Council Agenda

May 6, 2013
Council Chamber

5:00 P.M. COMMITTEE OF THE WHOLE MEETING

ROLL CALL:

REPORTS FROM MANAGER:

Management Update:

1. Overview of the Fiscal Year 2013-2014 Proposed Budget.

ADJOURN:

6:30 P.M. REGULAR MEETING

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Tim Ninemire, Director of Recipient Rights and Customer Service, of the Saginaw County Community Mental Health Authority to receive Proclamation designating May 2013 as “National Mental Health Month.”

2. Saginaw Police Department to receive Proclamation designating May 14, 2013 as “Police Memorial Day.”

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. City Hall Roof and Masonry Repair Update.

2. Emergency Generator Project for the Water Treatment Division.

3. Continued overview of the Fiscal Year 2013-2014 Proposed Budget.
    a. Community Public Safety Police/Fire.

<u>CONSENT AGENDA:</u>

1. Approve the minutes from April 15, 2013 regular council meeting and closed session.

2. Approve Petition 13-05 to approve the capital expenditure items for the 2013-2014 Budget for Capital Improvement and Repair Fund for the Saginaw-Midland Municipal Water Supply Corporation.

3. Approve Petition 13-06 for WKCQ-FM to erect banner located at South Michigan from May 17 through June 15, 2013 to promote “KCQ Country Music Fest Free Concert.”

4. Approve extension to the current Water Service Agreement with Albee Township.

5. Approve the amendment to the current Administrative Services Agreement with Blue Cross and Blue Shield of Michigan.

6. Approve the Agent Fee Payment Agreement with Blue Cross and Blue Shield of Michigan and Brown and Brown, insurance broker and Agent of Record.

7. Approve the option year contract prices from Legal Services of Eastern Michigan and issue a purchase order for $15,195 for FY 2013 for continued services of the Community Development Block Grant program.

8. Approve the 2013-14 Annual Action Plan required as part of the City’s Community Development Block Grant annual submittals to HUD.

9. Approve the Real Property Purchase and Development Agreement with Bancroft Project Saginaw LLC for 131 S. Franklin Street.

10. Approve the agreement with Coplogic, Inc. for setup and support of the DeskOfficer Online Reporting System for the Police Department.

11. Approve the payment to Applied Industrial Technologies for $2,912.09 for the emergency purchase of bearings to rebuild raw sewage pump #5 at the Wastewater Treatment Plant.

12. Approve a purchase order for Kennedy Industries, a sole source, for $11,226 for the plug insert and parts to rebuild a 30” Dezurik valve at the Wastewater Treatment Plant.

13. Approve a purchase order and the contract agreement with J.R. Heineman and Sons, Inc. for $915,236 for the Emergency Generator Project for the Water Treatment Division.

14. Approve a purchase order to Standard Electric Co. for $2,158 for electrical supplies required for a variable frequency drive project at the Water Treatment Plant.

15. Approve a purchase order to Hach Company for $4,273.35 for a 1720E turbidimeter system for the Water Treatment Plant.

16. Approve the Ojibway Island User Agreement with MacDonald Broadcasting Company WKCQ-FM for rental of Ojibway Island for Country Music Fest Free Concert on June 15, 2013.

17. Approve the request by WKCQ-FM for in-kind service, in lieu of payment, for one-half of the special event fees for the Country Music Fest Free Concert scheduled for June 15, 2013 on Ojibway Island.

18. Adopt the Resolution authorizing the sale and consumption of alcoholic beverages at Ojibway Island during the annual WKCQ-FM Country Music Fest on June 15, 2013.

19. Approve the Professional Services Agreement with J.R.T. Thumb Auctioneers, L.L.C for services provided at public auction on June 8, 2013 for Garage Division.

20. Approve the Farmland Rental Agreement with Wasmiller Farms for lease of property at 1615 Williamson Street.

21. Approve the one year Grass Cutting Services Agreement for $80,000 with the Saginaw County Land Bank Authority. Further, approve a budget adjustment for FY 2013 to increase the General Fund - Saginaw County Account No. 101-0000-571.67-07 by $35,000. This increase will be offset by an increase in the General Fund - Abatement of Nuisances Division's, Employment Agency Fees Account No. 101-7571-841.8004 by $12,280 and an increase in the General Fund - Abatement of Nuisances Division's, Maintenance Equipment Account No. 101-7571-841.97-41 by $22,720.

22. Approve a purchase order to Red Holman Pontiac-GMC for $27,778.50 for a 2013 GMC Sierra 2500 HD vehicle for the Facilities Division.

23. Approve a purchase order to West Shore Services, a sole source, for $4,950 for siren batteries and preventative maintenance services for the City’s emergency/tornado siren system.

24. Approve a purchase order to Carrier and Gable, a sole source, for $21,159.05 for traffic signal equipment for the Right of Way Division.

25. Approve a purchase order to Ricoh USA for $2,595 for a five-year lease of a copier/printer/fax machine for the Traffic Maintenance Section of the Right of Way Division.

26. Approve the FY 2013 budget adjustment to the Clean Energy Coalition Fund – Reimbursements Account No. 230-0000-602.68-08 by $17, 385 for Consumers Energy rebates for qualifying energy efficiency projects. This increase will be offset by an increase in the Clean Energy Coalition Fund – Clean Energy Coalition Division's Parts and Supplies Account No. 230-1795-701.73-30 for the same amount.

27. Approve a purchase order and the contract with Lois Kay Contracting Company for $491,097.82 for the 2013 CDBG Resurfacing / ADA Sidewalk Ramp project.

28. Adopt the Resolution authorizing the sale and consumption of alcoholic beverages at the Children's Zoo at Celebration Square during special events on June 20, July 2 and 18, 2013.

29. Adopt the Resolution authorizing Andrea Coleman the use of amplifying equipment at the Open House event on June 8, 2013 at Bliss Park between 3:00 p.m. and 7:00 p.m.

30. Adopt the Resolution approving the Cost Agreement with the Michigan Department of Transportation for streetscaping, including decorative street lighting work, along Hamilton Street from Van Buren Street to Court Street.

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

1. Consideration of reappointing Dr. Evelyn Mudd and Thomas Mudd to the Saginaw Historic District Commission with terms to expire May 21, 2016.

INTRODUCTION OF ORDINANCES:

1. An Ordinance to repeal Chapter 99: "Special Events Regulations," and introduce a new Chapter 99: "Special Events Regulation," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinance, O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend § 52.31 "Deposit," of Chapter 52, Water, of Title V, "Public Works," of the City of Saginaw Code of Ordinance, O-1.

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Closed session to consult with attorney regarding written legal opinion per MCL 15.268, Section 8(h).

Darnell Earley
City Manager

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

PROCLAMATION

WHEREAS, mental health is essential to everyone's overall physical health and emotional well-being; and

WHEREAS, mental illness will strike one in five adults and children in a given year regardless of age, gender, race, ethnicity, religion or economic status; and

WHEREAS, people who have mental illnesses can recover and lead full, productive lives; and

WHEREAS, an estimated two-thirds of adults and young people who have mental health disorders are not receiving the help they need; and

WHEREAS, the cost of untreated and mistreated mental illnesses and addictive disorders to American businesses, governments and families has grown to $113 billion annually; and

WHEREAS, community-based services that respond to individual and family needs are cost-effective, and beneficial to consumers and the community; and

WHEREAS, the National Mental Health Association and its national partners observe Mental Health Month every May to raise awareness and understanding of mental health and illness; now

THEREFORE, I, Gregory Branch, Mayor of the City of Saginaw, on behalf of my fellow Councilmembers, do hereby proclaim May 2013 as

"Mental Health Month"

in the City of Saginaw. I urge all citizens, government agencies, public and private institutions, businesses and schools in our community to commit to increasing awareness and the understanding of mental health, diagnosis and treatment, and the need for appropriate and accessible services for all people with mental illnesses.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 6th day of May in the year of our Lord two thousand thirteen.

Gregory 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

May 6, 2013

City of Saginaw
PROCLAMATION

WHEREAS, Law enforcement officers of the City of Saginaw carry a tremendous responsibility to protect our citizens. They fulfill this responsibility tirelessly, with courage and commitment, often placing themselves in harm's way; and

WHEREAS, It is important that all citizens know and understand the duties, hazards, responsibilities and sacrifices of these brave officers as they serve our community; and

WHEREAS, The courageous men and women of the Saginaw City Police Department should be honored for the discipline and distinction they show in preserving the rights, freedom, and safety of all citizens of Saginaw; and

WHEREAS, it is difficult to completely show our true appreciation for the services the men and women provide for the community. These brave officers often put their lives on the line to protect our citizens, sometimes making the ultimate sacrifice; and

WHEREAS, The President of the United States and Congress have designated May 12-18, 2013 as "National Police Week." All citizens are encouraged to observe this week with appropriate ceremonies to commemorate law enforcement officers both past and present who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to the residents of the City of Saginaw.

NOW THEREFORE BE IT RESOLVED, I, Gregory L. Branch, on behalf of my fellow councilmembers, do hereby proclaim May 14, 2013, as

"Police Memorial Day"

in the City of Saginaw and urge all citizens to observe this day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice to their community or have become disabled in the performance of duty. I further encourage schools, businesses, religious institutions, service organizations and the community as a whole to recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 6th day of May in the year of our Lord two thousand and thirteen.

Gregory 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

May 6, 2013

Darnell Earley, City Manager

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, APRIL 15, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member O'Neal offered a moment of silence for the incident in Boston followed by a prayer and he led the pledge of allegiance.

ROLL CALL

Mayor Branch called the meeting to order. Council Members present: Annie Boensch, Norman Braddock, Dennis Browning, Floyd Kloc, Amos O'Neal and Mayor Gregory Branch - 6. Council Members absent: Larry Coulouris, Andrew Wendt and Daniel Fitzpatrick - 3.

ANNOUNCEMENTS

Council Member Kloc read and presented a proclamation to the Saginaw County Bar Association declaring May 2, 2013 as "Law Day." Association Member John D. Humphreys accepted the proclamation and thanked Council for the recognition.

Council Member Coulouris entered the meeting at 6:35 p.m. during the reading of the proclamation.

PERSONAL APPEARANCES

The following persons addressed the Council: Patrice Boulware, Curtis Robinson, Levante Carrington, Ana Hidalgo and Mark Schwager.

REMARKS OF COUNCIL

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

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley reported that the FY 2013-2014 Proposed Budget is a balanced budget. City Manager Earley and staff are establishing methods to communicate; educate and inform the public on the proposed budget.

Consent Agenda

1. Approve the minutes from April 1, 2013 regular Council meeting.

2. Approve Petition 13-02 for Saginaw African Festival Committee to erect banner located at Court Street and East Genesee Avenue from July 9 through August 9, 2013 to promote the Saginaw African Cultural Festival Weekend.

3. Approve Petition 13-03 for Saginaw County Bar Association to erect banner located at Court Street from April 4 through May 4, 2013 to promote Saginaw "Law Day."

4. Approve Petition 13-04 for Saginaw County Community Mental Health Authority to erect banner located at Court Street and West Genesee Avenue from May 7 through May 31, 2013 to promote May as "Mental Health Month."

5. Approve the First Contract Amendment with Saginaw Habitat for Humanity for additional Community Housing Development Organization activities to increase the amount of the agreement by $152,546 and extend the term of the agreement to end on June 30, 2014.

6. Approve the FY 2013 budget adjustment of the Drug Forfeiture Fund's Forfeited Property/Federal account no. 264-0000-544.65-20 by $29,101 for the purchase of the DeskOfficer Online Reporting System (DORS) for the Police Department. This increase in revenues will be offset by an increase to the Drug Forfeiture Fund's Computer Software account no. 264-3040-731.72-25.

7. Approve a purchase order to Coplogic, Inc., a sole source, for $18,500 for the DeskOfficer Online Reporting System (DORS) for the Police Department.

8. Approve to increase purchase order #46702 to Douglass Safety Systems, a sole source, in the amount of $2,000 for the purchase of ISI SCBA parts for the Fire Department.

9. Approve a purchase order to Douglass Safety Systems, a sole source provider, for $8,790 for one ISG Thermal Imaging Camera and three ISG Truck Mount Chargers for the Fire Department.

10. Approve a purchase order to York Repair for $3,165 to refurbish the high service pump #5 motor at the Water Treatment Plant.

11. Approve a purchase order to F. B. Wright Co. for $2,804 for packing materials to repack pumps and valves at the Wastewater Treatment Plant and the Remote Treatment Facilities.

12. Approve a purchase order to Waterworks Systems & Equipment for $4,264.58 for bearings and parts to rebuild a final clarifier gearbox at the Wastewater Treatment Plant.

13. Approve the contract agreement with Cusack’s Masonry Restoration, Inc. for $49,200 for selective masonry rehabilitation work at City Hall.

14. Approve a purchase order to Beyer Roofing Company, Inc. for $54,453 for the replacement of the rubber membrane on the City Hall roof.

15. Approve a purchase order to Central Cleaning Systems for $4,970 for a stationary power washer for the Streets Section of the Right of Way Division.

16. Approve a purchase order to Detroit Diamond Drilling, Inc. for $2,965 for five chain saws for the Streets Section of the Right of Way Division.

17. Approve a purchase order to Hoffman’s Power Equipment for $27,838 for two Zero-Turn mowers for the Facilities and Motor Pool Division.

18. Approve the Ojibway Island User Agreement with Union Civica Mexicana.

19. Approve the revised Cemeteries Rules and Regulations regarding the operations and use schedule of rates and charges.

20. Adopt the Resolution authorizing the City to seek Local Bridge Program Funds for preventative maintenance and scour countermeasures on the Holland Avenue and Center Avenue Bridges and for preventative maintenance on the Johnson Street Bridge over the Saginaw River, for FY 2017 and FY 2018.

21. Adopt the Resolution authorizing the use of amplifying equipment for Children's Mental Health Awareness Day to be held on May 9, 2013 at City Hall and Ojibway Island from 4:30 p.m. to 6:30 p.m.

Council Action:
Moved by Mayor Pro-Tem Browning, seconded by Council Member Kloc to approve the consent agenda items as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

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

Council Member Braddock reported that the he met with the City Manager and staff regarding the changes to the Weed Abatement program prior to the Council meeting. He felt the meeting was very productive. Council Member Wendt was unable to attend.

Council Member Boensch reported that the Foreclosure/Vacant Property Committee will meet Tuesday, April 16, 2013 at 9:00 a.m. at City Hall.

INTRODUCTION OF ORDINANCES

Moved by Council Member Kloc, seconded by Council Member Coulouris to introduce an Ordinance to amend § 52.31 "Deposit," Of Chapter 52, Water, of Title V, "Public Works," of the City of Saginaw Code of Ordinance, O-1. 7 ayes, 0 nays, 2 absent. Motion carried. Mayor Branch announced that the ordinance is laid over under Charter provision.

CONSIDERATION AND PASSING OF ORDINANCES

Moved by Council Member O'Neal, seconded by Mayor Pro Tem Browning to adopt an Ordinance to amend § 153.750 "Statement of Purpose," § 153.573 "Historic District Commission," § 153.574 "Procedure for the Review of Plans," and § 153.576 "Establishing New Districts and Identifying Historic Resources/Landmarks" of Chapter 153, Zoning Regulations, of Title XV "Land Usage," of the City of Saginaw Code of Ordinance, O-1.
7 ayes, 0 nays, 2 absent. Motion carried.

MOTIONS AND MISCELLANEOUS BUSINESS

Moved by Council Member O'Neal, seconded by Mayor Pro-Tem Browning to approve the Mediation Agreement with The Concerned Citizens of Saginaw Michigan, to establish the Citizens' Advisory Committee (CAC), as presented and recommended by Mayor Branch. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member Boensch to go into closed session to discuss pending litigation per MCL 15.268, Section 8.
Mayor Branch asked the Clerk to conduct a roll call vote:
Ayes: Braddock, Boensch, Kloc, O'Neal, Coulouris, Mayor Pro-Tem Browning and Mayor Branch

Nays: None
Absent: Fitzpatrick and Wendt
Abstain: None
Motion carried.

Council entered closed session at 8:17 p.m.

Moved by Mayor Pro-Tem Browning, seconded by Council Member Kloc to return to regular session at 8:35 p.m. 7 ayes, 0 nays, 2 absent. Motion Carried.

Moved by Council Member Kloc, seconded by Council Member Boensch to approve the terms of settlement as recommended by the City Attorney in the matter of Wojciechowski v. City of Saginaw, et al and to authorize the City Manager to execute same. Mayor Branch asked the Clerk to conduct a roll call vote:
Ayes: Boensch, Kloc, Coulouris, Mayor Pro-Tem Browning and Mayor Branch
Nays: None
Absent: Fitzpatrick and Wendt
Abstain: Braddock and O'Neal
Motion Carried.

ADJOURNMENT

Moved by Mayor Pro Tem Browning, seconded by Council Member Kloc to adjourn the meeting at 8:37 p.m. 7 ayes, 0 nays, 2 absent. Motion carried.

Janet Santos, CMC/MMC
City Clerk

SAGINAW MIDLAND
MUNICIPAL WATER SUPPLY CORPORATION

4678 S. THREE MILE ROAD • BAY CITY, MI 48706 • PH. 989-684-2220 • FAX 989-684-7741

RECEIVED
CITY CLERK
CITY OF SAGINAW

APR 22 2013

Petition #13-05

April 19, 2013

Ms. Janet Santos, City Clerk
City of Saginaw
1315 S. Washington
Saginaw, MI 48601

Dear Ms. Santos:

Please be advised that the Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation, at their regular meeting on April 18, 2013, have approved the 2013-2014 Operating, Capital Improvement, and Debt Service Budgets for the Corporation.

In accordance with the 1946 agreement between the City of Saginaw and the City of Midland, it is necessary for capital improvement expense to be additionally approved by the governing bodies of both owner Cities.

The Management and Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation; therefore, recommend that the City of Saginaw approve the capital expenditure items as shown on the attached <u>Budget for Capital Improvement and Emergency Repair Fund</u> in the amount of $157,000 for the 2013-2014 budget year, with a fund income allocation set at $.0125 per 1,000 gallons pumped.

We request that this petition for approval be advanced to the council as soon as possible in order to meet our June 30, 2013, budget deadline. Please notify our office when Saginaw-Midland's Budget for Capital Improvement and Emergency Repair Fund has been approved. Thank you for your efforts in this regard.

Sincerely yours,

Michael Quinnell

Michael Quinnell,
Manager

MQ:kj

Enc.

SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION
2013-2014 FISCAL YEAR

BUDGET FOR CAPITAL IMPROVEMENT AND EMERGENCY REPAIR FUND

I.	Projected I&ER Fund Ending Balance (June 30, 2013)		$1,068,781
II.	Proposed Improvement Expenses for 2013-2014 Fiscal Year		
	a. Complete Replacement of One (1) Valve on 48" Pipeline in AuGres Area (Carryover from 2012-2013)	$35,000	
	b. Replacement of One (1) Valve on 48" Pipeline - AuGres Area	$60,000	
	c. Install 24" Access Manhole on 48" Pipe to Allow for Repair/Adjustments of Butterfly Valves at Pinconning (Carryover from 2012-2013)	$25,000	
	d. Replace Corroded Whitestone Well House Lintel and Tuck/Grind Mortar Joints	$15,000	
	e. Property Purchase at Chip Road for Valve Access	$7,000	
	f. Connect Junction Station to Bay County Water Supply	$15,000	
			(157,000)
III.	Projected Improvement Income for the 2013-2014 Fiscal Year		
	a. Income Forecasted ($0.0125 per 1000 Gallons)	$193,750	
	b. Projected Interest Income	$3,000	
			$196,750
IV.	Projected I&ER Ending Fund Balance (June 30, 2014)		$1,108,531

RECEIVED
CITY CLERK
CITY OF SAGINAW

APR 24 2013

Petition for Banner

PETITION #13-06

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

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

- ☒ ~~500 Block of Court Street~~ ALREADY BOOKED
- ☐ 200 Block of West Genesee
- ☒ 300 Block of South Michigan TIFFANY CHANGED LOCATIONS 4/25/13 ER
- ☐ 1000 Block of East Genesee Avenue

For: WKCQ - FM
(Organization)

KCQ COUNTRY MUSIC FEST FREE CONCERT
Purpose of Banner

MESSAGE ON BANNER KCQ COUNTRY MUSIC FEST FREE CONCERT JUNE 15, 2013

Time Period Requested: 5/17/13 to 6/15/13
(Not to exceed 30 days)

PETITIONERS

[signatures]

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME TIFFANY JETER PHONE 989-752-8161

ADDRESS: 2000 WHITTIER ST SAGINAW MI 48601

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

DATE APPROVED BY COUNCIL: ____________

____
CITY CLERK

COUNCIL COMMUNICATION CC- 4

From: Darnell Earley, City Manager

Subject: Extension of Water Service Agreement with Albee Township

Prepared by: Andre R. Borrello, City Attorney

Manager's Recommendation:

I recommend approval of an extension to the Water Service Agreement between the City of Saginaw and Albee Township and that the City Manager be authorized to execute same. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

On October 11, 2010, the City of Saginaw and Albee Township executed a Water Service Agreement, which is set to expire in 2050. Albee Township has since planned an expansion to its water distribution system, which is being financed by the United States Department of Agriculture Office of Rural Development. As a condition to financing, Rural Development requires that the term of Albee's Water Service Agreement be co-extensive with the financing term of forty (40) years.

Therefore, the proposed extension will change the initial term of the Agreement to be a period of forty (40) years from the date on which Albee Township receives disbursement on its 2013 water main construction loan with Rural Development. All other provisions of the original Water Service Agreement remain unaffected by this extension.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 5

From: Darnell Earley, City Manager

Subject: BSBC Administrative Services Agreement Amendment

Prepared by: Dennis Jordan, Director of Employee Services

Manager's Recommendation:

I recommend approval of an amendment to the current Agreement between the City of Saginaw and Blue Cross and Blue Shield of Michigan. This agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to this amendment.

Justification:

The City of Saginaw provides Health Care Benefits for all eligible employees and retirees through Blue Cross and Blue Shield of Michigan on a Self Insured basis. The City has a current Administrative Service Agreement with Blue Cross and Blue Shield. We are recommending that council approve an amendment to the agreement that will allow the master agreement to comply with new federal regulations associated with the Patient Protection and Affordability Care Act of 2010. The addendum addresses a number of provisions including: Plan year date; Exemption requirements; Disclosures of essential health benefits covered by other entities; Requirements for Summary of Benefits and Coverage documents; Compliance with State and Federal laws; Release of group data necessary to comply with the health reform act; Attestation of group health plan type. This request is for the approval of the amendment to the contract only as the fee schedule is handled independent of this.

The City complies with Public Act 106 which requires the City to place the Health Care Program out for Bid once every three years.

This vendor meet 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 0-1.

Council Action:

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

AMENDMENT TO ADMINISTRATIVE SERVICES CONTRACT

This Amendment to Administrative Services Contract ("Amendment") is effective as of the date indicated below and amends and is made a part of that Administrative Services Contract ("Contract") between Blue Cross and Blue Shield of Michigan ("BCBSM") and CITY OF SAGINAW ("Group"), on behalf of itself and as plan sponsor of its group health plan ("GHP"), in effect as of this date. Terms not defined herein have the same meaning as those terms have in the Contract.

RECITALS

Whereas, the Patient Protection and Affordable Care Act, as amended, and applicable regulations (collectively, "PPACA") requires that a number of changes and new requirements be implemented even before it is fully effective in 2014; and

Whereas, both parties to the Contract desire to continue conducting business with each other, to remain fully compliant with the law and to amend the Contract;

Therefore, in consideration of their mutual promises and other valuable consideration, the sufficiency of which is acknowledged by the parties, the parties agree to amend the Contract, in the form of Attachment 1. All other terms of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment and made it effective as of January 1, 2013, unless a particular provision is effective later as specified in the Amendment.

BCBSM:		**GROUP**, on behalf of itself and as Plan Sponsor and Plan Administrator of the GHP:	
By:	[signature] (signature)	By:	______________ (signature)
Name:	Matthew E Clark (print)	Name:	______________ (print)
Title:	Account Manager	Title:	______________

Group Name: CITY OF SAGINAW
CID: 100205
Territory Code: BU

The following provisions supersede and replace in whole those similarly numbered provisions in the Contract or are added to the Contract with newly numbered sections as shown below:

Article VI.E. Amendment. This Contract may be amended only by a written agreement duly executed by authorized representatives of each party, provided, however that this Contract may be amended by BCBSM upon written notice to Group in order to facilitate compliance with applicable regulatory requirements, changes in regulations, or reporting requirements or data disclosure as long as such amendment is applicable to all BCBSM groups that would be similarly affected by the regulation in question. BCBSM will provide thirty (30) calendar days notice of any such amendment and regulatory provision, unless a shorter notice is necessary in order to accomplish regulatory compliance.

Upon request by Group BCBSM will consult with Group regarding the regulatory basis for any amendment to this Contract as a result of regulatory requirements.

Article VI.N. Group Disclosure of Other Coverage Vendors. Group agrees that, to the extent that BCBSM does not administer all of Health Care Plan's "essential health benefits," as that term is defined by the Patient Protection and Affordable Care Act, as amended, and applicable regulations (collectively, "PPACA"), Group shall identify for BCBSM all those vendors ("Vendors") that are also providing or administering essential health benefits to Health Care Plan's participants, the benefits the Vendors are providing to them, the number of participants receiving such benefits, and the cost sharing arrangements for such benefits.

In addition, Group shall cause its officers, directors, employees, and representatives and Vendors' officers, directors, employees and representatives to fully and timely cooperate with BCBSM and provide it with the necessary information for BCBSM to ensure its compliance and that of the Health Care Plan with PPACA to the extent BCBSM is obligated to do so by law or by contract. This information includes, but is not limited to, social security numbers or other forms of government identification numbers of each Health Care Plan participant.

Group is solely responsible to ensure Group's maximum out-of-pocket amount is in compliance with PPACA. If BCBSM agrees to assist Group in determining whether Group's maximum out-of-pocket amount is in compliance with PPACA, then Group authorizes all Vendors to, and shall inform the Vendors in Group's contract with them that they must, effective on the beginning of the Group's first plan year on or after January 1, 2014, disclose to BCBSM on a daily basis (or some other regularly scheduled period as determined by BCBSM) all claims data for the essential health benefit(s) of Health Care Plan participants that they possess.

Article VI.O. Other Data Requirements. Group agrees to provide to BCBSM all data reasonably necessary for BCBSM to comply with the requirements of PPACA or other applicable federal or state laws. Such data includes, but is not limited to, all enrollee data needed to comply with any reporting or other requirements of PPACA, e.g., the employer's share of any premium and social security or tax identification numbers. Group certifies that if it fails to provide all the data requested and if it has provided such information to BCBSM in response to a previous request, then Group shall be deemed to have certified to BCBSM that such information previously supplied remains correct and can be relied upon.

Group and Group's Vendors will maintain relevant books, records, policies, procedures, internal practices, and/or data logs relating to this Contract in a manner that permits review for a period of seven (7) years or (ten (10) years in the case of Medicare/Medicaid transactions) after the expiration of this Contract. With reasonable notice and during usual business hours, BCBSM, or its designated third party (with appropriate confidentiality obligations), may audit those relevant books, records, policies, procedures, internal practices, and/or data logs of Group and/or its Vendors, as necessary, to verify calculations related to the imposition of any taxes and fees under PPACA or other federal or state laws and to ensure compliance with this Contract and any applicable federal and state laws. Group shall cooperate with BCBSM in all reasonable respects in connection with such audits.

BCBSM's failure to detect, failure to notify Group of detection, or failure to require Group's remediation of any unsatisfactory practices does not relieve Group of its responsibility to comply with this Contract or applicable law, does not constitute acceptance of such practice, and does not constitute a waiver of BCBSM's enforcement rights under this Contract or applicable law.

If Group conducts, or contracts to have conducted, an internal audit or review of the services performed under any agreement with BCBSM, Group shall provide BCBSM with a copy of such audit or review within thirty (30) days of BCBSM's written request. This also applies to audits/reviews performed by or at the request of any federal or state regulatory agencies of BCBSM services. The selection of an independent auditor by Group to conduct an internal audit of Group does not preclude BCBSM from conducting an audit in accordance with the terms contained herein.

The provisions of this Section shall survive the termination of this Contract.

Article VI.P. Group Health Plan Type; Attestation. Concurrently with the signing of this Contract, Group will provide BCBSM with a written certificate in form and substance satisfactory to BCBSM certifying to BCBSM whether the Group Health Care Plan is an ERISA plan, a non-federal governmental plan, or an ERISA-exempt church plan.

Article VI.Q. Grandfather Status; Women's Preventative Care Religious Exemption. Group acknowledges and agrees that unless a written certificate of grandfather status and indemnity in form and substance satisfactory to BCBSM was previously provided to BCBSM by Group or, for a Group new to BCBSM as of January 1, 2013, was provided to and accepted by BCBSM concurrently with the signing of this Contract, Group will be considered non-grandfathered for all purposes.

In addition, Group acknowledges that the health care coverages provided to its Enrollees will include recommended women's preventive health services without cost sharing (as required by PPACA) unless the Health Care Plan (i) is a grandfathered group health plan that has not provided such coverage or (ii) qualifies as either an exempt group health plan or one eligible for the temporary safe harbor under PPACA and has provided a certificate to that effect in form and substance satisfactory to BCBSM.

Article VI.R. Summary of Benefits and Coverage. Group is solely responsible for compliance with the federal Summary of Benefit and Coverage (SBC) rules, including SBC creation and distribution. BCBSM does not assume any responsibility for SBC rule compliance relating to the Health Care Plan, or for creation or disclosure of compliant SBCs. BCBSM disclaims any liability or responsibility for any non-compliance by Health Care Plan with SBC rules and regulations relating to creation, disclosure or other requirements.

Article VI.S. Plan Year. If Group entered into this Contract on or after January 1, 2014, the GHP's Plan Year, as that term is defined in PPACA, is the one year period beginning on the Effective Date and ending one year (or less) later on the last day of the month immediately preceding the month in which the Effective Date falls ("Effective Date Month"). Each Plan Year thereafter shall begin on the first day of the Effective Date Month and end one year later.

If Group entered into this Contract prior to 2014, the GHP's first Plan Year on or after January 1, 2014 ("2014 Plan Year") is the one year period beginning on its Renewal Date and each year thereafter , unless the Renewal Date falls on a date other than the first of the month. In that case, the 2014 Plan Year is the one year period beginning on the first day of the first month after GHP's 2014 Renewal Date and each year thereafter.

If the GHP has a Plan Year that is not consistent with that reflected in the preceding paragraphs, Group will promptly notify BCBSM in writing either on the Effective Date or, if this Contract was entered into before 2014, at least six months before the earlier of (a) the GHP's 2014 Renewal Date or (b) the beginning of the GHP's 2014 Plan Year. Group will notify BCBSM at least six months in advance of any change in the GHP Plan Year.

COUNCIL COMMUNICATION CC- 6

From: Darnell Earley, City Manager

Subject: Agent Fee Processing Agreement

Prepared by: Dennis Jordan, Director of Employee Services

Manager's Recommendation:

I recommend approval of an Agreement between the City of Saginaw, Blue Cross and Blue Shield of Michigan (BCBSM) and Brown and Brown. This agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to this agreement.

Justification:
The City of Saginaw provides Health Care Benefits for all eligible employees and retirees through Blue Cross and Blue Shield of Michigan on a Self Insured basis. The City utilizes the services of Brown and Brown as the insurance broker and Agent of Record. Blue Cross and Blue Shield is modifying the way it pays commission to the Agent of Record effective July 1, 2013. Instead of a fee per contract, there will be a flat fee that is paid directly to the Agent of Record through the BCBSM billing process. In addition, this change reduces the current administrative fee paid directly to BCBSM by 10%. This new Agent Fee Payment Agreement creates a net annual savings of $48,698.

This vendor meet 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 0-1.

Council Action:
Council __________________ moved that the recommendation of the City Manager be approved, seconded by Council __________________.

This agent fee processing agreement ("Agreement") is effective July 1, 2013, and is made among Blue Cross Blue Shield of Michigan, a Michigan non-profit corporation with offices at 600 Lafayette East, Detroit, Michigan 48226 ("BCBSM"), City of Saginaw with offices at 1315 S. Washington Saginaw, MI 48601 ("Group") and Brown & Brown of Central Michigan, Inc. with offices at 1605 Concentric Blvd., Suite 1, Saginaw, MI 48604 ("Agent").

Whereas, Group and Agent have negotiated an agent fee ("Agent Fee") that Group will pay Agent;

Whereas, BCBSM is willing to assist Group with the payment process of the Agent Fee;

Now therefore, in consideration of the mutual promises set forth below, the parties agree as follows:

1. Group and Agent have negotiated and agreed to the following Agent Fee for the period beginning July 1, 2013 until terminated by any party as set forth below:
   a. $2,800 per month; or
   b. $__N/A______ per contract per month (only for non-quarterly settled Groups)
2. Group and Agent acknowledge and agree that such Agent Fee is reasonable compensation for Agent's services.
3. In addition to the services that BCBSM performs pursuant to an administrative services contract ("ASC") with Group, BCBSM is willing to assist Group with the payment process for the Agent Fee.
4. BCBSM will add the Agent Fee to Group's ASC invoice as follows:
   a. If Group's ASC is a weekly or monthly invoice program, the Agent Fee will be added to the invoice that contains the ASC administrative fee;
   b. If Group's ASC is a quarterly settled weekly or quarterly settled monthly invoice program, each month the Agent Fee will be set forth on BCBSM's eBookshelf or eBilling website (Note: Group's Quarterly Payment Schedule will not reflect the Agent Fee, however, the Group's quarterly reconciliation will include a separate line item for the Agent Fee payments that were made in the previous quarter);
   c. If Group's ASC is an advance deposit program or monthly cap program, each month the Agent Fee will be set forth on BCBSM's eBookshelf or eBilling website;
5. Group will pay BCBSM the Agent Fee in addition to Group's required ASC payments and on the same schedule, terms and conditions as set forth in the ASC.
6. BCBSM will process all Agent Fee payments on a pass-through basis and BCBSM will only pay the Agent if BCBSM receives such amount from Group. BCBSM will report the Agent Fee to Group for Group's Form 5500. BCBSM will also report the Agent Fee to the Internal Revenue Service and issue Form 1099s to the Agent.
7. Group may change the Agent and/or Agent Fee by completing and giving BCBSM a new, fully executed Agent Fee Agreement 30 days prior to the 1st of the month in which the new Agent and/or Agent Fee will be payable.
8. Group and Agent acknowledge that BCBSM's process does not allow for any retro-changes to the Agent or Agent Fee.
9. This Agreement may be terminated by any party by giving the other parties 30 days prior written notice.
10. The terms and conditions of this Agreement shall be confidential and shall not be disclosed or released to any third party without the prior written consent of all parties.
11. General Terms.
    a. Waiver. The failure of any party at any time to require performance of any provision of this Agreement shall not affect in any way that party's full right to require such performance at any time thereafter.
    b. Compliance with Laws. Agent shall comply with all state and federal laws and regulations applicable to Agent's representation of BCBSM. Agent shall also comply with all rules and

instructions issued by BCBSM, including but not limited to underwriting rules, regarding the marketing, sale and servicing of any Products offered through BCBSM

c. Severability. If any provision of this Agreement is invalid, illegal, or unenforceable for any reason, that provision shall be severed from this Agreement and the other provisions shall remain in full force and effect.

d. Merger Clause. This Agreement and the application to which it is attached and any addenda, schedules, rules or other agreements provided for in this Agreement or incorporated hereunder, shall be the entire agreement of the parties and supersedes all previous agreements whether oral or written, among BCBSM, Group, and Agent.

e. Assignment. The Agent Fee shall not be assignable to any third party without the prior written consent of all parties.

f. Law. This Agreement is entered into in the State of Michigan and shall be construed according to the laws of Michigan.

g. Amendment. This Agreement may be amended only by a written amendment duly executed by authorized representatives of each party.

h. Warranties. BCBSM MAKES NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO ANY OF ITS SERVICES OR DELIVERABLES UNDER THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO, ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ITS PERFORMANCE.

i. Indemnification. Group and Agent shall indemnify, defend, and hold BCBSM harmless from and against any and all claims, actions, loss, damage, liability, cost or expense resulting from Group or Agent's acts or omission with respect to this Agreement, unless caused by BCBSM's gross or willful misconduct. In addition, BCBSM shall not be liable for any indirect, incidental, reliance, special, consequential or punitive damages (including lost revenue, lost profit, or loss of business opportunity) of any Party, including third parties, whether or not such damages are foreseen or unforeseen.

Group	Agent
______________________	______________________
Signature	Signature
______________________	Angela L. Garner, Executive Vice President
Print Name and Title	Print Name and Title
Date: ______________	Date: ______________, 2012

Blue Cross Blue Shield of Michigan

____

Signature

____

Print Name and Title

Date: ______________

COUNCIL COMMUNICATION CC-7

From: Darnell Earley, City Manager

Subject: Legal Services of Eastern Michigan Fair Housing Education/Outreach and Testing Referral Services

Prepared By: Bill Ernat, Community & Economic Development Department

Manager's Recommendation:

I recommend approval of the option year contract prices from Legal Services of Eastern Michigan ("LSEM") for Fiscal Year 2013/2014 for education/outreach services and testing/referral services to address fair housing requirements of the CDBG program. It is further recommended that a purchase order be issued to LSEM in the amount of $15,195.

Justification:

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

In the spring of 2011, the Department of Development solicited proposals for education/outreach services and testing/referral services to address fair housing requirements of the CDBG program. Only one vendor, LSEM, submitted proposals for these activities. As part of the bid process, two (2) option years were included within the original bids. In addition, the bids stated that at the end of each fiscal year, Development staff would review the vendor's performance to determine if it should exercise the option year. On April 23, 2012, City Council approved the original education/outreach and testing/referral services agreements in the amount of $18,240.

Development staff reviewed LSEM's performance, determined it was satisfactory and that the City should accept the option year for both contracts. LSEM will provide the same services at a cost of $15,195. Fiscal Year 2013 expenses are reduced by $3,045.

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

Funds are available in the CDBG Administration Services Fees Account, number 275-6510-761-80.01.

Council Action:

Council ___________________________ moved that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 8

From: Darnell Earley, City Manager

Subject: 2013-14 Annual Action Plan

Prepared by: Bill Ernat, Department of Community & Economic Development

Manager's Recommendation:

I recommend approval of the 2013-14 Annual Action Plan required as part of the City's Community Development Block Grant (CDBG) annual submittals to HUD. I further recommend that the Mayor be authorized to execute this and any related documents.

Justification:

As provided under separate cover for Council approval is the City's 2013-14 Annual Action Plan, which is required as part of the City's Community Development Block Grant (CDBG) annual submittals to HUD. This is the third Annual Action Plan under the current Consolidated Plan.

HUD requires that CDBG entitlement communities develop and submit five-year Consolidated Plans as well as Annual Action Plans. The Consolidated Plan was completed in 2011 and will be in place through 2016. In conjunction with the Consolidated Plan, Annual Action Plans must be completed each year. The Annual Action Plan addresses the objectives identified in the Consolidated Plan.

The Annual Action Plan includes the projects that will be funded using CDBG funds, Emergency Shelter Grant (ESG) funds, and HOME Funds. The Plan also includes how the projects meet the goals and needs of the community, as well as the HUD requirements.

This Plan is the final step in the approval process by HUD. The City Council must approve the Plan, at which time it is then submitted for approval by HUD. Once HUD approves the Plan, they will release the grant funds to the City of Saginaw.

Council Action:

Council Member _____________ moved, seconded by Council Member_____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 9

From: Darnell Earley, City Manager

Subject: Purchase and Development Agreement with Bancroft Project Saginaw LLC, 131 S. Franklin

Prepared by: Bill Ernat, Interim Director of Community and Economic Development

Manager's Recommendation:

I recommend that the Real Property Purchase and Development Agreement ("Agreement") between the City of Saginaw ("City") and Bancroft Project Saginaw LLC be approved and the documents be executed as necessary. The City Manager has approved the Agreement as to substance and the City Attorney has approved as to form.

Justification:

Bancroft Project Saginaw LLC ("Bancroft") is the developer that purchased the Bancroft and Eddy buildings and will redevelop them into market rate apartments with retail on the first floor. They are seeking to purchase 131 S. Franklin from the City of Saginaw to utilize as a parking lot for the tenants/visitors of the Bancroft Building located at 107 S. Washington Ave. and the Eddy Building located at 100 N. Washington Ave. They have recently purchased the vacant lots located at 120, 122, and 126 S. Washington, which are immediately west of this lot and plan to create a parking lot on the lots. A map of the area is attached for your review, with the above lots identified.

The City's parcel is irregularly shaped and has an approximate area of 12,250 square feet. Bancroft recently purchased the adjoining lots, which are approximately 17,670 square feet in area. The two lots have a combined area of 29,920 square feet and staff has estimated that 92 parking spaces could be created on these lots. The Bancroft and Eddy buildings have 69 on-site parking spaces. With the addition of the proposed parking lot, the parking spaces would be approximately 161. This estimated figure is above the number of parking spaces required of the lender.

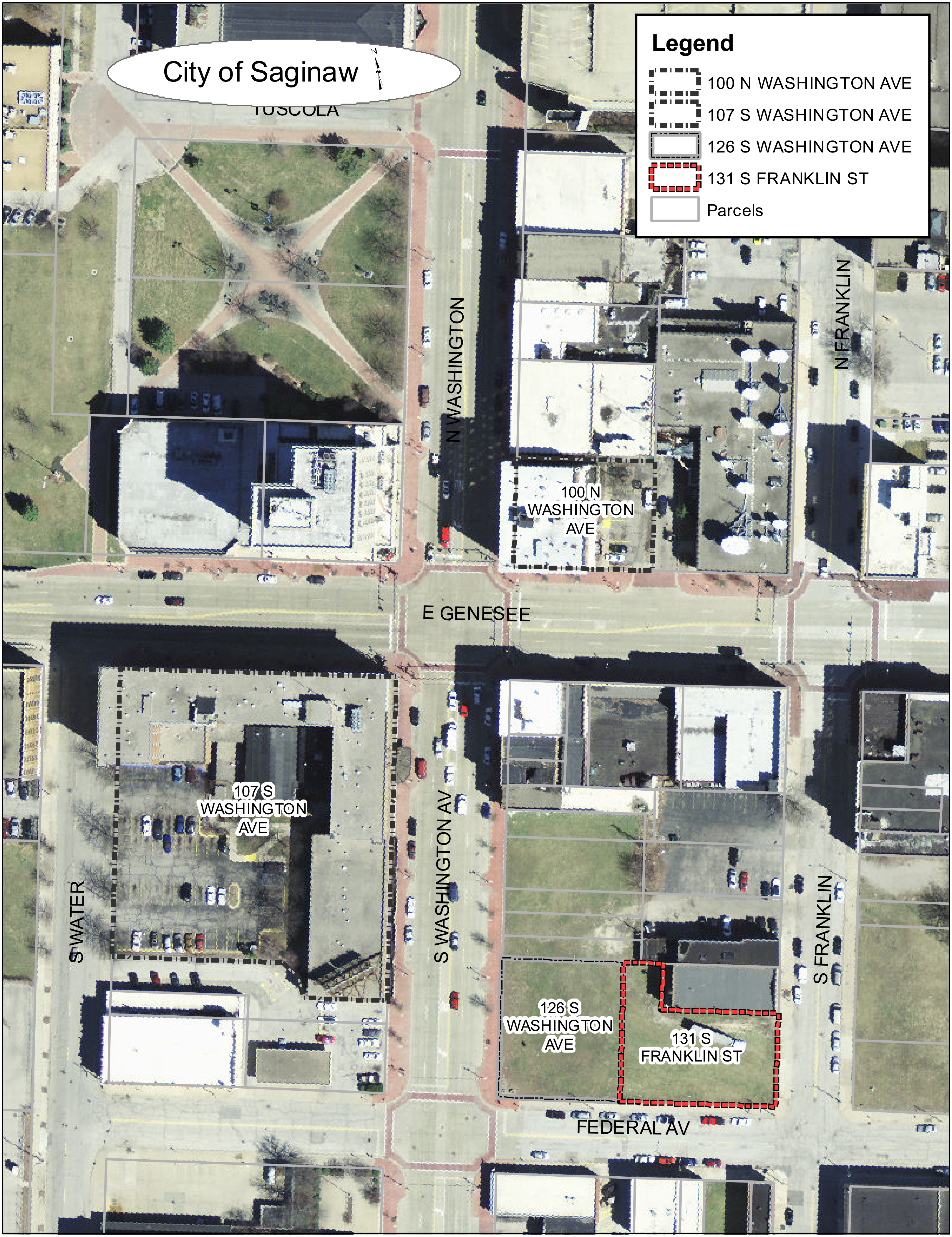
The development of a parking lot at this location would eliminate several vacant parcels on a highly visible street within the downtown area. These lots are across the street from the Bancroft Building and one (1) block south of the Eddy Building. These lots are key in Bancroft's efforts to create sufficient parking for the two buildings. The City would sell the lot for $10,000, upon execution of this Agreement, with Bancroft responsible for closing costs. Should Bancroft accept the offer, the parcel would then be placed back on the active tax rolls and developed as a parking lot and maintained by Bancroft.

Pursuant to the proposed Agreement, Bancroft has a 90-day due diligence period to determine whether it will purchase the property. In that 90-day period, Bancroft will have to purchase title insurance, and will have the option to order a survey of the property, at its sole expense. They have the option to complete an environmental assessment of the property, again at its sole expense. If they do not terminate the agreement they would accept the property as is without warranty or representation.

In further consideration of the sale of the property, Bancroft agrees to remediate all environmental conditions, if any, within one year of the effective date of the Agreement, and will complete the development of the Bancroft/Eddy buildings and the parking lot within eighteen (18) months of the effective date of the Agreement. Failure to comply with any of the above items shall result in the property being returned to the City for $1.00 free of any liens, mortgages, charges, claims, or encumbrances.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.


City of Saginaw
Legend
100 N WASHINGTON AVE
107 S WASHINGTON AVE
126 S WASHINGTON AVE
131 S FRANKLIN ST
Parcels
TUSCOLA
N WASHINGTON
N FRANKLIN
100 N WASHINGTON AVE
E GENESEE
107 S WASHINGTON AVE
S WASHINGTON AV
S WATER
S FRANKLIN
126 S WASHINGTON AVE
131 S FRANKLIN ST
FEDERAL AV

COUNCIL COMMUNICATION CC- 10

From: Darnell Earley, City Manager

Subject: Coplogic DORS (DeskOfficer Online Reporting System) Agreement

Prepared by: Sienna Rendon, Community Public Safety - Police

Manager's Recommendation:

I recommend approval of the agreements between the City of Saginaw and Coplogic, Inc. of San Ramon, CA, for the DORS Setup and License Agreement and the DORS Subscription and Support Agreement. The City Manager has approved both agreements as to substance and the City Attorney as to form.

Justification:

Coplogic's DeskOfficer Online Reporting System (DORS) enables agencies to collect reports from citizens online so that patrol and detective resources can be allocated to better meet the needs of the community. It generates an incredible savings in time and resources to proactively face crime trends. A purchase order was approved by City Council on April 15, 2013, in the amount of $18,500 to Coplogic DORS, which includes annual fees, maintenance fees, implementation, software, and training costs.

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 Police Drug Forfeiture Fund's Computer Software Account No. 264-3040-731.73-25.

Council Action:

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

COUNCIL COMMUNICATION CC- 11

From: Darnell Earley, City Manager

Subject: Emergency Bearing Purchase

Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that payment for emergency purchase order #48193 be made to Applied Industrial Technologies in the amount of $2,912.09 for the emergency purchase of bearings to rebuild raw sewage pump #5.

Justification:

On March 27, 2013, the #5 raw sewage pump at the Wastewater Treatment Plant failed. The pump was isolated, removed from service and disassembled. It was determined that a section of the pump shaft had broken. Because of the importance of this pump to plant's operation, staff obtained quotes for the machining of a new shaft and for the bearings needed to rebuild the pump. On April 11th and 12th we received four quotes for the bearings. Emergency purchase order #48193 was issued to Applied Industrial Technologies on April 12, 2013, as they were the low quote. Following is a tabulation of the quotes received:

Applied Industrial Technologies Saginaw, MI	$2,912.09
CDW Drives Saginaw, MI	$3,186.20
Northern Industrial Supply Saginaw, MI	$3,204.64
Motion Industries Saginaw, MI	$3,394.24

This vendor meets all requirements of §14.23, "Vendors", 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 payment are available in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account Number 590-4830-861.73-30.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 12

From: Darnell Earley, City Manager

Subject: Dezurik Valve Parts

Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Kennedy Industries of New Hudson, MI, a sole source, be accepted and a purchase order be issued to them for $11,226 for the purchase of the plug insert and parts needed to rebuild a 30" Dezurik valve at the Wastewater Treatment Plant.

Justification:

Each of the six influent pumps at the Wastewater Treatment Plant have Dezurik valves which open or close automatically when a pump is put in or taken out of service. The Dezurik valves prevent water from flowing backwards through a pump when it is out of service, and allow us to isolate a pump for repairs. When pump #5 was taken out of service for repairs we could not stop water from leaking back through the Dezurik valve. The bid is for the internal plug, bearings, and parts to rebuild this valve. Once the valve has been rebuilt, the internal plug can be sent in for reconditioning and kept as a spare.
A quote for these parts was received from Kennedy Industries on April 11, 2013. Kennedy Industries is the manufacturer's representative for Dezurik Valves and the sole source for parts.

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 and Maintenance Fund, Treatment and Pumping Division's Capital Outlay Repairs and Replacements Account No. 590-4830-861.97-20.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 13

From: Darnell Earley, City Manager

Subject: Generator Project #C-1611

Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend approval of the low bid from J. R. Heineman and Sons, Inc. and a purchase order be issued in the amount of $915,236 for contract #C-1611 for the Emergency Generator Project for the Water Treatment Division. Contract documents forwarded herein have been signed by the contractor. The contract has been approved by the City Manager as to substance and the City Attorney has approved as to form.

Justification:

In July of 2011, the City issued Water Revenue Bonds for various improvements to the Regional Water System. In an effort to increase the reliability of the system, one of the projects included in that bond issuance was the emergency generator project. A local engineering firm was retained to design the project and prepare bidding documents. The project includes the purchase and installation of pad mounted generators, electrical upgrades and building improvements at several pump stations. On January 29, 2013, the City received bids for the Water Treatment Division Emergency Generator Project. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

	Total Bid
J.R. Heineman & Sons, Inc. Saginaw, MI	$ 939,986.00
E&L Construction Group Flint, MI	$ 979,413.00
J. Ranck Electric Inc. Mt. Pleasant, MI	$1,050,638.13

Due to budgetary constraints, Spicer Engineering facilitated negotiations with the apparent low bidder before the award was recommended. It was agreed during the negotiations to change a pad mount generator and automatic transfer switch to a portable generator and manual transfer switch. The change does not significantly impact reliability because the location has elevated storage. This change resulted in a cost reduction of $52,250. It was also determined that an unforeseen site condition at one of the pump stations was not included in the original bid, thus an addition of

$27,500 was added to complete the additional work, leaving a total deduct amount of $24,750. Thus, the total negotiated amount is $915,236.

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 Water Operations and Maintenance Fund, Water Refunding Bonds' Capital Construction Projects Account Number 591-4741-881.80-47.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 14

<u>From</u>: Darnell Earley, City Manager

<u>Subject</u>: Electrical Supplies

<u>Prepared by</u>: Paul Reinsch, Water and Wastewater

<u>Manager's Recommendation</u>:

I recommend that the low bid from Standard Electric Co. be accepted and that a purchase order be approved and issued to them in the amount of $2,158 for electrical supplies needed for the Water Treatment Plant.

<u>Justification:</u>

Bids were received on April 16, 2013 for the electrical supplies required as part of a variable frequency drive project to improve flocculation mixing. The project is being completed by Water Treatment Plant personnel for added efficiency. The improvements to flocculation mixing have been recommended by our coagulation flocculation mixing consultant. Efficient and effective control of mixing speed in the flocculation basins is important for optimized particulate removal. We are doing one side of the treatment process, at this time, so we can evaluate the effectiveness of the improvement by comparison to the existing systems. Following is a tabulation of bids received:

Standard Electric, Co. Saginaw, MI	$2,158.00
Marshall E. Campbell, Co. Saginaw, MI	$2,478.00
Medler Electric, Bay City, MI	$3,164.42

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 service are available in the Water Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 591-4730-861.73-30.

<u>Council Action:</u>

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 15

From: Darnell Earley, City Manager

Subject: Turbidimeter System Purchase

Prepared by: Amanda Kiel, Water & Wastewater

Manager's Recommendation:

I recommend that the sole bid from Hach Company be accepted and a purchase order be approved and issued to them in the amount of $4,273.35 for FY 2013 for a turbidimeter system for the Water Treatment Plant.

Justification:

On April 16, 2013, the City received a sole bid for a Hach 1720E turbidimeter system with standard. The system includes equipment to perform continuous turbidity monitoring at two locations. The system will be used to measure the clarity of water at the filters. Continuous monitoring of turbidity at the filters is required for regulatory compliance. Results are included in the monthly operations report submitted to the Michigan Department of Environmental Quality.

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, Treatment and Pumping Division's Capital Outlay Less than $5,000 Account Number 591-4730-861.97-05.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 16

From: Darnell Earley, City Manager

Subject: MacDonald Broadcasting Company WKCQ–FM Ojibway Island User Agreement

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Ojibway Island User Agreement (Agreement) between the City of Saginaw (City) and MacDonald Broadcasting Company WKCQ-FM (WKCQ-FM). The Agreement has been approved by me as to substance and the City Attorney as to form.

Justification:

On June 15, 2013, WKCQ - FM will host its annual WKCQ Country Music Festival Free Concert on Ojibway Island (Ojibway). WKCQ-FM will pay the City a flat fee of $700 for the rental of Ojibway. This is the second year that WKCQ-FM will charge a limited number of participants for tickets to a special seating area at the festival and sell alcoholic beverages.

Therefore, the parties have agreed that WKCQ-FM will pay the City a minimum service fee of $2,000. In lieu of payment, one-half of the service fees will be in-kind services. Moreover, WKCQ-FM will pay the City, Fifty Cents ($0.50) per ticket for ticket sales over 500 tickets sold, of which one-half of total sales will be applied to City in-kind services. Furthermore, WKCQ-FM must provide an insurance certificate and liquor liability license to the City. WKCQ-FM must provide a liquor liability license to the City because it plans to sell alcoholic beverages to participants.

Council Action:

Council Member ___________________ moved, seconded by Council Member ________________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 17

From: Darnell Earley, City Manager

Subject: WKCQ-FM Country Music Fest Free Concert

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend that Council approve the request by WKCQ-FM for in-kind service, in lieu of payment, for one-half of the special event fees for the Country Music Fest Free Concert scheduled for June 15, 2013 on Ojibway Island.

Justification:

On April 10, 2013, the Public Services Department received a special event application from WKCQ-FM for the annual Country Music Fest Free Concert to be held on June 15, 2013. WKCQ-FM has requested that we extend payment terms of half cash and half in-kind advertising for payment of city services and facility use fees.

An Ordinance became effective on August 19, 2004 to add Chapter 99, "Special Events Regulations" to Title IX, General Regulations of the City of Saginaw Code of Ordinances O-1. Section §99.5 of this ordinance states that fees and insurance will not be waived under any circumstances. The fees would not be waived in this instance, but another form of payment would be accepted.

Last year's actual cost for services totaled $23,484, of which WKCQ in-kind services totaled $11,742. In 2012, the City utilized $20,348 of advertisement from MacDonald Broadcasting Company.

Council Action:

Council Member _____________ moved, seconded by Council Member ____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 18

-From: Darnell Earley, City Manager

Subject: Authorization to Allow the Sale of Alcoholic Beverages on Ojibway Island

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the consumption and sale of alcoholic beverages on Ojibway Island, a public property, during the annual WKCQ-FM Country Music Fest Free Concert to be held on June 15, 2013.

Justification:

On June 15, 2013, MacDonald Broadcasting Company WKCQ-FM (WKCQ) will host its annual Country Music Fest Free Concert on Ojibway Island, a public property. WKCQ-FM has requested that the City allow for alcoholic beverages to be served to participants for consumption during this event. Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the consumption and 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.

Approval to sell alcoholic beverages for this event is contingent upon the applicable vendors providing the proper required documents to the appropriate City department by May 31, 2013. The City has set the insurance requirements and all insurance certificates must be reviewed and approved by the City. Furthermore, the vendor has been advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

Council Member _____________ moved, seconded by Council Member ____________ that the recommendation of the City Manager be approved.

RESOLUTION TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES ON OJIBWAY ISLAND

Council Member _________________ moved, seconded by Council Member _________________ to adopt the following resolution:

WHEREAS, the MacDonald Broadcasting Company WKCQ – FM plans to host its annual festival on Ojibway Island on June 15, 2013; and

WHEREAS, the MacDonald Broadcasting Company WKCQ – FM requests that they be allowed to consume and sell alcoholic beverages to participant's at Ojibway Island on public property; and

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

WHEREAS, MacDonald Broadcasting Company WKCQ – FM must provide certain documents prior to the event; and

WHEREAS, if MacDonald Broadcasting Company WKCQ – FM does not provide the documents by the stated date, they will not be allowed to sell alcoholic beverages for consumption during the event on June 15, 2013; and

WHEREAS, the City will set all insurance requirements and all insurance certificates must be reviewed and approved by the City; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the consumption and sale of alcoholic beverages on public property during the annual WKCQ-FM Country Music Fest Free Concert to be held on June 15, 2013 on Ojibway Island, provided that the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided no later than May 31, 2013.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on May 6, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

____
Janet Santos, CMC/MMC
City Clerk

COUNCIL COMMUNICATION CC- 19

From: Darnell Earley, City Manager

Subject: Sale of Surplus Property – Garage Auction

Prepared by: Al Orr, Public Services Department

Manager's Recommendation:

I recommend that the proposal for Professional Services from J.R.T. Thumb Auctioneers, L.L.C., Capac, MI, be accepted and that the contract be approved for these services. The Auctioneer will receive 8% of sale and Buyer will pay 4% commission to the Auctioneer for items auctioned and that the list of vehicles and equipment below be declared as surplus. I further recommend that the Director of Public Services or his designee be authorized to approve this Contract. The City Manager has approved this contract as to substance and the City Attorney as to form.

Justification:

On March 7, 2013, proposals were received from three (3) companies that are experienced and qualified to conduct public auctions in the State of Michigan In accordance with the Sale of Property Ordinance No. 14.34, Paragraph D (1). Based on the estimated value of items J.R.T. submitted the lowest cost proposal. J.R.T. Thumb Auctioneers charges zero expenses and the other two vendors charge $1,000 for expense fees. The Garage Division is authorized to utilize private and public auction services to dispose of goods and supplies that are surplus, obsolete, worn out, scrapped, or unsuitable for use and having no value or use to the City.

Upon completion of Auction, Auctioneer will make a one-time payment to the City in the amount of 92% of total sales. The tentative date scheduled for the Garage Division's Auction is June 8, 2013. Auction Company will have twenty (20) business days from the conclusion of auction sale to make settlement with the City of Saginaw. The final settlement will be less all auction expenses such as auctioneers fee, repairs, setup charges, rentals, etc., which has been predetermined to be 8% of sale of all items.

The following is a tabulation of the cost proposal received:

J.R.T. Thumb Auctioneers Capac, MI	8% Auctioneer & 4% Buyer – Commission
Pioneer Auction Service Vestaburg, MI	10% Commission
Furlo Auction Service Midland, MI	6% Auctioneer & 6% Buyer – Commission

J.R.T. Thumb Auctioneers 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.

Revenue received from the sale of the items will be deposited into the Motor Pool Revenue Account No. 661-0000-532.62-36.

Estmated Values for Vehicle Auction List

VEH. NO.	YEAR	DESCRIPTION	EST. VALUE
06-0644	1992	Chevy S-10 Pickup	$400
15-0012	1990	Chevy Cavalier	$240
45-0208	1990	Chevy Pickup 1 Ton	$800
51-0097	1992	Chevy Cavalier	$240
51-0808	1990	Chevy Fuel Tanker	$800
51-0813	1979	JB Mist Blower	$400
53-0404	1999	Chevy Dump Truck	$2,800
53-0428	1991	Chevy Dump Truck	$2,400
53-0437	2003	Chevy Dump Truck	$3,200
53-0850	1988	Air Compressor	$650
53-0852	1982	Air Compressor	$600
53-0877	1986	Belt Loader	$1,600
53-0888	1991	Roller - Asphalt	$400
53-0890	1985	Roller - Asphalt	$400
53-0895	1990	Elgin Sweeper	$2,400
53-0902	1991	Asphalt Paver	$1,200
53-0903	1994	Compost Shredder	$800
53-0904	1999	Compost Shredder	$800
57-0217	1993	Chevy Pickup 1/2 Ton	$800
57-0235	1997	Chevy Pickup 1 Ton	$800
57-0239	1997	Chevy S-10 Pickup	$400
57-0240	1997	Chevy S-10 Pickup	$400
57-0241	1997	Chevy S-10 Pickup	$400
57-0849	1990	Air Compressor	$800
76-0402	1991	Chevy Rubbish Packer	$800
80-0243	1998	Dodge Dakota Pickup	$800
80-0407	1990	Chevy Dump Truck	$1,600
84-0039	1993	Chevy Cavalier	$600
84-0406	1999	Chevy Dump Truck	$2,400
84-0408	1990	Chevy Dump Truck	$2,400

84-0822	1983	Case 580D Backhoe	$3,200
90-0179	2000	Chevy Impala	$800
90-1103	2002	Chevy Impala	$1,200
90-1110	2003	Chevy Impala Sedan	$1,200
90-1124	2005	Chevy Impala	$1,600
90-1127	2005	Chevy Impala	$1,600
90-1131	2008	Chevy Impala	$2,000
90-1148	2011	Chevy Impala	$400
		EST. TOTAL	**$44,330**

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 20

From: Darnell Earley, City Manager

Subject: Farmland Rental Agreement

Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that the Farmland Rental Agreement ("Agreement") between the City of Saginaw ("City") and the Wasmiller Farms ("Tenant") of Burt, MI be approved. It is further recommended that the Mayor or his designee be authorized to execute this agreement on behalf of the City of Saginaw. The Agreement has been approved by the City Manager as to substance and the City Attorney has approved as to form.

Justification:

On April 23, 2013, the City received proposals for leasing City property at 1615 Williamson Street consisting of 25.12 acres. The Tenant desires to rent the property for the purpose of farming. Wasmiller Farms was selected based on revenue alone. The Tenant will pay the City of Saginaw based on leasing 23 acres, at $68 per acre for an annual revenue of $1,564. The property taxes for the above mentioned Farm Land will have an estimated annual tax expense of $1,677 of which the Tenant will be responsible for. This expense for taxes will start in 2014, and will continue annually thereafter through the end of the term of the lease on December 31, 2017. The revenue of Wasmiller Farm's proposal is $7,820 over the 5 year lease period. Total Annual Taxes over the same period is $6,708. Wasmiller Farms will pay both these amounts to the City for a total of $14,528 over the lease period.

The following is a tabulation of the bids received to lease the property:

Wasmiller Farms	
Burt, MI (out-city)	
Leasing Acres	23
Cost Per Acre	$ 68.00
Cost Per Year	$1,564.00
Cost Over 5 Years	$7,820.00

Majestic Farms	
Saginaw, MI (out-city)	
Leasing Acres	23
Cost Per Acre	$ 54.00
Cost Per Year	$1,242.00
Cost Over 5 Years	$6,210.00

Bruns Farms
Saginaw, MI (in-city)

Leasing Acres	23
Cost Per Acre	$ 7.00
Cost Per Year	$161.00
Cost Over 5 Years	$805.00

Spero Farms
Birch Run, MI (out-city)

Leasing Acres	23
Cost Per Acre	$ 3.03
Cost Per Year	$ 69.69
Cost Over 5 Years	$348.45

Wasmiller Farms meets all the 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.

Revenue payments from the Farm Land Lease will be deposited into the General Fund – Land and Building Rentals Revenue Account No. 101-0000-561.66-40.

Council Action:

Council Member _____________ moved, seconded by Council Member_____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 21

From: Darnell Earley, City Manager

Subject: Saginaw County Lank Bank Authority Grass Cutting Services Agreement and Budget Adjustment

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend that the Grass Cutting Services Agreement ("Agreement") with the Saginaw County Land Bank Authority ("SCLBA") be approved. The term of the Agreement is one year. In addition, the amount of the Agreement is $80,000. The Agreement has been approved by me as to substance and the City Attorney as to form. I further recommend that the Director of Public Services or his designee be authorized to sign the Agreement and any other related documents.

It is also recommended that a budget adjustment be completed to increase the General Fund - Saginaw County Account No. 101-0000-571.67-07 from $221,000 to $256,000 an increase of $35,000. This increase will be offset by an increase in the General Fund - Abatement of Nuisances Division's, Employment Agency Fees Account No. 101-7571-841.8004 by $12,280 and an increase in the General Fund - Abatement of Nuisances Division's, Maintenance Equipment Account No. 101-7571-841.97-41 by $22,720, a total of $35,000 in Fiscal Year 2013. The remaining $45,000 will be budgeted for in FY 2014.

Justification:

The SCLBA has contracted with the City of Saginaw ("City") for the past three years to provide grass cutting services for SCLBA vacant properties. Based upon the City's prior performance, the parties have agreed to enter into this Agreement for the City to provide services for the 2013 grass cutting season. Specifically, the City will purchase the necessary vehicles and equipment to provide grass cutting services for entire lots on all major streets and state highways and for cutting the right of way and corner clearances for properties abutting local streets. In addition, the City will prepare and provide reports to the SCLBA regarding its grass cutting activities. The season historically begins April 15, 2013 and ends October 31, 2013, depending on the weather.

Council Action:

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

COUNCIL COMMUNICATION CC- 22

From: Darnell Earley, City Manager

Subject: Facilities Division Vehicle Replacement

Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Red Holman Pontiac-GMC, Westland, MI at the State bid price of $27,778.50 for the purchase of one (1) 2013 GMC Sierra 2500 HD for the Facilities Division. This purchase is contingent upon approval of funds received from the Saginaw County Land Bank Authority.

Justification:

The Facilities Division needs to replace a 1998 Dodge Dakota P/U with 97,783 miles scheduled for replacement in 2006, and it has extensive rust and fatigue to the body and frame. This truck is used for transportation in the daily maintenance of the City's Parks and Building Maintenance equipment and parts. As a Facilities vehicle it must be maintained in a constant state of readiness in order to respond to repairs to the City's Facilities and Parks. This vehicle will be purchased using State bid pricing.

Red Holman Pontiac-GMC 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 will be made available in the General Fund – Abatement of Nuisances Division's Maintenance Equipment Account No. 101-7571-841-97.41.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 23

From: Darnell Earley, City Manager

Subject: Emergency Siren Batteries & Chargers – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the sole source quote from West Shore Services, Allendale, MI be accepted and that a purchase order be approved and issued to them in the amount of $4,950 for the purchase of siren batteries and preventative maintenance services for the City's emergency sirens.

Justification:

The Traffic Maintenance Section of the Right of Way Division maintains the emergency/tornado siren system within the City of Saginaw. West Shore Services is the authorized Federal Signal distributor in Michigan and the sole source provider for all parts and supplies and maintenance on the City's Federal Signal brand sirens.

At this time, the emergency/tornado sirens are due for their annual maintenance and the siren batteries are due for replacement as they have reached their life expectancy. Currently, West Shore Services is in the process of performing warranty replacements for the siren battery chargers. At this time, to decrease costs, West Shore Services is performing the annual maintenance and replacement of batteries.

West Shore Services 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 Radio Operations Fund – Radio Operation Division's Operating Services Account No. 660-4422-791.80-05.

Council Action:

Council Member _____________ moved, seconded by Council Member ____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 24

From: Darnell Earley, City Manager

Subject: Purchase of Traffic Signal Equipment – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the sole source quote from Carrier and Gable, Farmington Hills, MI, be accepted and that a purchase order be approved and issued to them in the amount of $21,159.05 for the purchase of traffic signal equipment.

Justification:

The Traffic Maintenance Section of the Right of Way Division is required to maintain, repair and upgrade when necessary, the 105 traffic signals within the City of Saginaw. Due to increased pedestrian traffic and changing traffic volumes at the intersections of Houghton Avenue and North Michigan Avenue, Cooper Street and North Michigan Avenue, and Hancock Street and North Michigan Avenue, it has been determined that these traffic signals need to be upgraded to include pedestrian crossing signals, pedestrian push buttons, and side street vehicle actuation. This purchase will include all traffic signal equipment necessary to complete these upgrades. Carrier and Gable is the sole source provider for this equipment.

Carrier and Gable 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 Major Streets Fund - Traffic Engineering Division's Parts and Supplies Account No. 202-4621-791.73-30.

Council Action:

Council Member _____________ moved, seconded by Council Member ____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 25

From: Darnell Earley, City Manager

Subject: Ricoh USA Copy Machine Lease – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the bid from the State of Michigan MiDEAL program be accepted and that a purchase order be approved and issued to Ricoh USA in the amount of $2,595 for a five-year lease of a copier/printer/fax machine for Traffic Maintenance. The Agreement has been approved by me as to substance and the City Attorney as to form.

Justification:

The Traffic Maintenance Section's computer printer and copier/fax machine are no longer operable. A lease agreement for a copier/printer/fax machine was recommended by Technical Services. The lease with Ricoh USA through the State of Michigan consists of annual payments of $420 for the equipment lease and $99 for the service contract. This is a 60-month lease for a total cost of $2,595.

Ricoh USA 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 for the remaining months of FY13 are budgeted and available in the Major Streets Fund - Traffic Engineering Division's Operating Services Account No. 202-4621-791.80-05. Funds for the remaining years on the lease will be budgeted in future fiscal years.

Council Action:

Council Member ______________ moved, seconded by Council Member ____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 26

From: Darnell Earley, City Manager

Subject: Increase Clean Energy Coalition Reimbursements Account

Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend that a budget adjustment be completed to increase the Clean Energy Coalition Fund – Reimbursements Account No. 230-0000-602.68-08 from $6,150 to $23,535 for Consumers Energy rebates for qualifying energy efficiency projects. The total amount of rebates received was $23,535 an increase of $17,385 over the amount budgeted. This increase will be offset by an increase in the Clean Energy Coalition Fund – Clean Energy Coalition Division's Parts and Supplies Account No. 230-1795-701.73-30 for the same amount.

Justification:

During 2010 and 2011, the City undertook a variety of energy retrofit activities to improve energy efficiency at multiple City facilities. The City received rebates for qualifying equipment that was installed at City facilities, by utilizing incentives offered by Consumers Energy's Business Solutions program. The total of the rebates received was $23,535.

The Right-of-Way Division is currently working on retrofitting decorative street lighting with LED technology. There are presently 553 decorative street lights throughout the City. The funds will be utilized to purchase approximately 37 LED street light retrofit kits that will be installed by Traffic Maintenance personnel. This activity will further reduce the City's energy costs.

Council Action:

Council Member _____________ moved, seconded by Council Member ____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 27

From: Darnell Earley, City Manager

Subject: Contract with Lois Kay Contracting Co. (C-1609) - ROW Division

Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend that the low bid from Lois Kay Contracting Company of Saginaw for the 2013 CDBG Resurfacing / ADA Sidewalk Ramp Contract, C-1609, be accepted and a contract awarded to them in the amount of $491,097.82. The City Manager has approved the contract as to substance and the City Attorney as to form.

Justification:

On April 9, 2013, the City received bids for the 2013 CDBG Resurfacing / ADA Sidewalk Ramp project. Due to budgetary constraints, it was necessary to reduce the scope of work and quantities on this project. The bids were recalculated with the new quantities. The following is a tabulation of the bids originally received and the bids with the revised scope of work and quantities:

	Original Bid	Bid With Revised Quantities
Lois Kay Contracting Co. Saginaw, MI (out-city)	$524,889.32	$491,097.82
Pyramid Paving, Co. Bay City, MI (out-city)	$536,339.87*	$495.960.37

*Corrected bid price is due to unit price extension error.

Road work on this project includes milling and resurfacing, full depth pavement repairs where necessary and the construction of ADA compliant sidewalk ramps on the following streets:

Holden Street from Washington Avenue (M-13) to Sheridan Avenue
Fayette Street from Holland Avenue to Remington Street
Harrison Street from Remington Street to Houghton Avenue
Benjamin Street from Union Street to State Street (M-58)

Lois Kay Contracting, Co 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, Special Projects Division's Street Resurfacing Account No. 275-6511-761.80-46 ($435,996), Project Number 13H085, and in the Community Development Block Grant Fund, Special Projects Division's Construction Projects Account No. 275-6511-761.83-30 ($55,101.82), Project Number 13H088.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION CC- 28

From: Darnell Earley, City Manager

Subject: Sale and Consumption of Alcoholic Beverages at the Children's Zoo

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the attached resolution authorizing the sale and consumption of alcoholic beverages at the Children's Zoo at Celebration Square during the following special events held after hours:

- "Brew at the Zoo" annual fundraiser – June 20, 2013 from 6:00 p.m. to 9:00 p.m.
- "Saginaw Area Fireworks Committee Recognition Party" – July 2, 2013 from 5:00 p.m. to 8:00 p.m.
- "Zoosical" – July 18, 2013 from 5:00 p.m. to 9:00 p.m.

Justification:

On June 20, 2013, July 2 & 18, 2013, the Children's Zoo at Celebration Square (Zoo) located at 1720 S. Washington Avenue is hosting fundraiser events. The Zoo has requested the City to allow for alcoholic beverages to be served to its guests for consumption during these special events. Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the consumption 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 subsection (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 by the state;
(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 City Council deems appropriate.

Saginaw Valley Zoological Society (Society) will be providing the alcoholic beverages at the "Brew at the Zoo," the "Zoosical" and the "Saginaw Area Fireworks Donor Recognition" events. The Society will provide the proper documents to the City by June 5, 2013. If the Saginaw Valley Zoological Society fails to provide the documentation, they will not be allowed to provide liquor at the Zoo during these events. The City will set insurance requirements and all insurance certificates must be reviewed and approved by the City Officials.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

RESOLUTION TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES AT THE CHILDREN'S ZOO AT CELEBRATION SQUARE ON PUBLIC PROPERTY

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

WHEREAS, the Children's Zoo at Celebration Square plans to host several annual events to be held on June 20, July 2 and 18, 2013 from 5:00 p.m. until 9:00 p.m.; and

WHEREAS, the Children's Zoo at Celebration Square requests that they be allowed to serve alcoholic beverages at the annual events as listed above to its guest at the Zoo on public property; and

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

WHEREAS, Children's Zoo at Celebration Square must provide certain documents prior to the events; and

WHEREAS, if the Children's Zoo at Celebration Square does not provide the documents by the stated date, they will not be allowed to consume and sell alcoholic beverages during the events on June 20, July 2 and 18, 2013; and

WHEREAS, the City will set all insurance requirements and all insurance certificates must be reviewed and approved by the City; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the consumption and sale of alcoholic beverages on public property during annual special events at the Children's Zoo at Celebration Square located at 1720 S. Washington Avenue provided that the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided no later than June 5, 2013 in relation to the following events:

- "Brew at the Zoo" annual fundraiser – June 20, 2013 from 6:00 p.m. to 9:00 p.m.
- "Saginaw Area Fireworks Committee Recognition Party" – July 2, 2013 from 5:00 p.m. to 8:00 p.m.
- "Zoosical" – July 18, 2013 from 5:00 p.m. to 9:00 p.m.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on May 6, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

COUNCIL COMMUNICATION CC- 29

From: Darnell Earley, City Manager

Subject: Authorization for Andrea Coleman to Use Amplifying Equipment during Open House

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the RaSean Open House event to be held on June 8, 2013. The event will be at Bliss Park between the hours of 3:00 p.m. and 7:00 p.m.

Justification:

On April 9, 2013, Andrea Coleman submitted a Special Event application to celebrate her son's high school graduation on June 8, 2013. 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.

**RESOLUTION TO AUTHORIZE ANDREA COLEMAN
TO USE AMPLIFYING EQUIPMENT
JUNE 8, 2013 AT BLISS PARK**

Council Member __________________ moved, seconded by Council Member ____________________ to adopt the following resolution:

WHEREAS, Andrea Coleman plans to celebrate her son's high school graduation with an Open House at Bliss Park on June 8, 2013; and

WHEREAS, Andrea Coleman has requested permission to use amplifying equipment between the hours of 3:00 p.m. and 7:00 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 RaSean Open House to be held on June 8, 2013 between the hours of 3:00 p.m. and 7:00 p.m. at Bliss Park.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on May 6, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

COUNCIL COMMUNICATION CC- 30

From: Darnell Earley, City Manager

Subject: MDOT Cost Agreement (No.12-5637) – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that Michigan Department of Transportation ("MDOT") Cost Agreement ("Agreement"), Number 12-5637 be approved and that the mayor or his designee be authorized to execute said Agreement. The Agreement has been approved by me as to substance and the City Attorney as to form. A resolution to approve the Agreement follows this communication.

Justification:

"MDOT" requires that the City of Saginaw enter into an "Agreement" for the purpose of setting forth the rights and obligations of the parties, in agreeing to streetscaping work along Hamilton Street from Van Buren Street to Court Street, including decorative street lighting work; together with necessary related work.

This street enhancement project includes the replacement of the decorative street lights with a more energy efficient LED street light. The result will be a more pedestrian friendly business district that will complement the work already completed on Court Street from Michigan Avenue to Hamilton Street. In addition, the street lighting will be more energy efficient, require less maintenance and be less expensive to operate and maintain. Construction is scheduled to start July 8, 2013 and be completed August 2, 2013.

The total project is estimated to cost $255,800. Federal Transportation Earmark Funds leftover from the E. Genesee Streetscape project will cover $230,671 of the costs. The City of Saginaw is responsible for all costs over $230,671, and the City's estimated share is $25,129.

The streetscaping work is the first phase of a two phase project scheduled for Hamilton Street. In 2014, Hamilton Street from Lyon Street to Court Street is scheduled to be reconstructed. This project is currently under design and will include the replacement of all pavements, curbs, gutters, sidewalks, water mains, the installation of new trees or planters, and ADA compliant sidewalk ramps.

MDOT 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 the City's portion of the streetscape construction cost will be budgeted in Fiscal Year 2014 in the Major Streets Fund – Streets Project Division's Street Resurfacing Account No. 202-4614-781.80-46, in the amount of $25,129.

Council Action:

Council Member ____________ moved, seconded by Council Member____________ that the recommendation of the City Manager be approved.

MDOT Cost Agreement No. 12-5637

Council Member __________ moved, seconded by Council Member _________ to adopt the following resolution:

WHEREAS: the Cost Agreement Number 12-5637, has been submitted by the Michigan Department of Transportation, which requires the City of Saginaw to adopt a resolution indicating its willingness to participate in the cost of the streetscaping improvements in the City of Saginaw that include the installation of LED decorative street lights along Hamilton Street from Van Buren Street to Court Street; together with any necessary related work.

WHEREAS: the Cost Agreement Number 12-5637 has been approved by the City Manager as to substance and by the City Attorney as to form.

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Saginaw does hereby approve Cost Agreement Number 12-5637 submitted by the Michigan Department of Transportation and that the Mayor or his designee be authorized to execute said agreement on behalf of the City of Saginaw.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on May 6, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

____
Janet Santos, CMC/MMC
City Clerk

COUNCIL COMMUNICATION INTRO O-1

From: Darnell Earley, City Manager

Subject: Special Events Regulations

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend that Chapter 99: "Special Events Regulations" of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1, be repealed and a new Chapter 99: "Special Events Regulations" be added to Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1. An Ordinance has been prepared and appears under the regular order of business.

Justification:

Due to several changes in the procedures in handling Special Event applications in the past year, it has become necessary to revise the ordinance. Since nearly all sections of the ordinance have amendments and/or an addition, it is recommended that the original ordinance be repealed and a new ordinance adopted.

The Special Event Program definition has been divided to have one definition for Special Event Program and one for Special Event Committee. The "Office of the City Attorney" has been omitted as a committee member and language has been added to allow the committee to request assistance from other departments as necessary. Other references in the ordinance to the "Office of the City Attorney" were also removed.

The person signing the Special Event application is deemed to be the "event sponsor." The current ordinance uses other references such as "event representative." Amendments were made throughout the ordinance to consistently use the term "event sponsor."

Repetitive language throughout the ordinance was removed and sections of the ordinance were rearranged so the contents of the ordinance are better organized. Language was added to define requirements for completing the application, use of tents, fireworks and vendors. In that regard, the event sponsor will no longer have the option of having its vendors obtain individual vendor licenses, but will be required to apply for a Special Event Vendors License. This will save the City Clerk's Office time in processing numerous licenses for each event. It will be the responsibility of the event sponsor to obtain all the information on its vendors and submit it to the City Clerk's Office at the time it applies for a Special Event Vendors License.

The Special Events Committee will have the authority, upon recommendation of the Department of Public Services, to waive special event fees of duly incorporated, nonprofit Neighborhood Associations to use its own neighborhood parks in exchange for a contribution of volunteer hours and/or cash or in-kind contributions in support of the park.

The Department of Public Services will be allowed to consider an applicant's history in paying fees, cancelling events, public health, safety or welfare issues and an event's economic impact on the City in resolving conflicts for applications received for the same date and site for an event.

A new section has been added that defines the events the City is allowed to sponsor according to State law.

Along with the Special Events Ordinance, the Special Events Rate Sheet has also been updated to include an increase in application fees for applicants that fail to apply within the 60-day requirement and to assess a percentage of facility and/or use fees for those applicants that change the date or cancel their event.

Council Action:

This Council Communication is for explanation purposes of the ordinance to be introduced and enacted according to City Charter, Section 22, Titled "Ordinances."

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

AN ORDINANCE TO REPEAL CHAPTER 99: "SPECIAL EVENTS REGULATIONS," AND INTRODUCE A NEW CHAPTER 99: "SPECIAL EVENTS REGULATION," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

Council Member ___________moved, seconded by Council Member ____________ that an ordinance introduced on May 6, 2013, be taken up and enacted, entitled and reading as follows:

O- _______

AN ORDINANCE TO REPEAL CHAPTER 99: "SPECIAL EVENTS REGULATIONS," AND INTRODUCE A NEW CHAPTER 99: "SPECIAL EVENTS REGULATION," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. That Chapter 99: "Special Events Regulations" of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby repealed.

Section 2. That a new Chapter 99: "Special Events Regulations" shall be added to Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, and shall read as follows:

CHAPTER 99: SPECIAL EVENTS REGULATIONS

§ 99.01 DEFINITIONS.

For the purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SPECIAL EVENT PROGRAM. A special event program is a program or activity requiring authorized use of any City-owned property including parks, streets, parking lots or select public facilities that may or may not require City services. Events in which the City of Saginaw is the primary sponsor or has traditionally been a co-sponsor, are not exempt from this ordinance.

SPECIAL EVENT COMMITTEE. The Special Event Committee is established to review and approve special event applications and make recommendations as to the City services required to hold the event. The committee members shall consist of representative(s) from the following departments and/or divisions: Department of Public Services, Office of the City Clerk, Police Department and Fire Department. The committee may request the assistance of other City departments and/or divisions as it deems necessary.

§ 99.02 TYPES OF SPECIAL EVENTS.

Types of special events include, but are not limited to; concerts, parades, festivals, athletic events (i.e. walk-a-thons), marches, large group picnics, religious ceremonies, block parties, skateboarding, and fishing tournaments.

§ 99.03 CONDITIONS OF USE/APPLICATION

(A) All requests for use of City parks, streets, parking lots and other public facilities or land controlled by the City or requiring City services must be made by completing a Special Event Application and submitting it to the Department of Public Services with the non-refundable application fee and any applicable park use fees. All Special Event Applications must be submitted 60 calendar days prior to the event. Applications received less than 60 days in advance will be subject to additional application fees as specified on the Special Events Rate Sheet. Submitting an application does not guarantee an event will be approved.

(B) All Special Event Applications must include the type of event, event location, estimated attendance, dates and hours in which the event shall be conducted, whether alcoholic beverages will be served, amplifying equipment will be used, a detailed description of the event and the specific services the applicant is requesting from the City. Incomplete applications will be rejected.

(C) The person(s) signing the Special Event Application will be considered the official event sponsor (hereinafter "event sponsor"). All requests related to the event must be authorized and communicated by the event sponsor. Unsigned applications will be rejected.

(D) If additional services are required after the event application has been submitted, the event sponsor must submit a written amendment to the Department of Public Services detailing the changes.

(E) Use of all City parks, streets, parking lots or public facilities for all special events shall comply with all rules, regulations and ordinances established by the City, and all existing laws of the State of Michigan and the United States.

(F) Submittal of a Block Party Application is required when a request is made to block off a City street.

§ 99.04 WRITTEN CONFIRMATION OF REQUIREMENTS.

Upon receipt of the Special Event Application, a written confirmation shall be sent to the event sponsor outlining any special conditions that must be met if the event is to be held. All fees must be paid and insurance provided to the City, prior to approval of the application.

§ 99.05 RESPONSIBILITIES OF THE EVENT SPONSOR.

(A) The event sponsor is responsible for all costs related to the event, including established fees, facility rental charges, required insurance, permits and the cost of all services provided by the City. The event sponsor should be aware that noise generated by the event could have an impact on the neighborhoods near the event site. The event sponsor must be considerate of the neighborhood and be aware of the City's Noise Ordinance, § 94.20 through § 94.22. (See § 99.18 below for use of sound amplifying equipment.)

(B) Events involving the use of tents and fireworks require the event sponsor to obtain special permits from the City Clerk's Office. An application and fee is required for each tent in excess of 120 square feet. Fireworks displays also require the approval of City Council. The City Fire Marshal will perform a Fire and Life Safety Inspection on the day of the event for tents and fireworks. If vendors are utilized at the event, the event sponsor must obtain a Special Event Vendors License in accordance with § 99.12.

§ 99.06 LIABILITY INSURANCE REQUIREMENTS.

(A) In order to comply with the City's insurance liability carrier, City officials will review the Special Event Application and determine if insurance is required and the appropriate type and amount of insurance. When insurance is required, the event sponsor shall provide a valid certificate of insurance naming the City of Saginaw as an additional insured and general liability coverage must extend to the event. The carrier must be approved and admitted within Michigan or listed on the non-admitted approved carrier list. The certificate of insurance must be submitted to the Department of Public Services in advance of the event and within the time frame established by the Department of Public Services.

(B) Events sponsored by City boards, such as the Saginaw Community Enrichment Commission, are covered under the City's insurance policy. The event is subject to the self-insured retention (deductible) on the City's insurance policy at the time of the event.

(C) The City may require participants to sign hold harmless waivers.

(D) Minimum insurance requirements include, but are not limited to, full commercial general liability covering personal injury, bodily injury and property damage in the amount of $500,000 per occurrence/$500,000 per aggregate. All other events will be required to provide insurance based on past experience and assessment of the City’s potential liability risk factors based on the following risk categories:

(1) Class I - Low Hazard involves no physical activity by participants and no severe exposure to spectators other than normal activity and exposure in a City park or public location. Examples of events in this category include, but are not limited to, meetings, seminars, social gatherings, theatrical performances, and auctions. It shall be the policy of the City to not routinely require insurance coverage for events classified as Class 1 - Low Hazard. This waiver of the insurance requirement is meant to cover small gatherings or ceremonies that do not involve more than 75 people, are limited to passive participation by the public and require no City services.

(2) Class II - Moderate Hazard involves limited physical activity by participants and no severe exposure to spectators. Events in this category include, but are not limited to, amateur team sports, dances, animal shows, political rallies, flea markets, picnics, and parades with no floats.

(3) Class III - High Hazard involves major participation by participants and/or moderate exposure to spectators. Events in this category include, but are not limited to, parades with floats, marathons or races, circus/carnivals, and semi-pro team sporting events.

(4) Class IV - Severe Hazard involves severe exposure to spectator and/or participants. Examples of events in this category include, but are not limited to,

rock concerts, alcoholic beverage sales, vehicle races, fireworks, ice skating events, professional or collegiate sporting events.

§ 99.07 ADDITIONAL REQUIREMENTS AND/OR RESTRICTIONS.

(A) The Department of Public Services may place additional requirements on any event. These requirements may include specific staffing levels for police, fire, paramedic, municipal services or other personnel. The City also reserves the right to require that certain facilities and/or services be provided in support of event activities, including trash dumpsters, portable toilets, fencing, security personnel, traffic barricades and trash barrels. The cost for providing these services is the responsibility of the event sponsor. The City reserves the right to assess damage and litter deposits for events. These deposits are non-refundable if City property is damaged or litter is not collected and removed. Expenses for these requirements will be billed to the event sponsor as provided in § 99.09 of this chapter.

(B) The Department of Public Services has the authority to cancel or stop an event if the special conditions required for approval of the event are not being met. In addition, the Department of Public Services and City public safety officials have the authority to cancel or stop an event, or place additional restrictions on the event, if it is deemed that the public health, safety or welfare would be better served with additional restrictions.

§ 99.08 BILLINGS FOR SPECIAL EVENTS.

Special event billings shall be itemized and provided to an event sponsor in advance of the event. Rates are subject to change. (See rate sheet).

§ 99.09 PAYMENT OF FEES.

All payment of fees must be submitted to the City Treasurer’s Office in advance of the event and within the time period set forth by the Department of Public Services. If payment in full is not received prior to the event as required, the City reserves the right to withhold all public services relating to the event and deny the application. Fees shall be charged for City services provided to special events as indicated on the rate sheet, but specifically as follows:

(A) Hourly rate shall be the hourly cost for any employee working on a special event as established by the City Administration. The hourly rate shall include expenses related to the employee including fringe benefits and overhead.

(B) Overtime shall be the hourly cost for an employee working on a special event during a time period that would be considered overtime for City payroll records, including the actual cost for fringe benefits.

(C) Equipment rental charges shall be the current equipment rental rates charged by the City.

§ 99.10 USE OF CITY-OWNED REGIONAL PARKS, COMMUNITY PARKS AND

NEIGHBORHOOD PARKS.

Requests for use of certain City-owned regional parks, community parks and neighborhood parks shall be made in the same manner as all other special events. In regard to use of neighborhood parks, every effort will be made to inform and seek approval of the request by the affected neighborhood association. Listed below are the parks affected by this ordinance.

Regional Parks	Community Parks	Neighborhood Parks
Hoyt Park	Crayola Park	Germaine Park
Webber Park	Garber Tennis Courts	Dr. Archer Claytor Park
Wickes Park	Bliss Park	Weadock Park
Ojibway Island	Fordney Park	Otto Roeser Park
Morley Plaza	Deindorfer Woods	Schroeder Park
Celebration Park	Linton Park	St. Vincent's Park
Jeffers Park	Unity Park	Park Palace Park
Merrill Park	Veterans Memorial Park	

Upon the recommendation of the Department of Public Services, the Special Events Committee may waive special event fees to duly incorporated, nonprofit Neighborhood Associations for use of its own neighborhood parks in exchange for a contribution of volunteer hours and/or cash or in-kind contributions in support of the park.

§ 99.11 TRAFFIC CONTROL AND SAFETY REQUIREMENTS.

(A) The special event sponsor shall be responsible for complying with all traffic control and safety procedures required by the City during the event. Additional requirements may be made by the City during the event as may be necessary for the safety of the public. All special events that include participants soliciting funds in street intersections shall comply with safety requirements and use of traffic cones as specified by Traffic Engineering.

(B) It should be noted that the City does not recommend solicitations of any kind in the street. The City accepts no responsibility or liability for the safety of persons who may against the recommendation of the City make solicitations in the streets.

(C) The City has no authority to grant a permit for solicitations on any County of Saginaw or State of Michigan highway, most notably, Washington Avenue. Requests to block a state highway must be made to the Michigan Department of Transportation.

§ 99.12 SPECIAL EVENT VENDOR LICENSE.

Individual vendors for special events, at the invitation of the event sponsor, shall not be required to obtain individual licenses for selling food or merchandise at the event. However, the event sponsor will be required to meet the following conditions:

(A) The event sponsor shall apply for and receive a Special Event Vendor's License from the City Clerk.

(B) Such application shall contain the following information:

(1) Date, name and location of special event.
(2) Name of corporation and/or organization sponsoring the event.
(3) Name, mailing address, email address and phone number of event coordinator.
(4) A list of the all vendors with the following information:
(a) Name, address and phone number for each vendor.
(b) The type of vendor (i.e. food or merchandise).
(c) A description of the vehicle used by vendor, with license number or other means of identification, if applicable.
(d) Whether or not the vendor will use a tent. Vendors using tents which exceed 120' square feet shall be required to obtain a separate Tent License and shall be subject to the terms and conditions of that license as required under § 92.14 of Chapter 92, Fire Protection and Public Safety, of Title IX, General Regulations of the Saginaw Code of Ordinances.

(C) All food vendors must be approved by the Saginaw County Health Department and post a valid temporary food license as authorized by the Saginaw County Health Department. Such food vendors are responsible for any and all fees related to obtaining a food license and are required to comply with all Saginaw County Health Department rules and regulations for temporary food licensed facilities.

(D) The event sponsor must sign the Special Event Vendor license application confirming the information provided is true and accurate to the best of their knowledge and belief, and furnish a copy of their valid driver's license. Such statement shall also give authorization to the City to perform a criminal background check on the applicant and for the applicant to waive all rights, claims, causes of actions or damages against the City in obtaining or utilizing such records and information.

(E) Any and all Special Event vendors must comply with all federal, state and local laws pertaining to vending.

§ 99.13 TWO OR MORE APPLICATIONS FOR THE SAME EVENT DATE.

(A) In the event 2 or more Special Event Applications are received simultaneously to reserve the same date, time and location, City Administration shall attempt to resolve the conflict with the event sponsors of each application. In resolving the conflict, the City shall consider each applicant's history with regard to payment of fees, cancellations or other public health, safety or welfare issues.

(B) In the event an application is received for which a date and site has been reserved and it is determined the subsequent application will have a greater economic impact on the City, the Department of Public Services reserves the right to request the initial applicant change the date and/or site of its event. Consideration will be given as to the hardship and expense it may cause the applicant to make the requested change.

§ 99.14 RESERVATION OF ANNUAL EVENT DATES.

If an event is intended to be an annual event on regularly scheduled dates, the current year's application may include the following year's requested dates. Approval of the current year's application will include reservation of the next year's proposed dates. However, it will not constitute approval of next year's event, which must have its own timely application submitted for City approval. In general, the City will not approve special event dates more than one year in advance.

§ 99.15 CANCELLATION OF EVENTS.

(A) The City reserves the right to deny services for special events if the event sponsor fails to pay the required fees and submit the required certificate of insurance within the time specified by the Department of Public Services.

(B) In the event the event sponsor cancels the event at any time after the application is received and the non-refundable application fee is paid, the City will bill the event sponsor for any City services utilized prior to cancellation of the event. In addition the City shall assess a percentage of the facility and/or use fees in accordance with the rates established on the Special Events Rate Sheet.

§ 99.16 DENIAL OF FUTURE EVENTS.

Event sponsors that do not pay the required fees, submit the required insurance, have a history of cancellations, or violate this chapter in any manner will be denied future applications.

§ 99.17 SALE AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES.

If an event sponsor intends to serve and/or sell alcoholic beverages, the event sponsor is required to comply with all regulations set forth by the Michigan Liquor Control Commission, all local ordinances and requires approval from City Council. If alcohol is going to be served and/or sold, the event sponsor must apply for and receive a Special Liquor License through the State Liquor Control Commission, and supply the City with a copy of the liquor license prior to the event.

§ 99.18 USE OF SOUND AMPLIFYING EQUIPMENT.

Council approval is needed for any event utilizing sound amplifying equipment.

§ 99.19 CITY SPONSORSHIP/WAIVER OF FEES AND INSURANCE

In accordance with MCL 123.851 the City may appropriate money for the purpose of defraying the expenses of the proper observance of armistice, independence, and memorial or Decoration Day or for the proper observance of a diamond jubilee or centennial. In this regard, the City may waive fees for in-kind services provided and licenses in celebration of these events only. The City shall not waive the insurance requirements set forth in accordance with § 99.06.

§ 99.20 VIOLATIONS.

(A) *Municipal civil infractions*. A person who violates any provision of this subchapter is responsible for a Class C municipal civil infraction, subject to payment of a civil fine as set forth in Ch. 37, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by Ch. 37.

(B) *Authorized City Official*. The City Manager and/or their designee is hereby designated as the authorized City officials, as defined by Ch. 37 of this code, to issue municipal civil infraction citations or municipal civil infraction violations notices as provided by Ch. 37.

Section 3. This ordinance shall become effective May 30, 2013.
Enacted: May 20, 2013.

Yeas:
Nays:
Absent:
Abstain:
Motion Carried.

Gregory L. Branch	Janet Santos, CMC/MMC
Mayor	City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on May 20, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

Council Member ____________moved, seconded by Council Member ____________ that an ordinance introduced on April 15, 2013, be taken up and enacted, entitled and reading as follows:

O-_______

AN ORDINANCE TO AMEND § 52.31 "DEPOSIT," OF CHAPTER 52, WATER, OF TITLE V, "PUBLIC WORKS," OF THE CITY OF SAGINAW CODE OF ORDINANCE, O-1.

The City of Saginaw Ordains:

§ 52.31 DEPOSIT.

Before any premises may be served with water or sewage disposal service, the person contracting shall deposit with the City Treasurer a reasonable amount of money as determined by the Director of Finance to guarantee payment for any indebtedness arising out of said servicing of the premises. Provided, that no deposit shall be required for service to a single-family residence from a person who has had City water or sewage disposal service previously for a period of two (2) years and has at all times paid for all such services promptly, nor shall a deposit be required if the Director of Finance finds that the applicant has a satisfactory credit rating. In no case where a deposit is required shall the deposit be less than one hundred dollars ($100.00). Said deposit will be refunded upon request at the end of any twenty-four (24) month period during which charges are paid and the service is terminated.

This ordinance shall become effective May 16, 2013.
Enacted: May 6, 2013.

Yeas:
Nays:
Absent:
Abstain:
Motion Carried.

____
Gregory L. Branch
Mayor

____
Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on May 6, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk