



Saginaw City Council Agenda

1315 S. Washington Avenue
Council Chamber - Room 205
989.399.1311
July 22, 2019
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Proclamation honoring the life and service of former Mayor Gregory L. Branch.

PUBLIC HEARINGS:

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

CONSENT AGENDA:

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 initial redevelopment and redesign of the City's website and for \$4,875 annually for FY 2020 through FY 2024, for a five-year total of \$62,725, for yearly hosting and maintenance.
6. Approve the addendum to the contract with Covenant Medical Center to include Article VII-K-9 which provides for the addition of a canine to the current services provided by the City.
7. Approve the purchase with Best Technology Systems, Inc. for \$6,350; and pending budget approval, for \$6,350 for FY 2021 and \$6,475 for FY 2022, 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, a sole source, for \$23,462 for the 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.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve the Mayoral appointment of Brenda Kolka to the Housing Board of Appeals as an alternate with a term to expire December 31, 2020.
2. Approve the Council appointment of Misty Grumbley to the Historic District Commission with a term to expire July 31, 2020.
3. Approve the Council appointment of Rollin Carter to the Human Planning Commission - District 5 with a term to expire December 31, 2019.
4. Approve the Council appointment of Daniel Fitzpatrick to the Human Planning Commission - District 15 with a term to expire December 31, 2021.
5. Approve the Mayoral reappointment of Ana Hidalgo to the Saginaw Economic Development Commission with a term to expire June 30, 2022.
6. Acknowledge the Mayoral reappointment of Dawn Hinton to the Saginaw Housing Commission with a term to expire September 30, 2024.

ORDINANCE INTRODUCTION:

ORDINANCE CONSIDERATION AND ADOPTION:

RESOLUTIONS:

UNFINISHED BUSINESS:

MISCELLANEOUS BUSINESS:

ADJOURNMENT:

Timothy Morales
City Manager

IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVE., 759-1480.

CITY OF SAGINAW

PROCLAMATION

IN MEMORY OF GREGORY LYNN BRANCH

WHEREAS, on behalf of the Saginaw City Council, we honor the memory of Gregory Lynn Branch, whose rich and abundant life came to a close after 62 years, on February 9, 2019; and

WHEREAS, Greg Branch was a beloved husband, father, son, and brother. He leaves to cherish his memory his wife, Ann; three children: Grace, Samuel, and Benjamin; his mother, Lynne Ann Branch, and an entire community of family, friends, and colleagues; and

WHEREAS, Greg was born and raised in Saginaw and lived within a mile of his birthplace his entire life. Many will remember him for his devotion and loyalty to the City of Saginaw. Greg will forever be known as a champion for this community; and

WHEREAS, Greg took great pride in serving on City Council from 2005 until 2013. In 2009, he was elected to serve as Mayor for the next four years. He served as Mayor during a very challenging period in Saginaw, and his wise decisions during those tumultuous times are still making a positive impact in the City of Saginaw; and

WHEREAS, Greg's service to the City did not stop once he completed his term on City Council. He continued to improve the City of Saginaw, serving on numerous boards and commissions such as Riverfront Saginaw, the MBS Airport Commission, Hidden Harvest, and Child and Family Services of Saginaw County; and

WHEREAS, Greg was a self-proclaimed "history nerd" and poured his passion into the preservation of Saginaw's rich history. He served on the Historic District Commission of Saginaw for many years. He was also a published author, writing, "Saginaw County: Visions of the Valley" on the history of Saginaw; and

WHEREAS, Greg also distinguished himself as an incredible communicator and a creative force in the advertising industry. For more than 40 years, he created and shaped memorable and lasting messages and brand strategies for thousands of businesses and municipal entities throughout the Great Lakes Bay Region; and

WHEREAS, there are many ways to remember our beloved friend and community servant, Greg Branch. Many will remember him as a prudent policymaker, master craftsman, gifted communicator, and brilliant historian, as well as athlete, husband, father, and beloved friend. Words cannot convey how Greg enriched the lives of so many in this city. His death leaves our community with a deep feeling of sorrow for the loss of such an honored and respected citizen;

NOW, THEREFORE BE IT RESOLVED, I, Floyd Kloc, Mayor of the City of Saginaw, hereby urge all citizens of Saginaw to recognize, honor, and celebrate the life, outstanding achievements, and contributions of Gregory L. Branch to the City of Saginaw.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 22nd day of July in the year of our Lord two thousand nineteen.



July 22, 2019

Floyd Kloc, Mayor

Councilpersons

Brenda F. Moore, Mayor Pro Tem
Michael D. Balls, Annie Boensch,
Clint Bryant, Jamie Forbes, John Milne,
Bill Ostash, and Autumn L. Scherzer

Timothy Morales, City Manager

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, JULY 8, 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 Kloc 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: Clint Bryant, Brenda Moore, Autumn Scherzer, John Milne, Michael Balls, Bill Ostash, and Floyd Kloc: 7. Council Members absent: Jamie Forbes, and Annie Boensch: 2.

ANNOUNCEMENTS

City Clerk Janet Santos announced the following:

- Yard Waste collection is the same day as your regular trash day and materials must be in paper yard waste bags, or in a 35 gallon or smaller garbage can, not weighing more than 50 pounds, with a "Yard Waste" sticker affixed to the front of the can.
- The City's Waste Convenience Station is open to City residents the second Saturday of the month from 8:00 a.m. to 12:00 p.m. City residents may dispose of items such as building materials, and recycling for cans, plastic containers and paper. The next collection day will be this Saturday, July 13th.

PUBLIC HEARING

City Clerk Janet Santos announced the public hearing regarding an extension to the Urban Cooperation Agreement with Albee Township to provide water services. Mayor Kloc called for public comments three times. No comments were presented.

Moved by Council Member Bryant, seconded by Mayor Pro Tem Moore to close the public hearing. 7 ayes, 0 nays, 2 absent. Motion approved.

PUBLIC INPUT

Public Input addressing the Council was: Eric Karbin, Annie Dugan, Diane Kloc, Terry Pruitt, and David Rozanski.

REMARKS OF COUNCIL

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

REPORTS FROM CITY MANAGER

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

Manager Morales introduced Zachary Branigan, Executive Director of the Saginaw Basin Land Conservancy. Mr. Branigan presented an update on the pollinator project and shared a video of their work.

CONSENT AGENDA:

Mayor Kloc asked if there were any exceptions to the consent agenda. Council Member Scherzer made an exception to item 3.

1. Approve the June 17, 2019 special and regular council meeting minutes.

2. Approve Petition #19-09 to approve the capital expenditure items for the 2019-2020 Budget for Operations, Capital Improvement, and Emergency Repair for the Saginaw-Midland Municipal Water Supply Corporation.
3. Approve the introduction of the proposed amendments to the Council Rules of Order of the City of Saginaw.
4. Approve the purchase with LexisNexis Risk Data Management Service for \$9,000 and \$10,000 for FY 2021, pending budget approval, for Internet Search Engine services for the Income Tax and Utility Billing Divisions.
5. Approve the Agreement with SMG Worldwide Entertainment and Convention Venue for the use of City owned parking parcels.
6. Approve the blanket purchase order to Douglass Safety Systems, LLC for \$15,000 for Micro Blaze-Out Foam for the Fire Department.
7. Approve the blanket purchase order to Douglass Safety Systems, LLC for \$7,000 for ISI self-contained breathing apparatus parts for the Fire Department.
8. Approve the blanket purchase order to Douglass Safety Systems, LLC for \$20,000 for turnout gear for the Fire Department.
9. Approve the blanket purchase orders to various vendors for a total of \$152,000 for fire apparatus services and repairs for the Fire Department.
10. Approve the blanket purchase orders with various vendors for a total of \$13,000 for vehicle services and repairs for the Fire Department.
11. Approve the purchase with International Promotional Ideas for \$1,141 and \$1,112 for FY 2021 and \$1,141 for FY 2022, pending budget approval, for uniform T-shirts for the Fire Department.
12. Approve the purchase with Front Line Services for \$35,499 for the repair of Fire Engine 4 for the Fire Department.
13. Ratification of a purchase with Kraft Power for \$3,119 to rebuild the oil cooler on Generator 2 for the Water Treatment Division.
14. Approve the 5-year agreements with Johnson Controls for \$39,972 for hardware and software upgrades and for \$11,129 annually for the maintenance of access security systems at City Hall, Public Works, Maintenance and Service, the Police Station and the Water Treatment Plant.
15. Approve the extension of the Water Service Agreement with Albee Township.
16. Ratification of a purchase with Southern Water Service, LLC for \$4,985 for two sump pumps for the Water Treatment Division.
17. Approve the purchase with Polydyne, Inc. for \$13,000 for liquid PolyDMDAAC for the Water Treatment Division.

18. Approve the purchase with Alexander Chemical Corporation for \$23,040; and pending budget approval for FY 2021, for Sulfur Dioxide for the Wastewater Treatment Division.
19. Approve the purchase with Global Environment Consulting for \$3,600; and pending budget approval for FY 2021, for laboratory toxicity testing for the Wastewater Treatment Division.
20. Approve the purchase with Browning Power Systems for \$1,200; and pending budget approval for FY 2021 and FY 2022, for generator load testing and maintenance for the Remote Facilities Division.
21. Approve the blanket purchase order with various vendors for \$25,000 for electrical and mechanical equipment repair services for the Water Treatment Division.
22. Approve the payment of \$15,000 to National Fitness Court for the National Fitness Court and Campaign for the Public Works Department.

Moved by Council Member Bryant, seconded by Mayor Pro Tem Moore to approve consent agenda items 1, 2 and 4 through 22, as presented. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Scherzer, seconded by Council member Bryant to approve consent agenda item 3 as presented. 7 ayes, 0 nays, 2 absent. Motion approved.

APPOINTMENT OF BOARD AND COMMISSION MEMBERS

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

- the Council appointment of Michael Thompson to the Board of Review with a term to expire December 31, 2021.
- the Council appointment of Nicholas Kyriakopoulos to the Public Libraries of Saginaw Board with a term to expire June 30, 2022.
- the Mayoral reappointment of William Ewald to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2022.
- the Council appointment of Brooke Maylee to the Saginaw Transit Authority Regional Services with a term to expire December 31, 2020.

7 ayes, 0 nays, 2 absent. Motion approved.

MISCELLANEOUS BUSINESS

A brief discussion was held on the State Emergency Rules issued regarding "Adult Use/Recreational" marijuana facilities. City Attorney Lusk reported an update and that she will thoroughly review the rules.

ADJOURNMENT

Moved by Council Member Bryant, seconded by Council Member Milne to adjourn the meeting at 8:02 p.m. 7 ayes, 0 nays, 2 absent. Motion approved.

From: Floyd Kloc, Mayor
Brenda Moore, Mayor Pro Tem

Subject: Council Rules of Order Amendment

Prepared by: Janet Santos, City Clerk

Recommendation:

We recommend approval of the amendments to the Rules of Order of the Council of the City of Saginaw.

Justification:

On September 24, 2018, the City Council approved amendments to the Rules of Order (ROO) of the Council of the City of Saginaw. Amendments to the ROO are being proposed to remove Section 6: Public Input, item 9 to comply with the Open Meetings Act; rewording the language in Section 9: Committee of the Whole; and adding Section 20: Military Duty.

According to Section 17: Amendments, “these rules may be amended by the affirmative vote of six Council members, notice having been given in writing of proposed amendments at a previous meeting.” A copy of the amendments have been provided to Council for review and introduced at the July 8, 2019 regular meeting.

Council Action:

Motion to approve the recommendation of the Mayor and Mayor Pro Tem.

From: Timothy Morales, City Manager
Subject: Disclosure of Pecuniary Interest in City Prosecutor Contract
Prepared by: Amy L. Lusk, City Attorney

City Manager's Recommendation:

I recommend that disclosure of the City Attorney's pecuniary interest in the agreement for city prosecutor services to be considered at the July 22, 2019, meeting of the City Council be made a part of the official record of the Council meeting and be made public in the same manner as a public meeting notice.

Justification:

On the Council agenda is a professional services agreement retaining Gilbert & Smith, P.C. to perform city prosecutor services. Under a strict reading of a statute that is intended to apply to elected officials and employees of municipalities who have an unreported or otherwise unknown financial interest in a public contract that requires a public body's approval, it could be viewed that the City Attorney is required to disclose her pecuniary interest in the contract as an employee of the firm, though such disclosure seems obvious.

Per the statute, Ms. Lusk requests that her disclosure be made a part of the official record of the meeting and be made public in the same manner as a public meeting notice. City Council must approve the agreement by a vote of not less than 2/3 of the full membership of the Council. Upon approval, the City shall disclose the nature of Ms. Lusk's pecuniary interest in the agreement, which is as an employee of the law firm of Gilbert & Smith, P.C.

Council Action:

Motion to approve the recommendation of the City Manager.

GILBERT & SMITH, P.C.

ATTORNEYS AT LAW

721 SOUTH MICHIGAN AVENUE
SAGINAW, MICHIGAN 48602-1529

WWW.GSB-LAW.COM

DAVID M. GILBERT
LAWRENCE WM. SMITH
AMY L. LUSK

SAGINAW (989) 790-2500
FAX (989) 790-2889

July 11, 2019

The Honorable Floyd Kloc, Mayor
City of Saginaw
1315 S. Washington Avenue
Saginaw, Michigan 48601

Re: Disclosure of Pecuniary Interest in City Prosecutor Contract

Dear Mr. Mayor:

On an upcoming Council agenda will be an agreement with Gilbert & Smith, P.C., for city prosecutor services. Under a strict reading of a statute that I believe is intended to apply to elected officials and employees of municipalities who have an unreported or otherwise unknown financial interest in a public contract that requires a public body's approval, it could be viewed that as the appointed City Attorney, I am to disclose my pecuniary interest in the contract as an employee of the firm, though such disclosure seems apparent.

Per the statute, I ask that this disclosure be made a part of the official record of the meeting held July 22, 2019, or the meeting at which the agreement is considered, and be made public in the same manner as the public meeting notice. At the City Council meeting at which the agreement is to be approved, the City Council must approve the contract by a vote of not less than 2/3 of the full membership of the Council. Finally, upon approval, the City shall disclose the nature of my pecuniary interest in the agreement, which is as an employee of the law firm of Gilbert & Smith, P.C.

Thank you for your attention to this matter.

Sincerely,

/s/ Amy L. Lusk

Amy L. Lusk

cc: Timothy Morales, City Manager
Janet Santos, City Clerk

From: Timothy Morales, City Manager

Subject: Legal Services Agreement

Prepared by: Vicki Davis, Executive Assistant to the City Manager

Manager's Recommendation:

I recommend approval of the legal services agreement with Gilbert and Smith, P.C for \$6,667 per month.

Justification:

Since 2013, the City of Saginaw has utilized the same outside counsel for prosecution services. The role of city prosecutor is an important role on our legal team, handling the prosecution of all traffic, misdemeanors and municipal civil infractions.

Recently, the City's management team reviewed our operations, in regard to legal services, to determine if there are alternative ways to conduct business to realize efficiencies. During our review, it was determined that a more efficient method of providing services would be to combine prosecution services with municipal services. Gilbert and Smith, P.C., the firm that provides municipal services, has agreed to expand their services to the city to include prosecutorial services. Gilbert and Smith, P.C., have hired an experienced attorney to take over these duties for the City effective August 9, 2019, on a month to month basis.

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, Offices of General Government, Office of the City Attorney Legal Services Account No. 101-1734-803.000.

I have approved this 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: Website Redesign Purchase Agreement with Revize
Prepared by: Jeff Klopac, Technical Services Department

Manager's Recommendation:

I recommend approval of a purchase agreement with Revize for \$38,350 for the initial redevelopment and redesign of the City of Saginaw's website and for \$4,875 for FY 2020 through FY 2024, for a five-year total of \$62,725, for yearly hosting and maintenance of the website.

Justification:

The City of Saginaw's current website is over five years old and the technology that it was built on is outdated. The City requested website redesign proposals from three companies and chose Revize, municipal and government website design specialists. Revize is the leading government website design company that offers an award winning Content Management Software (CMS), which will allow individual Departments to update their own web pages without having a professional web developer's guidance. Revize will partner with the City through the various phases of the website redesign process. Revize will start with a discovery and design phase which will allow the City to create its vision for the look and feel of our new custom website. Revize will also provide custom functionality, content development, quality assurance testing and onsite staff training. With the five year agreement Revize will provide a website redesign after year four.

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 Department of Technical Services, Information Services Fund, Professional Services Account No. 658-1720-801.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Covenant Healthcare Police K-9
Prepared by: Brian Rowell, Community Public Safety - Police

Manager's Recommendation:

I recommend approval of the addendum to the contract with Covenant Medical Center, Inc. to include Article VII-K-9 and to lease the canine for the sum of \$1.00 per year during the term of the agreement.

Justification:

The current contract sets forth the assignment of four police officers to provide law enforcement protection and related services at or near the facilities of Covenant Medical Center, Inc. ("Covenant"). Article VII-K9 provides for the addition of a canine ("K-9") to the current services provided by City. Covenant as a community partner, provides funding for four full-time police officer positions in order to have dedicated service in and around their Cooper and Harrison campus properties, as well as the surrounding neighborhoods. Article VII-K9 amends the Agreement as follows:

- 1- Covenant shall acquire and own a K-9 and shall lease same to City for the sum of \$1.00 per year during the term of the Agreement.
- 2- The K-9 shall be assigned to a trained K-9 Officer of the Saginaw Police Department who is assigned to the Service Area under the terms of the Agreement.
- 3- Covenant shall pay all costs associated with the K-9, including, but not limited to, training, food, and veterinary care. Such costs shall be billed and paid at the same time as the Regular Monthly Rate provided for in the Agreement.
- 4- City agrees to hold harmless, indemnify and defend Covenant, its officers, elected or appointed, employees, and agents against any and all claims, losses, damages, or lawsuits allegedly arising from or related to the willful misconduct or grossly negligent acts of City or its officers, employees, or agents, in relation to their use of the K-9.
- 5- Covenant shall donate a vehicle to City for use with the K-9, or shall donate the funds to City for the acquisition of same. Covenant shall be allowed to place a decal or logo on the vehicle indicating it made the donation of same to City. The placement and design of such decal or logo shall be subject to the approval of the Police Chief and City Manager.

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 - Police, Covenant Division, Professional Services Account No 101-3517-801.000. As this is a lease payment, the first invoice of the fiscal year to Covenant will be decreased by \$1 to pay for the K-9.

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

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: Clean-up and Maintenance of the Small Arms Range
Prepared by: Brian Rowell, Community Public Safety – Police

Manager's Recommendation:

I recommend the approval of a purchase with Best Technology Systems, Inc. for \$6,350.00 for FY 2020, and pending budget approval, \$6,350.00 for FY 2021, and \$6,475.00 for FY 2022, for a total of \$19,175.00, for clean-up of the Small Arms Range for the Police Department.

Justification:

On June 18, 2019, three qualified vendors submitted bids in response to the City of Saginaw's request seeking bids for annual environmental lead removal and maintenance of the Small Arms Range.

The following is a tabulation of the bids received:

VENDOR & LOCATION	TOTAL COST
Best Technology Systems, Inc. Plainfield, IL	\$19,175.00
GB Lead Services Green Bay, WI	\$35,545.00
En.Range, Inc Miami, FL	\$35,633.99

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 - Police, Police Administration Division, Operating Services, Account No. 101-3512-805.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: Duty and Training Ammunition
Prepared by: Brian Rowell, Community Public Safety – Police

Manager's Recommendation:

I recommend the approval of purchase with Michigan Police Equipment of Charlotte, MI, for \$22,150.00 for duty and training ammunition.

Justification:

Michigan Police Equipment was awarded the State Contract to supply Michigan Law Enforcement agencies ammunition at a set price, per State of Michigan Enterprise Procurement, Notice of Contract No. 071B6600125, Schedule B 1. Price includes all costs, at per piece pricing, including shipping and handling, and palletizing. Items are: 5,000 rounds of Hornady 90235 9MM Critical Duty ammo priced at \$0.387 per round; 4,000 rounds of Hornady 83276 .223 55GR Tap Urban ammo priced at \$0.5305 per round; 36,500 rounds of Remington L9MM3 115gr FMJ ammo priced at \$0.174 per round; and 38,000 rounds of Remington L223RV3 23966 55GR FMJ ammo priced at \$0.309 per round. This purchase will ensure the Saginaw Police Department has sufficient duty and training ammunition available for the upcoming year.

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 Saginaw Police Department, Drug Forfeiture Fund, Parts and Supplies, Account No. 264-3040-742.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Gospel Fest Ojibway Island User Agreement
Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend approval of the Ojibway Island User Agreement with Vicki Hill.

Justification:

On August 3, 2019, Vicki Hill will host the annual Gospel Fest event on Ojibway Island. Vicki Hill will pay the City of Saginaw for each day a flat fee of \$700, for the rental of Ojibway, due and payable 14 days before the event.

Vicki Hill has agreed to carry and name the City as an additional insured on its commercial general liability insurance policy, indemnify the City against any potential claims arising from the event, and otherwise comply with all applicable laws, rules and ordinances.

The Agreement is approved by me 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: METRO Act Bilateral Permit with Clear Rate Communications, Inc.
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend approval of the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act Bilateral Permit with Clear Rate Communications, Inc. for the Engineering Section, Right of Way Division.

Justification:

The Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act was created to, among other things, streamline the process for authorizing access to and use of public rights-of-way by telecommunications providers and ensure the reasonable control and management of public rights-of-way by municipalities. A telecommunications provider using or seeking to use the public rights-of-way for its facilities must obtain a permit from the municipality and pay all fees required under the Act. The Act determines all aspects of the permitting process, including application, dispute resolution and fees. The Act requires that municipalities act reasonably and promptly on all applications for a permit and must grant providers a permit for access to and use of all public rights-of-way.

Clear Rate Communications, Inc. of Troy, Michigan has applied for a Bilateral Permit pursuant to the METRO Act; Public Act No.48 of the Public Acts of 2002, as amended. Clear Rate Communications, Inc. of Troy, Michigan is a new provider in the City of Saginaw and is a Competitive Local Exchange Carrier. Clear Rate Communications, Inc. plans to have fiber optic cable installed to expand high speed communications for its current internet providers.

Bilateral permits pursuant to the METRO Act are for 15 years with three additional automatic five year renewals. This permit will expire on July 22, 2049 unless after the initial 15 years, the City provides a 12 month notice to renegotiate the terms of the renewal.

I have approved the bilateral permit 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: Wonderware Customer First Support Program
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend approval of a purchase with Wonderware North, a sole source, for \$23,462.00 for one year of software customer support for the Supervisory Control and Data Acquisition systems at the Water Treatment, Wastewater Treatment and Remote Facilities Divisions.

Justification:

On June 6, 2019, we received a proposal from Wonderware North for customer support for our Supervisory Control and Data Acquisition (SCADA) system, the human machine interface between the plant operators and the plant equipment. Support includes technical support and assistance, upgrades, fixes, patches and service packs. Wonderware North is the sole source provider for support of this software.

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 Operations and Maintenance Fund, Instrumentation and Process Controls Division's Computer Software Acct. No. 591-4715-741.000 (\$11,371.00) and the Sewer Operations and Maintenance Fund, Instrumentation and Process Controls Computer Software Acct. No. 590-4815-741.000 (\$11,371.00).

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Laboratory Toxicity Testing
Prepared by: John Frollo, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Trace Analytical Laboratories, Inc. for \$32,570.00; and pending budget approval, FY 2021 and FY 2022 for laboratory toxicity testing for the Wastewater Treatment Division.

Justification:

The Wastewater Treatment Division's National Pollutant Discharge Elimination System (NPDES) Permit and Industrial Pretreatment Program require some laboratory analyses which are not performed in-house. These tests include total toxic organics, heavy metals, mercury and PCB's. Sealed bids from vendors were opened July 2, 2019 and the results were as follows:

<u>Vendor</u>	<u>FY</u>	<u>Cost</u>
Trace Analytical Laboratories Inc. Muskegon, MI	FY2020	\$32,570.00
	FY2021	\$32,570.00
	FY2022	\$32,570.00
ALS Environmental Holland, MI	FY2020	\$40,677.00
	FY2021	\$40,677.00
	FY2022	\$40,677.00
Eurofins TestAmerica North Canton, MI	FY2020	\$50,328.00
	FY2021	\$50,328.00
	FY2022	\$50,328.00
Fibertec Inc. Holt, MI	FY2020	\$56,665.00
	FY2021	\$56,665.00
	FY2022	\$56,665.00

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 Sewer Operations and Maintenance Fund, Treatment and Pumping Division Operating Services Account No. 590-4830-805.000 for Fiscal Year 2020 and will be budgeted in the same account for FY2021 and FY2022, pending budget approval.

Council Action:

Motion to approve the recommendation of the City Manager.