



Saginaw City Council Agenda

1315 S. Washington Avenue
Council Chamber - Room 205
989.399.1311
August 5, 2019
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

1. Jennifer Drinan, PE, Senior Project Manager, OHM Advisors, Lead and Copper Rule update.
2. Tom Beckley, Senior Manager, Raftelis Financial Consultants, Water Rate update.

CONSENT AGENDA:

1. Approve the July 22, 2019 special and regular council meeting minutes.
2. Approve the purchase with AKT Peerless for \$95,000 for inspection of environmentally hazardous materials for residential and commercial demolitions.
3. Approve the blanket purchase order in an amount not to exceed \$500,000 for qualified vendors for demolition services.
4. Approve the purchase with Douglass Safety Systems, a sole source, for \$10,000 for twelve self-contained breathing apparatus air cylinders for the Fire Department.
5. Approve a one-year Adopt-A-Park Agreement with Get Outside for a Healthy Inside, and authorize the City Manager to approve extensions of the Agreement for subsequent years, not to exceed four years.
6. Approve the purchase with various vendors for \$36,607 for the annual supply of motor vehicle fluids for the Motor Pool Operations Division.
7. Approve the purchase with Amazon.com for \$9,500 for two Evaporative Cooling Units as specified for the Motor Pool Division.
8. Approve the purchase with Bell Equipment, Co. for \$28,222; and pending budget approval for \$29,633 for FY 2021, for various sweeper brooms for the Motor Pool Operations.
9. Approve the Vehicle Lease Agreement with Ally Financial, Inc. for two vehicles for the Inspections and Neighborhood Services Department, with four annual payments of \$13,125 per year, for a total of \$52,500.

10. Approve the purchase with Dave Hausbeck Trucking, LLC for \$6,030 for Class II sand for the Cemeteries Division.
11. Approve the purchase with Ferguson Enterprises for \$321,956 for no-lead brass fittings for the Maintenance and Service Division.
12. Approve the amendment to the City Fees and Rates Schedule to increase the fees and rates for the Water Department.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve the Council reappointment of Kevin Rooker to the Historic District Commission with a term to expire July 30, 2022.

ORDINANCE INTRODUCTION:

1. An Ordinance to add Chapter 118, "Prohibition of Marihuana Establishments and Facilities," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204.
2. An Ordinance to amend §§151.001 through 151.117 of Chapter 151, "Property Maintenance Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204.

ORDINANCE CONSIDERATION AND ADOPTION:

RESOLUTIONS:

1. Recognize Ahsrat Company as a non-profit organization for the purpose of obtaining a charitable gaming license.
2. Approve the request from Generis Entertainment, LLC, located at 110 South Hamilton Street, for Outdoor Service to be held in conjunction with a 2008 Class C licensed business.
3. Approve the request from Generis Entertainment, LLC, located at 110 South Hamilton Street, to permit the service of alcoholic beverages on public property.

UNFINISHED BUSINESS:

MISCELLANEOUS BUSINESS:

1. Motion to designate an official representative of the City, and the alternate, for the Michigan Municipal League Annual Meeting to be held in Detroit, September 25-27, 2019.
2. Motion to adopt the resolution in support of adequately funding Michigan schools.

ADJOURNMENT:

Timothy Morales
City Manager

A SPECIAL MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, JULY 22, 2019, AT 6:00 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Kloc led the pledge of allegiance of the United States of America.

ROLL CALL

Mayor Kloc called the meeting to order. Council Members present: Clint Bryant, Brenda Moore, John Milne, Michael Balls, Bill Ostash, and Floyd Kloc: 6. Council Members absent: Jamie Forbes, Annie Boensch, and Autumn Scherzer: 3.

PUBLIC INPUT

No members of the public signed up prior to the deadline to address the Council.

MOTIONS AND MISCELLANEOUS BUSINESS

Moved by Council Member Bryant, seconded by Mayor Pro Tem Moore to enter into a closed session to discuss pending litigation regarding the Washington case pursuant to MCL 15.268(e). Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Moore, Bryant, Milne, Balls, Ostash, Kloc

Nays: None

Absent: Forbes, Boensch, Scherzer

Motion approved.

Council entered a closed session at 6:03 p.m.

Council Member Scherzer entered the closed session at 6:08 p.m. and Council Member Forbes entered the closed session at 6:14 p.m.

Moved by Council Member Bryant, seconded by Council Member Scherzer to return to regular session at 6:24 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Milne, seconded by Council Member Bryant to approve the recommendation of legal counsel as discussed in closed session regarding the Washington case. 8 ayes, 0 nays, 1 absent. Motion approved.

ADJOURNMENT

Moved by Mayor Pro Tem Moore, seconded by Council Member Scherzer to adjourn the meeting at 6:25 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, MMC
City Clerk

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, JULY 22, 2019, AT 6:30 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Moore offered a prayer and led the pledge of allegiance of the United States of America.

ROLL CALL

Mayor Kloc called the meeting to order. Council Members present: Jamie Forbes, Clint Bryant, Brenda Moore, Autumn Scherzer, John Milne, Michael Balls, Bill Ostash, and Floyd Kloc: 8. Council Members absent: Annie Boensch: 1.

ANNOUNCEMENTS

Mayor Kloc presented a proclamation to Ann Branch honoring the life and service of former Mayor Gregory L. Branch. Thomas Roy and Diane Makl of the Saginaw Area Fireworks Association presented a flag flown on July 4, 2019 in honor of Mayor Branch.

PUBLIC INPUT

Public Input addressing the Council was: Eric Karbin, John Vasquez, Natalie Vasquez, Nicholas Bujouves, Sydney Weiss, Janey Cascaddan, Saleem Mannan, and Debbie Melkonian.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Moore, Bryant, Forbes, Ostash, Balls, Milne, Scherzer, and Mayor Kloc.

REPORTS FROM CITY MANAGER

City Manager Tim Morales gave informational updates of City events, projects, and awards.

CONSENT AGENDA:

Mayor Kloc asked if there were any exceptions to the consent agenda. No exceptions were made.

1. Approve the July 8, 2019 regular council meeting minutes.
2. Approve the amendments to the Rules of Order of the Council of the City of Saginaw.
3. Receive and file the letter from Amy Lusk regarding Disclosure of Pecuniary Interest in the City Prosecutor Contract.
4. Approve the Legal Service Agreement with Gilbert and Smith, P.C. for prosecutorial services for \$6,667 per month effective August 9, 2019.
5. Approve the purchase agreement with Revize for \$38,350 for the redesign of the City's website and for \$4,875 annually for FY 2020 through FY 2024, for a total of \$62,725, for hosting and maintenance.
6. Approve the Covenant Medical Center contract addendum to include Article VII - K-9 which provides for a canine to the services provided by the City.

7. Approve the purchase with Best Technology Systems, Inc. for \$6,350; and \$6,350 for FY 2021 and \$6,475 for FY 2022, pending budget approval, for clean-up of the Small Arms Range for the Police Department.
8. Approve the purchase with Michigan Police Equipment for \$22,150 for duty and training ammunition for the Police Department.
9. Approve the Ojibway Island User Agreement with Vicki Hill for Gospel Fest on August 3, 2019.
10. Approve the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act Bilateral Permit with Clear Rate Communications, Inc. for the Engineering Section, Right of Way Division to end on July 22, 2049.
11. Approve the purchase with Wonderware North for \$23,462 for software support for the Supervisory Control and Data Acquisition systems at the Water Treatment, Wastewater Treatment and Remote Facilities Divisions.
12. Approve the purchase with Trace Analytical Laboratories, Inc. for \$32,570; and pending budget approval, for FY 2021 and FY 2022 for laboratory toxicity testing for the Wastewater Treatment Division.

Moved by Council Member Bryant, seconded by Council Member Balls to approve consent agenda items 1 through 12, as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Moved by Council Member Milne, seconded by Council Member Scherzer to approve the following:

- the Mayoral appointment of Brenda Kolka to the Housing Board of Appeals as an alternate with a term to expire December 31, 2020.
- the Council appointment of Misty Grumbley to the Historic District Commission with a term to expire July 31, 2020.
- the Council appointment of Rollin Carter to the Human Planning Commission - District 5 with a term to expire December 31, 2019.
- the Council appointment of Daniel Fitzpatrick to the Human Planning Commission - District 15 with a term to expire December 31, 2021.
- the Mayoral reappointment of Ana Hidalgo to the Saginaw Economic Development Commission with a term to expire June 30, 2022.

8 ayes, 0 nays, 1 absent. Motion approved.

Mayor Kloc announced his Mayoral reappointment of Dawn Hinton to the Saginaw Housing Commission with a term to expire September 30, 2024.

MISCELLANEOUS BUSINESS

Moved by Mayor Pro Tem Moore, seconded by Council Member Milne to request staff to prepare an opt-out ordinance relating to adult use marihuana facilities with a one year sunset provision to give management an opportunity to prepare information for local regulations.

Discussion was held.

Moved by Council Member Milne, seconded by Council Member Balls to call the question. 8 ayes, 0 nays, 1 absent. Motion approved.

Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Milne, Balls, Forbes, Moore, Kloc

Nays: Scherzer, Ostash, Bryant

Absent: Boensch

Motion approved.

Moved by Council Member Ostash, seconded by Council Member Forbes to request staff to begin working on an opt-in ordinance for medical marihuana facilities.

Discussion was held.

Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Balls, Ostash, Forbes, Scherzer

Nays: Milne, Bryant, Moore, Kloc

Absent: Boensch

Tie vote. Motion was denied.

ADJOURNMENT

Moved by Council Member Bryant, seconded by Council Member Scherzer to adjourn the meeting at 7:59 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, MMC
City Clerk

From: Timothy Morales, City Manager
Subject: Hazardous Material Inspection Contractor
Prepared by: John Stemple, Director of Neighborhood Services

Manager's Recommendation:

I recommend the approval of a purchase with AKT Peerless for an amount not to exceed \$95,000 for inspection of environmentally hazardous materials services for residential and commercial demolitions.

Justification:

On July 16, 2019, the City received bids for inspection of environmentally hazardous materials for residential and commercial demolitions. These inspections are required as a part of our demolition process to determine the location and quantity of Hazardous Materials at each demolition site. The results of these inspections are used by the abatement contractor to remove and dispose of materials prior to demolition. AKT Peerless has experience working in our programs and is qualified to perform this service under Michigan Law. Bids were received by the following firms:

AKT Peerless
214 Janes Ave.
Saginaw, MI 48607

Testing Engineers & Consultants Inc. (TEC)
1343 Rochester Rd.
PO Box 249
Troy, MI 48099-0249

Environmental Testing & Consulting (ETC)
38900 W. Huron River Dr.
Romulus, MI 48174

Global Environmental Engineering Inc.
10312 N. Holly Rd.
Holly, MI 48507

All bids were evaluated based the firm's ability to meet production goals within timelines, demonstration of the firms understanding of the scope of work, readiness to proceed, availability to complete work assigned, the provision of a letter from the City or County indicating that the firm is a certified HUD Section 3 business concern, and the firm is located within Saginaw County, and price.

Because of the complexity and variation in costs, in order to determine the lowest and best bid, a scoring system was used to evaluate the bids of each of the contractors. An evaluation team made up of City staff which included the Director of Neighborhood Services, Chief Inspector, and Deputy Director of Community Service, scored the bids as follows.

				GLOBAL	AKT	ETC	TEC
Evaluation Factors Maximum Points							
Ability to Meet Production Goals within Timelines**							
The bidder's demonstration of understanding of scope of work, readiness to proceed and availability to complete work assigned within timeframes required.	Possible Points 40			40	40	40	40
HUD Section 3							
Contractor provides letter from the City of Saginaw or Saginaw County certifying them as a Section 3 Business Concern	Possible Points 5			0	0	0	0
Local Contractor							
Points awarded to contractors that are located in Saginaw County	Possible Points 5			0	5	0	0
Price							
The ability to demonstrate reasonable costs in performing scope of work identified in the RFP.	Possible Points 50			24	50	24	38
TOTAL				64.07	95.00	64.40	77.88

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Community Development Block Grant Fund – Special Project Division's Demolitions Account No. 275-6511-816.000 for \$95,000.00.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Demolition Contractor

Prepared by: John Stemple, Director of Neighborhood Services

Manager's Recommendation:

I recommend the approval to purchase demolition services by individual projects, to the applicable qualified vendor for a cumulative total of \$500,000.

Justification:

On July 09, 2019, the City received bids for demolition, curb replacements, concrete removal, tree removal, and debris removal for various buildings in the City. Bids were received from the following firms:

Rohde Bros. Excavating, Inc.
1240 N. Outer Drive
Saginaw, MI 48601

Bolle Contracting, LLC
408 E. 4th St.
Clare, MI 48617

Bids will be qualified and work will be awarded to the highest scoring bidder until such time that the highest scoring bidder cannot meet the volume demands as determined by the City. Work will then be awarded to the second highest scoring bidder until such time that volume demands are met. All determinations as to whether a bidder can or will meet the volume demands shall be determined solely by the City.

Bids were evaluated based on the firm's ability to meet production goals within timelines, demonstration of the firms understanding of the scope of work, readiness to proceed and availability to complete work assigned, the provision of a letter from the City or County indicating that the firm is a certified HUD Section 3 business concern, the firm is located within Saginaw County, and price.

Because of the complexity and variation in demolition costs, in order to determine the lowest and best bid a scoring system was used to evaluate the bids of each of the contractors. An evaluation team made up of City staff which included the Director of Neighborhood Services, Chief Inspector, and Deputy Director of Community Service scored the bids as follows.

The bids submitted by these firms meet City specifications and the contractors are currently in compliance with the City's dangerous building demolition contracting policy.

	Rohde	Bolle
Evaluation Factors Maximum Points		
Ability to Meet Production Goals within Timelines** The bidder's demonstration of understanding of scope of work, readiness to proceed and availability to complete work assigned within timeframes required. Possible Points 40	40	37
HUD Section 3 Contractor provides letter from the City of Saginaw or Saginaw County certifying them as a Section 3 Business Concern Possible Points 5	0	0
Local Contractor Points awarded to contractors that are located in Saginaw County Possible Points 5	5	0
Price The ability to demonstrate reasonable costs in performing scope of work identified in the RFP. Possible Points 50	50	50
TOTAL	95	87

All vendors listed meet all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Community Development Block Grant Fund – Special Project Division's Demolitions Account No. 275-6511-816.000 for \$400,000.00 and the General Fund Department of Neighborhood Services and Inspections, Inspections Division, Demolition Account No. 101-3865-816.000 for \$100,000.00.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Self Contained Breathing Apparatus Air Cylinders Purchase
Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend the approval of a purchase with Douglass Safety Systems, a sole source, for \$9,999.96 for twelve Self-Contained Breathing Apparatus air cylinders for the Fire Department.

Justification:

On July 19, 2019, the fire department received a quote of \$9,999.96 from Douglass Safety Systems of Sanford, MI for twelve Self Contained Breathing Apparatus (SCBA) air cylinders manufactured by Avon Protection. National Fire Protection Association (NFPA) standards require that SCBA air cylinders and the SCBA units they are used in must be from the same manufacturer. On November 5, 2018, City Council approved the purchase for SCBA units. This purchase is part of the fire department's air cylinder replacement program that ensures that an adequate supply of air cylinders is maintained as older air cylinders are retired from service due end of service life requirements. Douglass Safety Systems is a sole source provider for Avon Protection SCBA equipment.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund – Community Public Safety Fire, Fire Operations Division's Repairs and Replacements Account No. 101-3551-742.000

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Adopt-A-Park Agreement - Wickes
Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend approval of the one-year Adopt-A-Park Agreement with Get Outside for a Healthy Inside and that the City Manager be authorized to approve extensions of the Agreement for subsequent years without further Council approval, not to exceed four years.

Justification:

Get Outside for a Healthy Inside (GOHI) has completed an Adopt-A-Park application seeking the city's approval to adopt and maintain the parcel of land located at 412 Wickes Park Drive in the manner set forth in its Adopt-A-Park application and Agreement. The City of Saginaw is the owner of the property as described. The described work to be performed includes clean ups, grass cutting and maintenance, revitalizing basketball courts and playground equipment.

Upon approval by City Council of the above application, the City shall enter into an Agreement with the applicant requiring a one-year commitment to the performance of revitalizing the current park with; resurfacing the basketball courts, repainting backboards, replacing rims, nets and fencing around the basketball court. The applicant will be responsible for having the proposed work approved by the City Manager; complying with all applicable laws; obtaining liability insurance, if necessary; and holding the City harmless from any claims arising from applicant's adoption of the public area and work performed at same.

I have approved as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Motor Vehicle Fluids
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of purchases with Super-Flite Oil, Rowley's Wholesale, Foster Blue Water Oil Co., and Hotsy of Mid-Michigan for a total of \$36,606.87 for the annual supply of motor vehicle fluids for the Motor Pool Operations Division.

Justification:

On July 9, 2019, bids were received for an annual supply of 7,799 gallons of various fluids that include anti-freeze, motor oil, windshield fluid, heat transfer oil, hydraulic fluid, etc. The City's Municipal Motor Pool Operation requires various lubricants and fluids to maintain its fleet; this represents a 22% increase from last year's request. It is in the best interest of the City to distribute the bids among the four bidders listed with their low respective pricing.

The following is a listing of the purchase orders requested:

<u>Vendor</u>	<u>Cost</u>
Super-Flite Oil Co. Brighton, MI (out-city)	\$23,145.00
Rowley's Wholesale Bay City, MI (out-city)	\$10,779.90
Foster Blue Water Oil Co. Richmond, MI (out-city)	\$ 1,814.97
Hotsy of Mid-Michigan Saginaw, MI (out-city)	\$ 867.00

These vendors meet all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Motor Pool Operation Fund, Garage Operations Division's Motor Vehicle Supplies Account No. 661-4481-737.000, and will be accounted for in the Motor Pool Operation Fund, Garage Operations Division's Inventory Account No. 661-0000-110.001.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Purchase Evaporative Cooling Units

Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Amazon.com for \$9,499.00 for two Evaporative Cooling Units as specified for the Motor Pool Division.

Justification:

On July 19, 2019, quotes were received from approved vendors for two Evaporative Cooling units. These Portacool PACHR3701F1 Hurricane 370 Portable Evaporative Coolers provide cooling to large enclosed areas of approximately 6,250 square foot each, and shops not originally constructed with air conditioning. These coolers are made in the USA and feature a lifetime warranty on the evaporative cooler's housing against manufacturing defects and a 5-year warranty on all electrical components. The addition of these coolers will improve working conditions within the Motor Pool Garage including safety and the overall efficiency of the Motor Pool. The following is a listing of the quotes received:

<u>Vendor</u>	<u>Total Cost</u>
Amazon.com	\$ 9,499.00
MTF Equipment Sales, HGACBuy	\$ 9,904.00
Global Industrial	\$10,350.18

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Motor Pool Operations, Garage Operations, Shop Equipment Account No. 661-4481-979.000 \$9,499.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Motor Pool - Annual Supply of Sweeper Brooms
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Bell Equipment Co. for \$28,221.90; and pending budget approval for \$29,632.82 for FY 2021, for various sweeper brooms for inventory for the Motor Pool Operations.

Justification:

On July 9, 2019, three bids were received for a two-year supply of replacement gutter and main brooms that will be used on the City's Sweeper fleet to maintain City Streets. These brooms are being purchased for inventory as replacements when needed. Several additional items have been added to this purchase that were not on the previous broom bid. A cost comparison of items on the previous purchase in Fiscal Year 2019 shows a 12.5% increase.

The following is a listing of the comparable bids received:

<u>Vendor</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>2-Year Total</u>
Bell Equipment Co. Lake Orion, MI	\$28,221.90	\$29,632.82	\$57,854.72
ODB Co. Richmond, VA	\$33,435.50	\$35,411.90	\$68,847.40
The M-Tech Co. Cleveland, OH	Partial bid = 32% higher for items bid.		

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Motor Pool Operation Fund, Garage Operations Division's, Motor Vehicle Supplies Account No. 661-4481-737.000, and will be accounted for in the Motor Pool Operation Fund, Garage Parts Inventory Account No. 661-0000-110.001 \$28,221.90 for FY 2020. Funds will be budgeted in the same accounts in the amount of \$29,632.82 pending approval of FY 2021 budget.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Vehicle Lease Agreement
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend the approval of a Vehicle Lease Agreement with Ally Financial Inc. for two vehicles for the Saginaw Inspections and Neighborhood Services Department. Further, it is recommended that payments be approved in the amount of \$13,124.36 per year for a period of four years for a total of \$52,497.44 and that annual lease payments of \$13,124.36 be issued to Berger Chevrolet.

Justification:

The Inspections Department is replacing a 2007 and a 2008 Chevrolet Cobalt with 89,000 and 32,000 miles that were scheduled for replacement in 2017. The vehicles have extensive wear, rust, and fatigue to the body, frame, and drivelines, along with electrical and mechanical issues that make these vehicles expensive to maintain in useable condition. This 2019 Oakland County Contract 05218 Municipal Lease is for the purchase of two 2020 Chevrolet Impalas, equipped as specified, for four annual payments of \$13,124.36 with a final option to purchase for \$1.00 per vehicle. This is the continuation of a program started in 2015 intended to maintain the Inspection Division's fleet at a maximum age of 8 years or less. The total cost after four years will be \$52,497.44 plus \$2.00.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Inspections and Neighborhood Services, Inspection Division's Vehicle Lease Payment Account No. 101-3865-982.001 \$13,124.36, and pending Council approval will be budgeted in the same amount and account for FY 2021, 2022 and 2023.

I have approved the agreement as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Class II Sand Blanket Purchase
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Dave Hausbeck Trucking, LLC for \$6,030 for 900 tons of Class II sand for the City's Municipal Cemeteries.

Justification:

On July 23, 2018, City Council approved a purchase with Dave Hausbeck Trucking (DHT), the low bidder at \$6.70 per ton for FY2020, for Class II sand for the Maintenance and Service Division to restore excavated areas.

The Cemeteries Division wishes to utilize this low bid for sand required to complete grave restoration at certain burial locations within its cemeteries. DHT has agreed to hold the unit price and supply the sand to the Cemeteries Division.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Department of Public Services, Cemeteries Division's Parts and Supplies Account No. 101-1747-742.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: No-Lead Brass Fittings
Prepared by: Joshua Hoffman, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Ferguson Enterprises for \$321,955.21 for no-lead brass fittings for the Maintenance and Service Division.

Justification:

On July 16, 2019, the City received bids for 96 various no-lead brass water service fittings totaling over 34,000 individual pieces. With the adoption of State of Michigan's Lead / Copper Rule, the City must have an ample amount of no-lead brass fittings on hand for the maintenance, emergency repair and construction of water service lines in the City's Water Distribution and Transmission Systems. A cost comparison shows an average of 5% increase over the previous year's bid.

<u>Vendor</u>	<u>Total</u>
Ferguson Enterprises Saginaw, MI (Out of City)	\$321,955.21
Michigan Pipe and Valve Saginaw, MI (Out of City)	\$351,127.70

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operation and Maintenance Fund, Maintenance and Service Division, Parts and Supplies Account No. 591-4721-742.000 \$160,977.61 and Lead & Copper Service Line Maintenance Division, Parts and Supplies Account No. 591-4722-742.000 \$160,977.60 for FY 2020 and will be accounted for in the Water Operation and Maintenance Fund Water Inventory Account No. 591-0000-110.002.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: City Fees and Rates Schedule
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval of an amendment to the City Fees and Rates Schedule amending fees and rates for the Water Department.

Justification:

On August 27, 2018, City Council approved the City Fees and Rates Schedule. City ordinance contains the language "the fee shall be established by Council and available in the Office of the City Clerk." The City Council has the authority to establish fees and rates by amending the City Fees and Rates Schedule as necessary for the operation of City business.

Raftelis Financial Consultants, Inc. recently completed an update of the City's Water Rate Model. The changes to the City Fees and Rates Schedule for water are intended to change water rates for premises within the City, premises outside the City and for all wholesale water customers. The changes in rates are primarily due to increased operating costs, implementation of the water system capital improvement schedule and regulatory compliance requirements. They are expected to generate enough revenue to operate and maintain the City's water system through June 30, 2022. The water rate amendments are listed on the following pages.

The amended rates will have an immediate effect upon Council approval. The City Fees and Rates Schedule will be maintained by and on file at the City Clerk's Office, available at all Departments, and posted on the City website.

Council Action:

Motion to approve the recommendation of the City Manager.

**City of Saginaw
Fee Schedule**

DEPT	DESCRIPTION	FEE	FY2020	FY2021	FY2022
Water					
	Deposit	not less than \$150.00			
	Activation	\$20.00			
	Delinquent Service	\$52.00			
	<u>Charge for Premises within City</u>				
	Readiness-to-serve monthly charge:				
	<u>Meter size - in inches</u>				
	5/8	\$5.61	5.61	5.87	6.11
	3/4	\$6.07	6.07	6.35	6.61
	1	\$7.00	7.00	7.33	7.62
	1 & 1/2	\$9.33	9.33	9.76	10.15
	2	\$12.12	12.12	12.68	13.19
	3	\$18.63	18.63	19.50	20.27
	4	\$27.94	27.94	29.24	30.41
	6	\$51.21	51.21	53.59	55.73
	8	\$79.13	79.13	82.81	86.12
	10	\$117.05	117.05	122.49	127.38
	<u>Commodity Charge:</u>				
	Usage per month per 1,000 gallons	\$3.62	3.62	3.79	3.94
	<u>Unmetered Fire Connections:</u>				
	<u>Connection size - in inches</u>				
	4 or smaller	\$19.92	19.92	20.85	21.68
	6	\$33.20	33.20	34.74	36.13
	8	\$53.13	53.13	55.60	57.82
	10	\$76.37	76.37	79.92	83.11
	12	\$142.77	142.77	149.40	155.38
	* Water used for any other purpose shall be metered separately and charged at the rate of \$2.84 per 1,000 gallons				
	2" or less Service Line Replacement Rider per month		3.09	6.53	6.91
	<u>Charge for premises outside City</u>				
	Readiness-to-serve monthly charge:				
	<u>Meter size - in inches</u>				
	5/8	\$5.69	5.69	5.95	6.19
	3/4	\$8.53	8.53	8.93	9.28
	1	\$16.67	16.67	17.44	18.14
	1 & 1/2	\$33.33	33.33	34.88	36.27
	2	\$56.67	56.67	59.30	61.67
	3		91.57	95.83	99.66
	4		152.62	159.71	166.10
	6		305.24	319.43	332.19
	8		488.39	511.08	531.51
	10		732.59	766.62	797.27

**City of Saginaw
Fee Schedule**

DEPT	DESCRIPTION	FEE	FY2020	FY2021	FY2022
Water					
	<u>Commodity Charge:</u>				
	Usage per month per 1,000 gallons	\$5.32	5.32	5.57	5.79
	<u>Wholesale Customer:</u>				
	<u>per 1,000 gallons</u>				
	Albee	\$2.04	2.04	2.04	2.04
	Bay City Country Club	\$9.09			
	Bay County/Frankenlust	\$2.29	2.60	3.04	3.37
	Birch Run Township	\$2.16	2.32	2.49	2.67
	Birch Run Village	\$2.16	2.32	2.49	2.67
	Blumfield-Reese	\$2.07	2.27	2.42	2.57
	Bridgeport	\$1.51	1.65	1.80	1.97
	Buena Vista	\$1.36	1.51	1.68	1.87
	Carrollton	\$1.43	1.53	1.65	1.77
	Delta College	\$3.05	3.53	4.09	4.73
	Frankenmuth	\$2.12	2.50	2.66	2.83
	Kochville	\$1.82	2.06	2.18	2.32
	Saginaw County	\$1.80	1.95	2.11	2.29
	Saginaw Township	\$1.70	1.95	2.07	2.20
	Spaulding	\$1.52	1.59	1.66	1.74
	Taymouth	\$1.97	2.20	2.45	2.73
	Thomas	\$1.87	2.04	2.17	2.30
	Tittabawassee	\$2.09	2.26	2.54	2.79
	Zilwaukee	\$1.69	1.84	2.00	2.18
	<u>Readiness-to-serve monthly charge:</u>				
	<u>Wholesale Customer:</u>				
	<u>per 1,000 gallons</u>				
	Albee	\$331.72	521.10	818.58	1,285.90
	Bay City Country Club	\$443.24			
	Bay County/Frankenlust	\$9,194.15	9,194.15	9,194.15	9,743.29
	Birch Run Township	\$5,305.29	6,053.24	6,834.23	7,656.23
	Birch Run Village	\$8,356.39	10,259.67	12,596.44	15,465.44
	Blumfield-Reese	\$7,737.22	8,337.70	9,397.42	10,493.16
	Bridgeport	\$18,898.94	21,936.49	25,462.24	29,554.68
	Buena Vista	\$30,824.67	37,285.73	45,101.06	54,554.55
	Carrollton	\$9,983.06	11,182.50	12,526.04	14,031.01
	Delta College	\$2,385.94	2,622.40	2,882.31	3,167.96
	Frankenmuth	\$30,095.52	31,341.63	35,336.55	39,505.62

**City of Saginaw
Fee Schedule**

DEPT	DESCRIPTION	FEE	FY2020	FY2021	FY2022
Water	Readiness-to-serve monthly charge:				
	<u>Wholesale Customer:</u>				
	<u>per 1,000 gallons</u>				
	Kochville	\$14,140.59	16,018.78	17,587.00	19,273.70
	Saginaw County	\$14,657.73	15,691.13	16,797.38	17,981.63
	Saginaw Township	\$117,084.70	122,788.69	133,179.66	143,903.41
	Spaulding	\$3,431.31	4,155.26	5,031.96	6,093.62
	Taymouth	\$3,669.26	4,233.07	4,883.50	5,633.88
	Thomas	\$76,096.02	78,445.36	85,746.43	93,439.26
	Tittabawassee	\$23,924.59	23,924.59	23,924.59	24,751.83
	Zilwaukee	\$3,273.31	3,912.75	4,677.12	5,590.79

From: Tim Morales, City Manager
Subject: Opt-Out Marihuana Facilities Ordinance
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval to add Chapter 118, "Prohibition of Marihuana Establishments and Facilities," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204.

Justification:

On July 22, 2019, City Council approved a motion to direct City staff to prepare an "Opt-Out" ordinance regarding marihuana establishments and facilities with a one year sunset provision. This will allow City staff to continue to monitor State regulations and court decisions, to determine potential amendments to City ordinances regarding zoning and business licenses, and for Council to evaluate future action.

Council Action:

This Council Communication is for explanation purposes of the ordinance to be introduced and enacted according to City Charter, Section 22, titled "Ordinances."

Moved by Council Member _____, seconded by Council Member _____ to introduce an ordinance entitled and reading as follows:

AN ORDINANCE TO ADD CHAPTER 118, "PROHIBITION OF MARIHUANA ESTABLISHMENTS AND FACILITIES," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

Laid over under Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced August 5, 2019, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO ADD CHAPTER 118, "PROHIBITION OF MARIHUANA ESTABLISHMENTS AND FACILITIES," OF TITLE XI, ""BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw ordains:

Section 1. Chapter 118, "Prohibition of Marihuana Establishments and Facilities," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204, is hereby added to read as follows:

CHAPTER 118: PROHIBITION OF MARIHUANA ESTABLISHMENTS AND FACILITIES

§ 118.01 PROHIBITION.

(A) Marihuana Establishments, as authorized by and defined in the Michigan Regulation and Taxation of Marihuana Act (the "MRTMA"), being Initiated Law 1 of 2018, MCL 333.27951 *et seq*, and its corresponding administrative rules, are prohibited in the City of Saginaw. Such prohibited establishments include, but are not necessarily limited to, marihuana growers, marihuana safety compliance facilities, marihuana processors, marihuana microbusinesses, marihuana retailers, marihuana secure transporters, designated consumption establishments, marihuana event organizers, temporary marihuana events, excess marihuana growers, and any other type of marihuana-related business licensed by the Michigan Department of Licensing and Regulatory Affairs, the Michigan Marijuana Regulatory Agency, or other state agency under the provisions of the MRTMA.

(B) No business that constitutes or purports to be a Marihuana Establishment authorized by the MRTMA or Marihuana Facility authorized by the Medical Marihuana Facilities Licensing Act (the "MMFLA"), being Public Act 281 of 2016, MCL 333.27101 *et seq*, or either of their corresponding administrative rules, that was engaged in business prior to the enactment of this chapter, shall be deemed to have been legally established under the provisions of the City's Code.

(C) This section does not supersede any rights and obligations with respect to the transportation of marihuana by marihuana secure transporters through the City to the extent provided by the MRTMA or the MMFLA.

§ 118.02 PENALTIES.

(A) Violations of this chapter shall be deemed a public nuisance in accordance with chapter 94 of this code of ordinances and are subject to the penalties established in §94.999.

§ 118.03 CONFLICT AND REPEAL. All ordinances or parts of ordinances in conflict with this chapter are repealed.

§ 118.04 SUNSET. This chapter shall automatically be repealed one year from its adoption if not otherwise repealed, amended, or replaced by City Council prior to that date.

This ordinance shall become effective August 29, 2019.

Enacted: August 19, 2019.

Yeas:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED

Floyd Kloc
Mayor

Janet Santos, MMC
City Clerk

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2019; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, MMC
City Clerk

From: Tim Morales, City Manager

Subject: Property Maintenance Regulations Ordinance Amendment

Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval to amend §§151.001 through 151.117 of Chapter 151, "Property Maintenance Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204.

Justification:

City staff has been reviewing the current ordinance for amendments to clarify certain language, as well as expand some areas. Those amendments include:

- matching language of "Non-Owner Occupied Property; Registry" §151.113 (B) (1) under §115.114 "Unoccupied Property Registry" as (D) (1);
- adding clarification language in §151.115 (A);
- changing the annual renewal date for non-owner occupied property from March 15 to the fourth Friday of February to better align with Fiscal Services deadlines;
- deleting unnecessary language of §151.117 (D) (1);
- increasing the number of days for a violation of failure to register non-owner occupied or unoccupied property from 15 days of date of written notice to 30 days; and
- correcting minor formatting errors.

Council Action:

This Council Communication is for explanation purposes of the ordinance to be introduced and enacted according to City Charter, Section 22, titled "Ordinances."

Moved by Council Member _____, seconded by Council Member _____ to introduce an ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND §§151.001 THROUGH 151.117, OF CHAPTER 151, "PROPERTY MAINTENANCE REGULATIONS," OF TITLE XV, "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

Laid over under Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced August 5, 2019, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO AMEND §§151.001 THROUGH 151.117, OF CHAPTER 151, "PROPERTY MAINTENANCE REGULATIONS," OF TITLE XV, "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw ordains:

Section 1. §§151.001 through 151.117 of Chapter 151, "Property Maintenance Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204, is hereby amended to read as follows:

CHAPTER 151: PROPERTY MAINTENANCE REGULATIONS

§151.001 TITLE.

This chapter shall be known as the "Property Maintenance Code of the City of Saginaw", may be cited as such, and will be referred to herein as "this chapter".

§151.002 PURPOSE.

The purpose of this chapter is to provide minimum standards to safeguard health, safety, property, and public welfare of the people of the city by regulating and controlling the use and occupancy, repair, alteration, maintenance, and operation of certain buildings, structures, and lots within the city; to provide for registration of non-owner-occupied residences and unoccupied properties; to determine responsibilities of owners and occupants of residences; and to provide for the administration and enforcement of this chapter and penalties for its violation.

§151.004 SCOPE.

(A) *Application.*

(1) The provisions of this chapter shall apply to all buildings or portions thereof used, designed, or intended to be used for human habitation and to accessory buildings and structures. These buildings may not be occupied if they are in violation of the requirements contained in this chapter. All non-owner-occupied residences and unsupervised properties shall be registered with the office of the City Clerk.

(2) Where any building or portion thereof is used or intended to be used as a combination apartment house and hotel, the provisions of this chapter shall apply to the separate portions as if they were separate buildings.

(B) *Alteration.* All alterations, enlargements, additions to, and/or relocations of existing buildings shall be in conformance with the provisions of this chapter and all other applicable laws or ordinances.

§151.110 FINDINGS AND PURPOSE.

- (A) Unsupervised properties have a negative impact on surrounding properties and neighborhoods. Owners of such properties should be held accountable for the condition of same, because properties which are not maintained constitute a hazard to the public health, safety, and welfare, create blight and nuisances, and lower property values and neighborhood integrity.
- (B) It is the purpose and intent of the city, through the adoption of this subchapter, to establish a non-owner occupied property registry and unoccupied property registry as a mechanism to protect residential neighborhoods and other areas from becoming blighted through the lack of adequate maintenance and security of such properties.

§151.111 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY. The City of Saginaw.

CONTROLLER. The person under contract with the owner for the management and/or maintenance of the property or who is otherwise authorized by the owner to exercise any physical control over the property, including but not limited to any property management or property preservation company responsible for the maintenance and security of the property.

DRUG RELATED ACTIVITY. The illegal manufacture, sale, distribution, possession, or use of a controlled substance (as defined by Article 7, Controlled Substances, of Michigan's Public Health Code, Public Act 368 of 1978, being M.C.L. §§ 333.7101 et seq.).

LOCAL AGENT. A Michigan-based person or business entity appointed in writing by the owner to be the contact person on behalf of the owner and/or controller with the city.

NON-OWNER OCCUPIED PROPERTY. Any dwelling, dormitory, dwelling unit, apartment house, or guest room in a lodging house, rooming house, bed and breakfast establishment, hotel or motel within the city which is occupied by someone other than the owner.

NUISANCE. A nuisance as defined by §94.001 of this code of ordinances.

OWNER. The person noted as the last owner of record (i.e. person holding legal title to the property) in the records of the City Assessor.

PERSON. An individual, firm, corporation, trust, estate, partnership, incorporated or unincorporated association, limited partnership, limited liability company, or any other legal entity.

QUALITY OF LIFE VIOLATION.

- (1) Occurs when the resident, any members of the resident's household or a guest or other person under the resident's control has been convicted of, defaulted on, or

otherwise held responsible for, by or in a court of competent jurisdiction, a violation of any state law or local ordinance on the non-owner occupied property that involves:

- (a) Drug related activity,
 - (b) Prostitution,
 - (c) Criminal gang activity,
 - (d) Assaultive, threatening, or intimidating behavior (including but not limited to unlawful discharge of firearms),
 - (e) Malicious destruction of property, or
 - (f) Conduct that jeopardizes the health, safety, and/or welfare of others. "Conduct that jeopardizes the health, safety, and/or welfare of others" could include, but is not limited to, the following:
 - 1. Dangerous dog violation contrary to §§ 94.031 and 94.999 of this code of ordinances,
 - 2. Unlawful discharge of a firearm violation contrary to § 130.03(D) of this code of ordinances,
 - 3. Illegal business or occupation violation contrary to § 130.33 of this code of ordinances,
 - 4. Noise violation contrary to § 94.047 of this code of ordinances, and
 - 5. Violation of the maximum occupancy overcrowding, illegal use of space provisions of the city ordinance contrary to Chapter 153 of this code of ordinances.
- (2) A violation shall be deemed to have occurred in the vicinity of non-owner occupied property if it occurs in an adjacent common area or in the adjacent public right-of-way in front of the non-owner occupied property.

REPEATED QUALITY OF LIFE VIOLATIONS. Will be considered to be three quality of life violations by one or more tenants or their guests, with respect to any dwelling unit within any 12-month period.

UNOCCUPIED PROPERTY. Any improved property or lot that contains a vacant dwelling or other structure, and regardless of the zoning classification of such property.

§151.112 NON-OWNER OCCUPIED PROPERTY; PROHIBITED CONDUCT.

- (A) No owner or controller of non-owner occupied property shall allow it to be occupied by someone other than the owner without first registering the property with the Office of the City Clerk.
- (B) No owner or controller of non-owner occupied property shall allow occupancy of the property without first being in compliance with this subchapter.
- (C) No owner or controller of non-owner occupied property shall allow occupancy of the property without first paying any property taxes or other city debts, such as rubbish and water, due and owing on the property.
- (D) No owner or controller shall allow a non-owner occupied property to fall into a state of disrepair, to become in violation of applicable state statutes or city codes, or to otherwise become a nuisance or create a nuisance condition.

- (E) Once registered, no owner or controller shall allow non-owner occupied property to remain occupied if it is in a state of disrepair, in violation of applicable state statutes or city codes, or otherwise has become a nuisance condition or created a nuisance condition.
- (F) No owner or controller shall knowingly permit a resident to remain in occupancy of non-owner occupied property if that resident, members of the resident's household, or guests or other persons under the resident's control commit repeated quality of life violations.

§151.113 NON-OWNER OCCUPIED PROPERTY; REGISTRY.

- (A) To register non-owner occupied property, the owner or controller shall:
 - (1) Complete and file with the City Clerk, ~~in person~~, a registration application for each non-owner occupied property, which shall state or have attached, as applicable:
 - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
 - (b) A copy of the written agreement appointing a local agent or controller for the owner.
 - (2) Pay in full the registration fees, as well as any applicable late fees, owed to the city for each non-owner occupied property.
 - (3) Provide a copy of a current certificate of compliance to the City Clerk, where such is required pursuant to §151.115.
 - (4) Pay in full any property taxes and other city debts due and owing on the property.
 - (5) Pay in full any fines that may be owed due to a violation of this subchapter.
 - (6) Agree to provide all residents a lease disclosure letter which provides information regarding frequently violated city regulations, including:
 - (a) The city's noise ordinance (as codified in §§ 94.045 through 94.047 of this code of ordinances-);
 - (b) The city's curfew for minors ordinance (as codified in §§ 130.50 through 130.54 of this code of ordinances);
 - (c) The city's disturb the peace of neighborhoods ordinance (as codified in § 130.32 of this code of ordinances);
 - (d) The city's property maintenance regulations (including §§ 151.097 and 151.098); and
 - (e) The city's parking regulations (including § 72.23 of this code of ordinances);
 - (7) Agree that each lease or rental agreement entered into for non-owner occupied property shall include the following addendum:

CRIME FREE LEASE ADDENDUM

In consideration of the execution or renewal of a lease of the dwelling unit identified in the lease, Owner and Resident agree as follows:

1. Resident, members of the resident's household, and a guest or other person under the resident's control shall not engage in criminal activity, or any act intended to facilitate criminal activity, including drug-related criminal activity, on or near said premises.
2. Resident and members of resident's household will not permit the dwelling unit to be used for, or facilitate criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household or a guest.

VIOLATION OF THE ABOVE PROVISIONS SHALL CONSTITUTE A QUALITY OF LIFE VIOLATION AND BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF THE TENANCY.

A single violation of any of the provisions of this addendum shall be deemed a serious violation and material and irreparable noncompliance with your lease.

In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of this addendum shall govern.

This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident.

This LEASE ADDENDUM is not intended to diminish Resident's or broaden Owner's rights with regard to Michigan's laws pertaining to the recovery of possession of property.

- (B) Upon the City Clerk's receipt of the completed registration application and applicable fees, the City Clerk shall verify whether the property is eligible for registration and, if so, shall register the property.
 - (1) If the property is not eligible for registration, the City Clerk shall inform the owner or controller of the deficiencies preventing registration, including what additional information, documentation, and/or fees are required.
- (C) After a non-owner occupied property has been registered, the owner or controller shall:
 - (1) Notify the City Clerk in writing of any change in the information provided in the original registration application, including but not limited to a change in occupancy status or a change in contact information for the owner, controller, or local agent, within 30 days of the date of the change.
 - (2) Cause the dwelling to be inspected by appropriate representatives of the city for compliance with this subchapter within 30 days of a new application for registration. Proof of such inspections must be provided to the City Clerk upon renewal of registration to document that the property remains in compliance with this subchapter.
 - (3) If the non-owner occupied property has become ineligible for this registry, the City Clerk shall remove the property from the registry and shall provide the owner or controller with written notification of this action, the reason therefor, and shall inform the owner or controller of the deficiencies preventing continued registration, including what additional information, documentation, and/or fees are required.
- (D) An owner or controller of non-owner occupied property shall register the property with the City Clerk within 60 days of transfer of title to the property to the name of the new owner. If the title was transferred prior to the effective date of this subchapter, the owner or controller of the property shall register the property with the City Clerk no later than 60 days after the effective date of this subchapter.
- (E) Exceptions:
 - (1) Owners or purchasers of structures which contain only one dwelling unit, with or without an accessory garage, carport or shed, and which contain no other occupancy, may occupy that dwelling unit themselves without registering the unit or paying a fee. The owner's immediate family, defined as the owner's spouse or significant other, children,

and up to two grandparents, may also occupy that dwelling with the owner. All other requirements of this chapter shall apply in such instances.

- (2) Owners and controllers of property properly registered under this section who are actively advertising and holding the property out for rental and/or sale shall not be required to also register the property as unoccupied property under § 151.114. Evidence of same, such as a copy of any advertisement or listing, shall be provided to the City Clerk.

§151.114 UNOCCUPIED PROPERTY REGISTRY.

- (A) The Office of the City Clerk shall maintain a registry of all unoccupied properties within the city.
- (B) An owner or controller of unoccupied property shall register the property with the City Clerk within 60 days of transfer of title to the property to the name of the new owner. If the title was transferred prior to the effective date of this subchapter, the owner or controller of the property shall register the property with the City Clerk no later than 60 days after the effective date of this subchapter.
- (C) To register unoccupied property, the owner or controller shall:
 - (1) Complete and file with the City Clerk, ~~in person~~, a registration application for each unoccupied property, which shall state or have attached, as applicable:
 - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
 - (b) A copy of the written agreement appointing a local agent or controller for the owner.
 - (c) A statement describing the expected period of vacancy, a detailed plan for the regular maintenance of the property during the period of vacancy (for example, lawn maintenance and securing of any structures), and a timeline for the lawful re-occupancy of the property, the rehabilitation of the property, or the demolition of the dwelling and/or structure(s) on the property.
 - (2) Pay in full the registration fees, as well as any applicable late fees, owed to the city for each unoccupied property.
 - (3) Provide a copy of a current certificate of compliance to the City Clerk, where such is required pursuant to §151.115.
 - (4) Pay in full any property taxes and other city debts due and owing on the property.
- (D) Upon the City Clerk's receipt of the completed registration application and applicable fees, the City Clerk shall verify whether the property is eligible for registration and, if so, shall register the property.
 - (1) If the property is not eligible for registration, the City Clerk shall inform the owner or controller of the deficiencies preventing registration, including what additional information, documentation, and/or fees are required.
- (E) Any change in the information provided in the registry, including but not limited to a change in ownership, change in vacancy status, or a change in contact information for the owner, controller, and/or local agent shall be provided in writing to the City Clerk within 30 days of the date of the change.

- (F) Unoccupied property may not be occupied until all outstanding taxes, costs, assessments, and/or liens owed to the city have been paid in full and a certificate of occupancy has been issued by the city.
- (G) Exceptions:
- (1) Unoccupied properties owned by governmental subdivisions/agencies need not be registered in accordance with this chapter.
 - (2) An owner or controller of unoccupied property shall be exempt from registration under this section for the first 12 months following the owner's purchase of the property so long as the owner is actively working to rehabilitate the property for use and occupancy. Such rehabilitation shall be evidenced by the owner or controller obtaining the necessary permits for structural, electrical, mechanical, or similar work. It shall be the responsibility of the owner or controller to provide evidence supporting their right to this exemption from registration to the City Clerk.

§151.115 CERTIFICATES OF COMPLIANCE.

- (A) **Beginning with the registration cycle for the year 2020**, all owners/controllers of non-owner occupied property and unoccupied property containing a building or other structure that is more than one story and less than 10 feet from the city's **public** right-of-way shall have all roof-mounted structures and every exterior wall of or part of the building's exterior, including connecting bridges, cornices, copings, eaves, bays, or similar projections, thoroughly inspected and examined by competent professionals, at their own expense, at intervals not to exceed 5 years and shall furnish the city's Chief Inspector with a written report setting forth the true condition of the structure inspected. The Chief Inspector shall be notified in advance of such an inspection of an existing building and may have an authorized designee present. Where conditions of a structure or wall cannot be determined by inspection of the exterior of the structure or wall, the Chief Inspector, or his or her designee, may require portions thereof to be removed for a more thorough examination.
- (1) A competent professional shall be defined as a licensed architect, structural engineer, or other professional deemed acceptable by the city's Chief Inspector.
- (B) Upon successful completion of such inspection, a certificate of compliance shall be issued by the Chief Inspector, or his or her designee. With regard to unoccupied property, the certificate of compliance shall be posted in a conspicuous place within the building or structure and readily available for inspection. Certificates of compliance for non-owner occupied property shall be maintained by the owner/controller and made available upon request by the Chief Inspector, or his or her designee, or by any current or prospective tenant.
- (C) It shall be unlawful to occupy or use a building, premises, or structure required to have a certificate of compliance under this section, or cause same to be occupied, without the required certificate of compliance for the building, premises, or structure.
- (D) Upon a finding that the building, premises, or structure is unsatisfactory for human habitation or is otherwise structurally unsound, the Chief Inspector may deem such property to be a nuisance and order such building, premises, or structure vacated, as well as issue a written order to repair/correct.

§151.116 VIOLATION; ABATEMENT.

- (A) Except as otherwise stated, violations of this chapter shall be treated as strict liability offenses regardless of intent.
- (B) An owner or controller of non-owner occupied property or unoccupied property that is found to be in violation of any article of this chapter shall be responsible for a municipal civil infraction as set forth in Ch. 37 of this code of ordinances.
- (C)
- (1) Properties subject to this subchapter shall at all times be kept free of weeds, dry brush, dead vegetation, trash, junk, building materials, and the accumulation of other debris and shall otherwise comply with the city property maintenance code. Additionally, the property shall be maintained free of graffiti, tagging, and similar markings. Yards shall be landscaped and maintained pursuant to this subchapter.
 - (2) If the property has not been maintained, the city may maintain the property and assess costs to the owner or controller. Such assessments may become a lien against the property.
- (D)
- (1) Properties subject to this subchapter shall at all times be maintained in a secure manner so as not to be accessible by unauthorized persons. The city shall have the authority to require the owner or controller to implement additional maintenance and/or security measures as deemed necessary.
 - (2) If a property has not been secured, the city may secure the property and assess costs to the owner or controller. Such assessments may become a lien against the property.
- (E)
- (1) Failure to properly maintain or secure either non-owner occupied property or unoccupied property will be deemed a nuisance for which the city may issue a written notice to correct. The city may abate any such nuisance upon the failure of the owner or controller of the property to take abatement action within ten days of the written notice to correct. When the city has abated such a nuisance, the cost of the abatement, including any applicable administrative charges, will be billed to the owner of the property. Such billing shall be a personal debt of the owner to the city, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or which may be assessed as a lien against the property, including interest thereon, until paid.
 - (2) The owner of the property where such a nuisance exists is also responsible for a Class D municipal civil infraction as set forth in § 94.002 of this code of ordinances.
- (F) On each occasion that a resident in a non-owner occupied property, any members of the resident's household, or a guest or other person under the resident's control commits a quality of life violation, the City Manager or designee shall send notice of such violation to the owner or controller. Upon the occurrence and notice of three quality of life violations by a resident, any members of the resident's household or a guest or other person under the resident's control, with respect to any non-owner occupied property within any 12-month period, the non-owner occupied property will be deemed a nuisance. An unsuccessful good faith attempt to evict the offending resident, after commission of two quality of life violations, shall constitute an absolute defense. It is not a violation if the owner or controller reported the violation.
- (1) The owner of the property where such nuisance exists is responsible for a Class F municipal civil infraction, subject to payment of a civil fine as set forth in § 37.07, plus

costs and other sanctions for each infraction. Repeat offenses shall be subject to increased fines as provided by § 37.07.

§151.117 FEES.

- (A) Fees for each registry shall be established by City Council and posted in the Office of the City Clerk.
- (B)
- (1) ~~All registrations~~ **Registration renewals** for non-owner occupied property shall be due on ~~the fourth Friday of February~~ **March 15** of each year.
 - (2) ~~For the period from the effective date of this section to March 15, 2014 all properties with a valid registration shall continue to be registered until March 15, 2014. Registrations shall all expire on the fourth Friday of February March 15 of each year regardless of application date. If March 15 should fall on a holiday or weekend the fee shall be due on the next regular business day.~~
- (C) ~~All registrations~~ **Registration renewals** for unoccupied property shall be due on December 30 of each year.
- (1) All unoccupied properties must be registered within 60 days of the enactment of this subchapter. ~~For the period from the effective date of this section to December 30, 2013, the annual registration fee shall be reduced by 50%.~~
 - (2) Registrations shall expire on December 30 of each year regardless of application date. If December 30 should fall on a holiday or weekend the fee shall be due on the next regular business day.
- (D) An additional late charge of 100% of the base fee shall apply and be assessed in the event of any of the following:
- (1) ~~Failure to register unoccupied property within 60 days of the enactment of this subchapter.~~
 - (2) Failure to register a non-owner occupied or unoccupied property within ~~15~~ **30** days of date of written notice from the city that the property is in violation of this subchapter.
 - (3) Failure to pay the registration renewal fee by the required date each year.
 - (4) Failure to register a non-owner occupied or unoccupied property within 60 days of transfer of title in the property.
 - (5) Failure to provide the City Clerk the required notice of any change in the information provided in the registry, including but not limited to a change in vacancy status or a change in contact information for the owner and/or controller within 30 days of the date of the change.
- (E) Failure to pay any applicable fees or late fees shall be deemed a personal debt of the owner to the city, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or assessed as a lien against the property, including interest thereon, until paid.

This ordinance shall become effective August 29, 2019.

Enacted: August 19, 2019.

Yeas:
Nays:
Absent:
Abstain:

ORDINANCE DECLARED ADOPTED

Floyd Kloc
Mayor

Janet Santos, MMC
City Clerk

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 19, 2019; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, MMC
City Clerk

From: Tim Morales, City Manager

Subject: Ahsrat Company Charitable Gaming License

Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend the adoption of the resolution recognizing Ahsrat Company as a non-profit organization for the purpose of obtaining a charitable gaming license.

Justification:

On September 9, 2008, the Ahsrat Company was granted a 501 (c) (3) tax exempt status by the Internal Revenue Service and was validly incorporated as a nonprofit corporation by the State of Michigan, Department of Licensing and Regulatory Affairs. They are located in the City of Saginaw serving as a "one-on-one" tutoring and mentoring service to youth ages 7 – 17 years that is offered to help underserved youth in the City of Saginaw.

On July 9, 2019, documentation was filed with the City Clerk's Office as required by the Michigan Lottery, Charitable Gaming Division qualification requirements. These documents have been reviewed by the City Clerk and City Attorney for verification and have met the qualification requirements as enforced by the Michigan Gaming Control Board.

Council Action:

This council communication is for informational purposes of the resolution to be adopted.

CHARITABLE GAMING LICENSE FOR AHSRAT COMPANY

Moved by _____, seconded by Council Member _____ to offer and adopt the following resolution:

WHEREAS: Ahsrat Company has submitted a request, Petition #19-10, to be recognized as a nonprofit organization for purposes of obtaining a charitable gaming license; and

WHEREAS: the Michigan Bureau of State Lottery, pursuant to MCL 432.103, requires a resolution be adopted by the local governing body approving this recognition.

NOW, THEREFORE BE IT RESOLVED that the request from Ahsrat Company of the City of Saginaw and County of Saginaw, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered approved.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2019; the original thereof is on file in the records of the Office of the City Clerk; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, MMC
City Clerk

July 9, 2019



#19-10
Saginaw City Council Members
City of Saginaw
1315 S. Washington Avenue
Saginaw, MI 48601

Dear City Council Members,

My name is Tarsha Works and I am the Founder and President of Ahsrat Co. Ahsrat Co. is a nonprofit organization with a 501 c 3 tax exempt status, which provides educational programs in the Saginaw area to at-risk and underserved youth from and low income communities. The type of programs that we offer free is our one-on-one tutoring and mentoring service to youth ages 7-17 that is offered to help the underserved youth in the City of Saginaw. Our other programs that we offer are geared towards providing ongoing learning approaches in educating children. Our Accelerated Youth Entrepreneurship Learning Lab incorporates innovation and entrepreneurial learning, hands-on programs and real life challenges through our curriculum. Our instructional curriculum is designed around the following focus areas of: math, science, technology, engineering and the arts under the guise of entrepreneurship and give the children the knowledge to take their learning outside of the classroom. Our projects are geared towards preparing children for practical real world business experiences and we pair them with a mentor in the STEM field. Lastly, we prepare children for work readiness and enrich children to become effective leaders of positive change in society by breaking cycles of defeat.

Our nonprofit organization does not charge a fee and in order to provide the services and programs for free, we have annual fundraising events and solicit donations from donors and corporations. The corporation in particular, receiving and administering funds for such purposes, and the making of contributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Code.

Ahsrat Co. is submitting paperwork to the Michigan Gaming Control Board to be qualified to obtain charitable licenses to host millionaire parties. One of the required application attachments is a resolution from the local governing body stating our organization is a recognized nonprofit organization in the City of Saginaw.

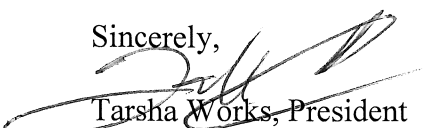
Michigan law that provides the definition of a "local civic organization." Please see attached New Bylaws – Article XI is added. One of the requirements for the definition of a local civic organization is that the Corporation assets be distributed back to the city who signs the resolution if the nonprofit is ever dissolved.

We operate on donations received from the public, friends, family, donors and corporate sponsorship. Ahsrat Co. has its' Annual Black Tie Gala & Silent Auction Fundraiser every year and the funds received are used to support all of our services and programs and this is how we are able to provide free programs and services to our youth participants.

Ahsrat Co. is asking the Saginaw City Council members to approve our request for the local governing body resolution for charitable gaming licenses, so that we can continue to help the underserved youth and offer free tutoring, learning labs and educational services to the youth participants we serve.

Ahsrat Co. nonprofit organization is a nonprofit worth sponsoring. Please see the attached information from the State website.

Sincerely,



Tarsha Works, President

Ahsrat Co. - **Tax Exempt**

P. O. Box 2464

Saginaw, MI 48605

ahsratnonprofit@gmail.com

www.ahsratnonprofit.org

OUTDOOR SERVICE AREA AT 110 S. HAMILTON STREET

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: on or about July 10, 2019, the City Clerk's Office received an application for permission for an Outdoor Service license at 110 S. Hamilton Street; and

WHEREAS: the request from Generis Entertainment, LLC is for a new Outdoor Service area to be held in conjunction with 2008 Class C licensed business with Sunday Sales, located at 110 S. Hamilton Street, Saginaw, MI 48602, Saginaw County; and

WHEREAS: a separate resolution is to be adopted simultaneously herewith permitting the service of alcoholic beverages on public property at 110 S. Hamilton Street; and

WHEREAS: Chapter 111, "Alcoholic Beverages," §111.16, "Application for License," wherein the City Manager is to review all applications and departmental reports and give recommendation to City Council of approval or disapproval of the license; and

WHEREAS: the City of Saginaw Fire Prevention, City Police Department, City Engineering Department, City Building Inspections Division, and Saginaw Historic District Commission have conducted their respective inspections and determined compliance of the applicable codes at 110 S. Hamilton Street.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw approves the request received from Generis Entertainment, LLC for a new Outdoor Service area to be held in conjunction with 2008 Class C licensed business, located at 110 S. Hamilton Street, Saginaw, MI 48602, Saginaw County.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, MMC, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2019; the original thereof is on file in the records of the Office of the City Clerk; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, MMC
City Clerk

PERMIT THE SERVICE OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AT 110 S. HAMILTON STREET

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: on or about July 10, 2019, Generis Entertainment, LLC submitted an application for Encroachment Permit; and

WHEREAS: on July 15, 2019, Generis Entertainment, LLC was issued a Class I Encroachment Permit from the City Zoning Division for 110 S. Hamilton Street to include the installation of a semi-permanent fenced pergola in an area on the City's sidewalk at 110 S. Hamilton Street; and

WHEREAS: pursuant to §96.055 through §96.069, Chapter 96, Title IX, of the Saginaw Code of Ordinances, "Encroachments," such Encroachment Permit is to be renewed annually, have routine inspections, require insurance naming the City as additional insured, and may be revoked at any time; and

WHEREAS: Generis Entertainment, LLC has further requested that it be allowed to serve alcoholic beverages in this fenced area during the hours of operation; and

WHEREAS: the City Council can provide authorization for the service of alcoholic beverages on public property in accordance with §132.01 (c), Chapter 132, Title XII, of the Saginaw Code of Ordinances; and

WHEREAS: §132.01 (c), Chapter 132, Title XIII, of the Saginaw Code of Ordinances, states that City Council can authorize the service of alcoholic beverages on public property if the vendor provides evidence of all of the following to the satisfaction of the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The date and times for said activities;
- (3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in the subsections (1) and (2) above;
- (4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance by the state;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;
- (6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and
- (7) Such other reasonable requirements as said City Council deems appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the service of alcoholic beverages on public property in a fenced area on the City's sidewalk at 110 S. Hamilton Street, contingent upon Generis

Entertainment, LLC providing to the City mandatory documents and proofs listed in §132.01 (c), Chapter 132, Title XIII, of the Saginaw Code of Ordinances.

BE IT FURTHER RESOLVED, that all insurance requirements will be set by the City and all insurance certificates must be reviewed and approved by the City.

BE IT FURTHER RESOLVED, if Generis Entertainment, LLC does not provide the aforementioned mandatory documents and proofs as itemized in § 132.01 (c), Chapter 132, Title XIII, of the Saginaw Code of Ordinances, it will not be allowed to serve alcoholic beverages in the encroachment area at 110 S. Hamilton Street, Saginaw, Michigan during its hours of operation.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, MMC, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2019; the original thereof is on file in the records of the Office of the City Clerk; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, MMC
City Clerk

From: Floyd Kloc, Mayor of the City of Saginaw

Subject: Support of Adequately Funding Michigan's Schools

Prepared by: Vicki Davis, Executive Assistant, City Manager's Office

Manager's Recommendation:

I recommend approval of the resolution to support adequately funding Michigan's Schools.

Justification:

There are various studies which suggest that Michigan's school funding approach fails far too many students. Michigan student test scores continue to fall, making a revised school funding method that addresses the needs of all students a higher priority. State legislators need to understand the true costs to effectively instruct and educate our youth in grades K-12.

Studies show that it costs a minimum \$9,590 to educate a student in Michigan. Studies also show that additional funding should be provided for special education students and students living in poverty. We urge state legislators to make K-12 education funding a priority and to develop an equitable funding formula model that ensures all students, regardless of their circumstance, can receive a suitable education that will create a pathway to knowledge and success.

Council Action:

This Council Communication is for explanation purposes only of the Resolution to be adopted.

IN SUPPORT OF ADEQUATELY FUNDING MICHIGAN SCHOOLS

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: the Michigan Constitution states the Legislature shall maintain and support a system of free public elementary and secondary schools as defined by law; and

WHEREAS: the Governor's 21st Century Education Commission states the urgency could not be greater regarding our failing K-12 performance, given that Michiganders underperform their peers, ranking 41st on fourth-grade reading performance nationally; and

WHEREAS: the way we fund Michigan's public schools is fundamentally broken; and

WHEREAS: we must reexamine our approach and develop an equitable funding formula model that ensures all students, regardless of their circumstances, can achieve and succeed; and

WHEREAS: studies have been provided to state lawmakers with information on what it costs to educate all Michigan students. These studies suggest a need to increase funding for our schools and target education funding more effectively.

NOW, THEREFORE BE IT RESOLVED, that the City of Saginaw Council hereby submits this resolution to the appropriate state officials and calls upon the Michigan Legislature to fulfill its commitment to maintain and support a system of free public elementary and secondary schools with the resources to enable each child to achieve proficiency on Michigan standards.

BE IT FURTHER RESOLVED, Michigan's school funding formula should reflect the true cost of providing an education that meets the individual needs of each child with a weighted formula for students in poverty, special education and English Language Learners, giving all an equal opportunity to meet the performance standards set by the State of Michigan and the State Board of Education.

BE IT FURTHER RESOLVED, advocates are encouraged to contact their state representatives and senators to raise awareness of this important issue.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2019; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, MMC
City Clerk