

City of Flint, Michigan

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



Meeting Agenda - FINAL

Wednesday, April 22, 2020

5:00 PM

ELECTRONIC PUBLIC MEETING

FINANCE COMMITTEE

Kate Fields, Chairperson, Ward 4

*Eric Mays, Ward 1
Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

*Maurice D. Davis, Ward 2
Jerrri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7
Eva Worthing, Ward 9*

Inez M. Brown, City Clerk

Davina Donahue, Deputy City Clerk

ROLL CALL

CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote on any agenda changes.

PUBLIC SPEAKING

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

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 and is subject to all rules of decorum and discipline.

SPECIAL ORDER

200173 Special Order/Hazard Pay and City Grants

Special Order as requested by Councilperson Guerra, re: He would like to discuss the possibility of hazard pay for first responders, as well as whether or not the City currently has grant funds that can be utilized for this purpose - or if there are grants that the City can apply for in this regard. [Referral Action Date: 4/13/2020 @ Electronic Public Meeting]

RESOLUTIONS

[NOTE: During the Monday, April 13, 2020 Electronic Public Meeting, the Administration and Council noted changes needed to Reso No. 200166. As a result, an amended version (200166.1) is included here for Council's consideration.]

200166 CO#1/Contract/CDM Smith/Resident Project Representative Services/Construction Engineering Services

Resolution authorizing the appropriate City Officials to do all things necessary to enter into change order #1 to the existing contract No. 18-119 to continue on with the Resident Project Representative (RPR) services, and with Construction Engineering (CE) services from CDM Smith, for an additional contract amount of \$428,947.00, for a total contract price NOT-TO-EXCEED \$915,247.00 for FY19/20, and pending budget approval of FY20/21, as requested by the Department of Public Works (DPW).

200166.1 Amended Resolution/CO#1/Contract/CDM Smith/Resident Project Representative Services/Construction Engineering Services

An amended resolution authorizing the appropriate City Officials to do all things necessary to enter into change order #1 to the existing contract No. 18-119 to continue on with the Resident Project Representative (RPR) services, and with Construction Engineering (CE) services from CDM Smith, for an additional

contract amount of \$428,947.00, for a total contract price NOT-TO-EXCEED \$915,247.00 for FY19/20, using WIIN Funds, as requested by the Department of Public Works (DPW). [NOTE: Resolution amended to remove

200181 Settlement/Service Credits/Ilda Bugbee/Assessments Retiree

Resolution authorizing the Flint City Council to do all things necessary to approve the purchase of service credit for Ilda Bugbee [of Assessments] to retire and be provided with contractual benefits in a normal retirement based on the Michigan Employees' Retirement System (MERS) estimate, which additional service credit shall be retroactively applied to Grievant's MERS retirement benefit such that her retirement benefit shall be recalculated as if the additional service credit was in place at the time of her original retirement effective date of November 1, 2019, and a retroactive benefit payment made by MERS to Grievant based on this retroactive recalculation. [NOTE: On February 4, 2020, the City of Flint resolved a labor dispute arising out of claims from October 4, 2018, in which the Union filed a grievance on behalf of Ilda Bugbee. This resolution complies with No. 4 in the terms of agreement.]

200182 Settlement/Willie Lee Owens v City of Flint/Case No. 19-112886-NO

Resolution resolving that the City Administrator hereby authorizes settlement in the matter of Willie Lee Owens v City of Flint Case No. 19-112886-NO, in the amount of \$75,000.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was requested on this matter on April 13, 2020.]

DISCUSSION ITEMS

200171 Referral/Water Collection Rate

Referral by President Galloway to ADMIN, re: She asks about the water/sewer collection rates for January through March 2020, and whether or not they have been affected by the coronavirus pandemic. [Referral Action Date: 4/13/2020 @ Electronic Public Meeting.]

200172 Referral/Water Turn-Offs and Turn-Ons/COVID-19 Executive Order No. 2020-28

Referral by President Galloway to ADMIN, re: She would like to know how many city of Flint water customers are currently without water service, as well as how many occupied city residences have had water service restored per Governor Whitmer's Exec Order No. 2020-28 (in light of the COVID-19 pandemic). [Referral Action Date: 4/13/2020 @ Electronic Public Meeting.]

NEW BUSINESS

ADJOURNMENT

200166



CITY OF FLINT

RESOLUTION NO: _____

PRESENTED: 4-13-20

ADOPTED: _____

RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR CDM SMITH

BY THE CITY ADMINISTRATOR:

In November 2018, the City of Flint Council Members approved Resolution #180577 for Chemical Systems Feed Building-Design Work from CDM Smith, approving purchase order number 19-001496 in the amount of \$486,300.00.

The State of Michigan hired and funded CDM Smith for PE (Preliminary Engineering) services design work on chemical feed systems building to a completion level of 30%. The City of Flint, using WIIN funds, had CDM Smith complete the remaining 70% of the design. So upon completion of the design, the Department of Public Works is requesting to issue a change order to CDM Smith and to have them continue on with the Resident Project Representative (RPR) services and with Construction Engineering (CE) services of the phase of the projecting using WIIN funding.

Funding for said services are budgeted and will come from the following account:

Dept.	Name of Account	Account #	Grant #	Amount
496	Water Capital Projects	553.000-801.054	FEP18WIIN-1	\$ 428,947.00
GRAND TOTAL AMOUNT NOT TO EXCEED FY19/20				\$ 428,947.00

IT IS RESOLVED, Appropriate City officials are to do all things necessary to enter into Change Order #1 to existing contract no. 18-119 to continue on with the Resident Project Representative (RPR) services and with Construction Engineering (CE) services from CDM Smith for an additional contract amount of \$428,947.00 for a total contract price not-to-exceed \$915,247.00 for FY19/20 and pending budget approval of FY20/21.

APPROVED

Joyce A. McClane
Purchasing Manager

Amanda Trujillo
Acting Chief Financial Officer

APPROVED AS TO FORM:

Angela Wheeler w/p
Angela Wheeler,
Chief Legal Officer

Clyde Edwards, City Administrator

CITY COUNCIL:

Monica Galloway, Council President

CRG



CITY OF FLINT

Re: 200166
Signature Page #2

RESOLUTION NO: _____

PRESENTED: _____

ADOPTED: _____

**RESOLUTION AUTHORIZING CHANGE ORDER #1
FOR CDM SMITH**

BY THE CITY ADMINISTRATOR:

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APPROVED

Joyce A. McClane
Purchasing Manager

Amanda Trujillo
Acting Chief Financial Officer

APPROVED AS TO FORM:

Angela Wheeler,
Chief Legal Officer

Clyde Edwards, City Administrator

CITY COUNCIL:

Monica Galloway, Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: March 19, 2020

BID/PROPOSAL#

AGENDA ITEM TITLE: Chemical Feed Building Design Work – change order #1

PREPARED BY: Robert Bincsik, Director of Public Works

VENDOR NAME: CDM Smith

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The State of Michigan hired and funded CDM Smith for PE (Preliminary Engineering) services design work on the chemical feed systems building to a completion level of 30%. The City of Flint, using WIIN funds, had CDM Smith complete the remaining 70% of the design. So upon completion of the design, the Department of Public Works is requesting to issue a change order to CDM Smith and to have them continue on with the Resident Project Representative (RPR) services and with Construction Engineering (CE) services of the phase of the projecting using WIIN funding.

FINANCIAL IMPLICATIONS: Funding is available in the account listed below

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
496	Water Capital Projects	553.000-801.054	FEPA18WIIN-1	\$428,947.00
FY20 GRAND TOTAL				\$428,947.00

PRE-ENCUMBERED? YES NO REQUISITION NO: 20002787

ACCOUNTING APPROVAL: *Yolanda Gray* Date: 3-19-2020

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

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: Per CDM Smith proposal services will be rendered from March 1, 2020 through May 31, 2021

BUDGET YEAR 1

RESOLUTION NO: **200166.1**

PRESENTED: April 21, 2020

ADOPTED:

RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR CDM SMITH

BY THE CITY ADMINISTRATOR:

In November 2018, the City of Flint Council Members approved Resolution #180577 for Chemical Systems Feed Building-Design Work for CDM Smith, approving purchase order number 19-001496 in the amount of \$486,300.00.

The State of Michigan hired and funded CDM Smith for PE (Preliminary Engineering) services design work on chemical feed systems building to a completion level of 30%. The City of Flint, using WIIN funds, had CDM Smith complete the remaining 70% of the design. So upon completion of the design, the Department of Public Works is requesting to issue a change order to CDM Smith and to have them continue on with the Resident Project Representative (RPR) services and with Construction Engineering (CE) services of the phase of the projecting using WIIN funding.

Funding for said services are budgeted and will come from the following account:

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GRAND TOTAL AMOUNT NOT TO EXCEED FY19/20				\$ 428,947.00

IT IS RESOLVED, Appropriate City Officials are to do all things necessary to enter into Change Order #1 to existing contract no. 18-119 to continue on with the Resident Project Representative (RPR) services and with Construction Engineering (CE) services from CDM Smith for an additional contract amount of \$428,947.00 for a total contract price not-to-exceed \$915,247.00 for FY19/20, using WIIN funding.

APPROVED:

Joyce A. McClane, Purchasing Manager

Amanda Trujillo
Acting Chief Financial Officer

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

Clyde Edwards, City Administrator

CITY COUNCIL:

Monica Galloway, Council President



200181

RESOLUTION NO.: _____

PRESENTED: 4-22-20

ADOPTED: _____

RESOLUTION AUTHORIZING THE PURCHASE OF SERVICE CREDITS FOR AS ESTIMATED BY MERS FOR THE RETIREMENT FOR ILDA BUGBEE

BY THE CITY ADMINISTRATOR:

WHEREAS, on February 4, 2020, the City of Flint (Employer) resolved a labor dispute arising out of claims from October 4, 2018, in which the Union filed a grievance on behalf of Ilda Bugbee (Grievant) (See Attached Settlement). As a result, Employer and Grievant agreed to the following:

1. Grievant's termination would be removed from her file and converted to a leave of absence.
2. Grievant will receive PTO that would have accrued during her absence which is in the amount of three hundred eighteen point forty-three hours (318.43) at her hourly rate which is \$24.935 per hour which would total seven thousand nine hundred forty dollars and five cents (\$7,940.05).
3. Employer agrees to reimburse Grievant for out-of-pocket expenses from the October 4, 2018 termination date to October 31, 2019, (i.e., presented to the COF within 30 days of signing the agreement) that was not covered by Employer's insurance.
4. Grievant will receive any lost pension service credits from July 1, 2018, until October 31, 2019.
5. Grievant agrees to file for retirement and will be provided all contractual benefits for normal retirement.¹
6. Grievant agrees to withdraw the above-mentioned grievance without prejudice.

WHEREAS, to effectuate the pension and retirement terms for Grievant, MERS requires a resolution approving the purchase of service credits, retirement benefit recalculation, and retroactive retirement benefit payment, by the local governing body. Employer has received from MERS the estimated cost for the additional one year, three months of service credit for Grievant

¹ Grievant has already retired as is in pay status with MERS



RESOLUTION NO.: 20-1059

PRESENTED: _____

ADOPTED: _____

in the amount of \$12,820.00 (See Attachment). The estimate is valid for 30 days, expiring on May 7, 2020.

IT IS RESOLVED that the Flint City Council do all things necessary to approves the purchase of service credit for Ilda Bugbee to retire and be provided with contractual benefits in a normal retirement based on the MERS estimate, which additional service credit shall be retroactively applied to Grievant's MERS retirement benefit such that her retirement benefit shall be recalculated as if the additional service credit was in place at the time of her original retirement effective date of 11/1/2019, and a retroactive benefit payment made by MERS to Grievant based on this retroactive recalculation.

APPROVED AS TO FORM:

Angela Wheeler w/p
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Amanda Trujillo
Amanda Trujillo, Acting Chief Financial Officer

FOR THE CITY OF FLINT:

APPROVED BY CITY COUNCIL:

Clyde Edwards
Clyde Edwards, City Administrator

Monica Galloway
Monica Galloway, City Council President

Handwritten initials/signature

200182

RESOLUTION NO.: _____

PRESENTED: 4-22-20

ADOPTED: _____

RESOLUTION TO APPROVE SETTLEMENT OF WILLIE LEE OWENS V. CITY OF FLINT 19-112886-NO

BY THE CITY ADMINISTRATOR:

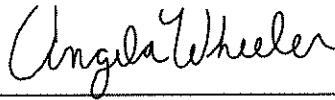
Executive Session was requested in this matter on April 13, 2020; and

Although the City of Flint admits no liability in the claims filed by Willie Lee Owens, the Department of Law recommends settlement of this matter.

All parties have agreed to settlement in this matter in the amount of \$75,000; and

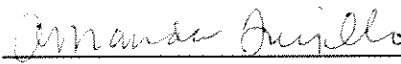
IT IS RESOLVED that the City Administrator hereby authorizes settlement in the matter of *Willie Lee Owens v City of Flint, 19-112886-NO*, in the amount of \$75,000, in satisfaction of any and all claims arising out of said matter. Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300.

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:



Amanda Trujillo, Acting Finance Director

FOR THE CITY OF FLINT:



Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Monica Galloway, City Council President

