

Council Agenda
April 23, 2012 12:00 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

April 9, 2012 Regular Council Meeting

ANNOUNCEMENTS:

1. Acceptance of the Proclamation designating May 3, 2012 as Law Day in the City of Saginaw, received by John Humphreys, President of the Saginaw County Bar Association.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided on Monday after 1:00 p.m.)

REMARKS OF COUNCIL:

PETITIONS:

12-08 Larry Essex, 2821 Julius Street, Street/Alley Vacation Request, for the alley bounded by Julius, Thatcher, Hess and Wisner Streets.

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

1. Consideration of appointing Paul Virciglio to the Civil Service Commission with a term to expire 04/23/2018.
2. Consideration of appointing John C. Markey to the Downtown Development Authority with a term to expire 12/31/2014.

REPORTS FROM MANAGER:

Management Update:

1. Update on the Economic Vitality Incentive Program – Employee Compensation Plan Component, by Dennis Jordan, Director of Employee Services.

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Recommended Actions:

1. Recommending approval of the Professional Legal Services Agreement between the City and Braun Kendrick Finkbeiner, P.L.C., to continue until such time the lawsuits and other pending matter being handled by the law firm have been resolved.
2. Recommending issuance of a purchase order to Alert-All Corporation, New Holland, PA, a sole source provider, in the amount of \$2,155 for the purchase of Fire Prevention Educational Supplies.
3. Recommending issuance of a purchase order to Franklin Products, Coral Springs, FL, a sole source provider, in the amount of \$2,820.15 for the purchase of Fire Educational Supplies for the youth of the community.
4. Recommending issuance of a purchase order to Legal Services of Eastern Michigan (LSEM), Flint, MI, in the amount of \$18,240 for legal services to meet Fair Housing requirements for the Community Development Block Grant (CDBG) Program. Further recommend acceptance of the contract prices for FY 2013 and FY 2014.
5. Recommending payment be made to Creditron Corporation, d.b.a. Purepay, Rockville, MD, in the amount of \$5,989.14 for the renewal of annual software and hardware maintenance.
6. Recommending issuance of a purchase order to State Barricades, Warren, MI, the low bidder, in the amount of \$2,792 for the purchase of seventy (70) traffic barrels and bases for the ROW Division.
7. Recommending issuance of a purchase order to Jack Doheney Supplies, Northville, MI, at the national bid price amount of \$388,626, for the purchase of a Combination Vactor/Jet Rodder Truck.
8. Recommending issuance of a purchase order to Gorno Ford, Woodhaven, MI, at the state bid price of \$72,574 for the purchase of two (2) Foremen ½ ton pickup trucks, one (1) Meter Serviceman pickup truck, and one (1) minivan for transportation of employees to training, meetings, conferences, and as a reserve vehicle for out-of-service vehicles.
9. Recommending issuance of a purchase order to Etna Supply Company, Grand Rapids, MI, the low bidder, in the amount of \$2,599.36 for the purchase of two (2) 24" solid sleeves used for construction and repair for the City's water distribution and transmission.

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10. Recommending approval of the agreement and issuance of a purchase order to Tetra Tech in an amount not to exceed \$236,700 for services to include Bidding Assistance, Construction Engineering, Resident Engineering, Construction Record Drawings and SRF Loan Administration.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Recommending approval of the Resolution to Actively Seek Local Bridge Program Funds for the repair, preventative maintenance, and rehabilitation of John Street, Genesee Avenue, Holland Avenue and Center Street bridges.
2. Recommending approval of the Resolution to authorize the Saginaw Community Foundation to use amplifying equipment from 5:30 p.m. until 8:00 p.m. for their annual celebration to be held on June 5, 2012 at Deindorfer Woods Park.
3. Recommending approval of the Resolution to permit the sale and consumption of alcoholic beverages at Deindorfer Woods Park for the Saginaw Community Foundation Annual Celebration to be held on June 5, 2012.
4. Recommending approval of the Resolution amending the agreement between the City and the Saginaw County Land Bank Authority for the Neighborhood Stabilization Program 2 (NSP 2). Further recommend the Director of Public Services or his designee, be authorized to sign the Amendment.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

CITY OF SAGINAW PROCLAMATION

WHEREAS, the American Justice system is charged with upholding and protecting the rights, as well as the freedom and justice of all Americans; and

WHEREAS, in 1961 Congress issued a joint resolution declaring May 1 Law Day; which is a national day to recognize and celebrate our justice system and the rule of law; and

WHEREAS, the Law Day 2012 theme, "No Courts, No Justice, No Freedom," provides an opportunity to highlight the crucial role of our courts and to foster a better understanding of the judiciary; and

WHEREAS, on this day we recognize and honor the contributions of the lawyers, judges, and law enforcement agencies and individuals in our community for the responsibilities they bear to commitment of the rule of law;

NOW THEREFORE BE IT RESOLVED, I, Greg Branch, Mayor of the City of Saginaw, do hereby proclaim Thursday, May 3, 2012, as

"LAW DAY"

in the City of Saginaw and call upon the people of the City of Saginaw to acknowledge the importance of our legal and judicial systems with appropriate ceremonies and activities, in support of this observance. I further encourage schools, businesses, media, religious institutions, civic and service organizations to join members of the bar and bench in commemorating Law Day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 23th day of April in the year two thousand twelve.



April 23, 2012

A handwritten signature in black ink, appearing to read "Greg L. Branch".

Greg L. Branch, Mayor
Councilpersons

Dennis Browning, Mayor Pro Tem
Annie Boensch, Norman Braddock,
Larry Coulouris, Daniel Fitzpatrick, Floyd Kloc,
Amos O'Neal, and Andrew Wendt

Darnell Earley, City Manager

CITY OF SAGINAW

1315 S. Washington
Saginaw, MI 48601

APR 11 2012

STREET/ALLEY VACATION REQUEST

Petition 12-08

☐ STREET	☒ ALLEY
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Bounded by: Julius, Thatcher
Hess, and Wisner

Streets in the City of Saginaw, Michigan. (Attach additional information, if necessary)

The undersigned abutting property owners, by execution hereof, agree to the vacation of the above-described street/alley.

NAME	ADDRESS	DATE
<u>Larry Essex</u>	<u>2821 Julius</u>	<u>4-4-12</u>
<u>Stella Cichowski</u>	<u>1116 Wisner</u>	<u>4-10-12</u>
<u>VACANT</u>	<u>1122 Wisner</u>	<u>4-10-12</u>
<u>Monique Harris</u>	<u>1108 Wisner</u>	<u>4-10-12</u>
<u>Vacant</u>	<u>2806 Thatcher</u>	<u>4-10-12</u>
<u>Corner of Thatcher & Wisner</u>	<u>No address</u>	<u>4-10-12</u>
<u>Vacant - No address</u>		

To the best of my knowledge and belief, the above signatures represent all of the property abutting subject street/alley.

CIRCULATOR INFORMATION			
NAME: <u>Larry Essex</u>		PHONE: <u>989.714.4498</u>	
ADDRESS: <u>2821 Julius</u>	CITY: <u>Saginaw</u>	STATE: <u>MI</u>	ZIP: <u>48601</u>

Date: 4-4-12

Larry Essex
CIRCULATOR SIGNATURE

NOTE: The Planning Commission cannot recommend vacation of all or part of a street/alley to City Council when any abutting property owner who would be deprived of a substantial right of access to his/her property because of such vacation objects thereto. Therefore, any petition for vacation of all or any part of a street/alley should be signed by the owners of all property abutting on said street/alley, or should be accompanied by a statement from non-petitioning abutting owners indicating that they are not opposed to the proposed vacating of all or part of said street/alley.

If you have any questions, please contact the Planning and Zoning Division at (989) 759-1303.

From: Darnell Earley, City Manager

Subject: Braun Kendrick Finkbeiner Professional Legal Services Agreement

Prepared by: Debbie Buck, Executive Assistant to the City Manager

Manager's Recommendation:

I recommend approval of the Professional Legal Services Agreement between the City of Saginaw and Braun Kendrick Finkbeiner, P.L.C. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The City has been utilizing the professional legal services of the law firm of Braun Kendrick Finkbeiner, P.L.C. for many years; however, the last formal contract expired in 2008. Since that time the law firm has continued to represent the City under the same terms and conditions of that contract.

It is believed to be in the best interest of the parties that the parties enter into a formal contract until such time the lawsuits and other pending matter being handled by the law firm have been resolved. Pursuant to the terms of the Agreement, the City will pay an hourly rate of One Hundred and 00/100 (\$100.00) Dollars for partners, Eighty Dollars (\$80.00) for Associates and \$40.00 for Legal Assistants.

The hourly rate includes normal postage and local telephone call expenses. However, it does not include actual long distance charges, copy expenses or usage charges associated with computerized legal research. The contract shall terminate upon resolution of the pending lawsuits or upon earlier termination by either party giving the other sixty (60) days notice.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Fire Prevention General Educational Supplies
Prepared by: Sienna Rendon, Fire Administration

Manager's Recommendation:

I recommend issuance of a purchase order to Alert-All Corporation of New Holland, PA, a sole source provider, for Fire Prevention educational supplies in the amount of \$2,155.

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 for this purchase are available in the Community Public Safety – Fire Prevention Educational Supplies account no. 101-3553-751.73-05.

Justification:

The Community Public Safety – Fire Prevention Department uses books, magazines, and pamphlets with fire safety tips and information throughout the year when conducting fire safety presentations at schools and events in our community. These educational supplies play an important role in encouraging the people in our community to be more knowledgeable about fire safety while making the learning process enjoyable.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Fire Prevention Youth Educational Supplies
Prepared by: Sienna Rendon, Fire Administration

Manager's Recommendation:

I recommend approval of a purchase order issued to Franklin Products of Coral Springs, FL, a sole source provider, for Fire Prevention educational supplies in the amount of \$2,820.15.

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 for this purchase are available in the Community Public Safety – Fire Prevention Educational Supplies account no. 101-3553-751.73-05.

Justification:

The Community Public Safety – Fire Prevention department distributes educational supplies to children in our community in an effort to inform them of the importance of preventing fires and actions to take when there is a fire. Items include: fire safety hats and helmets, books, magazines, pamphlets, pencils, and labels. Throughout the year, the Fire Prevention Department uses these materials when conducting fire safety presentations at schools and events in our community. These educational supplies play an important role in encouraging our youth to be more knowledgeable about fire safety, makes the learning process enjoyable, and reinforces the lessons learned.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager

Subject: Fair Housing- Education/Outreach, Testing/Referral Services

Prepared by: Bill Ernat, Development Department

Manager's Recommendation:

I recommend that the contract prices from Legal Services of Eastern Michigan (LSEM), Flint, MI, be accepted for Fair Housing activities and that a purchase order be issued in the amount of \$18,240.

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 budgeted in the Community Development Block Grant Fund – Administration's Division Professional Services Account No. 275-6510-761-8001.

Justification:

The Community Development Block Grant (CDBG) Program requires the City to administer all CDBG programs and activities to meet the Fair Housing requirements to further fair housing. Under 24 CFR 100 and the Civil Rights Act of 1968, the City of Saginaw is required to take steps to identify and address housing discrimination throughout the community. These contracts will satisfy the requirements of the Act.

The Department of Development solicited proposals for education/outreach services and testing/referral services to address all fair housing requirements of the CDBG program. Only one (1) vendor, Legal Services of Eastern Michigan, submitted proposals for these activities.

In 2011, the City of Saginaw completed the RFP process for fair housing activities with Legal Services of Eastern Michigan being awarded the two (2) contracts for a twelve (12) month period. It should be noted that this proposal has a savings of over \$4,000 from last year's proposal, which had a cost of \$22,702. While there is a cost savings to the City, there is not a reduction in services as LSEM is leveraging other funds to cover the costs of their services. City staff is satisfied with the performance of LSEM staff for the services currently being provided by LSEM.

To avoid seeking a new vendor next year, two (2) option years have been included in this proposal, which would allow the City to renew the annual contract at minimal increases to the City. At the end of each fiscal year, staff will review LSEM's performance to determine if the contract should be renewed.

Following is a breakdown of the proposals:

Education and Outreach Services

Legal Services of Eastern Michigan	FY 2012	\$ 8,160.00
Flint, MI	FY 2013	\$ 8,240.00
	FY 2014	\$ 8,325.00

Testing and Referral Services

Legal Services of Eastern Michigan	FY 2012	\$10,080.00
Flint, MI	FY 2013	\$10,180.00
	FY 2014	\$10,300.00

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Annual Creditron Corporation Software and Hardware
Maintenance Renewal
Prepared by: Chris Seager, Technical Services

Manager's Recommendation:

I recommend that payment be made to Creditron Corporation (dba Purepay), Rockville, MD, in the amount of \$5,989.14 for the renewal of annual software and hardware maintenance.

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

Funds for this payment are budgeted and available in Technical Services – IS Operating Services Account Number 658-1720-711.80-05.

Justification:

The maintenance covers the Creditron system which processes and images payments and checks received by the Fiscal Services Department, Treasurer's Division. The City annually renews our maintenance fees for the Creditron system. This annual renewal of maintenance fees is for a 12-month period.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Traffic Barrels – ROW Division
Prepared by: Phillip Karwat – Director of Public Services

Manager's Recommendation:

I recommend that the low bid from State Barricades, Warren, MI, be accepted and a purchase order be issued in the amount of \$2,792 for traffic barrels for FY 2012.

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 for this purchase are budgeted in the Local Streets Fund - Traffic Engineering Division's Parts and Supplies Account No. 203-4621-791.73-30.

Justification:

On March 20, 2012, bids were received for seventy (70) traffic barrels and bases to be used for detours and traffic control within the City of Saginaw. These traffic barrels will be used to replace existing barrels that are worn, damaged, or no longer meet retroreflectivity requirements. The following is a tabulation of the bids received:

State Barricades Warren, MI	\$ 2,792.00
Nichols Muskegon, MI	\$ 2,905.40
Applied Industrial Technologies Saginaw, MI (out city)	\$ 3,192.70
Airgas Saginaw, MI (out city)	\$ 3,224.30
Accurate Safety Dist. Inc. Freeland, MI	\$ 3,626.00

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Replacement Combination Jet Rodder Truck
Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend that the national bid price from Jack Doheney Supplies of Northville, MI, be accepted and a purchase order be issued to them in the amount of \$388,626.

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 for this purchase are budgeted in Sewer Operation and Maintenance Fund – Maintenance and Service Division's Surplus Vehicle Account Number 590-4840-881.97-70.

Justification:

National Intergovernmental Purchasing Alliance (NIPA) complies with the City of Saginaw Purchasing Ordinance. Prices are received on a National Basis for municipalities as those items are bid and the City of Saginaw can purchase from this list of equipment while saving 5% off the total purchase cost. By participating in this purchasing alliance, the City is saving \$20,464 on this purchase.

The various other Michigan municipalities that have purchased Combination Jet Rodders Vacuum Trucks include Ann Arbor, Rochester Hills, Troy and Holland.

The existing Combination Vactor that is being replaced is on a 1997 Ford Chassis with the Jet Rodder and Vacuum built into the truck. This is one (1) of two (2) Front Line Sewer Jets that are responsible for cleaning and maintaining 300 miles of 8" through 144" Collection and Trunk Sewers and 15,000 catch basins. These units are used as vacuum excavators when the situation dictates a dig around of sensitive utilities (fiber cable, high pressure gas mains, and expedite emergency digs). The current truck has 33,000 miles and an additional run time of 4,898 hours on the drive engines power take off-drive. This is equivalent to almost 300,000 miles when converted to over-the-road mileage. In the past 15 years, the Jet Pump and Vacuum Fan have been replaced three (3) times, the auxiliary engine has been re-built twice, and numerous original equipment parts have been replaced.

These trucks are operated year round regardless of the weather and they are specifically designed to operate in freezing weather. The fleet of Combination Machines removes approximately 1,200 cubic yards of debris annually from the combined and separate sewers systems when both units are running before it flows to the Waste Water Treatment Plant. The oldest Vactor Truck has been down for repairs on an ever-increasing scale. These trucks must comply with P.A. 451 that governs operation of Publicly Owned Waste Treatment works and the maintenance thereof. Following is the vendor and cost of the Combination Jet Rodder Vacuum Truck:

Jack Doheney Supplies		\$409,080.00
Northville, MI	Less 5% Discount	<u>-\$20,464.00</u>
		\$388,626.00

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Replacement Vehicles Maintenance and Service
Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend that the City of Saginaw participate in the Mi-Deal purchasing program. This program will facilitate the purchases of two (2) Foremen ½ ton pickup trucks, one Meter Serviceman pickup truck, and one replacement minivan for transportation of employees to training, meetings, conferences, and as a reserve vehicle for out-of-service vehicles within the Maintenance and Service Division. I recommend a purchase order be issued to Gorno Ford of Woodhaven, MI, in the amount of \$72,574.

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 for this purchase are budgeted in the Sewer Operations Fund - Maintenance and Service Division's Surplus Vehicles Account No. 590-4840-881.97-70 (\$36,287), and Water Operations Fund - Maintenance and Service Division's Surplus Vehicles Account No. 591-4740-881.97-70 (\$36,287).

Justification:

Gorno Ford of Woodhaven, MI, is the current State of Michigan bid holder for these types of vehicles.

The Water and Sewer Meter Shop reads approximately 20,000 meters monthly, and the trucks being used, travel approximately 290,000 miles combined. In 2007, the vehicles were scheduled for replacement. These 1997 vintage trucks made approximately seventy (70) stops per day when originally used by the meter service personnel. This constant action produced the excessive maintenance costs and down time, worn out floorboards, rotted rocker panels, extensive corrosion and added to the reduction in reliability of fuel efficiency and operator safety.

The procedure has always been to replace the Foremen trucks and cycle them down to the meter serviceperson, meter readers, etc. Currently, there are two (2) Foremen and the added meter shop servicepersons installing the automated meter reading equipment will use the additional meter shop trucks. The oldest trucks will go to the meter readers and will be phased out as the Automated Meter Reader project progresses.

Since 2005, the 1995 Lumina (out-of-town) vehicle has been on the replacement list and has approximately 145,000 miles. This vehicle has experienced numerous mechanical and electrical repairs making it an unreliable vehicle to conduct departmental operations while transporting employees to and from training and conferences or in the course of day-to-day operations. This department vehicle is used by the various Divisions for training and conferences and billed to the respective accounts as utilized.

Following is a breakdown as to cost of the vehicles being purchased.

Three Ford F-150 Pickups @ \$17,021.00 each	\$51,063.00
One Ford Minivan	<u>\$21,511.00</u>
Total	\$72,574.00

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by council _____.

From: Darnell Earley, City Manager
Subject: Water Main Repair Sleeves
Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend the low bid from Etna Supply Company, Grand Rapids, MI, be accepted and a purchase order be approved and issued to them in the amount of \$2,599.36 for FY 2012.

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 for this purchase are budgeted in the Water Operations and Maintenance Fund - Maintenance and Service Division's Parts and Supplies Account No. 591-4721-861.73-30, and will be accounted for in Water Operations and Maintenance Fund/Water Shop Inventory Account No. 591-0000-171-11-30.

Justification:

On April 3, 2012, bids were received for two 24" solid sleeves to be used in the construction and repair of the City's water distribution and transmission system. A cost comparison shows a 10% increase over the previous purchase. The following is a tabulation of the bids received:

Etna Supply Company Grand Rapids, MI	\$ 2,599.36
The Macomb Group Midland, MI	\$ 6,090.00

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager
Subject: Tetra Tech, Inc. Agreement for Engineering Services
Prepared by: Jeanette Best, WWTP Superintendent

Manager's Recommendation:

I recommend that the Agreement with Tetra Tech, Inc. of Ann Arbor, MI, be approved and a purchase order issued to Tetra Tech in an amount not to exceed \$236,700. The Agreement is approved as to substance by the City Manager and subject to approval by the City Attorney as to form.

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

Funds are budgeted in the Sewer Operation and Maintenance Fund, Treatment and Pumping Division's Sewer Surplus Account No. 590-4840-881.80-02.

Justification:

On March 9, 2012, the City of Saginaw received a proposal for General Engineering, Resident Engineering, and State Revolving Fund (SRF) Administration services for the modifications to the influent pump station. Tetra Tech completed plans and specifications for modifications to the Wastewater Treatment Plant Influent Pump Station under SRF loan number 5448-01 and submitted them to the Michigan Department of Environmental Quality (MDEQ) for review and comments on March 2, 2012. Final plans and specifications will be due back to the MDEQ by April 27, 2012 in accordance with the City's SRF low interest loan milestone schedule.

The scope of services provided by Tetra Tech under this agreement includes the following:

- I - Bidding Assistance
- II - Construction Engineering
- III - Resident Engineering
- IV - Construction Record Drawings
- V - SRF Loan Administration

Tetra Tech's compensation for personnel directly engaged in the work on this project will be based on actual time and materials expended but not to exceed a total amount of \$236,700 for the project.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved, seconded by Council _____.

From: Darnell Earley, City Manager

Subject: Application for Local Bridge Program Funds for FY15 – ROW Division

Prepared by: Phillip J. Karwat – Director of Public Services

Manager's Recommendation:

I recommend that the City of Saginaw actively seek Local Bridge Program Funds for the scour corrective action and preventative maintenance as needed for the Johnson Street, Genesee Avenue, Holland Avenue and Center Street Bridges over the Saginaw River. The application amount for each bridge will vary and will be based on the needs of each individual bridge. If approved, funds for the City's share will be made available in FY 2015/2016 Major Streets Fund – Bridge Projects Division's Construction Projects Account No. 202-4616-781.80-47. The City of Saginaw will be responsible for design and construction engineering costs.

The Michigan Department of Transportation (MDOT) requires, as part of the 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.

Justification:

Per the MDOT Local Bridge Program Guidelines, the total number of applications from any local agency is limited to five (5). The preventative maintenance, structure rehabilitation and replacement, and approach costs may be eligible for a maximum of 95 percent participation from federal and/or state funds. The right-of-way, design engineering and construction engineering costs are not eligible for Local Bridge Program funds. 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 (6) vehicular bridges are in need of preventative maintenance and some need scour corrective action.

The Local Bridge Program was enacted in 2004 and is the federal legislation that provides funds for local agency bridges. The 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 fund limitations, the applications are evaluated by MDOT and ranked against the criteria. As projects of this magnitude require substantial lead time to start of work, it is recommended that staff be directed to submit an application for funding no later than May 1, 2012 in order to qualify for consideration in the State's fiscal year 2015 funding program.

Council Action

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

Manager's Recommendation: Approval of the resolution as follows:

RESOLUTION TO ACTIVELY SEEK LOCAL BRIDGE PROGRAM FUND

Council _____ offered and moved adoption of 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 scour corrective action and preventative maintenance as needed for the Johnson Street, Genesee Avenue, Holland Avenue and Center Street Bridges over the Saginaw River has been determined and has been indicated in recent engineering and bridge inspection reports by it's bridge consultant, Spicer Group; 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 Federal Local Bridge Program for fiscal year 2015 is May 1, 2012; and

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

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

From: Darnell Earley, City Manager

Subject: Authorization to the Saginaw Community Foundation to Use Amplifying Equipment during their Event

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the Saginaw Community Foundation's (SCF) Annual Celebration to be held on June 5, 2012. The event will be held at Deindorfer Woods Park during the hours of 5:30 p.m. and 8:00 p.m.

Justification:

On June 5, 2012, the Saginaw Community Foundation will host their annual celebration at Deindorfer Woods Park, and they have 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.

Manager's Recommendation: Approval of the resolution as follows:

**RESOLUTION TO AUTHORIZE THE SAGINAW COMMUNITY FOUNDATION TO
USE AMPLIFYING EQUIPMENT ON JUNE 5, 2012 AT DEINDORFER WOODS PARK**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Saginaw Community Foundation (SCF) plans to hold their annual celebration on June 5, 2012; and

WHEREAS, the SCF has requested permission to use amplifying equipment between the hours of 5:30 p.m. and 8:00 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 Saginaw Community Foundation Annual Celebration to be held on June 5, 2012, between the hours of 5:30 p.m. and 8:00 p.m. at Deindorfer Woods Park.

From: Darnell Earley, City Manager
Subject: Authorization to Allow the Sale of Alcoholic Beverages at Deindorfer Woods Park

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the sale and consumption of alcoholic beverages at Deindorfer Woods Park, a public property, during the Saginaw Community Foundation Annual Celebration to be held on June 5, 2012.

Justification:

On June 5, 2012, the Saginaw Community Foundation will host its annual celebration at Deindorfer Woods Park, a public property. The sponsor has requested that the City allow them to sell and consume alcoholic beverages during the event. Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the sale of alcoholic beverages on public property, if the vendor provides the following to the City:

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

The vendors will provide the proper documents to the proper City officials. If the vendors fail to provide the documentation by May 21, 2012, it will not be allowed to sell or consume alcoholic beverages at Deindorfer Woods Park. The City has set the insurance requirements and all insurance certificates must be reviewed and approved by the City's Attorney. Furthermore, the vendor has been advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

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

Manager's Recommendation: Approval of the resolution as follows:

**RESOLUTION TO PERMIT THE SALE OF ALCOHOLIC
BEVERAGES AT DEINDORFER WOODS PARK**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, Saginaw Community Foundation (SFC) plans to hold a celebration at Deindorfer Woods Park on June 5, 2012; and

WHEREAS, Saginaw Community Foundation requested that they be allowed to sell and consume alcoholic beverages to participants on public property; and

WHEREAS, City Council can provide authorization for the sale and consumption of alcoholic beverages on public property; and

WHEREAS, Saginaw Community Foundation must provide certain documents prior to the event.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the sale and consumption of alcoholic beverages on public property during the SCF Annual Celebration to be held on June 5, 2012 at Deindorfer Woods Park, provided that the Saginaw Community Foundation provides the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances no later than May 21, 2012, to the proper City officials.

BE IT FURTHER RESOLVED, if the Saginaw Community Foundation does not provide the documents by the stated date, they will not be allowed to sell and consume alcoholic beverages during the event on June 5, 2012.

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

From: Darnell Earley, City Manager

Subject: Intergovernmental Grass Cutting Monitoring Services Contract Amendment Between the City of Saginaw and the Saginaw County Land Bank Authority

Prepared By: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend approval of the Intergovernmental Grass Cutting Monitoring Services Contract Amendment ("Amendment") between the City of Saginaw ("City") and the Saginaw County Land Bank Authority ("Land Bank Authority"). The total amount of the Amendment is Thirty-Six Thousand Seven Hundred Fifty Dollars and 00/100 (\$36,750). I have approved the Amendment as to substance and the City Attorney as to form. It is further recommended that the Director of Public Services and/or his designee be authorized to sign the Amendment.

Justification:

On September 12, 2011, City Council approved the original Intergovernmental Grass Cutting Monitoring Services Agreement ("Agreement") between the City and Land Bank Authority. The Agreement set forth the City's responsibilities with regard to monitoring the grass cutting activities of the Land Bank Authority's Neighborhood Stabilization Program 2 ("NSP 2") grass cutting vendor. The original agreement stated that the City would be paid monthly Three Thousand Five Hundred and 00/100 Dollars (\$3,500). Pursuant to the terms of the Amendment, the City will only receive payment for grass cutting monitoring services during the grass cutting season. In addition, the City's monthly rate will remain the same.

For the 2011 grass cutting season, the City received payment in the amount of Fourteen Thousand Dollars and 00/100 (\$14,000) for monitoring services between July and October 2011. In addition, in 2012 the grass cutting season will be extended. It will begin on April 16, 2012 and end on October 31, 2012. During the month of April, the City's payment will be prorated and it will receive payment in the amount of One Thousand Seven Hundred Fifty Dollars and 00/100 (\$1,750). However, during the months of May through October 2012, the Land Bank Authority will pay the City Twenty One Thousand Dollars and 00/100 (\$21,000.). The total amount of compensation the City will receive in 2012 is Twenty-Two Thousand Seven Hundred Fifty Dollars and 00/100 (\$22,750).

Council Action:

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

Manager's Recommendation: Approval of the resolution as follows:

**INTERGOVERNMENTAL GRASS CUTTING MONITORING SERVICES
AGREEMENT AMENDMENT BETWEEN THE CITY OF SAGINAW
AND THE SAGINAW COUNTY LAND BANK AUTHORITY**

THIS AMENDMENT entered into this 23rd day of April, 2012, by and between the City of Saginaw, a Michigan municipal corporation, 1315 South Washington Avenue, Saginaw, Michigan 48601 (hereinafter referred to as "CITY") and the Saginaw County Land Bank Authority, 111 South Michigan Avenue, Saginaw, Michigan 48602, (hereinafter referred to as "LAND BANK AUTHORITY").

The parties mutually agree as follows:

WHEREAS, on September 12, 2011, the Saginaw City Council approved the Intergovernmental Grass Cutting Monitoring Services Agreement between the CITY and the LAND BANK AUTHORITY. Pursuant to the terms of the Intergovernmental Grass Cutting Monitoring Services Agreement, the CITY solely monitors the grass cutting activities of the LAND BANK AUTHORITY'S Neighborhood Stabilization Program 2 ("NSP 2") grass cutting vendor; and

WHEREAS, since the approval of the Agreement, the months for grass cutting monitoring services have changed; and

WHEREAS, due to the extended deadline and change in the amount of fees, the parties have agreed to amend the Agreement to reflect the change in the grass cutting monitoring services season, the term of the Agreement and the payment the CITY will receive for providing the service during the actual grass cutting season.

NOW THEREFORE, the parties hereto agree as follows:

1. The 2012 grass cutting monitoring season will begin on April 16, 2012 and will end on October 31, 2012. The GIS Department has until November 10, 2012, to submit its' invoices and supporting documentation regarding monitoring services conducted during the month of October;
2. During the months of July, August, September and October 2011, the CITY received payment in the amount of Fourteen Thousand Dollars and 00/100 (\$14,000);
3. During the month of April 2012, the CITY will be paid a prorated fee of One Thousand Seven Hundred Fifty Dollars and 00/100 (\$1,750) for two (2) weeks of grass cutting monitoring services from April 16th through April 30th related solely to LAND BANK AUTHORITY NSP 2 properties;

4. During the months of May, June, July, August, September and October 2012, the CITY will be paid a monthly fee of Three Thousand Five Hundred Dollars and 00/100 (\$3,500) for grass cutting monitoring services related solely to LAND BANK AUTHORITY NSP 2 properties. During the months of May through October 2012, the CITY will be paid Twenty-One Thousand Dollars and 00/100 (\$21,000);
5. The term of the Agreement is for sixteen (16) months. However, the CITY will only be paid for rendering monitoring services during the actual months of the grass cutting season. The following lists the months of the grass cutting season that the CITY will monitor LAND BANK AUTHORITY'S NSP 2 grass cutting vendor and will receive actual payment:
 - a. July 2011 through October 2011; and
 - b. April 16, 2012 through October 31, 2012.
6. The CITY'S total compensation during the term of the Agreement is Thirty-Six Thousand Seven Hundred Fifty Dollars and 00/100 (\$36,750). The LAND BANK AUTHORITY paid the CITY, Fourteen Thousand Dollars and 00/100 (\$14,000) in 2011. In addition, in 2012 the LAND BANK AUTHORITY will pay the CITY, Twenty Two Thousand Seven Hundred Fifty Dollars and 00/100 (\$22,750); and
7. That all other terms of the original Intergovernmental Grass Cutting Monitoring Agreement will remain in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be signed by its authorized representatives as of the day and year first above written.

SAGINAW COUNTY LAND
BANK AUTHORITY

CITY OF SAGINAW, a Michigan
Municipal Corporation

By: Barbara L. Mausolf
Its: Chairperson

By: Phillip Karwat
Its: Director of Public Services