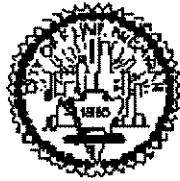


# **City of Flint, Michigan**

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



## **Meeting Agenda – FINAL**

**Wednesday, April 17, 2024**

**5:00 PM**

**CITY COUNCIL CHAMBERS**

### **GOVERNMENTAL OPERATIONS COMMITTEE**

*Eva Worthing, Chairperson, Ward 8*

*Leon El-Alamin, Ward 1  
Quincy Murphy, Ward 3  
Jerri Winfrey-Carter, Ward 5  
Candice Mushatt, Ward 7*

*Ladel Lewis, Ward 2  
Judy Priestley, Ward 4  
Tonya Burns, Ward 6  
Dennis Pfeiffer, Ward 8*

*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 three (3) minutes to address the City Council on any subject. Only one speaking opportunity per speaker.*

## COUNCIL RESPONSE

*Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two (2) minutes.*

## 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

**230466.2** Adoption/2024 Revisions to Council Rules [Rules Governing Meetings of the Flint City Council

Resolution resolving that the Flint City Council adopts the [amended] Rules Governing Meetings of the Flint City Council, to be effective upon being made publicly available at the City Clerk's Office and/or on the City's website, with proposed revisions offered and adopted by the Flint City Council on April 8, 2024.

**240106** Mandate/Disclosure of Conflicts of Interest and Contacts with Those Benefitting From or Receiving Funds from the City of Flint/Flint City Councilmembers

Resolution resolving that any Councilmember who has a conflict of interest as defined in those provisions shall disclose such conflict, and its nature, during debate on the ordinance or resolution before the City Council, and before a vote is taken, AND, resolving that that Councilmembers shall orally disclose, during debate on an ordinance or resolution before City Council, any contacts or communications, oral or written, with any entity or person, including any agents, employees or representatives, that will receive a direct benefit from the matter before the Council, AND, resolving that Councilmembers shall orally disclose, during debate on the ordinance or resolution before City Council, anything of value received within the prior twelve months from or on behalf of

the entity or person, including any agents, employees or representatives, that will receive a direct benefit from the matter before the Council, AND, resolving that that no declaration need be made unless the benefit is of more than a de minimis nature and is distinguishable from the benefits to the public or a broad segment of the public.

- 240144** Administrative Consent Order/City of Flint/State of Michigan/Department of Environment, Great Lakes and Energy [EGLE]/Drinking Water and Environmental Health Division

Resolution resolving that the City Council approves authorizing the City of Flint to take all actions necessary to enter into DWEHD Order No. ACO-399-03-2024 ("Administrative Consent Order between the City of Flint and EGLE"). [NOTE: The State of Michigan, Department of Environment, Great Lakes, and Energy ("EGLE"), Drinking Water and Environmental Health Division ("DWEHD") has made allegations that the City of Flint is in violation of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), and the administrative rules promulgated thereunder, being 2009 ACS R 325.10101, et seq., Title XIV of the Public Health Service Act: Safety of Public Water Systems (Safe Drinking Water Act), Title 42 of the United States Code (USC), Section 300f, et seq. (collectively, the "SDWA"). The City of Flint and EGLE have tentatively agreed to resolve the violations alleged by EGLE through entry of an Administrative Consent Order.]

## APPOINTMENTS

- 240147** Reappointment/Zoning Board of Appeals/John E. Hardy

Resolution resolving that the Flint City Council approves the reappointment of Hohn E. Hardy (3721 Mason Street, Flint, Michigan, 48505 - Ward 1) to the Zoning Board of Appeals for the remainder of a 3-year term commencing immediately upon adoption of this resolution and expiring August 31, 2026.

## ADJOURNMENT



230466.2

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

PRESENTED: 4-08-2024

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

**RESOLUTION ADOPTING 2024 REVISIONS TO COUNCIL RULES**

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

Pursuant to Section 1-801 of the Flint City Charter, a public hearing regarding proposed rules to the Rules Governing Meetings of the Flint City Council was held on April 8, 2024.

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

The following amendments to the proposed revisions were offered and adopted by the Flint City Council on April 8, 2024:

**FOR THE CITY COUNCIL:**

\_\_\_\_\_

**APPROVED AS TO FORM:**

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

240106



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

PRESENTED: 3-20-2024

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

**Resolution Mandating Disclosure of Conflicts of Interest and Contacts with Those Benefitting From or Receiving Funds From the City of Flint**

Section 1-602(D) of the Flint City Charter mandates certain disclosures by public servants “who in the discharge of official duties would be required to take an official action or make an official decision that would substantially affect the public servant’s financial interests or those of an associated business or immediate family member.”

Section 1-142 of the Flint City Code of Ordinances also mandates that “[e]very officer . . . shall file a sworn statement with the City Clerk whenever the officer . . . has made or participated, or was required to make or participate, in making a governmental decision having knowledge that the decision will provide a benefit to the officer . . . or his business associate, spouse, son, daughter, parent, grandparent, brother, sister, or any person who resides or at some time resided in the same household as the officer or employee.”

To further implement and strengthen the disclosure requirements of the Flint City Charter and Code of Ordinances,

**BE IT RESOLVED** that any Councilmember who has a conflict of interest as defined in those provisions shall disclose such conflict, and its nature, during debate on the ordinance or resolution before the City Council, and before a vote is taken.

**BE IT FURTHER RESOLVED** that Councilmembers shall orally disclose, during debate on an ordinance or resolution before City Council, any contacts or communications, oral or written, with any entity or person, including any agents, employees or representatives, that will receive a direct benefit from the matter before the Council.

**BE IT FURTHER RESOLVED** that a Councilmembers shall orally disclose, during debate on the ordinance or resolution before City Council, any thing of value received within the prior twelve months from or on behalf of the entity or person, including any agents, employees or representatives, that will receive a direct benefit from the matter before the Council.

**BE IT FURTHER RESOLVED** that no declaration need be made unless the benefit is of more than a de minimis nature and is distinguishable from the benefits to the public or a broad segment of the public.

<signatures on next page>

**FOR THE CITY COUNCIL**

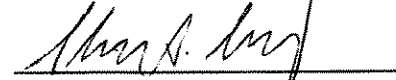
\_\_\_\_\_

**APPROVED AS TO FORM:**



**William Y. Kim, City Attorney**

**FOR THE CITY OF FLINT**



**Sheldon A. Neeley, Mayor**



240144



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

PRESENTED: 4-17-2024

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

**RESOLUTION AUTHORIZING ENTRY INTO ADMINISTRATIVE CONSENT ORDER  
BETWEEN THE CITY OF FLINT AND THE STATE OF MICHIGAN, DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES AND ENERGY, DRINKING WATER AND  
ENVIRONMENTAL HEALTH DIVISION**

**BY THE CITY ADMINISTRATOR:**

The State of Michigan, Department of Environment, Great Lakes, and Energy (“EGLE”), Drinking Water and Environmental Health Division (“DWEHD”) has made allegations that the City of Flint is in violation of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), and the administrative rules promulgated thereunder, being 2009 ACS R 325.10101, *et seq.*, Title XIV of the Public Health Service Act: Safety of Public Water Systems (Safe Drinking Water Act), Title 42 of the United States Code (USC), Section 300f, *et seq.* (collectively, the “SDWA”).

The City of Flint is a supplier of water as defined under the SDWA through the City of Flint’s ownership and operation of a Class D1 water treatment system and S1 water distribution system.

The City of Flint and EGLE have tentatively agreed to resolve the violations alleged by EGLE through entry of an Administrative Consent Order.

The Department of Public Works recommends that the City enter into the Administrative Consent Order to resolve the allegations made by EGLE.

**IT IS RESOLVED** that the City Council approves authorizing the City of Flint to take all actions necessary to enter into DWEHD Order No. ACO-399-03-2024 (“Administrative Consent Order between the City of Flint and EGLE”).

**For the City**

**For the City Council**

CLYDE D EDWARDS / A0148

CLYDE D EDWARDS / A0148 (Apr 11, 2024 11:23 EDT)

**Clyde Edwards, City Administrator**

**APPROVED AS TO FORM:**

William Kim (Apr 11, 2024 09:39 EDT)

**William Y. Kim, City Attorney**



# CITY OF FLINT STAFF REVIEW FORM

**TODAY'S DATE:** April 9, 2024

**BID/PROPOSAL#** None.

**AGENDA ITEM TITLE:** Resolution Authorizing Entry Into Administrative Consent Order Between the City of Flint and the State of Michigan, Department of Environment, Great Lakes and Energy, Drinking Water and Environmental Health Division

**PREPARED BY:** Joseph N. Kuptz, Chief Deputy City Attorney

**VENDOR NAME:** State of Michigan, Department of Environment, Great Lakes and Energy, Drinking Water and Environmental Health Division

## BACKGROUND/SUMMARY OF PROPOSED ACTION:

The State of Michigan, Department of Environment, Great Lakes, and Energy ("EGLE"), Drinking Water and Environment Health Division ("DWEHD") has made allegations that the City of Flint is in violation of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), and the administrative rules promulgated thereunder, being 2009 ACS R 325.10101, *et seq.*, Title XIV of the Public Health Service Act: Safety of Public Water Systems (Safe Drinking Water Act), Title 42 of the United States Code (USC), Section 300f, *et seq.* (collectively, the "SDWA").

The City of Flint is a supplier of water as defined under the SDWA through the City of Flint's ownership and operation of a Class D1 water treatment system and S1 water distribution system.

The City of Flint and EGLE have tentatively agreed to resolve the violations alleged by EGLE through entry of an Administrative Consent Order.

## PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

None.





# CITY OF FLINT STAFF REVIEW FORM

**POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:**

This will result in the resolution of the various allegations made by EGLE as to the City of Flint.

**FINANCIAL IMPLICATIONS:**

Various.

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

Dept.	Name of Account	Account Number	Grant Code	Amount
		<b>FY24 GRAND TOTAL</b>		

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

**ACCOUNTING APPROVAL:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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

**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**



# CITY OF FLINT STAFF REVIEW FORM

BUDGET YEAR 3

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

STAFF RECOMMENDATION: (PLEASE SELECT):  APPROVED  NOT APPROVED

DEPARTMENT HEAD SIGNATURE: CLYDE D EDWARDS / A0148  
CLYDE D EDWARDS / A0148 (Apr 11, 2024 11:23 EDT)

*Clyde Edwards, City Administrator*

240147

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

PRESENTED: 4-17-2024

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

**RESOLUTION APPROVING THE REAPPOINTMENT OF JOHN E. HARDY TO THE ZONING BOARD OF APPEALS**

**BY THE CLERK:**

John E. Hardy's term on the Zoning Board of Appeals (Ward 2) ended on August 31, 2018, although he continued to serve.; and

Mr. Hardy was appointed in 2018 by the 2<sup>nd</sup> Ward Councilperson. Since that time, Mr. Hardy's address was redistricted from the 2<sup>nd</sup> Ward to the 1<sup>st</sup> Ward.; and

1<sup>st</sup> Ward City Councilperson, Leon El-Alamin recommends the reappointment of John E. Hardy (3721 Mason Street, Flint, MI 48505-Ward 1) to the Zoning Board of Appeals.

**IT IS RESOLVED** that the Flint City Council approves the reappointment of John E. Hardy to the Zoning Board of Appeals, for a three-year term that begins immediately upon adoption of this resolution and ends on August 31, 2026.

**APPROVED AS TO FORM:**

**APPROVED BY CITY COUNCIL:**

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

\_\_\_\_\_