

Council Agenda

June 5, 2017 6:30 p.m.

Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Proclamation recognizing the Kiwanis Club of Saginaw for 100 years of service and volunteer efforts in Saginaw.
2. Proclamation honoring the life and service of Brent R. Smith.

PUBLIC HEARINGS:

1. Request to create an Industrial Development District at 2100 Veterans Memorial Parkway.
2. Request to amend the Brownfield Plan for the City Of Saginaw to include the Menards Redevelopment Project at 2100 Veterans Memorial Parkway.

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

CONSENT AGENDA:

1. Approve the May 22, 2017 regular council meeting minutes.
2. Approve Petition 17-14 from Saginaw African Cultural Festival to erect banners at South Michigan and East Genesee Avenue from July 17 through August 14, 2017.
3. Approve Petition 17-15 from Pulse 3 Foundation to erect a banner at South Michigan from August 22 through September 11, 2017 for the Run for Your Heart Community Races.
4. Approve Petition 17-16 from Saginaw Area Fireworks Committee to display fireworks at the north end of Ojibway Island on Tuesdayday, July 4, 2017 at 10:15 p.m., or as an alternate rain date, on Wednesday, July 5, 2017 at 10:15 p.m.

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June 5, 2017 6:30 p.m.

Council Chamber

5. Approve the Claims Service Contract with Alternative Service Concepts as the City's third party administrator for insurance claims from July 1, 2017 through June 30, 2019.
6. Approve the Downtown Development Authority By-Laws, as amended.
7. Approve a blanket purchase order to Kay Communications, a sole source, for \$10,000 for in-car camera repairs and replacements for Police Department patrol vehicles.
8. Approve the Professional Services Agreement between the Police Department and the PM AM Corporation for the use of Human Capital Management software.
9. Approve a purchase order to Otis Elevator for \$2,400 for Quarterly Elevator Inspection Services for FY 2018; and, pending approval of the FY 2019 and 2020 budgets, accept the bid from Otis Elevator for the same services for FY 2019 and FY 2020.
10. Approve a purchase order to City Sewer Cleaners for \$4,600 for eight (8) annual Portable Toilet rentals and services for FY 2018; and, pending approval of the FY 2019 and 2020 budgets, accept the bid from City Sewer Cleaners for the same services for FY 2019 and FY 2020.
11. Ratification of emergency purchase order no. 501221 to Overhead Door for \$11,685 for the replacement of three overhead doors in the Public Services Building.
12. Approve the Ojibway Island User Agreement with the Rock The Island Committee for "Rock The Island Event" on July 22, 2017, with setup on July 21, 2017.
13. Ratification of emergency purchase order no. 501072 to Kone Inc. for \$2,400 for repair of the passenger elevator at the Water Treatment Division.
14. Approve separate purchase orders to Carmeuse Lime & Stone in the amounts of \$40,374 for 300 tons of Calcium Oxide for the Water Treatment Division; and for \$215,328 for 1,600 tons of Calcium Oxide for the Wastewater Treatment Division for FY 2018.
15. Approve a purchase order to Michigan Agribusiness Solutions for \$666,250 for biosolids land application services for the Wastewater Treatment Division for FY 2018; and pending approval of the FY 2019 and FY 2020 budgets, accept the bid from Michigan Agribusiness Solutions for an amount not to exceed \$715,450 for the same services for FY 2019 and for an amount not to exceed \$746,200 for the same services for FY 2020.

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June 5, 2017 6:30 p.m.

Council Chamber

16. Approve a purchase order to Jones Chemical Corporation for \$16,740 for sixty tons of chlorine for the Wastewater Treatment Division for FY 2018.
17. Approve a purchase order to Endress and Hauser, Inc., a sole source, for \$8,819.94 for two Wastewater Composite Samplers for the Remote Facilities Division.
18. Approve the participation agreement form to recoup costs related to production of the annual regional "Consumer Confidence Report" for the Water Treatment Division.
19. Approve the blanket purchase orders to various vendors for various parts and supplies needed to operate and maintain the Wastewater Treatment and Remote Facilities Divisions for FY 2018.
20. Approve purchase orders to JCI Jones Chemicals, Inc. for \$59,500 for 85,000 gallons of Sodium Hypochlorite for the Water Treatment Division; and for \$122,500 for 175,000 gallons of Sodium Hypochlorite for the Remote Facilities Division for FY 2018.
21. Approve the Wetland Mitigation Agreement with Menards, Inc. to ensure the proper construction and long-term management of the mitigation area as required by the Michigan Department of Environmental Quality.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

1. Approve the Council reappointment of Ana Hidalgo to the Historic District Commission with a term to expire July 31, 2020.
2. Approve the Mayoral reappointment of Christopher Sheridan to the Saginaw Economic Development Commission with a term to expire June 30, 2020.
3. Approve the Mayoral appointment of Joseph Turner to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2020.
4. Approve the Mayoral reappointment of Alexandria Jones to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2020.
5. Approve the Council reappointment of Jack Nash to the Zoning Board of Appeals with a term to expire December 31, 2019.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

Council Agenda

June 5, 2017 6:30 p.m.

Council Chamber

RESOLUTIONS:

1. Adopt the Resolution establishing an Industrial Development District at 2100 Veterans Memorial Parkway.
2. Adopt the Resolution to amend the Brownfield Plan for the City Of Saginaw to include the Menards Redevelopment Project at 2100 Veterans Memorial Parkway.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Consideration of motion to go into closed session to discuss pending litigation per MCL 15.268(e).

ADJOURN:

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.

PROCLAMATION

WHEREAS, Kiwanis International is one of the largest service organizations in the world with more than 8,000 clubs in more than 100 nations; and

WHEREAS, Kiwanis International is a global organization of volunteers dedicated to changing the world one child and one community at a time. Members of Kiwanis International provide community service projects every year at local, state, regional, national and international levels; and

WHEREAS, the Kiwanis Club of Saginaw was created on April 19, 1917 and was chartered as only the eighth club in the growing organization. Kiwanis Saginaw currently has 24 members and meets weekly to promote the development of community leaders, positive role models, and provide opportunities for fellowship and community service; and

WHEREAS, the Kiwanis Club of Saginaw has operated Camp Kiwanis, its signature service project, since 1919. The historic camp located in Frankenmuth Township has served many generations of youth groups ranging from Boy Scouts and Girl Scouts, to church and school youth camps, and day camps for the YMCA and Boys and Girls Club; and

WHEREAS, in addition to Camp Kiwanis, the Saginaw Kiwanis Club has participated in several other significant projects over the years including assisting local youth with 4H projects, helping providing dictionaries and school supplies for underprivileged students in Saginaw, participating in the city's "Adopt-A-Street" program, and in the State's "Adopt a Highway" program; and

WHEREAS, the service provided by the Kiwanis Club of Saginaw over the past 100 years is invaluable and deserving of this recognition. The contributions of the Saginaw Kiwanis Club will continue to have a positive and significant impact in the Saginaw community and the Great Lakes Bay Region for many years to come;

NOW, THEREFORE BE IT RESOLVED, I, Dennis D. Browning, Mayor of the City of Saginaw, on behalf of my fellow Councilmembers and the citizens of this community, do hereby extend this expression of esteem and gratitude to the Kiwanis Club of Saginaw for their service and contributions to the City of Saginaw over the past 100 years. We congratulate the Kiwanis Club of Saginaw and extend our very best wishes for continued success in all their future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 5th day of June in the year of our Lord two thousand seventeen.



June 5, 2017

Dennis D. Browning, Mayor

Councilpersons

*Floyd Kloc, Mayor Pro Tem
Michael D. Balls, Annie Boensch,
Clint Bryant, John Humphreys, John Milne,
Brenda F. Moore, and Demond L. Tibbs*

Timothy Morales, City Manager

PROCLAMATION

IN MEMORY OF BRENT R. SMITH

WHEREAS, on behalf of the Saginaw City Council, we offer our warmest condolences and heartfelt sympathy to the family of Brent R. Smith, whose rich and abundant life came to a close on March 3, 2017; and

WHEREAS, Brent leaves to cherish his memory his beloved spouse of 27 years, Mary Bethany; his three children: Rebecca, Andrew and Zachery; and an entire community of family, friends, and colleagues; and

WHEREAS, Brent was born and raised in Saginaw. He attended Valley Lutheran High School, graduated in 1985 and obtained a realtor's license in 1986. Brent became an Associate Broker in 1989, and was the youngest licensed broker in the area for many years; and

WHEREAS, Brent, a Covenant employee for the past ten years, worked tirelessly on many important projects in the City of Saginaw to include the Neighborhood Stabilization Program with improvements and enhancements to the Covenant District, Bliss Park Senior Housing complex, and he was instrumental in the creation of the McNally House, a place for relatives to stay while their family is hospitalized at Covenant; and

WHEREAS, Brent was a devoted Christian and his life was founded on faith, family, and friends. His favorite pastime was spending time with his children and supporting them in all they did. His hobbies included taxidermy, hunting, gardening, camping and planning family trips, and watching the Red Wings hockey team. Brent was an avid history buff and loved WWII history;

NOW, THEREFORE BE IT RESOLVED, I, Dennis D. Browning, Mayor of the City of Saginaw, hereby urge all citizens of Saginaw to recognize, honor, and celebrate the life, outstanding achievements, and adventurous spirit of Brent Smith in 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 5th day of June in the year of our Lord two thousand seventeen.



Dennis D. Browning, Mayor

Councilpersons

*Floyd Kloc, Mayor Pro Tem
Michael D. Balls, Annie Boensch, Clint Bryant
John Humphreys, John Milne,
Brenda F. Moore, and Demond L. Tibbs*

June 5, 2017

Timothy Morales, City Manager

CITY OF SAGINAW

NOTICE OF

PUBLIC HEARING

In compliance with requirements of Act 198, P.A. 1974, the following notice is posted:

Notice is hereby given that the Saginaw City Council has scheduled a public hearing to create an Industrial Development District at 2100 Veterans Memorial Parkway.

The public hearing will be held Monday, June 5, 2017, at 6:30 p.m. in the Council Chamber at the City Hall, 1315 S. Washington Avenue, Saginaw, MI. The application and legal description of the property is on file in the Office of the City Clerk. All interested persons are invited to attend this public hearing.

Janet Santos, CMMC/CMC/MMC
City Clerk

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 AT 989.759-1480.

Posted: May 25, 2017
By: __jks_____

CITY OF SAGINAW

PUBLIC HEARING NOTICE

BROWNFIELD PLAN

In compliance with requirements of P.A. 267 of 1976, and P.A. 381 of 1996,
as amended, the following notice is published:

Notice is hereby given that the Saginaw City Council has scheduled a public hearing to consider the adoption of a Brownfield Plan for 2100 Veterans Memorial Parkway, Saginaw, Michigan within which the Brownfield Redevelopment Authority shall exercise its powers, all pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended. The description of the proposed Brownfield property is:

Land situated in the City of Saginaw, County of Saginaw, State of Michigan, described as follows:

ALL THAT PART OF NW ¼ OF SEC 8, T12N R5E LYING N OF PMRR & E OF STATE HWY M-13, EXC THAT PART LYING N'LY OF A LN VIZ; BEG AT PT ON N & S ¼ LN OF SD SEC 8, 2338.06 S'L OF N ¼ POST, TH N 89DEG 45MIN 40SEC W 1365.52 FT TO E'LY LN OF M13 RD ROW & POE.

The description of the property along with any maps and a description of the Brownfield Plan are available for public inspection during regular business hours at the City Clerk's Office, Room 102, located at City Hall, 1315 S. Washington Avenue.

The public hearing will be held Monday, June 5, 2017, at 6:30 p.m. in the Council Chamber of City Hall, Room 205, located at 1315 S. Washington Avenue. All interested parties are invited to attend and provide input.

Janet Santos, CMMC/CMC/MMC
City Clerk

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 AT 989.759.1480.

Posted: _5-25-17_____
Posted By: __jks_____

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, MAY 22, 2017, AT 6:30 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Browning offered a prayer and led the pledge of allegiance of the United States of America.

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: John Milne, Demond Tibbs, Floyd Kloc, Brenda Moore, Clint Bryant, Michael Balls, John Humphreys, and Dennis Browning: 8. Council Members absent: Annie Boensch: 1.

ANNOUNCEMENTS

City Clerk Janet Santos announced the following:

- Collection for leaves and yard waste must be placed in paper yard waste bags or in 33 gallons or smaller containers, labeled "Yard Waste" that does not weigh more than 50 pounds. Yard waste is collected on your regular trash day through November 30th.
- City Hall will be closed Monday, May 29 for the Memorial Day Holiday.
- Due to the Monday Holiday, Trash Collection Services will be delayed by one day. Residents can set out materials one day later than they normally do during the holiday week.

Mayor Browning presented a proclamation designating May 2017 as "Mental Health Month." The proclamation was accepted by Tammy Johnson of the Saginaw County Community Mental Health Authority.

Mayor Browning presented a proclamation designating May 25, 2017 as "Theodore Roethke Day." The proclamation was accepted by Annie Ransford of the Friends of Theodore Roethke Society.

PUBLIC HEARINGS

City Clerk Janet Santos announced the public hearing regarding the City of Saginaw's Proposed Budget and Property Tax Millage for Fiscal Year 2017-2018. Mayor Browning called for public comment three times. No comments were presented.

Motion by Mayor Pro Tem Kloc, seconded by Council Member Moore to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

City Clerk Santos announced the public hearing regarding the Special Assessment District for a Police and Fire Millage for Fiscal Year 2017-2018. Mayor Browning called for public comment three times. No comments were presented.

Motion by Mayor Pro Tem Kloc, seconded by Council Member Moore to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

City Clerk Santos announced the public hearing regarding the Downtown Development Authority District millage to be levied on properties within the district. Mayor Browning called for public comments. Tom Miller, Jr. of Saginaw Future spoke in favor of the proposed 2 mill levy. Mayor Browning called for public comments two additional times.

No further comments were presented.

Motion by Mayor Pro Tem Kloc, seconded by Council Member Moore to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

PERSONAL APPEARANCES

The following personal appearances addressed Council: Brent Pilarski, Debbie Melkonian, and Sharon Dinse.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Moore, Pro Tem Kloc, Tibbs, Milne, Humphreys, Balls, Bryant, and Mayor Browning.

REPORTS FROM CITY MANAGER

Management Update

City Manager Tim Morales provided updates on various City projects and upcoming events.

CONSENT AGENDA:

1. Approve the May 8, 2017 committee of the whole and regular council meeting minutes; and the May 15, 2017 committee of the whole meeting minutes.
2. Approve the changes to the 2017–2018 Personnel Complement.
3. Approve the amendments to the FY 2017 Approved Budget to recognize any changes that have occurred during the April period.
4. Approve the Memorandum of Understanding with the Learning for Life, a District of Columbia nonprofit corporation, for the formation of a Fire Explorer post with the Saginaw Fire Department.
5. Ratification of a purchase to Dover Garage Door for \$10,735.05 for emergency safety improvements made to the overhead doors at all 4 fire stations.
6. Approve a purchase order to McNaughton-McKay for \$31,816 for 8 decorative street light poles and parts for the Traffic Maintenance Section of the Right of Way Division.
7. Approve the Vehicle Lease Agreement with GM Financial for two vehicles for the Inspections and Neighborhood Services Division with four annual payments \$11,401.64 per year, for a four year total of \$45,606.56, pending future budget approval.
8. Approve the payment to AT&T for \$11,371 for damages to a telecommunication cable by the City's Maintenance and Service Division while excavating a water main valve.
9. Approve the Resolution authorizing the sale and consumption of alcoholic beverages during the Saginaw Community Foundation's Annual Celebration event at Morley Plaza scheduled on June 12, 2017 from 5:30 p.m. to 8:00 p.m.

10. Approve the Resolution authorizing the use of amplifying equipment during the Saginaw Community Foundation's Annual Celebration event at Morley Plaza scheduled on June 12, 2017 from 5:30 p.m. to 8:00 p.m.
11. Approve a purchase order to Holland Supply Company, Inc. for \$2,644.27 for a Cemetery Tent for the Cemeteries Division.
12. Approve a purchase order to DC Byers Company for \$37,500 for power washing and sealing the exterior of the City Hall Building.
13. Approve a purchase order to Advanced Rehabilitation Technologies for \$16,500 for the re-lining of one 10,000 gallon sodium hypochlorite tank at the Salt-Fraser Retention and Treatment Basin for the Remote Facilities Division.
14. Ratification of an emergency purchase order to Chem One Corporation for \$13,220.61 for Copper Sulfate for the Water Treatment Division.
15. Approve a purchase order to Water Technology Resources for \$12,970 for a 30" gate valve for the Wastewater Treatment Division.
16. Approve to modify blanket purchase orders no. 499149 and no. 499148 issued to two of the City's primary suppliers for the Wastewater Treatment Division for FY 2017 for a net change of \$0.00.
17. Approve a purchase order to Carry Manufacturing, Inc. for \$21,822.50 for a 20 hp axial flow submersible pump for the Water Treatment Division.
18. Approve a purchase order to Wonderware North, a sole source, for \$106,061 for Wonderware HMI Software for the Instrumentation and Process Controls Division for FY 2017.

Moved by Mayor Pro Tem Kloc, seconded by Council Member Moore to approve consent agenda items 1 through 7, 9 through 12, and 14 through 18 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

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

Moved by Council Member Milne, seconded by Council Bryant to approve consent agenda item 13 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Council Member Humphreys reported that committee work on the City's Mission Statement is in progress.

Council Member Milne reported that the next meeting of the Brownfield Redevelopment Authority will be Wednesday, May 24 in Council Chamber at 4:00 p.m.

Council Member Tibbs reported that a sub-committee meeting will be held May 24 to review the Non-Owner Occupied and Unoccupied ordinance.

Moved by Mayor Pro Tem Kloc, seconded by Council Member Moore to approve the Mayoral appointment of Michael Keenan to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2020. 8 ayes, 0 nays, 1 absent. Motion approved.

RESOLUTIONS

Motion by Mayor Pro Tem Kloc, seconded by Council Member Moore to adopt the resolution approving the FY 2017-2018 Budget. 8 ayes, 0 nays, 1 absent. Motion approved.

Motion by Mayor Pro Tem Kloc, seconded by Council Member Moore to adopt the resolution approving the amount for the FY 2017-2018 Public Safety Millage. 8 ayes, 0 nays, 1 absent. Motion approved.

Motion by Council Member Humphreys, seconded by Council Member Balls to adopt the resolution approving the request of the Downtown Development Authority to levy a 2 mill tax on all real and tangible personal property not exempt by law and as finally equalized in The Downtown Development District for FY 2018. 8 ayes, 0 nays, 1 absent. Motion approved.

MOTIONS AND MISCELLANEOUS BUSINESS

Motion by Mayor Pro Tem Kloc, seconded by Council Member Milne to adopt the City Manager's recommendation to request the Saginaw County Parks Commission to allocate funds which may be available for City Parks from the County Parks millage, for the City's Fiscal Year 2017-2018, for City projects in its central parks area consistent with Council's goals set at its January Strategic Planning Session. Discussion was held. 8 ayes, 0 nays, 1 absent. Motion approved.

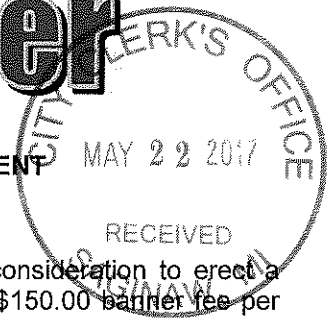
ADJOURNMENT

Moved by Council Member Balls, seconded by Council Member Moore to adjourn the meeting at 8:31 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC
City Clerk

Petition for Banner

PETITION CAN NOT BE ACCEPTED SIX (6) MONTHS PRIOR TO EVENT



TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition the Honorable City Council to give favorable consideration to erect a banner at not more than two (2) of the locations listed below. We understand that the \$150.00 banner fee per location must be paid to the Department of Engineering prior to hanging the banner. Banners will only be accepted two (2) weeks prior to the approved display date and the banner/s must be picked up within ten (10) days after the FINAL display date. The city reserves the right to dispose of any banners not picked up after notification of removal. Fee established by Council resolution on June 7, 2004.

☒ 500 Block of Court Street

☒ 300 Block of South Michigan

☐ 200 Block of West Genesee

☒ 1000 Block of East Genesee Avenue

Saginaw African Cultural Festival

Organization Name

African Cultural Festival

Purpose of Banner

MESSAGE ON BANNER: African Cultural Festival and Dates

Display Dates Requested:

July 13th 17th KW

to

August 13th 14th KW

First and Last Dates can NOT be a Weekend. Date span can NOT exceed 30 days.

PETITIONERS

1 Saginaw African Cultural Festival

2

3

4

CONTACT PERSON INFORMATION:

NAME Dawn Hinton

PHONE (989) 906-1400

ADDRESS PO Box 14889 Saginaw MI 48601

EMAIL dawn_hin@yahoo.com

----- CLERK'S OFFICE USE ONLY -----

EMAIL TO: Engineering@saginaw-mi.com

BY: _____

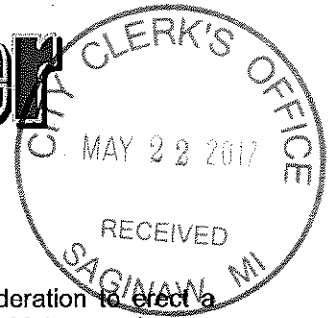
DATE: _____

APPROVED BY COUNCIL: _____

CITY CLERK

#17-15

Petition for Banner



PETITION CAN NOT BE ACCEPTED SIX (6) MONTHS PRIOR TO EVENT

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition the Honorable City Council to give favorable consideration to erect a banner at not more than two (2) of the locations listed below. We understand that the \$150.00 banner fee per location must be paid to the Department of Engineering prior to hanging the banner. Banners will only be accepted two (2) weeks prior to the approved display date and the banner/s must be picked up within ten (10) days after the FINAL display date. The city reserves the right to dispose of any banners not picked up after notification of removal. Fee established by Council resolution on June 7, 2004.

☒ 500 Block of Court Street

☒ 300 Block of South Michigan

☐ 200 Block of West Genesee

☐ 1000 Block of East Genesee Avenue

Pulse3 Foundation

Organization Name

Advertise the Run For Your Heart Community Races

Purpose of Banner

MESSAGE ON BANNER:

Run For Your Heart Community Races

Saturday, September 9, 2017 www.runforyourheart.org

Display Dates Requested: 8/22/17 to 9/11/2017

First and Last Dates can NOT be a Weekend. Date span can NOT exceed 30 days.

PETITIONERS

1 Diane Fong Diane Fong

2 _____

3 _____

4 _____

CONTACT PERSON INFORMATION:

NAME Diane Fong PHONE 989-754-7283

ADDRESS 1015 S. Washington Avenue, Saginaw, MI 48601

EMAIL dfong@pulse3.org

----- CLERK'S OFFICE USE ONLY -----

EMAIL TO: Engineering@saginaw-mi.com BY: _____ DATE: _____

APPROVED BY COUNCIL: _____

CITY CLERK

#17-18

DATE PERMIT(S) EXPIRE:

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

☒ Display Fireworks☐ Private Display

☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

☒ YES ☐ NO

989-662-0121

OLDER
☐ YES ☐ NO

Throughout MI, OH, IA, WI and NM

☐ YES ☐ NO☐ YES ☐ NO

Dusk

Fireworks will be locked inside of a temporary type 4 storage magazine. Fireworks will arrive 7/1/17.

The Partners Group Ltd.

11225 SE 6th St., Suite 110, Bellevue, WA 98004

KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)

See proposal

OF APPLICANT James B. Sampel President

DATE 05/19/17



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/22/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Partners Group Ltd 11225 SE 6th St. Suite 110 Bellevue WA 98004		CONTACT NAME: Janet Nau PHONE (A/C No. Ext): (877) 455-5640 FAX (A/C No.): (425) 455-6727 E-MAIL ADDRESS: jnau@tpgrp.com	
INSURED Wolverine Fireworks Display, Inc. 205 West Seidlers Road Kawkawlin MI 48631		INSURER(S) AFFORDING COVERAGE INSURER A: T.H.E. Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 12866	

COVERAGES **CERTIFICATE NUMBER:** 17-18 GL, BA, XS **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY	X	CPP010490702	2/1/2017	2/1/2018	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
						MED EXP (Any one person) \$ Excluded
						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ N/A
	☒ POLICY ☐ PRO JECT ☐ LOC					PRODUCTS - COMP/OP AGG \$ 2,000,000
	OTHER:					\$
A	AUTOMOBILE LIABILITY		CPP010490702	2/1/2017	2/1/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☒ ANY AUTO					BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS	☒ SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	☒ HIRED AUTOS	☐ NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
						Non Owned Liability \$ 1,000,000
A	☐ UMBRELLA LIAB	☒ OCCUR	KLP001193202	2/1/2017	2/1/2018	EACH OCCURRENCE \$ 9,000,000
	☒ EXCESS LIAB	☐ CLAIMS-MADE				AGGREGATE \$ 9,000,000
	☐ DED ☒ RETENTION \$ N/A					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below					☐ PER STATUTE ☐ OTH-ER
		☐ Y/N ☐ N/A				E.I. EACH ACCIDENT \$
						E.I. DISEASE - EA EMPLOYEE \$
						E.I. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: 07/04/2017 Aerial fireworks display located at North end of Ojibway Island and Holland Avenue Bridge, Saginaw, MI. Rain Date is 7/5/17
City of Saginaw; Saginaw Area Fireworks and Linear Motion/Meggitt, its subsidiaries, affiliates, directors and officers, BR FMC Saginaw Investments, LLC are included as Additional Insured on General Liability as their interest may appear as respects operations performed by or on behalf of the Named Insured, as required by written contract.
*Cancels and Replaces the certificate issued 3-24-17.

CERTIFICATE HOLDER City of Saginaw 1315 S. Washington Saginaw, MI 48601	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Jordan Stair/CCRUE
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ADDITIONAL INSURED – FIREWORKS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The policy is amended to include as an additional insured:

1. The fair or exhibition association, sponsoring organization or committee for the fireworks event covered under the policy;
2. The owner or lessee of any premises used by the Named Insured for the covered fireworks events;
3. The public authority municipality granting a permit to the Named Insured to operate the covered fireworks event; and
4. Any independent contractor who operates the fireworks display on behalf of the Named Insured;

but only as respects accidents arising out of the negligence of you or your employees while acting in the course and scope of their employment.

All other terms and conditions of the policy remain unchanged.

2017 Permit for Fireworks Other than Consumer or Low Impact

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only through permit expiration date.

TYPE OF PERMIT(S) (Select all applicable boxes) ☐ Agricultural or Wildlife Fireworks ☐ Articles Pyrotechnic ☒ Display Fireworks ☐ Public Display ☐ Private Display ☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes		FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY. PERMIT(S) EXPIRATION DATE (ENTER DATE OF EXPIRATION)
NAME OF PERSON PERMIT ISSUED TO Wolverine Fireworks Display, Inc.		AGE (16 YEARS OR OLDER) ☒ YES ☐ NO
ADDRESS OF PERSON PERMIT ISSUED TO 205 W. Seidlers Rd., Kawkawlin, MI 48631		
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION Saginaw Area Fireworks, Inc.		
ADDRESS PO Box 1923, Saginaw, MI 48605		
NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary) See Proposal		
EXACT LOCATION OF DISPLAY OR USE Ojibway Island, Saginaw, MI		
CITY, VILLAGE, TOWNSHIP Saginaw	DATE 7/4/17 RD 7/5/17	TIME Dusk
BOND OR INSURANCE FILED ☒ YES ☐ NO		AMOUNT \$10,000,000.00

Issued by action of the Legislative Body of a ☐ City ☐ Village ☐ Township of _____ on the _____ day of _____ (Signature and Title of Legislative Body Representative)	
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THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT

From: Timothy Morales, City Manager
Subject: Alternative Service Concepts Contract
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval of the Alternative Service Concepts Claims Service Contract as the City's third party administrator for insurance claims for the period July 1, 2017 through June 30, 2019.

The contract is approved by the City Manager as to substance and by the City Attorney as to form.

Justification:

Alternative Services Concepts, LLC (ASC) has been the City's third party administrator since the City first switched insurance carriers in 1995. The third party administrator reviews all claims and loss reports arising under the City's insurance policy and investigates, adjusts, settles, or resists all losses and/or claims with specific prior approval of the City. The contract is for two years from July 1, 2017 to June 30, 2019. The change in fees for the current year through 2019 is outlined below:

Automobile & General Liability								
Physical Damage	\$535		\$535		-0-	\$540		\$5
Bodily Injury	\$570		\$570		-0-	\$577		\$7
Incident Only Reports	\$45		\$45		-0-	\$45		-0-
E & O	\$700		\$700		-0-	\$705		\$5
Police Professional	\$700		\$700		-0-	\$705		\$5
Litigated Fee	Base fee + \$470		Base fee + \$470		-0-	Base fee + \$470		-0-
Catastrophic Claims	First 10 \$0	10+ \$350 per claim	First 10 \$0	10+ \$350 per claim	-0-	First 10 \$0	10+ \$350 per claim	-0-
							\$42,561	\$1,038
On-Line Access 1 User	\$0		\$0			\$0		-0-
Additional Users	\$60/mo		\$60/mo			\$60/mo		-0-
MMSEA – Annual Transmission Fees		\$2,100		\$2,100		\$2,100		-0-
Administration Fees		\$4,000		\$4,000		\$4,000		-0-
Systems Fees		\$2,650		\$2,650		\$2,650		-0-
TOTAL FEES		\$50,273		\$50,273	\$0		\$51,311	\$1,038

The 2017-2018 total fees cost is the same as the current year of \$50,273.00. The 2018-2019 total fees cost is \$51,311.00, which is an increase of \$1,038. The contract contains the same provisions as last year wherein at the end of the contract year, ASC will multiply the actual number of claims by the fee per claimant (approximately \$650 per claim depending on the type of claim) and if the actual number of claims is more than \$41,523 for 2017-2018, ASC will invoice the City for the difference between the actual fee and \$41,523. The same will apply for 2018-2019, that if the actual number of claims is more than \$42,561, ASC will invoice the City for the difference between the actual fee and \$42,561. To date, the City has not been billed for additional claims.

For the 2017-2019 period, a 2-year contract was again negotiated to continue to provide minimal increases that will benefit the City by providing advance rates for future budget preparation.

ASC will continue to indemnify and hold the City harmless for any claims asserted as a result of any errors, omissions, torts, intentional torts or other negligence on the part of ASC or its employees, unless the complained of actions of ASC were taken at the specific direction of the City.

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions," of the Saginaw Code of Ordinances O-1.

Funds are available in the Self-Insurance Fund Insurance Account No. 677-1762-806.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Downtown Development Authority By-Laws
Prepared by: Downtown Development Authority

Manager's Recommendation:

I recommend approval of the Downtown Development Authority By-Laws, as amended.

Justification:

Downtown Development Authorities are established under Public Act 197 of 1975. On April 25, 2017 the Downtown Development Authority (DDA) adopted amendments to their By-Laws. The original By-Laws were adopted October 22, 1981 with the latest amendments adopted September 11, 2000. Public Act 197 requires that the City Council approve amendments of the DDA By-Laws.

The City Attorney and the DDA Attorney reviewed and recommended By-Law changes to comply with state statute. The DDA staff made minor changes which include: changing the annual meeting and election of officer's meeting to the month of February from July, grammatical corrections, and general housekeeping items.

Council Action:

Moved by Council Member _____, seconded by Council Member _____, to approve the recommendation from the City Manager.

**BYLAWS
OF
SAGINAW DOWNTOWN DEVELOPMENT AUTHORITY**

**ARTICLE I
POWERS AND DUTIES OF THE AUTHORITY**

Section 1. The Authority shall be a public body corporate which may sue and be sued in any court of this State.

Section 2. The Authority shall exercise its powers within the following area of the downtown district of the city of Saginaw:

Beginning at the northwesterly corner of Millard St. and S. Park Ave., thence southeasterly along the western line of S. Park Ave. to the southerly line of Burt St., thence northeasterly along the southerly line of Burt St. to the easterly line of S. Fourth St., thence northwesterly along the easterly line of S. Fourth St. to the southerly line of Thompson St., thence northeasterly along the southerly line of Thompson St. to the northerly line of Janes St. thence westerly along the northerly line of Janes St. to the southeasterly corner of Lot 1, Block 56 Glasby, and Gallagher's Addition, thence northerly along the easterly line of Lt. 1 to the northerly line of Lot 1, thence westerly along the northerly line of Lot 1 and Lot 1 extended to the northeasterly corner of Lot 2, Block 55 Glasby and Gallagher's Addition, thence westerly along the northerly line of Lot 3, Lot 2, Lot 1 and Lot 1 extended to the northeasterly corner of Lot 4, Block 44 of Glasby and Gallagher's addition, thence westerly along the northerly line of Lot 4 and Lot 3 to the center line of Block 44, thence northerly along the center line of Block 44 and the center line extended to the center line of Block 45 Glasby and Gallagher's Addition, thence northerly along the center line of Block 45 and the center line extended to the center line of Block 46 Glasby and Gallagher's Addition which is also the easterly line of Lot 1, thence northerly along the easterly line of Lot 1 and Lot 2 to the northerly line of Lot 2, thence westerly along the northerly line of Lot 2 and Lot 2 extended to the westerly line of S. Second St., thence northerly along the westerly line of S. Second St. and N. Second St. to the southerly line of Carroll St., thence westerly along the southerly line of Carroll St. to the westerly line of N. Franklin St., thence northerly along the westerly line of N. Franklin St. to the northerly line of Astor St., thence easterly along the northerly line of Astor St. to the easterly line of N. Second St., thence southerly along the easterly line of N. Second St. to the northerly line of Lot 6, Block 109, Hoyt's Northern Addition, thence easterly along the northerly line of Lot 6 and Lot 14, Block 109, Hoyt's Northern Addition to the westerly line of N. Third Ave., thence easterly across N. Third Ave. to the northerly line of Lot 6, Block 114, Hoyt's Northern addition, thence easterly along the northerly line of Lot 6 to the westerly line of Lot 13, Block 114, Hoyt's Northern Addition, thence northerly along the westerly line of Lots 13, 12, and 11, Block 114, Hoyt's Northern Addition to the center line of the main track of the C & O Railroad, thence westerly along the center line of the main track of the C & O Railroad (being the track crossing the Saginaw River) to the northerly limits of the City of Saginaw, thence westerly along the northerly City limits to the center line of the main track of the Grand Trunk Railroad, thence southerly along the center line of the main track of the Grand Trunk Railroad to the southerly line of Davenport St., thence westerly along the southerly line of Davenport St., to the easterly line of Schaefer St., thence southerly along the easterly line of Schaefer St. to the southerly

line of Congress Ave., thence westerly along the southerly line of Congress St. to the westerly line of Stone St., thence southerly along the westerly line of Stone St. to the southerly line of Cooper St., thence westerly along the southerly line of Cooper St. to the westerly line of N. Bond St. thence southerly and southwesterly along the westerly line of N. Bond St. to the southerly line of Remington St., thence southeasterly along the southerly line of Remington St. to the westerly line of N. Fayette St., thence southwesterly along the westerly line of N. Fayette St. to the northwesterly line of Court St., thence northwesterly along the northwesterly line of Court St. to the westerly line of S. Harrison St. thence southwesterly along the westerly line of S. Harrison St. to the southerly line of Cass St., thence southeasterly along the southerly line of Cass St. to the westerly line of S. Fayette St., thence southwesterly along the westerly line of S. Fayette St. to the southerly line of Stephens St., thence southeasterly along the southerly line of Stephens St. to the southerly line of Rust Ave. thence easterly along the southerly line of Rust Ave. to the easterly line of S. Washington Ave. thence northeasterly along the easterly line of S. Washington Ave. to the southerly line of E. Holland Ave. thence southeasterly along the southerly line of E. Holland Ave. to the easterly line of S. Jefferson Ave. thence northeasterly along the easterly line of S. Jefferson Ave. to the southerly line of Holden St. thence easterly along the southerly line of Holden St. to the easterly line of Owen St. thence northeasterly along the easterly line of Owen St. to the southerly line of Meredith St. thence easterly along the southerly line of Meredith St. to the easterly line of Howard St. thence northeasterly along the easterly line of Howard St. to the northerly line of Hoyt St. thence northwesterly along the northerly line of Hoyt St. the easterly line of Owen St. thence northeasterly along the easterly line of Owen St. to the northerly line of Millard St. thence northeasterly along the northerly line of Millard St. to the westerly line of S. Park St. which is the point of beginning. Excepting from the above description Lot 1, Joseph Campau Farm lying west of Michigan Ave. and south of Houghton Ave., Lots 2, 3, & 4 Joseph Campau Farm lying west of Michigan Ave. also known as Bliss Park..

Section 3. The Authority may prepare an analysis of economic changes taking place in the downtown district.

Section 4. The Authority may study and analyze the impact of metropolitan growth upon the downtown district.

Section 5. The Authority may plan and propose the construction, the renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, and existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the Authority, aids in the economic growth of the downtown district.

Section 6. The Authority may plan, propose, and implement an improvement to a public facility within the development area to comply with the barrier free design requirements of the State construction code.

Section 7. The Authority may develop long-range plans, in cooperation with the City of Saginaw, designed to halt the deterioration of property values in the downtown district and to

promote the economic growth of the downtown district, and take such steps as may be necessary to persuade owners to implement the plans to the fullest extent possible.

Section 8. The Authority may implement any plan of development in the downtown district necessary to achieve the purposes of Act 197 of the Public Acts of 1975, as amended, (the "Act") in accordance with the powers of the Authority as granted by the Act.

Section 9. The Authority may make and enter into contract necessary or incidental to the exercise of its powers and the performance of its duties.

Section 10. The Authority may acquire by purchase or otherwise, on terms and conditions and in a manner the Authority deems proper, or own, convey, or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interest therein, which the Authority determines is reasonably necessary to achieve the purposes of the Authority, and to grant or acquire licenses, easements, and options with respect thereto.

Section 11. The Authority may improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances thereto, within the downtown district for the use, in whole or part, of any public or private person or corporation, or a combination thereof.

Section 12. The Authority may fix, charge, and collect fees, rents, and charges for the use of any building or property under its control or any part thereof, or facility therein, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the Authority.

Section 13. The Authority may lease any building or property under its control, or any part thereof.

Section 14. The Authority may accept grants and donations or property, labor, or other things of value from a public or private source.

Section 15. The Authority may acquire and construct public facilities.

Section 16. The Authority may create, operate, and fund marketing initiatives that benefit only retail and general marketing of the downtown district.

Section 17. The Authority may contract for broadband service and wireless technology service in the downtown district.

Section 18. The Authority may create, operate, and fund a loan program to fund improvements for existing buildings located in the downtown district to make them marketable for sale or lease. The board may make loans with interest at a market rate or may make loans with interest at a below market rate, as determined by the board.

Section 19. The Authority may create, operate, and fund retail business incubators in the downtown district.

Section 20. The Authority may take such other action as is allowed by law.

Section 21. The Authority shall be deemed an instrumentality of a political subdivision for purposes of Act No. 227 of the Public Acts of 1972, being section 213.321 to 213.332 of the Michigan Compiled Laws.

Section 22. The Authority shall be able to receive private property from the City of Saginaw, taken under Act No. 149 of the Public Acts of 1911, as amended, being section 213.21 to 213.41 of the Michigan Compiled Laws, for the purpose of transfer to the Authority for use in an approved development, or terms and conditions deemed appropriate by the Authority, and the taking transfer, and use shall be considered necessary for public purposes and for the benefit of the public.

Section 23.

(1) The activities of the Authority shall be financed from one or more of the following sources:

- (a) Donations to the Authority for the performance of its functions.
- (b) Proceeds of a tax imposed pursuant to Section 12 of Act 197 of the Public Acts of 1975.
- (c) Moneys borrowed and to be repaid as authorized by Sections 13 and 13a of Act 197 of the Public Acts of 1975.
- (d) Revenues from any property, building, or facility owned, leased, licensed, or operated by the Authority or under its control, subject to the limitation imposed upon the Authority by trusts or other agreements.
- (e) Proceeds of a tax increment financing plan, established under Sections 14 to 16 of Act 197 of the Public Acts of 1975.
- (f) Proceeds from a special assessment district created as provided by law.
- (g) Moneys obtained from other sources approved by the Saginaw City Council or otherwise authorized by law for use by the Authority or the City of Saginaw to finance a development program.
- (h) Money obtained pursuant to Section 13b of Act 197 of the Public Acts of 1975.
- (i) Revenue from the Federal Facility Development Act, Act No. 275 of the Public Acts of 1992, or revenue transferred pursuant to section 11a of chapter 2 of the City Income Tax Act, Act No. 284 of the Public Acts of 1964.
- (j) Revenue from the Federal Data Facility Act, Act No. 126 of the Public Acts of 1993, or revenue transferred pursuant to section 11b of chapter 2 of the City Income Tax Act, Act No. 284 of the Public Acts of 1964.

(2) Moneys received by the Authority and not covered under subsection (1) shall immediately be deposited to the credit of the Authority, subject to disbursement pursuant to this act.

Section 24.

- (1) The Authority may, with the approval of the Saginaw City Council, levy an ad valorem tax on the real and tangible personal property, not exempt by law and as finally equalized in the downtown district. The tax shall not be more than 2 mills and shall be collected by the City of Saginaw at the same time and in the same manner as it collects its other ad valorem taxes. The tax shall be paid to the treasurer of the Authority and credited to the general fund of the Authority for purposes of the Authority.
- (2) The Authority may request of the City of Saginaw that the City borrow money and issue its notes therefore pursuant to the Revised Municipal Finance Act, Act No. 34 of the Public Acts of 2001.

Section 25. The Authority may borrow money and issue its negotiable revenue bonds therefore pursuant to Act No. 94 of the Public Acts of 1933, as amended, being sections 141.101 to 141.139 of the Michigan Compiled Laws. Revenue bonds issued by the Authority shall not, except as hereinafter provided, be deemed a debt of the City of Saginaw or the State. The City of Saginaw by majority vote of the members of its City Council may pledge its full faith and credit to support the Authority's revenue bonds.

Section 26.

- (1) As used in this section and sections 27 and 28 the following words shall have those meanings attributed to them pursuant to Act 197 of the Public Acts of 1975:
 - (a) "Captured assessed value".
 - (b) "Initial assessed value".
- (2) When the Authority determines that it is necessary for the achievement of the purposes of the Authority, the Authority shall prepare and submit a tax increment financing plan to the City Council. The plan shall include a development plan as provided in Section 29, a detailed explanation of the tax increment procedure, the amount of bonded indebtedness to be incurred, the duration of the program, and shall be in compliance with Section 27. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in the downtown development district. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the Authority shall be clearly stated in the tax increment financing plan. The Authority or the City of Saginaw may exclude from captured assessed value growth in property value resulting solely from inflation. The plan shall set forth the method for excluding growth in property value resulting solely from inflation.
- (3) The percentage of taxes levied for school operating purposes that is captured and used by the tax increment financing plan shall not be greater than the plan's percentage capture and use of taxes levied by the City of Saginaw or Saginaw County for operating purposes. For purposes of the previous sentence, taxes levied by Saginaw County for operating purposes include only millage allocated for county purposes under the Property Tax Limitation Act, Act 62 of the Public Acts of 1933. For purposes of this subsection, tax increment revenues used to pay bonds issued by the City of Saginaw

shall be considered to be used by the tax increment financing plan rather than shared with the City of Saginaw. The limitation of this subsection does not apply to the portion of the captured assessed value shared pursuant to an agreement entered into before 1989 with Saginaw County or the City of Saginaw in which an enterprise zone is approved under the Enterprise Zone Act, Act 224 of the Public Acts of 1985.

- (4) Approval of the tax increment financing plan shall be in accordance with the notice, hearing, and disclosure provision of Section 30. When the development plan is part of the tax increment financing plan, only one (1) hearing and approval procedure is required for the two (2) plans together.
- (5) Before the public hearing on the tax increment financing plan, the Saginaw City Council shall provide a reasonable opportunity to the members of the Saginaw County Board of Commissioners and to the members of the school board of any school district in which any portion of the development area is located to meet with the City Council. The Authority shall fully inform members of the Saginaw County Board of Commissioners and of the school board(s) of the fiscal and economic implications of the proposed development area. The members of the Saginaw County Board of Commissioners and of the school board(s) may present their recommendations at the public hearing on the tax increment financing plan. The Authority may enter into agreement with the Saginaw County Board of Commissioners, the school board(s), and the City Council in which the development area is located to share a portion of the captured assessed value of the district.
- (6) A tax increment financing plan may be modified if the modification is approved by the Saginaw City Council upon notice and after public hearings and agreements as are required for approval of the original plan.
- (7) Under a tax increment financing plan that includes a catalyst development project, an authority may pledge available tax increment revenues of the authority as security for any bonds issued to develop and construct a catalyst development project.

Section 27.

- (1) The City of Saginaw and Saginaw County Treasurers shall transmit to the Authority tax increment revenues. The amount of tax increment to be transmitted to the Authority shall be as established by Act 197 of the Public Acts of 1975.
- (2) The Authority shall expend the tax increments received for the development program only pursuant to the tax increment financing plan. Surplus funds shall revert proportionately to the respective taxing bodies. These revenues shall not be used to circumvent existing property tax limitations. The Saginaw City Council may abolish the tax increment financing plan when it finds that the purposes of which it was established are accomplished. However, the tax increment financing plan shall not be abolished until the principal of, and interest on, bonds issued pursuant to section 28 have been paid or funds sufficient to make the payment have been segregated.

- (3) Annually the authority shall submit to the Saginaw City Council a report on the status of the tax increment financing account. The report shall include: the amount and source of revenue in the account; the amount in any bond reserve account; the amount and purpose of expenditures from the account; the amount of principal and interest on any outstanding bonded indebtedness; the initial assessed value of the project area; the captured assessed value retained by the Authority; the tax increments received; the number of jobs created as a result of the implementation of the tax increment financing plan; and any additional information City council deems necessary. The report shall be published in a newspaper of general circulation in the City of Saginaw.

Section 28.

- (1) The City of Saginaw may by resolution of its City Council authorize, issue, and sell general obligation bonds subject to the limitations herein set forth to finance the development program of the tax increment financing plan and shall pledge its full faith and credit for the payment of the bonds. The City of Saginaw may pledge as additional security for the bonds any money received by the Authority or the City of Saginaw from other sources as provided herein. The bonds are subject to the Revised Municipal Finance Act, Act 34 of the Public Acts of 2001. Before the City of Saginaw may authorize the borrowing, the Authority shall submit an estimate of the anticipated tax increment revenue and other revenue to be available for payment of principal and interest on the bonds to the City Council. This estimate shall be approved by City Council by resolution adopted by majority vote of the members of the City Council, in the resolution authorizing the bonds, and when approved, the anticipated tax increment revenues and other revenue available for payment of principal and interest on the bonds shall be conclusive. The bonds issued under this section shall be considered a single series for the purposes of the Revised Municipal Finance Act, Act 34 of the Public Acts of 2001.
- (2) The Authority may by resolution of its governing body authorize, issue, and sell tax increment bonds subject to the limitations set forth in this subsection to finance the development program of the tax increment financing plan. The tax increment bonds issued by the Authority pursuant to this subsection shall pledge solely the tax increments of a development area in which the project is located or a development area from which tax increments may be used for the project or both. In addition or in the alternative, the bonds issued by the Authority pursuant to this subsection may be secured by any other revenues identified herein as sources of financing for activities of the Authority that the Authority shall specifically pledge in the resolution. However, the full faith and credit of the City of Saginaw shall not be pledged to secure bonds issued pursuant to this subsection. The bond issue may include a sum sufficient to pay interest on the tax increment bonds until full development of tax increments from the project and also a sum to provide a reasonable reserve for payment of principal and interest on the bonds. The resolution authorizing the bonds shall create a lien on the tax increments and other revenues pledged by the resolution which shall be a statutory lien and shall be a first lien subject only to liens previously created. The resolution may provide the terms upon which additional bonds may be issued of equal standing and parity of lien as to the tax increments and other revenues pledged pursuant to the resolution. Bonds

issued under this subsection that pledge revenue received under section 23 for repayment of the bonds are subject to the Revised Municipal Finance Act, Act 34 of the Public Acts of 2001.

Section 29.

- (1) When the Authority decides to finance a project in the downtown district by the use of revenue bonds or tax increment financing as authorized in herein, it shall prepare a development plan.
- (2) The development plan shall contain:
 - (a) The designation of boundaries of the development area in relation to highways, streets, streams or otherwise.
 - (b) The location and extent of exiting streets and other public facilities within the development area and shall designate the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses and shall include a legal description of the development area.
 - (c) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.
 - (d) The location, extent, character, and estimated cost of the improvements including rehabilitation contemplated for the development area and an estimate of the time required for completion.
 - (e) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.
 - (f) A description of any part of the development area to be left as open space and the use contemplated for the space.
 - (g) A description of any portions of the development area which the Authority desires to sell, donate, exchange, or lease to or from the City of Saginaw and the proposed terms.
 - (h) A description of desired zoning changes and changes in streets, street levels, intersections, and utilities.
 - (i) An estimate of the cost of the development, a statement of the proposed method of financing the development and the ability of the Authority to arrange the financing.
 - (j) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the Authority.
 - (k) The procedures for bidding for the leasing, purchasing, or conveying in a manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold or conveyed in any manner to those persons.

- (l) Estimates of the number of persons residing in the development area and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the Authority, a development plan shall include a survey of the families and individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the city, including the number of private and public units in existence or under construction, the condition of those in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimated capacity of private public housing available to displaced families and individuals.
- (m) A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.
- (n) Provision for the costs of relocating persons displaced by the development and financial assistance and reimbursements of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, being Public Law 91-646, 42 U.S.C. sections 4601, et seq.
- (o) A plan for compliance with Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.
- (p) Other material which the Authority or the Saginaw City Council deems pertinent.

Section 30. A person to be relocated by the Authority shall be given not less than ninety (90) days written notice to vacate unless modified by court order for good cause.

Section 31. Periodically, a representative of the Authority responsible for preparation of a development or tax increment financing plan within the development area shall consult with and advise the development area citizens council, if one is established pursuant to law, regarding the aspects of a development plan, including the development of new housing for relocation purposes located either inside or outside of the development area. The consultation shall begin before any final decisions by the Authority and the City Council regarding a development or tax increment financing plan. The consultation shall continue thorough the preparation and implementation of the development or tax increment financing plan.

Section 32.

- (1) The director of the Authority shall prepare and submit for the approval of the board a budget for the operation of the Authority of the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of City of Saginaw departments. Before the budget may be adopted by the board, it shall be approved by the City Council. Funds of the City shall not be included in the budget of the Authority except those funds authorized by the Act or by the City Council.
- (2) The City Council may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds against the funds of the Authority, other than those committed, which cost shall be paid annually by the board pursuant to an appropriate item in its budget.

Section 33.

- (1) A public facility, building, or structure which is determined by the City of Saginaw to have significant historical interests shall be preserved in a manner deemed necessary by the City in accordance with laws relative to the preservation of historical sites. The preservation of facilities, buildings, or structures determined to be historic sites by a municipality shall include, at a minimum, equipping the historic site with a fire alarm system.
- (2) The Authority shall refer all proposed changes to the exterior of sites listed on the State Register of Historic Sites and the National Register of Historic Places to the applicable historic district commission created under Public Acts No. 169 of the Public Acts of 1970, being sections 399.201 to 399.212 of the Michigan Compiled Laws, or the State for review.

Section 34. When it has completed the purposes for which it was organized, the Authority shall be dissolved by ordinance of the City Council. The property and assets of the Authority remaining after the satisfaction of the obligations of the Authority shall belong to the City of Saginaw.

Section 35. The Authority possesses all the powers necessary to carry out the purposes of its incorporation including the incidental powers necessary thereto. The powers herein granted shall be in addition to those granted by the statute, and the enumeration of a power in these Bylaws or in the Act shall not be construed as a limitation on the general powers of the Authority.

ARTICLE II **BOARD**

Section 1. General Powers

The Authority shall be under the supervision and control of a board.

Section 2. Number, Tenure, and Qualifications

The board of the Authority shall consist of thirteen persons, the Chief Executive Officer of the municipality and twelve members. Of the members first appointed, an equal number of members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years and 4 years. Thereafter each member shall serve for a term of 4 years. Not less than a majority of the members shall be persons having an interest in property located in the downtown district. Not less than one of the members shall be a resident of the downtown district, if it has one hundred or more persons residing within it.

Section 3. Selection of Board Members

The City Manager of the City of Saginaw with the advice and consent of the City Council shall appoint the members of the board. Subsequent board members shall be appointed in the same manner as the original appointments at the expiration of each member's term of office. Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

Section 4. Compensation of Members

Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

Section 5. Expiration of term, Continuation in Office, Reappointment, and Filling Vacancies

Members whose terms of office have expired shall continue to hold office until a successor has been appointed. If a vacancy is created by the death, resignation, or removal of a member, a successor shall be appointed by the City Manager with the advice and consent of the City Council to hold office for the remainder of the term so vacated.

Section 6. Removal

Pursuant to proper notice and an opportunity to be heard, a member may be removed from office for cause by a majority vote of the City Council. Removal of a member is subject to review by the circuit court.

Section 7. Conflict of Interest

- (a) No board member, officer, or employee of the Authority shall be a party, directly or indirectly, to a contract between himself or herself or the Authority except as provided in subsection (c) hereof.
- (b) No board member, officer, or employee of the Authority shall directly or indirectly solicit any contract between the Authority and (a) himself or herself; (b) any firm (meaning a co-partnership or other unincorporated association) of which he or she is a partner, member or employee; (c) any private corporation or company in which he or she is a stockholder owning more than 1% of the total outstanding stock of any class where such stock is not listed on a stock exchange or stock with a present total market value in excess of \$25,000.00 where such stock is listed on a stock exchange or of which he or she is a director, officer or employee; or (d) any trust of which he or she is a beneficiary or trustee; nor shall he or she take any part in the negotiations for such a contract or the renegotiations thereof or amendment thereto or in the approval thereof; nor shall he or she represent either party in the transaction; except as provided in subsection (c) hereof.
- (c) The provisions of subsection (a) and (b) shall apply to all board members, officers, or employees who are paid for working for more than an average of 25 hours per week for the Authority, but shall not apply to any other board member, officer, or employee if he or she promptly discloses his or her pecuniary interest in the contract to the official body which has power to approve the contract, which disclosure shall be made a matter of record in its official proceedings; and if the contract is approved by not less than 2/3 of the full membership of the approving body without the vote of a member thereof, if any, making such disclosure.

Section 8. Attendance

Board members are required to attend 2/3 of regular Board meetings within the fiscal year. Failure to do shall result in removal of said Board member(s) subject to Section 4 of the Act.

**ARTICLE III
OFFICERS****Section 1. Officers**

The officers of the Authority shall be a Chairperson, Vice Chairperson, Secretary and Treasurer.

Section 2. Removal of Officers

An officer may be removed by the board whenever in its judgment the best interest of the Authority would be served.

Section 3. Filling of Vacancies

A vacancy of an officer may be filled by the board for the unexpired portion of the term.

Section 4. Chairperson

The Chairperson shall preside at all meetings of the board and shall discharge the duties of a presiding officer.

Section 5. Vice Chairperson

In the absence of the Chairperson or in the event of his/her inability or refusal to act, the Vice Chairperson shall perform the duties of the Chairperson and when so acting shall have all the powers and be subject to all restrictions of the Chairperson.

Section 6. Treasurer

The Treasurer shall keep the financial records of the Authority and with the Executive Director shall approve all vouchers for the expenditure of funds of the Authority. All expense items of the Authority shall be publicized monthly and the financial records shall always be open to the public. The Treasurer shall perform such other duties as may be delegated by the board and shall furnish bond in an amount prescribed by the board.

Section 7. Secretary

The Secretary shall maintain custody of the official seal and of records, books, documents, or other papers of the Authority not required to be maintained by any other individual. The Secretary shall keep a record of the proceedings of the board and shall perform such other duties delegated by the Board.

ARTICLE IV

MEETINGS

Section 1. Annual Meeting

The annual meeting shall be held on the second Friday in February. The election of officers shall occur at the annual meeting. If the election of officers should not occur on the day designated, or any adjournment thereof, the board shall cause the election to be held at a regular or special meeting of the board within ninety days of the annual meeting.

Section 2. Regular Meetings

Beginning in January of each year, regular meetings of the Board shall be held every month when a full-time Director is employed by the Authority. Otherwise, regular meetings of the Board shall be held every other month. In the event the meeting day shall fall on a holiday, the meeting will occur on the following day. Any regularly scheduled meeting may be canceled for lack of a quorum.

Section 3. Special Meetings

Special meetings of the Board may be called by the Chairperson, by the Vice Chairperson in the absence of the Chairperson, by the Executive Director, by any three members of the board, or by the City Council by giving twenty four hours notice of the meeting stating the purpose of the meeting and by posting the notice eighteen hours prior to the meeting.

Section 4. Notice of Meeting

All meetings shall be preceded by public notice posted in accordance with the Open Meetings Act (Act 267 of the Public Acts of 1976, as amended). Notice to the members of the Board and to the public shall be the responsibility of the Secretary.

Section 5. Agenda

The Chairperson may direct the Executive Director to prepare the agendas for all meetings and send them to the Authority members at least twenty-four hours prior to a meeting. Any member of the Authority may request any item to be placed upon the agenda.

Section 6. Quorum and Voting

A majority of the members of the board in office shall constitute a quorum for the transaction of business. A vote of seven members shall constitute the action of the board unless the vote of a larger number is required by statute or elsewhere in these bylaws. In the event that effective membership is reduced because of disclosure of interest (Article II, Section 7), a majority of the remaining members eligible to vote shall constitute the action of the board.

Section 7. Rules of Order

Robert's Rules of Order will govern the conduct of all meetings.

ARTICLE V

EMPLOYMENT OF PERSONNEL

Section 1. Executive Director

The board may employ and fix the compensation of a director, subject to the approval of the City Council. The director shall serve at the pleasure of the board. A member of the board is not eligible to hold the position of director. Before entering upon the duties of his or her office, the director shall take and subscribe to the constitutional oath, and furnish bond, by posting a bond in the penal sum determined in the ordinance establishing the Authority, payable to the Authority for use and benefit of the Authority, approved by the board, and filed with the City Clerk. The premium on the bond shall be deemed an operating expense of the Authority, payable from funds available to the Authority for expenses and operation. The director shall be the chief executive officer of the Authority. Subject to the approval of the board, the director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the Authority in the manner authorized by the Act. The director shall attend the meetings of the board and shall render to the board and to the City Council a regular report covering the activity and financial condition of the Authority. If the director is absent or disabled, the board may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of his office, the acting director shall take and subscribe to the oath, and furnish, bonds as required of the director. The director shall furnish the board with information or reports governing the operation of the Authority as the board requires.

Section 2. Treasurer

If a board member has not been appointed Treasurer, the board may employ and fix the compensation of a Treasurer whose duties shall be as set forth in Section 6 of Article III hereof.

Section 3. Secretary

If a board member has not been appointed Secretary, the board may employ and fix the compensation of a Secretary whose duties shall be as set forth in Section 7 of Article III hereof.

Section 4. Legal Counsel

The board may retain legal counsel to advise the board in the proper performance of its duties. The legal counsel shall represent the Authority in actions brought by or against the Authority.

Section 5. Other Personnel

The board may employ other personnel deemed necessary by the board.

ARTICLE VI

COMMITTEES AND ADVISORY BOARDS

Section 1. Committees

The board by resolution may designate and appoint one or more committees to advise the board, and will also evaluate, reappoint, or dissolve such committees. The committee

members shall be members of the Authority. The Chairperson of the Authority shall appoint the members and select the chairperson. The committees may be terminated by a vote of the Authority. A majority of the committee will constitute a quorum. A majority of the members present at a meeting at which a quorum is present shall be the act of the committee. Such committees shall be subject to the Open Meetings Act (Act 267 of the Public Acts of 1976, as amended).

Section 2. Advisory Boards

The board may by resolution authorize the establishment of advisory boards to the Authority. The Chairperson shall select with the advice and consent of the Authority members the members of each advisory board. The advisory board shall elect their own officers and establish rules governing their action. Depending on the nature of such boards, they may be subject to the Open Meetings Act (Act 267 of the Public Acts of 1976, as amended).

ARTICLE VII CONTRACTS AND FUNDS

Section 1. Contracts

The board may authorize the Executive Director or an agent or agents of the Authority to enter into any contract or execute and deliver any instrument on behalf of the Authority within the limits authorized by the Act. The authorization may be general or confined to specific instances.

Section 2. Funds

All checks, drafts, or orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Authority shall be signed by two of the four signers approved by the board. One other member of the board may be authorized to execute documents in the absence of the Treasurer, the Executive Director, or the Chairperson. All funds of the Authority shall be placed in such banks, trust companies, or other depositories as selected by the board.

Section 3. Contributions or Gifts

The board may accept on behalf of the Authority any contribution, gift, request, or device for the general purposes or for any special purpose of the Authority.

ARTICLE VIII BOOKS AND RECORDS

Section 1. Books and Records

The Authority shall keep correct and complete records of books and accounts and minutes of the meetings. The records shall be kept at the principal office of the Authority which will have a record of the names and addresses of the members of the Authority. All books and records of the Authority shall be open to the public. An annual audit by an independent certified public accountant will be conducted. Such records shall be maintained in accordance with the retention schedules established by the Michigan Department of Technology, Management, and Budget.

Section 2. Fiscal Year

The fiscal year of the Authority shall at all times conform to the fiscal year of the City of Saginaw.

ARTICLE IX
AMENDMENT TO RULES

These rules may be altered, amended, or repealed, and new rules adopted by a majority of the members present at any regular meeting.

Adoption & Amendments:

- Adopted October 22, 1981
- Amended August 18, 1987
- Amended 1993 (Article I, Section 2), Approved by City Council October 25, 1993
- Amended November 13, 1996 (Article II, Section 2; Article IV, Section 6)
- Amended January 9, 1998 (Article IV Section 2), Approved by Council February 9, 1998
- Amended April 14, 2000 (Article II, Section 2; Article II, Section 8; Article IV, Section 4), Approved by City Council on September 11, 2000

From: Tim Morales, City Manager
Subject: Kay Communication – Blanket Purchase Order
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that a blanket purchase order be issued to Kay Communications of Saginaw, MI, a sole source provider, in the amount of \$10,000 for in-car camera repairs and replacements for Saginaw Police Department patrol vehicles for fiscal year 2018.

Justification:

The SPD patrol vehicles are equipped with in-car cameras that need service and repair, oftentimes unexpectedly. These cameras are a vital component of our officers' policing efforts and it is important that they are in working order and down time is limited when being serviced.

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in the Drug Forfeiture Fund's Repairs & Replacements Account No. 264-3040-974.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: PM AM Corporation Software License
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

I recommend the City Council approve the Agreement for a Professional Services Contract between the City of Saginaw Police Department ("Licensee") and the PM AM Corporation ("PM AM"). This Agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor or his designee be authorized to sign the agreement.

Justification:

PM AM offers a software application service via the internet or other data connection and referred to as Human Capital Management ("HCM"). HCM is used to manage Licensee's workforce. It allows for managing knowledge integration, distributing and tracking policy changes, and includes a broad assortment of tools used for training, testing and assessment of internal talent at SPD. New and modified policy and procedures can be done using the software in a simplified and time-efficient process. Sworn personnel will be able to access, review, and digitally comply with all new and updated policy and procedures.

Initial term of the license will begin on June 15, 2017 and expire on June 14, 2022. A service fee of \$7,875.00 is to be paid in one installment using ELERV (Enhance Law Enforcement Response to Victims) grant funds allocated in Account No. 267-3341-801.000. The ELERV initiative is part of a national strategy for creating comprehensive cultural transformation within the law enforcement community in the U.S., helping move forward a philosophy and practice of enhanced victim response.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Quarterly Elevator Inspection Services – Facilities Division
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that the low bid from Otis Elevator, Saginaw MI be accepted and a purchase order be issued in the amount of \$2,400 for Quarterly Elevator Inspection Services for FY 2018. I also recommend, pending approval of the FY 2019 and 2020 budgets, to accept the bid from Otis Elevator for the same services for FY 2019 and FY 2020.

Justification:

On April 18, 2017, four (4) bids were received for the Quarterly Elevator Inspection Services at various City properties. The State of Michigan requires that all elevators be inspected on a quarterly basis.. The City properties that will receive these inspections include City Hall, Public Services, Police Department, City Parking Ramps No. 2 and No. 3. The Facilities Division provides the oversight for these services.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Otis Elevator. Saginaw, MI	FY18 \$ 2,400
	FY19 \$ 2,400
	FY20 <u>\$ 2,400</u>
	Total \$ 7,200
Great Lakes Elevator. Williamston, MI	FY18 \$ 3,000
	FY19 \$ 3,000
	FY20 <u>\$ 3,000</u>
	Total \$ 9,000
Kone, Inc. Grand Rapids, MI	FY18 \$ 5,480
	FY19 \$ 5,480
	FY20 <u>\$ 5,480</u>
	Total \$16,440
Thyssenkrupp Elevator Grand Rapids, MI	FY18 \$ 9,144
	FY19 \$ 9,412
	FY20 <u>\$ 9,696</u>
	Total \$28,252

Otis Elevator meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the General Fund – Department of Public Services – Facilities Division's, Operating Services Account No. 101-7575-805.000 (\$480); Community Public Safety - Police, Police Building Management Division's Operating Services Account No. 101-3514-805.000 (\$480); General Fund – Parking Operation's, Operating Services Account No. 101-3868-805.000 (\$960), Public Works Building Fund – Operating Services Account No. 641-4439-805.000 (\$480) and pending approval, \$2,400 will be budgeted in the same amounts and account numbers for FY 2019 and 2020.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Annual Portable Toilet Services – Parks Division
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that the low bid from City Sewer Cleaners, Carrollton, MI be accepted and a purchase order issued to them in the amount of \$4,600 for eight (8) annual Portable Toilet rentals and services for FY 2018. I also recommend, pending approval of the FY 2019 and 2020 budgets, to accept the bid from City Sewer Cleaners for the same services for FY 2019 and 2020.

Justification:

On April 18, 2017, two (2) bids were received for the annual portable toilet rental and services to be located at various City properties. This service requires that portable toilets be set out at designated City properties from May 1st thru October 31st. The services also requires the toilets be cleaned and restocked twice per week. The City properties that will receive these eight (8) portable toilets include Bliss Park, Celebration Square Splash Park, Crayola Park, Deindorfer Park, Lee Street Boat Launch, Garber Tennis Court, Ojibway Island and Fordney Park. The Parks Division provides the oversight for these services of various City properties annually May through October during City Park open operational months.

The following is a tabulation of the bids received as follows:

<u>Vendor</u>	<u>Cost</u>
City Sewer Cleaners	FY18 \$ 4,600
Carrollton, MI	FY19 \$ 4,600
	FY20 <u>\$ 4,600</u>
	Total \$13,800
Jonnie on the Spot Company	FY18 \$ 5,985
Saginaw, MI (In City)	FY19 \$ 5,985
	FY20 <u>\$ 5,985</u>
	Total \$17,955

City Sewer Cleaners meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for these services are budgeted in the General Fund - Department of Public Services – Parks Division's, Operating Services Account No. 101-7570-805.000 (\$3,250), Boat Launch Operation Fund, Operating Services Account No. 239-7546-805.000 (\$810), Celebration Park Fund, Operating Services Account No. 508-7580-805.000 (\$540) and pending approval, will be budgeted in the same amounts and account numbers for FY 2019 and 2020.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Ratification of Emergency Purchase–Overhead Doors Replacement
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend ratification for emergency purchase order No. 501221 that was issued to Overhead Door, Saginaw, Michigan, on May 26, 2017, and that payment in the amount of \$11,685 be made to them for the purchase and replacement of three overhead doors in the Public Services Building.

Justification:

Recently, quotes were received from three local overhead door vendors for emergency replacement of three of the forty-two (42) overhead doors at the Public Works Building.

Currently there are three (3) of the overhead doors that are not working in the Public Works Building, the main entrance, main exit overhead doors and the north secondary exit overhead door. All three of these doors have had numerous repairs done to them and are constantly malfunctioning to the point where they are so unpredictable as to when they might fail and possibly cause injury or damage. Other than repairs or replacements made to them, these doors are the original doors installed with the building back in the early 1970's. Most recently, the main overhead door came down on top of a truck and trailer damaging the lower panels beyond repair. Facilities Division no longer has any panels in stock to repair the doors and the brake devices aren't holding as they should. All these doors have become a safety liability and need to be replaced. The City of Saginaw requested quotes from three Overhead Door Contractors. Overhead Door submitted the lowest quote and could replace the doors in the shortest amount of time.

The following is a tabulation of the quotes received:

<u>Vendor</u>	<u>Cost</u>
Overhead Door Saginaw, MI (In City)	\$11,685.00
Triple D Doors Hemlock, MI	\$12,721.80
Delta Door Sales, Inc. Saginaw, MI	\$18,660.00

Overhead Door meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in the Public Works Building Fund's Repairs and Replacement Account Number 641-4439-974.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

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

Manager's Recommendation:

I recommend approval of the Ojibway Island User Agreement between the City of Saginaw and the Rock The Island Committee. The Agreement is approved by me as to substance and the City Attorney as to form.

Justification:

On July 21 & 22, 2017, the Committee will host its annual Rock The Island event on Ojibway Island. Committee will pay the City for each day a flat fee of \$700 for the rental of Ojibway, due and payable 14 days before the event. The parties have further agreed that Committee will pay the City a flat service fee of \$1,000 based on ticket sales for the event. Payment for this fee must be remitted to the City within fourteen (14) days after the event.

Committee 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.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: Ratification of Emergency Passenger Elevator Repair

Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend ratification of emergency purchase order 501072 issued on May 8, 2017, to Kone, Inc. of Grand Rapids, MI, in the amount of \$2,400.00 for repair of the passenger elevator located at the Water Treatment Division.

Justification:

On April 19, 2017, we received a quote in the amount of \$2,400.00 from Kone for the repair of the passenger elevator. The Water Treatment Plant has a passenger elevator that provides access to the second floor of the administrative wing and the classroom, which is used by various departments. The seal on the elevator shaft had failed and repair was required for use of the elevator. Annual inspection of elevators is required by the State of Michigan. Kone Inc. currently provides this service.

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in the Water Operations and Maintenance Fund, Treatment and Pumping Division's General Repairs Account No. 591-4730-930.000 for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Calcium Oxide (Quicklime) Purchase, Joint Bid
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the bid from Carmeuse Lime & Stone of River Rouge, MI be accepted and that purchase orders be approved and issued to them in the amounts of \$40,374.00 for the purchase of 300 tons of Calcium Oxide (Quicklime) for the Water Treatment Division (WTD) and \$215,328.00 for the purchase of 1,600 tons of Calcium Oxide (Quicklime) for the Wastewater Treatment Division (WWTD) for Fiscal Year 2018.

Justification:

Lime is used in the treatment of both water and wastewater for pH control and for bio-solids stabilization. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 24, 2017 sealed bids were opened. Carmeuse Lime and Stone was the sole bidder. The bid of \$134.58 per ton is a 7% decrease for WTD from fiscal year 2017 and remains the same for the WWTD from Fiscal Year 2017.

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division's Chemicals Account No. 591-4730-727.000 (\$40,374.00); and in the Sewer Operations and Maintenance Fund, Treatment & Pumping Division's Chemicals Account No. 590-4830-727.000 (\$215,328.00) for Fiscal Year 2018.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Biosolids Land Application
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid for biosolids land application services from Michigan Agribusiness Solutions for the Wastewater Treatment Division be approved and that a purchase order be issued to them in an amount not to exceed \$666,250.00 for Fiscal Year 2018. I also recommend, pending approval of the budget for Fiscal Year 2019, acceptance of their not to exceed bid of \$715,450.00 and, pending approval of the budget for Fiscal Year 2020, acceptance of their not to exceed bid of \$746,200.00.

Justification:

On March 28, 2017, the City received bids for the removal and land application of the Wastewater Treatment Division's biosolids for the next three years.

Biosolids are the residual materials removed from the wastewater during the treatment process and, after treatment and stabilization, are recycled as farm fertilizer. It is estimated that the process of land application will recycle 20.5 million gallons of biosolids each year. The FY2018 bid represents a 8.3% increase over the FY2017 annual cost. Increases in FY2019 and FY2020 are 7.3% and 4.2% respectively. Following is a tabulation of the bids received:

Michigan Agribusiness Solutions Saginaw, MI	FY2018	\$666,250.00 (\$0.0325/gallon)
	FY2019	\$715,450.00 (\$0.0349/gallon)
	FY2020	\$746,200.00 (\$0.0364/gallon)
Biotech Agronomics Beulah, MI	FY2018	\$809,750.00 (\$0.0395/gallon)
	FY2019	\$824,100.00 (\$0.0402/gallon)
	FY2020	\$840,500.00 (\$0.0410/gallon)
Midwest Injection Inc. Cascade, IA	FY2018	\$1,014,750.00(\$0.0495/gallon)
	FY2019	\$1,014,750.00(\$0.0495/gallon)
	FY2020	\$1,014,750.00(\$0.0495/gallon)

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Operating Services Account No. 590-4830-805.000

for Fiscal Year 2018 and will be budgeted in the same account for Fiscal Year's 2019 and 2020, pending City Council approval.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Chlorine Purchase, Joint Bid
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Jones Chemical Corporation of Riverview, MI be accepted and a purchase order be issued to them in the amount of \$16,740.00 for the purchase of sixty tons of chlorine for the Wastewater Treatment Division for Fiscal Year 2018.

Justification:

Chlorine is used at the Wastewater Treatment Plant for disinfection of treated water prior to its discharge to the Saginaw River. The Saginaw-Midland Municipal Water Supply Corporation jointly specifies and competitively bids chlorine for its annual needs and for the requirements of several other communities, including the City of Saginaw. The Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation, at their regular meeting on April 20, 2017, moved to approve the low bid from Jones Chemical as the exclusive supplier of chlorine for the Corporation for Fiscal Year 2018 at a firm price of \$279.00 per ton of liquid chlorine. As a member of the bidding consortium, the City of Saginaw is also afforded this price for Fiscal Year 2018. This cost represents a 2.8% decrease from the Fiscal Year 2017 cost.

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Chemicals Account No. 590-4830-727.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Wastewater Composite Samplers
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Endress + Hauser, Inc. of Greenwood, IN, a sole source, be accepted and a purchase order be issued to them in the amount of \$8,819.94 to supply two Wastewater Composite Samplers for use at the Remote Facilities Division.

Justification:

Each of the City of Saginaw's seven Retention and Treatment Facilities has two automatic composite samplers, one to sample the incoming flow and one to sample the flow before discharge to the Saginaw River. The composite samples are analyzed following each discharge to verify compliance with Michigan Department of Environmental Quality requirements. During the month of April two of these samplers failed. Since the 1970's, we have used Sigma samplers. Hach recently purchased Sigma and when we tried to order a control board the cost, which used to be about \$800, is \$3,648 from Hach. The cost for a new sampler from Hach is \$6,146. Wastewater staff identified a sampler built by Edress + Hauser that we believe will work just as well. On May 17, 2017, we received a quote from Endress + Hauser, Inc. in the amount of \$8,819.94 to replace the two failed composite samplers. Endress + Hauser is the manufacturer of this equipment and the sole source.

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund, Remote Facilities Division's Repairs and Replacements Account No. 590-4835-974.000 for FY2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: Participation Agreement Form for Regional Consumer Confidence Report

Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend that the participation agreement form utilized by the City to recoup costs related to production of the annual regional "Consumer Confidence Report" (CCR) be approved. The agreement form has been approved by me as to substance and the City Attorney as to form. It is also recommended that City Council authorize the City Manager or his designee to execute all related documents annually or as needed, as long as the format and content of the agreement form is not changed.

Justification:

Previously the agreement forms were approved at the same time the consulting agreement was approved, however, by utilizing the engineering services blanket, the agreement forms now require separate approval.

The 1996 Amendments to the Safe Drinking Water Act require all water systems to provide water consumers information about their drinking water and opportunities to get involved in protecting their source water, pursuant to a CCR. All community water systems are required to prepare and provide their customers with an annual water quality report or CCR. This report will be the nineteenth CCR that has been distributed to City of Saginaw Water customers.

More than 10 years ago, the District Engineer for the Michigan Department of Environmental Quality recommended the use of a regional approach to the report. This report will mark the fourteenth year that the City has successfully used this approach to disseminate information to all of its customers by distributing the Saginaw Regional Water Quality Report/CCR. Specifically, this approach reduces the expense of production of the report, mailing costs and City staff time. The individual communities sign participation agreement forms and reimburse the City for their share of the costs.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Blanket Purchase Orders for FY2018
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that a purchase order be issued to each of the vendors listed below for the purchase of various parts and supplies and services that will be needed to operate and maintain the Wastewater Treatment and Remote Facilities Divisions for 2018 Fiscal Year 2018.

Justification:

Time and experience have shown that certain vendors reliably provide the lowest price on certain parts and supplies. These include; pump packing, bearings, nuts and bolts, piping, safety supplies, welding supplies, cleaning supplies, laboratory supplies, etc. Wastewater personnel always have and will continue to solicit quotes for items purchased, to insure that we obtain the lowest possible price. Issuing individual purchase orders is costly and administratively time consuming; therefore, we are requesting authorization to issue blanket purchase orders as follows:

MSC Industrial Livonia, MI	\$3,000.00
Motion Industries Saginaw, MI	\$3,500.00
The Macomb Group Sterling Heights, MI	\$8,000.00
Grainger Lincolnshire, IL	\$6,000.00
Applied Industrial Saginaw, MI	\$6,000.00
Standard Electric Saginaw, MI	\$7,000.00
Alro Steel Saginaw, MI	\$4,000.00
McMaster Carr Aurora, OH	\$3,000.00
Lansing Supply Lansing, MI	\$5,000.00

AirGas Great Lakes Saginaw, MI	\$4,500.00
Safety Services Inc. Kalamazoo, MI	\$3,400.00
Fastenal Saginaw, MI	\$3,150.00
McNaughton McKay Saginaw, MI	\$4,000.00
Nalco Saginaw, MI	\$3,000.00
Thomas Scientific Swedesboro, NJ	\$8,000.00
Fisher Scientific Hanover Park, IL	\$5,000.00
Home Depot Saginaw, MI	\$2,900.00
Tommark Inc. Saginaw, MI	\$2,900.00

These vendors meet all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for these purchases have been budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Laboratory Supplies Account No. 590-4830-734.000 (\$13,000.00), Cleaning Supplies Acct. No. 590-4830-735.000 (\$5,000.00), Parts and Supplies Account No. 590-4830-742.00 (\$49,080.00) and Operating Services Account No. 590-4830-805.000 (\$3,000.00) and in the Sewer Operations and Maintenance Fund, Remote Facilities Division's Parts and Supplies Account No. 590-4835-742.000 (\$12,270.00) for Fiscal Year 2018.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Sodium Hypochlorite Purchase, Joint Bid
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from JCI Jones Chemicals, Inc. of Riverview, MI be accepted and that purchase orders be approved and issued to them in the amounts of \$59,500.00 for the purchase of 85,000 gallons of Sodium Hypochlorite for the Water Treatment Division and \$122,500.00 for the purchase of 175,000 gallons of Sodium Hypochlorite for the Remote Facilities Division for Fiscal Year 2018.

Justification:

Sodium Hypochlorite is used at both the Water Treatment Plant and the Remote Facilities for disinfection during the water treatment process. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 24, 2017, sealed bids were opened. The low bid of \$0.70 per gallon for the Water Treatment Division is a 9% decrease and \$0.70 per gallon for the Remote Facilities Division is a 9% decrease from Fiscal Year 2017. Following is a tabulation of the bids received:

	Water		Remote Facilities	
	<u>Per Gallon</u>	<u>Total Bid</u>	<u>Per Gallon</u>	<u>Total Bid</u>
JCI – Jones Chemical Inc. Riverview, MI	\$0.70	\$59,500.00	\$0.70	\$122,500.00
Olin Corp. Downers Grove IL.	\$0.73	\$62,050.00	\$0.75	\$131,250.00
PVS Nolwood Chemicals Detroit, MI	\$0.81	\$68,850.00	\$0.81	\$141,750.00
Alexander Chemical Co. Peru, IL	\$0.89	\$75,650.00	\$0.89	\$155,750.00

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division's Chemicals Account No. 591-4730-727.000

(\$59,500.00); and in the Sewer Operations and Maintenance Fund, Remote Facilities Chemicals Account No. 590-4835-727.000 (\$122,500.00) for Fiscal Year 2018.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Wetland Mitigation Agreement with Menards
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend approval of the Wetland Mitigation Agreement between Menards, Inc. of Eau Claire WI and the City of Saginaw. This agreement will ensure the proper construction and long-term management of the mitigation area as required by the Michigan Department of Environmental Quality (MDEQ). The contract has been approved by me as to substance and is subject to the City Attorney's review as to form.

Justification:

Menards, Inc. of Eau Claire Wisconsin plans to construct a 50,838 square feet Truss Plant Warehouse Facility at 2100 Veterans Memorial Parkway (M-13), on the old Nodular Iron General Motors Plant site. The construction of the Truss Plant Warehouse Facility will create 50 new jobs.

The proposed Truss Plant Warehouse Facility site is located directly north of Menard's existing Warehouse and Block Plant, located at 1808 Veterans Memorial Parkway. The proposed construction of the Truss Plant Warehouse Facility will impact 9.34 acres of wetland. To fulfill the requirements of Part 303, Wetlands Protection, of Michigan's National Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, Menards must create a new 11.2 acre wetland area, to offset the loss of the 9.34 acres of wetland on the proposed Truss Plant Warehouse Facility site.

To help facilitate the construction of the Truss Plant Warehouse on the Nodular Iron site, the City made a proposal to Menards that they use a part of Wickes Park as a possible site for the 11.2 acre wetland mitigation area. The proposed mitigation area is located in the southernmost section of Wickes Park, south of Wickes Park Drive between the Saginaw River and East Street (M-13). This part of Wickes Park is currently a mowed grass field that was at one time comprised of soccer fields and before that baseball fields. This site was proposed due to its close proximity to the impact site, proximity to the Saginaw River, and existing soil types which are ideal for a wetland habitat. Menards considered several potential wetland mitigation sites but chose the Wickes Park location for the same reasons.

This agreement will set the terms and conditions for the construction and long-term management of the wetland mitigation site.

Menards will be responsible for the construction, establishment, maintenance and repair of the Wetland Mitigation Area, per the Wetland Mitigation Plan and MDEQ permit

requirements, until the MDEQ provides final approval of the site. The City will be responsible for the maintenance and repair of the Wetland Mitigation Area after the MDEQ provides final approval. Final MDEQ approval is expected after five years. It is expected that the long term maintenance of the site will require a once a year site inspection that will include checking and making repairs to the water control pipes as necessary, removal of any trash and debris, the identification of any invasive plant species if their population exceeds ten percent of the total mitigation area, repair of any soil areas where erosion is visible, and the replacement of any Conservation Easement signs that are damaged or removed. Menards has agreed to place \$50,000 in an escrow account for the City in order to fund the long-term maintenance costs.

In addition, Menards has agreed to demolish two existing buildings in Wickes Park near the Wetland Mitigation Area that are no longer functioning and in disrepair, at no cost to the City. Menards has also agreed to construct a five feet wide pathway around and through the Wetland Mitigation Area that connects to two existing foot bridges over the King Drain. The City plans to add educational signing for a wetland interpretive trail in the future, as funding permits.

It is in the City's best interest to approve and execute the Wetland Mitigation Agreement to support economic development and job creation within the City of Saginaw, and to provide a wetland habitat in Wickes Park which will allow wetland vegetation and wildlife to flourish, improve water quality and provide storm and flood attenuation.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

ESTABLISHING AN INDUSTRIAL DEVELOPMENT DISTRICT AT 2100 VETERANS MEMORIAL PARKWAY

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

WHEREAS: pursuant to Public Act 198 of 1974, as amended, City Council has the authority to establish "Industrial Development Districts" within the City of Saginaw; and

WHEREAS: the City Council of the City of Saginaw on its own initiative seeks to establish an Industrial Development District on property located within the City of Saginaw boundaries; and

WHEREAS: construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS: written notice was given by mail to all owners of real property located within the proposed Industrial Development District, and public posting of the hearing on the establishment of the proposed district; and

WHEREAS: on June 5, 2017, a public hearing was held at which all owners of the real property within the proposed Industrial Development District and all residents and taxpayers of the City of Saginaw were afforded an opportunity to be heard thereon; and

WHEREAS: the Saginaw City Council deems it to be in the public interest of the City of Saginaw to establish the Industrial Development District as proposed.

NOW, THEREFORE, BE IT RESOLVED, that City Council of the City of Saginaw hereby establishes an Industrial Development District pursuant to Act 198, P.A. of 1974, as amended, and that the following described parcel of land situated in the City of Saginaw, County of Saginaw, State of Michigan, to wit:

2100 VETERANS MEMORIAL PARKWAY
PARCEL NUMBER: 21 4333 00000

A parcel of land in the W ½ Section 8, T12N, R5E, City of Saginaw, Saginaw, County, Michigan, described as follows; Beginning at a point on the North-South 1/4 line of said section which is S 00Deg00'00" W. 2338.06 feet from the North ¼ corner of said section, thence continuing S 00Deg00'00" W on said North-South ¼ line, 625.22 feet to the Northerly line of the Central Michigan Railroad (formerly C & O Railroad). Thence S 40Deg53'30" W on said Northerly line, 226.19 ft to the point of curvature of a 2831.93 foot radius curve to the right, thence Southwesterly, continuing on said Northerly line, on the arc of said curve, 1352.50 feet, said arc being subtended by a chord bearing and distance of S 54Deg34'25" W 1339.69 feet to a point of tangency, thence S 68Deg15'20" W, continuing on said Northerly line, 127.82 feet, thence N 00Deg03'00" W, continuing on said Northerly line, 17.76 feet, thence S 68Deg15'20" W, continuing on said Northerly line, 29.74 feet to the Easterly line of Highway M-13 (also called Veteran's Memorial Highway), thence N 00Deg30'05" E on said Easterly line, 1430.88 feet to the point of curvature of a 2764.79 foot radius curve, 188.45 feet, said arc being subtended by a chord bearing and distance of N 02Deg27'15" E 188.42 feet, thence S 89Deg45'40" E 1365.52 feet to the point of beginning.

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 June 5, 2017; 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, CMMC/CMC/MMC
City Clerk

From: Brownfield Redevelopment Authority
Subject: Brownfield Plan Approval for Menards Redevelopment Project
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

It is recommended that City Council adopt the resolution approving the Brownfield Plan for the Menards Redevelopment Project, located at 2100 Veterans Memorial Parkway. Furthermore, City Council authorizes the Mayor and/or his designee to sign all necessary and related documents.

Justification:

On May 24, 2017, the Brownfield Redevelopment Authority approved the Brownfield Plan for Menards Redevelopment Project. The project consists of the redevelopment of the subject property, which is located at 2100 Veterans Memorial Parkway, Saginaw, MI. This project will include necessary environmental response activities and the new construction of an approximately 50,838 square foot commercial building, rail dock, and rail spurs, as well as paving, utility and storm water improvements.

The Brownfield Plan has been created for the purpose of facilitating the redevelopment of the property and to allow for Tax Increment Financing (TIF) incentives to be received through the Brownfield Redevelopment Act.

The original Brownfield Plan was adopted by City Council on May 17, 1999, in compliance with Public Act 381 of 1996. The purpose of Brownfield legislation is to assist in the development of vacant and/or underutilized sites. Public Act 381 of 1996 requires that City Council approves the plan and adopts a resolution after a duly advertised public hearing. The public hearing on the proposed plan is also on the council agenda for this meeting.

Council Action:

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

A RESOLUTION TO AMEND THE BROWNFIELD PLAN FOR THE CITY OF SAGINAW, MICHIGAN TO INCLUDE THE MENARDS REDEVELOPMENT PROJECT, LOCATED AT 2100 VETERANS MEMORIAL PARKWAY, IN COMPLIANCE WITH THE PROVISIONS OF PUBLIC ACT 381 OF 1996

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

WHEREAS, the Saginaw City Council approved a resolution on September 29, 1997, creating a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone; and

WHEREAS, the Saginaw City Council approved a resolution on May 17, 1999, adopting a development plan for the Brownfield Redevelopment Zone which complies with the provisions of Public Act 381 of 1996, as amended; and

WHEREAS, on May 24, 2017 the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Project No 2017-01 – Menards – Redevelopment Project, which complies with the provisions of Public Act 381 of 1996, as amended; and

WHEREAS, a public hearing notice on the proposed amendment was published in The Saginaw News and all taxing jurisdictions were notified of the hearing on the plan amendments; and

WHEREAS, the amended Brownfield Plan constitutes a public purpose and eligible activities provided in the amended plan are feasible and the cost of the eligible activities is reasonable to carry out the purpose of the Act,

NOW, THEREFORE, BE IT RESOLVED, that the Saginaw City Council does hereby approve the amendment to the Development Plan for the City of Saginaw Brownfield Redevelopment Zone to include Brownfield Plan Project No. 2017-01, Menards – Redevelopment Project.

BE IT FURTHER RESOLVED that the Saginaw City Council authorizes the Mayor and/or his designee to sign all necessary documents.

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 June 5, 2017; 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, CMMC/CMC/MMC
City Clerk