

City of Flint, Michigan

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



Meeting Agenda - FINAL

Monday, August 14, 2023

4:30 PM

POST-DRAFT Agenda Includes Appointment Reso No. 230284

GENESEE COUNTY ADMINISTRATION BUILDING

SPECIAL AFFAIRS COMMITTEE

Ladel Lewis, Chairperson, Ward 2

***Eric Mays, Ward 1
Judy Priestley, Ward 4
Tonya Burns, Ward 6
Dennis Pfeiffer, Ward 8***

***Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5
Candice Mushatt, Ward 7
Eva L. Worthing, Ward 9***

Davina Donahue, City Clerk

ROLL CALL

REQUEST FOR CHANGES AND/OR ADDITIONS TO THE AGENDA

PUBLIC SPEAKING

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

COUNCIL RESPONSE

Members of the public shall have no more than two (2) minutes to address the City Council on any subject. Only one speaking opportunity per speaker.

CONSENT AGENDA

Per the amended Rules Governing Meetings of the Flint City Council (as adopted by the City Council on Monday, February 27, 2023), the Presiding Officer or Chair may request the adoption of a "Consent Agenda". 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.

RESOLUTIONS (POSTPONED)

[NOTE: Resolutions No. 230211, 230225.1, 230233, 230239, 230249, 230250, 230251, 230252, 230253, 230254, 230255, 230256, 230263, 230268, and 230274 were POSTPONED from the August 9, 2023 Finance Committee Meeting to this Special Affairs Committee agenda due to the lack of a quorum.]

230211 Ritz Safety Supplies/Speed Humps

Resolution resolving that the Division of Purchases & Supplies is hereby authorized to issue a purchase order to Ritz Safety Supplies for additional speed humps and associated hardware for the FY24 fiscal year in the amount not to exceed \$125,430.00.

230225.1 Approval/Brownfield Redevelopment Authority Brownfield Plan/Flint Commerce Center

Resolution resolving that [with regard to the City of Flint's Brownfield Redevelopment Authority Brownfield Plan for a Flint Commerce Center Project]: Definitions - Where used in this Resolution, the terms set forth below shall have the following meaning unless the context clearly requires otherwise: "Eligible Activities or "eligible activity" shall have the meaning described in Act 381. "Eligible Property" means the property designated in the Plan as the Eligible Property, as described in Act 381. "Plan" means the Plan prepared by the Authority, as transmitted to the City Council by the Authority for approval, copies of which Plan are on file in the office of the City Clerk. "Taxing Jurisdiction" shall mean each unit of government levying an ad valorem property tax on the Eligible Property. (1) Public Purpose. The City Council

hereby determines that the Plan constitutes a public purpose. (2) Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to promote the revitalization of environmentally distressed areas in the City to proceed with the Plan. (3) Review Considerations. As required by Act 381, the City Council has in reviewing the Plan taken into account the following considerations: [i] Portions of the property designated in the Plan meets the definition of Eligible Property, as described in Act 381, including consideration of the criteria of "blighted" as defined in Act 381; [ii] The Plan meets the requirements set forth in section 13 of Act 381. [iii] The proposed method of financing the costs of eligible activities is feasible and the Authority has the ability to arrange the financing. [iv] The costs of eligible activities proposed are reasonable and necessary to carry out the purposes of Act 381. [v] The amount of captured taxable value estimated to result from adoption of the Plan is reasonable. (4) Approval and Adoption of Plan. The Plan as submitted by the Authority is hereby approved and adopted. A copy of the Plan and all amendments thereto shall be maintained on file in the City Clerk's office. (5) Establishment of Project Fund: Approval of Depositary. The Authority shall establish a separate fund for the Eligible Property subject to this Plan, which shall be kept in a depositary bank account or accounts in a bank or banks approved by the Treasurer of the City. All monies received by the Authority pursuant to the Plan shall be deposited in the Project Fund for the Eligible Property. All monies in the Project Fund and earnings thereon shall be used only in accordance with the Plan and Act 381. (6) Use of Monies in the Project Fund. The monies credited to the Project Fund and on hand therein from time to time shall be used annually to first make those payments authorized by and in accordance with the Plan and any development. (7) Payment of Tax Increment Revenues to Authority. The municipal and the county treasurers shall, as ad valorem and specific local taxes are collected for the Eligible Property, pay the Tax Increment Revenues to the Authority for deposit in the Project Fund. The payments shall be made not more than 30 days after the Tax Increment Revenues are collected. (8) Disclaimer. By adoption of this Resolution and approval of the Plan, the City assumes no obligation or liability to the owner, developer, lessee or lessor of the Eligible Property for any loss or damage that may result to such persons from the adoption of this Resolution and Plan. The City makes no guarantees or representations as to the determinations of the appropriate state officials regarding the ability of the Authority to capture tax increment revenues from the State and local school district taxes for the Plan. (9) Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution shall be rescinded. [NOTE: Pursuant to a resolution establishing a City of Flint Brownfield Authority and the bylaws of the Authority, the Authority has submitted a proposed Brownfield Plan for the Flint Commerce Center. The required notice of a public hearing on the proposed Plan was given in accordance with Section 13 of Act 381, and such hearing scheduled to be held by the City Council on August 14, 2023.]

230233

CO#1/Contract/Complete Towing Service/Police Department Towing and Storage Services

Resolution resolving that that the Proper City Officials are authorized to enter into a change order with Complete Towing for towing and storage services, for an additional \$45,147.50, for an aggregate total of \$330,147.50.

230239 CO#1/Contract/Priority Waste, LLC/Waste Collection Services

Resolution resolving that the Proper City Officials are hereby authorized to enter into change order #1 with Priority Waste LLC, for two more years beyond the original approved amount. This contract will be for the period ending June 30, 2028 in the amount not to exceed \$26,889,631.20 (and an aggregate amount of \$46,616,378.40: \$6,722,407.80 pending adoption of the FY25 budget; \$6,722,407.80 pending adoption of the FY26 budget; \$6,722,407.80 pending adoption of the FY27 budget; \$6,722,407.80 pending adoption of the FY28 budget. This agreement also comes with optional five (5), one year contract extensions increasing annually 3%. The acceptance of this agreement is contingent upon acceptance of a grant from The Recycling Partnership, Inc. and a grant from EGLE.

230249 Contract/ARPA Fund Utilization/Pandemic Impact on Housing for Flint Homeowners/Mott Community College/Homeowner Education Classes

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to Mott Community College, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends funding up to \$10,0000 for Mott Community College to provide Homeowner Education Classes for City of Flint residents.]

230250 Contract/ARPA Fund Utilization/Pandemic Impact on Housing for Flint Homeowners/Habitat for Humanity/Downpayment Assistance

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to Habitat for Humanity, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends \$25,000 for Habitat for Humanity to continue to provide down payment assistance resources to City of Flint residents.]

230251 Contract/ARPA Fund Utilization/Pandemic Impact on Housing for Flint Homeowners/Court Street Village/Home Repair

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to Court Street Village, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the

City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends funding up to \$200,000 for Court Street Village to continue to provide roof replacement and home repair resources to City of Flint residents.]

230252 Contract/ARPA Fund Utilization/Pandemic Impact on Housing for Flint Homeowners/Court Street Village/The Paint Project

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to Court Street Village, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends funding up to \$225,000 for Court Street Village to continue to provide home repair and improvement resources through The Paint Project to City of Flint residents.]

230253 Contract/ARPA Fund Utilization/Pandemic Impact on Housing for Flint Homeowners/Disability Network/Accessibility Modifications

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to The Disability Network, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends funding up to \$250,000 for The Disability Network to continue to provide accessibility modification home improvement resources to City of Flint residents.]

230254 Contract/ARPA Fund Utilization/Pandemic Impact on Housing for Flint Homeowners/GCARD/Home Repair

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to GCCARD, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends funding up to \$850,000 for GCCARD to continue to provide home repair and improvement resources to City of Flint residents.]

230255 Contract/ARPA Fund Utilization/Pandemic Impact on Housing for Flint Homeowners/Metro Community Development/Home Repair

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to Metro Community Development, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends funding up to \$1,550,000 for Metro Community Development to provide home repair and improvement resources to City of Flint residents.]

230256 Contract/ARPA Fund Utilization/Pandemic Impact on Housing for Flint Homeowners/Habitat/Home Repair

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to Habitat for Humanity, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends funding up to \$1,550,000 for Habitat for Humanity to continue to provide home repair and improvement resources to City of Flint residents.]

230263 Grant Acceptance/C.S. Mott Foundation/Event Policing and Public Safety

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to accept the grant funds set forth in the grant agreement of C.S. Mott Grant #2020-07945 in the amount of \$120,000.000, to appropriate revenue and expenditure amounts using grand code PCSM-EVENT23, and to make the grant funds available in the current and subsequent fiscal years that funding continues to remain available by the grantor. [NOTE: The Charles Stewart Mott Foundation has awarded a grant to the City of Flint for the Flint Police Departments coverage at all downtown events, including traffic redirection and street closures.]

230268 ARPA Funding Usage/US Department of Housing and Urban Development (HUD)/2018 Lead Based Paint and Hazard Control Grant/Matching Funds

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to utilize ARPA funding as described above for match on the 2018 Lead Based Paint and Hazard Control grant, abide by the terms and conditions of the HUD grant, authorize the use of ARPA funds in the amount of \$326,027.90 for the period of October 24, 2022, the date of the adopted ARPA allocation plan, through October 31, 2023, the end of the 2018 Lead Based Paint and Hazard Control grant.

230274 Memorandum of Understanding/City of Flint/Police Officers Labor Council/Flint Police Department Lieutenants and Captains for Lump-Sum Payments/Recently Promoted Lieutenants

Resolution resolving that the Flint City Council approves the subject MOU granting lump sum payments as outlined above to Terrance Walker, Nick White, Warren Williams, and Noah Pillsbury for these individuals who would have received the lump sum had they been promoted after the July 25, 2022, ratification of the CBA between the City of Flint and the Police Officers Labor Council- Flint Police Department Sergeants. [NOTE: The following eligible persons are to receive payment as follows: Terrance Walker \$1,675.00; Nick White \$1,005.00; Warren Williams \$1,005.00; Noah Pillsbury \$1,005.00.]

RESOLUTIONS

- 230281** ARPA Fund Utilization/Pandemic Impact on Health Disparities of Pregnant-New Mothers and Their Infants in Flint/Michigan State University/Flint Rx Kids Program

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to provide funding to Michigan State University [for the Flint Rx Kids Program], amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: The Administration recommends funding up to \$1,000,000 for Michigan State University for the Flint Rx Kids Program.]

APPOINTMENTS

- 230282** Reappointment/Downtown Development Authority/Loyst Fletcher, Jr.

Resolution resolving that the Flint City Council approves the [re]appointment of Loyst Fletcher, Jr. (3502 Hawthorne Drive, Flint, MI 48503), to serve the remainder of the four-year term on the Downtown Development Authority, with such term commencing immediately and expiring on March 31, 2027.

- 230283** Appointment/Ethics and Accountability Board/Doug Matthews

Resolution resolving that the Flint City Council approves the appointment of Doug Matthews (1520 Linwood Avenue, Flint MI 48503 - Mayoral Appointment), to serve the remainder of the six-year term on the Ethics and Accountability Board, with such term commencing immediately and expiring on June 26, 2026.

- 230284** Appointment/Local Officers Compensation Commission/Michael J. Harris

Resolution resolving that the Flint City Council approves the appointment of Michael J. Harris (3702 Seneca Street, Flint, MI 48504), to serve the remainder of a seven-year term on the Local Officers Compensation Commission, with such term commencing immediately and expiring on August 7, 2027.

ORDINANCES (POSTPONED)

[NOTE: Ordinances No. 230276, 230277 and 230278 were POSTPONED from the August 9, 2023 Legislative Committee Meeting to this Special Affairs Committee agenda due to the lack of a quorum.]

- 230276** Amendment/Ordinance/Chapter 6 (Alcoholic Liquor Sales)/Article I (In General)/Section 6-6 (Consumption in Public Prohibited; Possession or Consumption in Public Park or Parkway Prohibited; Exception)

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 6 (Alcoholic Liquor Sales), Article I (In General), Section 6-6 (Consumption in Public Prohibited; Possession or Consumption in Public Park or Parkway Prohibited; Exception).

- 230277** Amendment/Ordinance/Chapter 28 (Motor Vehicles and Traffic)/Article I (In General)/Section 28-28.6 (Adoption of State Law Converting Possession of Alcohol in Passenger Compartment of a Motor Vehicle)

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 28 (Motor Vehicles and Traffic), Article I (In General), Section 28-28.6 (Adoption of State Law Converting Possession of Alcohol in Passenger Compartment of a Motor Vehicle).

- 230278** Amendment/Ordinance/Chapter 28 (Motor Vehicles and Traffic)/Article XIV (Motorcycles, Bicycles and the Like)/Division (Bicycles)

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 28 (Motor Vehicles and Traffic), Article XIV (Motorcycles, Bicycles and the Like)/Division (Bicycles).

SPECIAL ORDERS/DISCUSSION ITEMS

- 230248** Special Order/Brownfield Development Plan/Flint Commerce Center

A Special Order as requested by 3rd Ward Councilmember Quincy Murphy to allow for a discussion about the Brownfield Development Plan for a Flint Commerce Center, to include representatives from Ashley Capital and RACER Trust.

ADJOURNMENT



RESOLUTION NO.: _____

PRESENTED: JUL 19 2023

ADOPTED: _____

BY THE CITY ADMINISTRATOR:

RESOLUTION TO RITZ SAFETY SUPPLIES FOR SPEED HUMPS

Additional speed humps are being requested to increase traffic and pedestrian safety throughout the City of Flint, and

Speed humps and related hardware were previously purchased with ARPA grant funding, and speed humps have been installed by City of Flint DPW Street Maintenance employees.


Ritz Safety Supplies, PO Box 713139, Cincinnati, OH has supplied a quote for these particular speed humps and have them in stock for purchase.

This purchase has been vetted for Federal ARPA spending compliance with Ernst & Young. Funding will come from the following account:


Account Number	Account Name	Amount
287-450.701-752.000	Supplies/FUSDT-CSLRFR	\$ 125,430.00
	FY23 GRAND TOTAL	\$125,430.00

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue a purchase order to Ritz Safety Supplies for additional speed humps and associated hardware for the FY24 fiscal year in the amount not to exceed \$125,430.00.

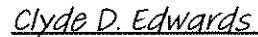
APPROVED AS TO FORM:


William Kim (Jul 9, 2023 10:49 EDT)
William Kim
Chief Legal Officer

APPROVED AS TO FINANCE:



Jane Mager (Jul 9, 2023 10:22 EDT)
Jane Mager
Acting Chief Finance Officer

FOR THE CITY OF FLINT:


Clyde D. Edwards (Jul 11, 2023 20:15 EDT)
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

APPROVED AS TO PURCHASING:


Christopher Mumby, Interim Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: July 6, 2023

BID/PROPOSAL#

AGENDA ITEM TITLE: Speed humps and signs

PREPARED BY: Kathryn Neumann for Rodney McGaha, Director of Transportation

VENDOR NAME: Ritz Safety

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Per the mayor's request, this is a request for additional speed humps, along with the installment kits, safety signs, along with associated hardware. Bids were solicited and there were no responses. Ritz Safety has supplied the City with speed humps previously and they do not include additional shipping/freight charges. This complies with ARPA spending per Ernest & Young, as it qualifies as a Public Safety expense to slow down traffic.

FINANCIAL IMPLICATIONS: There is money in the account listed below.

BUDGETED EXPENDITURE? YES ☒ NO ☐ IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
287	Supplies	450.701-752.000	FUSDT-CSLRFR	\$125,430.00
		FY23 GRAND TOTAL		\$125,430.00

PRE-ENCUMBERED? YES ☒ NO ☐ **REQUISITION NO:** 230007356

ACCOUNTING APPROVAL: Kathryn Neumann Kathryn Neumann (Jul 6, 2023 15:42 EDT) **Date:** _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒
(If yes, please indicate how many years for the contract) _____ YEARS

OTHER IMPLICATIONS (i.e., collective bargaining):

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

DEPARTMENT HEAD SIGNATURE: Rodney McGaha Rodney McGaha (Jul 7, 2023 06:09 EDT)
Rodney McGaha, Director of Transportation



Safe Products | Sound Advice | Delivered
3330 N. Shadeland Ave,
Indianapolis, IN 46226-6257
317-263-3500

QUOTATION

Order Number	
2935791	
Order Date	Page
6/6/2023 15:20:34	1 of 1

Quote Expires On 7/6/2023

Bill To: CITY OF FLINT PO BOX 246 FLINT , MI 48501-0246

Ship To: CITY OF FLINT 3310 E. Court St. FLINT , MI 48506 US

Customer ID 44625

Requested By: Mr. ROD MCGAHA

PO Number SPEED HUMP QUOTE			Ship Route UPS		Taker MORGAN.JOHNSON				
Ln	Item ID	Item Description	Dispositon	Ordered	UOM	Unit Size	Unit Price	Extended Price	
1	NTSW17130HI	30x30 High Intensity Speed Hump Sign		2.00	EA	1.0	81.00	162.00	
2	NTSW17130HIMOD	30X30 High Intensity Speed Hump Ahead		2.00	EA	1.0	81.00	162.00	
see quote 19159									
3	RUBFRRKSH36C	Speed Hump Center Module 36"X24		8.00	EA	1.0	115.85	926.80	
5	RUBRFRKSH36E	Speed Hump End Module 36"X24"		2.00	EA	1.0	115.85	231.70	
6	RUBRKSH1836HWK	Hardware Kit for RK36 Speed Humps		10.00	EA	1.0	19.79	197.90	
Hardware Kit - RKS36-18 & RKSH-36: lag bolt 3/8" x 5" (x4), washer 3/8" x 1" (x4), plastic anchors (x4), dual connector (dog bone) (x1)									

Total Lines: 5

SUB-TOTAL: 1,680.40

TAX: 0.00

Total Freight In: 0.00

Total Freight Out: 1,665.00

TOTAL FREIGHT: 1,665.00

AMOUNT DUE: 3,345.40

U.S. Dollars

Signature _____

Returns: Special order, non-stock and drop ship items are subject to prior approval and returned goods policy of the manufacturer.

Restocking fees may apply.

Logo items with custom artwork or imprints are not cancelable or returnable, unless the problem is a Ritz Safety error or a manufacturer defect.

Dispositions
B = Backorder
H = Hold
S = Special
D = Drop Ship
C = Cancel
T = Transfer
P = Production
M = Make

All products & services are subject to Ritz Safety Terms and Conditions. Please visit www.ritzsafety.com or refer to our current catalog.



230225.1

RESOLUTION NO.: _____

PRESENTED: AUG - 9 2023

ADOPTED: _____

Resolution Approving City of Flint Brownfield Redevelopment Authority Brownfield Plan for Ashley Capital's Flint Commerce Center project

On July 28, 1997, the Flint City Council adopted a resolution establishing the Brownfield Redevelopment Authority ("Authority") of the City of Flint pursuant to the Brownfield Redevelopment Financing Act 381 of the Public Acts ("Act") of 1996, to promote the revitalization, redevelopment, and reuse of certain blighted, tax reverted and functionally obsolete properties. Under Act 381, the Authority is authorized to develop and propose for adoption by City Council a brownfield plan for one (1) or more parcels of eligible property.

Pursuant to the resolution establishing the Authority and the bylaws of the Authority, the Authority has submitted a proposed brownfield plan for the Flint Commerce Center (the "Plan"). The required notice of the public hearing on the proposed Plan was given in accordance with Section 13 of Act 381, and such hearing held by City Council on August 14, 2023.

Once approved, the brownfield plan will allow for the reimbursement of eligible project expenses from the additional tax revenue realized as a result of the redevelopment. The reimbursement can occur over the life of the plan which is normally 30 years. The eligible reimbursable expenses are estimated at around \$72M.

IT IS RESOLVED, THAT:

Definitions. Where used in this Resolution, the terms set forth below shall have the following meaning unless the context clearly requires otherwise:

"Eligible Activities or "eligible activity" shall have the meaning described in Act 381.

"Eligible Property" means the property designated in the Plan as the Eligible Property, as described in Act 381.

"Plan" means the Plan prepared by the Authority, as transmitted to the City Council by the Authority for approval, copies of which Plan are on file in the office of the City Clerk.

"Taxing Jurisdiction" shall mean each unit of government levying an ad valorem property tax on the Eligible Property.

1. Public Purpose. The City Council hereby determines that the Plan constitutes a public purpose.

2. Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to promote the revitalization of environmentally distressed areas in the City to proceed with the Plan.
3. Review Considerations. As required by Act 381, the City Council has in reviewing the Plan taken into account the following considerations:
 - i. Portions of the property designated in the Plan meets the definition of Eligible Property, as described in Act 381, including consideration of the criteria of "blighted" as defined in Act 381;
 - ii. The Plan meets the requirements set forth in section 13 of Act 381.
 - iii. The proposed method of financing the costs of eligible activities is feasible and the Authority has the ability to arrange the financing.
 - iv. The costs of eligible activities proposed are reasonable and necessary to carry out the purposes of Act 381.
 - v. The amount of captured taxable value estimated to result from adoption of the Plan is reasonable.
4. Approval and Adoption of Plan. The Plan as submitted by the Authority is hereby approved and adopted. A copy of the Plan and all amendments thereto shall be maintained on file in the City Clerk's office.
5. Establishment of Project Fund: Approval of Depositary. The Authority shall establish a separate fund for the Eligible Property subject to this Plan, which shall be kept in a depositary bank account or accounts in a bank or banks approved by the Treasurer of the City. All monies received by the Authority pursuant to the Plan shall be deposited in the Project Fund for the Eligible Property. All monies in the Project Fund and earnings thereon shall be used only in accordance with the Plan and Act 381.
6. Use of Monies in the Project Fund. The monies credited to the Project Fund and on hand therein from time to time shall be used annually to first make those payments authorized by and in accordance with the Plan and any development.
7. Payment of Tax Increment Revenues to Authority. The municipal and the county treasurers shall, as ad valorem and specific local taxes are collected for the Eligible Property, pay the Tax Increment Revenues to the Authority for deposit in the Project Fund. The payments shall be made not more than 30 days after the Tax Increment Revenues are collected.
8. Disclaimer. By adoption of this Resolution and approval of the Plan, the City assumes no obligation or liability to the owner, developer, lessee or lessor of the Eligible Property for any loss or damage that may result to such persons from the adoption of this Resolution and Plan. The City makes no guarantees or representations as to the

determinations of the appropriate state officials regarding the ability of the Authority to capture tax increment revenues from the State and local school district taxes for the Plan.

9. Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution shall be rescinded.

FOR THE CITY:

CLYDE D EDWARDS

CLYDE D EDWARDS (Jul 17, 2023 18:34 EDT)

Clyde Edwards, City Administrator

FOR THE CITY COUNCIL:

Flint City Council

APPROVED AS TO FORM:

William Kim

William Kim (Jul 14, 2023 14:45 EDT)

William Kim, City Attorney

APPROVED AS TO FINANCE:

Jane Mager

Jane Mager (Jul 14, 2023 16:20 EDT)

Jane Mager, Interim Chief Finance Officer



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 7/12/23

BID/PROPOSAL# [REDACTED]

AGENDA ITEM TITLE: Ashley Capital - Flint Commerce Center Phase 2 Brownfield Plan

PREPARED BY [REDACTED] Emily Doerr, Director, Planning and Development
(Please type name and Department)

VENDOR NAME:

BACKGROUND/SUMMARY OF PROPOSED ACTION:

This is a resolution for City Council to approve the Brownfield Plan from Ashley Capital and approved by the city's Brownfield Redevelopment Authority on June 2, 2023. This is for Phase 2 of their 274 acre Flint Commerce Center redevelopment which is on the former Buick City site which has sat vacant for more than 20 years; they are in the midst of Phase 1 right now with no tax incentives. Phase 2 includes 7 new construction, state-of-the-art light industrial / distribution buildings (approximately 3.5M square feet) with on-going environmental assessment and response activities performed by RACER Trust. New jobs anticipated between 2500-4000 based on averages from other Ashley Capital facilities. Site Preparation Work is planned for fall / winter 2023 with assumed project build-out timelines of a new building every 2 years, subject to market conditions.

The total investment is estimated at \$300M. Total eligible activities is \$72.5M including 15% contingency allowed by statute. This does not include the \$17M in city, county, and state funding – the total estimated cost of \$89.5M was reduced by this amount. The tax capture proposed to repay the upfront costs is only 80% for somewhere between 23-26 years.

The BRA-approved packet includes the Reimbursement Agreement.

FINANCIAL IMPLICATIONS: Because of the proposed 80/20 split, there will be new taxes collected by the City but the full amount will not be collected for up to 30 years until Brownfield Bridge Loan is repaid for upfront redevelopment costs that would otherwise make the project unfeasible.

BUDGETED EXPENDITURE? YES ☐ NO ☐ IF NO, PLEASE EXPLAIN: NO FINANCIAL OUTPUT

Dept.	Name of Account	Account Number	Grant Code	Amount
		FY24 GRAND TOTAL		



CITY OF FLINT

PRE-ENCUMBERED? YES ☐ NO ☐ REQUISITION NO:

ACCOUNTING APPROVAL: _____ Date: _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☐

(If yes, please indicate how many years for the contract) _____ YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: *(This will depend on the term of the bid proposal)*

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS *(i.e., collective bargaining)*:

STAFF RECOMMENDATION: *APPROVED*

DEPARTMENT HEAD SIGNATURE:

Emily Doerr, Director, Planning and Development

A handwritten signature in cursive script that reads "Emily Doerr".

Emily Doerr (Jul 14 2023 15:45 EDT)

Flint Commerce Center Brownfield Plan

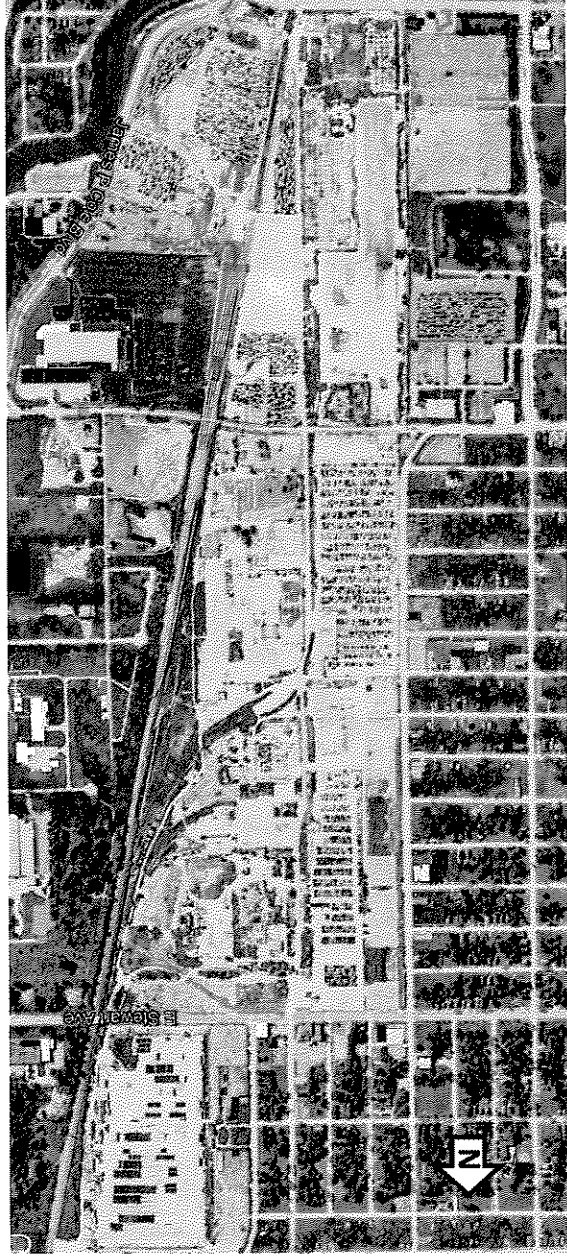
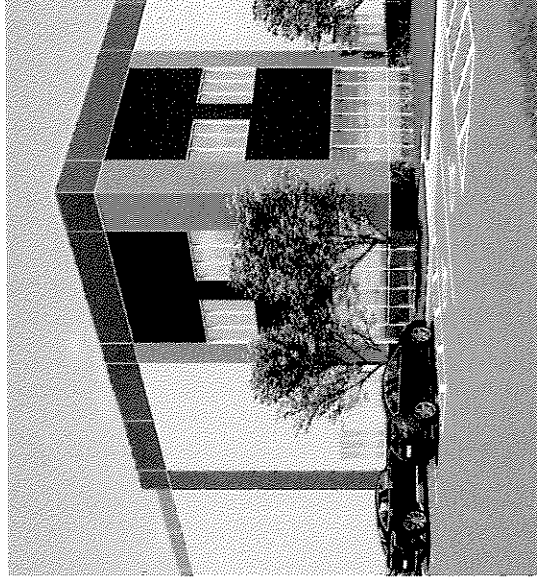


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- Who is Ashley Capital?
- Project Overview for Brownfield Plan
- RACER Trust and Flint Commerce Center (FCC) Roles
- Conceptual Site Plan
- Regulatory Oversight
- Brownfield Plan Summary
- Success Story working with RACER Trust
- Contact Information

AshleyCapital

Who is Ashley Capital?



opportunity into value

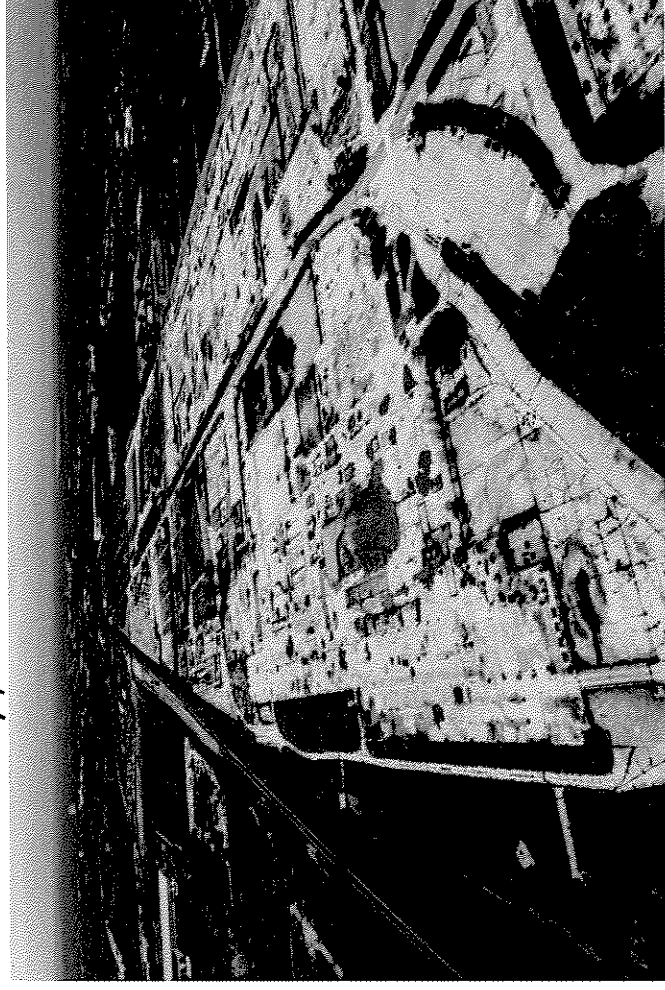
Ownership Structure	Privately held organization focused on long-term ownership
Experience	38 years of development experience
Strong Track Record	22 million square feet in Michigan – 30 million nationally
Nationally Recognized	Consistently ranked as a top 20 commercial development firm
Community Focused	Maintains strong and lasting relationships with communities
Quality Construction	Develops Class A industrial properties using high-quality materials
Employment	Over 100 tenants and approximately 10,000 jobs located in Ashley Capital facilities in Michigan
Experienced	Specializes in the redevelopment of large industrial facilities and new construction on greenfield sites and challenging brownfield sites with wide ranging levels and types of contamination

AshleyCapital

Flint Commerce Center (formerly Buick City)



Buick City (1984)



Buick City (Today): GM demolished structures in 2000s and left slabs, foundations, and utilities behind.

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Flint Commerce Center Project Overview for Brownfield Plan

- Former Buick City Site, vacant for more than 20 years
- Owned by the RACER Trust
- On-going environmental assessment and response activities performed by RACER Trust
- ~274 acres under contract with Ashley Capital (due diligence underway)
- Approximately **3.5M SF**, 7 state-of-the-art, light industrial/distribution buildings planned for the site
- New jobs anticipated **2,500 – 4,000** (based on averages in other Ashley Capital facilities)
- Investment estimated at approximately **\$300M**
- **RACER Trust will continue to have responsibility for preexisting environmental contamination on the site after sale and redevelopment.**

What is the RACER Trust?

- RACER (Revitalizing Auto Communities Environmental Response) Trust is an Environmental Response Trust and has no legal relationship with the current GM, LLC.
 - Old GM doesn't exist, its environmental response liabilities were transferred to the RACER Trust.
 - New GM is a completely different legal entity, and not responsible for property discharged in bankruptcy.
- RACER Trust was established by the U.S. Bankruptcy Court in New York in 2011 and was funded by the federal government with a dual mission of both cleanup and redevelopment.
- RACER Trust works under EGLE and/or USEPA oversight. Buick City was under USEPA oversight until 2020 until it was transferred to EGLE.
- RACER Trust cannot spend money to aid in the redevelopment costs.

RACER Trust activities to date

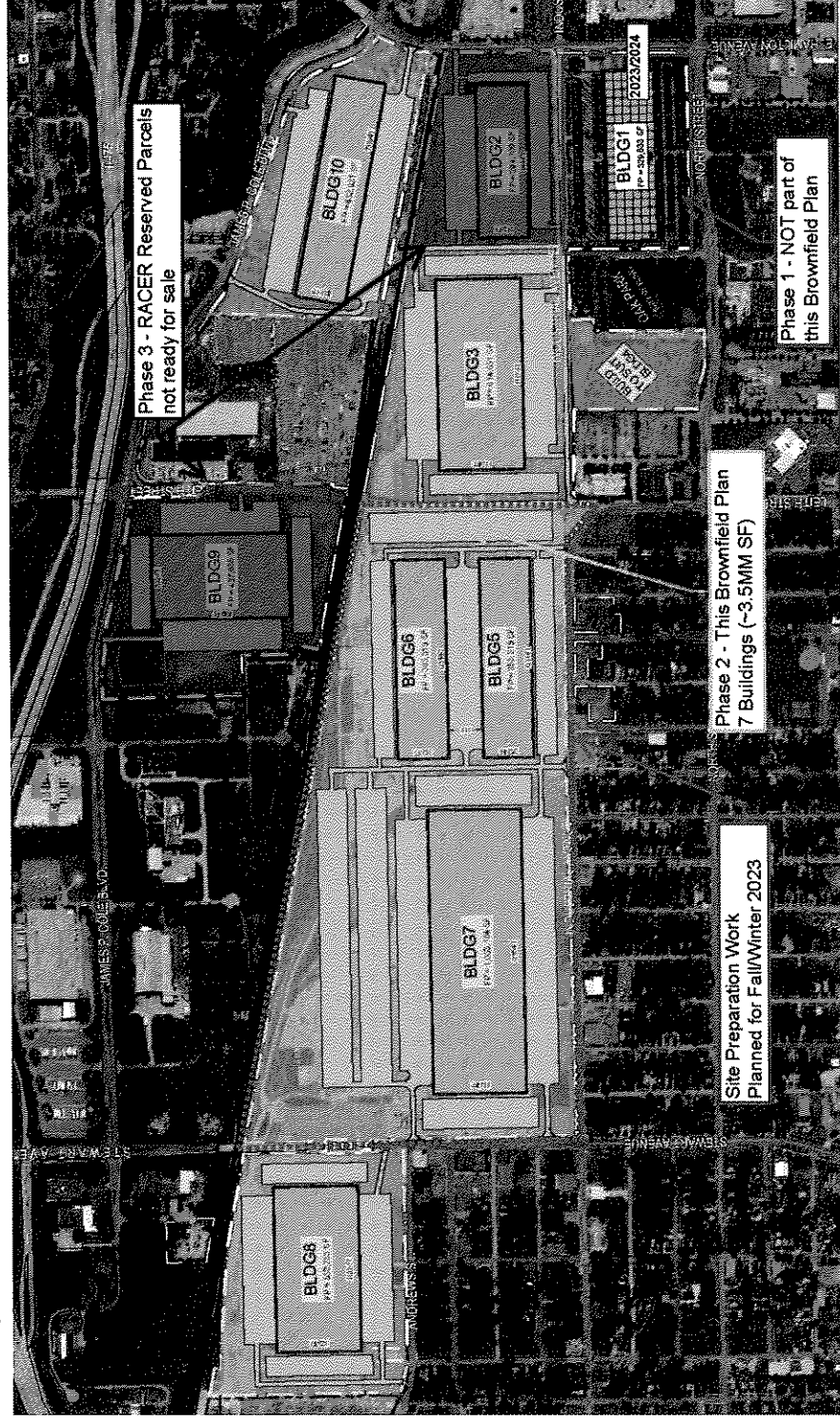
- Spent over \$29M on environmental assessment and environmental response activities.
- Collected and analyzed over 4,600 soil samples and 2,000 groundwater samples.
- Installed over 775 groundwater wells to better understand groundwater conditions.
- Excavated and disposed of 1,000 cubic yards of contaminated soil.
- Treated and capped over 10,000 cubic yards of PFAS contaminated soils.
- Collected and treated over 14,000,000 gallons of contaminated groundwater.
- Installed over 50 bulkhead/plugs in old storm sewers to stop contaminated groundwater from migrating to the Flint River.
- Installed over 3,700 feet of new chemically resistant sealed storm sewer pipe to prevent contaminated groundwater from leaching to the Flint River.
- Placed Deed Restrictions on the site to prohibit certain uses, such as residential, schools, etc.

Environmental Responsibilities: RACER Trust vs FCC

- RACER Trust is responsible for:
 - Investigating and documenting the existing contamination: what kind, how much, and where?
 - Mitigating risk from the contamination to industrial standards so that the site is safe in its current vacant state (i.e. with slabs in place) and preventing contamination from leaving the site.
 - Marketing the site and selecting a qualified developer with the expertise to redevelop the brownfield site.
 - On-going monitoring and responding, as necessary, to environmental conditions, even after sale.
- RACER Trust is not responsible for (but FCC is):
 - Site work to facilitate new building construction (i.e. slab removal, demolition, new utilities to support the development, vapor barriers in new buildings).
 - Environmental costs resulting from development activities (i.e. disturbing the soils beneath slabs).

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FCC Development Conceptual Site Plan



Regulatory Oversight

- RACER Trust will continue to be regulated by EGLE and USEPA, even after sale, for its environmental responsibilities.
- FCC will be regulated by all applicable laws and by several agreements with RACER Trust, EGLE, and USEPA:
 - Covenant Not Sue (CNS) with EGLE
 - Materials Management Plan (MMP) with EGLE
 - Prospective Purchase Agreement (PPA) with USEPA
 - Environmental Easement Agreement (EEA) and Remediation and Redevelopment Coordination Plan (RRCP) with RACER Trust
 - Due care under Michigan Law (e.g. use the property safely and don't make contamination worse)
 - Brownfield Work Plan will need to be reviewed and approved by EGLE

What is a Brownfield Plan?

- Land (including buildings) can be designated a “brownfield” if it is environmentally contaminated, blighted, or functionally obsolete.
- It is more expensive to develop on a brownfield site than on a greenfield site.
- The Brownfield Redevelopment Financing Act 381 of 1996 was designed to encourage and financially support the redevelopment of brownfield sites.
- Tax Increment Financing (“TIF”) is the tool used to “level the playing field” between greenfield sites and brownfield sites by reimbursing the developer with future taxes, that otherwise wouldn’t exist, for extra costs incurred due to the site being a brownfield.

How TIF Works

- Prior to development, very little property taxes are typically generated from brownfield sites.
- After completion of the redevelopment, the property value increases, and the developer pays the higher taxes.
- The difference between the taxes generated before and after development are eligible for “capture” to be used to reimburse the developer for pre-approved eligible costs.
- Only eligible expenses defined by EGLE (environmental costs) and MEDC/MSF (non-environmental) can be reimbursed.
- Ordinary development costs that would be incurred on a greenfield site are not eligible (e.g. acquisition and vertical construction costs).
- The developer takes the risk to fund the project, including both eligible and not eligible activities, up front.
- After receiving a property tax payments (twice per year), the incremental taxes paid are remitted back to the developer by the City Brownfield Redevelopment Authority.
- City is not at risk financially because developer is only reimbursed from the taxes it pays and only if they incurred the eligible costs.
- Local schools lose no tax dollars; the State reimburses lost revenue from general fund.

Summary of TIF Request

- Only eligible activities defined by the statute can be approved for reimbursement.
- Phase 1 (330K SF building) is not included in Brownfield Plan. No reimbursement of eligible activities and no taxes captured.
- Phase 2 estimated eligible activities = \$72.5M, including 15% contingency allowed by statute. This does not include the \$17M in city, county, state funding. The total estimated cost of \$89.5M was reduced by this amount.
- Capture of only 80% of incremental taxes (100% allowed by statute).
- 20% remaining of incremental taxes will pass through to normal taxing jurisdictions. This will provide immediate tax benefit to the City from the new development.
- Assumed project buildout period is approximately 16 years with a new building approximately every 2 years. This assumption is subject to market conditions.
- No interest paid on reimbursement.

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Examples of FCC Brownfield Eligible Activities (RACER Trust not responsible)

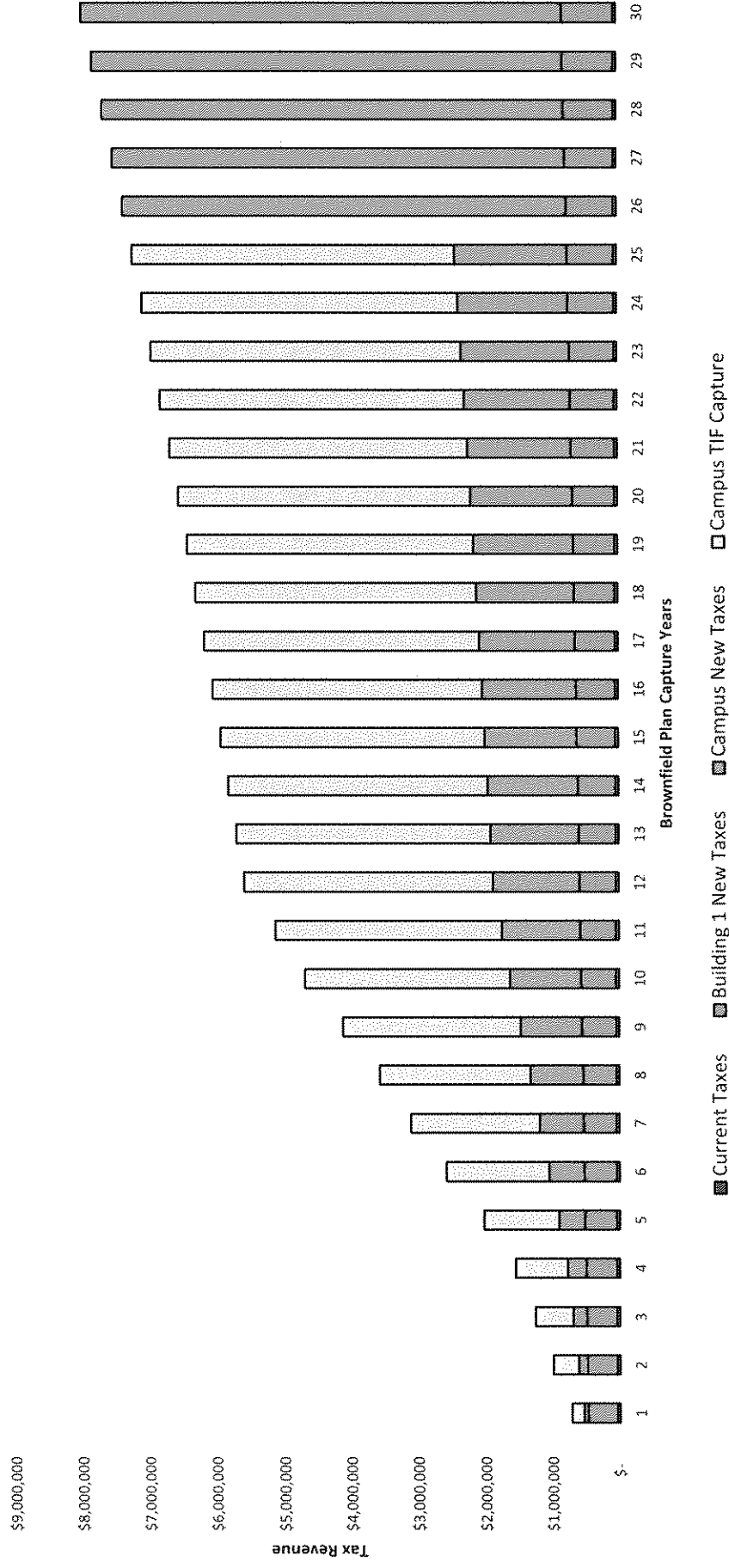
- Removal of existing slabs, foundations, and utilities.
- All new sewers will be constructed of chemically resistant materials and be sealed to prevent infiltration of contaminated groundwater.
- Replacing key RACER Trust groundwater testing wells destroyed during construction.
- Management of contaminated soil and groundwater generated during construction:
 - Testing of disturbed soils and groundwater
 - Disposal or treatment of disturbed soil and groundwater
- Installation vapor barriers in new buildings to prevent vapor intrusion, if necessary.
- Environmental oversight during construction.
- Site preparation activities such as mass grading (site is not flat).
- Geopiers to support foundations necessary because of poor soil conditions.
- Importing soil to raise site grades.

Summary of New Taxes Generated by Development

- Tax projections are based on estimated taxable value of Phase 1 provided by City of Flint Assessor.
- City taxes are estimated at 44% of total tax millages.
- Phase 1 is excluded from Plan/capture. Current taxes are estimated at \$4K/year and new taxes are estimated at \$433K/year (330K SF building).
- Phase 2 current taxes are estimated at \$43K/year and new taxes are estimated at \$5M/year (7 buildings totaling 3.5M SF).
- Projected reimbursement over 25 years with 80% capture. This assumes 2% annual inflation.
- Phase 2 new taxes at full buildout from 20% passthrough are estimated at \$1.3M/year during the reimbursement.
- Phase 2 current taxes estimated over the 25-year reimbursement period are \$1.1M, and the 20% passthrough on new taxes is estimated at \$26.9M, an increase of over 25x.
- Plan reserves the right of Flint BRA to capture 80% of new taxes for 5 years after developer reimbursement for Local Brownfield Revolving Fund (LBRF) estimated at \$21.4M.

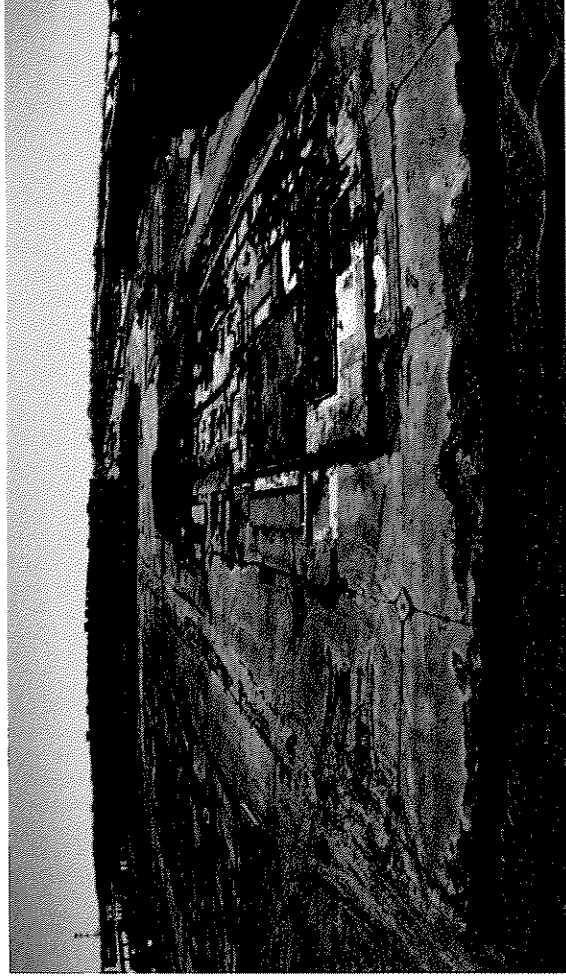
AshleyCapital

Estimated Taxes Generated by Development



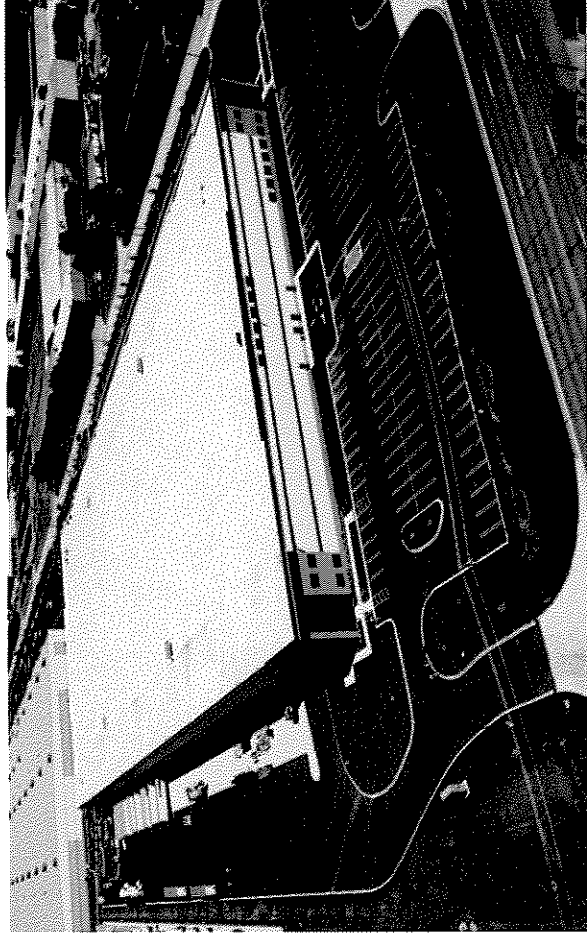
AshleyCapital

Success Story working with RACER Trust in Livonia, Michigan
Livonia West Commerce Center 2



March 2021

Former GM plating facility in Livonia. GM demolished above grade buildings, but left slabs, foundations, and utilities in place. Ashley Capital worked with RACER Trust and now the site is our ~365K SF Livonia West Commerce Center 2 Building.



August 2022

AshleyCapital

Thank you for your time

Questions can be emailed to: flint@ashleycapital.com

**CITY OF FLINT
DEVELOPMENT AND REIMBURSEMENT AGREEMENT**

THIS DEVELOPMENT AND REIMBURSEMENT AGREEMENT (“Agreement”) is made by and between **CITY OF FLINT BROWNFIELD REDEVELOPMENT AUTHORITY**, a Michigan public body corporation (“FBRA”), whose address is 1101 S. Saginaw Street, Flint, MI 48502, **CITY OF FLINT**, a Michigan municipal corporation (“CITY”), whose address is 1101 S. Saginaw Street, Flint, MI 48502, and **FLINT COMMERCE CENTER, LLC**, a Michigan limited liability company (“the Developer”; “FCC”), whose address is 2575 Haggerty Road, Suite 500, Canton Michigan. This Agreement shall be effective on the date when both FBRA and FCC have executed it (“Effective Date”).

RECITALS

- A. The FBRA was created by the CITY pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of Michigan of 1996, as amended ("Act 381"), and, pursuant to Act 381, the FBRA has prepared a Brownfield Plan which was duly approved by the City Council of the City (the "Brownfield Plan") on _____ 2023.
- B. The Developer is the owner and/or under contract to purchase 13 parcels of real property totaling 274.46 acres of land located generally south of Pierson Road and Stewart Avenue, west of James P Cole Boulevard, north of Cornelia Street, and east of Industrial Drive and North Street in Flint, Michigan. This real property legally described in “Exhibit A” attached is subsequently referred to in this Agreement as the “Project Site.” The general location of the Project Site and the basis for each parcel’s qualification as “Eligible Property” under Act 381 are shown on Figures 1 and 2, respectively, also provided in Exhibit A.
- C. FCC is undertaking a substantial redevelopment of the Project Site as described in Exhibit B (“the Eligible Activities”). Included in the Project are activities for which FCC may be eligible for reimbursement from FBRA funds pursuant to and in accordance with the approved Brownfield Plan, as amended. Estimated costs of eligible reimbursable activities for the Project total \$72,489,874. This amount includes \$43,865,899 non-environmental activities costs and \$28,623,975 environmental activities costs as detailed in Exhibit B. By Resolution, on _____, 2023 (the “Resolution”), the CITY OF FLINT through its City Council has approved a Brownfield Plan for FLINT COMMERCE CENTER to facilitate the redevelopment of the Project Site. The Project and Improvements will have the effect of assisting in the redevelopment and reuse of the Property, increasing the tax base within the City, and otherwise enhancing the economic vitality and quality of life in the City.
- D. Act 381 permits the FBRA to capture and use the property tax revenues generated from the Increment increase in property value of a redeveloped brownfield site constituting an “Eligible Property” under Act 381 to pay or to reimburse the payment of costs of conducting activities that meet the requirements under Act 381 of “eligible activities” (herein after “Eligible Costs”).

- E. By undertaking the Improvements, the Developer will incur Eligible Costs and cost of preparation of the Brownfield Plan estimated at a cost of up to \$72,489,874 (the "Brownfield Plan Costs"), all as defined in attached Exhibit B.
- F. The amount of taxes reimbursed may be limited by the Interlocal Agreement executed by the Flint Downtown Development Authority (FDDA) and the FRDA for this project. If tax increment revenues are retained by the FDDA to meet debt service obligations per the Interlocal Agreement, the reimbursement to FCC as soon as the debt service obligation has been met.
- G. In addition to the reimbursement of Developer's Eligible Costs and Brownfield Plan Costs, tax increment revenues will be deposited in the Local Brownfield Revolving Fund (LBRF) during the Term of this Agreement.
- H. In accordance with Act 381 and subject to the terms of this Agreement, the parties desire to use the property tax revenues that are generated from an increase in the taxable value of the real property resulting from the redevelopment of the Property which the FBRA is entitled to receive (the "Tax Increment Revenues") to reimburse the Developer for the Eligible Costs and Brownfield Plan Costs and to fund the City's LBRF pursuant to Act 381.
- I. The parties are entering into this Agreement to establish the requirements and procedures for such reimbursement and funding.

TERMS AND CONDITIONS

Therefore, in exchange for the consideration in, and referred to, by this Agreement, the parties agree as follows:

- 1. Capture of Taxes.** During the term of this Agreement, the FBRA shall capture all Tax Increment Revenues from the Property in accordance with the Brownfield Plan and use those Tax Increment Revenues as provided in this Agreement.
- 2. Submission of Costs.** For those Eligible Costs and Brownfield Plan Costs for which the Developer seeks reimbursement from the FBRA, the Developer shall submit to the FBRA:
 - (1) a written statement detailing the Eligible Costs;
 - (2) a written explanation as to why they are Eligible Costs or Brownfield Plan Costs;
 - (3) copies of invoices from contractors, engineers or others who provided such services, or, for the Developer's personnel for whose services reimbursement is being sought, detailed time records showing the work performed by such individuals; and
 - (4) any other information which may be reasonably required by the FBRA or its respective auditors.

3. Payments

(a) Eighty percent (80%) of the Tax Increment Revenues (excluding school or state taxes - they will be paid in accordance with Act 381) received by the FBRA shall be paid to the Developer to reimburse it for Eligible Costs and Brownfield Plan Costs up to a maximum of \$72,489,874 or 30 years of capture, whichever occurs first. The FBRA shall retain 80% of the Tax Increment Revenues (excluding school or state taxes) for administrative fees and deposits to the LBRF for five (5) years following completion of reimbursement of Developer's Eligible Costs and Brownfield Plan Costs, but in no case shall tax increment revenues be retained such that capture extends beyond 30 years. The FBRA shall have no obligation to reimburse the Developer for Eligible Costs or Brownfield Plan Costs from Tax Increment Revenues captured and received by the FBRA after 30 years of capture and reimbursement.

(b) Unless it disputes whether such costs are Eligible Costs or Brownfield Plan Costs or the accuracy of such costs, the FBRA shall, after approval of the FBRA Board, pay to the Developer the amounts for which submissions have been made pursuant to paragraph 2 of this Agreement within 30 days after the FBRA Board has approved such payment provided Tax Increment Revenues have been received from which the submission may be wholly or partially paid. If a partial payment is made by the FBRA because of insufficient Tax Increment Revenues, the FBRA shall make additional payments toward the remaining amount within 30 days of its receipt of additional Tax Increment Revenues until all of the amounts, for which submissions have been made, have been fully paid to the Developer or to the end of the Term, whichever occurs first.

4. Adjustments. If, due to an appeal of any tax assessment or reassessment of any portion of the Property or for any other reason the FBRA is required to reimburse any Tax Increment Revenues to the City or any other tax levying unit of government, the FBRA may deduct the amount of any such reimbursement, including interest and penalties, from any amounts due and owing the Developer. If all amounts due the Developer under this Agreement have been fully paid or the FBRA is no longer obligated to make any further payments to the Developer, the FBRA shall invoice the Developer for the amount of such reimbursement and the Developer shall pay the FBRA such invoiced amount within 30 days of the Developer's receipt of the invoice. Amounts invoiced and paid to the FBRA by the Developer pursuant to this paragraph shall be reinstated as Eligible Costs for which the Developer shall have the opportunity to be reimbursed in accordance with the terms, conditions and limitations of this Agreement. Nothing in this Agreement shall limit the right of the Developer to appeal any tax assessment.

5. Development. The Developer shall commence work on the Project as soon as possible after obtaining all necessary approvals for the Project.

6. Reporting. The Developer shall submit a written report to the FBRA following completion of the Project indicating as of such date the number of new jobs located at the Project, if any, the total private investment and such other information as may be required by the FBRA for reporting purposes. Reimbursement Requests shall be reviewed by FBRA. FCC shall cooperate in the review by FBRA by providing information and documentation to supplement the Reimbursement Request as deemed reasonable and necessary by FBRA. Within thirty (30) days after submission of a Reimbursement Request, FBRA shall either approve the Reimbursement Request or identify in writing to FCC any costs in the Reimbursement Request deemed ineligible for reimbursement and

the basis for the determination. FCC shall be given thirty (30) days thereafter within which to provide supplemental information or documents in support of the Reimbursement Request or portion of it deemed ineligible by FBRA. Thereafter, except as otherwise agreed to in writing by FCC and FBRA, FBRA shall make a decision on the eligibility of the disputed cost and inform FCC in writing of its determination, which determination shall be final. The FBRA shall act on a Reimbursement Request after receipt of the requested supplemental information from FCC at the next scheduled meeting of the FBRA, and if the Reimbursement Request is deemed eligible, the FBRA shall approve the payment of the Reimbursement Request.

7. Interpretation. The Brownfield Plan and this Agreement constitute the entire agreement between the parties as to its subject. This Agreement shall not be amended or modified except in writing signed by the parties. The Agreement shall not be affected by any course of dealing and the waiver of any breach shall not constitute a waiver of any subsequent breach of the same or any other provision.

8. Assignment; Binding Effect. This Agreement and the rights and obligations under this Agreement shall not be assigned or otherwise transferred by any party without the consent of the other party, which shall not be unreasonably withheld, *provided, however*, the Developer may assign its interest in this Agreement to an affiliate without the prior written consent of the FBRA, *provided*, any such assignee shall acknowledge to the FBRA in writing on or prior to the effective date of such assignment its obligations upon assignment under this Agreement, *provided, further*, that the Developer may make a collateral assignment of the Tax Increment Revenues after review of such assignment and consent by FBRA's legal counsel and approval of the FBRA's Executive Director. As used in this paragraph, "affiliate" means any corporation, company, partnership, limited liability company, trust, sole proprietorship or other individual or entity which (a) is owned or controlled by the Developer, (b) owns or controls the Developer or (c) is under common ownership or control with the Developer. This Agreement shall be binding upon any successors or permitted assigns of the parties.

9. Term. It is understood and agreed that the reimbursement obligation of the FBRA under this Agreement shall commence with taxes collected beginning with the Summer 2026 tax bill (the "Commencement Date"), and shall be satisfied with the Tax Increment Revenues collected after the Commencement Date and otherwise available under the Brownfield Plan. The reimbursement obligation of the FBRA shall terminate upon the payment of all outstanding reimbursement requests up to \$72,489,874 but in no event later than Tax Increment Revenues collected beyond 30 years of capture and reimbursement (2055).

10. Miscellaneous.

10.1 Notices. All requests, demands, notices, certificates or communications desired, permitted or required to be given under this Agreement shall be in writing and deemed delivered when personally served, or when received if mailed by registered or certified mail, postage prepaid, return receipt requested, addressed to the respective parties as follows, or if received if mailed and delivered through overnight mail:

If to FCC:

Susan Harvey
Senior Vice President
Ashley Capital, LLC
2575 S. Haggerty Road, Suite 500
Canton, MI 48188
Email: sharvey@ashleycapita.com

Copy to:
Robert Auskalnis, Vice President
Ashley Capital, LCC
9810 S. Dorchester Ave, Chicago, IL 60628
rauskalnis@ashleycapital.com

If to FBRA:

Flint Brownfield Redevelopment Authority
CITY OF FLINT
1101 S. Saginaw Street, Flint, MI 48502
Attn: _____

or to such other address as such party may specify by appropriate notice.

10.2 Amendment and Waiver. No amendment or modification of this Agreement shall be binding upon any party to this Agreement until such amendment or modification is reduced to writing and executed by all parties. No waiver of any term of this Agreement shall be binding upon any party until such waiver is reduced to writing, executed by the party to be charged with such waiver, and delivered to the other party to this Agreement.

10.3 Entire Agreement. This Agreement contains all agreements between the parties regarding the subject matter of this Agreement. There are no other representations, warranties, promises, agreements or understandings, oral, written or implied, between the parties, except to the extent reference is made to such matters in this Agreement.

10.4 Execution in Counterparts and Electronic Signatures. This Agreement may be executed in one or more counterparts, all of which shall constitute and be deemed an original, but all of which together shall constitute one and the same instrument binding on FCC and FBRA. This Agreement may be executed by either or both parties by electronic signature in lieu of an original signature.

10.5 Captions. The captions and headings in this Agreement are for convenience only and in no way limit, define or describe the scope or intent of any provision of this Agreement.

10.6 Applicable Law. This Agreement shall be governed in all respects, whether as to validity, construction, performance or otherwise, by the laws of the State of Michigan.

10.7 No Waiver. No waiver by a party of any Default by another party in the performance of any portion of this Agreement shall operate or be construed as a waiver of any future Default, whether like or different in character.

10.8 Survival of Covenants. The covenants and provisions into this Agreement shall survive any termination of this Agreement.

CITY OF FLINT, FBRA and FCC have caused this Agreement to be duly executed and delivered as of the date last executed below.

FLINT COMMERCE CENTER, LLC

Date: _____

By: _____

Susan Harvey

Its: Senior Vice President of Ashley Capital, LLC agent for
FLINT COMMERCE CENTER, LLC

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing Reimbursement Agreement was acknowledged before me this _____
day of _____, 2023 by _____ of _____, a
_____ corporation.

Notary Public

_____ County, _____
My Commission Expires: _____

**FLINT BROWNFIELD REDEVELOPMENT
AUTHORITY,**
a Michigan public body corporation

Date: _____

By: _____

Its: _____

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing Reimbursement Agreement was acknowledged before me this _____
day of _____, 2023 by _____ of the CITY OF FLINT
Brownfield Redevelopment Authority, a Michigan municipal corporation.

Notary Public

_____ County, _____
My Commission Expires: _____

CITY OF FLINT,
a Michigan municipal corporation

Date: _____

By: _____

Date: _____

By: _____

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing Reimbursement Agreement was acknowledged before me this _____
day of _____, 2023 by _____, of the CITY
OF FLINT, a Michigan municipal corporation.

Notary Public

_____ County, _____
My Commission Expires: _____

EXHIBIT A
Legal Description of Property

EXHIBIT B

Brownfield Plan for FLINT COMMERCE CENTER Redevelopment
Prepared by SME dated May 26, 2023

230233



RESOLUTION NO.: _____

PRESENTED: JUL 24 2023

ADOPTED: _____

Proposal #23000502

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO COMPLETE TOWING SERVICE FOR THE POLICE DEPARTMENT
TOWING AND STORAGE SERVICES – CHANGE ORDER #1 FOR FY2023**

On February 27, 2023 Flint City Council authorized the proper city officials to enter into a contract for FY23 to Complete Towing 2401 Dort Highway, Flint, MI for towing and storage services in the amount not to exceed \$285,000, and:

Towing and storage services were originally bid out and Complete Towing was the sole bidder. Funding for said services will come from the following accounts:

Account Number	Account Name	Amount
101-303.206-801.000	Professional Services	\$45,147.50

IT IS RESOLVED, that the Proper City Officials, upon City Council's approval, are hereby authorized to enter into change order with Complete Towing for towing and storage services, for an additional \$45,147.50 for an aggregate total of \$330,147.50.

APPROVED AS TO FORM:


William Kim, City Attorney

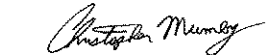
APPROVED AS TO FINANCE:


Jane Mager, Acting Chief Financial Officer

FOR THE CITY OF FLINT:


CLYDE D EDWARDS (Jul 18, 2023 11:25 EDT)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:**APPROVED AS TO PURCHASING:**


Christopher Mumby, Interim Purchasing Manager



CITY OF FLINT

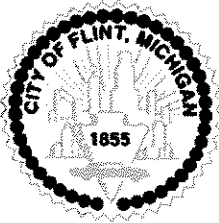
WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: *(This will depend on the term of the bid proposal)*

OTHER IMPLICATIONS *(i.e., collective bargaining)*:

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

DEPARTMENT HEAD SIGNATURE: Terence Green
Terence Green (Jul 13, 2023 15:41 EDT)

Terence Green Police Chief



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.

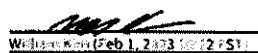
WHEREAS, The Police Department is requesting a contract with Complete Towing Service, in a FY23 amount not to exceed \$285,000.00 for these stated services.

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
	FY2023 GRAND TOTAL	\$285,000.00

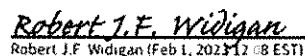
IT IS RESOLVED, that the Proper City Officials can hereby enter into a contract with Complete Towing Service for Police Department Towing and Storage services, for a total not to exceed \$285,000.00, for FY23 (07/01/22-06/30/23).

APPROVED AS TO FORM:


William Kim (Feb 1, 2023 12:25 EST)

William Kim, City Attorney

APPROVED AS TO FINANCE:


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

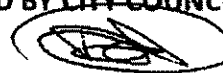
Robert J.F. Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:


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

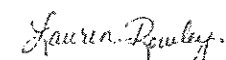
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:



FEB 27 2023

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 ☒ NO ☐ IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
Police	Professional Services	101-303.206-801.000		\$285,000.00
		FY-23 TOTAL		\$285,000.00

PRE-ENCUMBERED? YES ☒ NO ☐ REQUISITION NO: 23-0006584

ACCOUNTING APPROVAL: Candice Smith Date: _____
and: a formal act is 20231011151

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☒ NO ☒

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

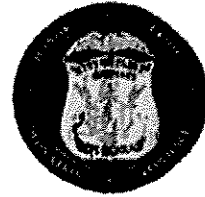
STAFF RECOMMENDATION: (PLEASE SELECT): ☒ APPROVED ☐ NOT APPROVED

DEPARTMENT HEAD SIGNATURE: Terence Green
Terence Green Jan 31 2023 10:11:51
(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.

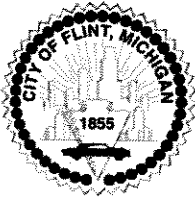
Terence Green

Terence Green (Jan 31 2022) 17:31 EST

Terence Green
Chief of Police

Flint Police Department
210 E. Fifth Street - Flint, Michigan 48502
(810) 237-6868 FAX: (810) 237-6960

230239



RESOLUTION NO.: _____

PRESENTED: JUL 24 2023

ADOPTED: _____

Proposal 21000592

BY THE CITY ADMINISTRATOR:

RESOLUTION TO PRIORITY WASTE LLC FOR WASTE COLLECTION SERVICES

On September 7, 2021, City Council adopted resolution #210367, authorizing the Proper City Officials to enter into a contract with Priority Waste LLC, 42822 Garfield Rd., Clinton Township, MI for waste collection services in the amount not to exceed \$19,726,747.20 for the period ending June 30, 2024 with an option to extend the contract for an additional two years, and

The City of Flint recently received two grants to purchase trash and recycling carts. In order to support the deployment of a cart program, Priority Waste, LLC has agreed to hold their third year rate pricing for an additional two years beyond what was initially approved, for the period ending June 30, 2028. In addition, optional five (5), one year contract extension(s) (FY29, FY30, FY31, FY32 and FY33) have been proposed. Funding will come from the following accounts:


Account Number	Account Name	Amount
226-528.201-801.000	Rubbish Collection Fund	\$ 6,722,407.80
	FY25 GRAND TOTAL	\$ 6,722,407.80

IT IS RESOLVED, that the Proper City Officials are hereby authorized to enter into change order #1 with Priority Waste LLC, for two more years beyond the original approved amount. This contract will be for the period ending June 30, 2028 in the amount not to exceed \$26,889,631.20 (and an aggregate amount of \$46,616,378.40

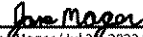
\$6,722,407.80 pending adoption of the FY25 budget
 \$6,722,407.80 pending adoption of the FY26 budget
 \$6,722,407.80 pending adoption of the FY27 budget
 \$6,722,407.80 pending adoption of the FY28 budget

This agreement also comes with optional five (5), one year contract extensions increasing annually 3%. The acceptance of this agreement is contingent upon acceptance of a grant from The Recycling Partnership, Inc. and a grant from EGLE.

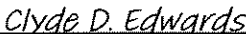
APPROVED AS TO FORM:


 William Kim (Jul 24, 2023 12:52 EDT)
 William Kim
 Chief Legal Officer

APPROVED AS TO FINANCE:



 Jane Mager (Jul 24, 2023 09:12 EDT)
 Jane Mager
 Acting Chief Finance Officer

FOR THE CITY OF FLINT:


 Clyde D. Edwards (Jul 24, 2023 13:57 EDT)
 Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

APPROVED AS TO PURCHASING:

A handwritten signature in cursive script, appearing to read "Christopher Mumby".

Christopher Mumby, Interim Purchasing Manager



CITY OF FLINT

STAFF REVIEW FORM

TODAY'S DATE: July 20, 2023

BID/PROPOSAL# 21-592

AGENDA ITEM TITLE: Extension of the waste collection contract

PREPARED BY Kathryn Neumann, Transportation Administrative Support Technician

VENDOR NAME: Priority Waste

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint has been preliminarily awarded two grants for City of Flint residents for the procurement and distribution of recycling and trash carts, educational materials and outreach efforts. To support the implementation of a cart program, the contract with Priority Waste, LLC will need to be amended to support this cart program. Priority Waste has agreed to extend the current contract until September 30, 2028 (with five (5) one year options to extend) and will lock in the pricing at the third year rate from June 30, 2024 through June 30, 2028. After that date, 3% increases will happen annually in fiscal years 29 – 33. In comparison, by keeping the flat rate, the total cost for FY25-28 will save the City of Flint over \$2.2 million dollars.

FINANCIAL IMPLICATIONS: There is money in the accounts listed below

BUDGETED EXPENDITURE? YES ☒ NO ☐ IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
Transp.	Professional services	226-528.201-801.000		\$ 6,722,407.80
		GRAND TOTAL EACH YEAR		\$ 6,722,407.80

PRE-ENCUMBERED? YES ☐ NO ☐ **REQUISITION NO:**

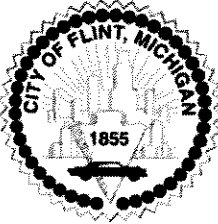
ACCOUNTING APPROVAL: Kathryn Neumann Kathryn Neumann (Jul 20, 2023 15:49 EDT) **Date:** _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒
(If yes, please indicate how many years for the contract) YEARS

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

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

DEPARTMENT HEAD SIGNATURE: Rodney McGaha Rodney McGaha (Jul 21, 2023 06:08 EDT)
(Rodney McGaha, Director of Transportation)



RESOLUTION NO.: 230249

PRESENTED: AUG - 9 2023

ADOPTED: _____

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH MOTT COMMUNITY COLLEGE FOR HOMEOWNER EDUCATION CLASSES

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the “American Rescue Plan Act of 2021”, also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$10,000 for Mott Community College to provide Homeowner Education Classes for City of Flint residents. Funding is to come from the following account:

Account Number	Account Name / Grant Code	Amount
287-722.100-958.000	FUSDT-CSLFRF	\$10,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to Mott Community College, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint’s ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:

CLYDE D EDWARDS

CLYDE D EDWARDS (Aug 3, 2023 16:03 EDT)

Clyde D. Edwards, City Administrator

For the City Council:

Approved as to Form:

William Kim

William Kim (Aug 3, 2023 14:32 EDT)

William Kim, City Attorney

Approved as to Finance:

Jane Mager

Jane Mager (Aug 3, 2023 14:34 EDT)

Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 3, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH MOTT COMMUNITY COLLEGE FOR HOMEOWNER EDUCATION CLASSES

Prepared by:

Latrese Brown, Community Liaison and Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. The category of Neighborhood Improvement (\$13,735,000 total) included \$50,000 for homeowner education to provide assistance to homeowners. A Notice of Funds Available was put out to the community and 6 applications were received with the total applications valuing \$275,000.00.

Through the utilization of a specific rubric and review/scoring process, 2 of the 12 applications have been chosen by the Mayor for recommendation for funding. These selected organizations address community priorities, meet eligibility requirements, are backed by evidence of effectiveness, promote equitable outcomes, leverage other dollars, and are financially sustainable.

To be eligible for these grants, potential or existing homeowners need to be under 300% of the federal poverty level depending on their household size and be in good standing with the City of Flint (water bills and property taxes paid). Lower-income households will take priority over households with greater levels of income. Additionally, residents are encouraged to utilize the Michigan Homeowner Assistance Fund (MIHAF) to receive assistance with property taxes and water bills to get into Good Standing and potential homeowners are encouraged to also utilize the MSHDA Down Payment Assistance program to receive additional assistance. Finally working with Flint-based hardware stores will be encouraged.

Financial Implications:

American Rescue Plan Act funds must be obligated by 12/31/24 and fully expended by 12/31/26.

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

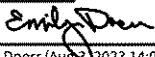
Project Type	Organization Name	Amount	Max per Household	Goal # Impacted
Homeowner Education Classes	Mott Community College	\$10,000	N/A	200

Pre-encumbered: Yes ___ No x

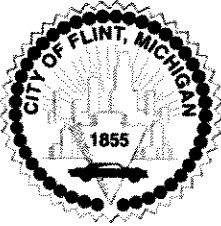
Requisition #: _____

Other Implications: No other implications are known at this time.

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL 
Emily Doerr (Aug 3, 2023 14:09 EDT)

Emily Doerr, Director, Planning and Development



230250

RESOLUTION NO.: _____

PRESENTED: _____ AUG - 9 2023

ADOPTED: _____

**RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE
PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH HABITAT FOR
HUMANITY FOR DOWN PAYMENT ASSISTANCE**

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the “American Rescue Plan Act of 2021”, also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$25,000 for Habitat for Humanity to continue to provide down payment assistance resources to City of Flint residents. Funding is to come from the following account:

Account Number	Account Name / Grant Code	Amount
287-722.400-958.000	FUSDT-CSLFRF	\$25,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to Habitat for Humanity, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint’s ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:

CLYDE D EDWARDS
CLYDE D EDWARDS (Aug 3, 2023 16:03 EDT)

Clyde D. Edwards, City Administrator

For the City Council:

Approved as to Form:

William Kim
William Kim (Aug 3, 2023 14:04 EDT)

William Kim, City Attorney

Approved as to Finance:

Jane Mager
Jane Mager (Aug 3, 2023 14:05 EDT)

Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 3, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH HABITAT FOR HUMANITY FOR DOWN PAYMENT ASSISTANCE

Prepared by:

Latrese Brown, Community Liaison and Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. The category of Neighborhood Improvement (\$13,735,000 total) included \$50,000 for homeowner education to provide assistance to homeowners. A Notice of Funds Available was put out to the community and 6 applications were received with the total applications valuing \$275,000.00.

Through the utilization of a specific rubric and review/scoring process, 2 of the 12 applications have been chosen by the Mayor for recommendation for funding. These selected organizations address community priorities, meet eligibility requirements, are backed by evidence of effectiveness, promote equitable outcomes, leverage other dollars, and are financially sustainable.

To be eligible for these grants, potential or existing homeowners need to be under 300% of the federal poverty level depending on their household size and be in good standing with the City of Flint (water bills and property taxes paid). Lower-income households will take priority over households with greater levels of income. Additionally, residents are encouraged to utilize the Michigan Homeowner Assistance Fund (MIHAF) to receive assistance with property taxes and water bills to get into Good Standing and potential homeowners are encouraged to also utilize the MSHDA Down Payment Assistance program to receive additional assistance.

Financial Implications:

American Rescue Plan Act funds must be obligated by 12/31/24 and fully expended by 12/31/26.

Budgeted Expenditure: Yes ___ No X Please explain, if no:


Project Type	Organization Name	Amount	Max per Household	Goal # Impacted
Down Payment Assistance	Habitat for Humanity	\$25,000	\$5,000	5

Pre-encumbered: Yes ___ No x

Requisition #: _____

Other Implications: No other implications are known at this time.

Staff Recommendation: Staff recommends approval of this resolution.


APPROVAL Emily Doerr (Aug 3 2023 14:04 EDT)

Emily Doerr, Director, Planning and Development



RESOLUTION NO.: 230251

PRESENTED: AUG - 9 2023

ADOPTED: _____

**RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE
PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH COURT
STREET VILLAGE FOR HOME REPAIR**

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the “American Rescue Plan Act of 2021”, also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$200,000 for Court Street Village to continue to provide roof replacement and home repair resources to city of Flint residents. Funding is to come from the following account:

Account Number	Account Name / Grant Code	Amount
287-721.100-801.000	FUSDT-CSLFRF	\$200,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to Court Street Village, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint’s ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:

Clyde D. Edwards
Clyde D. Edwards (Aug 3, 2023 16:03 EDT)

Clyde D. Edwards, City Administrator

For the City Council:

Approved as to Form:

William Kim
William Kim (Aug 3, 2023 13:58 EDT)

William Kim, City Attorney

Approved as to Finance:

Jane Mager
Jane Mager (Aug 3, 2023 14:02 EDT)

Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 3, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH COURT STREET VILLAGE FOR HOME REPAIR

Prepared by:

Latrese Brown, Community Liaison and Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. The category of Neighborhood Improvement (\$13,735,000 total) included \$5,000,000 for home repair / improvement programs to provide assistance to homeowners. A Notice of Funds Available was put out to the community and 12 applications were received with the total applications valuing \$10,720,660.00.

Through the utilization of a specific rubric and review/scoring process, 5 of the 12 applications as well as an additional recommendation for Disability Network for accessibility modifications totaling \$4,625,000 have been chosen by the Mayor for recommendation for funding. These selected organizations address community priorities, meet eligibility requirements, are backed by evidence of effectiveness, promote equitable outcomes, leverage other dollars, and are financially sustainable.

To be eligible for these grants, homeowners need to have been in their house for at least one (1) year, be under 300% of the federal poverty level depending on their household size and be in good standing with the City of Flint (water bills and property taxes paid). Lower-income households will take priority over households with greater levels of income. Additionally, residents are encouraged to utilize the Michigan Homeowner Assistance Fund (MIHAF) to receive assistance with property taxes and water bills but they can also use ARPA funds (from the \$15,000 per household amount) to get into Good Standing.

Financial Implications:

American Rescue Plan Act funds must be obligated by 12/31/24 and fully expended by 12/31/26.

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

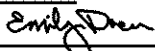
Project Type	Organization Name	Amount	Max per Household	Goal # Impacted
Roof replacement and Home repair grants to residents	Court St. Village	\$200,000	\$15,000	12

Pre-encumbered: Yes ___ No x

Requisition #: _____

Other Implications: No other implications are known at this time.

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL 
Emily Doerr (Aug 3 2023 13:55 EDT)

Emily Doerr, Director, Planning and Development



230252

RESOLUTION NO.: _____

PRESENTED: AUG - 9 2023

ADOPTED: _____

**RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE
PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH COURT
STREET VILLAGE FOR THE PAINT PROJECT**

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the “American Rescue Plan Act of 2021”, also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$225,000 for Court Street Village to continue to provide home repair and improvement resources through The Paint Project to city of Flint residents. Funding is to come from the following account:

Account Number	Account Name / Grant Code	Amount
287-721.150-801.000	FUSDT-CSLFRF	\$225,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to Court Street Village, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint’s ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:

CLYDE D EDWARDS

CLYDE D EDWARDS (Aug 3, 2023 16:02 EDT)

Clyde D. Edwards, City Administrator

For the City Council:

Approved as to Form:

William Kim
William Kim (Aug 3, 2023 13:57 EDT)

William Kim, City Attorney

Approved as to Finance:

Jane Mager
Jane Mager (Aug 3, 2023 14:02 EDT)

Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 2, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH COURT STREET VILLAGE FOR THE PAINT PROJECT

Prepared by:

Latrese Brown, Community Liaison and Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. The category of Neighborhood Improvement (\$13,735,000 total) included \$5,000,000 for home repair / improvement programs to provide assistance to homeowners. A Notice of Funds Available was put out to the community and 12 applications were received with the total applications valuing \$10,720,660.00.

Through the utilization of a specific rubric and review/scoring process, 5 of the 12 applications as well as an additional recommendation for Disability Network for accessibility modifications totaling \$4,625,000 have been chosen by the Mayor for recommendation for funding. These selected organizations address community priorities, meet eligibility requirements, are backed by evidence of effectiveness, promote equitable outcomes, leverage other dollars, and are financially sustainable.

To be eligible for these grants, homeowners need to have been in their house for at least one (1) year, be under 300% of the federal poverty level depending on their household size and be in good standing with the City of Flint (water bills and property taxes paid). Lower-income households will take priority over households with greater levels of income. Additionally, residents are encouraged to utilize the Michigan Homeowner Assistance Fund (MIHAF) to receive assistance with property taxes and water bills but they can also use ARPA funds (from the \$15,000 per household amount) to get into Good Standing.

Financial Implications:

American Rescue Plan Act funds must be obligated by 12/31/24 and fully expended by 12/31/26.

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


Project Type	Organization Name	Amount	Max per Household	Goal # Impacted
External Paint Project	Court St. Village	\$225,000	\$15,000	13

Pre-encumbered: Yes ___ No x

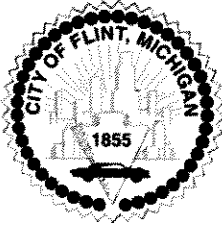
Requisition #: _____

Other Implications: No other implications are known at this time.

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL 
Emily Doerr (Aug 3 2023 13:53 EDT)

Emily Doerr, Director, Planning and Development



230253

RESOLUTION NO.: _____

PRESENTED: AUG - 9 2023

ADOPTED: _____

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH DISABILITY NETWORK TO MAKE ACCESSIBILITY MODIFICATIONS FOR FLINT HOMEOWNERS

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the “American Rescue Plan Act of 2021”, also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$250,000 for The Disability Network to continue to provide accessibility modification home improvement resources to city of Flint residents. Funding is to come from the following account:

Account Number	Account Name / Grant Code	Amount
287-721.200-801.000	FUSDT-CSLFRF	\$250,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to The Disability Network, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint’s ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:

CLYDE D EDWARDS

CLYDE D EDWARDS (Aug 3, 2023 16:02 EDT)

Clyde D. Edwards, City Administrator

For the City Council:

Approved as to Form:

William Kim

William Kim (Aug 3, 2023 13:57 EDT)

William Kim, City Attorney

Approved as to Finance:

Jane Mager

Jane Mager (Aug 3, 2023 14:01 EDT)

Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 3, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH DISABILITY NETWORK TO MAKE ACCESSIBILITY MODIFICATIONS FOR FLINT HOMEOWNERS

Prepared by:

Latrese Brown, Community Liaison and Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. The category of Neighborhood Improvement (\$13,735,000 total) included \$5,000,000 for home repair / improvement programs to provide assistance to homeowners. A Notice of Funds Available was put out to the community and 12 applications were received with the total applications valuing \$10,720,660.00.

Through the utilization of a specific rubric and review/scoring process, 5 of the 12 applications as well as an additional recommendation for Disability Network for accessibility modifications totaling \$4,625,000 have been chosen by the Mayor for recommendation for funding. These selected organizations address community priorities, meet eligibility requirements, are backed by evidence of effectiveness, promote equitable outcomes, leverage other dollars, and are financially sustainable.

To be eligible for these grants, homeowners need to have been in their house for at least one (1) year, be under 300% of the federal poverty level depending on their household size and be in good standing with the City of Flint (water bills and property taxes paid). Lower-income households will take priority over households with greater levels of income. Additionally, residents are encouraged to utilize the Michigan Homeowner Assistance Fund (MIHAF) to receive assistance with property taxes and water bills but they can also use ARPA funds (from the \$15,000 per household amount) to get into Good Standing.

Financial Implications:

American Rescue Plan Act funds must be obligated by 12/31/24 and fully expended by 12/31/26.

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


Project Type	Organization Name	Amount	Max per Household	Goal # Impacted
Assistance program for home accessibility to residents	The Disability Network	\$250,000	\$15,000	15

Pre-encumbered: Yes ___ No x

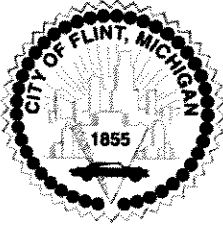
Requisition #: _____

Other Implications: No other implications are known at this time.

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL 
Emily Doerr (Aug 3 2023 13:53 EDT)

Emily Doerr, Director, Planning and Development



230254

RESOLUTION NO.: _____

PRESENTED: AUG - 9 2023

ADOPTED: _____

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH GCCARD TO PERFORM HOME REPAIR

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the “American Rescue Plan Act of 2021”, also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$850,000 for GCCARD to continue to provide home repair and improvement resources to city of Flint residents. Funding is to come from the following account:

Account Number	Account Name / Grant Code	Amount
287-721.300-801.000	FUSDT-CSLFRF	\$850,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to GCCARD, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint’s ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:CLYDE D EDWARDS

CLYDE D EDWARDS (Aug 3, 2023 16:02 EDT)

Clyde D. Edwards, City Administrator**For the City Council:****Approved as to Form:**William Kim

William Kim (Aug 3, 2023 13:56 EDT)

William Kim, City Attorney**Approved as to Finance:**Jane Mager

Jane Mager (Aug 3, 2023 14:01 EDT)

Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 3, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH GCCARD TO PERFORM HOME REPAIR

Prepared by:

Latrese Brown, Community Liaison and Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. The category of Neighborhood Improvement (\$13,735,000 total) included \$5,000,000 for home repair / improvement programs to provide assistance to homeowners. A Notice of Funds Available was put out to the community and 12 applications were received with the total applications valuing \$10,720,660.00.

Through the utilization of a specific rubric and review/scoring process, 5 of the 12 applications as well as an additional recommendation for Disability Network for accessibility modifications totaling \$4,625,000 have been chosen by the Mayor for recommendation for funding. These selected organizations address community priorities, meet eligibility requirements, are backed by evidence of effectiveness, promote equitable outcomes, leverage other dollars, and are financially sustainable.

To be eligible for these grants, homeowners need to have been in their house for at least one (1) year, be under 300% of the federal poverty level depending on their household size and be in good standing with the City of Flint (water bills and property taxes paid). Lower-income households will take priority over households with greater levels of income. Additionally, residents are encouraged to utilize the Michigan Homeowner Assistance Fund (MIHAF) to receive assistance with property taxes and water bills but they can also use ARPA funds (from the \$15,000 per household amount) to get into Good Standing.

Financial Implications:

American Rescue Plan Act funds must be obligated by 12/31/24 and fully expended by 12/31/26.

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

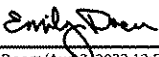
Project Type	Organization Name	Amount	Max per Household	Goal # Impacted
Home Repair Grants to residents	GCCARD	\$850,000	\$15,000	51

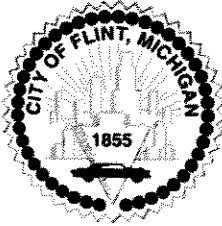
Pre-encumbered: Yes ___ No x

Requisition #: _____

Other Implications: No other implications are known at this time.

Staff Recommendation: Staff recommends approval of this resolution.


APPROVAL _____
Emily Doerr (Aug 3, 2023 13:53 EDT)
Emily Doerr, Director, Planning and Development



230255

RESOLUTION NO.: _____

PRESENTED: AUG - 9 2023

ADOPTED: _____

**RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE
PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH METRO
COMMUNITY DEVELOPMENT TO PERFORM HOME REPAIR**

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the “American Rescue Plan Act of 2021”, also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$1,550,000 for Metro Community Development to provide home repair and improvement resources to city of Flint residents. Funding is to come from the following account:

Account Number	Account Name / Grant Code	Amount
287-721.500-801.000	FUSDT-CSLFRF	\$1,550,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to Metro Community Development, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint’s ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:

CLYDE D EDWARDS
CLYDE D EDWARDS (Aug 3, 2023 16:01 EDT)

Clyde D. Edwards, City Administrator

For the City Council:

Approved as to Form:

William Kim
William Kim (Aug 3, 2023 13:56 EDT)

William Kim, City Attorney

Approved as to Finance:

Jane Mager
Jane Mager (Aug 3, 2023 14:01 EDT)

Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 3, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH METRO TO PERFORM HOME REPAIR

Prepared by:

Latrese Brown, Community Liaison and Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. The category of Neighborhood Improvement (\$13,735,000 total) included \$5,000,000 for home repair / improvement programs to provide assistance to homeowners. A Notice of Funds Available was put out to the community and 12 applications were received with the total applications valuing \$10,720,660.00.

Through the utilization of a specific rubric and review/scoring process, 5 of the 12 applications as well as an additional recommendation for Disability Network for accessibility modifications totaling \$4,625,000 have been chosen by the Mayor for recommendation for funding. These selected organizations address community priorities, meet eligibility requirements, are backed by evidence of effectiveness, promote equitable outcomes, leverage other dollars, and are financially sustainable.

To be eligible for these grants, homeowners need to have been in their house for at least one (1) year, be under 300% of the federal poverty level depending on their household size and be in good standing with the City of Flint (water bills and property taxes paid). Lower-income households will take priority over households with greater levels of income. Additionally, residents are encouraged to utilize the Michigan Homeowner Assistance Fund (MIHAF) to receive assistance with property taxes and water bills but they can also use ARPA funds (from the \$15,000 per household amount) to get into Good Standing.

Financial Implications:

American Rescue Plan Act funds must be obligated by 12/31/24 and fully expended by 12/31/26.

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


Project Type	Organization Name	Amount	Max per Household	Goal Impact
Home Repair Grants	Metro Community Development	\$1,550,000	\$15,000	93

Pre-encumbered: Yes ___ No x

Requisition #: _____

Other Implications: No other implications are known at this time.

Staff Recommendation: Staff recommends approval of this resolution.



APPROVAL Emily Doerr (Aug 3 2023 13:54 EDT)
Emily Doerr, Director, Planning and Development



230256

RESOLUTION NO.: _____

PRESENTED: AUG - 9 2023

ADOPTED: _____

**RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE
PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH HABITAT FOR
HUMANITY TO PERFORM HOME REPAIR**

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the “American Rescue Plan Act of 2021”, also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$1,550,000 for Habitat for Humanity to continue to provide home repair and improvement resources to city of Flint residents. Funding is to come from the following account:

Account Number	Organization Name	Amount
287-721.400-801.000	FUSDT-CSLFRF	\$1,550,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to Habitat for Humanity, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint’s ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:

CLYDE D EDWARDS

CLYDE D EDWARDS (Aug 3, 2023 16:01 EDT)

Clyde D. Edwards, City Administrator

For the City Council:

Approved as to Form:

William Kim
William Kim (Aug 3, 2023 13:56 EDT)

William Kim, City Attorney

Approved as to Finance:

Jane Mager
Jane Mager (Aug 3, 2023 14:00 EDT)

Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 3, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HOUSING FOR FLINT HOMEOWNERS – CONTRACT WITH HABITAT FOR HUMANITY TO PERFORM HOME REPAIR

Prepared by:

Latrese Brown, Community Liaison and Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. The category of Neighborhood Improvement (\$13,735,000 total) included \$5,000,000 for home repair / improvement programs to provide assistance to homeowners. A Notice of Funds Available was put out to the community and 12 applications were received with the total applications valuing \$10,720,660.00.

Through the utilization of a specific rubric and review/scoring process, 5 of the 12 applications as well as an additional recommendation for Disability Network for accessibility modifications totaling \$4,625,000 have been chosen by the Mayor for recommendation for funding. These selected organizations address community priorities, meet eligibility requirements, are backed by evidence of effectiveness, promote equitable outcomes, leverage other dollars, and are financially sustainable.

To be eligible for these grants, homeowners need to have been in their house for at least one (1) year, be under 300% of the federal poverty level depending on their household size and be in good standing with the City of Flint (water bills and property taxes paid). Lower-income households will take priority over households with greater levels of income. Additionally, residents are encouraged to utilize the Michigan Homeowner Assistance Fund (MIHAF) to receive assistance with property taxes and water bills but they can also use ARPA funds (from the \$15,000 per household amount) to get into Good Standing.

Financial Implications:

American Rescue Plan Act funds must be obligated by 12/31/24 and fully expended by 12/31/26.

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


Project Type	Organization Name	Amount	Max per Household	Goal # Impacted
City-wide Emergency Repair Program	Habitat for Humanity	\$1,550,000	\$15,000	93

Pre-encumbered: Yes ___ No x

Requisition #: _____

Other Implications: Habitat has allocated all of its current CDBG home repair funds.

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL 
Emily Doerr (Aug 3 2023 13:54 EDT)

Emily Doerr, Director, Planning and Development



230263

RESOLUTION NO.: _____

PRESENTED: _____ AUG - 9 2023

ADOPTED: _____

**RESOLUTION TO ACCEPT A GRANT FROM C.S. MOTT FOUNDATION FOR EVENT
POLICING AND PUBLIC SAFETY**

BY THE CITY ADMINISTRATOR:

The Charles Stewart Mott Foundation has awarded a grant to the City of Flint for the Flint Police Departments coverage at all downtown events, including traffic redirection and street closures,


Grant 2020-07945 has been awarded in the amount of \$120,000.00 for Flint Police Department coverage for all downtown events, including traffic redirection and street closures,

The FY24 adopted budget must be amended to include the awarded funds. The funds will be utilized in compliance with the grant agreement and approved grant budget through the end of the grant.

Account Number	Account Name	Amount
296-315.000-801.900	Professional Service Intracity	\$70,000.00
296-447.201-801.900	Professional Service Intracity	\$30,000.00
296-315.000-801.901	Professional Service Intrastate	\$20,000.00

IT IS RESOLVED that the appropriate City officials, upon the City Council approval, are hereby authorized to do all things necessary to accept the grant funds set forth in the grant agreement of C.S. Mott Grant #2020-07945 in the amount of \$120,000.000, to appropriate revenue and expenditure amounts using grand code PCSM-EVENT23, and to make the grant funds available in the current and subsequent fiscal years that funding continues to remain available by the grantor.

APPROVED AS TO FORM:


William Kim (Aug 3, 2023 09:16 EDT)

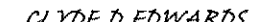
William Kim, Chief Legal Officer

APPROVED AS TO FINANCE:


Jane Mager (Aug 3, 2023 09:32 EDT)

Jane Mager, Acting Chief Financial Officer

FOR THE CITY OF FLINT:


CLYDE D EDWARDS (Aug 3, 2023 12:57 EDT)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

, City Council President



CITY OF FLINT

PRE-ENCUMBERED? YES ☐ NO ☒ REQUISITION NO: _____

ACCOUNTING APPROVAL: Angela Amerman
Angela Amerman (Aug 1, 2023 16:40 EDT) Date: _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒

(If yes, please indicate how many years for the contract) _____ YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining):

STAFF RECOMMENDATION: (PLEASE SELECT): ☒ APPROVED ☐ NOT APPROVED

DEPARTMENT HEAD SIGNATURE: Terence Green
Terence Green (Aug 3, 2023 09:04 EDT)
Terence Green Police Chief



July 28, 2023

The Honorable Sheldon Neeley
Mayor, City of Flint
1101 S. Saginaw Street
Flint, MI 48502-1420

Project: Event Policing and Public Safety
(Grant No. 2020-07945)

Dear Mayor Neeley:

We are pleased to inform you that the Charles Stewart Mott Foundation has approved a grant in the amount of \$120,000 to the City of Flint for the above-referenced project for the period July 1, 2023, through June 30, 2024.

Grant Payments

This grant will be paid upon receipt of your acceptance.

This letter or your proposal may set forth specific goals or objectives that your organization expects to achieve during the grant period. For accounting purposes, the Mott Foundation is not requiring that your organization achieve any specific goal or objective as a condition (or barrier) to your receipt and retention of the grant funds, except for the following:

- No conditions.

The Mott Foundation reserves the right to discontinue, modify, or withhold any payments that might otherwise be due under this grant or any other outstanding grant, to require a refund of any unexpended grant funds, or both, if, in the Mott Foundation's judgment, any of the following occur with respect to this grant or any other grant from the Mott Foundation to your organization:

1. Grant funds have been used for purposes other than those contemplated by this commitment letter.

The Honorable Sheldon Neeley
July 28, 2023
Page 2 (Grant No. 2020-07945)

2. Such action is necessary to comply with the requirements of any law or regulation affecting either your organization's or the Mott Foundation's responsibilities under the grant.
3. Your organization ceases to conduct this project, or circumstances change such that it becomes impractical or impossible for you to carry out this project.
4. Your organization's performance under this grant has not been satisfactory, as determined by the Mott Foundation in its reasonable discretion. Although the Mott Foundation expects your organization to work toward achieving the goals and objectives described in your proposal, unless a specific condition (or barrier) is identified above, the failure to obtain any specific goal or objective will not, alone, be cause for the Mott Foundation to determine that your organization's performance has not been satisfactory, but may be relevant in determining whether your overall performance has (or has not) been satisfactory.
5. The Mott Foundation has not received and approved all reports due from your organization prior to the payment date.

The Mott Foundation's judgment on these matters will be final and binding.

Mott Foundation Contact Person and Resources

Please direct all correspondence and questions relating to this grant to Jennifer Acree, Program Officer.

For general information regarding Mott Foundation grant procedures and other grant related questions, we encourage you to visit the Grantee Resources section of our website at www.mott.org/grantee-resources.

Another resource available to grantees is the Grantee Portal. The Grantee Portal provides real-time information on your grant's reporting requirements and due dates. By using the Grantee Portal, you may view a copy of this commitment letter, download copies of forms, and upload required reports directly to the Mott Foundation. For more information about the Grantee Portal, contact your program officer or login at <https://mott.fluxx.io>. The grant's primary project contact, Seamus Bannon, can login at <https://mott.fluxx.io> with their registered email address.

Use of Grant

Under United States law, Mott Foundation grant funds may be expended only for charitable, scientific, literary, religious, or educational purposes, as specified in section 170(c)(2)(B) of the Internal Revenue Code of 1986, as amended. This grant is to be expended solely in support of the objectives detailed in your proposal submitted May 17, 2023.



The Honorable Sheldon Neeley
July 28, 2023
Page 3 (Grant No. 2020-07945)

Your organization shall not, directly or indirectly, engage in, support or promote violence or terrorist activities.

Your organization confirms that this project is under its complete control. Your organization further confirms that it has and will exercise control over the process of selecting any consultant, that the decision made or that will be made on any such selection is completely independent of the Mott Foundation, and further, that there does not exist an agreement, written or oral, under which the Mott Foundation has caused or may cause the selection of a consultant.

Mott Foundation grant funds may not be used for lobbying expenditures.

Mott Foundation grant funds may not be used for re-granting to secondary organizations.

Your organization may charge this grant only for expenditures incurred or services performed during the grant period specified in this letter.

Your organization may charge this grant only for line item expenditures that were included in your approved budget as referenced in the "Reports" section of this letter. The addition of new line items must have the prior written approval of the Mott Foundation.

Grant Accounting

Your organization is required to maintain financial records for expenditures and receipts relating to this grant, retaining these records and other supporting documentation for five years after the grant's termination date.

Your organization is also required to permit the Mott Foundation to have reasonable access to your files, records and personnel during the term of this grant and for five years thereafter for the purpose of making financial audits, verifications, or program evaluations.

Unless a specific condition (or barrier) is listed in the "Grant Payments" section of this letter, the Mott Foundation does not intend, in its own financial statements, to treat this grant as a "conditional contribution" described under Financial Accounting Standards Board (FASB) Accounting Standards Update (ASU) 2018-08. Your organization should make its own determination as to how to account for this grant in your financial statements and is not required (under FASB ASU 2018-08) to adopt the same accounting treatment as the Mott Foundation.



The Honorable Sheldon Neeley
July 28, 2023
Page 4 (Grant No. 2020-07945)

Reports

The Mott Foundation requires the following report to be submitted for this grant:

Report Type:	For Period Ending:	Due on or Before:
Final Report	June 30, 2024	August 1, 2024

The report must include the following parts, which must be submitted together:

1. A **narrative report** summarizing what was accomplished by the expenditure of funds during the reporting period. Your grant proposal indicated that your organization will work toward achieving certain goals and objectives during the grant period, and the narrative report should include a description of progress made toward achieving the following reporting objectives:
 - Number of festivals and events supported by the grant.
 - Data on increase of public safety presence for events and festivals due to grant support, including officer presence.
 - Evidence of maintenance of safe environment for festival goers and participants.
2. A **financial report** showing the approved budget, expenditures against each line item since the start of the grant, and balances remaining (or overruns) for each line item. For the final report, you must explain all overrun variances that exceed both one thousand dollars (\$1,000) and ten percent (10%) of the budgeted line item amount.

Your organization must report against the approved budget of \$120,000 submitted on May 17, 2023 (which may be greater than the amount of the Mott Foundation grant). If the approved budget covers multiple years, each report should include cumulative expenditures since the beginning of the grant period. The report must also include a summary of all funding received for this project (listed by source and grant period).

Unless a specific condition (or barrier) is listed in the “Grant Payments” section of this letter, the Mott Foundation is not requiring that your organization achieve any of the reporting objectives listed above as a condition (or barrier) to your receipt and retention of the grant funds. Rather, the reporting objectives are meant to capture your progress in achieving the goals and objectives identified in your grant proposal.

Reports and other grant requirements should be submitted online via the Mott Foundation’s Grantee Portal. A default portal account has been setup for the primary project contact. The project contact can login at <https://mott.fluxx.io> with their registered email address. Please contact your program officer if you need assistance or to change the project contact. Standard reporting templates and other forms are available for download via the Grantee Portal.



The Honorable Sheldon Neeley
July 28, 2023
Page 5 (Grant No. 2020-07945)

Undisbursed Funds

Your organization is required to return any undisbursed project funds on a prorata basis to the Mott Foundation within two months after the end of this grant. The prorata refund is computed by multiplying the total undisbursed project funds by the ratio of Mott Foundation funding to total funding received for this project for the grant period. Any refund of less than \$100 will be waived.

Compliance with Laws

Your organization may not use any portion of the grant funds to undertake any activity for any purpose other than one specified in section 170(c)(2)(B) of the Internal Revenue Code. Further, the Mott Foundation reserves the right to discontinue, modify, or withhold any payments that might otherwise be due under this grant or to require a refund of any unexpended grant funds if, in the Mott Foundation's judgment, such action is necessary to comply with the requirements of any law or regulation.

Public Information

The Mott Foundation will include information on this grant in its periodic public reports. The Mott Foundation also welcomes grantees to make announcements of grants upon return of this signed commitment letter. A copy of any release should be sent to the Mott Foundation's Communications Department prior to its dissemination. The department is available to provide assistance in your communications efforts.

Acceptance

This letter contains the entire agreement between your organization and the Charles Stewart Mott Foundation, and there are no conditions or stipulations, oral or written, governing the use of the grant funds other than those contained in this letter.

If your organization agrees to the grant conditions as stated, please **sign and return, via DocuSign**, one complete copy of this letter **with an electronic signature** of an appropriate representative of your organization in the space provided. In countersigning this letter, this individual represents to the Mott Foundation that he/she has the authority to sign this letter on the organization's behalf.

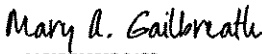
This grant may be withdrawn if the Mott Foundation has not received your acceptance within one month from the date of this letter.



The Honorable Sheldon Neeley
July 28, 2023
Page 6 (Grant No. 2020-07945)

On behalf of the Mott Foundation, I would like to extend our best wishes for the success of this endeavor.

Sincerely,

DocuSigned by:

8A59BF0328DC4EB...
Mary A. Gailbreath
Vice President-Administration and Secretary/Treasurer

MAG:aj

Our organization acknowledges that appropriate personnel have read and understand this letter, that its terms and conditions are acceptable to us, and that we will comply with those terms and conditions.

Name of Grantee: City of Flint

Printed Name of Authorized Signer: _____

Authorized Signature: _____
(This must be an original signature of an authorized representative of the organization.)

Title: _____

Date Signed: _____



Certificate Of Completion

Envelope Id: DB582F07F0614C1292AB26BC18F151EF

Status: Completed

Subject: Mott Foundation Commitment Letter - City of Flint - #G-2020-07945

Source Envelope:

Document Pages: 6

Signatures: 1

Envelope Originator:

Certificate Pages: 2

Initials: 0

Annette Chamberlain

AutoNav: Enabled

503 S. Saginaw St.

Envelopeld Stamping: Enabled

Ste. 1200

Time Zone: (UTC-05:00) Eastern Time (US & Canada)

Flint, MI 48502

achamberlain@mott.org

IP Address: 172.58.122.62

Record Tracking

Status: Original

Holder: Annette Chamberlain

Location: DocuSign

7/31/2023 8:53:38 AM

achamberlain@mott.org

Signer Events

Mary A. Gailbreath

MGailbreath@mott.org

VP-Administration & Secretary/Treasurer

Charles Stewart Mott Foundation

Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:
Mary A. Gailbreath
BA59BF0328DC4EB

Signature Adoption: Pre-selected Style
Using IP Address: 12.235.196.69

Timestamp

Sent: 7/31/2023 8:56:34 AM

Viewed: 7/31/2023 5:41:55 PM

Signed: 7/31/2023 5:42:18 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Seamus Bannon

sbannon@cityofflint.com

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
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Viewed: 8/1/2023 8:48:59 AM

Jennifer Acree

JAcree@mott.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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Ashley Johnson

AJohnson@mott.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/31/2023 8:56:34 AM
Certified Delivered	Security Checked	7/31/2023 5:41:55 PM
Signing Complete	Security Checked	7/31/2023 5:42:18 PM
Completed	Security Checked	7/31/2023 5:42:20 PM
Payment Events	Status	Timestamps



RESOLUTION NO.: 230268
PRESENTED: AUG - 9 2023
ADOPTED: _____

Resolution Authorizing the Use of ARPA Funding for the Department of Housing and Urban Development 2018 Lead Based Paint and Hazard Control Grant Matching Funds

By the City Administrator:

WHEREAS, in May of 2019 the Department of Housing and Urban Development (HUD) granted the City of Flint a Lead Based Paint and Hazard Control award for lead abatement; and

WHEREAS, the amount awarded was \$2,299,437 in which the City of Flint was to match with \$326,027.90 funding from the Community Development Block Grant (CDBG) as stipulated by the grant agreement from HUD; and

WHEREAS, CDBG did not offer the matching funds originally requested; and

WHEREAS, the City of Flint was awarded funding as part of the American Rescue Plan Act (ARPA) through the Coronavirus Local Fiscal Recovery Fund in the amount of \$94,726,644, adopted with resolution 210280 by the City; and

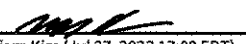
WHEREAS, with resolution 220464.1, an allocation for remaining ARPA funding was created and the ARPA funding now included \$5,000,000 in Contingency; and

WHEREAS, Ernst & Young, managing firm for the ARPA funding for the City of Flint, has deemed these funds eligible for matching on the Lead Based Paint and Hazard Control grant.

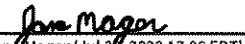
Account Number & Grant Code	Account Name	Amount
287-171.711-801.000 FUSDT-CSLFRF	Professional Services	\$326,027.90

IT IS RESOLVED that the appropriate City officials are hereby authorized to do all things necessary to utilize ARPA funding as described above for match on the 2018 Lead Based Paint and Hazard Control grant, abide by the terms and conditions of the HUD grant, authorize the use of ARPA funds in the amount of \$326,027.90 for the period of October 24, 2022, the date of the adopted ARPA allocation plan, through October 31, 2023, the end of the 2018 Lead Based Paint and Hazard Control grant.

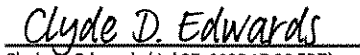
APPROVED AS TO FORM:


William Kim (Jul 27, 2023 17:00 EDT)
William Kim, Chief Legal Officer

APPROVED AS TO FINANCES:


Jane Mager (Jul 27, 2023 17:06 EDT)
Jane Mager, Acting Chief Financial Officer

FOR THE CITY OF FLINT:


Clyde D. Edwards (Jul 27, 2023 17:26 EDT)
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:



CITY OF FLINT

RESOLUTION STAFF REVIEW

AGENDA ITEM TITLE: Resolution Authorizing the Use of ARPA Funding for the Department of Housing and Urban Development 2018 Lead Based Paint and Hazard Control Grant Matching Funds

PREPARED BY: Chay Linseman – Budget and Grant Administrator

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Use of ARPA funding is being requested in the amount of \$326,027.90 from the Neighborhood Improvement section of the allocation plan adopted by council on 10/24/2022 in resolution 220464.1. The contingency portion of ARPA included an allocation of \$5,000,000; of the \$5,000,000, \$4,500,000 remains. Ernst & Young, managing partner for this grant, recognizes this as eligible funding.

Funding is needed due to the loss of CDBG match funding in the first (2018) Lead Based Paint and Hazard Control grant meant for lead abatement of houses within the city. Originally, CDBG was written into the grant award as the match partner, however, the City was not awarded those matching funds. This funding fills that gap.

FINANCIAL IMPLICATIONS: Without this funding the City will be responsible for the match, possibly requiring use of General fund balance.

BUDGETED EXPENDITURE? YES ☐ NO ☒ **IF NO, PLEASE EXPLAIN:** The original matching funding fell through.

Account Number & Grant Code	Account Name	Amount
287-171.711-801.000 FUSDT-CSLFRF	Professional Services	\$326,027.90

PRE-ENCUMBERED? YES ☐ NO ☒ **REQUISITION NO:**

ACCOUNTING/FINANCE APPROVAL: 

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒
(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal) N/A

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

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

DEPARTMENT HEAD SIGNATURE:

Clyde Edwards, City Administrator

Assistance Award/Amendment

U.S. Department of Housing and
Urban Development
Office of Administration

1 Assistance Instrument <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Grant		2 Type of Action <input checked="" type="checkbox"/> Award <input type="checkbox"/> Amendment																															
3 Instrument Number MILH0683-18	4 Amendment Number 1	5 Effective Date of this Action See Block #20	6 Control Number																														
7 Name and Address of Recipient City of Flint 1101 S. Saginaw St Flint, Michigan 48502-1411		8 HUD Administering Office HUD, Office of Lead Hazard Control and Healthy Homes 451 Seventh Street, SW Room 8236 Washington, DC 20410																															
10 Recipient Project Manager Dr. Pamela Pugh, (810)237-2041, ppugh@cityofflint.com		8a Name of Administrator Robert M. Houston	8b Telephone Number 202-402-5056																														
11 Assistance Arrangement <input checked="" type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Cost Sharing <input type="checkbox"/> Fixed Price		9 HUD Government Technical Representative Victoria L. Jackson, (202)402-3167, victoria.l.jackson@hud.gov																															
12 Payment Method <input type="checkbox"/> Treasury Check Reimbursement <input type="checkbox"/> Advance Check <input checked="" type="checkbox"/> Automated Clearinghouse		13 HUD Payment Office U.S. Dept. of HUD CFO Accounting Center, 6AF 801 Cherry St., Unit #45 Ste. 2500 Fort Worth, TX 76102																															
14 Assistance Amount		15 HUD Accounting and Appropriation Data																															
<table border="1"> <tr> <td>Previous HUD Amount</td> <td>Lead</td> <td>\$1,999,437.00</td> </tr> <tr> <td></td> <td>HH</td> <td>\$ 300,000.00</td> </tr> <tr> <td>HUD Amount this action</td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td>Total HUD Amount</td> <td></td> <td>\$2,299,437.00</td> </tr> <tr> <td>Recipient Amount</td> <td>\$</td> <td>\$ 326,027.90</td> </tr> <tr> <td>Total Instrument Amount</td> <td>\$</td> <td>\$2,624,464.90</td> </tr> </table>		Previous HUD Amount	Lead	\$1,999,437.00		HH	\$ 300,000.00	HUD Amount this action		\$ 0.00	Total HUD Amount		\$2,299,437.00	Recipient Amount	\$	\$ 326,027.90	Total Instrument Amount	\$	\$2,624,464.90	<table border="1"> <tr> <td>8618/190174 18LRLH/LRLHR</td> <td>15b Reservation number</td> </tr> <tr> <td>8618/190174 18LRHH/LRHHI</td> <td>LHC18-24</td> </tr> <tr> <td>Amount Previously Obligated</td> <td>Lead \$1,999,437.00</td> </tr> <tr> <td></td> <td>HH \$ 300,000.00</td> </tr> <tr> <td>Obligation by this action</td> <td>\$ 0.00</td> </tr> <tr> <td>Total Obligation</td> <td>\$2,299,437.00</td> </tr> </table>		8618/190174 18LRLH/LRLHR	15b Reservation number	8618/190174 18LRHH/LRHHI	LHC18-24	Amount Previously Obligated	Lead \$1,999,437.00		HH \$ 300,000.00	Obligation by this action	\$ 0.00	Total Obligation	\$2,299,437.00
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	HH \$ 300,000.00																																
Obligation by this action	\$ 0.00																																
Total Obligation	\$2,299,437.00																																

16 Description

Employer Identification: 38-6004611

DUNS: 072780067

Program: LBPFC

This instrument sets forth the agreement between the parties as to all terms and conditions and provisions herein. By signing this award document, the Grantee certifies that it is in compliance with all administrative and financial provisions of this award. This grant instrument consists of the following, some of which are incorporated by reference:

- Cover Page, HUD 1044
 - Schedule of Articles / FY 2018 Terms and Conditions
 - Lead Hazard Control Program Policy Guidance Issuances, "PGI-2015-01- Clarification of Costs for LHRD and LBPFC Grant Programs"
 - New Grantee Orientation
 - Program Manager School
 - TITLE 2: GRANTS AND AGREEMENTS - PART 200 - UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS** <http://www.ecfr.gov/cgi-bin/text/idx?node=2.1.1.2.2.1>
 - Notice of Grant Opportunity announced in GRANTS.GOV (FR-6200-N-12) POSTED DATE: August 10, 2018
- Period of Performance: May 1, 2019 to October 30, 2022-42 months.

ALL OTHER TERMS AND CONDITIONS OF THIS GRANT REMAIN UNCHANGED

17 <input checked="" type="checkbox"/> Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office		18 <input type="checkbox"/> Recipient is not required to sign this document.	
19 Recipient (By Name)		20 HUD (By Name)	
Signature & Title <i>Robert M. Houston - Mayor</i>		Robert M. Houston	
Date (mm/dd/yyyy) <i>5/1/19</i>		Robert M. Houston	

Digitally signed by Robert M. Houston
DN: cn = Robert M. Houston, o = U.S. Department of Housing and Urban Development, ou = Office of Lead Hazard Control and Healthy Homes
Date: 2019.05.01 17:47:44 -0400



230274

PROCLAMATION NO.: _____

PRESENTED: AUG - 9 2023

ADOPTED: _____

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF FLINT AND POLICE OFFICERS LABOR COUNCIL
FLINT POLICE DEPARTMENT LIEUTENANTS AND CAPTAINS FOR LUMP-SUM
PAYMENTS FOR RECENTLY PROMOTED LIEUTENANTS**

BY THE CITY ADMINISTRATOR:

WHEREAS, Pursuant to the Flint City Charter, §4-406 (D), The Mayor shall submit to City Council for approval all collective bargaining contracts and amendments thereto before they become effective; and

WHEREAS, Flint City Council approved a bargaining agreement with the Flint Police Officers Labor Council on May 22, 2023 (see reso #230139); and

WHEREAS, the City of Flint, by its Human Resources/Labor Relations department, and the Police Officers Labor Council-Flint Police Department Lieutenants and Captains have discussed and tentatively agreed on the attached Memorandum of Understanding ("MOU"); and

WHEREAS, this MOU permits four (4) recently promoted Lieutenants to receive lump sum payments they were eligible for had they been promoted after the July 25, 2022, ratification of the Collective Bargaining Agreement ("CBA") between the City of Flint and the Police Officers Labor Council- Flint Police Department Sergeants; and

WHEREAS, the following eligible persons are to receive payment as follows:

- a. Terrance Walker \$1,675.00
- b. Nick White \$1,005.00
- c. Warren Williams \$1,005.00
- d. Noah Pillsbury \$1,005.00

NOW THEREFORE BE IT RESOLVED that the Flint City Council hereby approves the subject MOU granting lump sum payments as outlined above to Terrance Walker, Nick White, Warren Williams, and Noah Pillsbury for these individuals who would have received the lump sum had they been promoted after the July 25, 2022, ratification of the CBA between the City of Flint and the Police Officers Labor Council- Flint Police Department Sergeants.

APPROVED AS TO FORM:


William Kim (Aug 8, 2023 13:45 EDT)


William Kim, City Attorney

AS TO FINANCE:


Jane Mager (Aug 8, 2023 11:57 EDT)

Jane Mager, Acting Chief Financial Officer

FOR THE CITY:


CLYDE D EDWARDS (Aug 8, 2023 13:47 EDT)

Clyde Edwards, City Administrator

FOR THE CITY COUNCIL:



CITY OF FLINT

STAFF REVIEW FORM

TODAY'S DATE: 06/29/2023

AGENDA ITEM TITLE: Collective Bargaining Agreement between City of Flint and POLC – Flint Police Department Lieutenants and Captains

PREPARED BY: Ed Smith, Human Resources/Labor Relations

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Flint City Council approved a collective bargaining agreement between the City of Flint and Flint Police Labor Council (see reso #230139 adopted 5/22/23).

The parties wish to provide recently promoted Lieutenants with lump sum payments to four officers that would have been eligible for had they promoted to the rank of Lieutenant after July 25, 2022, ratification of the CBA between the City of Flint and the Police Officers Labor Council.

Funding is available and will be paid from the appropriate wage account numbers according to each officer's individual primary general ledger account number as assigned in the payroll system.

FINANCIAL IMPLICATIONS: \$

from ratification through expiration of CBA. This estimate is based on current bargaining unit employees and includes an estimate for increases to wage rate for regular hours and ratification incentives.

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

Dept.	Name of Account	Account Number	Total Expense Amount
Police	Wages	101-xxx.xxx-702.010	\$4,690.00

PRE-ENCUMBERED? YES ☐ NO ☐ **REQUISITION NO:**

ACCOUNTING APPROVAL:

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

DEPARTMENT HEAD SIGNATURE: Eddie L. Smith

Eddie Smith, Director of Human Resources and Labor Relations

MEMORANDUM OF UNDERSTANDING
CITY OF FLINT
-and-
POLICE OFFICERS LABOR COUNCIL
FLINT POLICE DEPARTMENT LIEUTENANTS AND CAPTAINS

Recently Promoted Sergeant Lump Sums

This Memorandum of Understanding ("MOU"), made on _____, 2023, is between the City of Flint ("City") and the Police Officers Labor Council – Flint Police Department Sergeants ("Union").

RECITALS

The City and Union are parties to a Collective Bargaining Agreement ("CBA") with an initial effective term through June 30, 2024; and

The parties wish to provide Sergeants who were promoted after the ratification of the current CBA, but before the ratification of the 2023-2025 Collective Bargaining Agreement between the City of Flint and the Flint Police Officers' Association CBA, lump sum payments; and

The parties commit their agreement to writing in this MOU;

NOW, THEREFORE, the parties agree as follows:

1. **Eligible Individuals and Amounts**. The following persons shall receive the following lump sum payments:
 - a. Terrance Walker – One thousand six hundred seventy-five dollars (\$1,675).
 - b. Nick White – one thousand five dollars (\$1,005).
 - c. Warren Williams – one thousand five dollars (\$1,005).
 - d. Noah Pillsbury – one thousand five dollars (\$1,005).
2. The Lump Sum payments to the persons identified in paragraph 1 are subject to the following:
 - a. The Lump Sum payments will be paid via separate check during the first full pay period following the effective date of this Agreement.

DRAFT MOU

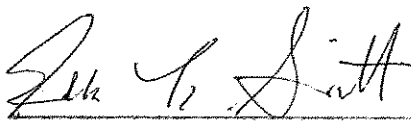
- b. The Lump Sum payments will be subject to usual payroll taxes and withholdings.
- c. The Lump Sum payments are not included as wages for the purpose of computing Final Average Compensation.

3. This MOU does not affect the wages or benefits of Eligible Individuals following their permanent promotion to the rank of Sergeant.

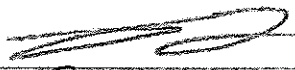

IN WITNESS WHEREOF, the parties executed this Memorandum of Understanding on the day and year first above written.

This MOU is not effective until approved by the Flint City Council.

City of Flint ("City")

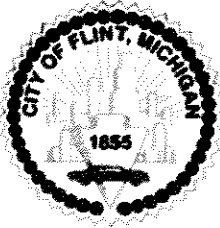


Police Officers Labor Council
Flint Police Department Sergeant
("Union")

 Sgt. Randy Matteson
 CHRIS HILL 8/3/23
POLICE LABOR REP.

Approved as to form:

William Kim, City Attorney



230281

RESOLUTION NO.: _____

PRESENTED: AUG 14 2023

ADOPTED: _____

**RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE
PANDEMIC ON HEALTH DISPARITIES OF PREGNANT / NEW MOTHERS AND THEIR
INFANTS IN FLINT**

The City of Flint is a duly created and validly existing political subdivision of the State of Michigan under the Constitution and laws of the state of Michigan, and;

On March 11, 2021, the President of the United States of America signed into law the "American Rescue Plan Act of 2021", also known as House Resolution 1319, an Act approved by the Congress of the United States, and which authorized the Treasury of the United States to disburse certain funds to local governments, including the City of Flint, which could be used for specific and defined purposes, and;

In accordance with the American Rescue Plan Act of 2021, the City of Flint wishes to exercise its right to extend and disseminate assistance to impacted households tied to specific criteria, as authorized by the Act, to assist citizens who may have been impacted financially by the ongoing COVID-19 Pandemic.

The administration recommends funding up to \$1,000,000 for Michigan State University for the Flint Rx Kids program. Funding is to come from the following account:

Account Number	Account Name / Grant Code	Amount
287-729.100-801.000	FUSDT-CSLFRF	\$1,000,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to provide funding to Michigan State University, amend the FY24 budget, and appropriate funding for revenue and expenditures in future fiscal years, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act fund (287). Before funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

For the City:


Clyde D. Edwards, City Administrator

For the City Council:

Approved as to Form:


William Kim, City Attorney

Approved as to Finance:


Jane Mager, acting Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: August 8, 2023

Agenda Item Title:

RESOLUTION TO UTILIZE ARPA FUNDS TO RESPOND TO THE IMPACTS OF THE PANDEMIC ON HEALTH DISPARITIES OF PREGNANT / NEW MOTHERS AND THEIR INFANTS IN FLINT

Prepared by:

Emily Doerr, Director of Planning and Development

Background/Summary of Proposed Action:

On October 24, 2022, the Flint City Council adopted an ARPA Allocation Plan for allocating the remaining \$60,351,968.00 of the City's remaining ARPA funding. This included \$5,000,000 in COVID response / Contingency. From this line item, the Mayor is recommending that the City of Flint join the State of Michigan, C.S. Mott Foundation, Ruth Mott Foundation, Michigan Health Endowment Foundation, and the Jacobs Family Foundation in funding a citywide program called Rx Kids, led by Dr. Mona Hanna-Attisha (Director of the MSU-Hurley Children's Hospital Pediatric Public Health Initiative), which is a public/private partnership to address child poverty and health equity. It tackles a root cause of health disparities through the provision of cash allowances to pregnant / new mothers in Flint. The full program budget is \$55M and the effort has raised \$35M so far. It is slated to start in early 2024.

The program funds are running through Michigan State University and being coordinated by GiveDirectly, a nonprofit that is running similar programs like this around the world. The data collection and research evaluation will be a partnership between Michigan State University, University of Michigan (led by Dr. Luke Shaefer, Director of University of Michigan's Poverty Solutions initiative), and Give Directly. On average the program will serve 1200 pregnant / new mothers a year for a total of 6000 over the five (5) year program period. To be eligible for these grants, women who are pregnant must have the pregnancy "verified" through a prenatal health provider at a 20-week check-in. At that point, enrollment begins with the first cash transfer of \$1500. Once the baby is born, monthly allowances of \$500 repeat for the first 12 months and new mothers engage with a network of resources to help increase their health and that of their baby. Programs like this around the world have shown to decrease maternal and infant mortality rates. This program seeks to do that in Flint as well as rebuild trust between Flint residents and their local government.

Financial Implications: ARPA funds must be obligated by 12/31/24 and fully expended by 12/31/26.

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

Project Type	Organization Name	Amount	Investment per Household	Households assisted with COF ARPA funds
Flint Rx Kids	MSU	\$1,000,000	\$7,500	Estimated 130 (total 6000)

Pre-encumbered: Yes ___ No x

Requisition #: _____

Other Implications: No other implications are known at this time.

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL _____

230787



RESOLUTION NO.: _____

PRESENTED: AUG 14 2023

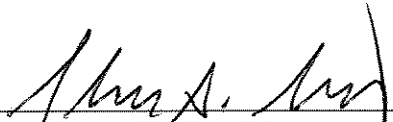
ADOPTED: _____

**RESOLUTION APPROVING REAPPOINTMENT OF LOYST FLETCHER, JR TO THE
BOARD OF THE DOWNTOWN DEVELOPMENT AUTHORITY**

Mayor Sheldon A. Neeley reappoints Loyst Fletcher, Jr., of 3502 Hawthorne Drive, Flint MI 48503, to the Board of the Downtown Development Authority, to fill the remainder of the four-year term ending on March 31, 2027.

BE IT RESOLVED that the Flint City Council approves the appointment of Loyst Fletcher, Jr., of 3502 Hawthorne Drive, Flint MI 48503, to serve the remainder of the four-year term on the Board of the Downtown Development Authority, with such term commencing immediately and expiring on March 31, 2027.

FOR THE CITY OF FLINT:



Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

APPROVED AS TO FORM:



William Kim, City Attorney

LOYST FLETCHER, JR.

Attorney at Law

3502 Hawthorne Drive, Flint, Michigan 48503 (810) 235-5954
718 Beach Street, Flint, Michigan 48502-1105 (810) 238-4410

EDUCATION

Knoxville College, Knoxville, Tennessee
B.S. in Math (1970)
Minor-Chemistry, Physics
Graduate Work at University of Tennessee - Administrative Engineering & Urban Planning (1970-71)

Cooley Law School, Lansing, Michigan
Juris Doctor - 1978

LEGAL EXPERIENCE

Private Practitioner - General Practice of Law
State of Michigan Bar Number P-29799
100% Owner of the Law Firm of Loyst Fletcher, Jr. & Associates-Established 1982

Practice consists primarily of a General Corporate Practice, Commercial Litigation, Real Estate, Probate Estate and Personal Injury matters.

The Law Firm is primary counsel to a number of both small and large corporations and clients which include:

- 1) A Tile Distributor with annual Corporate Sales of approximately \$25 Million;
- 2) A Pet Food Distributor with annual Corporate Sales of approximately \$40 Million;
- 3) Several manufacturing companies with annual sales from \$3 Million to \$100 Million.
- 4) A Merger and Acquisition Company which buys and sales small manufacturing businesses in the furniture and glass industry.

The Law Firm also represents:

- 1) The City of Flint;
 - 2) Michigan National Bank;
 - 3) Kmart Corporation;
 - 4) Various other corporations, partnerships, sole proprietorships, LLC's, etc.
-

Assistant City Attorney - City of Flint (1979-1981)

Duties: Primarily to represent the interest of the City of Flint and its various departments relative to all real estate matters, including but not limited to Property Tax Appeals, handling all litigation before the Tax Tribunal, drafting and review of any and all documents regarding the purchase and/or sale of property, condemnation proceedings and any and all litigation resulting for any real estate and/or commercial transactions involving the City of Flint. Additional duties included advising department heads, ordinance interpretation, research and writing of legal opinions.

TRIAL EXPERIENCE

- (A) Over thirty (30) years of trial experience;
- (B) Won several verdicts in excess of One Million (\$1,000,000) Dollars;
 - (i) Eight Million (\$8,000,000) Dollars
 - (ii) Seven Million (\$7,000,000) Dollars
- (C) Settled cases in excess of One Million (\$1,000,00) Dollars;
 - (i) Three Million Five Hundred Thousand (\$3,500,000) Dollars
 - (ii) One Million Five Hundred Thousand (\$1,500,000) Dollars

BAR MEMBERSHIP

State Bar of Michigan - Admitted 1979

Genesee County Bar Association

Wolverine Bar Association

American Bar Association

Trial Lawyer's of America

Mallory, Scott & Van Dyne Black Bark Association (Past-President)

CIVIL ACTIVITIES

Board Member of the Flint Airport Board

Board Member of the Advisory Board FirstMerit Bank Corporation

Board Member of Flint Downtown Development Authority

Board Member of the Uptown Reinvestment Corporation

Former Board Member of the Flint Institute of Music

REFERENCES

Provided Upon Request.

230283



RESOLUTION NO.: _____

PRESENTED: AUG 14 2023

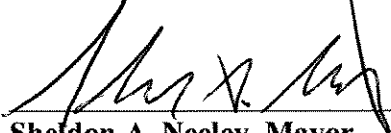
ADOPTED: _____

RESOLUTION APPROVING APPOINTMENT OF DOUG MATTHEWS TO THE ETHICS AND ACCOUNTABILITY BOARD

Mayor Sheldon A. Neeley appoints Doug Matthews, of 1520 Linwood Ave, Flint, MI 48503, to the Ethics and Accountability Board, to fill the remainder of the six-year term ending on June 26, 2026.

BE IT RESOLVED that the Flint City Council approves the appointment of Doug Matthews, of 1520 Linwood Ave, Flint, MI 48503, to serve the remainder of the six-year term on the Ethics and Accountability Board, with such term commencing immediately and expiring on June 26, 2026.

FOR THE CITY OF FLINT:


Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

APPROVED AS TO FORM:


William Kim, City Attorney

1520 Linwood Ave
Flint, MI 48503
(734) 223-8539
matthews@post.harvard.edu

Doug Matthews

Skills

Broad Analytical and Problem Solving Skills

- “Doug provided the client with a range of options, and opportunity for discussion, which met with the client’s needs on a level which made the client feel empowered and able to arrive at his own decision” – Presbyterian Support (USI)
- Experienced in applying the social work micro skills of engagement, assessment, intervention, evaluation and termination with clients, their whanau and carers
- Experienced in hospital social work, including surgery and ATR wards
- Experienced in community-based social work with older persons and their whanau and carers
- Helped partner establish two successful small businesses, including drafting business plans, compliance procedures, and doing client development work

Strong Communication Skills

- “Knowledgeable, analytical, empathetic, and an effective communicator” – Presbyterian Support (USI)
- Interviewed and counseled older people and students concerning a variety of legal, social and educational issues in many settings over many years
- Leadership roles in a variety of professional, business, and voluntary committees, teams and groups
- Taught business law subjects to adult students of all ages from a variety of socio-economic and cultural backgrounds in a vibrant, multicultural setting
- Presented frequently on professional topics to conferences and seminars

Key People and Management Skills

- “Working in professional relationships with [others] will have exponential and positive impact on them as Doug has effective advocacy, networking and teaching skills” – Power to Care
- Supported and encouraged older persons, young people and persons accused of crimes, and others in a variety of professional, voluntary, church and family settings, and facilitated group and individual meetings to empower them to solve their own problems by connecting them with resources, information and other supports
- Successfully worked in small teams or partnerships throughout my professional career in small and large organizations
- Completed the tikanga Māori paper (A- grade) offered in Otago’s Community and Family Studies Department and the post-graduate bicultural practice paper (A grade) in Canterbury’s School of Social Work and Human Development
- Formed strong working and personal relationships with Maori and with Maori and Pacific Island social workers

230284



RESOLUTION NO.: _____

PRESENTED: AUG 14 2023

ADOPTED: _____

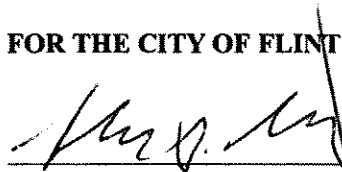
RESOLUTION APPROVING APPOINTMENT OF MICHAEL J. HARRIS TO THE LOCAL OFFICER COMPENSATION COMMISSION

Mayor Sheldon A. Neeley appoints Michael J. Harris, of 3702 Seneca St., Flint, MI 48504, to the Local Officers Compensation Commission, to fill the remainder of the term ending on August 7, 2027.

BE IT RESOLVED that the Flint City Council approves the appointment of Michael J. Harris, of 3702 Seneca St., Flint, MI 48504, to serve the remainder of a seven-year term on the Local Officers Compensation Commission, with such term commencing immediately and expiring on August 7, 2027.

FOR THE CITY OF FLINT:

APPROVED BY CITY COUNCIL:



Sheldon A. Neeley, Mayor

APPROVED AS TO FORM:



William Kim, City Attorney

MICHAEL J. HARRIS - BIO



Michael J. Harris

Michael is a partner with the Flint Development Center(flintdc.org), U.S. Army veteran, UAW/GM member and community organizer. Michael attended the University of Michigan as a political science major and is a lifelong Flint Michigan resident. He currently serves as CEO of Flintball and Founder of The McKenzie Patrice Croom Flint Community Lab. Michael has served as President of The Greater Flint African American Sports Hall Of Fame(GFAASHOF.ORG), Chair of the Genesee County Democratic Black Caucus and Chair of the NAACP ACT-SO program. He is a delegate to the Michigan Democratic State Central Committee.

Michael J. Harris

Partner Flint Development Center

4121 MLK Avenue

Flint, Michigan 48504 - USA

Michael Harris

(810)210-6554

3702 Seneca St.

Flint, Mi 48504

Skills

Managing small/large scale security operations -Tactical weapons

Aviation identification and tactics

Election organizing/Community based organizing

Experience

United States Army – honorable discharge

Corporal Platoon leader

1. Responsible for 38 soldiers who reported to me.

General Motors Security 1990-1992

Security Officer

GM Pinkerton Security 1992-1995

GM/ UAW 1995-Present

Operations Manager

1. Promoted four times in one year from security officer to Operations Manager.
2. Responsible for 15 GM facilities in Flint, Saginaw, and Bay City.
3. In charge of all day to day security operations such as hiring, discharges, payroll, labor relation etc.
4. Over 500 employees reported to me in this multimillion dollar organization.

Education

Flint Northwestern high school

University of Michigan political science major

Community Involvement

1. Chair NAACP ACT-So program
2. Precinct Delegate
3. UAW V-cap
4. President of The Greater Flint African-American Hall Of Fame (GFAAHF)
5. Past chair Genesee County Democratic Black Caucus
6. General Motors/ United Auto Workers Alternate committee person
7. Michigan Democratic State Central committee
8. Obama for America (OFA) North side District chairperson
9. Founding member of (CPYD) Coalition for Positive Youth Development.

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 6, ALCOHOLIC LIQUOR SALES.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 6, ALCOHOLIC LIQUOR SALES, Article 1, IN GENERAL, Section 6-6, CONSUMPTION IN PUBLIC PROHIBITED; POSSESSION OR CONSUMPTION IN PUBLIC PARK OR PARKWAY PROHIBITED; EXCEPTION, by providing numbering for paragraphs 6-6(1) and 6-6(2) and adding paragraph 6-6(3). which shall read in its entirety as follows:

§ 6-6 CONSUMPTION IN PUBLIC PROHIBITED; POSSESSION OR CONSUMPTION IN PUBLIC PARK OR PARKWAY PROHIBITED; EXCEPTION.

(1) No alcoholic liquors or beer shall be consumed on the public streets, parks or in any other public places, including any store or establishment doing business with the public not licensed to sell alcoholic liquor or beer therein.

(2) No person shall have in his possession or under his or her control, any alcoholic liquor or beer upon or within any public park or parkway; provided, that such possession and consumption of alcoholic liquor or beer may be permitted within buildings or structures under the jurisdiction of the Department of Parks and Recreation where not otherwise prohibited by law, upon the securing of permission from the Director of the Department of Parks and Recreation.

(3) The provisions of this section shall not apply to the operation of a commercial quadricycle and/or a passenger travelling thereon, as permitted under sections 28-164 to 28-175 of the Flint City Code of Ordinances.

Sec. 2. This Ordinance shall become effective this _____ day of _____, 2023, A.D.

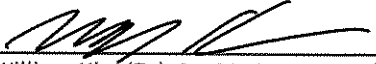
Adopted this _____ day of _____, 2023, A.D.

FOR THE CITY:

Sheldon A. Neeley, Mayor

Approved by City Council

APPROVED AS TO FORM:



William Kim (Feb 21, 2023 15:42 EST)

William Kim, City Attorney

ORDINANCE NO. _____**An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, MOTOR VEHICLES AND TRAFFIC****IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:**

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, MOTOR VEHICLES AND TRAFFIC, Article 1, IN GENERAL, Section 28-28.6, ADOPTION OF STATE LAW COVERING POSSESSION OF ALCOHOL IN PASSENGER VEHICLE, by the addition of paragraph 28-28.6(b)(5), which shall read in its entirety as follows:

§ 28-28.6 ADOPTION OF STATE LAW COVERING POSSESSION OF ALCOHOL IN PASSENGER COMPARTMENT OF A MOTOR VEHICLE.

(a) Section 624a of the Michigan Vehicle Code, covering possession of open alcohol in a passenger compartment, as adopted and promulgated by the State of Michigan as Public Act 98 of the Michigan Public Acts of 1991, and as from time to time amended by the State of Michigan (being MCLA §§ 257.624a et seq.; MSA §§ 9.2324(1) et seq.), is hereby adopted by reference by the Flint City Council and placed on file with the City Clerk.

(b) This section shall read as follows:

(1) Except as provided in subsection (2), a person shall not transport or possess alcoholic liquor in a container that is open or uncapped or upon which the seal is broken within the passenger compartment of a vehicle upon a highway, or within the passenger compartment of a moving vehicle in any place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, in this State.

(2) Exceptions. A person may transport or possess alcoholic liquor in a container that is open or uncapped or upon which the seal is broken within the passenger compartment of a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles in this State, if the vehicle does not have a trunk or compartment separate from the passenger compartment, the container is enclosed or encased, and the container is not readily accessible to the occupants of the vehicle.

(3) Violation as misdemeanor. A person who violates this section is guilty of a misdemeanor.

(4) Chartered vehicle exception. This section does not apply to a passenger in a chartered vehicle authorized to operate by the Michigan Department of Transportation.

(5) Commercial Quadricycle exception. This section does not apply to the operation of a commercial quadricycle and/or a passenger travelling thereon, as permitted under sections 28-164 to 28-175 of the Flint City Code of Ordinances.

Sec. 2. This Ordinance shall become effective this ____ day of ____, 2023, A.D.

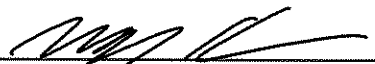
Adopted this ____ day of ____, 2023, A.D.

FOR THE CITY:

Sheldon A. Neeley, Mayor

Approved by City Council

APPROVED AS TO FORM:



William Kim (Feb 21, 2023 15:42 EST)

William Kim, City Attorney

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, MOTOR VEHICLES AND TRAFFIC.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, MOTOR VEHICLES AND TRAFFIC, Article XIV, MOTORCYCLES, BICYCLES AND THE LIKE, Division 1, BICYCLES, by amending and renaming sections 28-164 through 28-174, which shall read in their entirety as follows:

~~DIVISION 1. BICYCLES~~

~~§ 28-164 "BICYCLE" DEFINED.~~

~~BICYCLE. A device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter.~~

~~§ 28-165 COMPLIANCE.~~

~~All person using bicycles shall conform to the general rules as set forth in this ordinance.~~

~~§ 28-166 REGISTRATION; TRANSFER OF OWNERSHIP.~~

~~(a) No person shall operate a bicycle upon any street, alley, or public place of this City unless such bicycle is registered as hereinafter provided and properly displays a decalcomania print; provided, however, that a nonresident temporarily in the City may secure from the Chief of Police a permit to use a bicycle for a period not exceeding seven (7) days.~~

~~(b) Bicycle registration certificates shall be issued by the Chief of Police but only after ascertaining that the bicycle desired to be registered is in good mechanical condition and carries the equipment required under this ordinance. The fee for such registration shall be as specified in Chapter 26 of this Code.~~

~~(c) The application of registration hereunder shall be on a form furnished by the Chief of Police. Said application shall be in triplicate and when signed by the Chief of Police shall constitute a certificate of registration, one copy of which shall be given to and retained by the applicant. The Chief of Police shall also furnish a decalcomania print which shall be securely attached to the bicycle to a conspicuous place on the frame. The decalcomania must be displayed on the registered bicycle at all times, and shall not be used on, or transferred to any other bicycle than that for which it was issued.~~

~~(d) Any person who sells or transfers ownership to any bicycle shall report such sale or transfer by returning to the Chief of Police the registration card issued therefor, together with the name and address of the person to whom such bicycle was sold or transferred. Such report shall be made~~

~~within five days from the date of the sale or transfer. It shall be the duty of the purchaser or transferee to apply for transfer or registration thereof within seven (7) days after the sale or transfer. The transfer of registration shall bear a fee as specified in Chapter 26 of this Code and be upon the condition that the bicycle is in good mechanical condition and carries equipment required under this ordinance.~~

~~(e) No person shall willfully or maliciously remove, destroy, mutilate or alter the frame number or manufacturer's serial number, or the decalcomania print issued under this article.~~

~~(f) Duplicate decalcomania print shall be issued by the Chief of Police in event the decalcomania print is lost, defaced or destroyed, upon the payment of the sum of \$0.25.~~

~~(g) In event any bicycle does not possess a trade number of manufacturer's serial number, the Chief of Police may stamp an identifying frame number thereon.~~

~~§ 28-166.1 BICYCLES TO BE PERMANENTLY IDENTIFIED UPON SALE.~~

~~Retail merchants of bicycles are hereby required to affix to each such bicycle sold, the driver's license number, social security number, or other proper identification number of the purchaser of such bicycle with a permanent stencil, stamp, or other method approved by the Chief of Police.~~

~~§ 28-167 LIGHTS AND REFLECTORS REQUIRED.~~

~~Every bicycle, when in use at nighttime, shall be equipped with a lamp on the front which will emit a white light visible from a distance of 500 feet to the front and with a red reflector on the rear which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.~~

~~§ 28-168 WARNING DEVICES REQUIRED; USE OF SIRENS OR WHISTLES PROHIBITED.~~

~~No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet; except that such vehicle shall not be equipped with nor shall any person use upon such vehicles any sirens or whistle.~~

~~§ 28-169 BRAKES REQUIRED.~~

~~Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.~~

~~§ 28-170 CARRYING PACKAGES.~~

~~No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping both hands upon the handlebars of the vehicle.~~

~~§ 28-171 RIDING ON SIDEWALKS PROHIBITED; EXCEPTION.~~

~~No person shall ride any bicycle upon any sidewalks in the City of Flint, except on sidewalks located in residential districts of the said City of Flint; provided that no person shall ride upon any sidewalk or be permitted to do so at a rate of speed exceeding ten miles per hour; further, that such vehicle shall be operated along the right side of the street or sidewalk.~~

~~§ 28-172 TO BE RIDDEN WITH HANDS ON HANDLEBARS; MORE THAN ONE PERSON RIDING PROHIBITED; EXCEPTION.~~

~~It shall be unlawful for persons to ride bicycles in the streets, highways, public places or on sidewalks without having their hands on the handlebars, or for two or more persons to ride on any such vehicles; provided, that two or more persons may ride on a tandem bicycle which is hereby defined to be a bicycle originally manufactured for the purpose of being ridden or operated by two or more persons.~~

~~§ 28-173 IMPOUNDMENT OF ABANDONED OR STOLEN BICYCLES.~~

~~Any unregistered bicycle which appears to be abandoned by the owner or is recovered by the police after being stolen, shall be removed by any member of the Police Department to a place in the City to be designated by the Chief of Police. Any person owning or entitled to possession of such bicycle so removed may thereafter obtain possession thereof by paying the Police Department a fee which shall be established from time to time by resolution of the City Council, kept on file by the City Clerk, and contained in Appendix A of the City Code, and registering the bicycle as provided in this division. It shall be the duty of any Police Department member collecting any such fee to issue a receipt therefor in duplicate, stating the make and serial number, if any, of the bicycle, together with the name of the owner or person entitled to possession thereof, one of which shall be handed to the person paying the same, and the other shall be filed in the office of the Chief of Police, and within 48 hours thereafter, the Chief of Police shall pay to the City Treasurer the amount so collected, taking the Treasurer's receipt therefor and filing the same in the office of the Chief of Police.~~

~~§ 28-174 RIDING ON PERMANENT SEATS.~~

~~A person propelling a bicycle or operating a motorcycle or motor-driven cycle shall not ride other than upon and astride a permanent and regular seat attached thereto.~~

DIVISION 1. COMMERCIAL QUADRICYCLES

§ 28-164 DEFINITIONS

For purposes of this article the following words and phrases shall have the meanings respectively ascribed to them by this section:

***Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented or any other designation, which contains one-half of one percent or more of alcohol by volume, are fit for use as a beverage, and are defined and classified by the Michigan Liquor Control Commission according to**

alcoholic content as being beer, wine, spirits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed spirit drink.

Chief of Police means the Chief of the Flint Police Department.

City means the City of Flint, Michigan.

Commercial quadricycle means a vehicle as defined in Section 7b of the Michigan Vehicle Code, being MCL 257.7b, and which satisfies all of the following:

- (a) The vehicle that has fully operative pedals for propulsion entirely by human power;
- (b) The vehicle that has at least four wheels and is operated in a manner similar to a bicycle;
- (c) The vehicle that has at least six seats for passengers;
- (d) The vehicle is designed to be occupied by a driver and powered either by passengers providing pedal power to the drive train of the vehicle or by a motor capable of propelling the vehicle in the absence of human power;
- (e) The vehicle is used for commercial purposes; and
- (f) The vehicle is operated by the owner of the vehicle or an employee of the owner of the vehicle.

Controlled substance means any drug, immediate precursor or substance, by whatever official, common, usual, chemical, or trade name known, that is delineated in Schedules 1 through 5 of Part 72 of the Michigan Public Health Code, Public Act 368 of 1978, being MCL 333.7201 through MCL 333.7231.

Director means the Department Director assigned to implement this ordinance by the City Administrator.

Drug means:

- (a) A substance that is recognized as a drug in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official national formulary, or any supplement to any of them; or
- (b) A substance that is intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or animals; or
- (c) A substance, other than food, that is intended to affect the structure or function of the body of human beings or animals; or

(d) A substance that is intended for use as a component of any substance specified within this definition.

Operator means an individual who actually physically controls, or is responsible for the actual physical control of, any vehicle regulated by this article.

Owner means an individual, person, partnership, corporation, association, sole proprietorship, limited-liability company, joint venture, estate, trust, organization, or any other legal entity engaged in the business of transporting passengers for hire by means of one or more vehicles regulated by this article.

§ 28-165 AUTHORITY TO OPERATE

The operation of commercial quadricycles in the City is permitted in accordance with the provisions of this division. The provisions of this division are authorized by and adopted pursuant to Sections 7b, 33, 518a, 624a, 625p, 657, 660 662, 901 and 907 of the Michigan Vehicle Code, being MCL 257.7b, 257.33, 257.518a, 257.624a, 257.625p, 257.657, 257.660, 257.662, 257.901 and 257.907.

§ 28-166 LOCATION OF OPERATIONS

(1) The Director and the Chief of Police shall, by rule, jointly designate and approve the geographic locations and/or public right-of-ways in the City where licensed commercial quadricycles may operate. The geographic locations and/or public right-of-ways may be altered from time as determined by the Director and the Chief of Police. No Owner and/or Operator shall acquire any right to operate a commercial quadricycle in a particular geographic location and/or public right-of-way in the City.

(2) It shall be unlawful for any person to operate a commercial quadricycle at a location or on a public right-of-way in the City which location or public right-of-way has not been designated and approved in accordance with this section. Any person who violates this section shall be a guilty of a misdemeanor punishable by not more than 90 days in jail or a \$500.00 fine, or both.

§ 28-167 HOURS OF OPERATION

Licensed commercial quadricycles shall only be operated in the City between the hours of 9:00 a.m. and 11:00 p.m.

Any person who violates this section shall be responsible for a municipal civil infraction and subject to a fine or fines as provided in section §1-19 of the Flint City Code of Ordinances.

§ 28-168 SUSPENSION OF OPERATIONS

The Chief of Police shall have the authority to temporarily suspend the operation of any and all commercial quadricycles in the City whenever he or she determines that the conditions for the operation of a commercial quadricycle are unsuitable or unsafe. Any person who violates this

section shall be responsible for a municipal civil infraction and subject to a fine or fines as provided in section §1-19 of the Flint City Code of Ordinances.

§ 28-169 COMPLIANCE WITH TRAFFIC LAWS AND SAFETY REQUIREMENTS

(1) The operation of a commercial quadricycle in the City shall comply with all traffic laws of the State of Michigan and the Flint City Code of Ordinances. In addition:

(A) No commercial quadricycle shall be operated at a speed more than 25 miles per hour;

(B) No commercial quadricycle shall be operated on a highway or street with a speed limit of more than 35 miles per hour except for the purpose of crossing that highway or street;

(C) No commercial quadricycle shall be operated on a sidewalk constructed for the use of pedestrians;

(D) All commercial quadricycles shall be capable of coming to a complete and controlled stop;

(E) All commercial quadricycles shall be equipped with a front lamp that emits a white light visible from a distance of at least 500 feet to the front and a rear lamp that emits a red light visible from distance of 500 feet to the rear; and

(F) All commercial quadricycles shall be maintained in a good state of repair, free from defects, both inside and outside, so as to not to injure any passengers or damage their clothing or possessions. The exterior of a commercial quadricycle shall be reasonably clean and free from cracks, breaks, and major dents.

(2) Any person who violates this section shall be responsible for a municipal civil infraction and subject to a fine or fines as provided in section §1-19 of the Flint City Code of Ordinances.

§ 28-170 OPERATORS

(1) The Operator of a commercial quadricycle shall:

(A) Possess a valid Michigan Driver's License;

(B) Operate the commercial quadricycle in a safe and prudent manner;

(C) Keep the interior of the commercial quadricycle clean;

(D) Report all accidents involving the commercial quadricycle as required by the traffic laws of the State of Michigan and the Flint City Code of Ordinances;

(E) Conspicuously post his or her current Quadricycle License in a protective frame attached to the commercial quadricycle;

(F) Be properly attired with a shirt, pants, skirt or shorts, and secure footwear.

(2) The Operator of a commercial quadricycle shall not:

(A) Transport passengers without a reservation arranged by phone or online;

(B) Promote or recommend transportation to any person or entity operating in violation of law;

(C) Sell, or offer for sale, articles of merchandise or literature to passengers while the quadricycle is in motion;

(D) After leaving the starting point, receive additional passengers;

(E) Except in an emergency, abandon the commercial quadricycle;

(F) Operate the commercial quadricycle while under the influence of alcoholic liquor, a controlled substance, and/or an illegal drug, or while his or her ability to operate the commercial quadricycle has been impaired by alcoholic liquor, a controlled substance, and/or an illegal drug;

(G) Stop to load or unload passengers in the intersections of any street or crosswalk, or in any unsafe location;

(H) Load or unload passengers in any manner that will impede or interfere with the orderly flow of traffic on the streets;

(I) Permit a passenger to possess or transport alcoholic liquor other than beer, wine, spirits or a mixed spirits drink;

(J) Permit a passenger to possess or transport alcoholic liquor that was purchased from a commercial establishment after the start of the trip; and/or

(K) Permit a passenger to engage in disorderly conduct.

(3) Any person who violates (2)(F) of this section shall be a guilty of a misdemeanor punishable by not more than 93 days in jail or a \$500.00 fine, or both, and licensing sanctions as provided by MCL 257.625.

(3) Any person who violates any other provision of this section shall be responsible for a municipal civil infraction and subject to a fine or fines as provided in section §1-19 of the Flint City Code of Ordinances.

§ 28-171 PASSENGERS

(1) A passenger on a commercial quadricycle shall not:

(A) Possess or transport alcoholic liquor on a commercial quadricycle other than beer, wine, spirits, or a mixed spirits drink;

(B) Possess or transport alcoholic liquor on a commercial quadricycle that was purchased from a commercial establishment after the start of the trip; and/or

(C) Engage in disorderly conduct.

(2) Any person who violates this section shall be responsible for a municipal civil infraction and subject to a fine or fines as provided in section §1-19 of the Flint City Code of Ordinances.

§ 28-172 LICENSE REQUIRED

(1) A Quadricycle License shall be required to operate a commercial quadricycle in the City.

(2) One Quadricycle License shall be required for each commercial quadricycle.

(3) The Director shall promulgate rules and regulations to obtain a license and enforce the licensing requirement in accordance with the Charter of the City of Flint, and shall administer all licensing activity.

(2) The fees for licensure or other activity under this Division of the Code shall be set from time to time by Council resolution. The fee shall be non-refundable and must be paid in full prior to issuance of the license.

(3) The Quadricycle License shall specify the total number of passengers that may be transported on the commercial quadricycle.

(4) A Quadricycle License issued under this Division may be suspended or revoked at any time by the Director, and the Director shall not issue a Quadricycle License under this section, for any 1 or more of the following reasons:

(a) Providing incorrect, misleading, incomplete, or materially untrue information in the license application.

(b) Failing to meet the minimum requirements for licensure under this Division of the Code or any regulations promulgated under this Division of the Code.

(c) Multiple violations of any provision of this Division of the Code or any regulation promulgated under this Division of the Code.

(d) Any condition which, had it been known or had it occurred prior to licensure, would have justified denial of licensure.

(e) Failing to pay any fee or monies due to the City of Flint.

(5) It shall be unlawful to operate or permit another person to operate a commercial quadricycle in the City unless the Owner of the commercial quadricycle has obtained a license to operate the commercial quadricycle from the Director. Any who person who violates this section shall be a guilty of a misdemeanor punishable by not more than 90 days in jail or a \$500.00 fine, or both.

(6) A Quadricycle License shall expire one year after issuance. The Director shall, by rule, create procedures for renewal of licensure. A Quadricycle License may not be transferred.

(7) The Director shall have the authority to promulgate rules and regulations to effectuate the provisions of this section. The Director may, by rule, establish a reasonable limit on the total number of licenses to operate a commercial quadricycle that may be issued in the City.

§ 28-172 MINIMUM REQUIREMENTS

(1) The requirements for obtaining a license to operate a commercial quadricycle in the City shall be promulgated by the Director, and shall include, at a minimum:

(A) The name and business address of the applicant;

(B) Written proof that the applicant is the owner of the commercial quadricycle;

(C) If the applicant is a corporation or other business entity, a certificate of the entity's good corporate standing;

(D) If the applicant is a corporation or other business entity, the name and address of the entity's registered agent;

(E) The names and addresses of all persons who will operate the commercial quadricycle;

(H) Written proof that all persons who will operate the commercial quadricycle have received commercial training in identifying the signs of intoxication and alcohol management; and

(I) Written proof that the applicant meets the insurance requirements for operating a commercial quadricycle as established under §28-173 of this ordinance, and that the required insurance is in full force and effect as of the time the license to operate the quadricycle will be issued.

(2) The Director shall have the authority to promulgate rules and regulations creating additional minimum requirements or otherwise effectuating this section, as may be necessary to ensure the health, welfare, and safety of the quadricycle licensees, operators, passengers, and the general public.

§ 28-173 INSURANCE AND INSPECTIONS

(1) The Owner of a commercial quadricycle shall maintain liability insurance for the operation of a commercial quadricycle in the amount of two-million and 00/100 (\$2,000,0000.00), combined single limit, for all bodily injuries and property damages arising from the operation of the commercial quadricycle.

(2) The Owner of a commercial quadricycle shall provide the Director with proof of insurance at any time upon request.

(3) A commercial quadricycle licensed under this Division of the Code shall be subject to inspection and search, by the Department or any Flint police officer, at any time while operating in the City of Flint.

(4) The Director shall have the authority to promulgate rules and regulations to conduct inspections of and regulate the operation of a commercial quadricycle, as may be deemed necessary to ensure the health, welfare, and safety of the quadricycle licensee, operators, passengers, and the general public.

§ 28-174 DENIAL, SUSPENSION, OR REVOCATION OF LICENSURE

(1) If the Director denies, suspends, or revokes a Quadricycle License, the Director shall send written notice of the denial, suspension, or revocation to the applicant or licensee.

(2) The applicant or licensee may, within 14 days, request a hearing from the Director or their designee to contest the denial, suspension, or revocation of a Quadricycle license. A request for hearing must be in writing and specify the grounds on which the applicant or licensee is contesting the denial, suspension, or revocation. After reviewing the request for hearing, the Director may conduct a hearing at his or her discretion, or may issue a written determination based on the request for hearing.

(3) If the Director's written determination does not reverse the denial, suspension or revocation, or if the Director does not act on a request for hearing within 30 days, the applicant or licensee may, within 14 days of the Director's written determination or failure to act on the request for hearing, petition the Flint City Council to review the action of the Director.

(4) If the Flint City Council does not reverse the denial, suspension, or revocation, or if the Flint City Council does not act on a request for hearing within 60 days, the applicant or licensee may appeal to the Circuit Court.

(5) The Director shall have the authority to promulgate rules and regulations to effectuate this section, as may be deemed necessary to ensure the health, welfare, and safety of the quadricycle licensese, operators, passengers, and the general public.

§ 28-175 SEVERABILITY

Should any section, clause or phrase of this ordinance be declared invalid, the same shall not affect the validity of the ordinance as a whole.

Sec. 2. This Ordinance shall become effective this _____ day of _____, 2023, A.D.


Adopted this _____ day of _____, 2023, A.D.

FOR THE CITY:

Sheldon A. Neeley, Mayor

Approved by City Council

APPROVED AS TO FORM:



William Kim (Feb 21, 2023 15:42 EST)

William Kim, City Attorney