

Council Agenda

June 22, 2015 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Official oath of office of Julian Guevara and Megan Gwizdala to the Saginaw Police Department.

PUBLIC HEARINGS:

1. Request for an Obsolete Property Rehabilitation Certificate at 3430 State Street.

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Andre Borrello, City Attorney, presentation on Parliamentary procedures.

CONSENT AGENDA:

1. Approve the minutes from the June 8, 2015 regular Council meeting.
2. Approve Petition 15-09 from Pulse 3 Foundation to erect banner located at Court Street from August 18 through September 13, 2015 to promote "Run for Your Heart" Race.
3. Approve Petition 15-11 from Saginaw Area Fireworks Committee to display fireworks at the north end of Ojibway Island on Saturday, July 4, 2015 at 10:15 p.m., or as an alternate rain date, on Sunday, July 5, 2015 at 10:15 p.m.
4. Approve the amendments to the FY 2015 Approved Budget to recognize any changes that have occurred during the 4th quarter.
5. Approve a purchase order to Homeland Title Services for \$12,000 for title services associated with the Community Development Block Grant.
6. Approve the grant agreements with the Michigan State Housing Development Authority for Michigan NSP2 Consortium Program Income Grant funds in the amount of \$250,000.

Council Agenda

June 22, 2015 6:30 p.m.

Council Chamber

7. Approve the write off on the balance sheet of seven residential rehabilitation loan accounts deemed uncollectible for a total amount of \$76,919.81.
8. Approve the HOME Grant Agreement from the Department of Housing and Urban Development for FY 2016 for the HOME Investment Partnership Program for \$309,647.
9. Approve the HOME Subrecipient Contracts for FY 2016 for operating expenses and various rehabilitation activities in the amount of \$309,647.
10. Approve the Emergency Solutions Grant Agreement from the Department of Housing and Urban Development for FY 2016 in the amount of \$183,511.
11. Approve the Emergency Solutions Grant Subrecipient Contracts for FY 2016 to four organizations providing shelters and transitional housing for the homeless in the amount of \$183,511.
12. Approve the Community Development Block Grant Agreement from the Department of Housing and Urban Development for FY 2016 for \$2,421,735.
13. Approve the Community Development Block Grant Subrecipient Contracts and Memorandums of Understanding for FY 2016 with various organizations for housing, economic development, public improvements, and public service activities in the amount of \$2,421,735.
14. Approve the Claims Service Contract with Alternative Service Concepts as the City's third party administrator for insurance claims from July 1, 2015 through June 30, 2017.
15. Approve the Insurance Renewal with Saginaw Bay Underwriters for the City's General Liability, Automobile Liability, Michigan No Fault, Law Enforcement Liability, and Public Officials Liability for a total cost of \$400,353.
16. Approve a purchase order to Yeo & Yeo Consulting, LLC for \$12,156.72 for renewal of the City's VMware license fees to operate the computer servers of the City.
17. Approve the Workers Compensation Insurance Renewal with Safety National Casualty Company for the term of July 1, 2015 through June 30, 2016.
18. Approve the Investment Advisory Services Agreement with Retirement Plan Advisors to assist with employee education, employee enrollments and individual investment advisory services.
19. Approve the Services Agreement with Health Decisions, Inc. for \$8,000 for the required services to comply with the Patient Protection and Affordable Care Act.

Council Agenda

June 22, 2015 6:30 p.m.

Council Chamber

20. Approve a blanket purchase order to Kay Communications, a sole source, for \$6,000 for in-car camera repairs and replacements for Police Department patrol vehicles.
21. Approve a purchase order to Louis T. Ollesheimer & Son for \$5,500 for the purchase and application of roof sealer at the Police Department.
22. Approve a purchase order to Maaco Collision Repair for \$2,917.75 to repair damage sustained to Police Patrol Interceptor No. 90-1153.
23. Approve the Memorandum of Agreement with Smart Planet Software to provide internet based service that allows the electronic transmission of photos and information for all transactions between the City and licensed Pawnbrokers, Precious Items Dealers and Secondhand Merchants.
24. Approve a purchase order to Louis T. Ollesheimer & Son for \$9,350 for the purchase of roof coating materials to be used at the Public Works Building.
25. Approve the Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act permit extension issued to McCleod USA Norlight, LLC for an additional five-year term to end on May 2, 2020.
26. Approve ratification for emergency purchase order no. 496610 to F.P. Horak for \$15,786.50 for the printing, handling and postage for the 2014 Annual Consumer Confidence Report for the Water Treatment Division.
27. Approve blanket purchase orders to the City's primary suppliers of parts and supplies for various amounts for the Wastewater Treatment Division for FY 2016.
28. Approve a purchase order to Alexander Chemical Corporation for \$20,940 for 60 tons of chlorine for the Wastewater Treatment Division for FY 2016.
29. Approve a purchase order to the Michigan Department of Environmental Quality for \$4,000 for laboratory analysis at the Water Treatment Plant for FY 2016.
30. Approve the Agreements with Oscar W. Larson Co. to provide Class A and Class B certification for underground storage tank operations at a cost of \$1,700 per site for the Water and Wastewater Treatment Divisions.
31. Approve a purchase order to Rightway Remediation, LLC for \$5,650 for removal of a boiler and insulation from piping at the Wastewater Treatment Division.
32. Approve a purchase order to Global Environmental Consulting for \$4,550.00 for FY 2016 to perform Whole Effluent Toxicity (WET) analysis for the Wastewater Treatment Division; and pending approval of the FY 2017 budget, approve the bid from Global Environmental Consulting for \$4,550 for the same services for FY 2017.
33. Approve a purchase order to Billy's Contracting in an amount not to exceed \$30,500 for the hauling of grit and screenings for the Wastewater Treatment Division for FY

Council Agenda

June 22, 2015 6:30 p.m.

Council Chamber

2016; and pending approval of the FY 2017 and FY 2018 budgets, approve the bids from Billy's Contracting in an amount not to exceed \$30,500 for FY 2017 and in an amount not to exceed \$31,750 for FY 2018 for the same services.

34. Approve the purchase order to PVS Technologies, Inc. for \$92,000 for 250 tons of Ferric Chloride for the Water Treatment Division for FY 2016.
35. Approve a purchase order to Jones Chemical in an amount not to exceed \$26,100 for 30 tons of sulfur dioxide for the Wastewater Treatment Division for FY 2016; and pending approval of the FY 2017 budget, approve the bid from Jones Chemical for an amount not to exceed \$26,200 for 30 tons of sulfur dioxide for FY 2017.
36. Approve separate purchase orders to JCI Jones Chemical, Inc. in the amount of \$43,520 for 68,000 gallons of Sodium Hypochlorite for the Water Treatment Division and for \$108,500 for 175,000 gallons of Sodium Hypochlorite for the Wastewater Treatment Division for FY 2016.
37. Approve a purchase order to Key Chemical, Inc. for \$91,869.96 for 182 tons of Hydrofluorosilicic Acid for the Water Treatment Division for FY 2016.
38. Approve a purchase order to Polydyne, Inc. for \$10,800 for 20,000 pounds of Liquid PolyDMDAAC for the Water Treatment Division for FY 2016.
39. Approve separate purchase orders to Carmeuse Lime and Stone in the amounts of \$50,603 for the purchase of 350 tons of Calcium Oxide for the Water Treatment Plant; and in the amount of \$215,328 for 1,600 tons of Calcium Oxide for the Wastewater Treatment Division for FY 2016.

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

1. Approval of the City Manager reappointment of Michael Smith to the Electrical Appeals Board with a term to expire December 31, 2018.
2. Approval of the Mayoral reappointment of Robert Coates to the Housing Board of Appeals with a term to expire December 31, 2016.
3. Approval of Council reappointment of Susanne Smokoska to the Human Planning Commission with a term to expire December 16, 2017.
4. Approval of Council reappointment of Diana Gutierrez to the Saginaw Transit Authority Regional Services with a term to expire May 21, 2018.
5. Approval of Council reappointment of Dennis Morrison to the Saginaw Transit Authority Regional Services with a term to expire September 26, 2018.

Council Agenda

June 22, 2015 6:30 p.m.
Council Chamber

6. Approval of Council reappointment of Edna Webb to the Zoning Board of Appeals with a term to expire June 9, 2018.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend §110.23, "Pawnbrokers," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City Of Saginaw Code of Ordinances, O-1.
2. An Ordinance to amend §110.25, "Secondhand Merchants," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1.
3. A new Ordinance to add §110.35, "Precious Items Dealers," of Chapter 110, "General Provisions," Of Title XI, "Business Regulations," of the City of Saginaw Code Of Ordinances, O-1.

RESOLUTIONS:

1. Adopt the Resolution authorizing an Obsolete Property Rehabilitation Certificate, located at 3430 State Street.
2. Adopt the Resolution authorizing changes to the City of Saginaw's Freedom of Information Act Policy.
3. Adopt the Resolution authorizing changes to the City of Saginaw's Investment Policy.
4. Adopt the Resolution authorizing changes to the fee schedule for various services provided by the Police Department and for notary services provided by the City.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

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.

CITY OF SAGINAW

NOTICE OF PUBLIC HEARING

In compliance with requirements of Act 146, P.A. 2000, the following notice is posted:

Notice is hereby given that the Saginaw City Council has scheduled a public hearing on the request for an Obsolete Property Rehabilitation Certificate for 3430 State Street.

The public hearing will be held Monday, June 22, 2015, at 6:30 p.m. in the Council Chamber of the City Hall, 1315 S. Washington Avenue, Saginaw, MI. The 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: _____
By: __jks_____

RECEIVED
CITY CLERK
CITY OF SAGINAW
JUN 02 2015

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility; (c) Description of the general nature and extent of the rehabilitation to be undertaken; (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility; (e) A time schedule for undertaking and completing the rehabilitation of the facility; (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

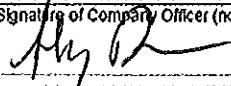
Applicant (Company) Name (applicant must be the OWNER of the facility) Foods LLC		
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 4135 Atwood Rd. Bridgeport MI 48722		
Location of obsolete facility (No. and street, City, State, ZIP Code) 3430 State St. Saginaw MI 48601		
City, Township, Village (indicate which) City		County Saginaw
Date of Commencement of Rehabilitation (mm/dd/yyyy) 07/8/2015	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 03/2016	School District where facility is located (include school code) Saginaw
Estimated Cost of Rehabilitation \$360k-\$450k	Number of years exemption requested 10 (ten)	Attach Legal description of Obsolete Property on separate sheet
Expected project likelihood (check all that apply): ☒ Increase Commercial activity ☒ Create employment ☐ Retain employment ☐ Prevent a loss of employment ☒ Revitalize urban areas ☐ Increase number of residents in the community in which the facility is situated		
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment 15-60		
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion. ☒		

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

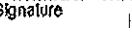
The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) Anthony Denha	Telephone Number 989-737-5125	Fax Number 312-265-4947
Mailing Address 4135 Atwood Rd. Bridgeport MI 48722		Email Address adenha9@yahoo.com
Signature of Company Officer (no authorized agents) 		Title Owner

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature 	Date application received 6.02.2015
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FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date: _____		
☐ Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)		
☐ Denied		
Date District Established	LUCI Code	School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

A statement that the local unit is a Qualified Local Governmental Unit. A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000. A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 109 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit. A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years. A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing. A statement that the applicant is not delinquent in any taxes related to the facility. If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit. A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.	A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000. A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District. A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district. A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in. A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(i) of Public Act 146 of 2000. A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.
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PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

Taxable Value		State Equalized Value (SEV)	
Building(s)			
Name of Governmental Unit	Date of Action on application	Date of Statement of Obsolescence	

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature	Date	
Clerk's Mailing Address	City	State	ZIP Code
	Telephone Number	Fax Number	Email Address

Mail completed application and attachments to: State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, Michigan 48909-7071

If you have any questions, call (517) 373-3272.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

Exhibit "A"

Situated in the City of Saginaw, County of Saginaw, and State of Michigan, described as:

Outlot "A", DAVENSIDE SUBDIVISION, excepting the East 427 feet thereof, according to the plat thereof recorded in Liber 8, Pages 35 and 36 of Plats, Saginaw County Records.

Together with that portion of vacated State Street described as the East 213.68 feet of the West 353.66 feet of the North 20 feet of State Street (60.00 feet wide, as shown in the plat of Davenside, as recorded in Liber 8 of Plats, Pages 35 and 36, Saginaw County records) lying between the East line of Warwick Street (platted as N. Court Street) and the West line of N. Morson Street, Section 15, Town 12 North, Range 4 East, Saginaw, Saginaw County, Michigan.

More particularly described as:

Part of Outlot "A" and part of vacated State Street of Davenside Subdivision, according to the plat thereof recorded in Liber 8, Pages 35 and 36 of Plats, Saginaw County Records, described as beginning at the Northwest corner of said Outlot "A"; thence the following two courses along the North line of Outlot "A": 1. South 87 degrees 39'50" East 292.00 feet; 2. South 89 degrees 07'30" East 61.28 feet; thence South 00 degrees 04'00" East 393.00 feet; thence North 89 degrees 07'30" West 213.70 feet; thence North 00 degrees 01'30" East 193.01 feet partially along the West line of Outlot "A"; thence the following two courses along the South and West line of Outlot "A": 1. North 89 degrees 07'30" West 140.00 feet; 2. North 00 degrees 01'30" East 207.44 feet (recorded as 208.28 feet) to the point of beginning.

Together with an easement for underground support footings as disclosed in Easement Agreement recorded in Liber 1773, Page 1628, Saginaw County Records.

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, JUNE 8, 2015, 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.

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Dan Fitzpatrick, Demond Tibbs, Larry Coulouris, Brenda Moore, Michael Balls, Floyd Kloc and Mayor Dennis Browning - 7. Council Member absent: Annie Boensch and Mayor Pro Tem Amos O'Neal - 2.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- The Waste Collection Convenience Station will be open Saturday, June 13, to City residents for disposal of items such as building materials.
- Revised ordinances have been distributed regarding §110.23 and §110.25 ordinance amendment introductions. The revisions pertain to the pistol length of 26 inches or less, as defined by the Penal Code, MCL 750.222.

PERSONAL APPEARANCES

The following personal appearances addressed City Council: John Milne, Brandon Hausbeck, William Giorgis, Patrice Boulware, Kevin Seamon, Carolyn Clayton, Tray Patterson and Debbie Melkonian.

Mayor Pro Tem O'Neal entered the meeting at 6:43 p.m.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Tibbs, Fitzpatrick, Kloc, Balls, Moore, Mayor Pro Tem O'Neal and Mayor Browning.

REPORTS FROM CITY MANAGER

Management Update

City Manager Tim Morales provided informational updates on meetings, projects and events.

City Manager Morales introduced Tom Begin, Consumers Energy Public Affairs Regional Manager. Mr. Begin presented an update on the 2015 "Light Up the City" initiative and the event dates. The campaign kick-off will be June 17 on Ojibway Island.

Council Member Coulouris left the meeting at 8:04 p.m. and returned at 8:11 p.m.

City Manager Morales introduced Police Chief Robert Ruth. Chief Ruth presented information regarding a new out-reach educational program called "The 4-1-1 on the FIVE-O" and a short video was viewed.

Consent Agenda

1. Approve the minutes from the May 18, 2015 regular Council meeting.

2. Approve Petition 15-08 for the Saginaw African Cultural Festival Committee to erect banners located at Court Street and East Genesee Avenue from July 15 through August 17, 2015 to promote the Saginaw African Cultural Festival Weekend.
3. Approve Petition 15-10 for the Light Up the City Committee to erect banners located at Court Street from June 20 through July 15, 2015 and at East Genesee Avenue from June 9 through July 15, 2015 to promote the Light Up the City Event.
4. Approve the Interlocal Agreement with Saginaw County for administration of the 2015 Byrne Justice Assistance Grant (JAG) for \$41,790.
5. Approve a FY 2016 budget adjustment to increase the Department of Justice - JAG 2015 revenue Account # 263-0000-501.030 from \$0 to \$41,790. This increase in revenue will be offset by an increase in the Department of Justice – JAG 2015 Division's Vehicles Account # 263-3334-982.000 by the same amount.
6. Approve a purchase order to Gerald Bergman for \$5,950 for the masonry column repair at the Police Department.
7. Approve a purchase order to O'Connor's Carpet One for \$3,375 for laminate flooring at the Police Department.
8. Approve the contract between the Saginaw Police Department, the Environmental Services Department, and Mike's Wrecker Service, Inc. for removal, impound, and storage of vehicles.
9. Approve a purchase order to Red Holman Buick GMC for \$45,343.15 for a 2015 GMC Yukon 4X4 SLT Utility vehicle for the Fire Department.
10. Approve the contract with American Excavating, Inc., for \$82,135 for the N. Hamilton Street Condominiums Water Main 300 & 400 Blocks.
11. Approve the contract with American Excavating, Inc. for \$241,738 for the Malleable Iron Sewer Separation.
12. Approve the Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act permit extension issued to Windstream Norlight, LLC for a five-year term to end on May 2, 2020.
13. Approve a purchase order to Spence Brothers for \$10,200 for the repair of the men's restroom in City Hall.
14. Approve a purchase order to Jay's Septic Service for \$1,340 for eight annual Portable Toilet Services for FY 2015; and pending approval of the FY 2016 and 2017 budgets, accept the bid from Jay's Septic Service for \$4,840 each year.
15. Adopt the Resolution to approve Cost Agreement #15-5220 with the Michigan Department of Transportation for rehabilitation work on the Genesee Street Bridge.

16. Approve the agreement with Saginaw School District to utilize playground equipment from closed school properties.
17. Approve the Resolution authorizing the use of amplifying equipment at the "Light Up the City" events on Ojibway Island on June 17, 2015 and August 12, 2015.
18. Approve the Resolution authorizing the use of amplifying equipment at the Akin/Dugan Family Reunion at Celebration Park on June 20, 2015.
19. Adopt the Resolution authorizing Temieka Shannon the use of amplifying equipment at the "Project Next Generation Restoration" event at Burt Street between S. 13th Street and S. 14th Street from June 24 through June 28, 2015.

Moved by Council Member Coulouris, seconded by Council Member Moore to approve consent agenda items 1 through 8, 10 through 13, and 15 through 19 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Tibbs, seconded by Council Member Fitzpatrick to approve consent agenda item 9 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Tibbs, seconded by Council Member Moore to approve consent agenda item 14 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

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

Moved by Council Member Kloc, seconded by Council Member Moore to approve the Mayoral reappointment of Michael Hanley to the Saginaw Economic Development Commission with a term to expire June 30, 2018. 8 ayes, 0 nays, 1 absent. Motion approved.

INTRODUCTION OF ORDINANCES

Moved by Council Member Moore, seconded by Council Member Fitzpatrick to introduce an ordinance to amend §110.23, "Pawnbrokers," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City Of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 1 absent. Motion approved. Mayor Browning announced that the ordinance will be laid over under Charter provision.

Moved by Council Member Moore, seconded by Council Member Fitzpatrick to introduce an ordinance to amend §110.25, "Secondhand Merchants," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 1 absent. Motion approved. Mayor Browning announced that the ordinance will be laid over under Charter provision.

Moved by Council Member Tibbs, seconded by Council Member Balls to introduce a new Ordinance to add §110.35, "Precious Items Dealers," of Chapter 110, "General Provisions," Of Title XI, "Business Regulations," of the City of Saginaw Code Of Ordinances, O-1. 8 ayes, 0 nays, 1 absent. Motion approved. Mayor Browning announced that the ordinance will be laid over under Charter provision.

CONSIDERATION AND PASSING OF ORDINANCES

Moved by Council Member Coulouris, seconded by Council Member Kloc to adopt an ordinance to amend Chapter 16, titled "Police Officers and Firefighters Retirement

System,” §16.03(B), §16.03(C), titled “Retirement System Continued,” and §16.04(A)(1), §16.04(A)(2)(c), §16.04(A)(2)(e), §16.04(A)(3), §16.04(C), §16.04(E)(1), §16.04(E)(2), §16.04(E)(3), and §16.04(E)(4), titled “Board of Trustees,” and §16.27(A), titled “Management of Funds,” in the City of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 1 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Fitzpatrick, seconded by Council Member Kloc to adopt the resolution supporting the 2015 “Light Up the City” initiative. 8 ayes, 0 nays, 1 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Moore, seconded by Council Member Kloc to adjourn the meeting at 8:46 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC
City Clerk

Petition for Banner

RECEIVED
CITY CLERK
CITY OF SAGINAW

JUN 01 2015

PLEASE NOTE: PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at not more than two (2) of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

- ☒ 500 Block of Court Street
- ☐ 200 Block of West Genesee
- ☐ 300 Block of South Michigan
- ☐ 1000 Block of East Genesee Avenue

RECEIVED
CITY CLERK
CITY OF SAGINAW

JUN 01 2015

For: Pulse3 Foundation
(Organization)

Advertise our Community Races
Purpose of Banner

MESSAGE ON BANNER Run for Your Heart Community Races

Saturday, September 12th, 2015 www.runforyourheart.org

Time Period Requested: 8/18/15 to 9/13/15
(Not to exceed 30 days)

PETITIONERS

Diane Fong

Stasi Schlenker

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME Stasi Schlenker PHONE 989-754-3368

ADDRESS: 1015 S. Washington, Saginaw, MI 48601

-----FOR OFFICE USE ONLY-----

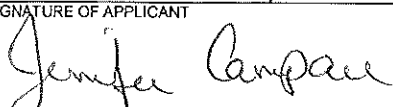
DATE APPROVED BY COUNCIL: _____

CITY CLERK

#15-09

2015

Application for Fireworks Other Than Consumer or Low Impact
 Michigan Department of Licensing & Regulatory Affairs
 Bureau of Fire Services
 P.O. Box 30700
 Lansing MI 48909
 (517) 241-8847

Authority: 2011 PA 256 Compliance: Voluntary Penalty: Permit will not be issued		The Department of Licensing & Regulatory Affairs 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 agency.	
☐ Agricultural or wildlife fireworks ☐ Special effects manufactured for outdoor pest control or agricultural purposes		☐ Articles Pyrotechnic ☒ Public Display ☐ Display Fireworks ☐ Private Display	
NAME OF APPLICANT Wolverine Fireworks Display, Inc.		ADDRESS 205 W. Seidlers Rd., Kawkawlin, MI 48631	
IF A CORPORATION, NAME OF PRESIDENT James Lambert		ADDRESS Same	
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT		TELEPHONE NUMBER 989-662-0121	
NAME OF PYROTECHNIC OPERATOR Joshua Carter		ADDRESS 6211 Swan Creek Rd., Saginaw, MI 48609	
NO. YEARS EXPERIENCE 15+		NO. DISPLAYS 50+	
NAME OF ASSISTANT Chris Ballosh		WHERE Throughout MI (Including Saginaw)	
NAME OF OTHER ASSISTANT Ted Kochan		ADDRESS 7298 Cole Rd., Saginaw, MI 48601	
EXACT LOCATION OF PROPOSED DISPLAY Ojibway Island and Holland Ave. Bridge, Saginaw, MI			
DATE OF PROPOSED DISPLAY 7/4/15 RD 7/5/15		TIME OF PROPOSED DISPLAY Dusk	
MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT Fireworks will be locked inside of a temporary type 4 storage magazine. Fireworks will arrive 6/27/15.			
AMOUNT OF BOND OR INSURANCE (To be set by local government) \$5,000,000		NAME OF BONDING CORPORATION OR INSURANCE COMPANY Professional Program Insurance Brokerage	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY 371 Bel Marin Keys Blvd., Suite 220, Novato, CA 94949			
NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED		
	See Proposal		
SIGNATURE OF APPLICANT 		DATE May 29, 2015	

RECEIVED
CITY CLERK
CITY OF SAGINAW

JUN 11 2015

Permit for Fireworks Other Than Consumer or Low Impact
Michigan Department of Licensing & Regulatory Affairs
Bureau of Fire Services
P.O. Box 30700
Lansing MI 48909
(517) 241-8847

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.

Issued by action of the Legislative Body of a

☐ City ☐ Village ☐ Township of _____ on the _____ day of _____

(Signature and Title of Legislative Body Representative)

RECEIVED
CITY CLERK
CITY OF SAGINAW

BFS 49b (Rev 11/14)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
2/9/2015

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 PROFESSIONAL PROGRAM INSURANCE BROKERAGE 371 BEL MARIN KEYS BLVD., SUITE 220 NOVATO CA, 94949-5662	CONTACT NAME: PHONE (A/C, No. Ext): (415) 475-4300 FAX (A/C, No): (415) 475-4303 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Lloyd's of London INSURER B: RLI Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Wolverine Fireworks Display, Inc. 205 W. Seidlers Road Kawkawlin, MI 48631	NAIC #

COVERAGES**CERTIFICATE NUMBER:****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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC			PY/15-0010	02/01/2015	02/01/2016	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMPI/OP AGG \$ 5,000,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☒ SCHEDULED AUTOS ☒ NON-OWNED AUTOS			SFT0029853	12/02/2014	12/02/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$	☐ OCCUR ☐ CLAIMS-MADE					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N ☐ N/A						WC STATUTORY LIMITS ☐ OTHER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

City of Saginaw and Saginaw Area Fireworks are Additional Insured as respects the 07/04/2015 (RD:07/05/2015) aerial fireworks display located at Ncrth end of Ojibway Island and Holland Avenue Bridge, Saginaw, MI. Project specific limit applies. Limit of 5,000,000 annual aggregate applies specifically to the City of Saginaw Fourth of July Show at Ojibway Island and Holland Avenue Bridge, Saginaw, MI on 07/04/2015. This policy extends coverage to the special event and its participants.

CERTIFICATE HOLDER**CANCELLATION**

Saginaw Area Fireworks
Jodi Ezop
PO Box 1923
Saginaw MI 48605

Copy from
Edelyn

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

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From: Timothy Morales, City Manager
Subject: 2014/2015 4th Quarter Budget Adjustment
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

It is recommended that the 2014/2015 Approved Budget for the listed funds be amended. This adjustment is required to recognize any errors, omissions, or changes that have occurred during the 4th quarter.

Justification:

The 2014/2015 annual budget will be adjusted in accordance with Public Act 2 of 1968, Uniform Budgeting and Accounting Act, the City Charter; and the approved 2015 Budget Resolution, which states that the City Manager must provide budget adjustments to City Council quarterly and/or as needed. As a result of the City Manager's 4th quarter analysis, the below-mentioned budget adjustments take into consideration any errors, omissions, or changes in the funding levels and expenditures approved by City Council as prescribed by the City Charter.

The General Fund (101) should be decreased from \$32,488,111 to \$32,424,085. This represents a net decrease of \$64,026. This reduction is represented by the following budgetary changes:

- In review of the 4th quarter financial information, the following revenues should be increased due to additional revenues being received: Reimbursements/Medicare (\$77,600) for prescription drug reimbursement for retirees, Penalties – City Clerk Office (\$17,868) for penalty fees on late business licenses, Smoke Detectors revenue (\$31,657), for the completed AFG Smoke Detector program, and Insurance Premium reimbursement (\$36,096). To offset these revenue increases will be a reduction in unrealized revenues: Parking Violations (-\$77,600), Anderson Loan (-\$10,000), as the city no longer receives these funds, Parking Lot Receipts (-\$35,000) due to a decline in parking customers in the downtown area, Building Permits (-\$9,560) and Plumbing Permits (-\$9,561) as a result of a decrease in the number of properties being inspected.
- In September, a budget adjustment was completed to increase the General Fund – FEMA Account No 101-0000-501.012 (\$64,026) and the Community Public Safety – Fire, Fire Training Division's Professional Services Account No 101-3552-801.000 (\$64,026) for the Fire Ground Survival Grant, which was a duplication of a previous budget adjustment. This amendment will correct this duplication by decreasing both revenue and expenditures by the same amount.

The Major Street Fund (202) should be increased from \$5,916,294 to \$5,963,741. This increase equates to a \$47,447 increase. This increase is largely due to higher than anticipated insurance claims and fleet charges. This increase in expenditures will be offset by an available appropriation of fund balance of (\$10,024) as well as higher than budgeted sidewalk permits (\$2,775), barricade permits (\$2,100), right of way permits (\$7,890) and materials and services (\$24,658).

The Local Street Fund (203) should be increased by \$8,629, from \$1,363,207 to \$1,371,836. This amendment reflects the unbudgeted and higher than anticipated insurance claims and fleet charges. This increase in expenditures will be offset by an available appropriation of fund balance.

The Rubbish Collection Fund (226) should be increased from \$4,161,849 to \$4,191,330. This increase equates to an increase of \$29,481. This increase is primarily attributed to higher than anticipated insurance claims and fleet charges. The increase in expenditures will be offset by the use of fund balance (\$16,010) as well as the recognition of unbudgeted revenues – sale of junk (\$1,445), abandoned vehicles (\$562), additional trash removal funds (\$11,232), and revenues from the purchase of recycling bins (\$232).

The Neighborhood Stabilization Program Fund (279) should be increased from \$205,359 to \$207,279. This is an increase of \$1,920 for FY 2015. This increase in revenues derives from the recognition of a portion of Neighborhood Stabilization Program Phase IV grant in the amount of \$250,000 that was awarded to the City from the Michigan State Housing Development Authority (MSHDA) in May 2015. This amendment recognizes the \$1,920 that will be utilized on title searches for the remainder of FY 2015.

The Saginaw Economic Development Corporation Fund (282) should be increased from \$678,306 to \$862,125, which is an increase of \$183,819. This increase is due to the recognition of funds from the Department of Housing and Urban Development (\$8,380); funds received for the Saginaw Soup function (\$3,440), recognition of prior year's rent that was corrected in the current fiscal year (\$1,500), as well as the payoff of loans by various clients (\$170,499). This increase in revenues will be offset by an increase to the Saginaw Soup Disbursement (\$3,440) and the Loan Disbursement (\$180,379) accounts.

The Sewer Operations and Maintenance Fund (590) should be increased by \$6,362,148 from \$26,591,453 to \$32,953,601. This amendment reflects depreciation on fixed assets of the Sewer Operations and Maintenance Fund, additional insurance cost due to higher than anticipated claims, and higher than anticipated fleet charges. The increase in expenditures will be offset by an available appropriation of retained earnings (\$6,232,776) as well as higher than budgeted sale of junk (\$15,634), materials and services (\$10,510), IPP fines and surcharges (\$4,685), and interest and penalties (\$98,543).

The Water Operations and Maintenance Fund (591) should be increased from \$23,732,875 to \$25,417,181. This is a net increase of \$1,684,306. This amendment reflects depreciation on fixed assets of the Water Operations and Maintenance Fund, additional insurance cost due to higher than anticipated claims, and fleet charges. The increase in expenditures will be offset by an available appropriation of retained earnings (\$1,439,109) as well as higher than budgeted turn on charges (\$179,092), interest and penalties (\$34,558), dividends (14,547), and gain on investments (\$17,000).

The Motor Pool Operation Fund (661) should be increased from \$1,601,046 to \$1,728,979. This represents a \$163,046 increase. This increase is due to the recognition of depreciation in the fund. This increase in expenditures will be offset by the same increase in the Motor Pool Operation Fund- Revenue -Contributions From Other Funds Account No. 661-0000-675.000.

The Unfunded Liability Fund (674) should be decreased from \$1,222,797 to \$1,182,466. This is a reduction of \$40,331. This reduction is primarily associated with a loss on investment from this fund's investment portfolio. To offset this reduction in revenues, the Retiree Healthcare Account No 674-8525-715.007 will be reduced as well.

The Self Insurance Fund (677) should be increased from \$1,728,979 to \$1,833,120. This is an increase of \$104,141. This increase is largely due to additional claims and judgments that occurred during the fiscal year. The increase in expenditures will be offset by an increase in the contribution from other funds.

The Police and Fire Pension Fund (732) should be increased from \$16,372,718 to \$21,872,718, which is a \$5,500,000 increase. This increase is largely due to the gains on the investment of the pension portfolio. To offset the increase in revenues will be an increase in the fund's reserve account.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendations of the City Manager.

From: Timothy Morales, City Manager

Subject: Title Services–Community Development Block Grant (CDBG) Activities

Prepared by: Leticia C. Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that a purchase order be issued for title services associated with the Community Development Block Grant "CDBG" with Homeland Title Services "Homeland" in the amount of \$12,000. Homeland is being awarded the work because it submitted the lowest bid. The cost for each title search is \$80.00.

Justification:

The City issued a bid seeking a firm to provide title services for its CDBG program. The scope of work includes providing title services for all programs funded with CDBG dollars including but not limited to: rehabilitation, new construction, demolition and land banking of property to foster neighborhood stabilization. Previously, title services were provided by Best Homes Title Agency; however, they closed their Saginaw office. Therefore, CDBG program had a bid issued to obtain new title services.

On April 28, 2015, the City received two proposals for title services associated with the CDBG Program. Homeland Title Services submitted the lowest title cost at \$80.00, per occurrence.

Below is the breakdown of the proposals.

Homeland Title Services Saginaw, MI	\$80.00 per occurrence
--	------------------------

eTitle Agency Troy, MI	\$150.00 per occurrence
---	--------------------------------

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 CDBG Residential Loan Fund, Residential Loan Division Services Fees Account No. 276-6540-824.000 and CDBG Fund, Special Projects Division Demolition Account No. 275-6511-816.000.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Michigan NSP2 Consortium Program Income Grant Agreements between the City of Saginaw and Michigan State Housing Development Authority

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that City Council approve the grant agreements between the Michigan State Housing Development Authority (MSHDA) and the City for Michigan NSP2 Consortium Program Income Grant funds. The grant agreements have been approved by the City Manager as to substance and the City Attorney as to form. MSHDA requires that the highest elected City Official sign any and all documents with regard to this project. Additional documents may be forwarded to the City during the term of the agreements for the Mayor's signature. Therefore, it is recommended that City Council authorize the Mayor to sign all documents during the duration of the terms of the agreements.

Justification:

The City of Saginaw has received grant agreements from MSHDA in the amount of \$250,000.00 solely for demolition activities. The agreements are retroactive to May 1, 2015 and will end on December 31, 2015.

The City applied for NSP2 Program Income Round Two Funds earlier this year. MSHDA awarded grant monies to the City to be used to demolish residential structures only. Demolition activities are limited to residences located in NSP2 census tracks 4, 6, 7, 8 and 18. All demolition activities must be complete and funds expended by December 31, 2015.

In accepting these grant agreements, the City agrees that it will comply with all the terms and conditions of the agreements, applicable laws, regulations, and all other requirements of MSHDA and HUD.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Write Off on CDBG Residential Rehabilitation Loans FY 2014-2015

Prepared by: Leticia C. Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that City Council approve the write off of seven (7) residential rehabilitation loan accounts on the balance sheet. The loans have been deemed uncollectible. The total amount to be written off is \$76,919.81.

Justification:

The residential lending program is operated by the Community Development Block Grant Division. Low interest loans are provided to low to moderate income individuals for housing rehabilitation in designated CDBG program areas. Regular mortgage loans are established and liens are placed against the properties. If monthly obligations are not met, staff follows normal collection procedures, including client notification on a monthly basis, which could result in foreclosure. Staff has and will continue to utilize outside counsel for more aggressive collection efforts. Removing the loans from the balance sheet does not prohibit the City from further legal collection efforts. The accounts for write off are as follows and the balance includes interest and penalties:

Account No.	Balance	Reason for Write Off
85170549	5,201.53	Deceased
85140548	584.71	Deceased
85190500	9,376.71	Uncollectible per attorney
86200323A	9,767.19	Uncollectible per attorney
75120029	5,549.21	Uncollectible per attorney
86120228	26,829.84	No collectible Assets
86120327A	19,610.62	Uncollectible per attorney

Council Action:

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

From: Timothy Morales, City Manager
Subject: HUD HOME Investment Partnership Program Grant Agreement
Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that the City Council approve the HOME Grant Agreement for FY 2015-16 in the amount of \$309,647. 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:

The City of Saginaw has received a Grant Agreement from the Department of Housing and Urban Development (HUD) for FY 2016 for the HOME Investment Partnership Program. The funding agreement is in the amount of \$309,647. The City will use \$242,802 for the single-family, owner-occupied residential grant program for very low-income homeowners. In addition, Habitat for Humanity will use \$51,845 for rehabilitation of houses, and \$15,000 for operating fees in conjunction with these activities.

In accepting this grant agreement, the City agrees that it will comply with all the terms and conditions of the agreement, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the HOME Investment Partnership Grant Program and other applicable laws. These conditions are also made a part of all contracts with third parties or subgrantees financed with HOME monies.

Council Action:

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

From: Timothy Morales, City Manager

Subject: HUD HOME and Community Housing Development Organization
(CHDO) Subrecipient Contracts

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that City Council approve the HOME Subrecipient Contracts for FY 2015-16 in the amount of \$309,647. The contracts have 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 contracts.

Justification:

Transmitted herewith are three (3) contracts from the HOME Program, which would include the purchase of materials for rehabilitation of property, and operation expenses. The following information outlines the scope of activity and funding level for the three (3) projects under contract with the City.

1. Residential Grants for Owner Occupied Houses \$242,802
This activity is rehabilitating owner-occupied homes. The homeowners must be of low and moderate income levels. The activity will be administered and operated through the Community Development Block Grant Division.
2. CHDO Operating Expenses \$15,000
This activity is administered by Habitat for Humanity. It provides operating funds for Habitat to act as the Community Housing Development Organization (CDHO) for the City of Saginaw.
3. Habitat for Humanity Rehabilitation \$51,845
This activity will be administered by Habitat for Humanity. They will dedicate these funds to full rehabilitation of houses that are homeowner occupied in the City of Saginaw.

Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on February 2, 2015.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Emergency Solutions Grant (ESG) Agreement
Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that the City Council approve the Emergency Solutions Grant (ESG) Agreement for FY 2015-16 in the amount of \$183,511. This grant 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:

The City of Saginaw has received a grant agreement from the Department of Housing and Urban Development (HUD) for FY 2016 for the Emergency Solutions Grant (ESG) Program. The funding agreement is in the amount of \$183,511. This is the City's entitlement amount approved by the federal government.

The activities referred to in the funding agreement include all the activities listed in the submission and approved by the City Council on February 2, 2015.

In accepting this grant agreement, the City agrees that it will comply with all the terms and conditions of the agreement, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the ESG Program and other applicable laws. The agreement is for a twelve (12) month period that begins on July 1, 2015 and will terminate on June 30, 2016. In accepting this grant agreement, the City also agrees that it will comply with standard federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made part of contracts with third parties or subgrantees financed with ESG monies.

Council Action:

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

From: Timothy Morales, City Manager

Subject: HUD Emergency Solutions Grant (ESG) Subrecipients Contracts

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that City Council approve the Emergency Solutions Grant (ESG) Subrecipient Contracts for FY 2015-16 in the amount of \$183,511. The contracts have 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 contracts.

Justification:

Transmitted herewith are five (5) contracts from the ESG Program to provide \$183,511 assistance to organizations providing shelter and transitional housing for the homeless. The following information outlines the scope of activity and funding level for each project under contract with the City:

1. Underground Railroad \$42,540
This activity is operated by Underground Railroad, Inc. These funds will be used to supplement the agency in funding the maintenance costs of the emergency shelter including: operating utilities, food, supplies, professional fees, communication costs, transportation and furnishings for the facility.
2. Youth Protection Council \$31,112
This activity is operated by the Saginaw County Youth Protection Council. The funds will be used to supplement the agency in providing services to three (3) shelters for the homeless: Innerlink Emergency Shelter, Innerlink Transitional Living Program and Teen Parent Services Transitional Living Program.
3. Restoration Community Outreach \$54,400
This activity is operated by Restoration Community Outreach. These funds will be used to supplement the agency in providing emergency housing and supportive services to the homeless, recovering addicts and ex-prisoners reentering the community.
4. United Way of Saginaw Co. HMIS \$17,963
This activity is administered through the United Way of Saginaw County. This project is the maintenance of the Homeless Management Information System, which is a requirement of HUD for grantees to receive ESG funds. This is a match of funds received directly from HUD.

5. United Way of Saginaw Co. HPRP \$37,496

This activity is administered through the United Way of Saginaw County. This activity will provide and promote affordable housing, along with improving health and stability in order to increase economic security. They will also work with other agencies in collaborating efforts in homelessness prevention and rapid re-housing which is a requirement of HUD for grantees to receive ESG funds.

Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on February 2, 2015.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Community Development Block Grant (CDBG) Agreement
Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that the City Council approve the Community Development Block Grant (CDBG) Agreement for FY 2015-16 in the amount of \$2,421,735. This grant 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:

The City of Saginaw has received a grant agreement from the Department of Housing and Urban Development (HUD) for FY 2016 for the CDBG Program. The funding agreement is in the amount of \$2,421,735. This is the City's entitlement amount approved by the federal government.

The activities referred to in the funding agreement include all the activities listed in the submission and approved by the City Council on February 2, 2015.

In accepting this grant agreement, the City agrees that it will comply with all the terms and conditions of the agreement, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the CDBG Program and other applicable laws. The agreement is for a one-year period that begins on July 1, 2015 and will terminate on June 30, 2016. In accepting this grant agreement, the City also agrees that it will comply with standard federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made part of contracts with third parties or subgrantees financed with CDBG monies.

Council Action:

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

From: Timothy Morales, City Manager

Subject: HUD Community Development Block Grant (CDBG) Subrecipients
Contracts

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend that City Council approve the Community Development Block Grant (CDBG) Subrecipient Contracts and Memorandums of Understanding for FY 2015-16 in the amount of \$2,421,735. The contracts have 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 Contracts and Memorandums of Understanding.

Justification:

Transmitted herewith are Fourteen (14) contracts and three (3) memorandums of understanding for housing, economic development, public improvements, and public service activities to be carried out under the City's 42nd year of the CDBG Program. The following information outlines the scope of activity and funding level for each project under contract with the City:

1. Saginaw Economic Development Corp \$477,612
This activity is operated by the Saginaw Economic Development Corporation. It provides funds to make business loans to credit worthy entrepreneurs and firms that wish to start or expand businesses in the targeted areas. Each business loan is based on the number of jobs to be created and made available to low and moderate-income residents in the City. The budget is comprised of entitlement funds, loan repayments, and carryover funds.
2. Downtown Development Authority \$64,598
This activity is operated by the Downtown Development Authority (DDA). These funds will be utilized by the DDA in their efforts to redevelop properties and recruit businesses to Downtown Saginaw.
3. Habitat for Humanity Home Maintenance \$13,556
This activity is operated by Habitat for Humanity in the City of Saginaw. It provides for home maintenance classes for basic plumbing, electrical, interior and exterior repairs. This service is provided to households with income that fall between 30-60% of the area median income for the number of members in their household.

4. Youth Protective Services \$18,268
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to provide intensive long-term social casework intervention for 20 low to moderate-income families whose personal problems have led to degeneration of the family unit. This activity will not be effective until October 1, 2015, when the current contract expires.
5. Teen Parent Support \$18,268
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to provide assistance directed toward high-risk pregnant and parenting females under the age of 21. Teen Parent Support works to: reduce infant mortality and child abuse, delay subsequent pregnancies, and help young mothers work toward self-sufficiency. This activity will serve 55 clients eligible to be assisted with CDBG funds. This activity will not be effective until October 1, 2015, when the current contract expires.
6. Parishioners on Patrol \$15,245.
The purpose of the project is to improve the quality of life of residents within the City. Its members will walk the streets of the City promoting non-violence and engaging with the residents through door-to-door contacts.
7. Major Chords For Minors -Youth Music Education Program \$12,606
This activity provides free private musical instrument instruction to school age children in grades 3-12. The services are offered to low to moderately low income families in the City of Saginaw.
8. First Ward LACER \$27,971
This activity is sponsored by First Ward Community Services. The purpose of this program is to implement Literacy Arts Cultural Enrichment and Recreation (LACER) Program. It is an after-school and summer program whose goal is to enhance and expand the number and variety of programs serving youth in the K-12th grades and increasing the number of youth who do not have access to positive opportunities in safe environments in the City of Saginaw.
9. First Ward H.I.R.E. \$20,000
This activity is sponsored by First Ward Community Services. The H.I.R.E. program stands for Helping Individuals Retain Employment. The program is focused on preparing people that are in need with the skills and abilities to be marketable in the workplace and to find jobs. The program targets youth and will provide positive environment and learning opportunities in a safe environment.
10. Houghton-Jones Neighborhood Task Force \$31,887
This organization promotes "community" in their area of the City. The activities they oversee promote and encourage beautification efforts throughout the neighborhood and seek to have a paid staff person to handle the day-to-day

operations and oversee event planning with the continued help of volunteers in the community.

11. Legal Services of Eastern Michigan \$9,013
The mission of the LSEM Fair Housing Center is to provide equal housing opportunities for all people regardless of race, age, sex, color, religion, national origin, familial, marital, sex, sexual orientation, and disability. LSEM responds to complaints from individuals that are victims of housing discrimination and testing and enforcement is designed to deter discriminatory practices in the community.
12. Hearts for the Community \$14,550
They are committed to developing a safe, healthy environment for the community to participate in recreational activities.
13. Innerlink Shelter \$14,000
The shelters parking lot is in disrepair and the funds requested will be used to fix the parking lot.
14. Restoration Community Outreach \$10,000
The emergency shelter is remodeling the restrooms to be handicap accessible.

The following information outlines the scope of activity and funding level for each project under a Memorandum of Understanding (MOU) with City departments outside of the Community Development Block Grant Division:

1. Street Improvements \$196,337
This activity is under the City of Saginaw's Department of Public Services. The purpose of the program is to resurface streets, replace deteriorated pavement sections, adjust manhole structures, and construct ADA compliant sidewalk ramps within CDBG-eligible neighborhoods.
2. Community Policing \$198,250
This activity is under the City of Saginaw's Police Department. The purpose of this program is to continue to fund three (3) Community Police Officers (CPOs) in designated CDBG-eligible neighborhoods. The CPOs have developed close relationships with the residents, business owners/employees and other stakeholders within their assigned neighborhoods. These relationships have resulted in an improved quality of life for the residents.
3. Demolition of Dangerous Buildings \$236,414
This activity is administered under the City of Saginaw's Inspections Division. The purpose of the program is to reduce the presence of blighted, vacant, unsafe structures within the City of Saginaw.

Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on February 2, 2015.

Council Action:

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

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

Manager's Recommendation:

I recommend approval of the Claims Service Contract with Alternative Service Concepts as the City's third party administrator for insurance claims for the period July 1, 2015 through June 30, 2017. 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, 2015 to June 30, 2017. The change in fees for the current year through 2017 is outlined below:

Service	Current Rates 2014-2015		Proposed Rates 2015-2016		Change	Proposed Rates 2016-2017		Change
Automobile & General Liability								
Physical Damage	\$520		\$527		\$7	\$520		
Bodily Injury	\$550		\$560		\$10	\$550		
Incident Only Reports	\$0		\$45		\$45	\$45		
E & O	\$690		\$697		\$7	\$690		
Police Professional	\$690		\$697		\$7	\$690		
Litigated Fee	Base fee + \$450		Base fee + \$460		\$10	Base fee + \$470		
Catastrophic Claims		\$75 per hour		\$350 per claim	Hour to Claim		\$350 per claim	Same
Total Minimum Claims Fee		\$40,314		\$40,314	\$0		\$41,523	\$1,209
On-Line Access 1 User	\$0		\$0		\$0	\$0		\$0
Additional Users	\$60/mo		\$60/mo			\$60/mo		
MMSEA – Annual Transmission Fees		\$2,100		\$2,100	\$0		\$2,100	\$0
Administration Fees		\$3,750		\$3,750	\$0		\$4,000	\$250
Systems Fees		\$2,500		\$2,500	\$0		\$2,650	\$150
TOTAL FEES		\$48,664		\$48,664	\$0		\$50,273	\$1,609

The 2015-2016 total fees cost is the same as the current year of \$48,664.00. The 2016-2017 total fees cost is \$50,273.00, which is an increase of \$1,609. 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 \$40,314, ASC will invoice the City for the difference between the actual fee and \$40,314. To date, the City has not been billed for additional claims.

For the 2015-2017 contract period a 2-year contract period 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 1, "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: Tim Morales, City Manager

Subject: Insurance Policy Renewal for July 1, 2015 to June 30, 2016

Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval of the insurance proposals under Lloyd's of London and BRIT Indemnity Company for the City's General Liability, Automobile Liability, Michigan No Fault, Employees Benefits Liability, Law Enforcement Liability, Public Officials Liability (Employment Practices Liability, Errors & Omissions, EEOC, Administrative Hearings and Sexual Harassment); with Lloyd's of London for Automobile Physical Damage; and with Torus National Insurance Company for an Excess (Umbrella) Liability Policy. Each policy is effective July 1, 2015 through June 30, 2016, and that I, and/or my designee, be authorized to execute any and all necessary insurance documents under the plans as necessary throughout the policy term, including, but not limited to, removing and/or adding automobiles as the City acquires and/or disposes of same.

Coverage documents, policy changes and contracts to implement the new insurance are subject to the City Manager's approval as to substance and the City Attorney's approval as to form.

Justification:

Saginaw Bay Underwriters obtained quotes from the City's current insurance providers and other insurance providers for the City's policies expiring on July 1, 2015. Saginaw Bay Underwriters seeks quotes from multiple companies every two to three years.

After review and consideration, I am recommending the following carriers and policies with coverage, premiums and deductibles:

Lloyd's of London (BRIT): The City's recent reduction in its claims history provides that coverage for its Public Officials Liability can be returned to BRIT from RSUI Indemnity Company. Lloyd's of London (BRIT) premium is \$352,242. The coverage for General Liability, Law Enforcement Liability, Public Officials Liability and Automobile Liability will remain at \$10,000,000 with a \$250,000 self-insured retention, which is the same as last year. For the Automobile Physical Damage the deductible remains at \$25,000 with a \$2,000,000 dollar limit.

Torus National Insurance Company. This is the Umbrella Liability Policy, providing an additional \$10,000,000 in liability coverage for General Liability, Law Enforcement Liability, Public Officials Liability, Sexual Harassment Liability, Employee Benefits Liability, Employers Liability and Auto Liability. The premium quoted is \$48,111, a decrease of \$81.

Comparison between last year's premium and those proposed for FY2015-2016 is as follows:

<i>Description of Coverage</i>	<i>Expiring Premium 2014-2015</i>	<i>Renewal Premium 2015-2016</i>
General Liability, Law Enforcement Liability, Public Officials Liability and Automobile Liability with a \$250,000 SIR	<u>Lloyd's (BRIT) & RSUI Indemnity</u> \$ 414,000	<u>Lloyd's (BRIT)</u> \$ 343,651
Surplus Lines Tax	\$ 7,000	\$ 8,591
Automobile Physical Damage: \$25,000 deductible	\$ included - 230 vehicles	\$ included - 230 vehicles
Umbrella \$10 mil limit	<u>Torus National</u> \$ 48,192	<u>Torus National</u> \$ 48,111
Total Estimated Premium	\$469,192	\$400,353

Overall the City will see a decrease of \$68,839 in insurance costs for FY2015-2016. Quotes received were comparable to those of the industry standards and all insurance carriers have excellent ratings according to the Best Guide, which determines the financial stability of insurance companies.

As in the past, the City has opted to exclude coverage for terrorism losses under the Terrorism Risk Insurance Act of 2002. This election was made due to the fact that the "act of terrorism" only covers an act that is certified by the Secretary of the Treasury in concurrence with the Secretary of State, and the Attorney General of the United States.

Funds for these payments are available in the Self-Insurance Fund Insurance Account No. 677-1762-806.000. Funds for insurance premiums are budgeted and collected from all departmental budgets and deposited into the Self-Insurance Fund. General and excess liability policies are charged against the division and/or department's budget pursuant to its size. Auto physical damage is charged to each division and/or department based on the number of vehicles assigned.

Council Action:

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

From: Timothy Morales, City Manager
Subject: VMware Renewal
Prepared by: Chris Seager, Technical Services

Manager's Recommendation:

I recommend approval and issuance of a purchase order to Yeo & Yeo Consulting, LLC, as the low bidder, in the amount of \$12,156.72 for the renewal of the City's VMware license fees to operate the computer servers of the City of Saginaw. This purchase covers the cost for three (3) years of support, upgrades and maintenance which is \$4,052.24 each year. By paying for three (3) years in advance, we are getting a 12% savings on software licensing.

Justification:

On June 9, 2015 bids were received for a three (3) year VMware license renewal. VMware is software that allows the sharing of hardware amongst many servers thus utilizing resources more efficiently. The renewal provides support, upgrades and license coverage for VMware.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Total</u>
Yeo & Yeo Consulting Saginaw, MI (In-City)	\$12,156.72
Netsolutions, LLC Detroit, MI	\$29,360.95
Comlink East Lansing, MI	\$88,455.00

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 are budgeted and available in the Technical Services - Information Services Fund - Operating Services Account No. 658-1720-805.000 for this purchase.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Workers Compensation Insurance Renewal

Prepared by: Dennis Jordan, Human Resources Director

Manager's Recommendation:

I recommend approval of the Workers Compensation Insurance Renewal with Safety National Casualty Company for the term of July 1, 2015 through June 30, 2016.

Coverage documents, policy changes and contracts to implement the new insurance are subject to the City Manager's approval as to substance, and the City Attorney's approval as to form.

It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to this insurance renewal.

Justification:

The City is self-insured for workers compensation illnesses and injuries for indemnity, medical and legal claims up to a specific dollar limit per claim. At such time a claim reaches the specified retention limit, those claims then become the liability of the excess insurance company.

The City obtained quotes from multiple workers compensation excess insurance companies, including our current company Safety National. The incumbent company, Safety National, provided the most favorable pricing and terms.

Comparison between last year's premium and those proposed for FY 2015-2016 are as follows:

	<u>Expiring</u>	<u>Renewal</u>
Specific Retention Limit	\$750,000	\$750,000
Annual Excess Premium	\$72,387	\$78,000

The other quotes provided were over \$98,000 in renewal premiums and/or included a higher self-insured retention limit than \$750,000.

The reason for the increase is due to market increases (\$3,078) and an increase in payroll exposure (\$2,535).

In an effort to manage those costs better, last year the City contracted with a new claims administrator (CMI). We have not completed a full year with this vendor however, we have had a decrease in the number of days lost and a reduction in overall

claims costs. We feel confident that this change will provide the City with more favorable claims results as we continue to go forward.

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 0-1.

The funds are budgeted in the Workers Compensation Fund – Employee Health Division's Insurance Account No 678-1751-806.000.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Investment Advisory Services Agreement

Prepared by: Dennis Jordan, Human Resources Director

Manager's Recommendation:

I recommend approval of the Investment Advisory Services Agreement between the City of Saginaw and Retirement Plan Advisors (RPA).

The Investment Service Agreement is subject to the City Manager's approval as to substance, and the City Attorney's approval as to form.

It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to this service agreement.

Justification:

As a plan sponsor for the 457 deferred compensation programs, the City utilizes MassMutual as one of two companies for purposes of managing the investment and recordkeeping services for the plan.

RPA, who is a federally registered investment advisor (RIA) is the broker of record and assists the City with employee education, employee enrollments and individual investment advisory services.

The service agreement will allow RPA a more active role with the fiduciary responsibilities for the plan. It makes the arrangement with RPA more formal in that they are agreeing to now provide additional services as follows:

1. Implement an Investment Policy Statement
2. Initial Fund Selection assistance and the transfer of investment funds as needed to comply with the Investment Policy
3. Monitor fund selections as required and replace funds as needed to comply with the Investment Policy
4. Provide annual reports to the City regarding portfolio performance and plan activity
5. Work with and in conjunction with the City to meet all fiduciary responsibilities

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 0-1.

There are no costs associated with this agreement.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Health Decisions, Inc. Service Agreement
Prepared by: Dennis Jordan, Director of Human Resources

Manager's Recommendation:

I recommend approval of the Services Agreement between the City of Saginaw and Health Decisions, Inc.

The Service Agreement is subject to the City Manager's approval as to substance, and the City Attorney's approval as to form.

It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to this service agreement.

Justification:

As a result of unfunded mandates created by the Patient Protection and Affordable Care act (ACA), the City will be responsible for additional reporting to plan participants as well as the IRS. Since the ACA was enacted in 2011, there have been many requirements that employers have had to comply with and all have been at the expense of the employer.

Effective January 1, 2016, Applicable Large Employers (ALP), such as the City of Saginaw, will be required to comply with additional reporting requirements of the Act. This phase of the ACA will demand additional resources from the City to complete the reporting. Those additional resources will be required to:

1. Acquire data from various internal and external data sources
2. Create new data files with information that is not currently electronically collected
3. Integrate and Compile the collected data information in a format that will allow specialized reports and IRS Forms to be created
4. Create new forms called 1094C and 1095C and deliver those forms to all eligible plan participants
5. Prepare and deliver applicable reporting to the IRS

Keep in mind that the final regulations from the government on this new mandate just came out in March of this year. The City (HR and TS) have been researching and reviewing the requirements to determine the best approach to comply with the mandates. The fact is BS&A, our enterprise system is working on developing our payroll and reporting system to accommodate the act however, even if they complete this project in time, there are still other pieces to the data collection that they will not be able to have integrated into their system.

Since the reporting period is for the 2015 calendar year, it is imperative that the City commence the collection and creating of these data files very quickly to meet year-end deadlines.

Health Decisions, Inc. is a third party vendor who has created a proprietary application that will provide the required services to comply with the new regulations.

The contract cost for this service is \$8,000.

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 will be available for this contract cost in the General Fund – Office of Human Resources' Professional Services Account No 101-1725-801.000 (\$648), Office of Management and Budget's Professional Services Account No 101-1735-801.000 (\$647), Department of Fiscal Services – Administration Division's Professional Services Account No 101-1740-801.000 (\$647), Community Public Safety – Police, Police Patrol Division's Professional Services Account No 101-3511-801.000 (\$648), Community Public Safety – Fire, Fire Operations Division's Professional Services Account No 101-3551-801.000 (\$648), Other General Fund – Retiree Healthcare Division's Professional Services Account No 101-8510-801.000 (\$648), as well as in the Major Streets Fund – Street Administration Division's Professional Services Account No 202-4650-801.000 (\$315), Sewer Operations and Maintenance Fund – Administration Division's Professional Services Account No 590-4810-801.000 (\$2,271), and the Water Operations and Maintenance Fund – Administration Division's Professional Services Account No 591-4710-801.000 (\$1,528).

Council Action:

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

From: Tim Morales, City Manager
Subject: In-Car Camera Repairs & Replacements
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 \$6,000 for in-car camera repairs and replacements for Saginaw Police Department patrol vehicles.

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: Tim Morales, City Manager
Subject: Roof Sealer for Saginaw Police Department
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that a purchase order be issued to Louis Ollesheimer & Son of Saginaw, MI, the sole bidder, in the amount of \$5,500 for the purchase and application of roof sealer at the Saginaw Police Department.

Justification:

On June 9, 2015, one (1) qualified vendor submitted a bid in response to the City of Saginaw's request for Proposal #1305-15 for the purchase and application of 20 gallons of white and grey base coat sealer. The roof on the police department is in dire need of replacement and the sealer will serve as a temporary solution. The roof leaks are so bad that detectives are covering their desks in plastic to protect their investigative documents. The following is a tabulation of the bid received:

VENDOR & LOCATION	UNIT OF MEASURE	LOUIS OLLESHEIMER & SON SAGINAW, MI	EXTENDED PRICE
5 GALLON PAIL TO APPLY BASE COAT (GREY)	10	\$275/EA	\$2,750
5 GALLON PAIL TO APPLY BASE COAT (WHITE)	10	\$275/EA	\$2,750
TOTAL COST			\$5,500

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 Community Public Safety – Police, Police Patrol Division's Repairs & Replacements Account No. 101-3514-974.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Vehicle Collision Repair – Police
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend that the low quote from Maaco Collision Repair, Saginaw, Michigan be approved and that a purchase order be issued to them in the amount of \$2,917.75 for repairs to Police Patrol Interceptor No. 90-1153.

Justification:

On May 15, 2015, Police Patrol Interceptor No. 90-1153, a 2013 Ford interceptor sedan with 47,500 miles was involved in an accident at Michigan and Cooper. The vehicle sustained damage to the left side area. The repairs amount to less than the City's \$25,000 deductible; therefore, no reimbursement from the insurance company is warranted. These repairs are necessary in order to maintain the vehicle in a safe and operable condition. The quotes were requested from local repair vendors that have completed quality repair work for the City in the past.

The following is a listing of the quotes received:

<u>Vendor</u>	<u>Cost</u>
Maaco Collision Repair Saginaw, MI (out-city)	\$ 2,917.75
Engel's Auto Body Saginaw, MI (out-city)	\$ 4,545.28
Mikes Bumping and Paint Painting Saginaw, MI (in-city)	\$ 4,064.31

Maaco Collision Repair 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 General Fund - Community Public Safety - Police, Police Building Management Division's Motor Vehicle Repairs Account No. 101-3514-931.000.

Council Action:

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

From: Tim Morales, City Manager
Subject: Smart Planet Software 'Safe Reporting' Memorandum of Agreement
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that the Memorandum of Agreement (MOA) between the City of Saginaw ("City") and Smart Planet Software ("Smart Planet"), a Michigan-based company, be approved. In addition, I recommend that City Council authorize the City Manager or his designee to execute this in accordance with the MOA's terms and conditions. The MOA has been approved by me as to substance and the City Attorney as to form.

Justification:

The term of agreement is for a five year period commencing September 1, 2015 through August 31, 2020. Smart Planet Software has developed an internet based service called 'Safe Reporting'. This service enables the electronic transmission between the City and licensed Pawnbrokers, Precious Items Dealers and Secondhand Merchants in sharing photos and information for all transactions. The City requires these shops to report information in the manner described in the City ordinances. This service will allow every police officer in Saginaw County to view all shared information on any electronic device that has internet and will be an extremely valuable tool in investigative endeavors. The City has been in agreement with Business Watch International Inc., a Canadian-based company, since July 2006 and they require a 60-day written notice to terminate this agreement. At this time, Business Watch is not able to match the services provided by Smart Planet and there is no charge to the City for services provided.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Roof Coating Material Purchase 2015 – Facilities Division

Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that the sole qualified bid be accepted and a purchase order be approved and issued to Louis T. Ollesheimer and Son of Saginaw, MI in the amount of \$9,350 for the purchase of roof coating materials to be used at the Public Works Building.

Justification:

On June 9, 2015, bids were received for the purchase of roof coating materials at the Police Department and Public Works Buildings.

This purchase is for rubber roof coating (material only) that will be installed by City staff. Louis T. Ollesheimer will train City staff on how to properly place the coating on the facilities identified.

At the Public Works Building there are numerous roof leaks in various areas that have created ceiling tile stains and some ceiling tiles have collapsed. The current rubber roof was installed in the mid 1990's and is past its manufacturer's warranty period. In order to keep an environmentally sound workplace, the roof needs to be sealed to prevent further water damage.

Louis T. Ollesheimer & Son 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 and available in the Public Works Building Fund's Repairs and Replacement Account No. 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: METRO Act Permit Extension for McLeod USA Norlight - ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend approval of the Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act Permit Extension issued to McLeod USA Norlight, LLC of Little Rock, AR. The current permit expired on May 2, 2015 and the extension is for a five-year term to end on May 2, 2020. I further recommend that the City Manager be authorized to execute the permit extension on behalf of the City. The City Manager has approved the permit extension as to substance and the City Attorney as to form.

Justification:

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

The recommendation is to extend an already existing permit. It does not change the relationship between the parties, requirements regarding the payment of fees or requirements regarding construction and maintenance of telecommunications facilities within the City's rights-of-way.

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 Order for Printing, Handling, Postage for 2014 Consumer Confidence Report

Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend ratification for emergency purchase order no. 496610, issued on May 22, 2015, and that payment be made to F.P. Horak of Bay City, MI, in the amount of \$15,786.50 for the printing, handling and postage for the 2014 Annual Consumer Confidence Report (CCR).

Justification:

The 1996 amendments to the Safe Drinking Water Act require community water systems delivering potable water to provide information about their drinking water quality annually in the form of a CCR. The annual report must be delivered to all customers of the system by July 1st of each year.

Recent regulatory changes allow for alternate means of distribution, therefore, last year we began using a new digital delivery method to reduce the cost of production and mailing. The method does require written reports if requested and there are requirements for delivery of postcards informing customers where to access the reports on-line.

On May 21, 2015, the City received a quote from F.P. Horak for the printing, handling and postage for the 2014 CCR. F.P. Horak is the local supplier of the services requested. In recent years we sought quotes from TBF Graphics and F.P. Horak for the required services. Due to TBF Graphics being purchased by F.P. Horak, this is no longer a possibility. There is a 1.2% increase per postcard, however due to a reduction in the number of postcards printed, the total cost decreased.

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 Professional Services Account No. 591-4730-801.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Blanket Purchase Orders for FY2016
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 that will be needed to operate and maintain the Wastewater Treatment Division during the 2016 Fiscal Year.

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, 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 Malcomb Group Sterling Heights, MI	\$7,000.00
Grainger Lincolnshire, IL	\$7,000.00
Applied Industrial Saginaw, MI	\$7,000.00
Standard Electric Saginaw, MI	\$6,000.00
Alro Steel Saginaw, MI	\$4,000.00
McMaster Carr Aurora, OH	\$4,000.00

Lansing Supply Lansing, MI	\$5,000.00
AirGas Great Lakes Saginaw, MI	\$3,000.00
Tupes of Saginaw Saginaw, MI	\$3,400.00
Safety Services Inc. Kalamazoo, MI	\$3,400.00
Fastenal Saginaw, MI	\$4,900.00
McNaughton McKay Saginaw, MI	\$3,000.00
Nalco Saginaw, MI	\$3,000.00

These vendors meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title 1, "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 Parts and Supplies Account No. 590-4830-742.00 in the amount of \$48,760.00 and Cleaning Supplies Acct. No. 590-4830-735.000 in the amount of \$5,000.00 and the Sewer Operations and Maintenance Fund, Remote Facilities Division's Parts and Supplies Account No. 590-4835-742.000 in the amount of \$13,440.00.

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 Alexander Chemical Corporation of Peru, IL, be accepted and a purchase order be issued to them in the amount of \$20,940.00 for the purchase of sixty tons of chlorine for the Wastewater Treatment Division for Fiscal Year 2016.

Justification:

Chlorine is used at the Wastewater Treatment Plant for disinfection of the 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 16, 2015, moved to approve the bid from Alexander Chemical as the exclusive supplier of chlorine for the Corporation for Fiscal Year 2016, at a firm price of \$349.00 per ton of liquid chlorine. As a member of the bidding consortium, the City of Saginaw is also afforded this price for Fiscal Year 2016. This cost represents a 15.9% increase from the Fiscal Year 2015 cost. Sealed bids were opened by the Saginaw-Midland Municipal Water Supply Corporation on April 7, 2015 and the results were as follows:

Alexander Chemical Corporation Peru, IL	\$349.00 / Ton
Jones Chemical Co. Riverview, MI	\$359.50 / Ton

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: MDEQ Laboratory Analysis
Prepared by: Amanda Kiel, Water and Wastewater

Manager's Recommendation:

I recommend that a purchase order be approved and issued to the Michigan Department of Environmental Quality in the amount of \$4,000.00 for laboratory analysis for Fiscal Year 2016 for the Water Treatment Division.

Justification:

The Water Treatment Plant is mandated to perform various routine tests as a result of several Environmental Protection Agency (EPA) and Michigan Department of Environmental Quality (MDEQ) regulatory requirements. Copies of the results must be furnished to the MDEQ and local county health departments. The MDEQ laboratory performs most of the required testing in their laboratory and sends copies of the results to the appropriate regulatory agencies. Further, any alternate laboratories would have to be certified by the MDEQ to perform the analysis.

Due to the fact that the MDEQ requires submittal of this information and performs the analysis in their laboratory, the competitive bidding process was forgone. The cost for analysis of the required tests at the MDEQ laboratory is comparable to other private laboratories. For example, the bulk of the cost is for disinfection by-products, with a current MDEQ paired-sample price of \$175.00/pr. Past quotes and bid prices were \$200.00 or more per pair at private laboratories.

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 Operation and Maintenance Fund, Treatment and Pumping Division's Operating Services Account No. 591-4730-805.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Underground Storage Tank Oversight Services
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the agreements between the City of Saginaw and Oscar W. Larson Co. (OWL) of Clarkston, MI, to provide Class A and Class B certification for underground storage tank operations be accepted and that the City Manager or his designee be authorized to sign it on the City's behalf. The agreements have been approved by me as to substance and the City Attorney as to form.

Justification:

Both the Water and Wastewater Treatment Plants have underground storage tanks. The State of Michigan has begun requiring that operations of all underground storage tanks must be overseen by operators that are state certified at the class A and class B levels. No one within the Water or Wastewater Treatment Divisions currently holds this certification. In order to comply with these regulations, quotes were obtained from two firms who provide these services. OWL was the most cost effective. Costs for these services will be \$1,700.00 per site and will be paid for through blanket purchase orders. The quotes received are as follows:

Oscar W. Larsen Co. Clarkston, MI	\$1,700.00 per site
Kelly Maintenance Co. Saginaw, MI (out-city)	\$2,495.00 per site

During the upcoming year the Water and Wastewater Treatment Divisions will evaluate whether it is more cost effective to continue this service or to provide training and testing needed to get staff certified.

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 these services are available in the Water Operations and Maintenance Fund, Treatment and Pumping Division's Professional Services Account No. 591-4730-801.000 (\$1,700.00) and the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Professional Services Account No. 590-4830-801.00 (\$1,700.00).

Council Action:

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

From: Timothy Morales, City Manager
Subject: Boiler Demolition & Asbestos Removal
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Rightway Remediation, LLC of Saginaw, MI be accepted and a purchase order be issued to them in the amount of \$5,650.00 to remove a boiler and abate the asbestos containing insulation from the associated piping at the Wastewater Treatment Division.

Justification:

On May 26, 2015, the City received bids for the demolition of the failed boiler and the abatement of the asbestos containing insulation on the associated piping. The boiler that provides heat to return activated sludge building at the Wastewater Treatment Plant failed. The boiler was assembled with asbestos gaskets and the pipe fittings are covered with insulation that contains asbestos. The bids received are as follows:

Rightway Remediation, LLC Saginaw, MI	\$5,650.00
Mid State Asbestos Removal, Inc. St. Louis, MI	\$6,400.00

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 available in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Professional Services Account No. 590-4830-801.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Whole Effluent Toxicity Testing
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Global Environmental Consulting of Clinton, MI be accepted and a purchase order be issued to them in the amount of \$4,550.00 for Fiscal Year 2016 to perform Whole Effluent Toxicity (WET) analysis for the Wastewater Treatment Plant effluent; and pending approval of the Fiscal Year 2017 budget, approve the bid from Global Environmental Consulting for \$4,550.00 for Fiscal Year 2017 for the same services.

Justification:

On May 12, 2015, the City received bids for the cost of WET Analysis for the Wastewater Treatment Division. This testing is required by our National Pollutant Discharge Elimination System (NPDES) Permit. The low bid represents a 2.9% decrease from Fiscal Year 2015 costs. The bids received are as follows:

	<u>FY2016</u>	<u>FY2017</u>
Global Environmental Consulting Clinton, MI	\$4,550.00	\$4,550.00
Paragon Laboratories Inc. Livonia, MI	\$4,690.00	\$4,690.00
ERM Holland, MI	\$5,950.00	\$5,950.00
Pace Labs Livonia, MI	\$12,250.00	\$12,250.00
EA Engineering Science and Technology Hunt Valley, MD	\$14,000.00	\$14,000.00
Ramboll Environ Arlington, VA	\$18,200.00	\$18,200.00

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 Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Chemicals Account No. 590-4830-727.000 for Fiscal Year 2016 and will be budgeted in the same account for Fiscal Year 2017, pending approval of future year budgets.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Grit and Screenings Hauling
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Billy's Contracting be approved and that a purchase order be issued to them in an amount not to exceed \$30,500.00 for Fiscal Year 2016 for the hauling of grit and screenings for the Wastewater Treatment Division; and pending approval of the FY 2017 and 2018 budgets, approve the bids from Billy's Contracting for an amount not to exceed \$30,500.00 for Fiscal Year 2017, and an amount not to exceed \$31,750.00 for Fiscal Year 2018 for the same services.

Justification:

Grit and screenings are removed at the beginning of the treatment process at the Wastewater Treatment Plant. This service bid is to supply a 40-yard container for the grit and screenings and to haul this waste to the landfill as needed. The low bid represents a 4.3% increase from Fiscal Year 2015 costs. Multi Year Bids from two vendors were received on May 12, 2015 and are as follows:

	<u>FY2016</u>	<u>FY2017</u>	<u>FY2018</u>
Billy's Contracting			
Saginaw, MI			
Cost / CY	\$15.25	\$15.25	\$15.87
Annual Cost	\$ 30,500.00	\$30,500.00	\$31,750.00
Waste Management			
Saginaw, MI			
Cost / CY	\$28.85	\$29.23	\$30.00
Annual Cost	\$57,700.00	\$58,460.00	\$60,000.00

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 Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Operating Services Account No. 590-4830-805.000 for Fiscal Year 2016. Funds will be budgeted in the same account for subsequent fiscal years as approved, pending approval of future year budgets.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Ferric Chloride Purchase, Joint Bid
Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from PVS Technologies, Inc. of Detroit, MI be accepted and that a purchase order be approved and issued to them in the amount of \$92,000.00 for the purchase of 250 tons of Ferric Chloride for the Water Treatment Division for Fiscal Year 2016.

Justification:

Ferric Chloride is used as the primary coagulant in the water treatment process for improved particulate removal. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 12, 2015 sealed bids were opened. The low bid of \$368.00 per ton is a 3.9% decrease from Fiscal Year 2015. Following is a tabulation of the bids received:

	<u>Per Ton</u>	<u>Total Bid</u>
PVS Technologies Detroit, MI	\$368.00	\$92,000.00
Kemira Water Solutions Lawrence, KS	\$375.44	\$93,860.00

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 for Fiscal Year 2016.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Sulfur Dioxide (SO₂) Purchase
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the sole bid from Jones Chemical of Riverview, MI be accepted and purchase orders be issued to them in an amount not to exceed \$26,100.00 for Fiscal Year 2016 to supply the Wastewater Treatment Division with 30 tons of sulfur dioxide; and pending approval of the Fiscal Year 2017 budget, approve the bid from Jones Chemical for an amount not to exceed \$26,200.00 for 30 tons of sulfur dioxide for Fiscal Year 2017.

Justification:

The Wastewater Treatment Plant uses sulfur dioxide to neutralize the chlorine remaining in the water after disinfection. Removal of chlorine is required under the City's National Pollutant Discharge Elimination System Permit. The low bid represents a 12.9% increase from Fiscal Year 2015 costs. On May 12, 2015, the City opened sealed bids for sulfur dioxide and JCI Jones Chemical Company was the sole bidder.

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 for Fiscal Year 2016 and will be budgeted in the same account for Fiscal Year 2017 as approved, pending approval of future year budgets.

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: Ted Bomba, 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 \$43,520.00 for the purchase of 68,000 gallons of Sodium Hypochlorite for the Water Treatment Division and \$108,500.00 for the purchase of 175,000 gallons of Sodium Hypochlorite for the Wastewater Treatment Division for Fiscal Year 2016.

Justification:

Sodium Hypochlorite is used at both the Water Treatment Plant and Wastewater Treatment Plant 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 12, 2015, sealed bids were opened. The low bid of \$0.64 per gallon for the Water Treatment Division is a 4.4% decrease and \$0.62 per gallon for the Wastewater Treatment Division is a 1.5% decrease from fiscal year 2015. Following is a tabulation of the bids received:

	Water		Wastewater	
	<u>Per Gallon</u>	<u>Total Bid</u>	<u>Per Gallon</u>	<u>Total Bid</u>
JCI Jones Chemical, Inc. Riverview, MI	\$0.640	\$43,520.00	\$0.620	\$108,500.00
Alexander Chemical Co. Peru, IL	\$0.980	\$66,640.00	\$0.980	\$171,500.00
Rowell Chemical Corp. Hinsdale, IL	\$0.100	\$68,000.00	\$0.100	\$175,000.00

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 (\$43,520.00); and in the Sewer Operations and Maintenance Fund, Remote Facilities Chemicals Account No. 590-4835-727.000 (\$108,500.00) for Fiscal Year 2016.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Hydrofluorosilicic Acid Purchase, Joint Bid
Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Key Chemical, Inc. of Waxhaw, NC be accepted and that a purchase order be approved and issued to them in the amount of \$91,869.96 for the purchase of 182 tons of Hydrofluorosilicic Acid for the Water Treatment Division for Fiscal Year 2016.

Justification:

Hydrofluorosilicic Acid (Fluoride) is added to the drinking water for the prevention of tooth decay. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 12, 2015, sealed bids were opened. The low bid of \$504.78 per ton is a 13.2% decrease from Fiscal Year 2015. Following is a tabulation of the bids received:

	<u>Per Ton</u>	<u>Total Bid</u>
Key Chemical, Inc. Waxhaw, NC	\$504.78	\$91,869.96
PVS Nolwood Chemicals, Inc. Detroit, MI	\$577.00	\$105,014.00
Mosaic Global Sales, LLC Lithia, FL	\$601.00	\$109,382.00
Shannon Chemical Corp. Malvern, PA	\$727.00	\$132,314.00

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 for Fiscal Year 2016.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Liquid PolyDMDAAC Polymer Purchase, Joint-Bid

Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the sole bid from Polydyne, Inc. of Riceboro, GA be accepted and that a purchase order be approved and issued to them in the amount of \$10,800.00 for the purchase of 20,000 lbs. of Liquid PolyDMDAAC for the Water Treatment Division for Fiscal Year 2016.

Justification:

Liquid PolyDMDAAC Polymer is used as a coagulant aid to improve removal of suspended particles in the water treatment process. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint-Bid for chemical purchases. On May 12, 2015 sealed bids were opened. The low bid of \$0.54 per pound is a decrease of 4.4% compared to the price paid for the same chemical during fiscal year 2015. Following is a tabulation of the bids received:

	<u>Per Lb.</u>	<u>Total Bid</u>
Polydyne, Inc. Riceboro, GA	\$0.540	\$10,800.00
Nalco Company Naperville, IL	\$0.790	\$15,800.00

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 for Fiscal Year 2016.

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: Ted Bomba, 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 \$50,603.00 for the purchase of 350 tons of Calcium Oxide (Quicklime) for the Water Treatment Division and \$215,328.00 for the purchase of 1,600 tons of Calcium Oxide (Quicklime) for the Wastewater Treatment Division for Fiscal Year 2016.

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 12, 2015 sealed bids were opened. There were three bids for lime, but Western Lime was disqualified because their product does not meet our specifications. The lowest qualifying bid of \$144.58 per ton is a 11.3% decrease for WTP from fiscal year 2015. The lowest qualifying bid of \$134.58 per ton is a 17.4% decrease for WWTP from fiscal year 2015.

Following is a tabulation of the qualified bids:

	<u>Per Ton</u>	<u>Water Total Bid</u>	<u>Per Ton</u>	<u>Wastewater Total Bid</u>
Carmeuse Lime River Rouge, MI	\$144.58	\$50,603.00	\$134.58	\$215,328.00
Mississippi Lime Co. St. Louis, MO	\$177.24	\$62,034.00	\$177.24	\$283,584.00

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 (\$50,603.00); 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 2016.

Council Action:

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

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced June 8, 2015, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND §110.23, "PAWNBROKERS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

§110.23, "Pawnbrokers," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§110.23 PAWNBROKERS.

- (A) No person shall directly or indirectly operate, conduct, or engage in the business of a pawnbroker without first obtaining a license therefor. No such license shall be granted except upon certification of the Police Chief and Fire Chief or their designees. For purposes of this section, a pawnbroker shall mean a person who loans money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price.
- (B) No such license shall be granted to any person unless a complete set of fingerprints of such person is on file in the noncriminal identification file of the Police Department.
- (C) Before any such license is issued, the applicant therefor shall furnish a corporate surety bond in the penal sum of ten thousand dollars (\$10,000.00) with a surety who is listed on the Department of the Treasury's Listing of Certified Companies to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money or damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.
- (D) No pawnbroker shall purchase or receive any article:
 - (1) From any person under the age of eighteen (18) years;
 - (2) From any person the pawnbroker suspects as having stolen the article or is known to the pawnbroker to be a thief or an associate of thieves;

- (3) Between the hours of 9:00 p.m. and 7:00 a.m.;
- (4) On a Sunday;
- (5) From any person who is intoxicated;
- (6) When the serial number or other identifying insignia on the article has been defaced, scratched, melted, or otherwise damaged; or
- (7) From any person who has not presented a valid form of identification.

(E) No pawnbroker shall accept, offer, or display a pistol for resale. For purposes of this section, the term pistol means any firearm that is twenty-six (26) inches or less in length, or is any firearm that by its construction and appearance conceals it as a firearm. For purposes of this section, a flaregun is a pistol.

(F)

- (1) No pawnbroker shall fail to keep record of all persons with whom he or she does business and all property coming into their possession. Such records shall, at a minimum, contain the following information:
 - (a) A description of the article;
 - (b) A photograph of the article;
 - (c) A sequential transaction number;
 - (d) Any amount of money loaned on the article;
 - (e) The name, address, general description, operator's or chauffeur's license or state identification number, and fingerprint of the person from whom the article was received;
 - (f) A copy of the operator's or chauffeur's license or state identification card;
 - (g) The date and time the article was received;
 - (h) The method and amount of payment, if any;
 - (i) The customer's signature.
- (2) The records, the place where the business is carried on, and all articles of property in that place of business are subject to examination at any time by the city attorney, city police department, county prosecuting attorney, or department of state police.
- (3) All records must be electronically transmitted to the Chief of Police or their designee. Every pawnbroker must, within forty-eight (48) hours, transmit to the Chief of Police or their designee by means of electronic transmission through a modem or similar device in such a format that the data is capable of direct electronic entry into the Saginaw Police Department's computerized system all transactions in which the pawnbroker received articles the preceding day by pawn, trade, purchase, or consignment, in a format approved by the Chief of Police or their designee. A transaction reported by electronic transmission under this subsection shall not be reported on paper forms unless the Chief of Police or their designee so requests.
- (4) A pawnbroker need not report electronically transactions taking place at a business location where the number of transactions in each ninety (90) day period does not exceed ten (10). A pawnbroker reasonably believing a location at which they conduct a business qualified under this division for exemption from computerized reporting and wishing to be exempt from the requirements of this

section shall sign, under penalty of perjury, a declaration to that effect in a form developed by the Chief of Police or the Chief's designee, and once the declaration is signed, so long as the volume of transactions does not exceed ten (10) in each ninety (90) day period, transactions taking place at that pawnbroker need not be reported electronically, but shall be reported on paper forms.

- (5) All pawnbrokers must have the equipment installed in their place of business no later than July 31, 2006. The Saginaw Police Department will require all pawnbrokers to electronically submit data beginning August 1, 2006.
- (G) Every pawnbroker must make daily, a sworn statement of all transactions, describing the items received, and setting forth the name, address, and description of the person from whom the articles were received.
- (H) A fee of two dollars (\$2.00) will be assessed per transaction. The fee breakdown is as follows: The electronic information data manager and pawnbroker will each receive fifty cents (\$0.50) per transaction and the City will receive one dollar (\$1.00) per transaction. The electronic information data manager will assess a property registration fee of fifty cents (\$0.50) for each transaction the pawnbroker reports, either through batch file upload, directly using the electronic information data manager's business interface, or on the electronic information data manager's Automated Reporting Service.
- (I)
 - (1) A **TRANSACTION** is defined as a single buy or pawn, which may involve one or more articles and does not include contract extensions or claims. This is a per transaction registration fee, not a per item fee included in the transaction. It is in the pawnbroker's discretion to recover the fees from its customers for registering the transaction. Further, the pawnbroker may choose to incorporate the fee within other fees associated with the transaction.
 - (2) The pawnbroker will be invoiced on a monthly basis. The electronic information data manager's Automated Reporting Service will generate a list of the billable transactions, which are used for deriving the invoiced amounts. The above fees are assessed for the use of the standard electronic information data manager's Automated Reporting Service.
 - (3) Any custom programming completed for the pawnbroker will be negotiated on a contract basis and may result in unique licensing arrangements between the electronic information data manager and the pawnbroker.
- (J) Every pawnbroker must comply with requirements and procedures established by state law, including, but not limited to those governing memorandums of pawn, interest on loans, storage fees, and title and possession of pawned articles.

This ordinance shall become effective July 2, 2015.

Enacted: June 22, 2015.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis D. Browning
Mayor

Janet Santos, CMMC/CMC/MMC
City Clerk

ORDINANCE 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 ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on June 22, 2015; 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

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced June 8, 2015, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND §110.25, "SECONDHAND MERCHANTS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

§110.25, "Secondhand Merchants," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§110.25 SECONDHAND MERCHANTS.

- (A) No person shall directly or indirectly operate, conduct, or engage in the business or occupation of dealing in secondhand goods or junk without first obtaining a license therefor. For the purpose of this section, dealing in secondhand goods or junk shall include purchasing, selling, exchanging, receiving, or storing to facilitate or promote the sale of secondhand goods or junk of any kind or description; provided, that this section shall not apply to persons who deal exclusively in used personal property commonly known as "antiques," nor shall this section apply to persons involved in scrap processing, automotive recycling, or a junkyard that deals principally in industrial scrap and is licensed by the City for same.
- (B) No such license shall be granted except upon certification of the Police Chief or their designee and unless a complete set of the fingerprints of the applicant therefor is on file in the noncriminal identification file of the Police Department.
- (C) No licensee shall purchase or receive any article:
 - (1) From any person under the age of eighteen (18) years;
 - (2) From any person the licensee suspects as having stolen the article or is known to the secondhand merchant to be a thief or an associate of thieves;
 - (3) Between the hours of 9:00 p.m. and 7:00 a.m.;
 - (4) From any person who is intoxicated; or
 - (5) From any person who has not presented a valid form of identification.
- (D) No secondhand merchant shall accept, offer, or display a pistol for resale. For purposes of this section, the term pistol means any firearm that is twenty-six (26) inches or less in length, or is any firearm that by its construction and appearance conceals it as a firearm. For purposes of this section, a flaregun is a pistol.

(E)

- (1) A secondhand merchant shall post in a conspicuous place in or upon its place of business a sign having its name and occupation.
- (2) No secondhand merchant shall fail to keep record of all persons with whom he or she does business and all property coming into his or her possession. Such records shall, at a minimum, contain the following information:
 - (a) The name, description and photograph of the property, and the fingerprint, operator's or chauffeur's license or state identification number, registration plate number, and address of the person from whom the article was purchased and received;
 - (b) A copy of the operator's or chauffeur's license or state identification card;
 - (c) The date and time the purchase or exchange was made;
 - (d) The method and amount of payment; and
 - (e) The customer's signature.
- (3) The records, the place where the business is carried on, and all secondhand goods or junk in that place of business are subject to examination at any time by the city attorney, city police department, county prosecuting attorney, or department of state police.
- (4) All records must be electronically transmitted to the Chief of Police or their designee. Every secondhand merchant, within forty- eight (48) hours, must transmit to the Chief of Police or their designee by means of electronic transmission through a modem or similar device in such a format that the data is capable of direct electronic entry into the Saginaw Police Department's computerized system approved by the Chief of Police for identifying secondhand goods or junk, all transactions in which the secondhand merchant received secondhand goods or junk the preceding day by trade, purchase, or consignment. A transaction reported by electronic transmission under this subsection shall not be reported on paper forms unless the Chief of Police or their designee so requests.
- (5) A secondhand merchant need not report electronically transactions taking place at a business location where the number of transactions in each ninety (90) day period does not exceed ten (10). A secondhand merchant reasonably believing a location at which they conduct a business is qualified under this division for exemption from computerized reporting and wishing to be exempt from the requirements of this section shall sign, under penalty of perjury, a declaration to that effect in a form developed by the Chief of Police or their designee, and once the declaration is signed, so long as the volume of transactions does not exceed ten (10) in each ninety (90) day period, transactions taking place at that business need not be reported electronically, but shall be reported on paper forms.
- (6) All secondhand merchants must have the equipment installed in their place of business no later than July 31, 2006. The Saginaw Police Department will require all secondhand merchants to electronically submit data beginning August 1, 2006.

(F)

- (1) A fee of two dollars (\$2.00) will be assessed per transaction. The fee breakdown is as follows: The electronic information data manager and secondhand

merchant will each receive fifty cents (\$0.50) per transaction and the City will receive one dollar (\$1.00) per transaction. The electronic information data manager will assess the property registration fee of fifty cents (\$0.50) for each transaction the secondhand merchant reports, either through batch file upload, directly using the electronic information data manager's business interface, or on the electronic information data manager's Automated Reporting Service.

(2) A **TRANSACTION** is defined as a single buy or may involve one or more secondhand goods or junk and does not include contract extensions or claims. This is a per transaction registration fee, not a per item fee included in the transaction. It is in the secondhand merchant's discretion to recover the fees from its customers for registering the transaction. Further, the secondhand merchant may choose to incorporate the fee within other fees associated with the transaction.

(3) The secondhand merchant will be invoiced on a monthly basis. The electronic information data manager's Automated Reporting Service will generate a list of the billable transactions, which are used for deriving the invoiced amounts. The above fees are assessed for the use of the standard electronic information data manager's Automated Reporting Service. Any custom programming completed for the secondhand merchant will be negotiated on a contract basis and may result in unique licensing arrangements between the electronic information data manager and the secondhand merchant.

(G) The articles purchased or received shall be retained by the secondhand merchant for at least fifteen (15) days before disposing of them.

(H) Before any such license is issued, the applicant therefore shall furnish a license and permit bond in the penal sum of ten thousand dollars (\$10,000.00) with surety who is listed on the Department of Treasury's Listing of Certified Companies to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money, damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.

(I) Every secondhand merchant must comply with requirements and procedures established by state law.

This ordinance shall become effective July 2, 2015.

Enacted: June 22, 2015.

Yeas:
Nays:
Absent:
Abstain:
Motion Carried.

Dennis D. Browning
Mayor

Janet Santos, CMMC/CMC/MMC
City Clerk

ORDINANCE 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 ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on June 22, 2015; 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

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced June 8, 2015, entitled and reading as follows, be taken up and enacted:

A NEW ORDINANCE TO ADD §110.35, "PRECIOUS ITEMS DEALERS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

§110.35, "Precious Items Dealer," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby added and to read as follows:

§ 110.35 PRECIOUS ITEMS DEALERS.

- (A) No person shall directly or indirectly operate, conduct, or engage in the business or occupation of dealing in precious items without first obtaining a license therefor. For the purpose of this section, a person is a dealer of precious items if that person, in whole or in part, engages in the ordinary course of repeated and recurrent transactions of buying and receiving precious items from the public.
- (B) For purposes of this section, a precious item means jewelry, a precious gem, or an item containing gold, silver, or platinum. Precious item does not include the following:
- (1) Coins, commemorative medals, and tokens struck by, or on behalf of, a government or private mint.
 - (2) Bullion bars and discs of the type traded by banks and commodity exchanges.
 - (3) Industrial machinery or equipment.
 - (4) An item being returned to or exchanged at the dealer where the item was purchased and that is accompanied by a valid sales receipt.
 - (5) An item which is received for alterations, redesign, or repair in a manner that does not substantially change its use and is returned directly to the customer.
 - (6) An item which does not have a jeweler's identifying mark or serial mark and which the dealer purchases for less than \$5.00.
 - (7) Scrap metal which contains incidental traces of gold, silver, or platinum that are recoverable as by-product.
- (C) No such license shall be granted except upon certification of the Police Chief or their designee and unless the names, addresses and thumbprint of the dealer and all agents or employees of the dealer are on file in the noncriminal identification file of the Police Department. Such certifications shall be posted in a conspicuous place at dealer's place of business.

- (D) Any person who is convicted of buying, receiving, possessing, concealing, or aiding in the concealment of stolen, embezzled, or converted money, goods, or property shall not be permitted to operate as a dealer for a period of one (1) year after conviction of a misdemeanor offense or five (5) years after conviction of a felony offense.
- (E) No licensee shall purchase or receive any article:
- (1) From any person under the age of eighteen (18) years;
 - (2) From any person the licensee suspects as having stolen the article or is known to the dealer to be a thief or an associate of thieves;
 - (3) Between the hours of 9:00 p.m. and 7:00 a.m.;
 - (4) From any person who is intoxicated; or
 - (5) From any person who has not presented a valid form of identification.
- (F)
- (1) A dealer shall post in a conspicuous place in or upon its place of business a sign having its name and occupation.
 - (2) No precious item dealer shall fail to keep record of all persons with whom he or she does business and all property coming into his or her possession. Such records shall, at a minimum, contain the following information:
 - (a) The name, description (including the name of the maker, type of metal or gem, and all letters and marks inscribed) and photograph of the property, and the thumbprint, operator's or chauffeur's license or state identification number, registration plate number, and address of the person from whom the article was purchased and received;
 - (b) A copy of the operator's or chauffeur's license or state identification card;
 - (c) The date or time the purchase or exchange was made;
 - (d) The method and amount of payment; and
 - (e) The customer's signature.
 - (3) All reports must be electronically transmitted to the Chief of Police or their designee. Every dealer, within forty- eight (48) hours, must transmit to the Chief of Police or their designee by means of electronic transmission through a modem or similar device in such a format that the data is capable of direct electronic entry into the Saginaw Police Department's computerized system, all transactions in which the dealer received precious items the preceding day. A transaction reported by electronic transmission under this subsection shall not be reported on paper forms unless the Chief of Police or their designee so requests.
- (G)
- (1) A fee of two dollars (\$2.00) will be assessed per transaction. The fee breakdown is as follows: The electronic information data manager and dealer will each receive fifty cents (\$0.50) per transaction and the City will receive one dollar (\$1.00) per transaction. The electronic information data manager will assess the property registration fee of fifty cents (\$0.50) for each transaction the dealer reports, either through batch file upload, directly using the electronic information

data manager's business interface, or on the electronic information data manager's Automated Reporting Service.

(2) A transaction is defined as a single buy, which may involve one or more precious items. This is a per transaction registration fee, not a per item fee included in the transaction. It is in the dealer's discretion to recover the fees from its customers for registering the transaction. Further, the dealer may choose to incorporate the fee within other fees associated with the transaction.

(3) The dealer will be invoiced on a monthly basis. The electronic information data manager's Automated Reporting Service will generate a list of the billable transactions, which are used for deriving the invoiced amounts. The above fees are assessed for the use of the standard electronic information data manager's Automated Reporting Service. Any custom programming completed for the dealer will be negotiated on a contract basis and may result in unique licensing arrangements between the electronic information data manager and the dealer.

(H) The articles purchased or received shall be retained by the dealer for at least nine (9) days before disposing of them.

(I) Before any such license is issued, the applicant therefore shall furnish a corporate surety bond in the penal sum of ten thousand dollars (\$10,000.00) with surety who is listed on the Department of Treasury's Listing of Certified Companies to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money, damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.

(J) Every precious items dealer must comply with requirements and procedures established by state law.

This ordinance shall become effective July 2, 2015.

Enacted: June 22, 2015.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis D. Browning
Mayor

Janet Santos, CMMC/CMC/MMC
City Clerk

ORDINANCE 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 ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on June 22, 2015; 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

OBSOLETE PROPERTY REHABILITATION CERTIFICATE FOR PROPERTY AT 3430 STATE STREET

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

WHEREAS: under P.A. 146 of 2000, as amended, the City of Saginaw is a Qualified Local Government Unit eligible to establish one or more Obsolete Property Rehabilitation (OPRA) Districts and approve applications for Obsolete Property Rehabilitation Exemption Certificates; and

WHEREAS: the Saginaw City Council approved the formation of an OPRA District at 3430 State Street, TAX ID 13-0537-00000, "the facility", on April 6, 2015, following a public hearing pursuant to Section 3 of P.A. 146 of 2000, as amended; and

WHEREAS: the taxable value of this exemption plus the aggregate taxable value of property already exempt does not exceed 5% of the total taxable value of the City of Saginaw; and

WHEREAS: the applicant, Foods, LLC, is not delinquent in any taxes related to the facility; and

WHEREAS: the applicant has provided all required items listed under the application instructions to the City of Saginaw; and

WHEREAS: the facility has been deemed obsolete by the City of Saginaw pursuant to Section 2(h) of P.A. 146 of 2000, as amended; and

WHEREAS: the application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility within the meaning of P.A. 146 of 2000, as amended, situated within an OPRA District; and

WHEREAS: the commencement of the rehabilitation of the facility did not occur before establishment of the Obsolete Property Rehabilitation District; and

WHEREAS: the facility is located within an Obsolete Property Rehabilitation District and its rehabilitation will constitute a rehabilitated facility pursuant to P.A. 146 of 2000, as amended; and

WHEREAS: the completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to revitalize an urban area; and

WHEREAS: the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by Section 2(1) of P.A. 146 of 2000, as amended; and

WHEREAS: the Council has on this date and earlier in this meeting afforded the applicant, the Assessor of the City of Saginaw, a representative of each affected taxing unit and the general public, an opportunity to be heard on the above-mentioned application for an OPRA Certificate at 3430 State Street, as provided by Section 4(2) of

P.A. 146 of 2000, as amended, and the Council has given due consideration to all information presented at said hearing; and

WHEREAS: the City of Saginaw is stipulating that the applicant complete the rehabilitation by September 2015; and

WHEREAS: the certificate shall be in effect for a period of ten (10) years.

NOW, THEREFORE, BE IT RESOLVED that the City of Saginaw hereby grants an Obsolete Property Rehabilitation Act Exemption Certificate, pursuant to Public Act 146 of 2000, as amended, for the eligible property legally described below located at 3430 State Street, Saginaw, Michigan, for a period of ten (10) years.

ASSESSOR'S FILE #: 13-0537-00000

OUTLOT A EXE. E. 427 FT, DAVENSIDE, ALSO INCLUDING N 20 FT OF VACATED STATE ST LYING ADJACENT THERETO.

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 22, 2015; 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

FREEDOM OF INFORMATION ACT POLICY

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

WHEREAS: the City of Saginaw presently has a Freedom of Information Act (FOIA) Policy; and

WHEREAS: Public Act 563 of 2014 amended the State of Michigan's Freedom of Information Act and made substantive changes to four sections of the Act: Section 4 regarding fees; Section 5 regarding requests, responses and appeals; Section 10 regarding appeals and damages; and Section 11 regarding records of State agencies; and

WHEREAS: the changes made to the Freedom of Information Act by Public Act 563 of 2014 become effective July 1, 2015; and

WHEREAS: the City of Saginaw must adopt a revised Freedom of Information Act (FOIA) Policy that will comport with the amendments made to the Freedom of Information Act by Public Act 563 of 2014.

NOW, THEREFORE, BE IT RESOLVED, the City of Saginaw Freedom of Information Act (FOIA) Policy presented to City Council on this date is hereby adopted effective July 1, 2015; and

BE IT FURTHER RESOLVED, the resolution adopted by City Council on October 10, 2011, and any other prior resolutions regarding the adoption of or pertaining to the City's Freedom of Information Act (FOIA) policy, are hereby rescinded.

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 22, 2015; 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

FREEDOM OF INFORMATION ACT (FOIA) POLICY

- A. **PURPOSE:** The purpose of this policy is to assure compliance with the Freedom of Information Act (Act) by the City of Saginaw (City).
- B. **DESIGNATION OF FOIA COORDINATOR:** The City Manager shall serve as the FOIA Coordinator and shall be responsible for administering this policy. In addition, the following officers shall be authorized to act as the FOIA Coordinator's designees: Executive Assistant to the City Manager, City Clerk, Deputy City Clerk, Fire Chief, Fire Department Clerical II, Police Chief, Police Department Support Services Administrator, and Police Department Office Assistant II. Where used herein, FOIA Coordinator shall mean FOIA Coordinator or designee.
- C. **DEFINITIONS:** The words and phrases contained in this policy shall have the meaning given to them, if any, by the Act.
- D. **ATTACHMENTS:** The attachment(s) to this policy may be revised, in a manner consistent with this policy, by the City Manager as needed due to changes in the law.
- E. **RECEIVING AND RESPONDING TO FOIA REQUESTS:**
 - a. The FOIA Coordinator shall be responsible for accepting and processing requests for public records covered under the Act and shall be responsible for approving a denial in accordance with the Act.
 - b. All FOIA requests must be submitted in writing (Attachment A). This includes requests received by facsimile, electronic mail or through other electronic means. Requests received by facsimile, electronic mail, or other electronic transmission are not considered received until 1 business day after the electronic transmission is made.
 - i. An electronic mail request that is transmitted to a spam or junk mail folder is not considered received until 1 business day after the FOIA Coordinator becomes aware of the request.
 - ii. The FOIA Coordinator shall check the spam or junk mail folder for FOIA requests on a weekly basis and shall keep a log of when such requests are first delivered and received.
 - c. A request must describe the public record sufficiently to enable the City to find the public record.
 - d. Within 5 business days after receiving a request for public records the FOIA Coordinator will:
 - i. Grant the request (Attachment B);
 - ii. Grant the request in part and deny the request in part (Attachment C);
 - iii. Deny the request (Attachment D);
 - iv. Request an extension of 10 business days for additional response time (Attachment E);
 - or
 - v. Request a deposit in accordance with Section F, below (Attachment F).
 - e. Failure to respond to a request constitutes a denial if:
 - i. The failure to respond was willful and intentional; or
 - ii. The request included language that would allow it to be identified as a request for public records or a request made pursuant to the FOIA.
 - f. If any of the requested documents are on the City's website, the requestor shall be informed and no fee shall apply to the request unless the requestor subsequently requests copies of those public records.

- g. Notice to deny a request in whole or in part shall contain an explanation for the grounds under FOIA (or other law) for the determination that the public record or portion of the public record is exempt from disclosure.
- h. If an exemption is used to deny a request, the specific statutory citation for and verbiage of the exemption will be included in the denial. All denials must be signed by the FOIA Coordinator. All denials will also include a description of the denied record, an explanation of the requestor's right to appeal, and/or a certificate verifying that the requested record does not exist under the name given by the requestor or by another name reasonably known to the City.
- i. The FOIA Coordinator will keep on file a time stamped copy of all requests and responses for a period of 1 year following their receipt or issuance.

F. FEES:

- a. In accordance with the Act, the City will charge fees for:
 - i. The actual labor costs for searching for, locating, and examining records;
 - 1. This is the cost of labor directly associated with the necessary searching for, locating, and examining a public record in conjunction with receiving and fulfilling a granted written request;
 - ii. The actual labor costs for redacting records;
 - 1. The City will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession;
 - iii. Non-paper physical media;
 - iv. Paper copies;
 - 1. Copying costs may be charged if a copy of a public record is requested or for the necessary copying of a record for inspection (for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection);
 - v. The actual labor costs for duplication or publication of records;
 - 1. This is the cost of labor directly associated with duplication or publication, including making paper or digital copies or transferring digital records on non-paper physical media, through the Internet, or other electronic means as stipulated by the requestor;
 - vi. Mailing;
 - 1. The City will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner;
 - 2. The City cannot charge more for expedited shipping, insurance, or other special delivery accommodations unless specifically requested by the requestor.

The attached Cost Worksheet shall be utilized to determine the fee charged by the City (Attachment G).

- b. Actual labor costs will be charged in 15-minute increments, rounded down. In calculating the cost of labor incurred in searching for, locating, and examining records, redacting records, and duplication or publication, the City may not charge more than the hourly wage of the lowest paid employee capable of retrieving the information necessary to comply with the request. The City may also add up to 50% to the multiplier used to account for benefits. Subject to the 50% limitation, the City shall not charge more than the actual cost of fringe benefits.
- c. A fee shall not be charged for the cost of searching for, examining, reviewing, and deleting and separating exempt from non-exempt information unless such labor requires more than 15 minutes to complete. If such labor requires more than 15 minutes to complete, such a fee will be charged because failure to do so would result in unreasonably high costs to the City that are

excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests.

- d. If no City employee is capable of redacting the records, the City may forward such records to legal counsel for redaction. Charges for such contracted labor may not exceed 6 times the State minimum wage and must be itemized on the Cost Worksheet.
- e. Up to the first \$20.00 of the fee shall be waived for each request of an individual who is entitled to information under the Act and who submits an "Affidavit of Indigency" stating they are indigent and receiving public assistance or, if not receiving public assistance, stating facts showing their inability to pay the full fee. (Attachment H.)
 - i. An indigent individual may only receive 2 such fee waivers per calendar year.
- f. Up to the first \$20.00 of the fee shall be waived for each request of a nonprofit organization that is formally designated by the State to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act.
- g. If the City fails to timely respond to a request, it must reduce its labor costs by 5% per day a response is late up to a maximum 50% reduction if:
 - i. The late response was willful and intentional; or
 - ii. The request included language that would allow it to be identified as a request for public records or a request made pursuant to the FOIA.
- h. The City Manager shall provide for the calculation of a fee for reproducing documents. This calculation will include paper, copy machine, and supplies cost. The City Manager shall also determine the fee to be charged for envelopes. These fees shall be reviewed periodically and shall be reflective of the City's actual costs.
- i. If the total cost for the non-paper physical media, paper copies, and/or mailing of a response is less than \$5.00, the fee shall be waived.
- j. A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the City determines that a waiver or reduction of the fee is in the public interest, because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

This section does not apply to public records prepared by City departments or offices under a separate law authorizing the sale of those public records to the public.

G. DEPOSITS: The City may charge a deposit if:

- a. The anticipated cost of granting the request is expected to exceed \$50.00.
 - i. In such cases, a notice to provide a good faith deposit of 50% of the cost prior to granting the request will be sent.
 - ii. The request for a good faith deposit must also include a "best efforts estimate" as to the amount of time it will take the City to fulfill the request upon receipt of the deposit.
- b. The City may require a 100% deposit from an individual who has not paid a previous FOIA fee in full. Such a deposit may only be required if:
 - i. The final fee for the prior written request was not more than 105% of the estimated fee.
 - ii. The public records made available contained the information being sought in the prior written request and are still in the City's possession.
 - iii. The public records were made available to the individual, subject to payment, within the time frame provided by law.
 - iv. No fewer than 90 days but no more than 365 days have passed since the City notified the individual in writing the records were available for pick up or mailing.
 - v. The individual is unable to show proof of prior payment to the City

- vi. The City calculates a detailed itemization that is the basis for the current written request's increased estimated fee deposit.
 - c. The City can no longer require an increased estimated fee deposit (i.e. 100% deposit) from an individual if any of the following apply:
 - i. The individual is able to show proof of prior payment in full to the City;
 - ii. The City is subsequently paid in full for the applicable prior written request; or
 - iii. 365 days have passed since the individual made the written request for which full payment was not remitted to the City.
- H. APPEAL: In accordance with the Act, where a person's request for a public record is denied, in whole or in part, or the person believes the fee charged in responding to the request is excessive, the person shall be entitled to file a written appeal. The FOIA Coordinator shall forward any copy of an appeal of a full or partial denial of a FOIA request, or fee associated with preparing the response to same, to legal counsel for review. The City Council shall respond to such appeals within ten (10) business days from their receipt of same. The City Council is not considered to have received an appeal until the first regularly scheduled City Council meeting following submission of the appeal.

The City Council may deliberate and take one of the following actions in response to the filing of an appeal:

- a. Reverse the disclosure denial.
- b. Affirm the disclosure denial or fee charged.
- c. Reverse the disclosure denial in part and affirm the disclosure denial in part.
- d. Modify the fee charged.
- e. Under unusual circumstances, issue a notice extending for not more than 10 business days the period for issuing a response. The Council can only issue one 10-day extension.

If City Council fails to respond to a written appeal or upholds all or a portion of the disclosure denial/fee charged that is the subject of the appeal, the requestor may seek judicial review of the decision by commencing an action in the Saginaw County Circuit Court.

- I. PUBLIC SUMMARY: The City Manager shall create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit a FOIA request to the City and explaining how to understand its responses, deposit requirements, fee calculations, and avenues for challenge and appeal. (Attachment I.)
- J. PUBLICATION: The City shall post and maintain this policy, as well as the public summary, on its website, as well as provide free copies of same upon request by visitors at the City Manager's or City Clerk's office. Either a copy of both this policy and the public summary or the website link to such documents shall be provided with any response to a FOIA request.
- K. ATTACHMENTS: The attachment(s) to this policy may be revised, in a manner consistent with this policy, by the City Manager as needed due to changes in the law.
- L. EFFECTIVE DATE: This policy shall become effective on July 1, 2015, and shall supersede any prior policies relating to the same subject.

ATTACHMENT A - REQUEST FOR PUBLIC RECORD

DEPARTMENT: _____

NAME OF REQUESTOR: _____

REQUESTED FORM: WRITTEN _____ ELECTRONIC _____ INSPECTION _____

ADDRESS: _____

PHONE: _____

DATE SUBMITTED: _____

EMAIL: _____

NAME AND BRIEF DESCRIPTION IDENTIFYING PUBLIC RECORD(S) DESIRED:

I understand that I will be responsible for the payment of all fees associated with fulfilling this request. I further understand that if I withdraw my request after the City has begun work on the request, I will be responsible for all costs incurred by the City of Saginaw up until the point of withdrawal.

SIGNATURE

ATTACHMENT B – SAMPLE RESPONSE GRANTING REQUEST

Date: _____

Requestor

Address

Dear _____:

Pursuant to your Freedom of Information Act request dated _____, received by the City of Saginaw on _____, your request has been granted. The total cost associated with responding to your request is _____. A detailed itemization is attached.

Please remit a check payable to the City of Saginaw and mail it to my attention.

If you should have any questions, please feel free to contact me. You may also find a copy of the City's FOIA policy and public summary on its website at: _____.

Respectfully,

ATTACHMENT C – SAMPLE RESPONSE GRANTING IN PART AND DENYING IN PART

Date: _____

Requestor

Address

Dear _____:

Pursuant to your Freedom of Information Act request dated _____, received by the City of Saginaw on _____, your request has been granted in part. The total cost associated with responding to your request is _____. A detailed itemization is attached.

Please remit a check payable to the City of Saginaw and mail it to my attention.

However, a decision has been made to deny a certain portion of your request because such information (check appropriate line) _____ does not exist / _____ is exempt from disclosure pursuant to _____, which states:

You have the right to appeal this denial to the City Council in writing. Such writing must specifically state the word "APPEAL" and indicate the reason or reasons for reversal of the denial or seek judicial review in the Saginaw County Circuit Court within 180 days of the final determination to deny a request. If the Council or Court determines a public record is not exempt from disclosure, it shall order its release or production. If a Court determines that the City has been arbitrary and capricious in not disclosing a public record, it may award in addition to actual, compensatory, and punitive damages.

You may find a copy of the City's FOIA policy and public summary on its website at: _____
_____.

Respectfully,

ATTACHMENT D – SAMPLE RESPONSE DENYING REQUEST

Date: _____

Requestor

Address

Dear _____:

After review of your Freedom of Information Act request dated _____, received by the City of Saginaw on _____, a decision has been made to deny your request because such information (check appropriate line) _____ does not exist / _____ is exempt from disclosure pursuant to _____, which states:

You have the right to appeal this denial to the City Council in writing. Such writing must specifically state the word "APPEAL" and indicate the reason or reasons for reversal of the denial or seek judicial review in the Saginaw County Circuit Court within 180 days of the final determination to deny a request. If the Council or Court determines a public record is not exempt from disclosure, it shall order its release or production. If a Court determines that the City has been arbitrary and capricious in not disclosing a public record, it may award in addition to actual, compensatory, and punitive damages.

You may find a copy of the City's FOIA policy and public summary on its website at: _____
_____.

Respectfully,

ATTACHMENT E – SAMPLE NOTICE OF 10-DAY EXTENSION

_____, Freedom of Information Coordinator

NOTICE OF 10-DAY EXTENSION

City of Saginaw, Michigan

Re: Freedom of Information Act Request of _____

Date of Original Request: _____

According to the Freedom of Information Act, the City must respond to requests for public records within five (5) business days of the date the request is received. FOIA also provides that the City may give notice of the need for additional time, not exceeding ten (10) additional business days in which to respond to a request for public records. The City of Saginaw hereby gives notice of a need for additional time to act upon your request.

Reason for extension: _____

The City shall, therefore, on or before _____:

1. Grant your request;
2. Issue a written notice denying your request;
3. Grant your request in part and issue a written notice denying your request in part; or
4. Request a deposit in accordance with its FOIA policy.

You may find a copy of the City's FOIA policy and public summary on its website at: _____
_____.

Respectfully,

ATTACHMENT F – SAMPLE RESPONSE FOR GOOD FAITH DEPOSIT

Date: _____

Requestor

Address

Dear _____:

This letter is in response to your Freedom of Information Act Request dated _____ and received by the City of Saginaw on _____.

The estimated costs of locating and copying the requested records are _____. An estimated, detailed itemization is attached.

In accordance with the Freedom of Information Act, I am requesting a good faith deposit in the amount of one-half of the cost for providing the information you are requesting in order for the City to process your request. A check in the amount of _____ should be made payable to the City of Saginaw and mailed to my attention.

Upon receipt of the deposit, the City will use its best efforts to fulfill your request by _____.

You may find a copy of the City's FOIA policy and public summary on its website at: _____
_____.

Respectfully,

ATTACHMENT G

Freedom of Information Act Request Cost Worksheet

Pursuant to the Michigan Freedom of Information Act, the following costs will be charged for responses to FOIA requests.			
Paper Copies (Cost Per Copy): Letter (single-sided): ____ cents per page Letter (double-sided): ____ cents per page Legal (single-sided): ____ cents per page Legal (double-sided): ____ cents per page Other: _____ Cost per page: _____		Number of Pages: x _____ = x _____ = x _____ = x _____ = x _____ =	Total Cost \$ _____ \$ _____ \$ _____ \$ _____ \$ _____
Non-Paper Physical Media: Other Media (tape/disk/drive): _____ Cost: _____		Number: x _____ =	Total Cost \$ _____
Labor Cost for Searching For, Locating, and Examining Records (15 minute increments rounded down) Hourly Rate Charged: _____		Minutes Spent: x _____ =	Total Cost \$ _____
Labor Cost for Searching For Redacting Records (15 minute increments rounded down) Hourly Rate Charged: _____ Name of firm/individual if contracted labor used: _____		Minutes Spent: x _____ =	Total Cost \$ _____
Labor Cost for Duplication/Publication of Records (15 minute increments rounded down) Hourly Rate Charged: _____		Minutes Spent: x _____ =	Total Cost \$ _____
Mailing: No. 10 Business Envelope: ____ cents 9 x 12 Envelope: ____ cents 10 x 13 Envelope: ____ cents Other: ____ cents Postage (select method): \$ ____ per stamp \$ ____ per pound \$ ____ per package		Number of Envelopes: x _____ = x _____ = x _____ = x _____ = Actual Postage: x _____ = x _____ = x _____ =	Total Cost \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____
		Subtotal	\$ _____
Indigent or Designated Non-Profit Credit		Subtract up to \$20.00	\$ _____
		Estimated Cost	\$ _____
Note: Estimated Cost exceeds \$50.00 Good Faith Deposit of 50% required <u>before</u> request will be processed		Date Paid: _____	Deposit: \$ _____
		Date Paid: _____	Balance: \$ _____

If you believe the fee charged is excessive, you have the right to undertake either of the following actions to appeal it: 1) submit to the City Council (via the City Manager's office) a written appeal that specifically states the word "appeal" and identifies the reasons the fee is excessive; or 2) seek judicial review in the Saginaw County Circuit Court. You may also have the right to receive attorney fees and damages as provided in the Freedom of Information Act if, after judicial review, the Circuit Court determines that the City acted arbitrarily and capriciously.

ATTACHMENT H

AFFIDAVIT OF INDIGENCY FOR COPIES OF PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT

State of Michigan)
)ss
County of Saginaw)

The undersigned requests a copy of the following record(s) from the City of Saginaw, Michigan:

Pursuant to the Freedom of Information Act, the undersigned being first duly sworn deposes and says: (Fill out either A or B)

- A. () On this date I am indigent and receiving public assistance as referred to in the Freedom of Information Act.
- B. () I am not receiving public assistance as referred to in the Freedom of Information Act, but I am indigent and unable to pay the cost of the copies of records which I have requested and in support of my assertion I show and swear the following facts are true:
1. That I have no funds with which to pay for the copies except \$_____.
 2. That I own no property, real or personal, which could be sold to raise funds with which to pay for the copies, except _____.
 3. That I **do** (), **do not** (), have a spouse who is dependent upon me for support.
 4. That I **do** (), **do not** (), have minor children dependent upon me for their support.
 (Insert number _____)
 5. That I owe child support payments in the amount of \$_____ per week to the Friend of the Court and an arrearage of \$_____.
 6. All of my assets **do** (), **do not** (), exceed my liabilities. If liabilities exceed assets, they do so by \$_____.

Date: _____ Signed: _____

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public - _____ County, Michigan
Acting in Saginaw County, Michigan
My Commission Expires: _____

ATTACHMENT I – PUBLIC SUMMARY

This is only a summary of the City of Saginaw's FOIA Policy. For more details and information, a copy of the City's FOIA Policy is available at no charge at the City Manager or City Clerk's offices and on the City website at _____.

Right to Request Public Records

All Freedom of Information Act requests must be submitted in writing to the City's FOIA Coordinator. This includes requests received by facsimile, electronic mail or through other electronic means. Requests received by facsimile, electronic mail, or other electronic transmission are not considered received until one (1) business day after the electronic transmission is made.

City's Duty to Respond

Within five (5) business days after receiving a request for public records the FOIA Coordinator or designee will:

- Grant the request and provide records requested;
- Grant the request in part and deny the request in part;
- Deny the request because the records do not exist or are not subject to disclosure;
- Request an extension of ten (10) business days for additional response time;
- Issue a written notice indicating that the requested public record is available at no charge on the City's website; or
- Request a deposit.

Fees

In accordance with the FOIA, the City will charge fees for:

- The actual labor costs for searching for, locating, and examining records;
- The actual labor costs for redacting records;
- Non-paper physical media;
- Paper copies;
- The actual labor costs for duplication or publication of records; and
- Mailing.

The City may charge a deposit if the anticipated cost of granting the request is expected to exceed \$50.00. In such cases, a notice to provide a good faith deposit of 50% of the cost prior to granting the request will be sent. Under limited circumstances, the City may charge a 100% deposit from an individual who has not paid a previous FOIA fee in full.

Indigent individuals and certain non-profit organizations may receive up to a \$20.00 discount or credit for fees.

Right to Appeal

An individual has the right to undertake either of the following actions to appeal a denial of a request or fee charged in association with a request:

1. Submit to the City Council a written appeal that specifically states the word "appeal" and identifies the reasons reversal of the disclosure denial or fee charged is appropriate.
2. Seek judicial review in the Saginaw County Circuit Court.

The City Council is not considered to have received an appeal until the first regularly scheduled City Council meeting following submission of the appeal.

INVESTMENT POLICY

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

WHEREAS: Michigan's Investment of Surplus Funds of Political Subdivisions Act, being Public Act 20 of 1943, as amended ("Act"), regulates the investment of funds of public corporations of the State, validates certain investments, and requires public corporations to adopt investment policies; and

WHEREAS: it is in the best interests of the City of Saginaw to invest public funds belonging to and under the control of the City, to the end that the earnings from such investments may be anticipated and appropriated by the City as a means of financing municipal services; and

WHEREAS: the City has developed an Investment Policy to comply with the provisions of the Act; and

WHEREAS: the City Council previously adopted a resolution on September 10, 1990, pertaining to the investment of surplus funds belonging to and under the control of the City.

NOW, THEREFORE, BE IT RESOLVED, the City of Saginaw Investment Policy presented to City Council on this date is hereby adopted; and

BE IT FURTHER RESOLVED, the resolution adopted by City Council on September 10, 1990, pertaining to the investment of surplus funds belonging to and under the control of the City, and any other prior resolutions regarding the adoption of an investment policy by the City, are rescinded.

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 22, 2015; 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

**CITY OF SAGINAW
INVESTMENT POLICY
To Comply With Act 20 PA 1943, As Amended**

Purpose

It is the policy of the City of Saginaw to invest its funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the City and comply with all state statutes governing the investment of public funds.

Scope

This investment policy applies to all financial assets of the City of Saginaw. These assets are accounted for in the various funds of the City of Saginaw and include the general fund, special revenue funds, debt service funds and capital project funds (unless bond ordinances and resolutions are more restrictive), enterprise funds, internal service funds, trust and agency funds and any new fund established by the City of Saginaw.

Objectives

The primary objective, in priority order, of the City of Saginaw's investment activities shall be:

- ◆ **Safety** - Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.
- ◆ **Diversification** - The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- ◆ **Liquidity** - The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.
- ◆ **Return on Investment** - The investment portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

Delegation of Authority to Make Investments - The Finance Director or City Treasurer of the City of Saginaw is authorized and directed to establish and maintain a program of investing surplus funds belonging to and under the control of the City of Saginaw in such investment instruments and through such financial institutions permitted by State of Michigan laws. Written procedures and internal controls for the operation of the investment program consistent with this investment policy shall be maintained by the City Treasurer. Procedures should include agreements, wire transfer agreements, collateral/depository agreements and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and procedures

established by the City Treasurer. The Treasurer of the City of Saginaw shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

List of Authorized Investments

The Treasurer of the City of Saginaw is limited to investments authorized by Act 20 of 1943, as amended, and may invest in the following:

- 1) Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.
- 2) Certificates of deposit, savings accounts, deposit accounts, or depository receipts, as provided by law.
- 3) Commercial paper rated at the time of purchase within the two highest classifications established by not less than two standard rating services and that matures not more than 270 days after the date of purchase.
- 4) Repurchase agreements consisting of instruments listed in (1), above.
- 5) Bankers' acceptances of United States banks.
- 6) Obligations of this state or any of its political subdivisions that at the time of purchase are rated investment grade by not less than one standard rating service.
- 7) Mutual funds registered under the Investment Company Act of 1940, 15 USC 80a-1 to 80a-64, with authority to purchase only investment vehicles that are legal for direct investment by the City of Saginaw. This authorization is limited to securities whose intention is to maintain a net asset value of \$1.00 per share.
- 8) Obligations described in (1) through (7), above, if purchased through an interlocal agreement under the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.
- 9) Investment pools organized under the Surplus Funds Investment Pool Act, 1982 PA 367, MCL 129.111 to 129.118.
- 10) The investment pools organized under the Local Government Investment Pool Act, 1985 PA 121, MCL 129.141 to 129.150.

Safekeeping and Custody

All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the Treasurer of the City of Saginaw may be on a cash basis or a delivery versus payments basis as determined by the City Treasurer. Securities may be held by a third party custodian designated by the Treasurer and evidenced by safekeeping receipts as determined by the Treasurer.

Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of the capital as well as the probable income to be derived.



**City of Saginaw, Michigan
Acknowledgment of Receipt of Investment Policy
and Agreement to Comply**

I have read and fully understand Act 20 PA 1943, as amended, and the Investment Policy of the City of Saginaw.

Any investment advice or recommendation given by _____,
representing _____, to the City of Saginaw shall comply with
the requirements of Act 20 PA 1943, as amended, and the Investment Policy of the City of Saginaw.
Any existing investment not conforming with the statute of the policy will be disclosed promptly.

By: _____

Title: _____

Date: _____

SAGINAW POLICE DEPARTMENT FEE SHCEDULE

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

WHEREAS: the Saginaw Police Department has reviewed their current fee schedule with current fee schedules for municipalities and jurisdictions of similar population; and

WHEREAS: it is recommended that the fees for services provided by the Saginaw City Police Department be increased to coincide with current fee rates; and

WHEREAS: these fees will be effective on July 1, 2015; and

WHEREAS: notary services are performed by numerous departments within the City; and

WHEREAS: the 'Notary Fee' will be a citywide fee and not only of the Saginaw Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the Saginaw City Council approves the Saginaw City Police Department fee schedule and the citywide Notary Fee as listed on the attached fee schedule.

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 22, 2015; 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

SAGINAW POLICE DEPARTMENT FEE SCHEDULE – EFFECTIVE JULY 1, 2015

<u>FEE DESCRIPTION</u>	<u>AUTHORITY</u>	<u>FY 2015 CURRENT FEE</u>	<u>FY 2016 RECOMMENDED FEE</u>
Fingerprints	City	\$10	\$20 first card \$5 each additional
Vehicle Impound Release	City	New Method	\$75
SOR Fee	State (MCL-28.725b)	\$50	\$50
Liquor License (Permanent) Investigation	City	\$0	\$200
Liquor License (Temporary) Investigation	City	\$0	\$20
PBT (Preliminary Breath Test)	City	\$5	\$10
Gun Permit	City	\$5	\$10
Pistol Database Query Fee	State (MCL28.422a)	New Service	\$1
Notary Fee	City	New Citywide Fee	\$10