

# **City of Flint, Michigan**

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



## **Meeting Agenda - Final**

**Wednesday, October 3, 2018**

**5:00 PM**

***Agenda Amended to Include Nine  
Additional Discussion Items/Referrals***

**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

## SPECIAL ORDER

**180513** Special Order/Labor Violations/Grievances

A Special Order as requested by Councilperson Fields to discuss labor violations and grievances that have been filed. She asks for the following individuals attend the meeting: Human Resources Director Makini Jackson, Chief Legal Officer Angela Wheeler, City Administrator Steve Branch and Union Representatives Sam Muma and Don Lewis.

## RESOLUTIONS

**180518** Schedule/Investigative Hearing/Flow of Funds/Federal Government/State of Michigan

Resolution resolving that the Flint City Council will schedule an Investigative Hearing regarding the flow of funds received by the City of Flint from the Federal Government and the State of Michigan regarding the water crisis at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, 2018, as part of a \_\_\_\_\_ meeting, in order to acquire more in-depth information as it related to said funds. [NOTE: The Flint City Council has held numerous public discussions regarding the water crisis and the water funds received from both the federal and state governments. As a result of multiple motions made, members of the Flint City Council wish to conduct an investigative hearing, pursuant to Flint City Charter 3-205 and 3-206, regarding the flow of funds during the recent Water Crisis.]

**180519** Resolution of Support/Passage/Michigan House of Representatives Bill No. 4124/Safe Drinking Water in Schools/Child Care Centers

A resolution resolving that the Flint City Council supports the passage of Michigan House of Representatives Bill No. 4124, a bill that would require the Michigan Department of Environmental Quality (MDEQ) to "establish a program to assist schools and child care centers in testing and remediating lead contamination in drinking water from drinking water coolers or other sources under the control of the schools or child care centers."

## APPOINTMENTS

*None*

## DISCUSSION ITEMS

**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.]

**180412** Discussion Item/Executive Staff and Departments/Directors and Appointees

Discussion Item as requested by Councilperson Mays, re: He would like to discuss appointed positions within the City of Flint (staff, mayoral appointments, and department/division heads), including the exact title of each position, the name of the person currently in the position (with vacant positions noted), and the length of time individuals have held a position, etc. [Referral Action Date: 8/13/2018 @ City Council 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.]

**180446** Referral/Legal Opinion/Order of a Roll Call Vote

Referral by Councilperson Mays to LEGAL/CITY CLERK, re: He would like to know if, during a roll call vote, the clerk or chair can "circle back" to a councilperson who may have missed voting when originally called (out of his/her seat then returns, etc.), as well as the effects on the order of the roll call for voting. [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 marijuana products can also issue medical marijuana 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.]

**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.]

## **OLD, OUTSTANDING DISCUSSION ITEMS**

**160112** Discussion/Genesee County Land Bank/Immunity Agreement

Councilperson Eric Mays would like to discuss the Genesee County Land Bank's Immunity Agreement.

**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. [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.]

**170498 Referral/State Law/Pawning of Municipal Equipment**

A referral for LAW as requested by Councilpersons Mays, re: He would like a copy of state law that talks about pawn shops not accepting governmental property. [Referral Action Date: 9/6/2017 @ Governmental Operations Committee Meeting.]

**170530 Discussion Item/Transition Houses**

Discussion item proposed by Councilperson Mays, re: He would like to discuss prison transition houses and what can be done about them.

**170583 Allocate Dollars/High Water Bills**

Referral from Councilperson Mays to FIN: He asks the Finance Director to set aside money for high water bills. [Referral Action Date: 11/21/17 @ Governmental Operations 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.]

**180018 Discussion Item/City of Flint Charter**

Discussion item proposed by Councilperson Mays, re: He would like a discussion of the new Flint City Charter on the next Governmental Operations Agenda. [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.]

**180086** Referral/Interim Positions/Timelines

A referral from Councilperson Galloway to ADMIN/LAW, re: She would like to discuss interim positions and timelines for those positions, including how many positions are interim, is there movement to appoint a permanent replacement and what does the new Charter say about interim appointments/positions. [Referral Action Date: 2/21/2018 @ Governmental Operations 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.]

**180453** Discussion Item/Flint City Council Leadership (Officers)

A discussion item as requested by Councilperson Mays, re: He would like to discuss the "next leadership" of the city council (i.e. president, vice president). [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.]

**180486** Discussion Item/Absentee Voter Ballots

A discussion item as requested by Councilperson Mays, re: He would like to discuss the Michigan Election Law concerning absent voter ballots and collection thereof. [Referral Action Date: 9/10/2018 @ Special Affairs 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.]

**NEW BUSINESS**



**ADJOURNMENT**

RESOLUTION: 180518

PRESENTED: 10-3-18

ADOPTED: \_\_\_\_\_

**RESOLUTION TO SET A HEARING FOR THE PURPOSE OF INVESTIGATING  
THE FLOW OF FUNDS RECEIVED FROM THE FEDERAL GOVERNMENT  
AND THE STATE OF MICHIGAN TO THE CITY OF FLINT  
CONCERNING THE WATER CRISIS**

**BY THE CITY COUNCIL:**

The Flint City Council has held numerous public discussions regarding the water crisis and the water funds received from both the federal and state governments; and

As a result of multiple motions made, members of the Flint City Council wish to conduct an investigative hearing, pursuant to Flint City Charter §§ 3-205 and 3-206, regarding the flow of funds received by the City of Flint from the Federal government and the State of Michigan regarding the water crisis.

**IT IS RESOLVED**, that the Flint City Council will schedule an Investigative Hearing regarding the flow of funds received by the City of Flint from the Federal government and the State of Michigan regarding the water crisis for \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, 2018, as a part of a \_\_\_\_\_ meeting, in order to acquire more in-depth information as it relates to said funds.

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Angela Wheeler**  
**Chief Legal Officer**

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
**Hebert J. Winfrey, City Council President**

RESOLUTION: 180519

PRESENTED: 10-3-18

ADOPTED: \_\_\_\_\_

**RESOLUTION SUPPORTING THE PASSAGE OF MICHIGAN HOUSE OF  
REPRESENTATIVES BILL NO. 4124 –  
SAFE DRINKING WATER IN SCHOOLS AND CHILD CARE CENTERS**

**BY THE CITY COUNCIL:**

The City of Flint has undergone a water crisis since its drinking water source was switched to the Flint River in 2014; and

Although the City ultimately reconnected to its pre-crisis water source and the water quality has returned to federally accepted levels, the Flint City Council finds it necessary and desirable to support all efforts to provide safe and reliable drinking water by all means, to all of its residents, including its educational institutions.

**IT IS RESOLVED**, that the Flint City Council supports the passage of Michigan House of Representatives Bill No. 4124, a bill that would require the Michigan Department of Environmental Quality (MDEQ) to “establish a program to assist schools and child care centers in testing and remediating lead contamination in drinking water from drinking water coolers or other sources under the control of the schools or child care centers”.

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Angela Wheeler**  
**Chief Legal Officer**

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
**Hebert J. Winfrey, City Council President**

# HOUSE BILL No. 4124

January 31, 2017, Introduced by Reps. Neeley, Phelps, Geiss, Canfield, Chang, Hammoud, Faris, Schor, Durhal, Love, Zemke, Sneller, LaGrand, Moss, Sowerby, Guerra, Wittenberg, Pagan, Santana, Greig, Green, Elder, Inman, Hoadley, Scott, Rabhi, Kesto, Chirkun, Hertel and Yanez and referred to the Committee on Natural Resources.

A bill to amend 1976 PA 399, entitled  
"Safe drinking water act,"  
by amending section 2 (MCL 325.1002), as amended by 1998 PA 56, and  
by adding section 7a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 2. As used in this act:

2           (a) "Bottled drinking water" means water that is ultimately  
3 sold, provided, or offered for human consumption in a closed  
4 container.

5           (b) "Capacity assessment" means an evaluation of the  
6 technical, financial, and managerial capability of a community  
7 supply or nontransient noncommunity water supply to comply and  
8 maintain compliance with all requirements of this act and the rules

1 promulgated under this act.

2 (C) "CHILD CARE CENTER" MEANS THAT TERM AS DEFINED IN SECTION  
3 1 OF 1973 PA 116, MCL 722.111.

4 (D) ~~(e)~~—"Community supply" means a public water supply that  
5 provides year-round service to ~~not~~—NO fewer than 15 living units or  
6 ~~which~~—THAT regularly provides year-round service to ~~not~~—NO fewer  
7 than 25 residents.

8 (E) ~~(d)~~—"Contaminant" means a physical, chemical, biological,  
9 or radiological substance or matter in water.

10 (F) ~~(e)~~—"Customer service connection" means the pipe between a  
11 water main and customer site piping or building plumbing system.

12 (G) ~~(f)~~—"Customer site piping" means an underground piping  
13 system owned or controlled by the customer that conveys water from  
14 the customer service connection to building plumbing systems and  
15 other points of use on lands owned or controlled by the customer.  
16 Customer site piping does not include any system that incorporates  
17 treatment to protect public health.

18 (H) ~~(g)~~—"Department" means the department of environmental  
19 quality or its authorized agent or representative.

20 (I) ~~(h)~~—"Director" means the director of the department of  
21 environmental quality or his or her authorized agent or  
22 representative.

23 (J) ~~(i)~~—"Imminent hazard" means **A CONDITION** that, in the  
24 judgment of the director, ~~there is a violation, or a condition that~~  
25 **IS OR** may cause a violation ~~,~~ of the state drinking water standards  
26 at a public water supply requiring immediate action to prevent  
27 endangering the **PUBLIC** health. ~~of people.~~

1           (K) ~~(j)~~—"Living unit" means a house, apartment, or other  
 2           domicile occupied or intended to be occupied on a day to day basis  
 3           by an individual, family group, or equivalent.

4           (I) ~~(k)~~—"Noncommunity supply" means a public water supply that  
 5           is not a community supply, but that has ~~not less~~ **NO FEWER** than 15  
 6           service connections or that serves not fewer than 25 individuals on  
 7           an average daily basis for not less than 60 days per year.

8           (M) ~~(l)~~—"Nontransient noncommunity water supply" means a  
 9           noncommunity public water supply that serves ~~not~~ **NO** fewer than 25  
 10          of the same individuals on an average daily basis over 6 months per  
 11          year. ~~This definition~~ **NONTRANSIENT NONCOMMUNITY WATER SUPPLY**  
 12          includes water supplies in places of employment, schools, and ~~day-~~  
 13          ~~care~~ **CHILD CARE** centers.

14          (N) ~~(m)~~—"Person" means an individual, partnership,  
 15          copartnership, cooperative, firm, company, public or private  
 16          association or corporation, political subdivision, agency of ~~the~~  
 17          **THIS** state, agency of the federal government, trust, estate, joint  
 18          structure company, ~~or~~ any other legal entity, or ~~their~~ **THE** legal  
 19          representative, agent, or ~~assigns~~ **ASSIGN OF A LEGAL ENTITY**.

20          (O) ~~(n)~~—"Plans and specifications" means drawings, data, and a  
 21          true description or representation of an entire waterworks system  
 22          or parts of the system as it exists or is to be constructed, and a  
 23          statement on how ~~a~~ **THE** waterworks system is to be operated.

24          (P) ~~(o)~~—"Political subdivision" means a city, village,  
 25          township, charter township, county, district, authority, or portion  
 26          or combination ~~thereof~~ **OF THOSE ENTITIES**.

27          (Q) ~~(p)~~—"Public water supply" means a waterworks system that

1 provides water for drinking or household purposes to persons other  
 2 than the supplier of the water, and does not include either of the  
 3 following:

4 (i) A waterworks system that supplies water to only 1 living  
 5 unit.

6 (ii) A waterworks system that consists solely of customer site  
 7 piping.

8 ~~—— (q) "State drinking water standards" means quality standards~~  
 9 ~~setting limits for contaminant levels or establishing treatment~~  
 10 ~~techniques to meet standards necessary to protect the public~~  
 11 ~~health.~~

12 (R) "SCHOOL" MEANS A PUBLIC SCHOOL OR A NONPUBLIC SCHOOL AS  
 13 THOSE TERMS ARE DEFINED IN SECTION 5 OF THE REVISED SCHOOL CODE,  
 14 1976 PA 451, MCL 380.5.

15 (S) ~~(r)~~ "Service connection" means a direct connection from a  
 16 distribution water main to a living unit or other site to provide  
 17 water for drinking or household purposes.

18 (T) ~~(s)~~ "Source water assessment" means a state program to  
 19 delineate the boundaries of areas in the state from which 1 or more  
 20 public water supplies receive supplies of drinking water; ~~—~~to  
 21 identify contaminants regulated under this act for which monitoring  
 22 is required because the state has determined they may present a  
 23 threat to public health; ~~—~~and, to the extent practical, to  
 24 determine the susceptibility of the public water supply in the  
 25 delineated area to these contaminants.

26 (U) "STATE DRINKING WATER STANDARDS" MEANS QUALITY STANDARDS  
 27 SETTING LIMITS FOR CONTAMINANT LEVELS OR ESTABLISHING TREATMENT

1 **TECHNIQUES TO MEET STANDARDS NECESSARY TO PROTECT THE PUBLIC**  
 2 **HEALTH.**

3 (V) ~~(t)~~—"Supplier of water" or "supplier" means a person who  
 4 owns or operates a public water supply, and includes a water  
 5 hauler.

6 (W) ~~(u)~~—"Transient noncommunity water supply" means a  
 7 noncommunity supply that does not meet the definition of  
 8 nontransient noncommunity water supply.

9 (X) ~~(v)~~—"Water hauler" means a person engaged in bulk  
 10 vehicular transportation of water to other than the water hauler's  
 11 own household ~~which~~ **AND THAT** is intended for use or used for  
 12 drinking or household purposes. ~~Excluded from this definition are~~  
 13 ~~these~~ **WATER HAULER DOES NOT INCLUDE** persons providing water solely  
 14 for employee use.

15 (Y) ~~(w)~~—"Water main" means a pipe owned or controlled by a  
 16 supplier that may convey water to a customer service connection or  
 17 to a fire hydrant.

18 (Z) ~~(x)~~—"Waterworks system" or "system" means a system of  
 19 pipes and structures through which water is obtained and  
 20 distributed, including but not limited to wells and well  
 21 structures, intakes and cribs, pumping stations, treatment plants,  
 22 storage tanks, **AND** pipelines and appurtenances, or a combination  
 23 ~~thereof,~~ **OF THESE COMPONENTS**, actually used or intended for use for  
 24 the purpose of furnishing water for drinking or household purposes.

25 (AA) ~~(y)~~—"Year-round service" means the ability of a supplier  
 26 of water to provide drinking water on a continuous basis to a  
 27 living unit or facility.



1           SEC. 7A. (1) THE DEPARTMENT SHALL ESTABLISH A PROGRAM TO  
2 ASSIST SCHOOLS AND CHILD CARE CENTERS IN TESTING AND REMEDYING LEAD  
3 CONTAMINATION IN DRINKING WATER FROM DRINKING WATER COOLERS OR  
4 OTHER SOURCES UNDER THE CONTROL OF THE SCHOOLS OR CHILD CARE  
5 CENTERS. THE PROGRAM MUST REQUIRE THAT THE SCHOOL OR CHILD CARE  
6 CENTER REPAIR, REPLACE, REMOVE, OR RENDER INOPERABLE A DRINKING  
7 WATER COOLER THAT IS A SOURCE OF LEAD CONTAMINATION.

8           (2) EACH SCHOOL OR CHILD CARE CENTER SHALL CONDUCT PERIODIC  
9 SAMPLING AND TESTING OF THE DRINKING WATER AT THE SCHOOL OR CHILD  
10 CARE CENTER FOR THE PRESENCE OF LEAD AND SHALL REPORT THE TEST  
11 RESULTS TO THE DEPARTMENT.

12           (3) UPON RECEIPT OF TEST RESULTS UNDER SUBSECTION (2), THE  
13 DEPARTMENT SHALL MAKE THEM AVAILABLE TO THE PUBLIC ON THE  
14 DEPARTMENT'S WEBSITE.

15           (4) A SCHOOL OR CHILD CARE CENTER SHALL MAKE A COPY OF TEST  
16 RESULTS UNDER SUBSECTION (2) AVAILABLE IN ITS ADMINISTRATIVE  
17 OFFICES FOR INSPECTION BY TEACHERS AND OTHER SCHOOL PERSONNEL,  
18 PARENTS, AND OTHER MEMBERS OF THE PUBLIC.

19           (5) THE DEPARTMENT SHALL PROMULGATE RULES PURSUANT TO THE  
20 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO  
21 24.328, TO IMPLEMENT THIS SECTION.