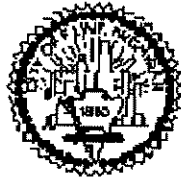


City of Flint, Michigan

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



Meeting Agenda - Final

Monday, December 9, 2019

5:30 PM

Council Chambers

CITY COUNCIL

*Monica Galloway, President, Ward 7
Eric Mays, Vice President, Ward 1*

*Maurice D. Davis, Ward 2
Kate Fields, Ward 4
Herbert J. Winfrey, Ward 6*

*Santino J. Guerra, Ward 3
Jerri Winfrey-Carter, Ward 5
Allan Griggs, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****PRAYER OR BLESSING****READING OF DISORDERLY PERSONS CITY CODE SUBSECTION**

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

REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote to adopt any amended agenda.

PRESENTATION OF MINUTES

190491 Summary Minutes/Flint City Council/Regular Meeting/November 25, 2019

Summary Minutes of the Flint City Council regular meeting held Monday, November 25, 2019, at 7:05 p.m., in the City Council Chambers, 3rd Floor, City Hall.

PUBLIC HEARINGS

None

PUBLIC SPEAKING

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), three (3) minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of the meeting to those wishing to speak during this agenda item. No additional speakers or slips will be accepted after the meeting begins. Speakers may not allocate or "donate" their allotted time to another person. Council members may not speak during Public Speaking, nor may they make response comments to speakers. Council members may use their five (5) minutes for Final Comments to address any issues that have been addressed by Public Speakers.

COUNCIL RESPONSE

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

PETITIONS AND UNOFFICIAL COMMUNICATIONS

190492 Notification/Michigan State Tax Commission (MSTC)/Water Pollution Control Exemption Application

Communication dated November 13, 2019, from the Michigan Department of Treasury, State Tax Commission, re: The State Tax Commission has received a water pollution control exemption application, No. 2-6545, for General Motors LLC, located at G-3100 Van Slyke Rd., Flint, Genesee County, in the amount of \$32,668,378.00. A recommendation for approval has been made regarding this application with a qualifying amount for the exemption of \$32,668,378.00. The applicant and local assessor have 21 calendar days from the date on this notice to forward any written objections to the Commission.

190493 Notification/Michigan State Tax Commission (MSTC)/Air Pollution Control Exemption Application

Communication dated November 25, 2019, from the Michigan Department of Treasury, State Tax Commission, to General Motors LLC, re: The State Tax Commission received an air pollution control exemption application, No. 1-3845, for General Motors LLC, located at G-3100 Van Slyke Rd., Flint, Genesee County, in the amount of \$88,902,392.00. On October 21, 2019, the Michigan Department of Environment, Great Lakes and Energy (EGLE) provided the Commission with a Notice of Tax Exemption Evaluation and Findings, revised.

190494 Public Notice/Commission of the City of Flint Hospital Building Authority

Communication dated December 2, 2019, from the Commission of the City of Flint Hospital Building Authority (HBA), re: The Flint HBA will have a meeting/conference call on Wednesday, December 4, 2019, at 8:00 a.m., 1B Conference Room, 1 West Administration Hurley Medical Center, Flint.

COMMUNICATIONS (from Mayor and Other City Officials)

190495 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures permits (24) dated October, November and December 2019 for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

190496 Assessment Division/December 2019 Board of Review

Communication dated November 27, 2019, from the City Assessor to the City

Clerk, re: The December 2019 Board of Review will be meeting on Tuesday, December 10, 2019, beginning at 11:00 a.m., in the Committee-of-the-Whole (COTW) room, 3rd Floor, City Council Chambers, in order to address any clerical errors and/or mutual mistakes of fact, corrections, payments, and rebates which have been discovered since the March Board of Review, relevant to the 2018 and 2019 Assessment Rolls. The Board will also be addressing appeals for 2019 Poverty/Hardship, Disabled Veteran and principal resident exemptions.

ADDITIONAL COMMUNICATIONS

APPOINTMENTS

APPOINTMENTS (May Be Referred from Special Affairs)

190197 Reappointment/Hurley Board of Managers/Dr. Ronald Stewart/Ward 2

Resolution resolving that the Flint City Council approves the reappointment of Dr. Ronald Stewart (2425 Welch Blvd., Flint, MI 48504 - Ward 2) to a five-year term on the Hurley Board of Hospital Managers, commencing May 15, 2019, and expiring April 30, 2024, as recommended by Mayor Karen W. Weaver.

RESOLUTIONS

190487 Ninth Amended and Restated Contract of Lease and Companion Documents/Application/Michigan State Treasurer/Issuance of Bonds

Resolution resolving that the 2020 Project serves a legitimate and important public purpose for the City of Flint, including significant debt service savings to Hurley Medical Center; for those reasons the 2020 Project is hereby approved; AND, the proposed issuance by the Authority of the Series 2020 Bonds in the aggregate Principal amount NOT-TO-EXCEED \$55,000,000.00 for the financing purposes is hereby approved, and the Authority is requested to proceed with the issuance of the Series 2020 Bonds; AND, the financing documents in the forms presented to Council are hereby approved, and the Mayor and the City Clerk, together with the Chairperson and other appropriate officers of the Board, are hereby authorized and directed to execute and deliver the same for and on behalf of the Board with such insertions and changes of a ministerial nature as such officer or officers executing such financing documents shall deem necessary or appropriate for purposes of carrying out this resolution, which insertions and changes are hereby authorized and approved. A description of the 2020 Project shall be described in Exhibit A-1, attached to the executed and delivered 2020 Restated Contract of Lease, and the estimated costs and periods of usefulness for the items comprising the Series 2020 Project shall also be set forth in Exhibit A-1; AND, the Preliminary Official Statement, in the form presented to Council, is hereby approved, and such appendices, insertions and changes as the appropriate officers of the Board shall deem necessary or appropriate for carrying out the resolution, and its use by the Underwriter in connection with the public offering of the Series 2020 Bonds is authorized. Further, the Authority and the Board are hereby

requested to cause to be prepared the final Official Statement supporting the offering for sale of the Series 2020 Bonds, and the Chairperson and other appropriate officers of the Board are hereby authorized and directed to execute and deliver such Official Statement, substantially in the form of the Preliminary Official Statement, for and on behalf of the Board, with such insertions and changes as permitted by SEC Rule 15c2-12, and as such officer or officers executing the Official Statement shall deem necessary or appropriate for carrying out this resolution; AND, the Chief Financial Officer is hereby authorized and directed to prepare and submit or cause bond counsel to be prepared and submitted to the Department of Treasury, State of Michigan, an application for qualified status and/or an order of prior approval of the issuance of the Series 2020 Bonds, AND, the appropriate officers of the City of Flint are hereby authorized and directed to execute and deliver such other certificates, instruments, and agreements, and to take all such other actions as may be necessary or appropriate to effectuate the sale, issuance and delivery of the Series 2020 Bonds, AND, resolving that all prior resolutions and portions of prior resolutions inconsistent with this resolution are hereby revoked; AND, the forms of documents presented to this City Council, as described above, shall be attached to the minutes of this meeting.

190488 Subpoena/Genesee County Clerk/Register of Deeds/John Gleason

Resolution resolving that the Flint City Council requests that the City Attorney's Office do all things necessary to prepare a subpoena for John J. Gleason, Genesee County Clerk/Register of Deeds, and ask that he appear before the Flint City Council at 4:30 p.m. Monday, December 9, 2019, in City Council Chambers, in order to discuss his official role as County Clerk as it relates to city, village and township elections.

190489 Subpoena/Genesee County Clerk/Register of Deeds/John Gleason

Resolution resolving that the Flint City Council requests that the City Attorney's Office do all things necessary to prepare a subpoena for John J. Gleason, Genesee County Clerk/Register of Deeds, and ask that he appear before the Flint City Council at 5 p.m. Tuesday, December 17, 2019, in City Council Chambers, in order to discuss his official role as County Clerk as it relates to city, village and township elections.

190490 Contract/Lang Constructors, Inc./Chemical Systems Feed Building

Resolution authorizing the proper city officials, upon City Council's approval, to enter into a contract with Lang Constructors, Inc. for a Chemical Systems Feed Building, as ordered by the U.S. Environmental Protection Agency (EPA), in an amount NOT TO EXCEED \$4,085,957.00, as requested by the Department of Public Works (DPW) [Water Infrastructure Improvements for the Nation (WIIN) Grant Acct. No. 496-553.000-801.057.]

RESOLUTIONS (May Be Referred from Special Affairs)

190454 Budget Amendments/Transfer of Funds/Water Fund/Sewer Fund/Unfunded Positions

Resolution resolving that the appropriate city officials are authorized to do all things necessary to process a budget amendment to the FY2020 adopted budget allocating funds from 591 Water Fund balance in the amount of \$166,833.71 to the following personnel accounts: Wages & Standby Pay Acct. No. 591-540.100-702.000 = \$90,678.72; Direct Fringes Acct. No. 591-540.100-719.000 = \$8,161.08; Indirect Fringes Acct. No. 591-540.100-719.200 = \$14,498.22; and Defined Benefit Acct. No. 591-540.100-719.150 = \$53,495.69; AND, allocating funds from 590 Sewer Fund balance in the amount of \$166,833.71 to the following personnel accounts: Wages & Standby Pay Acct. No. 590-540.100-702.000 = \$90,678.72; Direct Fringes Acct. No. 590-540.100-719.000 = \$8,161.08; Indirect Fringes Acct. No. 590-540.100-719.200 = \$14,498.22; and Defined Benefit Acct. No. 590-540.100-719.150 = \$53,495.69, as requested by Water and Sewer. [NOTE: The positions of Water Distribution and Sewer Maintenance Supervisor were inadvertently removed from the current fiscal year budget and are critical to the operation of these departments.]

LIQUOR LICENSES

INTRODUCTION AND FIRST READING OF ORDINANCES

INTRODUCTION AND FIRST READING OF ORDINANCES (May Be Referred from S.A.)

190439.1 Amended Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Sections 12-273 through 12-283

An amended ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), by the addition of (Article XXX), Sections 12-273 through 12-283 concerning Surveillance Cameras Required for Certain Businesses. [NOTE: Ordinance amended by Administration.]

SECOND READING AND ADOPTION OF ORDINANCES

FINAL COUNCIL COMMENTS

ADJOURNMENT

City of Flint, Michigan

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



Meeting Minutes 2 - Draft

Monday, November 25, 2019

7:05 PM

FOR 12-09-2019 CITY COUNCIL AGENDA

Council Chambers

CITY COUNCIL

Monica Galloway, President, Ward 7
Eric Mays, Vice President, Ward 1

Maurice D. Davis, Ward 2
Kate Fields, Ward 4
Herbert J. Winfrey, Ward 6

Santino J. Guerra, Ward 3
Jerri Winfrey-Carter, Ward 5
Allan Griggs, Ward 8

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

CALL TO ORDER

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: Councilperson: Winfrey and Vice President Galloway

APPOINTMENTS

190480 Appointment/Ethics & Accountability Board/Zack Lessner

Resolution resolving that 8th Ward Flint City Councilperson Allan Griggs hereby appoints Zack Lessner (1813 Lincoln Drive, Flint, MI 48503) to the Ethics and Accountability Board to serve the remainder of a four (4)-year term, commencing November 25, 2019, and expiring June 25, 2022. [By way of background, Mr. Lessner is replacing John Daly III, who resigned from the Board effective November 12, 2019.]

A motion was made by Councilperson Griggs, seconded by Councilperson Davis, that this matter be Approved. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: 2 - President Winfrey and Vice President Galloway

APPOINTMENTS (May Be Referred from Special Affairs)

190478 Mayoral Appointment/City Administrator/Clyde D. Edwards

Resolution resolving that the Flint City Council approves the recommendation by Mayor Sheldon A. Neeley to appoint Clyde D. Edwards as City Administrator, at an annual compensation rate of \$90,000.00, with such earnings paid from Salary and Wages Acct. No. 101-172.100-702.000.

A motion was made by Councilperson Fields, seconded by Councilperson Guerra, that this matter be Approved. The motion carried by the following vote:

Aye: 6 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

No: 1 - Councilperson Mays

Absent: 2 - President Winfrey and Vice President Galloway

Jos190481 Appointment/Ethics and Accountability Board/Joseph Pettigrew

Resolution resolving that 9th Ward Flint City Councilperson Eva L. Worthing hereby appoints Joseph Pettigrew 3214 Cheyenne Avenue, Flint, Michigan, 48507) to the Ethics and Accountability Board for the remainder of a six-year term of office, commencing November 25, 2019, and expiring June 25, 2024.

[NOTE: By way of background, Bob Gallagher resigned from his position on the EAB Board effective October 30, 2019.]

A motion was made by Councilperson Worthing, seconded by Councilperson Guerra, that this matter be Approved. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: 2 - President Winfrey and Vice President Galloway

RESOLUTIONS

190477 CO#1/Wade Trim, Inc./Construction Engineering Services/Atherton Road/Dupont Street

Resolution authorizing the Department of Purchases and Supplies to issue change order #1 to Wade Trim, Inc. for Construction Engineering Services for Atherton Road and Dupont Street, to change the account from the Tiger Grant (296-446.300-810.000), to the Major Street Fund Acct. No. 202-441.702-801.000, as requested by Transportation. [NOTE: The Department of Purchases & Supplies was authorized to issue a purchase order to Wade Trim, Inc. for construction engineering services for Atherton Road and Dupont Street in an amount NOT-TO-EXCEED \$3,304,735.00. The remaining money (\$1,180,000.00) is still allocated from the Water Infrastructure Improvements for the Nation (WIIN) and Major Street funds.]

A motion was made by Councilperson Guerra, seconded by Councilperson Worthing, that this matter be Adopted. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: 2 - President Winfrey and Vice President Galloway

190476.1 Amendment/CO#1/Contract/August Construction Services/50/50 Sidewalk Replacement Program

Amended resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into change order #1 to the contract with August Construction Services for additional 50/50 sidewalk replacement, and to repairs [sidewalks] upheaved by tree roots, as requested by Transportation, in an amount NOT-TO-EXCEED \$168,760.00, and a revised aggregate amount of \$238,760.00 [Major Street Fund Acct. No. 202-449.213-801.000 = \$50,000.00 and Local Street Fund Acct. No. 203-449.213-801.000 = \$118,760.00.] [NOTE: Resolution amended to show it as a change order and not a contract.]

A motion was made by Councilperson Guerra, seconded by Councilperson Worthing, that this matter be Adopted. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: 2 - President Winfrey and Vice President Galloway

190394 Sale of Properties/Acquired from the Genesee County Treasurer

Resolution resolving that the Flint City Council authorizes the appropriate City Officials to do all things necessary to facilitate the sale of the following properties in the following amounts: 6722 Fleming Road, Flint, for \$1,000.00. [NOTE: The Flint City Council adopted a policy, Resolution No. 180627, on April 8, 2019, entitled "City of Flint Policy of Disposition of Acquired Genesee County Treasurer Properties," to handle the sale of such properties.]

A motion was made by Councilperson Guerra, seconded by Councilperson Davis, that this matter be Amended. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: 2 - President Winfrey and Vice President Galloway

190394.1 Amended Resolution/Sale of Properties/Acquired from the Genesee County Treasurer

Amended resolution resolving that the Flint City Council authorizes the appropriate City Officials to do all things necessary to facilitate the sale of the following properties in the following amounts: 6722 Fleming Road, Flint, for \$2,993.00. [NOTE: The Flint City Council adopted a policy, Resolution No. 180627, on April 8, 2019, entitled "City of Flint Policy of Disposition of Acquired Genesee County Treasurer Properties," to handle the sale of such properties.] [NOTE: Resolution amended to change the amount from \$1,000.00 to \$2,993.00 (the amount of taxes paid on the property), and to enter the name of the property recipient.]

Adopted

Substituted

A motion was made by Councilperson Worthing, seconded by Councilperson Winfrey-Carter, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on December 4, 2019. The motion failed by the following vote:

Aye: 4 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter and Councilperson Worthing

No: 3 - Councilperson Guerra, Councilperson Fields and Councilperson Griggs

Absent: 2 - President Winfrey and Vice President Galloway

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

Aye: 4 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter and Councilperson Worthing

No: 3 - Councilperson Guerra, Councilperson Fields and Councilperson Griggs

Absent: 2 - President Winfrey and Vice President Galloway

190393 Sale of Properties/Acquired from the Genesee County Treasurer

Resolution resolving that the Flint City Council authorizes the appropriate City Officials to do all things necessary to facilitate the sale of the following properties in the following amounts: 1710 W. Home Avenue, Flint, for \$1,000.00. [NOTE: The Flint City Council adopted a policy, Resolution No. 180627, on April 8, 2019, entitled "City of Flint Policy of Disposition of Acquired Genesee County Treasurer Properties," to handle the sale of such properties.]

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

Aye: 4 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter and Councilperson Worthing

No: 3 - Councilperson Guerra, Councilperson Fields and Councilperson Griggs

Absent: 2 - President Winfrey and Vice President Galloway

190482 Elimination/\$75.00 Shut-Off Fee/Water Customers

Resolution resolving that the Flint City Council authorizes the appropriate City Officials to do all things necessary to eliminate the \$75.00 shut-off fee for water customers who have delinquent water bills.

A motion was made by Councilperson Worthing, seconded by Councilperson Guerra, that this matter be Adopted. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: 2 - President Winfrey and Vice President Galloway

INTRODUCTION AND FIRST READING OF ORDINANCES (May Be Referred from S.A.)

190323 Amendment/Ordinance/Chapter 2 (Administration)/Article XXIII (Ethics and Accountability Board/Sections 2-178 to 2-183 (Ethics and Accountability Board By-Laws)

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 2 (Administration) by the addition of Article XXIII (Ethics and Accountability Board, Sections 2-178 to 2-183 (Ethics and Accountability Board By-Laws).

A motion was made by Councilperson Fields, seconded by Councilperson Guerra, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: 2 - President Winfrey and Vice President Galloway

190439.1 Amended Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Sections 12-273 through 12-283

An amended ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), by the addition of (Article XXX), Sections 12-273 through 12-283 concerning Surveillance Cameras Required for Certain Businesses. [NOTE: Ordinance amended by Administration.]

ACKNOWLEDGED FOR FIRST READING

Substituted

A motion was made by Councilperson Winfrey-Carter, seconded by Councilperson Davis, that this matter be REFERRED TO COMMITTEE to the LEGISLATIVE COMMITTEE, due back on December 4, 2019. The motion carried by the following vote:

Aye: 5 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter and Councilperson Worthing

No: 2 - Councilperson Fields and Councilperson Griggs

Absent: 2 - President Winfrey and Vice President Galloway

190479 Amendment/Ordinance/Article VI/Chapter 35 (Personnel)/Section 35-112.15 (Adoption-Job Description & Qualifications)/Chief of Police

An ordinance to amend the Flint City Code of Ordinances by adopting Article VI, Chapter 35 (Personnel); Section 35-112.15 (Adoption - Job Description and Qualifications), Chief of Police.

A motion was made by Councilperson Guerra, seconded by Councilperson Davis, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Griggs and Councilperson Worthing

Absent: 2 - President Winfrey and Vice President Galloway

SECOND READING AND ADOPTION OF ORDINANCES

FINAL COUNCIL COMMENTS

ADJOURNMENT

Council Vice President Eric Mays adjourned the meeting at 9:28 p.m. after a motion by Councilperson Griggs, with support from Councilperson Worthing. The vote to adjourn was 5-1, with Councilperson Mays voting "no."

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council

PRESENTED:

190487
12-4-19

APPROVED: _____

RESOLUTION APPROVING NINTH AMENDED AND RESTATED CONTRACT OF LEASE (REVENUE RENTAL) AND OTHER DOCUMENTS AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO MAKE APPLICATION TO THE TREASURER OF THE STATE OF MICHIGAN FOR PRIOR APPROVAL OF THE ISSUANCE BONDS

Pursuant to Act No. 31, Michigan Public Acts of 1948, as amended (“Act 31”), the City of Flint Hospital Building Authority (the “Authority”) has adopted a Bond Resolution and Indenture of Trust approving and providing for the issuance of not to exceed \$55,000,000 Building Authority Revenue and Revenue Refunding Bonds, Series 2020 (Hurley Medical Center) (the “Series 2020 Bonds”); and

The proceeds of the Series 2020 Bonds will be used for (collectively, the “Financing Purposes”):

- (i) financing the cost of certain capital improvements to Hurley Medical Center (the “2020 Project”);
- (ii) refunding the Authority’s outstanding Building Authority Revenue Rental Bonds, Series 2010 Bonds (Hurley Medical Center) (the “Series 2010 Bonds”), the proceeds of which were loaned to the Board of Hospital Managers (the “Board”) and used to finance the cost of certain capital improvements to Hurley Medical Center;
- (iii) funding a debt service reserve fund for the Series 2020 Bonds, if necessary; and
- (iv) paying certain costs of issuance of the Series 2020 Bonds; and

The Series 2020 Project, including those existing facilities of Hurley Medical Center that are to be refinanced by the Series 2020 Bonds and other existing financed facilities, are to be leased by the Authority to the Board, pursuant to a Ninth Amended and Restated Contract of

Lease (Revenue Rental) (the “2020 Restated Contract of Lease”), between the Authority and the Board; and

The Authority and the Board have prepared and submitted for Council’s review proposed forms of:

- a. the 2020 Restated Contract of Lease;
- b. an Escrow Deposit Agreement (the “Escrow Agreement), between U.S. Bank National Association and the Board, providing for the defeasance and redemption of the Series 2010 Bonds;
- c. a Disclosure Dissemination Agent Agreement (the “Disclosure Agreement”), with the Dissemination Agent named therein and the Board, providing for compliance with certain requirements of SEC Rule 15c2-12;
- d. a Preliminary Official Statement relating to the Series 2020 Bonds (the “Preliminary Official Statement”); and
- e. a Contract of Purchase for the Series 2020 Bonds (the “Purchase Contract,” and together with the 2020 Restated Contract of Lease, the Escrow Agreement and the Disclosure Agreement are collectively referred to as the “Financing Documents”) with Raymond James & Associates, Inc. (the “Underwriter”), the Authority and Board; and

The Board has adopted a resolution approving the issuance of the Series 2020 Bonds, the forms of Financing Documents and the Preliminary Official Statement, and certain other documents relating to the Series 2020 Bonds, and has authorized its officers to assist in effectuating the sale and delivery of the Series 2020 Bonds.

BE IT RESOLVED:

1. The 2020 Project serves a legitimate and important public purpose for the City of Flint, including significant debt service savings to Hurley Medical Center; for those reasons the 2020 Project is hereby approved; and

2. The proposed issuance by the Authority of the Series 2020 Bonds in the aggregate principal amount not to exceed \$55,000,000 for the Financing Purposes is hereby approved, and the Authority is requested to proceed with the issuance of the Series 2020 Bonds; and

3. The Financing Documents in the forms presented to Council, are hereby approved, and the Mayor and the City Clerk, together with the Chairperson and other appropriate officers of the Board, are hereby authorized and directed to execute and deliver the same for and on behalf of the Board with such insertions and changes of a ministerial nature as such officer or officers executing such Financing Documents shall deem necessary or appropriate for purposes of carrying out this resolution, which insertions and changes are hereby authorized and approved. A description of the 2020 Project shall be described in Exhibit A-1 attached to the executed and delivered 2020 Restated Contract of Lease and the estimated costs and periods of usefulness for the items comprising the Series 2020 Project shall also be set forth in Exhibit A-1; and

4. The Preliminary Official Statement, in the form presented to Council, is hereby approved, with such appendices, insertions and changes as the appropriate officers of the Board shall deem necessary or appropriate for carrying out this resolution, and its use by the Underwriter in connection with the public offering of the Series 2020 Bonds is authorized. Further, the Authority and the Board are hereby requested to cause to be prepared the final Official Statement supporting the offering for sale of the Series 2020 Bonds, and the Chairperson and other appropriate officers of the Board are hereby authorized and directed to execute and deliver such Official Statement, substantially in the form of the Preliminary Official Statement, for and on behalf of the Board, with such insertions and changes as permitted by SEC Rule 15c2-12 and as such officer or officers executing the Official Statement shall deem necessary or appropriate for carrying out this resolution; and

5. The Chief Financial Officer is hereby authorized and directed to prepare and submit or cause bond counsel to be prepared and submitted to the Department of Treasury, State of Michigan, an application for qualified status and/or an order of prior approval of the issuance of the Series 2020 Bonds; and

6. The appropriate officers of the City of Flint are hereby authorized and directed to execute and deliver such other certificates, instruments and agreements, and to take all such other actions, as may be necessary or appropriate to effectuate the sale, issuance and delivery of the Series 2020 Bonds.

7. All prior resolutions and portions of prior resolutions inconsistent with this resolution are hereby revoked.

BE IT FURTHER RESOLVED THAT the forms of documents presented to this City Council, as described above, shall be attached to the minutes of this meeting.

APPROVED AS TO FORM:

FOR THE CITY OF FLINT:

Angela Wheeler, Chief Legal Officer

Sheldon Neeley, Mayor

APPROVED AS TO FINANCE:

Tamar Lewis, Finance Director/Chief Financial Officer

RESOLUTION NO: 190488

PRESENTED: 12-4-19

ADOPTED: _____

**RESOLUTION REQUESTING A SUBPOENA FOR GENESEE COUNTY
CLERK/REGISTER JOHN J. GLEASON**

BY CITY COUNCIL:

During its regular meeting held on Monday, November 11, 2019, the Flint City Council took action to request the attendance of Genesee County Clerk/Register John J. Gleason at its Council Committee meetings scheduled for Wednesday, November 20, 2019, at 5:00 p.m.; and

The purpose for Mr. Gleason's attendance was to discuss his official role as County Clerk as it relates to city, village and township elections. A letter dated November 14, 2019, was forwarded to Mr. Gleason's attention in this regard, asking that he make direct contact with City Council Vice President Eric Mays or the Council Office in order to confirm his attendance before council.

Because Mr. Gleason has yet to respond to City Council's appeal, the Flint City Council is now requesting that the City Attorney's Office prepare a subpoena for John J. Gleason, Genesee County Clerk/Register, and ask that he appear before the Flint City Council.

IT IS RESOLVED, the Flint City Council requests that the City Attorney's Office do all things necessary to prepare a subpoena for John J. Gleason, Genesee County Clerk/Register, and ask that he appear before the Flint City Council at 4:30 p.m., Monday, December 9, 2019, in City Council Chambers, in order to discuss his official role at County Clerk as it relates to city, village and township elections.

APPROVED AS TO FORM:

APPROVED BY CITY COUNCIL:

Angela Wheeler, Chief Legal Officer

Monica Galloway, President

RESOLUTION NO: 190489

PRESENTED: 12-4-19

ADOPTED: _____

**RESOLUTION REQUESTING A SUBPOENA FOR GENESEE COUNTY
CLERK/REGISTER JOHN J. GLEASON**

BY CITY COUNCIL:

During its regular meeting held on Monday, November 11, 2019, the Flint City Council took action to request the attendance of Genesee County Clerk/Register John J. Gleason at its Council Committee meetings scheduled for Wednesday, November 20, 2019, at 5:00 p.m.; and

The purpose for Mr. Gleason's attendance was to discuss his official role as County Clerk as it relates to city, village and township elections. A letter dated November 14, 2019, was forwarded to Mr. Gleason's attention in this regard, asking that he make direct contact with City Council Vice President Eric Mays or the Council Office in order to confirm his attendance before council.

Because Mr. Gleason has yet to respond to City Council's appeal, the Flint City Council is now requesting that the City Attorney's Office prepare a subpoena for John J. Gleason, Genesee County Clerk/Register, and ask that he appear before the Flint City Council.

IT IS RESOLVED, the Flint City Council requests that the City Attorney's Office prepare a subpoena for John J. Gleason, Genesee County Clerk/Register, and ask that he appear before the Flint City Council at 5:00 p.m., Tuesday, December 17, 2019, in City Council Chambers, in order to discuss his official role at County Clerk as it relates to city, village and township elections.

APPROVED AS TO FORM:

APPROVED BY CITY COUNCIL:

Angela Wheeler, Chief Legal Officer

Monica Galloway, President

Proposal #20000550

SUBMISSION NO.: 190490

PRESENTED: 12-4-19

ADOPTED: _____

BY THE MAYOR:

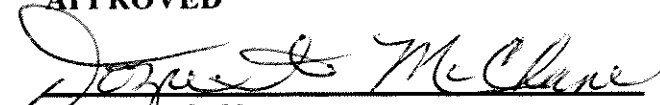
**RESOLUTION TO LANG CONSTRUCTORS, INC. FOR
CHEMICAL SYSTEMS FEED BUILDING**

On November 20, 2019, the Department of Purchases & Supplies received proposals for Chemical Systems Feed Building as requested by the Department of Public Works (DPW); and


As part of the City of Flint's EPA order, a Chemical Systems Feed Building was required. Bids were received from four (4) contractors. The purpose of this resolution is to award the construction of the Chemical Systems Feed Building to the low bidder, Lang Constructors, Inc. (9145 Corunna Road, Flint, Michigan). Funding for said services will come out of the \$77,000,000.00 for Water Infrastructure Improvements for the Nation (WIIN) grant from the following account: 496-553.000-801.057 (\$4,085,957.00); and

IT IS RESOLVED, that the Proper City Officials, upon City Council's approval, are hereby authorized to enter into a contract with Lang Constructors, Inc. for a Chemical Systems Feed Building as ordered by EPA, in an amount NOT-TO-EXCEED \$4,085,957.00 (FEPA18WIIN-1).

APPROVED

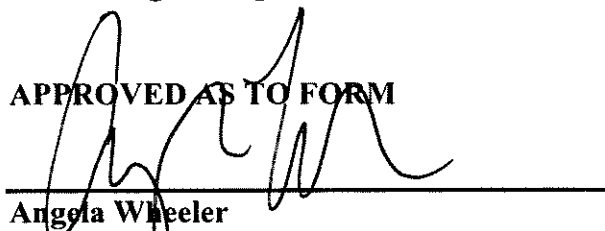


Joyce A. McClane
Purchasing Manager



Tamar Lewis
Interim Chief Financial Officer

APPROVED AS TO FORM



Angela Wheeler
Chief Legal Officer

Sheldon A. Neeley, Mayor

CITY COUNCIL

Monica Galloway, Council President



BID/PROPOSAL RESOLUTION STAFF REVIEW

CITY OF FLINT, Office of Purchases & Supplies

TODAY'S DATE: 12/2/2019

AGENDA ITEM TITLE: Lang Constructors, Inc.

BID/PROPOSAL# 20000550

DO YOU EXPECT THIS PURCHASE ORDER WILL CONVERT TO A CONTRACT? YES NO

PREPARED BY: Robert Bincsik, Director of Public Works

BACKGROUND/SUMMARY OF PROPOSED ACTION: As part of our EPA order we are required to build a Chemical Feed Building. This is listed as project #7 in the project plan and is funded out of the \$77,000,000 of Water Infrastructure Improvements for the Nation (WIIN) grant. The purpose of this resolution is to award the construction contract for a chemical systems feed building to the low bidder, Lang Constructors, Inc. in an amount not to exceed \$4,085,957.00. Please find attached a recommendation letter from CDM Smith.

FINANCIAL IMPLICATIONS: None

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

ACCOUNT NO: 496-553.000-801.057

PRE-ENCUMBERED? YES NO **REQUISITION NO:** 19002641

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

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED

STAFF PERSON SIGNATURE: Robert Bincsik

Robert Bincsik, Director of Public Works

For Purchasing Use Only: PO/CONTRACT# _____ DATE RECEIVED: _____

P20000550 - CHEMICAL SYSTEMS FEED BUILDING

COMPANY NAME	AMOUNT
LANG CONSTRUCTORS, INC	\$ 4,025,957.00
LASALLE CONSTRUCTION SERVICES	\$ 4,693,000.00
WEISS CONSTRUCTION CO. LLC	\$ 4,734,250.00
RELIANCE BUILDING COMPANY	\$ 4,987,200.00

CITY OF FLINT, MICHIGAN
 CHEMICAL SYSTEMS FEED BUILDING
 City of Flint Bid No. P20000550
 Bids Received November 20, 2019
 Bid Pricing Summary

		CONTRACTOR									
		Lang Constructors, Inc. 9145 Corunna Road Flint, MI 48532 Phone: (810) 743-6702 Fax: (810) 743-7090 office@langbuild.com License No. 2102171425 LARA ID No. 800734001	La Saile Group Inc. 30375 Northwestern Hwy Farmington Hills, MI 48334 Phone: (734) 394-0730 Fax: (734) 394-0730 kperko@lasailemc.com License No. N/A	Weiss Construction Co. LLC 41001 Grand River Novi, MI 48375 Phone: (313) 567-4500 Fax: kmarkhardt@weiss-construction.com License No. 8000666	Reliance Building Company 26200 Town Center Drive, Ste 195 Novi, MI 48375 Phone: (248) 374-3210 Fax: (248) 374-3213 lynn@reliancebc.com License No. N/A						
ITEM NO.	DESCRIPTION	ESTIMATED UNITS	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	All Work to Complete the Contract not provided below	1	LS	\$3,777,777	\$3,777,777	\$4,444,500	\$4,444,500	\$4,475,000	\$4,475,000	\$4,722,000	\$4,722,000
2	Owner's Allowance to reimburse Contractor for City Bldg permit	1	LS	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
3	Owner's Allowance to reimburse Contractor for County Soil permit	1	LS	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
4	Owner's Allowance to pay the Utility to extend natural gas service to the bldg	1	LS	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
5	Owner's General Allowance for Unknowns	1	LS	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
6	Excavation/disposal of foundation & slab subgrade	100	CYDS	\$54	\$5,400	\$55	\$5,500	\$25.00	\$2,500	\$39	\$3,900
7	Furnish/install structural fill	100	CYDS	\$59	\$5,900	\$50	\$5,000	\$130.00	\$13,000	\$137	\$13,700
8	Excavation/disposal of unsuitable pavement subgrade	100	CYDS	\$50	\$5,000	\$45	\$4,500	\$25.00	\$2,500	\$26	\$2,600
9	Furnish/install stone backfill	100	CYDS	\$65	\$6,500	\$55	\$5,500	\$180.00	\$18,000	\$190	\$19,000
10	Clean 8-inch sanitary sewer	1000	LF	\$2.69	\$2,690	\$5	\$5,000	\$1.25	\$1,250	\$3	\$3,000
11	Teleeuse 8-inch sanitary sewer	1000	LF	\$2.69	\$2,690	\$3	\$3,000	\$2.00	\$2,000	\$3	\$3,000
12	Geotechnical Allowance not included in bid total	1	LS	\$25,000	\$25,000						
13*	Caustic Tank Coating Allowance not included in bid total	1	LS	\$35,000	\$35,000						
Total				\$4,085,957		\$4,693,000		\$4,734,250**		\$4,987,200	

NOTES:
 *Exceptions not included in original bid total
 **Total bid written incorrectly in Basis of Bid (\$4,743,250 written instead of \$4,734,250)

ITEM DESCRIPTION	FORM	FORM	FORM	FORM
<p>CITY OF HINDI MFG BLDG CHEMICAL SYSTEMS FIED BUILDING City of Hindi Bldg No. P/0000550 900 West November St, 2019 Contract Modification Summary</p>	<p>CONTRACTOR L'Atre Group Inc 3075 Northwester Hwy Farmington Hills, MI 48334 Phone: (248) 894-0700 Fax: (248) 894-0700 Email: info@latregroup.com License No. 2102711827 JARA ID No. 800734001</p>	<p>Wex Construction Co. LLC 9101 Grand River Nor. MI 48374 Phone: (313) 567-4500 Fax: (313) 567-4500 Email: info@wexcorp.com License No. 8000666</p>	<p>Realty Building Company 26200 Town Center Drive, Ste 195 Nor. MI 48375 Phone: (248) 374-1210 Fax: (248) 374-1210 Email: info@realty.com License No. 202</p>	<p>FORM</p>
<p>EXHIBIT A Bid Award? A, S, / (N)/ (R, S) % of Bid Award? Y/N Independent? A, P, or S? Y/N</p>	Y	Y	Y	Y
<p>EXHIBIT B Name, Location Affiliated? Y/N</p>	Y	Y	Y	Y
<p>EXHIBIT C Bid Confirmation Form Signed? Y/N</p>	Y	Y	Y	Y
<p>EXHIBIT D List of Subcontractors? Y/N</p>	Y	Y	Y	Y
<p>EXHIBIT E List of Subcontractors? Y/N</p>	Y	Y	Y	Y
<p>EXHIBIT F List of Subcontractors? Y/N</p>	Y	Y	Y	Y
<p>EXHIBIT G Project Reference? Y/N Contract Award Received? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT H Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT I Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT J Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT K Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT L Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT M Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT N Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT O Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT P Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT Q Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT R Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT S Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT T Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT U Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT V Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT W Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT X Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT Y Contract Reference? Y/N (S)</p>	Y	Y	Y	Y
<p>EXHIBIT Z Contract Reference? Y/N (S)</p>	Y	Y	Y	Y



645 Griswold St., Suite 370
Detroit, Michigan 48226
tel: 313 963-1313

November 27, 2019

Mr. Robert Bincsik
Department of Public Works Director
City of Flint
3310 E. Court Street
Flint, Michigan 48506

Subject: City of Flint, Michigan No. P20000550
Department of Purchases and Supplies
Chemical Systems Feed Building
Evaluation of Bids Received November 20, 2019

Dear Mr. Bincsik:

CDM Michigan Inc. (CDM Smith) has reviewed the bids received from the above referenced project and has prepared this evaluation. Bids were received from four (4) contractors for the above referenced project. All bidders had attended the mandatory pre-bid meeting, signed their bids, and provided bid bonds in the amounts of 5% of their bids. The bidders and grand total bids are presented in the following table, in order from lowest to highest.

Bidder	Grand Total Bid
Lang Constructors, Inc. Flint, MI	\$ 4,025,957.00
LaSalle Group, Inc. Farmington Hills, MI	\$ 4,693,000.00
Weiss Construction Co., LLC Novi, MI	\$ 4,734,250.00
Reliance Building Company Novi, MI	\$ 4,987,200.00

The low bidder for this project is Lang Constructors Inc., of Flint, Michigan with a grand total bid of \$4,025,957.00. A detailed evaluation of all the bids is documented in the attached spreadsheets. The Bid Price Summary spreadsheet documents each contractor's pricing and indicates the bids are balanced and complete. During development of the Contract Requirements Summary spreadsheet CDM Smith contacted Lang Constructors to obtain clarification and additional information on the following items:





Mr. Robert Bincsik
November 27, 2019
Page 2

- Complete list of subcontractors
- Complete list of suppliers
- Clarification of the related project experience
- Clarification of exceptions


Lang Constructors provided additional information regarding subcontractors and suppliers, related project experience and their financial statement. They also clarified their exceptions pertaining to the geotechnical requirements in specification Section 301900 – Geotechnical Instrumentation and Monitoring and the caustic coating requirement in specification Section 434113 -Welded Steel Tanks. These items are required by the Engineer and must be included in the Contract and require that Lang's bid amount be increased from \$4,025,957.00 to \$4,085,957.00. This adjustment will not affect Lang Constructors Inc. ranking as the lowest bidder. The additional information submitted regarding their subcontractors and suppliers, related project experience and financial statement was found to be acceptable.

Additionally, Lang Constructors, Inc. has successfully completed projects for the City of Flint in the recent past and are currently working on the City of Flint's 2019 Water Line Replacement -Phase VI project. The City of Flint is not aware of any performance issues with Lang Constructors, Inc. and considers them in good standing.

Accordingly, we recommend the City of Flint award the construction contract to the low bidder, Lang Constructors Inc., of Flint, Michigan in the amount of \$4,085,957.00 for the Chemical Systems Feed Building project.

Please contact this office if you have any questions or need further assistance.

Sincerely,


James J. Brocz, P.E.
Senior Project Manager
CDM Smith Inc.

cc: John Young
Robert Isabel





645 Griswold St., Suite 370
Detroit, Michigan 48226
tel: 313 963-1313

November 27, 2019

Mr. Robert Bincsik
Department of Public Works Director
City of Flint
3310 E. Court Street
Flint, Michigan 48506

Subject: City of Flint, Michigan No. P20000550
Department of Purchases and Supplies
Chemical Systems Feed Building
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Drinking Water Revolving Fund
EXHIBIT A

Cost summary identifying design, construction, and administrative costs.

Planning Costs		\$395,804	
Rate Methodology Development Costs		\$0	
Design Engineering Cost		\$5,171,692	PE
Legal/Financial Service Fees		\$0	
Administrative Costs		\$0	
Bond Counsel Fees		\$40,000	
Bond Advertisement Costs		\$0	
Bid Advertisement Costs		\$0	
Capitalized Interest		\$0	
Land Acquisition/Relocation Costs		\$0	
Land Purchase Costs		\$0	
Construction Engineering Costs		\$9,640,166	CE
Construction Costs (bid contracts)	94,700	\$64,428,875	* - (10m)
Construction Costs (force account)		\$0	
Equipment Costs		\$0	
Other Project Costs		\$0	
Contingencies		\$0	
LESS Other Sources of Funding (Michigan Department of Transportation funds and associated local share for construction, design engineering, and construction engineering for the Kearsley Street water main project)		<u>(\$1,935,712)</u>	*
TOTAL PROJECT COSTS APPROVED		\$77,740,825	

EXHIBIT A

Summary of Estimated Project Costs

The total estimated aggregate cost for the Project is \$77,740,825 which consists of the following project components including subparts of such projects and the estimated costs thereof:

- (a) Water Meter Replacement at an estimated cost of \$18,460,000;
- (b) Dort and Cedar Street Storage and Pumping Station Improvements at an estimated cost of \$10,125,000
- (c) Flint Secondary Water Source at an estimated cost of \$9,163,300;
- (d) Northwest Transmission Main Replacement at an estimated cost of \$12,296,900;
- (e) Distribution System Water Quality Monitoring at an estimated cost of \$612,500;
- (f) Water Main Replacement at an estimated cost of \$13,683,125;
- (g) Chemical Feed Building at an estimated cost of \$3,400,000; and
- (h) Service Line Replacement - Contingency at an estimated cost of \$10,000,000.

..