

**OFFICE OF THE CITY COUNCIL**



**MEMORANDUM**

To: Whom It May Concern  
From: Janell Johnson - City Council Secretary  
Date: May 12, 2021  
RE: **CITY COUNCIL APPROVED RESOLUTIONS/ORDINANCES  
(May 10, 2021)**

The attached copies of City Council APPROVED resolutions (as listed below) are being distributed to you as a matter of record.

If applicable, abstracts of ordinances as approved by council are also included.

**RESOLUTIONS (as ADOPTED by City Council – May 10, 2021)**

<b>210204</b>	<b>210217</b>	<b>210224</b>
<b>210216</b>	<b>210219.1</b>	

**ORDINANCES (as ADOPTED by City Council – May 10, 2021)**

CITY OF FLINT



RESOLUTION NO: 210204
PRESENTED: MAY 5 2021
PRESENTED: MAY 10 2021

RESOLUTION TO ROWE ENGINEERING FOR NORTHWEST TRANSMISSION MAIN RE-PERMITTING AND DESIGN - CHANGE ORDER 2

BY THE CITY ADMINISTRATOR:

On May 26, 2020, Change Order #1 - Resolution #200216 was adopted by City Council to provide additional engineering services for the Northwest Transmission Main Re-Permitting and Design as requested by the Public Works and Utilities Department in the amount not to exceed \$104,360.00, and;

Rowe Engineering was the sole source for said services. Additional scope of work is needed for revision to drawings, specifications, and permit applications for Change Order #2.

Funding for said services will come from the following accounts for FY21 (07/01/20 - 06/30/21):

Table with 4 columns: Name of Account, Account #, Grant #, Amount. Rows include Northwest Transmission and FY21 GRAND TOTAL.

IT IS RESOLVED, that the proper City Officials, are hereby authorized to enter into CHANGE ORDER #2 with Rowe Engineering for additional scope of services for the Northwest Transmission Main Re-Permitting and Design in an amount not-to-exceed for FY21 (07/01/20 - 06/30/21), \$28,000.00 and a revised contract amount of \$132,360.00.

APPROVED AS TO FORM:

Signature of Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Signature of Shelbi Frayer, Chief Financial Officer

FOR THE CITY OF FLINT:

Signature of Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Signature of Kate Fields, City Council President

APPROVED AS TO PURCHASING:

Signature of Joyce A. McClane, Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: April 20, 2021

BID/PROPOSAL# Sole Source

AGENDA ITEM TITLE: Northwest Transmission Main Replacement Change Order #2

PREPARED BY: Yolanda Gray, DPW Accounting Supervisor

VENDOR NAME: Rowe Engineering

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Rowe Engineering was awarded a contract as the sole source, to provide engineering services for the Northwest Transmission main re-permitting and redesign as needed in an amount not to exceed \$67,360. Since, moving forward with the design, Change Order #1 was required for additional scope of services at a cost not to exceed \$37,000 for total contract amount of \$104,360. The Department of Environment, Great Lakes, and Energy (EGLE), has requested revisions to drawings, specifications, and permit applications for Change Order #2 at a cost not to exceed \$28,000 for a total contract price of \$132,360.00. These revisions will allow this project to move forward with bidding and construction.

FINANCIAL IMPLICATIONS:

BUDGETED EXPENDITURE? YES [X] NO [ ] IF NO, PLEASE EXPLAIN:

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Row 1: 496, Northwest Transmission, 554.000-801.051, FEPA18WIIN-1, 28,000.00. Row 2: (blank), (blank), (blank), (blank), (blank). Row 3: (blank), (blank), (blank), FY20 GRAND TOTAL, \$28,000.00

PRE-ENCUMBERED? YES [X] NO [ ] REQUISITION NO: 210004481

ACCOUNTING APPROVAL: Yolanda Gray Date: 4-20-21

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



## CITY OF FLINT

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

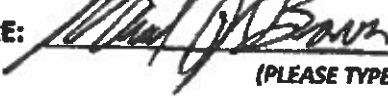
**BUDGET YEAR 1**

**BUDGET YEAR 2**

**BUDGET YEAR 3**

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

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

**DEPARTMENT HEAD SIGNATURE:**  MICHAEL BROWN  
(PLEASE TYPE NAME, TITLE) DPW DIRECTOR



# ROWE PROFESSIONAL SERVICES COMPANY

*Large Firm Resources. Personal Attention.™*

March 24, 2021

Mr. John Young  
City of Flint  
1011 S. Saginaw Street  
Flint, MI 48813

Re: Northwest Transmission Main Replacement PO #19-001489  
Final Plan / Permit Revisions

Dear Mr. Young:

As requested, ROWE Professional Services Company is submitting this request for additional engineering services associated with the above-referenced project. Based in our discussions and meetings, there are a number of items that need to be completed prior to this project receiving all the necessary permits and approvals to allow this project to move forward with bidding and construction. As you are aware, Michigan Department of Environment, Great Lakes, and Energy (EGLE), CSX Railroad, Genesee County Drain Commission, and the Michigan Department of Transportation (MDOT) all need to grant approval of this project and/or issue a permit.

The following is a list of items that need to be completed and/or changed:

- Revise drawings to remove the portion of the water main that was proposed to be replaced under I-475 and Dort Highway. This requested change will result in revisions to the drawings, quantities, traffic control plans, and MDOT permit. By eliminating the crossing of I-475 and Dort Highway, the city will not only save construction costs but also additional geotechnical services fees, as MDOT has recently been requiring a much more in-depth geotechnical report to work in their right-of-way. This change occurred during this project's design phase.
- Revise design drawings, specifications, and permit application to address EGLE's comments. As you were aware, EGLE provided a lengthy list of comments they requested be changed to the design. After our meeting with Mr. London from EGLE and yourself, we were able to significantly reduce the list of requested changes. Once the final agreed upon changes are made, a complete design package including an updated permit application will need to be resubmitted to EGLE for final approval of their permit.
- Once the changes noted above are completed, the documents will need to be submitted to the Genesee County Drain Commissioner for their review and issuance of a soil erosion and sedimentation control permit.
- Update the technical specifications/notes/details pay items to allow for the appropriately sized pressure class ductile iron pipe material as requested by Mr. Young.
- Back in the fall of 2019, ROWE submitted the documents to CSX Railroad for their review and issuance of a permit to cross their railway. It is our understanding that CSX is waiting for a permit fee to be paid by the city prior to finalizing their permit. The city has had a copy of this invoice from CSX since December 2019. We are hoping that the documents that received preliminary approval in December 2019 can still be approved once the fee is paid by the city.

Engineering | Surveying | Aerial Photography/Mapping | Landscape Architecture | Planning  
Corporate: The ROWE Building, 540 S. Saginaw Street, Suite 200 • Flint, MI 48502 • O (810) 341-7500 • F (810) 341-7573  
With Offices In: Farmington Hills, MI • Grayling, MI • Kentwood, MI • Lapeer, MI • Mt Pleasant, MI • Myrtle Beach, SC  
[www.rowepac.com](http://www.rowepac.com)

Mr. John Young  
March 24, 2021  
Page 2

All of these items noted above were not accounted for in our engineering fee. Therefore, we are requesting a change order to our PO in that amount to cover these costs in the amount of \$28,000.

If you concur with this request, please prepare the required documentation as indication of your authorization to proceed. If you have any questions or comments, please contact us at (810) 341-7500.

Sincerely,  
ROWE Professional Services Company

Jeffrey Markstrom  signed by Jeffrey Markstrom, PE  
jeffrey.markstrom@rowe.com  
ROWE Professional Services  
Jeffrey Markstrom, PE  
ALM 03 24 09:41:57

Jeffrey B. Markstrom, P.E.  
Design Services Division Manager

r: projects\19c0237 docs\proposal and contract\final plans engineering services proposal.docx

200216



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

PRESENTED: 5-26-20

PRESENTED: 5-26-2020

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO ROWE ENGINEERING FOR NORTHWEST TRANSMISSION MAIN RE-PERMITTING AND DESIGN - CHANGE ORDER 1**

In July 2019, Rowe Engineering was awarded to provided engineering services for the Northwest Transmission Main Re-Permitting and Design as requested by the Public Works and Utilities Department in the amount not to exceed \$67,360.00, and;

Rowe Engineering was the sole source for said services. Additional scope of services was needed: change in size of water main, new connection points, and new survey data and plans.

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

Dept.	Name of Account	Account #	Grant #	Amount
496	Northwest Transmission	534,000-001.031	PERASWTR-1	\$37,000.00

IT IS RESOLVED, that the proper City Officials, are hereby authorized to enter into CHANGE ORDER #1 with Rowe Engineering for additional scope of work for the Northwest Transmission Main Re-Permitting and Design in an amount not-to-exceed \$37,000.00 and a revised contract amount of \$104,360.00.

APPROVED AS TO PURCHASING:

Joyce A. McNamee  
Purchasing Manager

APPROVED AS TO FINANCE:

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

*date*



RESOLUTION NO.: 210216  
PRESENTED: MAY 10 2021  
ADOPTED: MAY 10 2021

**RESOLUTION AUTHORIZING THE ACCEPTENCE OF THE REVIVE COMMUNITY HEALTH CENTER GRANT THROUGH THE BLUEGREEN ALLIANCE FOUNDATION (BGAF) AND AN AMENDMENT TO THE FY21 BUDGET IN THE AMOUNT OF \$20,000**

**BY THE CITY ADMINISTRATOR:**

**WHEREAS**, the City of Flint has been granted funding through BGAF for City of Flint program support; and

**WHEREAS**, the term of this grant will begin on April 26<sup>th</sup>, 2021 and go through April 30<sup>th</sup>, 2022; and

**WHEREAS**, the City of Flint, agrees to build a partnership between Revive Flint and two of the City's programs, Flint ReCAST (Resilience in Communities After Stress and Trauma) and Lead-Based Paint and Hazard Control;

**IT IS RESOLVED** that the appropriate City Officials are authorized to accept the Revive Community Health Center Grant, amend the FY21 budget, appropriate funding for revenue and expenditures in future fiscal years, so long as funds are available from the funder, and abide by the terms and conditions of the grant from BGAF, in the amount of \$20,000.00, to grant budget with code PBGAF-HBBF21, through April 30, 2022.

**Approved as to Form:**

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

  
\_\_\_\_\_  
Kate Fields, Council President

**Approved as to Finance:**

  
\_\_\_\_\_  
Shelbi Frayer (May 3, 2021 11:27 EDT)  
Shelbi Frayer, Chief Financial Officer

  
\_\_\_\_\_  
Clyde D. Edwards, City Administrator





## **RESOLUTION STAFF REVIEW**

**Date:** April 29, 2021

**Agenda Item Title:**

**RESOLUTION AUTHORIZING THE ACCEPTENCE OF THE REVIVE COMMUNITY HEALTH CENTER GRANT THROUGH THE BLUEGREEN ALLIANCE FOUNDATION (BGAF) AND AN AMENDMENT TO THE FY21 BUDGET IN THE AMOUNT OF \$20,000**

**Prepared by:**

Mayor's Office

**Background/Summary of Proposed Action:**

The goal of this project is to build a partnership between Revive Flint and the two of the city's programs, Flint ReCAST (Resilience in Communities After Stress and Trauma) and Lead-Based Paint Hazard Control Program to prioritize lead-paint mitigation of homes, to provide education of expectant families and/or families with young children that reduce neurotoxic exposure and effects of stress and trauma. Current partnerships with Greater Flint Health Coalition exists as they are key partners with both the Flint ReCAST and LBPHC programs. Services rendered will be expanded to include targeted families.

Revive Flint will market the program to eligible families and receive referrals from local health practitioners and community-based organizations. Eligible families will be those who are low-moderate income (as determined by HUD program eligibility) and include a currently pregnant mother who lives inside the geographical boundaries of the City of Flint. Each mother will receive incentives for program participation from Revive Flint, resources and/or workshops on reducing stress and trauma from Flint ReCAST, and health assessments, lead inspection, and later remediation by the Lead Based Paint Hazard Control program, if qualified by HUD.

Excluded from this process:

- No known exclusions

**Financial Implications:**

The \$20,000.00 will be added to the budget in department 296-171.715 with grant code PBGAF-HBBF21.

Account Number & Grant Code	Account Name	Amount
296-171.715-752.000	Supplies	\$600
296-171.715.801.000	Professional Services	\$17,400
296-171.715.900.100	Marketing	\$1,000
296-171.715.969.100	Indirect Cost Allocation	\$1,000

**Budgeted Expenditure:** Yes \_\_\_ No X

**Please explain, if no:** The funds were awarded after the budget was approved.

**Pre-encumbered:** Yes \_\_\_ No X

**Requisition #:** \_\_\_\_\_

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



RESOLUTION NO.: 210217  
PRESENTED: MAY 10 2021  
ADOPTED: MAY 10 2021

**RESOLUTION AUTHORIZING THE ACCEPTENCE OF THE FLINT REGISTRY  
COMMUNITY REFERRAL NETWORK CAPACITY SUPPORT GRANT THROUGH THE  
GREATER FLINT HEALTH COALITION AND AN AMENDMENT TO THE FY21 BUDGET  
IN THE AMOUNT OF \$10,000**

**BY THE CITY ADMINISTRATOR:**

**WHEREAS**, the Greater Flint Health Coalition (GFHC) has been granted funding by the Centers for Disease Control; and

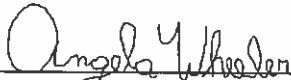
**WHEREAS**, the City of Flint has been granted funding through GFHC as a subgrantee, on behalf of the Flint Registry project; and

**WHEREAS**, the City of Flint, agrees to provide capacity support for participation in the Community Referral Platform and Network;

**WHEREAS**, this grant will allow the Flint Registry to develop best practices for establishing community linkages while addressing capacity issues related to use of the referral tool;

**IT IS RESOLVED** that the appropriate City Officials are authorized to accept the Flint Registry Community Referral Network Capacity Support Grant, amend the FY21 budget, appropriate funding for revenue and expenditures in future fiscal years as long, as funds are available from the funder, and abide by the terms and conditions of the grant from Greater Flint Health Coalition, in the amount of \$10,000.00, to grant budget with code FCDC-GFHC21, through July 31, 2021.

**Approved as to Form:**

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

  
\_\_\_\_\_  
Kate Fields, Council President

**Approved as to Finance:**

  
\_\_\_\_\_  
Shelbi Frayer (May 7, 2021 13:22 EDT)  
Shelbi Frayer, Chief Financial Officer

  
\_\_\_\_\_  
Clyde D. Edwards, City Administrator



## **RESOLUTION STAFF REVIEW**

**Date:** April 9, 2021

**Agenda Item Title:**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE FLINT REGISTRY COMMUNITY REFERRAL NETWORK CAPACITY SUPPORT GRANT THROUGH THE GREATER FLINT HEALTH COALITION AND AN AMENDMENT TO THE FY21 BUDGET IN THE AMOUNT OF \$10,000**

**Prepared by:**

Mayor's Office

**Background/Summary of Proposed Action:**

The purpose of this resolution is to accept the funding from GFHC, in order for City of Flint Employees to obtain training, and provide capacity support, for the Flint Registry referral tool.

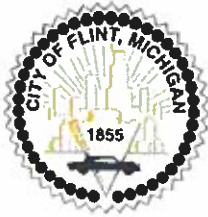
The City of Flint will participate in a Flint/Genesee County community-clinical linkages referral network for residents identified via the Flint Registry in partnership with Michigan State University and Greater Flint Health Coalition.

The City of Flint will receive funding to compensate their designated staff members for training and utilization of the Michigan Health Information Network (formerly Great Lakes Health Connect) community referral tool application (also known as Referrals Plus), as well as participation in community meetings and reporting. After completing the training, these staff members will support the utilization of the referral tool application within their organization. This will allow the Flint Registry to develop best practices for establishing community linkages as well as address capacity issues to use the referral tool. The City of Flint staff will develop required organizational workflow procedures and processes for the use of the referral tool application. They will also monitor and improve utilization of the tool to process referrals received via the community referral tool application. The City of Flint will participate in regular monthly reporting of referrals received and status (e.g. complete, in process, incomplete, etc.) to support outcome reporting, with definitions and reporting forms supplied by the Greater Flint Health Coalition.

The City of Flint commits to quality through development of measurable outcome objectives and shall provide full disclosure and documentation of its progress. No funding will be used to provide direct services to City of Flint clients. As a participating partner to the Flint Registry Community Referral Network Capacity Support Program, the City of Flint is required to: 1) designate at least two staff members to be trained on the operation of the community referral platform and process for managing referrals from Flint Registry or Greater Flint Health Coalition; 2) complete daily monitoring of incoming referrals over the community referral platform and ongoing evaluation of internal workflow for processing referrals; 3) designate one senior staff member to attend the bi-monthly Community Referral Network meetings; 4) submit monthly reports to the Greater Flint Health Coalition summarizing referral activities and any important program changes Flint Registry partners should be aware of; and 5) submit a final financial report to the Greater Flint Health Coalition as determined necessary.

Excluded from this process:

- No known exclusions



**Financial Implications:**

The \$10,000.00 will be added to the budget in department 296-171.540 with grant code FCDS-GFHC21.

Account Number & Grant Code	Account Name	Amount
296-171.540-702.000	Wages – Full Time (Non-Exempt)	\$6,695
296-171.540-705.000	Sick, Vacation, and Accrued Leave Pay	\$125
296-171.540-706.000	Holiday Pay	\$230
296-171.540-708.000	Unemployment Compensation (SUTA)	\$135
296-171.540-709.000	FICA (Social Security)	\$400
296-171.540-711.000	Medicare	\$100
296-171.540-716.100	MERS Hybrid Defined Contribution Pension	\$130
296-171.540-717.100	MERS Hybrid Defined Benefit Pension	\$210
296-171.540-718.000	Health Insurance Premiums	\$1,250
296-171.540-725.000	Employer Health Care Savings Plan	\$100
296-171.540-732.000	Life Insurance	\$10
296-171.540-733.000	Optical Insurance	\$10
296-171.540-734.000	Dental Insurance	\$55
296-171.540-735.000	Worker’s Compensation	\$550

**Budgeted Expenditure:** Yes \_\_\_ No X

**Please explain, if no:** The funds were awarded after the budget was approved.

**Pre-encumbered:** Yes \_\_\_ No X                      **Requisition #:** \_\_\_\_\_

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

**Staff Recommendation:**              Staff recommends approval of this resolution.

**APPROVAL** \_\_\_\_\_

**SUBCONTRACT AGREEMENT**  
**between Greater Flint Health Coalition ("GFHC") and**  
**City of Flint ("Subcontractor")**  
**1101 S. Saginaw Street**  
**Federal I.D.#: 38-6004611**

**for**  
**Flint Registry Community Referral Network Capacity Support**  
**January 1, 2021 – July 31, 2021**

The purpose of this Subcontract Agreement is to outline the responsibilities and expectations of the partnership between the Greater Flint Health Coalition (serving as project manager for the Flint Registry Community Referral Network) and City of Flint, hereinafter referred to as the Subcontractor. The relationship between the named entities is based on adherence to the Eligibility Criteria, Standards and Practices and Expectations, as outlined by the GFHC.

To be eligible for Community Referral Network Capacity Support funds and/or continuation funding, the Subcontractor agrees that it will adhere to all terms and conditions as set forth in this Subcontract Agreement.

**Governance:**

The Subcontractor is recognized under Section 501(c)3 of the Internal Revenue Code; is governed by a volunteer Board of Directors; and will observe the non-discrimination policies of the laws, statutes and ordinances of all local, state and federal governmental jurisdictions. The Subcontractor will provide its established services to residents of Flint and Genesee County and will not proselytize or require adherence to religious beliefs or practices, nor a declaration of same, as a condition for service.

**Services and Scope of Work:**

The Subcontractor will participate in a Flint/Genesee County community-clinical linkages referral network for residents identified via the Flint Registry in partnership with Michigan State University and Greater Flint Health Coalition.

The Subcontractor will receive funding to compensate their designated staff members for training and utilization of the Michigan Health Information Network (formerly Great Lakes Health Connect) community referral tool application (also known as Referrals Plus), as well as participation in community Subcontractor meetings and reporting. After completing the training these staff members will support the utilization of the referral tool application within their organization. This will allow the Flint Registry to develop best practices for establishing community linkages as well as address capacity issues to use the referral tool. Subcontractor staff will develop required organizational workflow procedures and processes for the use of the referral tool application. They will also monitor and improve utilization of the tool to process referrals received via the community referral tool application. Subcontractor will participate in regular monthly reporting of referrals received and status (e.g. complete, in process, incomplete, etc.) to support outcome reporting, with definitions and reporting forms supplied by the Greater Flint Health Coalition.

The Subcontractor commits to quality through development of measurable outcome objectives and shall provide full disclosure and documentation of its progress. No funding will be used to provide direct services to Subcontractor clients. As a participating partner to the Flint Registry Community Referral Network Capacity Support Program, the Subcontractor is required to: 1) designate at least two staff members to be trained on the operation of the community referral

**Compliance:**

Failure to adhere to the terms and conditions as set forth in this Subcontract Agreement may result in immediate withdrawal of funding. Subcontractor agrees funding is to be used for the purposes outlined in Services and Scope of Work unless otherwise approved.

**SIGNING THE SUBCONTRACT AGREEMENT:** by countersigning below, each party indicates an acceptance, understanding and agreement to all terms and conditions set forth in this Contract Agreement.

**SUBCONTRACTOR NAME**

**GREATER FLINT HEALTH COALITION**

Sheldon Neeley  
Mayor (please print)

Kirk Smith  
President & CEO (please print)

\_\_\_\_\_  
Mayor Signature

\_\_\_\_\_  
Chief Executive Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

platform and process for managing referrals from Flint Registry or Greater Flint Health Coalition; 2) complete daily monitoring of incoming referrals over the community referral platform and ongoing evaluation of internal workflow for processing referrals; 3) designate one senior staff member to attend the bi-monthly Community Referral Network meetings; 4) submit monthly reports to the Greater Flint Health Coalition summarizing referral activities and any important program changes Flint Registry partners should be aware of; and 5) submit a final financial report to the Greater Flint Health Coalition as determined necessary.

**Reporting Requirements:**

The Subcontractor will provide reports to the Flint Registry and Greater Flint Health Coalition on referrals received and system utilization on a monthly basis; reports will be sent to the Flint Registry project staff of the Greater Flint Health Coalition. The Greater Flint Health Coalition project staff will compile all submitted reports on behalf of the Flint Registry project.

Subcontractors may be asked to provide Greater Flint Health Coalition additional reports from time to time as reasonably requested. All reports should be submitted to Nichole Smith-Anderson, Special Projects Director at [nsmithanderson@flint.org](mailto:nsmithanderson@flint.org).

**Mutual Commitment:**

Greater Flint Health Coalition and the Subcontractor (the "parties") agree:

- To keep each other informed on Subcontractor/program, community related issues, and activities.
- To seek community input in the planning and decision-making process related to issues of concern and the development of future activities.
- All communication relative to this subcontract should be submitted to Greater Flint Health Coalition for prior approval. GFHC will provide the Subcontractor with digital files of the appropriate programmatic logo for display on print material and letterhead. For questions regarding correct usage of electronic versions of the logo or to update your information on the Flint Registry or Greater Flint Health Coalition website, please contact Nichole Smith-Anderson, Special Projects Director at [nsmithanderson@flint.org](mailto:nsmithanderson@flint.org) or phone at (810) 232-2228.

**Funding:**

Greater Flint Health Coalition, on behalf of the Flint Registry project, agrees to provide capacity support funds for staff time associated with participation in the Community Referral Platform and Network in the amount of \$10,000 for activities as detailed in the Services and Scope of Work. Funds are allocated at \$20.00/hour for 200 hours/staff member for 2.5 staff. Subcontractor agrees to maintain and retain financial records, and, upon request of Greater Flint Health Coalition, Flint Registry, and/or the Centers for Disease Control and Prevention, to make those records available. Any unspent funds are to be returned to Greater Flint Health Coalition at the close of the subcontract agreement period. Subcontractor will receive its 2021 Community Referral Network capacity support allocation from the GFHC upon signing of the contract.

**Liability**

The Subcontractor assumes all liability to third parties, loss, or damage as a result of claims, demands, costs, or judgments arising out of activities, such as direct activity delivery, to be carried out by the Subcontractor in the performance of this agreement. GFHC is not liable for consequential, incidental, indirect or special damages, regardless of the nature of the action.



RESOLUTION NO.: 210219.1

PRESENTED: MAY - 5 2021

ADOPTED: MAY 10 2021

**RESOLUTION TO MEDIATE SETTLEMENT OF POHLY V. CITY OF FLINT  
#19-112528-CZ LITIGATION BY AUTHORIZING COUNCIL AND ADMINISTRATIVE  
REPRESENTATIVES TO APPROVE SETTLEMENT DURING MEDIATION**

**BY THE CITY ADMINISTRATOR:**

**WHEREAS** an Executive Session was held on May 5, 2021; and

**WHEREAS** on April 8, 2019, Plaintiff filed a complaint against the City for alleged Open Meeting Act violations, violations of the Freedom of Information Act and failure to implement and breach of the Flint City Charter.

**WHEREAS**, the parties have participated in meaningful discovery to determine the veracity of the allegations and reach a full, complete, fair, and meaningful resolution of the aforementioned claims; and

**WHEREAS**, the parties are extremely close to reaching a final resolution of the claims. However, the parties need a mechanism to bring this matter to a full and final conclusion that will be in the best interest of the City of Flint and Plaintiff. The purpose of the settlement is to effect full Charter compliance according to a schedule as determined by the City and Plaintiff; and

**WHEREAS** the City and Plaintiff have worked closely with the chart compliance officer, the Honorable Archie L. Hayman. This has been beneficial to the process. However, to finalize, the parties both need party representatives available at mediation sessions to reach a full and final settlement.

**WHEREAS** Judge Hayman has requested, and the parties agree that party representatives, one from Council ( Councilman Eric Mays) and one from Administration and one from Plaintiff be allowed to bind the City in the event that an agreement is reached and to avoid a trial that is scheduled for a date certain, 90 days from April 8, 2021; and

**WHEREAS**, the City of Flint would admit to no liability, the Law Department recommends settlement of these matters be reached by the party representatives through mediation that would, if resolution be reached, be binding upon the City; and

**WHEREAS** City Administrator Clyde Edwards recommends settlement subject to those same conditions;





**THEREFORE, BE IT RESOLVED** that the Flint City Council approves and consents to the City settling Pohly v. City of Flint, #19-112528-CZ, through the mediation process authorizing one

City Council representative and one City Administration representative to bind the parties in the event that a settlement is reaching through the mediation process.

**APPROVED AS TO FORM:**

Angela Wheeler  
Angela Wheeler, Chief Legal Officer

**APPROVED AS TO FINANCE:**

Shelbi Frayer  
Shelbi Frayer, Chief Financial Officer

**FOR THE CITY OF FLINT:**

Clyde Edwards  
Clyde Edwards, City Administrator *a.w.*

**APPROVED BY CITY COUNCIL:**

Kate Fields  
Kate Fields, City Council President



# CITY OF FLINT

## RESOLUTION STAFF REVIEW FORM

**TODAY'S DATE:** 04/28/2021

**BID/PROPOSAL#** NA

**AGENDA ITEM TITLE:** RESOLUTION TO MEDIATE SETTLEMENT OF POHLY V. CITY OF FLINT #19-112528-CZ LITIGATION BY AUTHORIZING COUNCIL AND ADMINISTRATIVE REPRESENTATIVES TO APPROVE SETTLEMENT DURING MEDIATION,

**PREPARED BY** Vicky Cooper, Legal Department

**VENDOR NAME:** N/A

**BACKGROUND/SUMMARY OF PROPOSED ACTION:**

On April 8, 2019, Plaintiff filed a complaint against the City for alleged Open Meeting Act violations, violations of the Freedom of Information Act and failure to implement and breach of the Flint City Charter. The parties have participated in meaningful discovery to determine the veracity of the allegations and reach a full, complete, fair, and meaningful resolution of the aforementioned claims; and the parties are extremely close to reaching a final resolution of the claims. However, the parties need a mechanism to bring this matter to a full and final conclusion that will be in the best interest of the City of Flint and Plaintiff. The purpose of the settlement is to effect full Charter compliance according to a schedule as determined by the City and Plaintiff.

The City and Plaintiff have worked closely with the chart compliance officer, the Honorable Archie L. Hayman. This has been beneficial to the process. However, to finalize, the parties both need party representatives available at mediation sessions to reach a full and final settlement. Judge Hayman has requested, and the parties agree that party representatives, one from Council and one from Administration and one from Plaintiff be allowed to bind the City in the event that an agreement is reached and to avoid a trial that is scheduled for a date certain, 90 days from April 8, 2021.

The City of Flint would admit to no liability, the Law Department recommends settlement of these matters be reached by the party representatives through mediation that would, if resolution be reached, be binding upon the City.

**FINANCIAL IMPLICATIONS:**

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

Dept.	Name of Account	Account Number	Grant Code	Amount
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RESOLUTION NO.: 210224

PRESENTED: MAY 10 2021

ADOPTED: MAY 10 2021

**RESOLUTION SUPPORTING THE SAFE BOATING CAMPAIGN  
AND NATIONAL SAFE BOATING WEEK**

**BY THE CITY COUNCIL:**

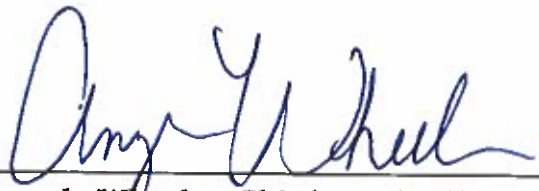
For nearly 100 million Americans, boating continues to be a popular recreational activity. From coast to coast and everywhere in between, people are taking to the water and enjoying time together boating, sailing, paddling, and fishing. During National Safe Boating Week, the U.S. Coast Guard and its federal, state, and local safe boating partners encourage all boaters to explore and enjoy America's beautiful waters responsibly; and

Safe boating begins with preparation. The Coast Guard estimates that human error accounts for most boating accidents and that life jackets could prevent nearly 86% of boating fatalities. Through basic boating safety procedures – carrying lifesaving emergency distress and communications equipment, wearing life jackets, attending safe boating courses, participating in free boat safety checks, and staying sober when navigating – we can help ensure boaters on America's coastal, inland, and offshore waters stay safe throughout the season; and

National Safe Boating Week is observed to bring attention to important life-saving tips for recreational boaters so they can have a safer, more fun experience out on the water throughout the year. On average, 600 people die each year in boating-related accidents in the United States, with 79% of these fatalities caused by fatal drowning. The vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment or environmental factors. A significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jacket.

**IT IS RESOLVED**, that the Flint City Council supports the goals of the Safe Boating Campaign, proclaims May 22-28, 2021 as National Safe Boating Week and the start of a year-round effort to promote safe boating, and urges those who boat to practice safe boating habits and wear a life jacket at all times while boating.

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

**APPROVED BY CITY COUNCIL:**

  
\_\_\_\_\_  
Kate Fields, City Council President