



City of Flint, Michigan

Meeting Minutes - Draft

CITY COUNCIL

240311

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

Ladel Lewis, President, Ward 2
Candice Mushatt, Vice President, Ward 7

Leon El-Alamin, Ward 1
Judy Priestley, Ward 4
Tonya Burns, Ward 6

Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5
Dennis Pfeiffer, Ward 8
Jonathan Jarrett, Ward 9

Davina Donahue, City Clerk

Monday, June 10, 2024

8:18 PM

Council Chambers

CALL TO ORDER

President Lewis called this Regular City Council Meeting to order at 8:18 p.m.

ROLL CALL

Present: Councilperson: Councilperson El-Alamin, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Councilperson Mushatt and Councilperson Jarrett

Absent: Councilperson: Councilperson Pfeiffer

PLEDGE OF ALLEGIANCE

Councilmember Priestley led the Pledge of Allegiance.

PRAYER OR BLESSING

Councilmember Mushatt led the Prayer.

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

Read Into Record

REQUEST FOR AGENDA CHANGES/ADDITIONS

Councilmember Mushatt requested that Reso No. 240227 be moved to the "top of the agenda".

PUBLIC HEARINGS

240191.6 Public Hearing/Ordinance No. 240191

A Public Hearing for Ordinance No. 240191, an ordinance to amend Chapter 31 (General Offenses) Code of Ordinances by amending Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons). [NOTE: This ordinance shall become effective 30 days after enactment.]

Public Hearing No. 240191.6 was Closed at 8:25 p.m.

HEARING HELD

COUNCIL MOTION

Councilmember Jarrett, seconded by Councilmember Burns, made a Motion to Appeal the Ruling of the Chair for Public Hearing 240191.6.

Motion FAILED by a vote of 4:4. (No= El-Alamin, Lewis, Priestley and Mushatt)

PUBLIC HEARINGS (Continued)

240192.6 Public Hearing/Ordinance No. 240192

A Public Hearing for Ordinance No. 240192, an ordinance to amend Chapter 46 (Utilities) Article II (Water Supply and Sewage Disposal System), by the addition of Division 5 (Replacement of Lead Service Lines). [NOTE: This ordinance shall become effective 30 days after enactment.]

Public Hearing No. 240192.6 was Closed at 8:55 p.m.

HEARING HELD

ROLL CALL

Present: Councilperson: Councilperson El-Alamin, Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Councilperson Mushatt and Councilperson Jarrett

Absent: Councilperson: Councilperson Murphy and Councilperson Pfeiffer

COUNCIL MOTION

Councilmember Jarrett, seconded by Councilmember Burns, made a Motion to Appeal the Ruling of the Chair for Public Hearing 240191.6.

With a vote 4.4. (Councilmember El-Alamin, Councilmember Lewis, Councilmember Priestley and Councilmember Mushatt)

PUBLIC COMMENT

17 Public Speakers

Recess

President Lewis called for a 5 minute Recess which started at 9:13 p.m, and returned to Order at 9:18 p.m.

COUNCIL MOTION

Councilmember Burns, seconded by Councilmember Jarrett, made a Motion to Appeal the Ruling of the Chair for giving Arther Woodson a 2nd warning,

The motion FAILED with a vote of 3.3.1 (No= El-Alamin, Lewis, Mushatt) (Abstain= Jarrett)

COUNCIL RESPONSE

CONSENT AGENDA

Councilmember Priestley, seconded by Councilmember El-Alamin made a Motion to Approve the Consent Agenda (with Separations). The motion passed by a vote of 7:0.

RESOLUTIONS

240227 Reallocation of ARPA Funds/Grants for Youth Job Training/Faith foundation Resources

Resolution resolving that the appropriate City Officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to Faith Foundation Resources, in the amount of \$200,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations.

A motion was made by Councilperson Mushatt, seconded by Councilperson Priestley, that this matter be SEPARATED FROM MASTER RESOLUTION. The motion failed by the following vote:

Aye: 4 - Councilperson El-Alamin, Councilperson Lewis, Councilperson Priestley and Councilperson Mushatt

No: 1 - Councilperson Jarrett

Abstain: 1 - Councilperson Winfrey-Carter

Absent: 3 - Councilperson Murphy, Councilperson Burns and Councilperson Pfeiffer

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.]

A motion was made by Councilperson Mushatt, seconded by Councilperson El-Alamin, that this matter be SEPARATED FROM MASTER RESOLUTION. The motion failed by the following vote:

Aye: 4 - Councilperson El-Alamin, Councilperson Lewis, Councilperson Priestley and Councilperson Mushatt

No: 2 - Councilperson Winfrey-Carter and Councilperson Jarrett

Abstain: 1 - Councilperson Burns

Absent: 2 - Councilperson Murphy and Councilperson Pfeiffer

240169 Reallocation ARPA Funds/Payment of Uncollected Trash Fees

Resolution resolving that the appropriate City Officials are authorized to do all things and execute any agreements necessary to appropriate funding in the current and future fiscal years, for as long as the funds are available. Prior to any disbursement of funds, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury rules. [NOTE: City Administration recommends reallocating \$2,000,000 of ARPA funds, previously obligated for revenue replacement, to provide funding for payment of uncollected trash fees. Reallocated funds will be moved from Acct #101-287.000-963.000.]

A motion was made by Councilperson Priestley, seconded by Councilperson El-Alamin, that this matter be SEPARATED FROM MASTER RESOLUTION. The motion carried by the following vote:

Aye: 5 - Councilperson El-Alamin, Councilperson Lewis, Councilperson Priestley, Councilperson Mushatt and Councilperson Jarrett

No: 2 - Councilperson Winfrey-Carter and Councilperson Burns

Absent: 2 - Councilperson Murphy and Councilperson Pfeiffer

240189 Reallocation of ARPA Funds/Small Business Grants/ Local Initiatives Support Corporation (LISC)

Resolution resolving that the appropriate City officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to Local Initiatives Support Corporation (LISC) Flint in the amount of \$500,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US department of Treasury requirements and previously approved authorizations.

A motion was made by Councilperson Priestley, seconded by Councilperson Burns, that this matter be SEPARATED FROM MASTER RESOLUTION. The motion carried by the following vote:

Aye: 7 - Councilperson El-Alamin, Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Councilperson Mushatt and Councilperson Jarrett

Absent: 2 - Councilperson Murphy and Councilperson Pfeiffer

ROLL CALL

Present: Councilperson: Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns and Councilperson Jarrett

Absent: Councilperson: Councilperson El-Alamin, Councilperson Murphy, Councilperson Mushatt and Councilperson Pfeiffer

240207

Issuance of Bonds/Sewage Disposal System Revenue Bonds/System Improvements and Related Costs/Standing and Priority of Lien/Outstanding Bonds/Retirement and Security of Bonds/Acceptance of Grants/Authorization of Agreements

Resolution resolving that Section 1. Definitions. Whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings: (a) "2024 SRF Improvements" means design, acquisition, equipping, and construction of improvements to the System, including, but not limited to, the improvements described in Section 2 with respect to the 2024 SRF Bonds, as well as all work necessary and incidental to these improvements. (b) "2024 SRF Bonds" means the Sewage Disposal System [Junior Lien] Revenue Bonds, Series 2024 authorized by Section 9 of this Resolution for the purpose of paying for the 2024 SRF Improvements and paying the costs of issuing the 2024 SRF Bonds. (c) "Act 94" shall have the meaning assigned to it in the recitals to this Resolution. (d) "Additional First Lien Bonds" means any additional First Lien bonds issued in the future. (e) "Additional Junior Lien Bonds" means any additional Junior Lien Bonds issued in the future. (f) "Adjusted Net Revenues" means for any operating year the Net Revenues to which may be made the following adjustments: (i) Revenues may be augmented by the amount of any rate increase adopted prior to the issuance of additional Bonds or to be placed into effect before the time principal or interest on the additional Bonds becomes payable from Revenues as applied to quantities of service furnished during the operating year or portion thereof that the increased rates were not in effect, (ii) Revenues may be augmented by amounts that may be derived from rates and charges to be paid by new customers of the System. (g) "Authorized Officer" means any one of the following officials of the City: the Mayor, the Chief Financial Officer, the City Administrator, or the Treasurer. (h) "Bondholder" or "Bondholders" means the holder or holders of the Bonds. (i) "Bond Reserve Account" means, if necessary, a subaccount established within the Redemption Account pursuant to Section 22(b)(ii)(2). (j) "Bonds" means the 2024 SRF Bonds and any Additional Junior Lien Bonds and any Additional First Lien Bonds authorized pursuant to this Resolution or any other resolution of the City, whether presently outstanding or hereafter issued. (k) "Code" means the Internal Revenue Code of 1986, as amended, and the rules and regulations promulgated thereunder. (l) "Council" means the City Council of the City of Flint, Michigan, the legislative and governing body thereof. (m) "2024 SRF Construction Fund" shall mean the construction fund created pursuant to Section 22(a). (n) "Contract Documents" means the Purchase Contract between the City and the Authority, the Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through

EGLE, and the Issuer's Certificate for the 2024 SRF Bonds, or such other closing documents required by the Authority for the issuance of the 2024 SRF Bonds. (o) "First Lien Bonds" shall mean any bonds or other obligations that may be issued or incurred by the City payable from the Revenues of the System secured by a lien that is a first lien on the Net Revenues of the System, senior in standing and priority of lien with respect to the Net Revenues to the claim of the Junior Lien Bonds. (p) "First Lien Redemption Account" means the First Lien Bond and Interest Redemption Account created as a subaccount of the Redemption Account pursuant to Section 22(b)(ii)(1). (q) "GO Fund" means, if necessary, the General Obligation Debt Fund created pursuant to Section 22(b)(iii). (r) "Junior Lien Bonds" shall mean any bonds or other obligations that may be issued or incurred by the City payable from the Revenues of the System secured by a lien on the Net Revenues of the System that is subordinate to a first lien on the Net Revenues of the System created for the benefit of any First Lien Bonds. (s) "Junior Lien Redemption Account" shall mean the Junior Lien Bond and Interest Redemption Account created as a subaccount of the Redemption Account pursuant to Section 22(b)(ii)(3). (t) "Net Revenues" shall have the same meaning as defined in Section 3 of Act 94. (u) "Operation and Maintenance Fund" means the Operation and Maintenance Fund created pursuant to Section 22(b)(i). (v) "Purchase Contract" shall have the meaning as defined in Section 9 of this Resolution. (w) "Receiving Fund" shall mean the Sewage Disposal System Receiving Fund created pursuant to Section 22(b). (x) "Redemption Account" shall mean the Bond and Interest Redemption Account created pursuant to Section 22(b)(ii). (y) "Resolution" means this Resolution and all amendments hereto. (z) "Revenues" shall have the same meaning as defined in Section 3 of Act 94 and shall include all earnings on investment of funds of the System and all other revenues derived from or pledged to operation of the System. (aa) "System" means the City's complete sewage disposal system, both inside and outside the City, including all collection and treatment facilities for sanitary sewer and all appurtenances thereto now owned by the City and those acquired pursuant to this Resolution and all extensions and improvements thereto hereafter made.

Section 2. Necessity of 2024 SRF Improvements. It is hereby determined to be necessary for the public health, safety and welfare of the City to acquire, construct, furnish and equip improvements to the City's existing System including wastewater treatment plant improvements, and force main and pump station rehabilitations, together with all related appurtenances and attachments thereto (the "2024 SRF Improvements") in accordance with the maps, plans and specifications therefor prepared by the City's engineers and issue the 2024 SRF Bonds pursuant to Act 94 to finance the acquisition, construction, furnishing and equipping of the 2024 SRF Improvements.

Section 3. Cost and Useful Life of 2024 SRF Improvements. The cost of the 2024 SRF Improvements is estimated not to exceed Sixty-Six Million Nine Hundred Eighty Thousand Dollars (\$66,980,000) including, the payment of legal, engineering, financial and other expenses, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the 2024 SRF Improvements is estimated to be not less than thirty (30) years.

Section 4. Payment of Costs of 2024 SRF Improvements and Authorization of 2024 SRF Bonds. It is hereby determined that the City shall borrow the sum of not-to-exceed Forty-Six Million Nine Hundred Eighty Thousand Dollars (\$46,980,000), with such maximum amount

being reduced by an amount commensurate with the amount of the Grant ultimately realized by the City, and as finally determined by an Authorized Officer upon the sale of thereof, and the 2024 SRF Bonds shall be issued pursuant to the provisions of Act 94 to pay the cost of acquiring and constructing the 2024 SRF Improvements, including the payment of engineering, legal, financial, bond insurance, underwriter's discount and other expenses incident thereto and incident to the issuance and sale of the 2024 SRF Bonds. The balance of the cost of the 2024 SRF Improvements, if any, will be paid from other funds of the City legally available therefor. The 2024 SRF Bonds shall be designated as the SEWAGE DISPOSAL SYSTEM [JUNIOR LIEN] REVENUE BONDS (SRF PROJECT #5739-01), SERIES 2024, with such modifications as may be approved by an Authorized Officer, and unless required by the Authority and as authorized by Act 94, shall not be a general obligation of the City, but be revenue bonds, payable solely out of the Net Revenues of the System. During the time funds are being drawn down by the City under the 2024 SRF Bonds, the Authority will periodically provide the City with a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced and not forgiven, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of the 2024 SRF Bonds. Section 5. Year of Sale. If the 2024 SRF Bonds, or any series thereof, are not sold or delivered in calendar year 2024, then references to the name of the bonds, funds and accounts approved by this Resolution may be changed to reflect the year in which such bonds will be sold or delivered. Section 6. Payment of Bonds; Pledge of Net Revenues. Principal of and interest on the 2024 SRF Bonds shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of principal on the 2024 SRF Bonds shall be made at the principal office of the Paying Agent, upon surrender of the 2024 SRF Bonds. Payment of interest on the 2024 SRF Bonds shall be paid to the registered owner at the address as it appears on the registration books. The principal of and interest on the 2024 SRF Bonds shall be payable from the Net Revenues derived from the operation of the System, including future improvements, enlargements and extensions thereof, after provision has been made for the payment of expenses of administration, operation and maintenance thereof. The Net Revenues of the System, including future enlargements, improvements, and extensions thereto, are hereby pledged to the payment of the principal of and interest on the 2024 SRF Bonds. To secure the payment of the principal of and interest on the 2024 SRF Bonds, a statutory lien is created pursuant to the Act to and in favor of the Bondholders of the 2024 SRF Bonds upon the Net Revenues of the System, including future enlargements, improvements, and extensions thereof. The statutory lien on the Net Revenues securing any First Lien Bonds shall be a first lien as provided in the Act and shall at all times and in all respects be and remain superior to the lien on the Net Revenues securing any Junior Lien Bonds. The Net Revenues so pledged shall be and remain subject to such lien until the payment in full of the principal of and interest on the 2024 SRF Bonds

or until the 2024 SRF Bonds are defeased as provided in Section 29. The Authorized Officer is hereby authorized and directed to determine in an order signed by the Authorized Officer upon or prior to the delivery of the 2024 SRF Bonds whether the 2024 SRF Bonds are First Lien Bonds or Junior Lien Bonds. The 2024 SRF Bonds, including both principal and interest thereon, shall not be a general obligation of the City and shall not constitute an indebtedness of the City for the purpose of any debt limitations imposed by any constitutional or statutory provisions. Section 7. Prior Redemption. The 2024 SRF Bonds issued and sold to the Authority shall be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority. Section 8. Paying Agent and Registration. (a) Appointment of Paying Agent. From time to time the Authorized Officer shall designate and appoint a Paying Agent, which shall also act as transfer agent and bond registrar. The initial Paying Agent shall be the Treasurer of the City. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bonds. (b) Registration of Bonds. Registration of the Bonds shall be recorded in the registration books of the City to be kept by a Paying Agent. Bonds may be transferred only by submitting the same, together with a satisfactory instrument of transfer signed by the Registered Owner or the Registered Owner's legal representative duly authorized in writing, to the Paying Agent, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in any denomination, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any Bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption. (c) Authority's Depository. Notwithstanding any other provision of this Resolution or the 2024 SRF Bonds, so long as the Authority is the owner of the 2024 SRF Bonds, (a) the 2024 SRF Bonds are payable as to principal, premium, if any, and interest at the U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on the 2024 SRF Bonds in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 p.m. (noon) on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of the 2024 SRF Bonds shall be given by the City and received by the Authority's Depository at least 40 days prior to the date

on which such redemption is to be made. Section 9. 2024 SRF Bond Details. The 2024 SRF Bonds shall be issued in the form of one or more fully-registered, nonconvertible bonds, dated as of the date of delivery, payable in annual principal installments in the amounts and on the dates as determined by the order of EGLE and approved by the Authority and the Authorized Officer, provided that the final payment on the 2024 SRF Bonds shall occur within the period of usefulness of the 2024 SRF Improvements as set forth in this Resolution. Final determination of the principal amount and the payment dates and amounts of principal installments of the 2024 SRF Bonds shall be evidenced by execution of a Purchase Contract (the "Purchase Contract") between the City and the Authority providing for sale of the 2024 SRF Bonds, and the Authorized Officer is authorized and directed to execute and deliver the Purchase Contract. The 2024 SRF Bonds shall bear interest at a rate or rates to be determined by the Authorized Officer at the time of execution of the Purchase Contract, but in any event not exceeding the maximum amount permitted by law, payable semiannually on the dates as determined in the Purchase Contract. In addition, if required by the Authority, the 2024 SRF Bonds will bear additional interest, under the terms required by the Authority, in the event of a default by the City in the payment of principal or interest on the 2024 SRF Bonds when due. The 2024 SRF Bonds principal amount is expected to be drawn down by the City periodically, and interest on each installment of the principal amount shall accrue from the date such principal installment is drawn down by the City. Principal installments of the 2024 SRF Bonds will be subject to prepayment prior to maturity as permitted by the Authority and approved by the Authorized Officer. The Mayor and City Clerk are authorized to execute the 2024 SRF Bonds by manual or facsimile signature. If required, at least one signature on the 2024 SRF Bonds shall be a manual signature. If required, the 2024 SRF Bonds shall have the facsimile corporate seal of the City printed or impressed thereon. The 2024 SRF Bonds may be transferred by the bondholder as provided in the 2024 SRF Bonds as executed. Section 10. State Revenue Sharing Pledge. If required by the Authority, as additional security for repayment of the 2024 SRF Bonds, the Council agrees to pledge the state revenue sharing payments that the City is eligible to receive from the State of Michigan under Act 140 to the Authority as purchaser and holder of the 2024 SRF Bonds. The Authorized Officer is authorized to execute and deliver a revenue sharing pledge agreement between the City and the Authority. Section 11. Bond Form. The 2024 SRF Bonds shall be in substantially the [described] form subject to changes, including references to additional security, as may be required by the Authority. [NOTE: Pursuant to Act 94, Public Acts of Michigan, 1933, as amended (the "Act 94"), the City of Flint, County of Genesee, State of Michigan (the "City") has determined to make improvements to the City's System (as defined). On June 24, 2019 the City Council of the City (the "Council") adopted Resolution No. 190188.1 (the "Project Plan Resolution") approving a proposed project plan and program application (the "Project Plan") to the Michigan Department of Environment, Great Lakes and Energy ("EGLE") for improvements to the System as set forth in such Project Plan. The improvements will enable the City to provide more efficient and better quality public services to the users of the System. Pursuant to Resolution No. 200303.1, the Council approved the issuance of \$35,360,000 principal amount

of City's Sewage Disposal System Junior Lien Revenue Bonds, SRF Series 2020 (the "Series 2020 Bonds") to pay a portion of the costs of certain improvements under the Project Plan, and a portion of the Series 2020 Bonds remain outstanding. Pursuant to Resolution No. 210407, the Council approved the issuance of \$37,255,000 principal amount of City's Sewage Disposal System Junior Lien Revenue Bonds, SRF Series 2021 (the "Series 2021 Bonds," and together with the Series 2020 Bonds, the "Prior Bonds") to pay a portion of the costs of certain improvements under the Project Plan, and a portion of the Series 2021 Bonds remain outstanding. It is now deemed necessary by the Council to equip, improve, rehabilitate, acquire, construct and install certain improvements to the System including but not limited to the wastewater treatment plant, force main and pump station remediation, together with any appurtenances and attachments thereto and any related site acquisitions or improvements (the "2024 SRF Improvements") in compliance with and according to the Project Plan. The City intends to finance construction and acquisition of the 2024 SRF Improvements through issuance of sewage disposal system revenue bonds (the "2024 SRF Bonds") and to sell the 2024 SRF Bonds to the Michigan Finance Authority (the "Authority"). As additional security for payment of the principal of, premium, if any, and interest on the 2024 SRF Bonds, it may be necessary for the City to pledge to the Authority revenue sharing payments that the City is eligible to receive under Act 140, Public Acts of Michigan, 1971, as amended ("Act 140"). Not less than 45 days prior to the issuance of the 2024 SRF Bonds, a notice of intent to issue bonds must be published in accordance with Section 33 of Act 94, a ("Notice of Intent"), which will provide that the proposed 2024 SRF Bonds may be issued without a vote of the electors of the City unless the requisite petitions for an election on the question of the issuance of the 2024 SRF Bonds are filed with the Clerk of the City ("City Clerk") within a period of 45 days from the date of publication. Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of 2024 SRF Bond proceeds, and the City intends to qualify amounts advanced by the City to make improvements to the City's System for reimbursement from proceeds of the 2024 SRF Bonds in accordance with the requirements of the Reimbursement Regulations. All things necessary to the authorization and issuance of the 2024 SRF Bonds under the Constitution and laws of the State of Michigan, particularly Act 94, the Charter and ordinances of the City, have been done or will be done, and the Council is now empowered and desires to authorize the issuance and sale of the 2024 SRF Bonds. The City has been awarded one or more grants from EGLE pursuant to the American Rescue Plan legislation, and appropriated pursuant to Section 307 of Michigan Public Act 53 of 2022, pursuant to America's Water Infrastructure Act of 2018, which amended Section 221 of the Clean Water Act to reauthorize Sewer Overflow and Stormwater Reuse Municipal Grants administered by EGLE's Water Resources Division, or pursuant to such other legislation or appropriations for the benefit of the 2024 SRF Improvements (collectively, the "Grant") in an aggregate amount up to the lesser of \$20,000,000, or fifty percent (50%) of the amount of the 2024 SRF Improvements eligible for financing through the State Revolving Fund program. Pursuant to this Resolution, the City, by and through the Council, wishes to accept and appropriate the Grant to support the

financing of the 2024 SRF Improvements. The Council wishes to authorize the Authorized Officers (as defined) to finalize the terms of the issuance and sale of the 2024 SRF Bonds and to take any actions necessary to receive the Grant without further resolution of the Council.]

A motion was made by Councilperson Priestley, seconded by Councilperson El-Alamin, that this matter be SEPARATED FROM MASTER RESOLUTION. The motion carried by the following vote:

Aye: 5 - Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns and Councilperson Jarrett

Absent: 4 - Councilperson El-Alamin, Councilperson Murphy, Councilperson Mushatt and Councilperson Pfeiffer

Present: Councilperson: Councilperson El-Alamin, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Councilperson Mushatt, Councilperson Pfeiffer and Councilperson Jarrett

240223 Support/Local Bridge Program Funding Application/Michigan Department of Transportation (MDOT)/Five Percent (5%) Local Share of Construction Costs

Resolution resolving/confirming the City's commitment to the proposed bridge projects [as submitted by the City of Flint to the Michigan Department of Transportation (MDOT) for Local Bridge Program Funding Applications] and the ability to finance the 5% local share of construction costs from funding available in the 202 Major Street Fund if the City is awarded funding for the proposed bridge projects.

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

240224 CO#1/Contract/Shannon Chemical Corporation/Phosphoric Acid 75%

Resolution resolving that the Division of Purchases and Supplies is authorized to issue additional Purchase Orders (change order) to Shannon Chemical Corporation for the supply of Phosphoric Acid 75% NSF grade for the Water Plant, in an additional amount NOT-TO-EXCEED \$60,481.91, for an aggregate grand total NOT-TO-EXCEED \$200,481.91 for FY2024 (07/01/23-06/30/24).

SEPARATED FROM MASTER RESOLUTION

240225 Contract/Lighthouse Insurance Group/Workers Compensation Excess Policy

Resolution resolving that the appropriate City officials are authorized to enter into a contract with Lighthouse Insurance Group to provide the City with excess workers compensation insurance coverage through Midwest Employers Insurance Company at a premium cost amount not to exceed \$136,978.00 for the period beginning 7/1/24 to 7/1/25. Funding for these services will come from account 677-267.651-955.000.

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

240226 Budget Amendment/Allocation/State of Michigan Pension Protection Grant

Resolution resolving that the appropriate officials are authorized to do all things necessary to amend the FY2024 budget to recognize revenue and expenditures for the amount of \$172,463,377.98 to recognize the State of Michigan Pension Protection Grant Award. [NOTE: The Flint City Council adopted resolution 230161 on 5/22/23, authorizing the submission of a claim for the grant payment from the Protecting MI Pension Grant Program. Subsequently, the City of Flint was awarded \$172,463,377.98 under the grant program.]

A Motion was made by Councilmember Priestley, seconded by Councilmember Burns, to be Approved.

NO Vote was taken

SEPARATED FROM MASTER RESOLUTION**240228 Consumers Energy Easement/Lake State Railroad Company Pedestal**

Resolution resolving that the Flint City Council approves the easement for running power underground to the pedestal signal between the City of Flint and Consumers Energy Company. [NOTE: Lake States Railroad Company has a powered signal on the railroad track near parcel ID number 41-21-326-063. Unfortunately, the current power line runs above ground and is frequently vandalized, so the signal loses power. Consumers is willing to run the power line underground to reduce the occurrences of vandalism and power disruption, however, the property between the railroad tracks and the power supply is owned by the City of Flint so that Consumers requires an easement to do so.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

240232 Setting of Public Hearing/Street Vacation/Dewey Street (Between N. Saginaw and North Streets)

Resolution resolving that a public hearing to consider the vacation of Dewey Street, between North Saginaw Street and North Street, shall be held on the 22nd day of July, 2024, at 5:30 p.m., in City Council Chambers, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilperson Priestley, seconded by Councilperson El-Alamin, including all the preceding items marked as having been adopted on a Consent Agenda. The motion carried by the following vote:

Aye: 7 - Councilperson El-Alamin, Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Councilperson Mushatt and Councilperson Jarrett

Absent: 2 - Councilperson Murphy and Councilperson Pfeiffer

240233 ARPA Funding/3rd Ward/\$30,000 Ward Account

Resolution approving ARPA Funding for the 3rd Ward \$30,000 Ward Account for the following projects as listed: 4 Back Boards, Poles, Rims Replacement for Dewey Park (\$12,500.00); Replacement of ½ Court to Full Court for Rolling Wood Park including Replacement of Poles, Rims, Back Boards Rims, and expansion of Asphalt Court (\$15,000.00); The Oatmeal Clubs/Community Park Beautification Project/Good Church Fiduciary (\$1,000.00); and Rolling Wood Neighborhood Clean Up Material (\$500.00). Total: \$29,000.00.

SEPARATED FROM MASTER RESOLUTION

RESOLUTIONS (May Be Referred from Special Affairs)

240234 Adjournment/Meetings of the Flint City Council and Its Committees/July 3rd and 8th, 2024

Resolution resolving that the Flint City Council adjourns the meetings of the Flint City Council and its Committees scheduled for July 3, 2024, and July 8, 2024, AND, resolving that a Special Meeting of the Flint City Council shall be held before the meeting of the Flint City Council Committees on July 17, 2024.

SEPARATED FROM MASTER RESOLUTION

SECOND READING AND ENACTMENT OF ORDINANCES

240191 Amendment/Ordinance/Chapter 31 (General Offenses)/Article I (In General)/Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons)

An ordinance to amend Chapter 31 (General Offenses), Article I (In General), of the Code of the City of Flint by amending Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons). [NOTE: This ordinance shall become effective 30 days after enactment.]

240192 Amendment/Ordinance/Chapter 46 (Utilities)/Article II (Water Supply and Sewage Disposal System)/Division 5 (Replacement Lead Service Lines)

An ordinance to amend Chapter 46 (Utilities), Article II (Water Supply and Sewage Disposal System), by the addition of Division 5 (Replacement of Lead Service Lines). [NOTE: This ordinance shall become effective 30 days after enactment.]

SEPARATED FROM MASTER RESOLUTION

240227 Reallocation of ARPA Funds/Grants for Youth Job Training/Faith foundation Resources

Resolution resolving that the appropriate City Officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to Faith Foundation Resources, in the amount of \$200,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations.

A motion was made by Councilperson Mushatt, seconded by Councilperson Priestley, that this matter be Adopted. The motion failed by the following vote:

Aye: 4 - Councilperson El-Alamin, Councilperson Lewis, Councilperson Priestley and Councilperson Mushatt

No: 1 - Councilperson Jarrett

Abstain: 1 - Councilperson Winfrey-Carter

Absent: 3 - Councilperson Murphy, Councilperson Burns and Councilperson Pfeiffer

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.]

A motion was made by Councilperson Mushatt, seconded by Councilperson El-Alamin, that this matter be Adopted. The motion failed by the following vote:

Aye: 4 - Councilperson El-Alamin, Councilperson Lewis, Councilperson Priestley and Councilperson Mushatt

No: 2 - Councilperson Winfrey-Carter and Councilperson Jarrett

Abstain: 1 - Councilperson Burns

Absent: 2 - Councilperson Murphy and Councilperson Pfeiffer

FINAL COUNCIL COMMENTS

ADJOURNMENT

Meeting Adjourned due to lack of a Quorum at 11:45 p.m.