council Meeting.]

190340 Referral/Business Services and Permitting/Noise Ordinance

Referral by Councilperson Galloway to PLANNING and DEVELOPMENT/BSI, re: She asks that inspectors look into citizens' complaints regarding violation of City noise ordinance(s) in light of the construction of apartments in the area of Wallenberg and E. Third Streets (work starting before 7 a.m.). [Referral Action Date: 8/12/2019 @ City Council Meeting.]

190341 Referral/Blight Elimination and Neighborhood Stabilization/Mowing

Referral by Councilperson Guerra to PLANNING and DEVELOPMENT/BENS, re: He asks that the tall grass that is taking over street corners be addressed within

the city as soon as possible, as drivers are creating more hazards by pulling into intersections before crossing. [Referral Action Date: 8/12/2019 @ City Council Meeting.]

190388 Referral/Report/Vision & View/Blight

Referral by Councilperson Mays to PLANNING & DEVELOPMENT/BLIGHT: re, He requests a written report on the vision and view for Blight, from September 2019 to September 2020, including personnel and equipment needed. [Referral Action Date: 9/4/2019 @ Governmental Operations Committee Meeting.]

190389 Referral/Landlords/Increased Charges for Trash

Referral by Councilperson Griggs to LEGAL: re, He would like to know if the city can charge landlords more for trash pickup, since their tenants are responsible for a lot of the dumping. [Referral Action Date: 9/4/2019 @ Governmental Operations Committee Meeting.]

190390 Referral/Neighborhood Safety Officers/Attendance/Names

Referral by Councilpersons Guerra and Winfrey-Carter to POLICE/BLIGHT: re, Mr. Guerra would like the names of the Neighborhood Safety Officers (NSOs), and the wards they represent. Ms. Winfrey-Carter asks that they attend the next Governmental Operations Committee Meeting. [Referral Action Date: 9/4/2019 @ Governmental Operations Committee Meeting.]

190391 Referral/Result of Investigation/Teens Hit By Car

Referral by Councilperson Mays to POLICE: re, He would like to know the results of the investigation into the case where two teens were hit by a car while walking down the street. [Referral Action Date: 9/4/2019 @ Governmental Operations Committee Meeting.]

190392 Referral/Under-Funded/Shrinking Retirement Fund

Referral by Councilperson Griggs to FIN: re, He would like to know what the city intends to do about the "under-funded and shrinking retirement fund," as related in a letter to Mr. Griggs from a constituent. [Referral Action Date: 9/4/2019 @ Governmental Operations Committee Meeting.]

190399 Discussion Item/Disposition of Acquired Genesee County Treasurer Properties

A Discussion Item as requested by Councilperson Mays, re: He asks that the council discuss Reso No. 180627, Resolution Adopting the Policy of Disposition of Acquired Land Bank Properties [City of Flint Policy of Disposition of Acquired Genesee County Treasurer Properties], as adopted by City Council on April 8, 2019.

190443 Referral/William White Proclamation

A referral from Councilperson Fields to CITY CLERK, re: She requests that the City Council do a formal proclamation for Mr. William S. White, Chairman of the Mott Foundation Board of Trustees, who passed away on October 9, 2019. [Referral Action Date: 10/14/2019 @ Special Affairs Committee Meeting.]

NEW BUSINESS

ADJOURNMENT

190197

RESOLUTION NO. _____

PRESENTED: 5-22-19

ADOPTED: _____

**RESOLUTION APPROVING THE RE-APPOINTMENT OF DR. RONALD STEWART
TO
THE BOARD OF HOSPITAL MANAGERS**

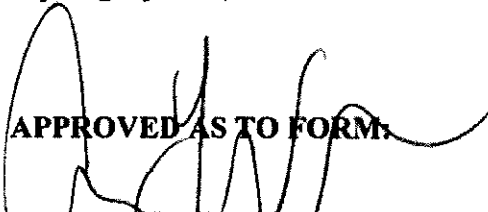
BY THE MAYOR:

Mayor Karen W. Weaver desires to re-appoint Dr. Ronald Stewart, (2425 Welch Blvd., Flint, MI 48504) to the Board of Hospital Managers, and,

Mayor Karen W. Weaver recommends the appointment of Dr. Ronald Stewart to serve another five-year term on the Board of Hospital Managers, commencing May 15, 2019, and expiring April 30, 2024.

IT IS RESOLVED, that the Flint City Council approves the appointment of Dr. Ronald Stewart to a five-year term on the Board of Hospital Managers, commencing May 15, 2019, and expiring April 30, 2024.

APPROVED AS TO FORM:



Angela Wheeler, City Attorney

FOR THE CITY OF FLINT:



Dr. Karen W. Weaver, Mayor

APPROVED BY CITY COUNCIL:

Herbert Winfrey, City Council President

EM SUBMISSION NO.: EME2732014

PRESENTED: 5-14-14

ADOPTED: 5-15-14

**RESOLUTION APPROVING THE APPOINTMENT OF DR. RONALD STEWART TO
THE BOARD OF HOSPITAL MANAGERS**

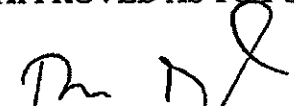
BY THE EMERGENCY MANAGER:

Emergency Manager Darnell Earley desires to appoint Dr. Ronald Stewart to the Board of Hospital Managers to replace Dr. Samuel Dismond whose term expired April 30, 2014; and,

Emergency Manager Earley recommends the appointment of Dr. Ronald Stewart (2425 Welch Blvd., Flint, MI 48504) to a five-year term on the Board of Hospital Managers, commencing May 15, 2014, and expiring April 30, 2019.

IT IS RESOLVED, that Emergency Manager Darnell Earley approves the appointment of Dr. Ronald Stewart (2425 Welch Blvd., Flint, MI 48504) to a five-year term on the Board of Hospital Managers, commencing May 15, 2014, and expiring April 30, 2019.

APPROVED AS TO FORM:



Peter M. Bade, City Attorney

EM DISPOSITION:

ENACT ✓ FAIL _____



Darnell Earley, Emergency Manager

DATED: 5-15-14

190478

RESOLUTION NO. _____

PRESENTED: _____

ADOPTED: _____

RESOLUTION APPROVING THE APPOINTMENT OF CLYDE D. EDWARDS AS THE CITY ADMINISTRATOR

BY THE MAYOR:

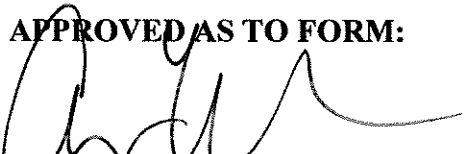
Pursuant to Flint City Charter Section 4-201, the Mayor of the City of Flint hereby appoints Clyde D. Edwards as the City Administrator.

WHEREAS, the City Administrator shall be paid a salary based on an annual compensation rate of \$90,000.00 and paid from account number 101-172.100-702.000. The terms of appointment are attached.

WHEREAS, Mayor Sheldon A. Neeley recommends that Clyde D. Edwards be appointed as the City Administrator.

NOW THEREFORE BE IT RESOLVED, that the Flint City Council approves the recommendation by Mayor Sheldon A. Neeley to appoint Clyde D. Edwards as the City Administrator.

APPROVED AS TO FORM:



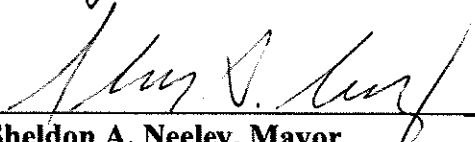
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:



Tamar Lewis, Deputy Financial Officer

FOR THE CITY OF FLINT:



Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

Monica Galloway, City Council President

TERMS OF APPOINTMENT

The Mayor of the City of Flint hereby appoints **Clyde D. Edwards** as City Administrator in accordance with the provisions of Flint City Charter §4-201.

1. **Scope of Services:** Under the general supervision of the Mayor, the City Administrator shall be responsible for the day-to-day administrative operation of the City on behalf of the Mayor as deemed necessary and; he shall be subject to all work rules and policies established by the City of Flint.

2. **Term of Appointment:** This appointment shall commence on November 18, 2019, and shall continue at the will of the Mayor.

3. **Compensation:** The City Administrator shall be paid a salary based on an annual compensation rate of Ninety Thousand Dollars (\$90,000.00). This salary shall be payable in regular timely installments, in the same manner as other employees of the City of Flint are paid. Such earnings shall be paid from account 101-172.100-702.000, Wages & Salaries.

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

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

5. **Indemnification and Insurance:** The City of Flint shall indemnify and provide appropriate insurance coverage for the City Administrator for any attorney's fees, reasonable costs, and damage awards incurred by the City Administrator as a result of any malpractice action brought against him by any person as a result of his performance of duties pursuant to his Appointment. To the fullest extent permitted by law, the City of Flint shall defend, pay on behalf of, indemnify and hold harmless the City Administrator against any and all claims, demands, suits, or losses, including, but not limited to, civil rights actions, and providing for all costs connected therewith, and for any damages which may be asserted, claimed, or recovered against or from the City Administrator by reason of any injuries or damages including losses that may arise as a result of his acts, omissions, faults or negligence in connection with the performance of the terms of his appointment. The City of Flint shall provide appropriate insurance coverage, although, the full indemnification of the City Administrator as articulated above shall not be in any way limited by the insurance coverage chosen by the City of Flint.

6. **Termination:** The City may terminate, without cause, this Agreement (and the resultant employment relationship) with the City Administrator before the expiration set forth

herein. In the event that this Agreement is terminated without Good Cause, the City Administrator shall be entitled to accrued PTO.

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

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

If the term of appointment expires prior to reappointment, resignation, or termination by either party, the City Administrator's appointment is automatically extended on a month-to-month basis for a maximum of six (6) months.

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

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

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

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

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

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

Dated this 18th day of November 2019.

APPOINTEE:

Clyde D. Edwards

FOR THE CITY:

APPROVED AS TO FORM:

Sheldon A. Neeley, Mayor

Angela Wheeler, Chief Legal Officer

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