City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, February 6, 2019 5:00 PM

Committee Room

GOVERNMENTAL OPERATIONS COMMITTEE

Santino J. Guerra, Chairperson, Ward 3

Eric Mays, Ward 1 Kate Fields, Ward 4 Herbert J. Winfrey, Ward 6 Allan Griggs, Ward 8 Maurice D. Davis, Ward 2 Jerri Winfrey-Carter, Ward 5 Monica Galloway, Ward 7 Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

ROLL CALL

ADDITIONS/CHANGES TO AGENDA

Council shall vote on any agenda changes.

SPECIAL ORDERS

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.

180554 Special Order/Blight Elimination/Personnel/Equipment

Special Order as requested by Councilperson Mays on blight elimination, including

personnel and equipment.

180555 Special Order/Blight Court

Special Order as requested by Councilperson Winfrey to discuss blight court.

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.]

180606 Special Order/Strategic Plan

A Special Order as requested by Councilperson Fields to discuss the city's

Strategic Plan.

190018 Special Order/Road Restoration

A Special Order as requested by Councilperson Fields to discuss road restoration.

RESOLUTIONS

180627 Approval/City of Flint Policy/Disposition of Acquired Land Bank Properties

Resolution resolving that the Flint City Council agrees to adopt the Policy of Disposition of Acquired Land Bank Properties, as requested by Legal. [NOTE:

Policy is attached.]

190034 Approval/Lead Pipe Replacement Program Policy

Resolution resolving that the city will promptly reissue a Solicitation of Competitive Sealed Bids for Project Management of the Lead Line Service Replacement Program to include:

- · A requirement that the Project Manager shall utilize the University of Michigan Service Line Material Predictive Model ("the Predictive Model") as created and updated by Drs. Schwartz and Abernethy to determine the priority of addresses to be explored, and that the Project Manager shall ensure that lead and galvanized steel lines located shall be replaced or funds secured for replacement before lower priority addresses are explored;
- · A requirement that the Project Manager shall comply with all provisions of the Settlement Agreement, and any modifications thereto, including the reporting requirements and that all definitions and requirements in the contract with the Project Manager shall be consistent with the definitions and requirements of the Settlement Agreement, and any modifications thereto;
- · A requirement that City Council shall approve all contracts, change orders or addenda to any contract with the Project Manager and all sub-contracts, change orders or addenda with the Project Manager and any other party before the effective date and before any services are performed;
- · A requirement that the safe parameters Hydro-Vac method of Exploration will be utilized as recommended by Drs. Schwartz and Abernethy. Please see Attachment A:
- · A requirement that the Project Manager shall submit written progress reports to City Council no less frequently than monthly, detailing progress in replacement of lead and galvanized steel lines and comparison of costs incurred to costs budgeted, AND, resolving that within thirty days after adoption of this Resolution, the CFO of the City shall deliver a written report to City Council which includes:
- · Detail of all costs and obligations incurred pursuant to the Settlement Agreement, including obligations not yet paid, contested obligations and a reasonable estimate of possible liabilities not yet invoiced or asserted;
- Detail of the remaining funds available to the City of Flint to complete the replacement and removal of all lead and galvanized water service lines in the City; and
- · A statement that the funds remaining are sufficient to complete the replacement and removal of all lead and galvanized water service lines in the City, or if the funds are not sufficient, describing a plan to obtain the required funds. [NOTE: The City of Flint has the goal of replacement of all lead and galvanized steel water service lines in the city with copper water service lines in a manner that complies with the Settlement Agreement dated March 27, 2017, in Concerned Pastors, et. al v. Khouri, et. al, Case No. 16-cv-10277.]

APPOINTMENTS None

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.]

170253 Referral/Organization Chart

Referral by Councilperson Fields to MAYOR/ADM, She would like a detailed organization chart for the city that lists titles and the name of the person who currently holds each position. [Referral Action Date: 5/3/2017 @ Governmental Operations 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.]

170443 Discussion Item/Fund for High Water Bill Assistance

Discussion Item proposed by Councilperson Mays: He would like to discuss setting aside \$200,000.00 to \$300,000.00 to help constituents with high water bills. [Referral Action Date: 8/9/2017 @ Governmental Operations Committee Meeting.]

170472 Referral/Report on New Water Meters

Referral by Councilperson Fields to PURCHASING/WATER PLANT, re: She would like an update on the new water meters/transponders that have been installed within the city. Is there software available to utilize these new meters to their fullest capacity (e.g. more accurate usage/billing)? If so, how much will this software cost? [Referral Action Date: 8/28/2017 @ Special Affairs Committee 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.]

180059 Discussion Item/"Pilot Program"/Tax Reverted Property

Discussion Item as requested by Councilperson Mays, re: He would like to discuss the necessary rules, policies, procedures, etc. for establishing a "pilot program" for the disposal of seven (7) homes recently reverted to the City's ownership by way tax reverted property. [Referral Action Date: 2/13/2018 @ Special City Council 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.]

NEW BUSINESS

ADJOURNMENT

180627

RESC	DLUTION NO.:			
PRES	SENTED: 11-20-18			
ADO	PTED:			
RESOLUTION ADOPTING THE POLICY OF DISPOSITION OF ACQUIRED LAND BANK PROPERTIES				
BY THE MAYOR:				
WHEREAS, The City of Flint from time to transferred to the Genesee County Land Bank. Son occupants residing at the property.				
WHEREAS, The City has prepared a policy policy is attached.	ey in order to dispose of these properties. The			
WHEREAS, Mayor, Karen W. Weaver red of Acquired Land Bank Properties.	commends adopting the Policy of Disposition			
THEREFORE, BE IT RESOLVED that the Flint City Council agrees to adopt the Policy of Disposition of Acquired Land Bank Properties.				
APPROVED/AS TO FORM: Angela Wheeler, Chief Legal Officer	APPROVED AS TO FINANCE: Hughey Newsome, Chief Financial Officer			
FOR THE CITY OF FLINT:	APPROVED BY CITY COUNCIL:			
Aren M. Meaver, Mayor Dr. Karen W. Weaver, Mayor	Herbert Winfrey, City Council President			



Mayor

CITY OF FLINT, MICHIGAN

CITY OF FLINT POLICY OF DISPOSITION OF ACQUIRED LAND BANK PROPERTIES

The City of Flint from time to time will retain the right to properties transferred to the Genesee County Land Bank. At times some of the properties retained may have existing occupants residing in the property. Therefore, to dispose of these properties, recognizing that residents of the City are occupying the property, the City establishes the policy below.

Current occupants shall have "Right Of First Refusal" to obtain ownership providing they are or were the owner or occupant of said property when the property was transferred to Genesee County Land Bank.

To complete disposition and transaction process; the occupant must meet the following requirements, subject to Flint City Council approval by resolution:

REQUIREMENTS FOR PROPERTY DISPOSITION AND OCCUPANT OWNERSHIP TRANSACTION

All of the following requirements must be met to qualify for ownership:

- a). Owner or Occupant of the property on the date of transfer or reversion to the City;
- b). The property will transfer "as is":
- c). Water bills MUST be current, with the expectation that the current tenant/homeowner shall be responsible for the water bill dating back to January 1, 2018 to the present;
- d). Provide letter from Land Bank detailing offer to purchase including the amount;

- e). Verify the ability to purchase said property;
- f). Provide proof and length of occupancy; must be continuous and uninterrupted;
- g). Occupant must be in good standing in the community; no outstanding warrants or criminal charges pending;
- h). If property is vacant / unoccupied then the property may go on the market and be sold to the highest bidder.

Upon completion of the above requirements; the City of Flint will meet with each occupant owner to complete the transaction, and issue a Quit Claim Deed, subject to Flint City Council approval.

Resolution Routing

TO: Resolution Signatories

FROM: Law Department

SUBJECT: RESOLUTION FOR APPROVAL

This RESOLUTION has been forwarded to you for your respective review and approval.

Date recorded: 11/19/2018

18-1047

All documents should be reviewed within three working days after receipt by your office.

Amendment to Adopt Land Bank Properties Policy

The attached resolution is submitted to the Legal Dept. for approval as to form only:

Review and Approval: IN OUT <u>Approval</u>

1. City Attorney (Form Only): 11/19/2018 2. Finance 11/19/2018

3. City Administrator

Please call Jennifer at ex. 2082

RESOLUTION NO:		9	0	0	3	4
PRESENTED:/	-0	23		19		
ADOPTED:						

RESOLUTION TO ADOPT LEAD PIPE REPLACEMENT PROGRAM POLICY

BY THE CITY COUNCIL:

WHEREAS, the City of Flint has the goal of replacement of all lead and galvanized steel water service lines in the City of Flint with copper water service lines in a manner that complies with the Settlement Agreement dated March 27, 2017, in *Concerned Pastors, et. al v. Khouri, et. al, Case No. 16-cv-10277;*

WHEREAS, the City of Flint does not have an active Project Management contract with any company to accomplish the goal of identifying and replacing all lead and galvanized steel water service lines;

WHEREAS, the City has Purchasing Ordinances that require solicitation of Competitive Sealed Bids for large purchases;

THEREFORE, BE IT RESOLVED that the City will promptly re-issue a Solicitation of Competitive Sealed Bids for Project Management of the Lead Line Service Replacement Program to include:

- A requirement that the Project Manager shall utilize the University of Michigan Service Line Material Predictive Model ("the Predictive Model") as created and updated by Drs. Schwartz and Abernethy to determine the priority of addresses to be explored, and that the Project Manager shall ensure that lead and galvanized steel lines located shall be replaced or funds secured for replacement before lower priority addresses are explored;
- A requirement that the Project Manager shall comply with all provisions of the Settlement Agreement, and any modifications thereto, including the reporting requirements and that all definitions and requirements in the contract with the Project Manager shall be consistent with the definitions and requirements of the Settlement Agreement, and any modifications thereto;
- A requirement that City Council shall approve all contracts, change orders or addenda to any contract with the Project Manager and all sub-contracts, change orders or addenda with the Project Manager and any other party before the effective date and before any services are performed;

- A requirement that the safe parameters Hydro-Vac method of Exploration will be utilized as recommended by Drs. Schwartz and Abernethy. Please see Attachment A;
- A requirement that the Project Manager shall submit written progress reports to City Council no less frequently than monthly, detailing progress in replacement of lead and galvanized steel lines and comparison of costs incurred to costs budgeted.

BE IT FURTHER RESOLVED: that within thirty days after adoption of this Resolution, the CFO of the City shall deliver a written report to City Council which includes:

- Detail of all costs and obligations incurred pursuant to the Settlement Agreement, including obligations not yet paid, contested obligations and a reasonable estimate of possible liabilities not yet invoiced or asserted;
- Detail of the remaining funds available to the City of Flint to complete the replacement and removal of all lead and galvanized water service lines in the City; and
- A statement that the funds remaining are sufficient to complete the replacement and removal of all lead and galvanized water service lines in the City, or if the funds are not sufficient, describing a plan to obtain the required funds.

APPROVED AS TO FORM:	APPROVED AS TO FINANCE: Hughey Newsome, Chief Financial Officer				
Angela Wheeler, Chief Legal Officer					
FOR THE CITY OF FLINT:	APPROVED BY CITY COUNCIL:				
Dr. Karen W. Weaver, Mayor	Herbert Winfrey, City Council President				

ATTACHMENT A:

RESOLUTION TO ADOPT LEAD PIPE REPLACEMENT PROGRAM POLICY REGARDING THE USE OF HYDROVAC AND EXCAVATIONS

As Recommended by the creators of the University of Michigan Service Line Material Predictive Model ("the Predictive Model"), Dr. Eric Schwartz and Dr. Jake Abernethy:

Re: Instructions for the selection of homes for replacement

In order to determine whether a home will receive a full service line replacement each home must undergo the following sequence of decision rules:

- 1) If the home is predicted to have a lead or galvanized service line with a probability of at least 10%, according to the Predictive Model, then the home will receive a full service line replacement.
- 2) If the Predictive Model deems this property to have a lead or galvanized service line with probability less than 10%, meaning the service line is likely to only be comprised of copper, then the home will receive a hydrovac inspection at the curb stop, to determine the materials of public and private service lines. If a lead or galvanized line is found in either the public or private line, then the home will receive a service line replacement.
- 3) If the hydrovac inspection at the curb stop finds copper on both the public and the private portions as they appear at the curbstop, then the hydrovac inspection crew should do all of the following to further verify the materials: (a) use the hydrovac to dig a wider hole, farther along the length of the public and private portions of the service line, and (b) do an in-home inspection of the private portion of the service line. These efforts will determine whether any smaller portions of lead or galvanized pipes, such as spliced lines, exist at the property. If any such portion of lead or galvanized pipes is detected, the home will receive a full excavation.
- 4) Otherwise, if no lead or galvanized material is detected in any of these above procedures, then the home will not receive a full service line excavation.