

COUNCIL AGENDA
April 7, 2014 – 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Presentation by Jeanne Murphy, Child Abuse & Neglect Council, regarding the CAN Council.

CONSENT AGENDA:

1. Approve the March 13, 2014, Committee of the Whole and Special Council meeting minutes.
2. Approve the March 17, 2014, regular Council meeting minutes.
3. Approve the 2013-2014 Third Quarter Budget Adjustment.
4. Approve the State Fire Protection Grant that was awarded to the City in the amount of \$46,223.53.
5. Approve the Grant Agreement with the State of Michigan, Department of State for the Qualified Voter File Oracle/Equipment Upgrade Project.
6. Approve a purchase order to Ricoh USA for one multi-function printer and one large format plotter/scanner for the City Manager's Office and the Engineering Division, with \$6,272.28 in annual payments, totaling \$31,361.40 on a five-year lease.
7. Approve a purchase order to F & E Trading, LLC, for \$4,475 for the purchase of 50 Nikon Coolpix cameras and supplemental accessories for the Police Department.
8. Approve a purchase order to Medler Electric for \$2,505.16 for the purchase of four electric motor starters for the Water Treatment Division.

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9. Approve a contract with Dixon Engineering for \$2,750 for a finished water storage reservoir inspection for the Water Treatment Plant.
10. Approve payment to Martin Control Services for \$8,831 for the emergency purchase of six Accusonic velocity transmitters for the Salt/Fraser Retention Treatment Basin's flow monitoring system for the Wastewater Treatment Division.
11. Approve a Lease Agreement with the Department of Veteran Affairs (VA), 1500 Weiss St., and the City of Saginaw for the use and construction of a parking lot located within the City's water main right-of-way adjacent to the east side of the VA Hospital for a five-year period with one five-year extension.
12. Approve a purchase order to Flotation Docking Systems, a sole source, for \$23,620 for replacement of one of the aluminum ramps at Westside Dock.
13. Approve a purchase order to Etna Supply for \$36,900 for 300 replacement water meters for the Maintenance and Service Division.

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

INTRODUCTION OF ORDINANCES:

1. An Ordinance to add "Low Income Housing Tax Exemption for Finlay Brookwood Park Limited Dividend Housing Association Limited Partnership" to the Table of Special Ordinances, VIII, of the City of Saginaw Code of Ordinances, O-1.
2. An Ordinance to add "Human Rights," to Chapter 93, "Non-discrimination," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Authorizing the Saginaw Public Schools Foundation to use amplifying equipment during a special event on May 10, 2014 at Ojibway Island.
2. Authorizing the Saginaw County Community Mental Health Authority to use amplifying equipment during a special event on August 12, 2014 at 500 Hancock.
3. Authorizing the Circle of Love CDC to use amplifying equipment during a special event on June 27, 2014 at Bliss Park.
4. Authorizing the City of Saginaw to actively seek FY 2017 Local Bridge Program funds.

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5. Approving the issuance of Hospital Revenue and Revenue Refunding Bonds by the City of Saginaw Hospital Finance Authority for the benefit of Covenant Medical Center, Inc.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

ADJOURN:

Tim 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 AVENUE, 989.759.1480.

A COMMITTEE OF THE WHOLE MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN HELD THURSDAY, MARCH 13, 2014, AT 5:00 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Annie Boensch, Mayor Pro-Tem O'Neal, Larry Coulouris, Brenda Moore, Michael Balls, Floyd Kloc and Mayor Browning – 7. Council Members absent: Daniel Fitzpatrick - 1. Vacancy - 1.

Mayor Browning announced a Special meeting of the Saginaw City Council would be held at 6:30 p.m. to appoint a candidate to fill the vacancy left by Norman Braddock.

Council Members interviewed 4 candidates for the vacant City Council seat: Clint Bryant, Demond Tibbs, Ricardo Longoria and Albert Hayes Jr.

ADJOURNMENT

Mayor Dennis Browning adjourned the Committee of the Whole meeting at 5:45 p.m.

Lynnette A. Hagen
Deputy City Clerk

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SPECIAL MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD THURSDAY, MARCH 13, 2014, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

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: Annie Boensch, Mayor Pro Tem Amos O'Neal, Larry Coulouris, Brenda Moore, Michael Balls, Floyd Kloc and Mayor Dennis Browning - 7. Council Members absent: Daniel Fitzpatrick - 1. Vacancy - 1.

Moved by Council Member Coulouris, seconded by Council Member Kloc to suspend the Council Rules of Order to go to Motions and Miscellaneous Business. Motion approved.

MOTIONS AND MISCELLANEOUS BUSINESS

Mayor Browning called for nominations for the vacant City Council seat. Council Member Kloc nominated Demond Tibbs. Council Member Moore nominated Clint Bryant. Council Member Coulouris nominated Ricardo Longoria. Mayor Browning called for nominations three times. Council Member Kloc moved, seconded by Council Member Moore to close nominations. Motion approved.

Council Member Balls	Clint Bryant
Council Member Boensch	Demond Tibbs
Council Member Coulouris	Ricardo Longoria
Council Member Kloc	Demond Tibbs
Council Member Moore	Clint Bryant
Mayor Pro Tem O'Neal	Clint Bryant
Mayor Browning	Clint Bryant

Deputy City Clerk Hagen announced the vote: Clint Bryant - 4. Ricardo Longoria - 1. Demond Tibbs - 2. With no candidate receiving the required 5 votes, Mayor Browning called for a roll call vote of the 2 candidates receiving the most votes, Clint Bryant and Demond Tibbs.

Council Member Boensch	Demond Tibbs
Council Member Coulouris	Demond Tibbs
Council Member Kloc	Demond Tibbs
Council Member Moore	Clint Bryant
Mayor Pro Tem O'Neal	Clint Bryant
Council Member Balls	Clint Bryant
Mayor Browning	Demond Tibbs

Deputy City Clerk Hagen announced the vote: Clint Bryant - 3. Demond Tibbs - 4. Mayor Browning called for another roll call vote.

Council Member Coulouris	Demond Tibbs
Council Member Kloc	Demond Tibbs
Council Member Moore	Clint Bryant

Mayor Pro Tem O'Neal	Demond Tibbs
Council Member Balls	Demond Tibbs
Council Member Boensch	Demond Tibbs
Mayor Browning	Demond Tibbs

Deputy City Clerk Hagen announced the vote: Clint Bryant – 1. Demond Tibbs – 6. Demond Tibbs will fill the vacant City Council seat.

Mayor Browning congratulated Mr. Tibbs, thanked all candidates, and announced Demond Tibbs would be sworn in at the next regular Council meeting on Monday, March 17, 2014, Student Government Day, the meeting will start at 12:00 P.M.

ADJOURNMENT

Moved by Council Member Coulouris, seconded by Council Member Boensch to adjourn the meeting at 6:47 p.m. 7 ayes, 0 nays, 1 absent, 1 vacancy. Motion approved.

Lynnette A. Hagen
Deputy City Clerk

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, MARCH 17, 2014, AT 12:00 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

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

Mayor Browning called forth the newly appointed member of Council, Demond Tibbs. Deputy City Clerk Lynnette Hagen administered the oath of office, Council Member Tibbs signed the oath book and took his seat.

Mayor Browning welcomed the students in attendance for Student Government Day.

ROLL CALL

Council Members present: Demond Tibbs, Annie Boensch, Mayor Pro Tem Amos O'Neal, Larry Coulouris, Brenda Moore, Michael Balls, Floyd Kloc and Mayor Dennis Browning - 8. Council Members absent: Daniel Fitzpatrick - 1.

ANNOUNCEMENTS

Deputy City Clerk Hagen made the following announcements:

- The Waste Convenience Station would be open April 12, 2014.
- A correction to the minutes of the March 3, 2014 Council meeting on the Consent Agenda.

Mayor Browning read a proclamation recognizing March 28, 2014 as Cesar Chavez Day. Elias Ayala, Commander, and Elizabeth Estrada, Vice Commander, of the American GI Forum, accepted the proclamation and thanked the Council.

Mayor Browning read a proclamation honoring the life of Daniel G. Soza. Daniel Soza, III accepted the proclamation and thanked the Council.

County Commissioner Robert Woods read a resolution from the County of Saginaw acknowledging the accomplishments of Daniel G. Soza which was presented to Daniel Soza III.

PERSONAL APPEARANCES

The following person addressed the Council: Shatoris Jackson.

REMARKS OF COUNCIL

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

REPORTS FROM CITY MANAGER

Management Updates

City Manager Tim Morales announced upcoming meetings, talked about additional expenses from snow and potholes and announced the "Light Up the City" campaign kick-off would be April 2, 2014.

City Manager Morales introduced John Kaczynski, Saginaw Valley State University Center for Public Policy & Services, who presented a report from the January 25, 2014 Strategic Planning Session.

City Manager Morales introduced Kendrick Kemp and Joyce Seals from Saginaw Promise, who explained the creation and purpose of Saginaw Promise and urged citizens and Council to get involved. Laura Yockey, Treasurer of Saginaw Promise, talked of opportunities Saginaw Promise brings for economic development in Saginaw.

City Manager Morales introduced Fire Marshall Ralph Martin who gave a presentation on smoke detectors.

Consent Agenda

1. Approve the March 3, 2014, regular Council meeting minutes with corrections.
2. Approve Petition #14-01 from the Saginaw County Bar Association for erection of a banner in the 500 block of Court St. from April 1, 2014 to April 30, 2014
3. Approve the recommendations for the 2014 Single Lot Special Lot Assessment Tax Roll.
4. Approve a purchase order to AKT Peerless in the amount of \$16,000 for environmental services associated with the Community Development Block Grant and the Riverfront Grant.
5. Approve a purchase order to Mid-Michigan Contracting, Inc. in the amount of \$25,000 for snowplowing services for Fiscal Years 2014 and 2015.
6. Approve a budget adjustment to accept a donation from Covenant Healthcare for the Police Department.
7. Approve a purchase order to Michigan Taser Distributing, a sole source vendor, in the amount of \$5,241.49 for the purchase of two Tasers and accompanying equipment for the Police Department.
8. Approve the Listing and Marketing Commission Agreement with Brindlee Mountain Fire Apparatus for the sale of fire apparatus.
9. Approve a purchase order to International Promotional Ideas in the amount of \$1,714.70 for Fiscal Year 2014, \$1,790.12 for Fiscal Year 2015 and \$1,865.72 for Fiscal Year 2016, totaling \$5,370.54, for the purchase of uniform t-shirts for the Fire Department.
10. Accepting the U. S. Department of Homeland Security – FEMA – AFG Fire Prevention & Safety Grant in the amount of \$120,000 to cover the cost of approximately 10,000 smoke detectors for Fiscal Year 2014.

11. Approve a budget adjustment for the Fire Department, and approve a purchase order to Home Depot in the amount of \$118,500 for the purchase of 10,000 smoke detectors for the Fire Department.
12. Approve a purchase order to Perimutter Purchasing Power in the amount of \$2,174 to supply a security camera for the main gate of the Wastewater Treatment Plant.
13. Approve a purchase order to Browning Power Systems in the amount of \$1,443 for Fiscal Year 2014, \$1,443 for Fiscal Year 2015 and \$1,443 for Fiscal Year 2016, totaling \$4,329, for mechanical and electrical service for the Remote Facilities generators in the Wastewater Treatment Division.
14. Approve payment to A/C Service and Repair, Inc. in the amount of \$12,000 for the emergency purchase of three rebuilt valves for the Water Treatment Division.
15. Approve a purchase order to Nefco, Inc. in the amount of \$20,800 for the purchase of replacement weirs and baffles for the Wastewater Treatment Division.
16. Approve a purchase order to Gerace Construction in the amount of \$139,000 to rebuild a final clarifier for the Wastewater Treatment Division.
17. Approve the four Agreements with Consumers Energy and issue a purchase order to them in the amount of \$48,330 to provide alternate power supplies for four Wastewater Treatment Division Retention & Treatment Basins for a five-year period.
18. Approve a one-year Adopt-A-Park Agreement with Global Youth Awareness Star Club to help maintain Germaine Park.
19. Approve a one-year Adopt-A-Park Agreement with Northeast Saginaw Neighborhood Association to help maintain Unity Park.
20. Approve a one-year Adopt-A-Park Agreement with Project Unify to help maintain Unity Park.
21. Approve a one-year Adopt-A-Park Agreement with Global Youth Awareness Star Club to help maintain Unity Park.
22. Approve payment to Winter Equipment Company, a sole source vendor, in the amount of \$4,588.82 for the emergency purchase of snowplow guards and fasteners for the Public Services Department.

Council Action:

Moved by Council Member Coulouris, seconded by Council Member Balls to approve consent agenda items 1 through 5, 8 through 17 and 22 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Moore to approve consent agenda item 6 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Mayor Browning, seconded by Council Member Kloc to approve consent agenda item 7 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Moore to approve consent agenda items 18 through 21 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Kloc, seconded by Council Member Moore to adopt a resolution certifying the 2014 Single Lot Special Assessment Tax Roll. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Boensch, seconded by Council Member Moore to adopt a resolution supporting the "Light Up the City" initiative. 8 ayes, 0 nays, 1 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Boensch, seconded by Council Member Moore to adjourn the meeting at 2:15 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Lynnette A. Hagen
Deputy City Clerk

From: Timothy Morales, City Manager
Subject: 2013/2014 Third Quarter Budget Adjustment
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

It is recommended that the 2013/2014 Approved Budget for the listed funds be amended. This adjustment is required to recognize any errors, omission, or changes that have occurred during the third quarter.

Justification:

The 2013/2014 annual budget will be adjusted in accordance with Public Act 2 of 1968, Uniform Budgeting and Accounting Act, the City Charter, and the approved 2014 Budget Resolution, which states that the City Manager must provide quarterly budget adjustments to City Council as a result of budget-to-actual analysis. As a result of the City Manager's third 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.

In the third quarter of FY 2014, the General Fund (101) will realize a net decrease of \$58,609 from \$31,190,566 to \$31,131,957.

- Major reductions that affect the General Fund are associated with a \$200,000 increase to the contra-revenue account - Property Tax Chargebacks Account No. (101-0000-448.000). This debit increase is based on historical activity. Income Tax Account No. (101-0000-438.000) will be decreased \$100,000 due to the closure of TRW in February 2014. In addition, the Parking Violation Fines Account No. (101-0000-655.002) has been underperforming and should be decreased by \$60,000. This reduction is due to actual revenues collected so far this fiscal year and the continual change in part-time staff.
- In order to cover the above mentioned anticipated revenue shortfall, it is also recommended that the \$157,452 of unrealized revenues should be recognized. These unrealized revenues are realized in civil infractions, boot removal fees, hazmat clean-up fees, special events revenues, demolition permits, sale of land and buildings, google advertising revenues, Saginaw County revenues, and insurance premiums. Correspondingly, on the expenditure side, it is recommended that the General Fund's Community Public Safety – Police, Police Patrol Division's Unemployment Account No. (101-3511-715.033) should be decreased \$101,274 and the General Fund's Community Public Safety – Fire, Fire Suppression Division's Unemployment Account No. (101-3551-715.033) should be decreased the same, \$101,274.

- The General Fund Revenues also recognizes a new grant source. In December, the City received a check in the amount of \$46,224 from the State of Michigan in accordance with Public Act 59 of 2013 (State Fire Protection). This grant is appropriated to cities, villages and townships with state-owned facilities for fire services instead of taxes. This grant will be recognized in the State Fire Protection Account No. (101-0000-574.009). Revenues will be offset by an increase to the General Fund's Community Public Safety – Fire, Fire Suppression Division's Clothing Supplies Account No. (101-3551-728.000) wherein these funds will be used to purchase turnout gear.
- On January 6, 2014, City Council approved the FEMA DR-4121-MI Grant Agreement Package with Federal Emergency Management Agency ("FEMA") that provides supplementary financial assistance for disaster relief in the eligible areas within the state including funds for emergency and permanent work. FEMA approved the City's dock ramp projects. Therefore, it is recommended that the General Fund FEMA Revenue Account No. (101-0000-501.012) should be increased from \$0 to \$17,715 for this project. To offset the increase of revenues, the Department of Public Services – Facilities Division's Repair and Replacement Account No. (101-7575-974.000) should be increased by the same.
- Moreover, in the last quarter of FY 2014, the General Fund will receive funds for the Veterans Administration Parking Lot Construction. The total project equate to \$380,885, wherein \$80,000 will be recognized in FY 2014. For FY 2014, revenues will be allocated to the Reimbursement Account No. (101-0000-676.000). These revenues will be offset by an increase to the Department of Public Service – Engineering Administration Division's Engineering Services Account No. (101-4611-802.000) by \$49,900 and Construction Project Account No (101-4611-822.000) by \$30,100. The remaining balance of this project will be recognized in the 2015 General Fund budget.

The Major Streets Fund (202) should be increased from \$4,702,425 to \$4,986,928, which is an increase of \$284,503. This amendment reflects Major Street's portion, \$215,054, of the \$274,000 from the \$100,000,000 appropriated by the State of Michigan to provide assistance with road maintenance due to the severe winter. This is a one-time injection of monies from the Governor's Office to local communities to manage all winter related issues and expenditures. Furthermore, approximately \$69,449 must be appropriated in Major Streets for the purchase of an Aerial Sign Truck. This truck was actually purchased in FY 2013 but was not delivered until FY 2014. An available appropriation of fund balance will offset this expenditure.

The Local Streets Fund (203) should be increased from \$1,265,540 to \$1,324,652. This is a \$59,112 increase. This amendment reflects Local Street's portion of the \$274,000 from the \$100,000,000 appropriated by the State of Michigan to provide assistance with road maintenance due to the severe winter. This is a one-time injection of monies from

the Governor's Office to local communities to manage all winter related issues and expenditures.

The Clean Energy Coalition Fund (230) should be increased from \$46,150 to \$46,817, which equates to a \$667 increase. This amendment reflects the principal and interest payment for the loan that the City received last year. This adjustment is required due to higher than budgeted principal and interest payments. An available appropriation of fund balance will offset this expenditure.

The Downtown Development Authority Fund (243) should be increased by \$67,500, from \$115,300 to \$182,800. The amendment reflects the Community Development Block Grant appropriation for this program as recommended by the city's auditors.

The Community Development Block Grant Fund (275) should be increased from \$1,939,521 to \$1,940,521, which equates to a \$1,000 increase. This amendment reflects the City receiving a donation from Chemical Bank – Community Reinvestment Act Fund. Funds are earmarked for the City's annual Business Expo.

The Public Works Building Fund (641) should be increased from \$469,012 to \$469,382, which equates to a \$370 increase. This amendment is to recognize unrealized revenues for the sale of junk. The increase in revenues will be offset by an increase to parts and supplies by the same amount.

Council Action:

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

From: Timothy Morales, City Manager

Subject: State Fire Protection Grant

Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

I recommend that City Council approved the State Fire Protection Grant that was awarded to the City in the amount of \$46,223.53. The disbursement of these funds is in accordance with MCL Fire Protection Services for State Facilities Act 289 of 1977, and as amended by Public Act 59 of 2013.

Justification:

In December the City received \$46,223.53 from the State of Michigan in accordance with MCL Fire Protection Services for State Facilities Act 289 of 1977, and as amended by Public Act 59 of 2013. This grant is appropriated to cities, villages and townships with state-owned facilities for fire services in lieu of taxes.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Qualified Voter File Equipment Replacement Grant

Prepared by: Lynnette A. Hagen, Deputy City Clerk

Manager's Recommendation:

I recommend approval of the Grant Agreement with the State of Michigan, Department of State for the Qualified Voter File (QVF) Oracle/Equipment Upgrade Project and that the City Manager be authorized to execute the agreement and any related documents.

Justification:

The QVF links election officials throughout the state to a fully automated, interactive statewide voter registration database to maintain voter records. On March 26, 2014, the City Clerk received notice from the Michigan Department of State that the Bureau of Elections (BOE) will upgrade QVF Replica Servers and move to the Microsoft Windows 7 operating system and a new version of the Oracle database software throughout the state. This move is required as support is being discontinued for the old software.

Approval of the grant agreement is required for the State to purchase new equipment on the City's behalf using Help America Vote Act (HAVA) funds. There is no cost to the City for the upgrade.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Ricoh USA Copy Machine Lease – Engineering & Managers Office
Prepared by: Jeff Klopchic, Technical Services Department

Manager's Recommendation:

I recommend that the bid from the State of Michigan MiDEAL, be accepted and that a purchase order be issued to Ricoh USA in the amount of \$31,361.40. This amount consists of one multi-function printer and one large format plotter/scanner, with \$6,272.28 in annual payments due on a five-year lease option.

Justification:

The Technical Services Department conducted a copy/print study in 2011. The study concluded that the City would see a dramatic decrease in print related costs if it were to remove all personal desktop printers from employees' desks and replace them with leased multi-function printers. The Engineering Division will be leasing a large format plotter/scanner, which will be utilized for construction drawings, blueprints and aerial photography. The Managers Office will be replacing the current black and white multi-function with a color multi-function.

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 the yearly lease are budgeted and available in the General Fund – City Managers Operating Services Account No. 101-1710-805.000 (\$2,400.00), Major Streets Fund – Public Services Administration Operating Services Account No. 202-4612-805.000 (\$1,290.76). Sewer Operations & Maintenance Fund – Engineering Operating Services Account No. 590-4811-805.000 (\$1,290.76). Water Operations & Maintenance Fund – Engineering Operating Services Account No. 591-4711-805.000 (\$1,290.76).

Council Action:

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

From: Tim Morales, City Manager
Subject: Patrol Cameras & Accessories
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that a purchase order be approved and issued to the lowest bidder, F & E Trading, LLC of Somerset, MI, in the amount of \$4,475 for the purchase of fifty Nikon Coolpix Cameras & supplementing accessories.

Justification:

On March 11, 2014, seven qualified vendors submitted bids in response to the City of Saginaw's request for Proposal #1209-14 for 50 Nikon Coolpix Cameras, 50 8GB Memory Cards, 50 Camera Cases, and 50 1-year warranties. In November 2013, City Council approved the Saginaw Community Foundation's Enhanced Photographic Evidence Program Grant awarded to the Saginaw Police Department for the purchase of cameras and equipment for each.

The following is a tabulation of the bids received:

VENDOR	NIKON COOLPIX CAMERA	8GB MEMORY CARD	CAMERA CASE	WARRANTY	SHIPPING	TOTAL BID
W.B. HUNT CO. INC. MELROSE, MA	\$5,196.00	\$98.00	\$391.00	\$1009.00	\$0	\$7,033.50
PROCAM LIVONIA, MI	\$4,900.00	\$350.00	\$200.00	\$600.00	\$40.00	\$6,090.00
PICTURELINE SALT LAKE CITY, UT	\$4,297.50	\$837.50	\$482.50	\$0	\$100.00	\$5,717.50
ADORAMA, INC. NEW YORK, NY	\$4,100.00	\$472.50	\$412.50	\$362.50	\$0	\$5,347.50
BUSINESS SERVICES LONGBOAT KEY, FL	\$4,299.00	\$454.50	\$494.50	\$0	\$0	\$5,248.00
MEL PIERCE CAMERA LOS ANGELES, CA	\$3,839.00	\$389.00	\$489.00	\$0	\$0	\$4,717.00
F&E TRADING, LLC SOMERSET, NJ	\$3,250.00	\$300.00	\$450.00	\$475.00	\$0	\$4,475.00

This vendor meets all requirements of §14.23, "Vendors," 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 Police Building Management Division Capital Outlay Less Than \$5,000 Account No. 101-3514-971.000.

Council Action:

Council Member _____ moved, seconded by Council Member _____ to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: Settling Basin Motor Starter Purchase
Prepared by: Mike McGill, Water Treatment

Manager's Recommendation:

I recommend acceptance of the low bid and issuance of a purchase order to Medler Electric of Bay City, MI, in the amount of \$2,505.16 for the purchase of four electric motor starters for the Water Treatment Division.

Justification:

On March 11, 2014, the City received bids for the purchase and delivery of four electric motor starters with associated thermal units (overload protection). The motor starters will be used to replace forty-five year old worn and corroded starters currently in service. The starters operate motors used in the sludge collection system of the settling basin, a critical part of the particulate removal portion of the water treatment process prior to filtration. Following is a tabulation of the bids received:

	<u>Total Bid</u>
Medler Electric Bay City, MI	\$ 2,505.16
Standard Electric Co. Saginaw, MI	\$ 2,626.60
WESCO Distribution Inc. Saginaw, MI	\$ 6,027.60
Bhayana Brothers LLC Pittsburgh, PA	\$ 6,192.88
Shouldice Brothers Sheet Metals, Inc Battle Creek, MA	\$ 6,922.72

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 service are available in the Water Operations and Maintenance Fund – Treatment and Pumping Division Capital Less than \$5000 Account No. 591-4730-971.000.

Council Action:

Council Member _____ moved, seconded by Council Member _____ to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Finished Water Reservoir Inspection Contract
Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend that the contract from Dixon Engineering, Inc., be accepted and that a purchase order be approved and issued to them in the amount of \$2,750. The contract has been approved by the City Manager as to substance and the City Attorney as to form. It is further recommended City Council authorize the City Manager or his designee to execute all related documents.

Justification:

Two proposals were solicited and received in February, 2014 for professional services to be performed, one from Dixon Engineering, Inc., and one from Nelson Tank Engineering & Consulting, Inc., both known and respected in the field. The scope of work includes a remotely operated vehicle maintenance inspection of the west ten-million gallon finished water storage reservoir located on Water Treatment Plant property. The Michigan Department of Environmental Quality requires maintenance inspections on finished water storage reservoirs every five years. Following is a tabulation of the proposals received:

	Total Bid
Dixon Engineering, Inc. Lake Odessa, MI	\$2,750
Nelson Tank Engineering & Consulting, Inc. Lansing, MI	\$3,850

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 and Pumping Division Engineering Services Account No. 591-4730-802.000 for FY 2014.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Accusonic Velocity Transmitters
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that payment in the amount of \$8,831 be made to Martin Control Services of Farmington Hills, MI for the emergency purchase of six Accusonic velocity transmitters for the Salt/Fraser Retention Treatment Basin's flow monitoring system.

Justification:

We have flow meters which monitor the flow through each of our seven Retention Treatment Basins. Flow monitoring is required by the Michigan Department of Environmental Quality in our National Pollutant Discharge Elimination System discharge permit. It also paces the chlorine feed during a storm event. The flow metering system at the Salt/Fraser Retention Treatment Basin consists of sixteen velocity probes located around the circumference of each of the two eleven-foot diameter influent pipes. The velocity probes send measurements to the control consoles which calculate the flow entering the basin. When installing a new control console, our electrical staff discovered that six of the velocity transmitters were not functioning.

On March 20, 2014, we received a quote from Martin Controls to provide six replacement velocity probes. Because Martin Control Services is the manufacturer's representative for Accusonic in our area, and a sole source provider for these transmitters, an emergency purchase order was requested so that the flow metering was operational before the spring rainy season when we most need it.

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, Remote Facilities Division Parts and Supplies Account No. 590-4835-742.000.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Aleda E Lutze VA Medical Center Lease and Parking Lot
Design and Construction – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the City enter into a Lease Agreement with the Department of Veteran Affairs (VA) located at 1500 Weiss Street, Saginaw, MI for the use and construction of a parking lot located within the City's water main right of way adjacent to the east side of the VA Hospital for a five-year period with one five-year extension.

The Lease Agreement has been approved by the City Manager as to substance and the City Attorney as to form. It is further recommended that City Council authorize the Mayor or his designee to sign the Lease Agreement.

Justification:

The Agreement provides for a yearly rent of \$1,500 to be paid to the City of Saginaw on an annual basis for five years. The design and construction of the parking lot will be funded 100% by the VA and with a 7% overhead charge for administration of this project. The City will be reimbursed on a monthly basis for all associated costs, including the 7% overhead. William A. Kibbe & Associates, Inc., will be providing the design and construction administration. The Engineering Division will be bidding out the construction contract according to the City Purchasing Ordinance.

The estimated cost of the project is \$355,500 with an administration fee of \$24,885 to be reimbursed to the City.

Funds for this purchase are budgeted in the Public Services General Fund – Engineering Administration Division Engineering Services Account No. 101-4611-802.000 (\$49,900) and Construction Projects Account No. 101-4611-822.000 (\$30,100) in FY14 and (\$300,385) for FY15.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Flotation Docking System, Dock Replacement – Facilities Division

Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that the quote from Flotation Docking Systems of Cedarville, Michigan be accepted and a purchase order be issued to them in the amount of \$23,620 for the cost of replacing one of the aluminum ramps at the Westside Dock area which was damaged due to severe flooding in the spring of 2013.

Justification:

On January 6, 2014, City Council approved the FEMA DR-4121-MI Grant Agreement (Agreement) with Federal Emergency Management Agency (FEMA) for the replacement of the aluminum ramp which was damaged due to severe flooding in the spring of 2013.

Flotation Docking Systems is the original designer of the damaged dock ramp and is the sole source vendor for this specialty dock ramp. This dock ramp is used to assist fishermen and boaters in docking their boats in situations where they may want to conveniently dock near the Downtown Business District without the need to travel the full distance to the City Boat Launch site. The dock ramp also allows ADA access to the floating docks.

The City of Saginaw will be reimbursed 75 percent of the total eligible project by the Federal Government upon successful completion of the ramp replacement.

Project costs shall be met in part by the contributions from the federal government. FEMA Funds shall be applied to eligible items of the project cost at the established federal participation ratio equal to 75%. FEMA Funds will pay \$17,715 and the City's estimated share is \$5,905. The City is responsible for any cost overruns in excess of \$23,620.

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 order are budgeted in the General Fund – Department of Public Services – Facilities Division, Repairs and Replacements Account No. 101-7575-974-000.

Council Action:

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

From: Tim Morales, City Manager

Subject: Replacement Water Meters – Maintenance & Service Division

Prepared By: John Premo, Public Services Department

Manager's Recommendation:

I recommend the sole bid from Etna Supply, Grand Rapids, Michigan be accepted and a purchase order be issued to them in the amount of \$36,900 for 300 replacement water meters for the Maintenance and Service Division.

Justification:

On March 11, 2014, the sole bid was received for replacement lead-free water meters that serve residents and commercial buildings to meet the new 2014 no-lead standard for potable water systems. These lead free meters will be used for replacement of pit style water meters in 3/4" and 1", and meter applications needing a 1" diameter water meter. A cost comparison shows no change in the 5/8" x 3/4" or 1" Pit Type and a 2% decrease in the 1" ECR model. Following is a tabulation of the bid received.

<u>Vendor</u>	<u>Quantity</u>	<u>Description</u>	<u>Cost</u>
Etna Supply	100	5/8" x 3/4" Accustreams	\$ 8,500
Grand Rapids, MI	100	1" Pit Type Accustreams	\$14,200
	100	1" ECR Accustreams	<u>\$14,200</u>
			\$36,200

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 Operation and Maintenance Fund – Meter Maintenance and Services Division, Parts and Supplies Account No. 590-4820-742.000 (\$18,450), and the Water Operation and Maintenance Fund – Meter Maintenance and Service Division Parts and Supplies Account No. 591-4720-742.000 (\$18,450) for Fiscal Year 2014.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Enactment of Ordinance for Housing Tax Exemption
Prepared by: Bill Ernat, Department of Community Services

Manager's Recommendation:

I recommend that the ordinance for the Low Income Housing Tax Exemption be enacted for the Brookwood Park Subdivision. This will allow the City to receive a payment in lieu of taxes (PILOT) for this federally aided tax-exempt housing development.

Justification:

This project is the Brookwood Park Subdivision located on Hess west of E. Genesee Avenue, which was developed in 2001. Attached is a map identifying the subdivision. This property was developed in a Renaissance Zone, which is due to expire in 2015. The property owner, Finlay Brookwood Park Ltd DHALP has notified the city staff of the exempt status which is required by state statutes.

The Michigan State Housing Development Authority (MSHDA) has deemed the property to be tax exempt beginning in 2014. Per MCL 125.1415a, properties deemed exempt by the State of Michigan from taxation shall pay to the municipality in which the property is located an annual service charge for public services in lieu of taxes, unless waived by the City. As no property taxes will be generated due to the exempt status, the City has a right to levy a PILOT as a means for a payment for services being provided to the property. Should the City Council not approve the PILOT, the City would not receive any income from this property.

The City has the authority to levy up to 10% of the shelter rents, which is the amount that is recommended to be charged. These costs were based on city services, which are provided to the subdivision. Historically, the PILOTs have been between 4% and 10%. Those PILOTs were based on new construction, while this project has been in existence for more than a decade and city service costs were able to be determined for this development. The owners have agreed to a PILOT for a 15 year period. The approved PILOTs within the City were approved for periods between 15 to 35 years. There is no minimum time requirement for a PILOT; however, there is a 50-year maximum.

The City of Saginaw has previously approved ten PILOTs, with the last PILOT being approved in 2011, which was the Bliss Park Senior Housing Project.

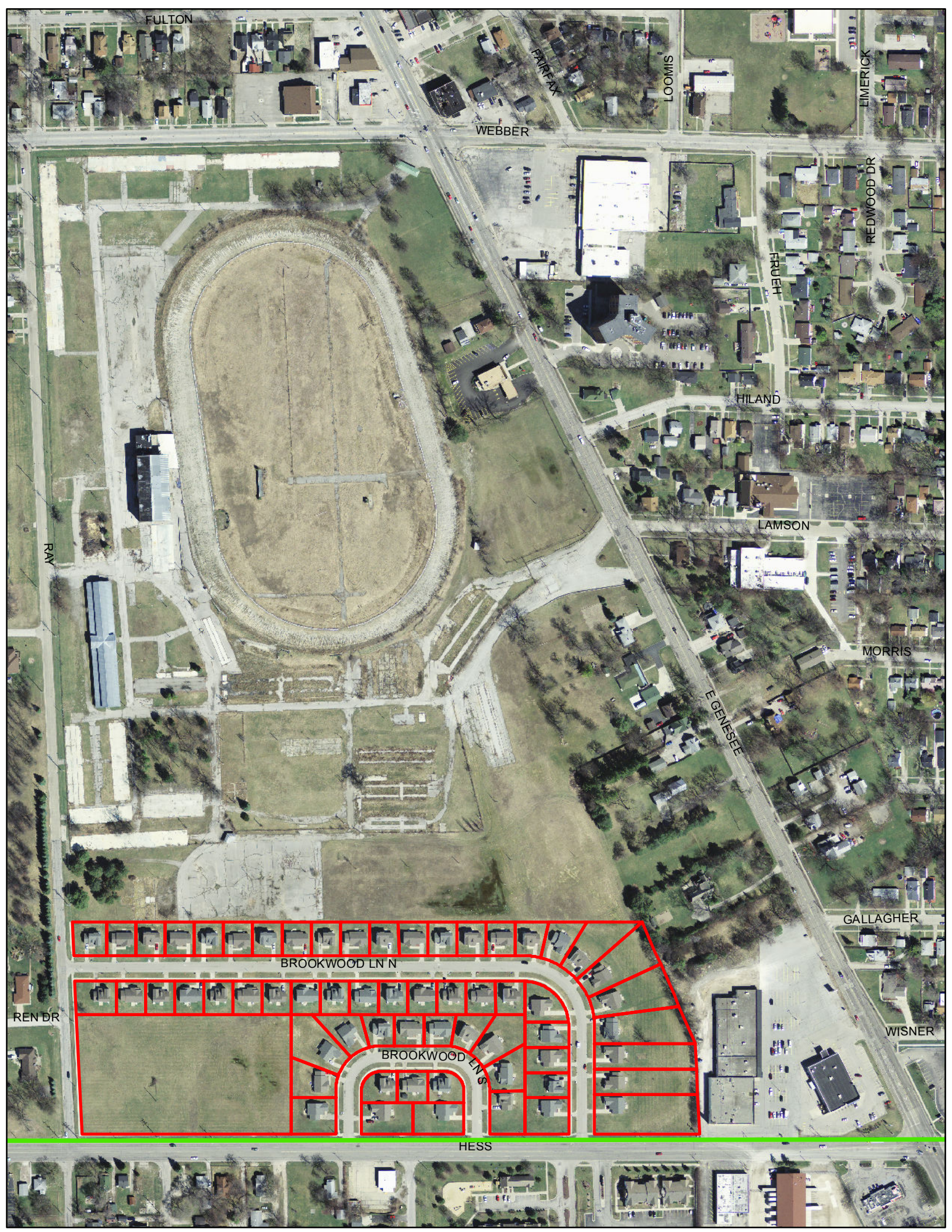
Council Action:

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

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

AN ORDINANCE TO ADD "LOW INCOME HOUSING TAX EXEMPTION FOR FINLAY BROOKWOOD PARK LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP," TO THE TABLE OF SPECIAL ORDINANCES, VIII.

Laid over under the Charter provision.



FULTON

FAIRFAX

LOMMIS

LIMERICK

WEBBER

REDWOOD DR

TRUST

HILAND

LAMSON

MORRIS

EGENSEE

GALLAGHER

WISNER

HESS

BROOKWOOD LN N

BROOKWOOD LN S

RAY

REN DR

EXHIBIT A

Lots 1 through 61, Brookwood Park, according to the plat thereof as recorded in Liber 30 of Plats, Pages 9 through 14, Saginaw County Records.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced on April 7, 2014, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO ADD "LOW INCOME HOUSING TAX EXEMPTION FOR FINLAY BROOKWOOD PARK LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP" TO THE TABLE OF SPECIAL ORDINANCES, VIII.

The City of Saginaw Ordains:

Section 1. "Low Income Housing Tax Exemption for Finlay Brookwood Park Limited Dividend Housing Association Limited Partnership," is hereby added to the Table of Special Ordinances VIII, of the City Of Saginaw Code Of Ordinances, O-1, and shall read as follows:

LOW INCOME HOUSING TAX EXEMPTION

This Ordinance shall provide for a service charge in lieu of taxes for a multiple-family dwelling project for persons of low income to be financed or assisted pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

(A) Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low income and to encourage the development of such housing by providing for a service charge to be paid in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL Section 125.1401 et seq.). The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for persons of low income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of housing developments which are constructed or renovated and financed in reliance on such tax exemption.

The City acknowledges that Finlay Brookwood Park Limited Dividend Housing Association Limited Partnership (Finlay Brookwood) has received Low Income Housing Tax Credits from the Michigan State Housing Development Authority on certain property located in the City of Saginaw, County of Saginaw, State of Michigan described in Exhibit A which is kept on file with the City Clerk, the keeper of records for the City of

Saginaw, and is incorporated herein by reference to serve persons of low income; that each Housing Development has been constructed on part of Exhibit A owned by a Sponsor that was formed by Finlay Brookwood which is in the form of a separate limited dividend housing association formed in accordance with the laws of the State of Michigan for the sole purpose of owning and operating that Housing Development; that the Sponsor shall pay to the City on account of such Housing Development an annual service charge for public services in lieu of all taxes; and that the provisions of this Ordinance are intended to establish such annual service charge in lieu of taxes for each Housing Development constructed and operated on any portion of Exhibit A that complies with and satisfies the provisions of this Ordinance.

(B) *Definitions.*

(1) Act means the State Housing Development Authority Act, being Public Act 346 of 1966 of the State of Michigan, as amended.

(2) Annual Shelter Rents means the total collections during an agreed annual period from or paid on behalf of all occupants of a Housing Development representing rent or occupancy charges, exclusive of charges for gas, electricity, water and sanitary sewer service, or other utilities furnished to the occupants.

(3) Authority means the Michigan State Housing Development Authority.

(4) Code means the U.S. Internal Revenue Code of 1986, as the same may be amended from time to time (or any corresponding provisions of any successive law).

(5) Contract Rents are as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to the U.S. Housing Act of 1937, as amended.

(6) Housing Development means a development which contains a significant element of housing for persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines improve the quality of the development as it relates to housing for persons of low income.

(7) Low Income Housing Tax Credits means tax credits allocated by the Authority to a Housing Development pursuant to Section 42 of the code.

(8) Mortgage Loan means a construction loan to be made by the Authority to the Sponsor for the acquisition and construction of the Housing Development.

(9) Persons of Low Income means low income persons or families as defined in Section 15(a)(7) of the Act.

(10) Sponsor means person(s) or entities, which have applied to the Authority for a Mortgage Loan to finance a Housing Development, its successors or assigns.

(11) Utilities mean fuel, water, sanitary sewer service and/or electrical service which are paid by the Housing Development.

(C) *Class of Housing Developments.*

It is hereby determined that the class of Housing Development to and for which the tax exemption shall apply and for which a service charge shall be paid in lieu of such real property taxes pursuant to the Ordinance shall be single family units, which are financed or assisted pursuant to the Act and are constructed upon the real property described on Exhibit A. It is further determined that a Housing Development for which a site plan has been submitted by the Sponsor and approved by the City is of this class.

(D) *Establishment of Annual Service Charge.*

The Housing Development and the real property forming a part of Exhibit A on which it has been constructed shall be exempt from all property taxes from and after the date hereof. The City, acknowledging that the Sponsor and the Authority have established the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this Ordinance and the qualification of the Housing Development for exemption from all property taxes and a payment in lieu of taxes as established in this Ordinance, and in consideration of the Sponsor's offer, subject to receipt of an allocation of Low Income Housing Tax Credits from the Authority to construct, own, and operate the Housing Development, hereby agrees to accept payment of an annual service charge for public services in lieu of all property taxes for the Housing Development. The annual service charge shall be equal to ten (10%) percent of the Annual Shelter Rents for a period not to exceed fifteen (15) years.

(E) *Limitation on the Payment of Annual Service Charge.*

Notwithstanding Section D, the service charge to be paid each year in lieu of taxes for the part of the Housing Development which is tax exempt and which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the Housing Development if the Housing Development were not tax exempt.

The term "low income" as used herein shall be the same meaning as found in 15(a)(7) of the Act.

(F) *Contractual Effect of Ordinance.*

Notwithstanding the provisions of Section 15(a)(5) of the Act to the contrary, a contract between the City and the Sponsor with the Authority as a third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes as previously described, is effectuated by enactment of this Ordinance.

(G) *Payment of Service Charge.*

The annual service charge in lieu of taxes as determined under the Ordinance shall be payable in the same manner as general property taxes are payable to the City except that the annual payment shall be paid on or before the first (1st) day of August of each year. Prior to the first day of June each year, the Sponsor or Owner shall submit to the City a Copy of its certified audit as submitted to the Authority in order for the City to verify the payment to be made hereunder.

(H) *Duration.*

This Ordinance shall remain in effect as to each Housing Development and shall not terminate so long as long as the property is subject to a Mortgage Loan, tax credit regulations under Section 42 of the Code, or the Authority has any interest in the property no to exceed 15 years after the date from this ordinance.

(I) *Severability.*

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

ORDINANCE

O-1

Section 2. This ordinance shall become effective May 1, 2014.
Enacted: April 21, 2014.

Yeas:
Nays:
Absent:
Abstain:
Motion Carried.

Dennis D. Browning
Mayor

Lynnette A. Hagen
Deputy City Clerk

ORDINANCE DECLARED ADOPTED

I, Lynnette A. Hagen, Deputy 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 April 7, 2014; 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.

Lynnette A. Hagen
Deputy City Clerk

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

A NEW ORDINANCE TO ADD "HUMAN RIGHTS," TO CHAPTER 93, "NON-DISCRIMINATION," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced April 7, 2014, entitled and reading as follows, be taken up and enacted:

A NEW ORDINANCE TO ADD "HUMAN RIGHTS" TO CHAPTER 93, "NON-DISCRIMINATION," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. The "Human Rights" ordinance is hereby added to Chapter 93, "Non-Discrimination," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1, and shall read as follows:

HUMAN RIGHTS

§93.24 PURPOSE. It is the intent of the City of Saginaw that no person be denied the equal protection of the laws; nor shall any person be denied the enjoyment of his or her civil rights or be discriminated against because of his or her actual or perceived sex, sexual orientation, or gender identity.

§93.25 DEFINITIONS. As used in this subchapter, the following words and phrases have the following meanings:

A. **City.** The City of Saginaw.

B. **Discriminate.** To make a decision, offer to make a decision or refrain from making a decision based in whole or in part on the actual or perceived sex, sexual orientation, or gender identity of another person or that person's relatives or associates.

Discrimination includes sexual harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

1. Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment or public accommodation.
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment or public accommodation.
3. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or public accommodation, or creating an intimidating, hostile, or offensive employment or public accommodation environment.

C. **Employer.** A person who has 1 or more employees; includes an agent of that person.

D. Gender Identity. A person's actual or perceived gender, including a person's gender identity, self-image, appearance, expression, or behavior, whether or not that gender identity, self-image, appearance, expression, or behavior is different from that traditionally associated with the person's sex at birth as being either female or male.

E. Perceived. The perception of the person who acts and not the perception of the person for or against whom the action is taken.

F. Person. A person as defined by Michigan's Elliott-Larsen Civil Rights Act, being Public Act 453 of 1976, as amended, and including an individual, agent, association, corporation, joint apprenticeship committee, joint stock company, labor organization, legal representative, mutual company, partnership, receiver, trust, trustee in bankruptcy, unincorporated organization, or any other legal or commercial entity. However, other than the City of Saginaw, the definition of person does not include a public entity.

G. Place of Public Accommodation. A place of public accommodation as defined by Michigan's Elliott-Larsen Civil Rights Act, being Public Act 453 of 1976, as amended, and including a business, or an educational, refreshment, entertainment, recreation, health, or transportation facility, or institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. However, other than those facilities owned or operated by the City of Saginaw, the definition of place of public accommodation does not include a place owned or operated by a public entity.

H. Sexual Orientation. Male or female homosexuality, heterosexuality or bisexuality, by orientation or practice.

§93.26 DISCRIMINATORY PUBLIC ACCOMMODATION PRACTICES.

A. No person shall discriminate against or deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service because of the individual's actual or perceived sex, sexual orientation, or gender identity.

§ 93.27 DISCRIMINATORY EMPLOYMENT PRACTICES.

A. No person shall limit, segregate, classify, fail or refuse to hire, fail or refuse to recruit, discharge, or otherwise discriminate against an individual with respect to employment, compensation, or a term, condition, or privilege of employment because of the individual's actual or perceived sex, sexual orientation, or gender identity.

B. No person shall discriminate against an individual by limiting, conditioning, or terminating membership in any labor union or apprenticeship program because of the individual's actual or perceived sex, sexual orientation, or gender identity.

§ 93.28 DISCRIMINATORY EFFECTS.

No person shall adopt, enforce, or employ any policy or requirement which has the effect of creating unequal opportunities according to actual or perceived sex, sexual orientation, or gender identity, for a person to obtain employment or public accommodation, except for a bona fide business necessity. Such a necessity does not arise due to a mere inconvenience or because of suspected or actual objection to such a person by neighbors, customers, or other persons.

§ 93.29 EXCEPTIONS.

A. Notwithstanding anything contained in this subchapter, it shall not be a violation of this subchapter to discriminate based on a person's protected class when such discrimination is allowed by State, Federal, or local law.

§ 93.30 ENFORCEMENT.

A. Any person who claims to have been injured under this subchapter may file a written complaint with the City Manager (or designee), setting forth therein the details, including location of property, names, dates, witnesses, and other factual matters. All such complaints shall be signed by the complainant and notarized. Such complaints shall be filed within one hundred eighty (180) days after the alleged violation of this subchapter.

B. Any timely-filed complaint shall be referred immediately to the City Attorney for prosecution.

C. A violation of this subchapter is a civil infraction punishable by a fine of not more than \$500.00 per violation, plus all costs of the action.

1. Each day upon which a violation occurs shall constitute a separate violation.

§ 93.31 PRIVATE ACTION.

A. Nothing contained within this subchapter shall be construed to limit an individual who is the victim of discriminatory action in violation of federal or state law from bringing a civil action for appropriate injunctive relief or damages or both against the person(s) who acted in violation of the law.

B. Private actions and remedies under this section shall be in addition to any actions for violations which the City may take.

This ordinance shall become effective May 1, 2014.

Enacted: April 21, 2014.

Yeas:
Nays:
Absent:
Abstain:
Motion Carried.

ORDINANCE DECLARED ADOPTED

Mayor

Lynnette A. Hagen
Deputy City Clerk

I, Lynnette A. Hagen, Deputy 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 April 21, 2014; the original thereof is on file in the records of the office of the City Clerk; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Lynnette A. Hagen
Deputy City Clerk

From: Timothy Morales, City Manager

Subject: Authorization for the Saginaw Public Schools Foundation to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the Saginaw Public Schools Foundation special event located at Ojibway Island to be held on May 10, 2014. The event will be held between the hours of 10:30 a.m. and 2:00 p.m.

Justification:

On March 14, 2014, the Saginaw Public Schools Foundation submitted a Special Event application to "Celebrate Moms" an event for the community, specifically parents and students of the Saginaw Public School District, to be held on May 10, 2014. They requested permission to use amplifying equipment during the event.

In accordance with Title IX, "General Regulations," of Chapter 99, "Special Event," §99.21, "Use of Sound Amplifying Equipment," if an event sponsor intends to use sound amplifying equipment, the event sponsor is required to obtain approval from City Council.

Council Action:

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

AUTHORIZING THE SAGINAW PUBLIC SCHOOLS FOUNDATION TO USE AMPLIFYING EQUIPMENT

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

WHEREAS: The Saginaw Public Schools Foundation plans to have a special event for the community, specifically parents and students of the Saginaw Public School District to be held on May 10, 2014 at Ojibway Island; and

WHEREAS: The Saginaw Public Schools Foundation requested permission to use amplifying equipment between the hours of 10:30 a.m. and 2:00 p.m.; and

WHEREAS: City Council can provide authorization for the use of amplifying equipment on public property.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the Saginaw Public Schools Foundation special event to be held on May 10, 2014 between the hours of 10:30 a.m. and 2:00 p.m. located Ojibway Island.

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Lynnette A. Hagen, Deputy 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 April 7, 2014; 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.

Lynnette A. Hagen
Deputy City Clerk

From: Timothy Morales, City Manager

Subject: Authorization for the Saginaw County Community Mental Health Authority to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the Saginaw County Community Mental Health Authority Special Event and Block Party located at 500 Hancock Street, to be held on August 12, 2014. The event will be held between the hours of 10:00 a.m. and 12:00 p.m.

Justification:

On March 10, 2014, the Saginaw County Community Mental Health Authority submitted a Special Event and Block Party application to provide a social event for individuals, their friends and family that use their services to be held on August 12, 2014. They requested permission to use amplifying equipment during the event.

In accordance with Title IX, "General Regulations," of Chapter 99, "Special Event," §99.21, "Use of Sound Amplifying Equipment," if an event sponsor intends to use sound amplifying equipment, the event sponsor is required to obtain approval from City Council.

Council Action:

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

AUTHORIZING THE SAGINAW COUNTY COMMUNITY MENTAL HEALTH AUTHORITY TO USE AMPLIFYING EQUIPMENT

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

WHEREAS: The Saginaw County Community Mental Health Authority plans to provide a Special Event and Block Party for individuals, their friends and family that use their services, to be held on August 12, 2014 at 500 Hancock; and

WHEREAS: The Saginaw County Community Mental Health Authority has requested permission to use amplifying equipment between the hours of 10:00 a.m. and 12:00 p.m.; and

WHEREAS: City Council can provide authorization for the use of amplifying equipment on public property.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the Saginaw County Community Mental Health Authority Special Event and Block Party to be held on August 12, 2014 between the hours of 10:00 a.m. and 12:00 p.m., at 500 Hancock Street.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Lynnette A. Hagen, 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 April 7, 2014; 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.

Lynnette A. Hagen
Deputy City Clerk

From: Timothy Morales, City Manager

Subject: Authorization for the Circle of Love CDC to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for Circle of Love CDC special event located at Bliss Park to be held on June 27, 2014. The event will be held between the hours of 10:00 a.m. and 9:00 p.m.

Justification:

On March 10, 2014, the Circle of Love submitted a Special Event application to have a "Save the Dream" fundraiser for empowering the community (one step at a time) to be held on June 27, 2014. They requested permission to use amplifying equipment during the event.

In accordance with Title IX, "General Regulations," of Chapter 99, "Special Event," §99.21, "Use of Sound Amplifying Equipment," if an event sponsor intends to use sound amplifying equipment, the event sponsor is required to obtain approval from City Council.

Council Action:

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

**AUTHORIZING THE CIRCLE OF LOVE CDC
TO USE AMPLIFYING EQUIPMENT
JUNE 27, 2014 AT BLISS PARK**

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

WHEREAS: The Circle of Love CDC plans to have a “Save the Dream” fundraiser for the empowering of our community (one step at a time) to be held on June 27, 2014; and

WHEREAS: The Circle of Love CDC requested permission to use amplifying equipment between the hours of 10:00 a.m. and 9:00 p.m.; and

WHEREAS: City Council can provide authorization for the use of amplifying equipment on public property; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the Circle of Love CDC special event to be held on June 27, 2014 between the hours of 10:00 a.m. and 9:00 p.m. located at Bliss Park.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Lynnette A. Hagen, Deputy 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 April 7, 2014; 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.

Lynnette A. Hagen
Deputy City Clerk

From: Timothy Morales, City Manager
Subject: Application for Local Bridge Program Funds – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend that the City of Saginaw actively seek FY 2017 Local Bridge Program Funds for preventative maintenance on the Center Street, Court Street, Holland Avenue, Genesee Avenue, and Johnson Street Bridges over the Saginaw River. The application amount for each bridge varies and is based on the needs of each individual bridge.

The Michigan Department of Transportation (MDOT) requires as part of the Local Bridge Program Fund Application process, that a resolution be adopted by City Council indicating that the application has been reviewed and that the City is actively seeking these funds for the projects as stated above. This resolution appears under the regular order of business.

Justification:

The Local Bridge Program was enacted in 2004 and is the federal legislation that provides funds for local agency bridges. MDOT has called for project applications from eligible communities who wish to participate in this program. The applications have to meet certain criteria and because of funding limitations, the applications are evaluated by MDOT and ranked against these criteria.

Per the MDOT Local Bridge Program Guidelines, the total number of applications from any local agency is limited to five. The preventative maintenance projects are eligible for a maximum of 95 percent participation from federal and/or state funds. The City is responsible for the 5 percent match and all right-of-way, design engineering and construction engineering costs. Per the City of Saginaw's most recent bi-annual bridge inspection reports, it is apparent that all of the City of Saginaw's six vehicular bridges are in need of preventative maintenance.

Funds for the City's share of the construction costs will be made available in FY 2017 and FY 2018 Major Streets Fund – Bridge Projects Division Construction Projects Account No. 202-4616-822.000. Funds for design and construction engineering costs will be made available in FY 2016, FY 2017 and FY 2018 Major Streets Fund – Bridge Projects Division Engineering Services Account No. 202-4616-802.000.

Council Action:

This council communication is for explanation purposes only of the Resolution to be adopted.

AUTHORIZING THE CITY OF SAGINAW TO ACTIVELY SEEK FY 2017 LOCAL BRIDGE PROGRAM FUNDS

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

WHEREAS: The Local Bridge Program Fund provides funding for repair, preventative maintenance and rehabilitation of local bridges; and

WHEREAS: A need for preventative maintenance for the Center Street, Court Street, Holland Avenue, Genesee Avenue and Johnson Street Bridges over the Saginaw River has been determined by recent engineering and bridge inspection reports done by Spicer Group, the City's structural bridge consultant; and

WHEREAS: The cost of such rehabilitation has yet to be determined, and will be once engineering estimates are prepared; and

WHEREAS: The deadline for submission of new funding applications for the State of Michigan and FY 2017 Federal Local Bridge Program is May 1, 2013; and

WHEREAS: The application will be prepared and reviewed for the purpose of procuring State and Federal Local Bridge Program Funds for such rehabilitation.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw is actively seeking Local Bridge Program Funds for preventative maintenance, as needed, for the Center Street, Court Street, Holland Avenue, Genesee Avenue and Johnson Street Bridges over the Saginaw River, and is willing to participate in project cost and implementation.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Lynnette A. Hagen, Deputy 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 April 7, 2014; 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.

Lynnette A. Hagen
Deputy City Clerk

**RESOLUTION APPROVING THE ISSUANCE OF HOSPITAL REVENUE AND
REVENUE REFUNDING BONDS BY THE CITY OF SAGINAW HOSPITAL FINANCE
AUTHORITY FOR THE BENEFIT OF COVENANT MEDICAL CENTER, INC.**

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

WHEREAS: the City Council of the City of Saginaw, Michigan has previously established the City of Saginaw Hospital Finance Authority (the "Authority") pursuant to the provisions of Act 38, Public Acts of Michigan, 1969, as amended, with the power to issue bonds for the purpose of making loans to hospitals for the acquisition, construction, improvement or alteration of hospital facilities within or without the corporate boundaries of the City of Saginaw and to refinance outstanding indebtedness of a hospital; and

WHEREAS: Covenant Medical Center, Inc., a Michigan nonprofit corporation (the "Hospital"), has determined that it is desirable and in its best interests to acquire certain capital assets and undertake certain capital improvements for the benefit of the Hospital, including (i) the acquisition, renovation, furnishing and equipping of a medical office building located in the Charter Township of Monitor, Michigan, and the acquisition of an approximately one acre parcel of vacant land situated immediately adjacent thereto, and (ii) the expansion, renovation, furnishing and equipping of the Hospital's Emergency Care Center located in the City of Saginaw, Michigan (collectively, the "Project"); and

WHEREAS: the Authority has previously issued and delivered its Hospital Revenue Refunding Bonds (Covenant Medical Center, Inc.), Series 2004G (the "Series 2004G Bonds") for the purpose of providing funds to make a loan to the Hospital; and

WHEREAS: the Hospital has determined that it is desirable and in its best interests that the Authority refund the outstanding Series 2004G Bonds; and

WHEREAS: the Hospital has requested that the Authority issue its Hospital Revenue and Revenue Refunding Bonds (Covenant Medical Center, Inc.), Series 2014I (the "Series 2014I Bonds"), in the aggregate principal amount of not to exceed Thirty-Four Million Dollars (\$34,000,000), for the purpose of providing funds to make a loan to the Hospital (the "Loan"); and

WHEREAS: the proceeds of the Loan will be used by the Hospital, together with other available funds of the Hospital, to: (a) pay the costs of the Project; (b) refund all or a portion of the Authority's outstanding Series 2004G Bonds; and (c) pay the costs incidental to the issuance of the Series 2014I Bonds and the refunding; and

WHEREAS: the Series 2014I Bonds will be limited obligations of the Authority and will not constitute general obligations or debt of the City of Saginaw, the State of Michigan or any political subdivision thereof; and

WHEREAS: on April 7, 2014 at 4:30 p.m., the Authority held a public hearing on the issuance of the Series 2014I Bonds after notice was published as provided in, and in satisfaction of, the applicable public hearing requirements of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS: a record of the public hearing has been filed with the City Clerk; and

WHEREAS: the Authority has requested that this City Council approve the issuance of the Series 2014I Bonds in order to satisfy the public approval requirements of the Code.

NOW THEREFORE BE IT RESOLVED:

1. Solely for the purpose of fulfilling the public approval requirements of the Code, the City Council of the City of Saginaw, Michigan hereby approves of the issuance, sale and delivery by the Authority of the Series 2014I Bonds in the aggregate principal amount of not to exceed Thirty-Four Million Dollars (\$34,000,000).
2. The Series 2014I Bonds shall be limited obligations of the Authority and shall not constitute general obligations or debt of the City of Saginaw, the State of Michigan or any political subdivision thereof.
3. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Authority.
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Lynnette A. Hagen, Deputy 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 April 7, 2014; 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.

Lynnette A. Hagen
Deputy City Clerk