

# City of Flint, Michigan

*Third Floor, City Hall  
1101 S. Saginaw Street  
Flint, Michigan 48502  
[www.cityofflint.com](http://www.cityofflint.com)*



## Meeting Agenda - Final

**Monday, February 27, 2023**

**5:30 PM**

**Council Chambers**

### **CITY COUNCIL**

*Allie Herkenroder, President, Ward 7  
Ladel Lewis, Vice President, Ward 2*

*Eric Mays, Ward 1  
Judy Priestley, Ward 4  
Tonya Burns, Ward 6*

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

*Eva L. Worthing, Ward 9*

*Davina Donahue, City Clerk*

**CALL TO ORDER****ROLL CALL****READING OF DISORDERLY PERSONS CITY CODE SUBSECTION**

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

**PLEDGE OF ALLEGIANCE****PRAYER OR BLESSING****REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA**

*Council shall vote to adopt any amended agenda.*

**PRESENTATION OF MINUTES****PUBLIC SPEAKING**

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), three (3) minutes per speaker. Only one speaking opportunity per speaker.*

**COUNCIL RESPONSE**

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes.*

**PETITIONS AND UNOFFICIAL COMMUNICATIONS**

**230056** DRAFT Genesee County Solid Waste Management Plan (SWMP) Amendment/Public Hearing/Open Houses/Genesee County Metropolitan Planning Commission

Communication received February 27, 2023, re: A DRAFT copy of Genesee County's Solid Waste Management Plan (SWMP) Amendment, as required by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to ensure that the county can properly dispose of waste for the next ten years. A Public Hearing will be held on April 5, 2023, at 1:00 p.m. in the Genesee County Administration Building, Rm. 222, 1101 Beach Street, Flint, for the purpose of obtaining comments on the plan. Three Open Houses will also be held to gather public input: April 18th @ 11:00 a.m./Flint Farmers' Market, 300

E. First Street, Flint; April 19th @ 9:00 a.m./Loose Senior Center, 707 N. Bridge Street, Linden; and April 20th @ 4:00 p.m./Montrose Township Hall, 11444 Seymour Rd, Montrose. [NOTE: A copy of the DRAFT Genesee County's Solid Waste Management Plan (SWMP) Amendment is available in the Flint City Clerk's Office, Flint City Hall, 2nd Floor, 1101 S. Saginaw Street, Flint.]

## **COMMUNICATIONS (from Mayor and Other City Officials)**

**230057** City of Flint/Administrative Hearings Bureau/Rules of Procedure

A copy of the City of Flint's Administrative Hearings Bureau Rules of Procedure, as made effective February 20, 2023.

## **APPOINTMENTS**

### **APPOINTMENTS (May Be Referred from Special Affairs)**

**230038** Appointment/Downtown Development Authority Board (DDA)/Melinda Sol Wilson

Resolution resolving that the Flint City Council approves the appointment of Melinda Sol Wilson (1901 Whittlesey Street, Flint, Michigan, 48503) to the Downtown Development Authority Board, for a four-year term commencing immediately and expiring June 30, 2027. [NOTE: Melinda Sol Wilson will fill Brandy Brown's vacant position.]

**230046** Appointment/Hurley Board of Hospital Managers/Bishop Roger L. Jones Sr.

Resolution resolving that the Flint City Council approves the recommendation and appointment of Bishop Roger L. Jones Sr. (2222 Colfax Avenue, Flint, Michigan, 48503) to the Hurley Board of Hospital Managers, to complete a five-year term vacancy, with such term commencing immediately and expiring April 30, 2028.

## **RESOLUTIONS (POSTPONED)**

*[NOTE: Resolutions No. 220530.2, 230026, 230027, 230029, 230033, 230037, 230040.1, and 230043 were POSTPONED from the February 13, 2023 City Council meeting to this City Council agenda due the lack of a quorum.]*

**220530.2** Adoption/Proposed Amendments/Rules Governing Meetings of the Council

Resolution resolving that the Flint City Council adopts the Rules Governing Meetings of the Flint City Council [As Amended], to be effective upon being made publicly available at the City Clerk's office and/or on the City's website.

**230026** Solicitation of Proposals/Golf Course Leases

Resolution resolving that, in order to ensure that the City of Flint receives fair

compensation for the lease of the Swartz Creek and Kearsley Lake Golf Courses, the Flint City Council requests that the City Administration publicly solicit proposals for the lease and operation of the Swartz Creek and Kearsley Lake Golf Courses and present the best proposal to the City Council for its approval.

**230027** Partial Settlement/Matt Baker, et al v City of Flint, et al/Genesee County Circuit Court Case No. 19-113438

Resolution resolving that the Flint City Council approves settlement in the matter of Matt Baker, et al v City of Flint, et al, Genesee County Circuit Court Case No. 19-113438, as to plaintiff Michael Ross, in the amount of \$39,000.00, in satisfaction of any and all claims against the City and its officers arising out of said matter, with payment to be drawn from appropriated funds in Litigation and Suits Line Item 677-266.200-812.010. [NOTE: An Executive Session was held in this matter on December 7, 2022.]

**230029** Agreement/City of Flint/Genesee County Prosecutor's Office/Witness Protection Services Program

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to enter into an agreement with the Genesee County Prosecutor's Office [to be used towards a witness protection services program], in an amount NOT-TO-EXCEED \$100,000.00, over a three-year grant period, June 1, 2022 to May 31, 2023.

**230033** Contract/Complete Towing Service/Police Department Towing and Storage Services

Resolution resolving that the proper City Officials are authorized to enter into a contract with Complete Towing Service for Police Department Towing and Storage services, for a total NOT-TO-EXCEED \$285,000.00, for FY2023.

**230037** Repeal of Public Act 436 of 2012/The Local Financial Stability and Choice Act

Resolution resolving that the City of Flint fully supports House Bill 4065 and the repeal of Public Act 436, and urges the Michigan Legislature to enact H.B. 4065 and repeal the Local Financial Stability and Choice Act 436 of 2012.

**230040.1** Amended Resolution/Forms/City Council's "Request for ARPA Funds - City Council Initial Form"

An amended resolution resolving that the Council staff shall cease accepting any Council Forms effective immediately; AND, the Council staff shall forward copies of any Council Forms received to the City of Flint's Public Health Office; AND, that the City Council requests that the Public Health Office, based on the Council Forms received, refer submitters of those forms to the appropriate community resources for assistance. [NOTE: Resolution amended to have Council staff cease accepting the City Council's "Request for ARPA Funds - City Council Initial Form" - as opposed to re-titling the form to "City of Flint Resource Identification Referral Form".] [NOTE: In early 2022, the Flint City

Council - by verbal motion - approved the use of the RAF-CCIF document to receive requests for ARPA funds from city residents.]

**230043** Approval/Collective Bargaining Agreement (CBA)/City of Flint/Flint Police Officers' Association (FPOA)

Resolution resolving that the Flint City Council ratifies the Tentative Agreement between the City of Flint and the Flint Police Officers' Association.

## RESOLUTIONS

### RESOLUTIONS (May Be Referred from Special Affairs)

**230047** FY23 Change Order/JB's Tree and Yard Service/Master Planning Tree Removal Project

Resolution resolving that the Division of Purchases and Supplies is authorized to issue a Purchase Order for FY2023 to JB's Tree Services LLC, in an amount NOT-TO-EXCEED \$4,484.00, for a Master Planning Tree Removal Project, and an overall FY23 vendor amount NOT-TO-EXCEED \$89,484.00.

**230048** ODP Business Solutions/New Council Chamber Chairs

Resolution resolving that the Division of Purchases and Supplies is authorized to issue a Purchase Order for FY2023 to ODP Business Solutions (Office Depot), in an amount NOT-TO-EXCEED \$48,077.33, for chairs for the Council Chamber upgrade project, for an overall FY23 grand total NOT-TO-EXCEED \$165,924.33, AND, resolving that the Purchasing Division has the discretion to spend an additional amount of no more than 5% of the annual requested spend amount of Office Depot for unanticipated requests that may be submitted during FY2023.

**230049** Polydyne Inc./Liquid Cationic Polymer

Resolution resolving that the Division of Purchases and Supplies is authorized to issue an additional Purchase Order for FY2023 to Polydyne, Inc., in an amount NOT-TO-EXCEED \$120,000.00, for the supply of Liquid Cationic Polymer for the Water Pollution Control Facility, for an overall FY23 grand total amount NOT-TO-EXCEED \$270,000.00.

**230050** Owner Entity and Loan Holder/HOME Investment Partnership Funds Award/800 E Court Street Village Limited Dividend Housing Association Limited Partnership

Resolution resolving that the appropriate City Officials recognize 800 E Court Street Village Limited Dividend Housing Association Limited Partnership as the owner entity and loan holder for the 800 E Court Street modernization project and are authorized to enter into the required HOME agreements with 800 E Court Street Village Limited Dividend Housing Association Limited [Partnership].

**230051** Trio Paint/General Contractor Services

Resolution resolving that the Division of Purchases and Supplies is authorized to issue additional Purchase Orders for FY2023 to Trio Paint, in an amount NOT-TO-EXCEED \$625,000.00, for various large Facilities Maintenance projects, in an overall grand total amount NOT-TO-EXCEED \$725,000.00 for FY2023.

**LIQUOR LICENSES****INTRODUCTION AND FIRST READING OF ORDINANCES****INTRODUCTION AND FIRST READING OF ORDINANCES (May Be Referred from S.A.)****230052** Amendment/Ordinance/Chapter 35 (Personnel)/Section 35-112.04 (Adoption-Job Description & Qualifications)/City Administrator

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 35 (Personnel); Section 35-112.04 (Adoption - Job Description and Qualifications), City Administrator.

**SECOND READING AND ADOPTION OF ORDINANCES****ADDITIONAL DISCUSSION ITEMS****FINAL COUNCIL COMMENTS****ADJOURNMENT**

220530.2



PROCLAMATION NO.: \_\_\_\_\_

PRESENTED: FEB 13 2023

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

**RESOLUTION ADOPTING AMENDMENT TO COUNCIL RULES**

Section 3-103(B) of the Flint City Charter provides that “[t]he City Council shall determine its own rules of procedure, may compel attendance of members, and may punish its own members for misconduct.”

Pursuant to Section 1-801 of the Flint City Charter, a public hearing regarding proposed rules to the Rules Governing Meetings of the Flint City Council was held on February 13, 2023.

**BE IT RESOLVED**, that the Flint City Council adopts the attached Rules Governing Meetings of the Flint City Council, to be effective upon being made publicly available at the City Clerk’s office and/or on the City’s website.

**FOR THE CITY COUNCIL:**

\_\_\_\_\_

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
William Y. Kim, City Attorney

# RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL

## GENERAL

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FREEDOM OF INFORMATION ACT (FOIA)

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**CONDUCT, ETHICS AND DISCIPLINARY ACTIONS**

RULE 30 GENERAL CONDUCT AND STANDARDS OF CONDUCT

RULE 31 ETHICS

RULE 32 DISCIPLINARY ACTIONS

**REVIEW OF CITY COUNCIL RULES**

RULE 33 ANNUAL REVIEW OF CITY COUNCIL RULES

## GENERAL

### PREAMBLE

These are rules governing the orderly conduct of Flint City Council meetings in accordance with Robert's Rules of Order and certain laws.

### OPEN MEETINGS ACT (OMA)

City Council meetings are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275.

### FREEDOM OF INFORMATION ACT (FOIA)

All documents of the meetings of the Flint City Council (i.e. agendas, minutes, attachments, transcripts, recordings) are public documents subject to the FOIA, MCL 15.231 *et seq.*

### PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically by Council Rules, State, or Local law, shall be governed by Robert's Rules of Order 12<sup>th</sup> Ed. If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- Rule 1.2 The President or Chair (Presiding Officer) shall decide all questions arising under these rules and general parliamentary practice, subject to appeal. The Chair shall first decide the question, and any member may "appeal from the decision." If the appeal is seconded, the Chair shall state their decision, that it has been appealed from, and then states the question as: "Shall the decision of the Chair be reversed?" The Chair can then state the reasons for their decision, after which it is open to debate. Beginning with the member who made the appeal and concluding with the Chair, each member may speak once regarding the appeal for three (3) minutes per Councilmember. Unless a majority of Councilmembers-elect vote to overturn the Chair's ruling, the Chair's ruling stands.
- Rule 1.3 City Council may appoint a person to serve as its Parliamentarian. At the request of any member of the City Council, the parliamentarian shall rule on questions of parliamentary procedure. If a Parliamentarian so rules, the Parliamentarian's ruling may be appealed. An appeal of a Parliamentarian's ruling must be seconded and is undebatable. Overturning a Parliamentarian's ruling requires a two-thirds vote of the Councilmembers-elect.

### SUSPENSION AND AMENDMENT OF RULES

- Rule 2.1 Any individual rule may be suspended on the vote of two-thirds of the Councilmembers-elect, to allow for consideration of business that would not otherwise be allowed under the rules. A motion to suspend a rule is not debatable.
- Rule 2.2 The rules may be amended in accordance with Section 1-801 of the Flint City Charter.

## ORGANIZATION #1

### COUNCIL PRESIDENT; PRESIDING AT MEETINGS

- Rule 3.1 The Council shall have a President and a Vice-President, each chosen by a majority of the Councilmembers-elect for a term which shall end on the second Monday in November, or until a successor is elected.
- Rule 3.2 The President shall preside at the meetings of the Council and, in the absence of the President, the Vice-President shall preside. If both the President and Vice-President are absent, a Chairperson from a Council Committee shall preside in the following order: Finance, Governmental Operations, Legislative.

### COMMITTEES

- Rule 4.1 The President, unless otherwise directed by the Council, shall appoint all committee chairs and vice-chairs for a one-year term which shall end on the second Monday in November or until a successor is appointed.
- Rule 4.2 The standing committees of the City Council are Finance, Governmental Operations, Legislative, and Special Affairs. The Council President may determine in which order they are addressed.
- Rule 4.3 Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.). Finance Committee shall meet at 5:00 pm on the Wednesdays a week before regular Council meetings. [Note - see Rule 6.8A]
- Rule 4.4 Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.). Legislative Committee shall meet after Finance Committee. [Note - see Rule 6.8B]
- Rule 4.5 Governmental Operations Committee - Business conducted consists of all matters relating to governmental function (e.g. multi-member bodies, policies and procedures, matters related to City government and City departments, etc.). Governmental Operations Committee shall meet after Legislative Committee. [Note - see Rule 6.8C]
- Rule 4.6 Special Affairs Committee - Reserved for any standing committee agenda item needing additional discussion or information, as well as for any emergency agenda submission. Special Affairs Committee shall meet at 4:30 p.m. right before regular Council meetings on the 2nd and 4th Mondays of the month. [Note – see Rule 6.8E]
- Rule 4.7 All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.
- Rule 4.8 The President, at their discretion, may create ad hoc committees and shall appoint these committees' chairs and members. The President shall determine the number of Councilmembers comprising these committees.

## ORGANIZATION #2

### TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

- Rule 5.1 All meetings of the City Council and all committees of the Council shall take place in the Council Chambers on the third floor of City Hall or at such other places as the Council may determine.
- Rule 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.
- Rule 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.
- Rule 5.4 In the event of a call for a special meeting or a change in the time or place of a meeting, the Clerk shall be notified and shall see that each Councilmember and the public are informed as is required by the Open Meetings Act.
- Rule 5.5 The Mayor shall be notified of all meetings of the City Council.
- Rule 5.6 Meetings of the City Council or its committees will occur between 8:00 AM and 10:00 PM, and meetings of the City Council or its subcommittees will adjourn at 10:00 PM, unless a two-thirds majority of the Councilmembers-elect suspend this rule.
- Rule 5.7 City Council may, by resolution, adjourn all meetings for a two-week period. A special, pro-forma meeting of the City Council shall be scheduled immediately preceding the other Council committee meeting in that month.

### AGENDA FOR REGULAR MEETINGS OF COUNCIL

- Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President or any presiding Chair of any committee of the Council, or at the request of the Mayor or Clerk, prior to the start of the meeting. After roll call, the presiding officer shall ask for "any additions or changes to the agenda". Agenda changes or additions need to be approved by the presiding officer, and any unopposed agenda changes or additions may be adopted by consent.
- Rule 6.2 Any agenda matters that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by the appropriate documentation such as staff review reports, etc., and must be signed by the required signatories.
- Rule 6.3 The deadline for contacting City Council staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.
- Rule 6.4 The presiding officer shall choose a person to lead the Pledge of Allegiance.
- Rule 6.5 Opening Ceremonies will consist of Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence for deceased or ailing individuals. Spiritual leaders (of many faiths) may be invited and scheduled to offer a short prayer after the Pledge of Allegiance. The City Clerk will be responsible for making these arrangements.

## AGENDAS FOR COMMITTEE MEETINGS

- Rule 6.8 Items denoted with \*\* will only appear on a committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda.
- Rule 6.8a Finance Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, \*\*Closed Session [Executive Session], \*\*Consent Agenda, \*\*Presentation of Quarterly Financial Reports, Resolutions, \*\*Special Order/Discussion Items, Adjournment
- Rule 6.8b Legislative Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, \*\*Resolutions, Ordinances, \*\*Consent Agenda/Discussion Items, Adjournment
- Rule 6.8c Governmental Operations Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, \*\*Consent Agenda, \*\*Licenses, Resolutions, Appointments, \*\*Special Order /Discussion Items, Adjournment
- Rule 6.8d Special Affairs Agenda - Roll Call, Request for Changes and/or Additions to Agenda, \*\*Closed Session [Executive Session], \*\*Consent Agenda, \*\*Special Order, Resolutions, Appointments, Ordinances, Discussion Items, Adjournment
- Rule 6.9 Rules 6.1, 6.2, 6.3 and 6.4 concerning regular Council meetings also apply to Committee meetings. Section 31.12 of the Disorderly Persons Ordinance applies to all committee meetings.
- Rule 6.10 If multiple committee meetings are held on the same day, a consolidated public comment period may be held during the first scheduled committee meeting. If a committee meeting is held on the same day as a regular Council meeting, public comment can be deferred until the regular Council meeting.

## ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

- Rule 7.1 The order of business at Regular Meetings of the City Council shall be as follows:
- I Call to Order, Roll Call and opening ceremonies
  - II Reading of Disorderly Persons Section
  - III Request for Changes and/or Additions to Agenda
  - IV Consent Agenda
  - V Presentation of Minutes
  - VII Public Hearings
  - VIII Public Speaking
  - IX Petitions and Unofficial Communications
  - X Official Communications – From Mayor and Other City Officials
  - XI Additional Communications
  - XII Appointments
  - XIII Resolutions
  - XIV Liquor Licenses
  - XV Other Licenses
  - XVI Introduction and First Reading of Ordinances
  - XVII Second Reading and Enactment of Ordinances
  - XVIII Special Orders/Discussion Items

(Any Councilmember may request that a Special Order be placed on the agenda, but it must first be approved by the Council President, or the Committee Chair if raised during a Committee meeting.)

- XIX Final Council Comments
- XX Adjournment

### **ORGANIZATION #3**

#### **CLOSED SESSIONS**

- Rule 7.2 Pursuant to the Open Meetings Act, the Flint City Council may meet in Closed Session for one or more of the following purposes:
- (1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.
  - (2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
  - (3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
  - (4) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.
  - (5) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.
  - (6) To consider material exempt from discussion or disclosure by state or federal statute.
- Rule 7.3 **GOING INTO CLOSED SESSION** – A 2/3 roll call vote of the Councilmembers-Elect is required to meet in closed session for purposes (3) through (6), as listed in Rule 7.2. A majority vote of the Councilmembers-Elect is sufficient for purposes (1) and (2), as listed in Rule 7.2. The roll call vote and the purpose or purposes for meeting in closed session shall be recorded in the minutes of the meeting at which the vote is taken.
- Rule 7.4 **LEAVING CLOSED SESSION** – The City Council may leave a closed session upon a majority vote of the Councilmembers-elect.
- Rule 7.5 **DECISIONS ON MATTERS DISCUSSED IN CLOSED SESSION TO BE MADE DURING OPEN SESSION** - All determinations, actions, votes, or dispositions of motions, proposals, recommendations, resolutions, orders, ordinances, bills, or

measures by which the City Council effectuate or formulates public policy must be made during an open session.

Rule 7.6 All matters discussed in closed session are privileged and not to be shared with any person outside of the closed session.

### **ACTION BY COUNCIL**

#### **FORM OF ACTION AND ADOPTION OF A CONSENT AGENDA**

Rule 8.1 All official action of the Council as required by the City Charter shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made upon motion, including decisions on parliamentary procedure.

Rule 8.2 No motion may be debated by the Council until it has been stated by the presiding officer and it must be reduced to writing if requested by the presiding officer or any Councilmember. All resolutions and ordinances must be in writing.

Rule 8.3 The Presiding Officer or Chair may request the adoption of a "Consent Agenda" consisting of, as applicable, (a) approval of minutes listed on the agenda; (b) accepting and placing on file all communications listed on the agenda, (c) approving all appointments, resolutions, and licenses listed on the agenda; (d) approving ordinances for introduction and first reading or second reading and enactment, as listed on the agenda.

Rule 8.4 After a motion to adopt a Consent Agenda is made and seconded, the Presiding Officer or Chair shall ask for separations. Any agenda item on a Consent Agenda shall be separated at the request of any Councilmember. After any separations, there is no debate on approving the Consent Agenda - it shall be voted on or adopted without objection.

### **VOTING**

Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote, unless there is unanimous consent of the members present. Any request for unanimous consent by the Chair shall include two calls for objections to the request for unanimous consent.

Rule 9.2 The determination of any question at a committee meeting shall be by voice vote unless a member objects, in which case a roll call vote shall be taken.

Rule 9.3 The voting on all roll calls shall be rotated so that the Councilmember representing the First Ward shall cast the first vote on the first roll call of any meeting, the Councilmember from the Second Ward shall cast the first vote on the second roll call at any meeting, and so on throughout the meeting so that the first vote on a roll call shall be solicited from the succeeding Councilmember. Following the first vote on any roll call, the remaining Councilmembers shall be called in consecutive order until all nine Councilmembers have been afforded an opportunity to vote on any question.

Rule 9.4 A Councilmember must be seated at their designated seating place to vote. Proxy votes are not allowed.

- Rule 9.5      INTERRUPTION OF VOTES – Interruptions during the taking of a vote are permitted only before any member has actually voted, unless, as sometimes occurs in ballot voting, other business is being transacted during voting or tabulating.
- Rule 9.6      RULE AGAINST EXPLANATION BY MEMBERS DURING VOTING - A member has no right to “explain his vote” during voting, which would be the same as debate at such a time.
- Rule 9.7      CHANGING ONE'S VOTE – A member has a right to change his vote up to the time the result is announced by the Chair. A request to change a vote after the Chair’s announcement requires the unanimous consent of the body, without debate, and may only be made immediately after the Chair’s announcement.
- Rule 9.8      ABSTAINING VOTES – To “abstain” means to not vote at all. Any explanation of an abstention may not exceed 10 seconds.
- Rule 9.9      ABSTAINING FROM VOTING ON A QUESTION OF DIRECT PERSONAL INTEREST – No member should vote on a question in which he/she has a direct personal or pecuniary interest not common to the other members of the organization. Voting on questions which affect oneself – the rule on abstaining from voting on a question of direct personal interest does not mean that a member should not vote for him/herself for an office or other position to which members generally are eligible, or should not vote when other members are included with him in a motion.

**INTRODUCTION AND ENACTMENT OF ORDINANCES**

(Any City Councilmember or the Mayor may introduce an Ordinance)

- Rule 10.1      Upon the introduction of any ordinance, the City Clerk shall proceed as directed in Section 3-301 *et seq* of the Flint City Charter.
- Rule 10.2      After a public hearing has been completed, any Councilmember may move to enact the ordinance.
- Rule 10.3      If the ordinance is amended to the extent that there has been inadequate notice to the public of the content of the ordinance, it shall not be enacted until the procedures of Section 3-301 *et seq* of the Flint City Charter are complied with.
- Rule 10.4      Every ordinance must state the date that it becomes effective. After the vote on the enactment of the ordinance, any Councilmember may move that it be given immediate effect upon publication, rather than the date stated. Any effective date earlier than thirty days after enactment requires a two-thirds vote of the Councilmembers-elect.
- Rule 10.5      Every ordinance shall be submitted to the Chief Legal Officer for review and approval as to form prior to enactment.

**MOTIONS**

**CONSIDERATION OF MOTIONS**

- Rule 11.1      When a question is under debate, the Chair will receive only the following motions:

Rule 13      to adjourn

Rule 14	to recess
Rule 15	to postpone temporarily (lay on the table)
Rule 16	to vote immediately (previous question)
Rule 17	to limit debate
Rule 18	to postpone definitely
Rule 19	to refer (commit)
Rule 20	to amend
Rule 21	to postpone indefinitely
Rule 22	to reconsider
Rule 23	to rescind
Rule 24	to withdraw a motion
Rule 25	point of order
Rule 26	request for information

Rule 11.2 If more than one of the above motions are made, they shall be considered in the order listed.

### **SUPPORT FOR MOTIONS**

Rule 12.1 No motion may be considered or debated unless it has been seconded by at least one other Councilmember and has been properly stated by the Chair. The Chair does not have to recognize a member before that member may second a motion.

Rule 12.2 Nominations need not be seconded.

### **MOTIONS #1**

#### **MOTION TO ADJOURN**

Rule 13.1 A motion to adjourn is always in order. If it is made during the count of a vote, it will not be considered until after the vote is announced.

Rule 13.2 A motion to adjourn is not debatable. However, the issue of the time to reconvene may be debated if it is introduced by the maker of the motion or by amendment.

Rule 13.3 The Chair may order adjournment, without objection.

#### **MOTION TO RECESS**

Rule 14.1 A motion to recess shall state the length of the recess and is not debatable

Rule 14.2 When a recess is taken while any question is pending, the consideration of the question shall be resumed upon the reassembling of the Council.

Rule 14.3 The Chair may order a recess without objection.

#### **MOTION TO LAY ON THE TABLE**

Rule 15.1 The Council may decide to postpone temporarily any matter pending before it. A decision to lay upon the table postpones the question involved, all pending amendments, and other adhering motions, until later in that meeting.

- Rule 15.2 If a decision is made to resume consideration of a matter or to take up from the table, it shall return in exactly the same form as when it was postponed temporarily. A motion to resume consideration must be made at the same meeting.
- Rule 15.3 If a motion to resume consideration fails or is not made, the pending matter shall be added to the next meeting agenda.
- Rule 15.4 A motion to postpone temporarily or to resume consideration is not debatable

**MOTION TO VOTE IMMEDIATELY (CALL THE QUESTION)**

- Rule 16.1 Any Councilmember may move to vote immediately. If the motion is supported, debate will cease immediately. A two-thirds vote of the Councilmembers-present (but no less than a majority of the Councilmembers-Elect) is required for the motion to carry.
- Rule 16.2 A motion to vote immediately is not debatable.

**MOTION TO LIMIT OR EXTEND DEBATE**

- Rule 17.1 The Council may decide, by majority vote, to limit or determine the time for discussion of a pending motion or to modify or remove limitations already imposed. This may include a limit of time for each Councilmember to speak to the issue.
- Rule 17.2 If each Councilmember has a limited time to speak, this time limit shall include any questions asked and/or answered at the Councilmembers request.
- Rule 17.3 A motion to limit or extend debate is not debatable.

**MOTIONS #2**

**MOTION TO POSTPONE DEFINITELY**

- Rule 18.1 The Council may decide to put off consideration of a pending main motion and to fix a definite date/time for its consideration.
- Rule 18.2 Debate on the motion to postpone definitely shall be limited to one round of discussion, 3 minutes per councilmember, and shall be limited to the reasons for the postponement and the date/time the main motion shall be taken up.

**MOTION TO REFER (TO COMMITTEE)**

- Rule 19.1 If a motion to refer a matter to a committee or other agency has been made, the Council shall proceed to decide the question of the referral.
- Rule 19.2 There shall be no further debate on the merits of the main motion or amendments to the main motion until the referral motion is decided.
- Rule 19.3 Debate on the motion to refer shall be limited to one round of discussion, 3 minutes per councilmember.

### **MOTION TO AMEND**

- Rule 20.1 A motion to amend must be germane to the main motion .
- Rule 20.2 An amendment may be amended but an amendment to an amendment may not be amended.

### **MOTION TO POSTPONE INDEFINITELY**

- Rule 21.1 The Council may decide to prevent further discussion on a question by voting to postpone it indefinitely.
- Rule 21.2 A motion that has been postponed indefinitely cannot come up again at the same meeting. If it is reintroduced at a later meeting, it shall be treated as a new motion.
- Rule 21.3 Debate on the motion to postpone indefinitely shall be limited to one round of discussion, 3 minutes per councilmember.

### **MOTION TO RECONSIDER**

- Rule 22.1 A motion to reconsider any decision of the City Council may be made by any Councilmember that voted in the affirmative on the motion in question.
- Rule 22.2 A motion to reconsider may be made at the same meeting or not later than the next succeeding regular meeting of the Council if notice has been given to the Council prior to the start of the meeting.
- Rule 22.3 No question may be reconsidered more than once.
- Rule 22.4 If a decision of the Council has gone into effect, the motion to reconsider shall not be in order.

### **MOTION TO RESCIND**

- Rule 23.1 Action to rescind, repeal or annul a previous action may be by resolution unless the previous action is an ordinance. Action to repeal a published ordinance may only be by ordinance regardless of whether the ordinance has gone into effect.
- Rule 23.2 Notice of a motion to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which the motion is to be made. However, the Council may vote by two-thirds of Councilmembers-elect to waive the notice requirement.
- Rule 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

### **MOTIONS #3**

#### **REQUEST TO WITHDRAW A MOTION**

- Rule 24.1 Any Councilmember may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. The Councilmember need not obtain concurrence of any other person.

- Rule 24.2 After the motion has been placed before the assembly, it may only be withdrawn by majority consent of all Councilmembers present. A request to withdraw is undebatable.
- Rule 24.3 No request to withdraw a motion may be made after the vote on the motion has commenced.

### **INCIDENTAL MOTIONS – POINT OF ORDER**

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the presiding officer does not correct it, or when the presiding officer makes a breach of the rules.
- Rule 25.2 A point of order should not be used for minor infractions that do not affect the substantive rights of the City Council or its members.
- Rule 25.3 A point of order does not need a second, can interrupt a speaker, is not debatable, and is decided by the chair.
- Rule 25.4 A point of order cannot be ignored by the presiding officer. A ruling of “agreement – out of order” or “disagree – denied” must be given. All debate and/or talking shall cease immediately when a point of order is raised, so the presiding officer can rule.
- Rule 25.5 Any member has the right to appeal the presiding officer’s decision on a point of order as set forth in Rule 1.2. Another member must second the appeal, or the appeal fails.

### **INCIDENTAL MOTIONS – REQUEST FOR INFORMATION**

- Rule 26.1 A request for information requests information from the member holding the floor.
- Rule 26.2 Its purpose is to help the member making the request for information understand the process and the potential consequences of the next vote. A request for information that asks a question for which the requestor already knows the answer (i.e. an answer in the form of a question) is improper.
- Rule 26.3 A request for information cannot be ignored by the presiding officer, but the presiding officer – upon hearing the request – may decide whether the request is legitimate and can proceed, or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes. The Presiding Officer must rule with either “Proceed” or “Denied”.
- Rule 26.4 Using a request for information as an opportunity to gain the floor is not allowed. Multiple abuses of use of requests for information is cause for disciplinary action.

### **PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER**

#### **MAINTENANCE OF ORDER AND DEBATE**

(The public and City Council are both subject to the disorderly persons ordinance section 31-11 and the general code of conduct. Additionally, the Chair or Presiding Officer has a responsibility and duty to enforce these rules and sanctions for the purpose of maintenance of order. Only the Chair or Presiding Officer may determine and rule on who/what is in or out of order.)

- Rule 27.1 When a member has been called to order, the Chair shall determine whether he or she is in order. Every question of order shall be decided by the Chair, subject to an appeal.
- Rule 27.2 During any portion of any meeting, Councilmembers may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason-
- Rule 27.3 Only the presiding officer may call an individual up to the podium (and/or table) to speak or answer questions. Other Councilmembers would have to petition the presiding officer to make this request.
- Rule 27.4 Mobile devices shall be set to silent mode prior to any meeting being called to order.

### **RIGHT TO SPEAK IN DEBATE**

- Rule 28.1 Every Councilmember and every person granted the privilege of speaking to the City Council, on any matter before the City Council, shall address all remarks to members of the Council and shall not speak until recognized.
- Rule 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the Councilmember who is first to speak.
- Rule 28.3 A Councilmember who desires to speak, on any matter before the City Council, must obtain the floor by being recognized by the presiding Chair. A Councilmember must be in their seat when requesting to be recognized. Unless otherwise specified by these rules each member has the right to speak up to twice on the same question on the same day, for 5 minutes during each round, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day or who has exhausted their allocated time has exhausted his/her right to debate on that question for that day. The Clerk shall utilize a timer and track members' time. There is no right to "sum up" or "conclude" after the expiration of a members' allotted time.
- Rule 28.4 Councilmembers may request, from the presiding Chair, the opportunity to ask questions of Administrative Staff, etc., during debate on any agenda item. Any such questions and responses shall be incorporated as part of the Councilmember's allotted time.

### **PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC**

- Rule 29.1 All meetings of the Council shall be open to the public in accordance with law.
- Rule 29.2 If a member of the public wishes to address the City Council, they may do so at the regular City Council meeting. He or she shall submit, prior to the start of the meeting, a statement in writing containing his or her name and address and the topic to be covered. A box will be placed at the entrance to the Council Chambers for the collection of the statements.
- Rule 29.3 Members of the public shall have no more than 3 minutes per speaker during public comment. Only one speaking opportunity per speaker. Numbered speaker slips will be provided prior to the start of a meeting to those wishing to speak during this portion of the agenda. No additional speakers or slips will be accepted after the meeting

begins. City Councilmembers may not speak as a member of the public at this time. Public speakers may not allocate or "donate" their allotted time to another person.

- Rule 29.4 If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the President at the opening of the hearing or at the conclusion of the remarks of the previous speaker.
- Rule 29.5 Members of the public shall have no more than 3 minutes to address the City Council during a public hearing.
- Rule 29.6 Councilmembers may not speak during public hearings nor may they respond to speakers.
- Rule 29.7 Any person speaking at a Council meeting may be called to order by the President or any Councilmember for failure to be germane, for vulgarity, or for speaking in excess of the allotted time.
- Rule 29.8 Any person who is called to order shall thereupon yield the floor until the President shall have determined whether he or she is in order. Every question of order shall be decided by the President subject to an appeal by any Councilmember to the Council. If a person so engaged in presentation shall be determined by the Council to be out of order, that person shall not be permitted to continue at the same meeting except on special leave of the Council.
- Rule 29.9 Councilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to 2 minutes and is subject to all rules. Final Council comments shall be limited to 2 minutes and are subject to all rules.

## **CONDUCT, ETHICS AND DISCIPLINARY ACTIONS**

### **GENERAL CONDUCT AND STANDARDS OF CONDUCT**

- Rule 30.1 Every Councilmember is subject to the established rules or general conduct and the standards of conduct as may be adopted by the City Council.

### **ETHICS**

- Rule 31.1 Every Councilmember is subject to the established ethics rules of the City of Flint Charter and Ethics Ordinance.

### **DISCIPLINARY ACTIONS**

- Rule 32.1 Every Councilmember is subject to the established rules and disciplinary actions for violations of rules and city ordinances.
- Rule 32.2 For any repeated violation of these rules, the Presiding Officer or Chair may order discipline up to and including removal from a meeting. Any discipline issued is subject to an appeal raised pursuant to Rule 1.2. If a Councilmember is removed from a meeting, they may not return to participate in any other committee or Council meetings held on the same day.

**REVIEW OF CITY COUNCIL RULES**

- Rule 33.1      Every December, the City Council shall place an item on the Special Affairs Committee agenda for a review of these rules.
- Rule 33.2      At his/her own discretion, the Council President may at any time appoint a committee and its members to review and offer revisions of City Council Rules.
- Rule 33.3      It is the responsibility and duty of the Council President, Vice President, and all the Committee Chairs to ensure that these rules are adhered to and to apply the recommended disciplinary actions if they are not. Failure to do so is itself a violation of the rules and can subject the violator to disciplinary actions.

RULES ORIGINALLY ADOPTED: MAY 10, 1976  
1ST AMENDMENT ADOPTED: MAY 24, 2010  
2ND AMENDMENT ADOPTED: APRIL 27, 2015  
3RD AMENDMENT ADOPTED: JUNE 12, 2017  
4<sup>TH</sup> AMENDMENT ADOPTED: \_\_\_\_\_

230026

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: FEB 08 2023

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

**RESOLUTION REQUESTING SOLICITATION OF PROPOSALS TO LEASE  
SWARTZ CREEK GOLF COURSE AND KEARSLEY LAKE GOLF COURSE**

**BY THE CITY COUNCIL:**

The City of Flint owns the Swartz Creek Golf Course, located at 1902 Hammerberg Road, Flint, and the Kearsley Lake Golf Course, located at G-4266 E. Pierson Road, Flint; and

In 2013, the City of Flint leased the Swartz Creek Golf Course and the Kearsley Lake Golf Course to Flint City Golf, LLC, with said lease ending in 2023.

**IT IS RESOLVED**, that, in order to ensure that the City of Flint receives fair compensation for the lease of the Swartz Creek and Kearsley Lake Golf Courses, the Flint City Council requests that City Administration publicly solicit proposals for the lease and operation of the Swartz Creek and Kearsley Lake Golf Courses and present the best proposal to the City Council for its approval.

**APPROVED AS TO FORM:**

**FOR THE CITY:**

\_\_\_\_\_  
William Kim, Chief Legal Officer

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_

230027



RESOLUTION NO.: \_\_\_\_\_

PRESENTED: FEB 08 2023

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

**RESOLUTION APPROVING PARTIAL SETTLEMENT OF  
BAKER ET AL v CITY OF FLINT ET AL., 19-113438**

**BY THE CITY ADMINISTRATOR:**

Executive Session was held in this matter on December 7, 2022; and

Although the City of Flint admits no liability in the claims filed by Michael Ross;

**IT IS RESOLVED** that the City Council approves settlement in the matter of *Matt Baker, et al, v City of Flint et al.*, GCCC Case No. 19-113438, as to plaintiff Michael Ross, in the amount of \$39,000.00, in satisfaction of any and all claims against the city and its officers arising out of said matter.

Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-812.010.

**For the City**

**For the City Council**

  
\_\_\_\_\_  
Clyde Edwards (Jan 31, 2023 22:14 EST)  
**Clyde Edwards, City Administrator**

\_\_\_\_\_

**APPROVED AS TO FORM:**

**APPROVED AS TO FINANCE:**

  
\_\_\_\_\_  
William Kim (Jan 30, 2023 16:32 EST)  
**William Kim, City Attorney**

  
\_\_\_\_\_  
Robert J.F. Widigan (Jan 31, 2023 08:49 EST)  
**Robert J.F. Widigan, Chief Financial Officer**



# CITY OF FLINT

## RESOLUTION STAFF REVIEW FORM

**TODAY'S DATE:** 1/30/2023

**BID/PROPOSAL#** N/A

**AGENDA ITEM TITLE:** Resolution Approving Settlement of Megan Brewer and Travis Copeland v City of Flint et al. (Michael Ross)

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

**VENDOR NAME:** N/A

**BACKGROUND/SUMMARY OF PROPOSED ACTION:**

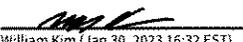
Resolution approving settlement of *Baker et al v City of Flint et al.*, GCCC Case No. 19-113438, and resolving the claims of Plaintiff Michael Ross for \$39,000.00. City Council was briefed on this case during closed session on December 7, 2022.

**FINANCIAL IMPLICATIONS:** Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-812.010

**BUDGETED EXPENDITURE?** YES  NO  IF NO, PLEASE EXPLAIN:

**WILL YOUR DEPARTMENT NEED A CONTRACT?** YES  NO

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

**DEPARTMENT HEAD SIGNATURE:**   
William Kim (Jan 30, 2023 16:32 EST)  
*(PLEASE TYPE NAME, TITLE)*



RESOLUTION NO.:

230029

PRESENTED:

FEB 08 2023

ADOPTED:

**RESOLUTION AUTHORIZING THE CITY OF FLINT TO ENTER INTO AN AGREEMENT WITH THE GENESEE COUNTY PROSECUTOR'S OFFICE**

**BY THE CITY ADMINISTRATOR:**

**WHEREAS,** The Charles Stewart Mott Foundation awarded the City of Flint grant number 2022-10600 in the amount of \$850,000 to support public safety; and

**WHEREAS,** the resolution to accept the award was adopted by City Council on July 25th, 2022; and

**WHEREAS,** it was agreed that \$100,000 would be used towards witness protection; and

**WHEREAS,** witness protection is vital for fighting and preventing crimes by thwarting efforts to intimidate informants and increases the likelihood that witnesses to a crime feel safe enough to collaborate with law enforcement; and

**WHEREAS,** the Genesee County Prosecutor's Office will be responsible for the administration of setting up the expenditures through their infrastructure already in place through the witness services program.

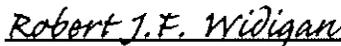
Account Number	Grant Code	Account Name	Amount
296-301.821-801.000	PCSM-PSS22	Professional Services	\$100,000.00
		<b>TOTAL</b>	<b>\$100,000.00</b>

**IT IS RESOLVED** that the appropriate City Officials are authorized to do all things necessary to enter into an agreement with Genesee County Prosecutor's Office in the amount not-to-exceed \$100,000 over the three-year grant period, June 1, 2022 – May 31, 2023.

**Approved as to Form:**

  
William Kim (Jan 31, 2023 10:11 EST)  
**William Kim, Chief Legal Officer**

**Approved as to Finance:**

  
Robert J.F. Widigan (Jan 31, 2023 15:16 EST)  
**Robert Widigan, Chief Financial Officer**

**For the City of Flint:**

CLYDE D EDWARDS  
CLYDE D EDWARDS (Feb 1, 2023 13:09 EST)  
**Clyde D. Edwards, City Administrator**

**Approved by City Council**



**RESOLUTION NO.:**

**PRESENTED:**

**ADOPTED:**

**RESOLUTION STAFF REVIEW**

**Date:** January 30, 2023

**Agenda Item Title:**

**RESOLUTION AUTHORIZING THE CITY OF FLINT TO ENTER INTO AN AGREEMENT WITH THE GENESEE COUNTY PROSECUTOR'S OFFICE**

**Prepared by:**

Seamus Bannon, CVIPI Program Director

**Background/Summary of Proposed Action:**

The purpose of this resolution is to enter into an agreement with the Genesee County Prosecutor's Office (GCPO) for witness protection. The GCPO will be responsible for the administration of setting up the expenditures through their infrastructure already in place through the witness services program.

Excluded from this process:

- No known exclusions

**Financial Implications:**

The \$100,000.00 will be encumbered from the Professional Services in the grant budget: PCSM-PSS22.

Account Number	Grant Code	Account Name	Amount
296-301.821-801.000	PCSM-PSS22	Professional Services	\$100,000.00
		<b>TOTAL</b>	<b>\$100,000.00</b>

**Budgeted Expenditure:** Yes  No  Please explain, if no:

**Pre-encumbered:** Yes  No  **Requisition #:** \_\_\_\_\_ **Other Implications:**

No other implications are known at this time.

**Staff Recommendation:** Staff recommends approval of this resolution.

**APPROVAL** Terence Green Terence Green (Jan 31, 2023 10:09 EST) **DATE** 01/31/2023

**Terrance Green-Chief of Police**



RESOLUTION NO.: 230033  
 PRESENTED: FEB 08 2023  
 ADOPTED: \_\_\_\_\_

PROPOSAL #23000502

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO COMPLETE TOWING SERVICE FOR POLICE DEPARTMENT TOWING AND STORAGE SERVICES**

WHEREAS, The Division of Purchases and Supplies solicited proposals for towing and storage services on behalf of the City of Flint Police Department.

WHEREAS, The Police Chief has recommended, that the sole responsive bidder, Complete Towing Service, 3401 N. Dort Hwy, Flint, MI, be awarded the contract for these said services for FY2023.

WHEREAS, The Police Department is requesting a contract with Complete Towing Service, in a FY23 amount not to exceed \$285,000.00 for these stated services.

Funding is to come from the following grant/account(s):

Account Number/Grant Code	Account Name	Amount
101-303.206-801.000	Professional Services	\$285,000.00
	<b>FY2023 GRAND TOTAL</b>	<b>\$285,000.00</b>

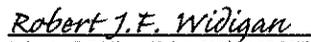
IT IS RESOLVED, that the Proper City Officials can hereby enter into a contract with Complete Towing Service for Police Department Towing and Storage services, for a total not to exceed \$285,000.00, for FY23 (07/01/22-06/30/23).

APPROVED AS TO FORM:

  
 William Kim (Feb 1, 2023 10:22 EST)

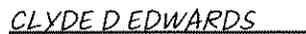
William Kim, City Attorney

APPROVED AS TO FINANCE:

  
 Robert J.F. Widigan (Feb 1, 2023 12:08 EST)

Robert J.F Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:

  
 CLYDE D EDWARDS (Feb 1, 2023 17:23 EST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

\_\_\_\_\_

APPROVED AS TO PURCHASING:



Lauren Rowley, Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 01/31/2023

BID/PROPOSAL#: 23-502

AGENDA ITEM TITLE: Towing & Storage

PREPARED BY: Candice Smith - Police Department

VENDOR NAME: Complete Towing

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint Police Department has to contract out towing and storage services and a bid was sent and out and Complete Towing was the sole bidder. We are requesting Services in FY23 in the amount of \$285,000.00

FINANCIAL IMPLICATIONS:

BUDGETED EXPENDITURE? YES [X] NO [ ] IF NO, PLEASE EXPLAIN:

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Row 1: Police, Professional Services, 101-303.206-801.000, \$285,000.00. Row 2: FY-23 TOTAL, \$285,000.00.

PRE-ENCUMBERED? YES [X] NO [ ] REQUISITION NO: 23-0006584

ACCOUNTING APPROVAL: Candice Smith Date:

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [X] NO [X]

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

STAFF RECOMMENDATION: (PLEASE SELECT): [X] APPROVED [ ] NOT APPROVED

DEPARTMENT HEAD SIGNATURE: Terence Green (Terence Green - Chief of Police)



**Sheldon Neeley**  
Mayor

**FLINT POLICE DEPARTMENT**  
CITY OF FLINT, MICHIGAN



**Terence Green**  
Chief of Police

**MEMORANDUM**

**TO:** Lauren Rowley, Purchasing . **DATE:** January 31, 2022

**FROM:** Terence Green, Chief of Police *tg*

**SUBJECT: RECOMMENDATION - TOWING & STORAGE SERVICES - PROPOSAL #23-502**

I have reviewed the bid received for Towing and Storage services. I am recommending the only bidder, Complete Towing, in the amount of \$285,000.00 for FY-23.

I am requesting that a resolution be presented to Council for the Flint Police Department to enter into a contract for the above-mentioned amount.

If you have any questions or concerns, feel free to give me a call at (810) 237-6810.

*Terence Green*  
Terence Green (Jan 31, 2023 12:33 EST)

**Terence Green**  
Chief of Police

230037



PROCLAMATION NO.: \_\_\_\_\_

PRESENTED: FEB 08 2023

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

**RESOLUTION SUPPORTING THE REPEAL OF PUBLIC ACT 436 OF 2012, THE LOCAL FINANCIAL STABILITY AND CHOICE ACT**

The Local Financial Stability and Choice Act, Public Act 436 of 2012 (“P.A. 436”), was enacted to provide for the appointment of Emergency Managers to local municipalities and school districts experiencing financial distress; and

P.A. 436 authorizes an emergency manager to, among other things, amend a local government’s budget; sell, lease, or assign assets; apply for state loans on the municipalities’ behalf; suspend collective bargaining agreements; modify or terminate existing contracts; exercise power over the local pension board; consolidate or eliminate departments of local government; and decide whether to fill or create staff positions; irrespective of the local government’s charters and law; and

These broad powers conferred on an Emergency Manager, not subject to local review or control, had devastating financial consequences for many municipalities, including the City of Flint; and

While under the control of state-appointed Emergency Managers, the Flint Water Crisis occurred, water rates for residents ballooned to some of the highest in the nation; and Flint’s residents were deprived of their right to challenge their government when Charter-mandated offices were disbanded; and

On February 1, 2023, HB 4065 was introduced in the Michigan House of Representatives, which would, if enacted, repeal the entirety of P.A. 436.

**BE IT RESOLVED**, that the City of Flint fully supports H.B. 4065 and the repeal of P.A. 436, and urges the Michigan Legislature to enact H.B. 4065 and repeal the Local Financial Stability and Choice Act 436 of 2012.

**FOR THE MAYOR:**

**FOR THE CITY COUNCIL:**

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
William Y. Kim, City Attorney

230040.1



RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 1-23-2023

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

**RESOLUTION REGARDING CITY COUNCIL’S “REQUEST FOR ARPA FUNDS (CITY COUNCIL INITIAL FORM)”**

Under the American Rescue Plan Act (ARPA), the City of Flint received grant funding from the Coronavirus Local Fiscal Recovery Fund through the US Department of Treasury in the amount of \$94,726,664.00, to address public health and economic impacts of the COVID-19 public health emergency, respond to workers performing essential work during the COVID-19 public health emergency, provide government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, and to make necessary investments in infrastructure.

In early 2022, the Flint City Council, by verbal motion, approved of the use of a form entitled “Request for ARPA funds (City Council Initial Form)” (“Council Form”). Residents have since submitted the Council Form to City Council staff for purposes that have never been defined by resolution or ordinance.

On October 24, 2022, the Flint City Council approved Resolution 220464.1, adopting an ARPA allocation plan for the remaining \$60,351,968.00 in ARPA funding that remained available at that time and requesting that the appropriate City officials implement the allocation plan, identifying and submitting specific grantees or expenditures for Council approval.

**IT IS RESOLVED** that Council staff shall cease accepting any Council Forms effective immediately.

**IT IS FURTHER RESOLVED** that Council staff shall forward copies of any Council Forms received to the City of Flint’s Public Health Office.

**IT IS FUTHER RESOLVED** that the City Council requests that the Public Health Office, based on the Council Forms received, refer submitters of those forms to the appropriate community resources for assistance.

**For the City Council**

\_\_\_\_\_  
**APPROVED AS TO FORM:**

\_\_\_\_\_  
**William Kim, City Attorney**



RESOLUTION NO.: 230043  
PRESENTED: FEB 13 2023  
ADOPTED: \_\_\_\_\_

**RESOLUTION TO APPROVE COLLECTIVE BARGAINING  
AGREEMENT BETWEEN THE CITY OF FLINT AND THE FLINT  
POLICE OFFICERS' ASSOCIATION**

**BY THE CITY ADMINISTRATOR:**

The City of Flint and the Flint Police Officers' Association have negotiated a successor Collective Bargaining Agreement to the CBA that expired on April 30, 2022.

**WHEREAS**, the parties have reached a Tentative Agreement regarding a successor Collective Bargaining Agreement. The Tentative Agreement is attached.

**WHEREAS**, on January 11, 2023, the membership of Flint Police Officers' Association has ratified the Tentative Agreement.

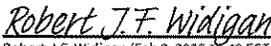
**WHEREAS**, City Administrator Clyde Edwards recommends that the Flint City Council ratify the Tentative Agreement.

**THEREFORE, IT IS RESOLVED** that the Flint City Council **RATIFIES** the Tentative Agreement between the City of Flint and the Flint Police Officers' Association.

**APPROVED AS TO FORM:**

  
William Kim (Feb 9, 2023 15:08 EST)  
William Kim, Chief Legal Officer

**APPROVED AS TO FINANCE:**

  
Robert J.F. Widigan (Feb 9, 2023 16:48 EST)  
Robert J.F. Widigan, Chief Financial Officer

**FOR THE CITY OF FLINT:**

*CLYDE D. EDWARDS*  
CLYDE D. EDWARDS (Feb 10, 2023 17:04 EST)  
Clyde Edwards, City Administrator

**APPROVED BY CITY COUNCIL:**

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Allie Herkenroder, City Council President