

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, December 12, 2016

4:30 PM

Committee Room

SPECIAL AFFAIRS COMMITTEE

Vicki VanBuren, Chairperson, Ward 8

Eric Mays, Ward 1

Kerry L. Nelson, Ward 3

Wantwaz D. Davis, Ward 5

Monica Galloway, Ward 7

Jacqueline Poplar, Ward 2

Kate Fields, Ward 4

Herbert J. Winfrey, Ward 6

Scott Kincaid, Ward 9

Inez M . Brown, City Clerk

ROLL CALL

EXECUTIVE SESSION

An Executive Session as requested of the Department of Law by Councilperson Fields for the purpose of updating the City Council regarding Whistleblower Protection Act lawsuits filed by Flint Police Captain Leigh Golden and former Flint Police Sergeant Rodney Williams.

SPECIAL ORDER

160534 Special Order/Comcast Contract

A Special Order to allow for a presentation by City Administrator Sylvester Jones on the pending Comcast Contract.

RESOLUTIONS

160545 Objection/Transfer of Tax Reverted Property/City of Flint/Treasurer of Genesee County

Resolution authorizing the City of Flint to exercise its option under Public Act 123 of 1999 to object to the transfer of property foreclosed upon by the Treasurer of Genesee County, but not sold, with the exception of 5306 North Street which would revert back to the City. [Administration Submission No. CA3172016]

160546 Settlement/Harold Hunter v. City of Flint/Genesee County Circuit Court Case No. 10-094081

Resolution resolving that the City Council, pursuant to Flint City Charter Section 4-604, consents to the settlement of civil litigation in the matter of Harold Hunter v. City of Flint, Genesee County Circuit Court Case No. 10-094081, in the amount of \$35,000.00, and in satisfaction of any and all claims arising out of said litigation, with payment drawn from appropriated funds in Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was presented regarding this matter on November 28, 2016.] [Administration Submission No. CA3182016]

160547 Payment/Attorney Barry A. Wolf/Flint City Council Representation/State of Michigan/Reimbursement

Resolution resolving that the Flint City Council accepts, on a one-time basis, reimbursement from the State of Michigan of \$35,000.00 to cover the costs in the legal dispute between the City Council and the City Administration, and authorizes payment of \$35,000.00 to Attorney Barry A. Wolf [Acct. No. 101-101.100-801.000]. [NOTE: Atty. Wolf represented the Flint City Council in a conflict of interest with the Administration over the proposed waste contract.]

APPOINTMENTS

ORDINANCES

[NOTE: Although Ordinances No. 160549 and 160550 would amend the same section of the City of Flint Code of Ordinances, they serve different purposes. No. 160549 is an EMERGENCY ORDINANCE and can be PASSED by the City Council immediately, would take immediate effect upon publication, and has an automatic repeal date sixty-one (61) days after enactment. Ordinance No. 160550 would follow the standard procedure for the adoption of ordinances, which would include Acknowledgement of a 1st Reading, a Public Hearing, and 2nd Reading for Council consideration.]

- 160548** Ordinance/Chapter 15 (Telecommunications Systems)/Article II (Franchises)/Section 15-8 (Required)/Section 15-9 (Limitations)/Franchise Agreement/Comcast Cablevision of Flint, Inc.

An ordinance pursuant to Flint City Charter Section 8-201 (Limitations on a Franchise) and Section 8-202 (Standard Provisions of a Public Utility Franchise) and, more specifically, Chapter 15 (Telecommunications Systems), Article II (Franchises), authorizing the City of Flint to grant one or more non-exclusive, irrevocable franchises and any and all renewals, amendments and extensions thereto, to provide for the operation, maintenance and reconstruction of a cable communications system within the city of Flint, AND, ordaining that the Franchise Agreement between the City of Flint and Comcast Cablevision of Flint, Inc. (formerly Comcast Cablevision Corporation) is hereby granted according to the terms and conditions set forth therein and as modified by the provisions set forth for such an operation in Chapter 15 of the Code of the City of Flint. [NOTE: The current Franchise Agreement between the City and Comcast, as adopted May 13, 2002, will expire on December 31, 2016.]

- 160549** Amendment/Emergency Ordinance/Chapter 24 (Housing)/Article I (International Property Maintenance Code)/Section 24-4 (Adoption - Comprehensive Rental Inspection Code)

An ordinance to amend Chapter 24 (Housing), Article I (International Property Maintenance Code), Section 24-4 (Adoption - Comprehensive Rental Inspection Code) of the Code of the City of Flint pursuant to Flint City Charter Section 3-306 (Emergency Ordinances), as an emergency affecting life, health and property exists in that rental properties in the city of Flint must be inspected in order to ensure that they are safe and fit for habitation by the residents of the city of Flint - and the City's Comprehensive Rental Inspection Code requires revision so that such inspections are mandatory. [NOTE: This ordinance shall become effective immediately upon publication, and shall automatically be repealed as of the sixty-first (61st) day after its enactment.] [NOTE: Per Section 3-306 of the Flint City Charter, an emergency ordinance may be adopted at the meeting at which it is introduced and, if passed by an affirmative vote of two-thirds (2/3) of the members-elect, may take immediate effect after publication.]

- 160550** Amendment/Ordinance/Chapter 24 (Housing)/Article I (International Property Maintenance Code)/Section 24-4 (Adoption - Comprehensive Rental Inspection Code)

An ordinance to amend Chapter 24 (Housing), Article I (International Property Maintenance Code), Section 24-4 (Adoption - Comprehensive Rental Inspection Code) of the Code of the City of Flint.

DISCUSSION ITEMS

160517 Referral/Information on Damage Claims

Referral by Councilpersons Fields and Kincaid to LEGAL, re: He would like to know how many damage claims have been filed against the City since January 2016, who filed those damage claims, and whether or not they were approved or denied - with approved claims detailing the amounts paid and denied claims stating a reason for denial. He also requests that the Chief Legal Officer explain, in writing, under what authority she is allowed to approve or grant damage claims without prior approval from the Flint City Council and/or Flint Receivership Transition Advisory Board (RTAB). Ms. Fields asks that all investigative documents are included for said damage claims, as well as a written final legal opinion for each. [Referral Action Date: 11/14/2016 @ City Council Meeting]

160535 Comcast/Telecommunication Companies/Revenues/Year-to-Date

Referral by Councilperson VanBuren to CITY ADMINISTRATOR/FINANCE DIRECTOR, re: She would like a copy of the amount generated from franchise fees from Comcast and other telecommunication companies for the current year to date.

160536 Comcast/Ordinance

Referral by Councilperson Kincaid to CITY ADMINISTRATOR/LAW DEPARTMENT, re: He would like to know if an ordinance is needed in conjunction with the Comcast contract that Council discussed on Wednesday, Dec. 7, 2016.

160537 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, and a 2nd Amendment adopted on April 27, 2015.]

ADDITIONAL COUNCIL DISCUSSION

ADJOURNMENT