Council Agenda

May 7, 2012 6:30 p.m.
Council Chamber

<u>PLEASE NOTE</u>: There will be a Committee of the Whole meeting beginning at 5:00 p.m. in the Council Chamber for the overview of the Fiscal Year 2012-2013 Proposed Budget.

<u>PRAYER AND PLEDGE OF ALLEGIANCE</u>

<u>ROLL CALL</u>

<u>CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:</u>

April 23, 2012 Regular Council Meeting

<u>ANNOUNCEMENTS:</u>

1. Introduction of Office for new City Clerk, Janet Santos, CMC/MMC.

2. Acceptance of the Proclamation designating May 9, 2012 as Children's Mental Health Awareness Day in the City of Saginaw, received by Dalia Smith, Family Advocate, Saginaw County Children's Mental Health.

3. Acceptance of the Proclamation designating May 2012 as Mental Health Month in the City of Saginaw, received by Tim Ninemire, Director of Recipient Rights and Customer Service, Saginaw County Community Mental Health.

<u>PUBLIC HEARINGS:</u>

<u>PERSONAL APPEARANCES:</u>

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

<u>REMARKS OF COUNCIL:</u>

<u>PETITIONS:</u>

12-09 Recognizing Ahsrat Co. Non-Profit as a non-profit organization in the City of Saginaw for charitable gaming purposes.

12-11 Saginaw County Community Mental Health Authority, Request for Banner Erection from May 8, 2012 through May 31, 2012 to recognize May as Mental Health Month.

<u>REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND APPOINTMENT OF BOARD AND COMMISSION MEMBERS:</u>

REPORTS FROM MANAGER:

Management Update:

Recommended Actions:

1. Recommending acceptance of the $10,000 donation from the Dow Chemical Company Foundation, for equipment to be used by the Saginaw Citizens on Patrol. Recommending the 2012 Approved Budget for General Fund's Other Revenues/Police Donations Account No. 101-0000-601.67-60 be increased from $11,409 to $21,409 which equates to a $10,000 increase to reflect a $10,000 grant. This increase will be offset by an increase to the Police Department's Other Services/Professional Services Account No. 101-3512-721.80-01.

2. Recommending approval of the Loan Agreement between the City and the Saginaw Castle Museum to allow the museum to hold and display certain items that are owned by the City.

3. Recommending approval of the Development Agreement Amendment between the City and the Bliss Park Limited Dividend Housing Association Limited Partnership to amend the Agreement to include the mandatory language to comply with MHSDA's requirements.

4. Recommending issuance of a purchase order to Audio Central Alarm, Inc., Saginaw, MI, in the amount of $1,170 for FY 2012 and $2,340 for FY 2013 for the annual alarm monitoring services.

5. Recommending approval of the Loan Agreement and Promissory Note to borrow $100,000 from Saginaw County's Energy Reduction Revolving Loan Fund (ERRLF) administered by Saginaw Future. The loan will be received and processed to the Clean Energy Coalition Funds – Loan Proceeds Account No. 230-0000-609.67-35 for the Consumer's Energy's Experimental Advanced Renewal Program.

6. Recommending approval of the contract between Interstate Gas Supply, Inc. (IGS) and the City be approved for natural gas from June 2012 through March 2013 at a fixed rate of $3.25 per Mcf (thousand cubic feet) and $3.74 per Mcf for April 2013 through March 2014.

7. Recommending acceptance of the proposal and approval for the City Manager or his designee, to sign the agreement with John T. Meyer, FAIA, Architectural Consultant dated February 20, 2012, in the amount of $27,250, for preparation of a statement of physical condition, a preliminary work schedule, and detailed costs involved in renovating Saginaw's City Hall.

8. Recommending issuance of purchase orders to Rapid Water Recovery, Summerville, GA, in the amount of $13,569.41 for FY 2013, 2014, 2015 and 2016, for the annual testing and servicing for the accuracy of the meters.

9. Recommending acceptance of the low bid and issuance of a purchase order to Cougar Sales and Rental, Novi, MI, in the amount of $2,298, for the replacement of two (2) portable trash pumps.

10. Recommending acceptance of the quote and issuance of a purchase order to Siemens Industry Inc., Vineland, NJ, a sole source provider, in the amount of $4,276.31 for the repair parts for the Chlorine Induction Pumps at the Remote Retention Treatment Basin.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Recommending approval of the Resolution authorizing the sale and consumption of alcoholic beverages on Ojibway Island for the Saginaw WonderFest sponsored by the First Ward Community Services to be held on August 25, 2012 from 12:00 p.m. until 8:00 p.m.

2. Recommending approval of the Resolution authorizing Saginaw County Veterans Memorial Plaza, Inc., to use amplifying equipment at Hoyt Park on May 28, 2012 from 12:00 p.m. until 2:00 p.m. for the annual Memorial Day Parade ceremony.

3. Recommending approval of the Resolution authorizing the Circle of Love to use amplifying equipment at Bliss Park on June 22, 2012 from 10:00 am until 9:00 p.m. for the “Save the Dream” Free Concert Fundraiser.

4. Recommending approval of the Resolution authorizing the sale and consumption of alcoholic beverages at Celebration Square for the “Brew in the Zoo” event sponsored by the Saginaw Valley Zoological Society and the Saginaw Children’s Zoo to be held on June 21, 2012 from 6:00 p.m. until 9:00 p.m.

5. Recommending approval of the Resolution recognizing Ashrat Co. as a non-profit organization in the City of Saginaw for the purpose of charitable gaming.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

PUBLIC NOTICE

Saginaw City Council

Committee of the Whole Meeting

In compliance with requirements of Act 267, P.A. 1976, the following notice is posted:

Notice is hereby given that there will be a City Council Committee of the Whole Meeting on Monday, May 7, 2012, at 5:00 p.m. for the purpose of hearing Fiscal Year 2012-2013 Budget presentations.

The Committee of the Whole meeting will be held in the City Hall Council Chamber, Room 205, 1315 S. Washington, Saginaw, Michigan,

Janet Santos, CMC/MMC
City Clerk

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

PROCLAMATION

WHEREAS, mental health is essential to everyone's overall physical health and emotional well-being. Mental health disorders can impact one's ability to reach personal goals and to have success at home, at school, and in the community; and

WHEREAS, mental illness can be addressed successfully with increased public awareness and support, early identification, prompt access to services and the availability of effective treatment services; and

WHEREAS, it is our responsibility, both as individuals and as a community, to support and care for those in need and help them find the mental health resources they need for themselves, family, and friends; and

WHEREAS, we encourage all parents, teachers, pediatricians, school nurses, health care professionals, and citizens to learn more about children's mental health; and

WHEREAS, the need for comprehensive, coordinated mental health services for children, adults, and families places upon our community a critical responsibility;

NOW, THEREFORE, I, Gregory L. Branch, Mayor of the City of Saginaw, on behalf of my fellow Councilmembers, do hereby proclaim May 9, 2012 as:

"Children's Mental Health Awareness Day"

in the City of Saginaw.

FURTHERMORE, I urge all citizens, government agencies, public and private organizations, businesses and schools to assist with providing support and commitment to our community by increasing awareness and the understanding of mental health, diagnosis and treatment, and for the children and youth experiencing mental health needs.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 7th day of May in the year of our Lord two thousand twelve.

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 7, 2012

Darnell Earley, City Manager

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 2012 as

"Mental Health Month"

in the City of Saginaw.

FURTHERMORE, 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 7th day of May in the year of our Lord two thousand twelve.

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 7, 2012

AHSRAT CO.
P.O. BOX 2464 SAGINAW, MI 48605 (989) 213-9340

Petition 12-09

April 2, 2012

RECEIVED
CITY CLERK
CITY OF SAGINAW

APR 4 - 2012

Mr. Darnell Earley, City Manager
City of Saginaw
1315 South Washington Avenue
Saginaw, MI 48601

Dear Mr. Earley,

Ahsrat Co. is a nonprofit 501 c 3 organization. Ahsrat, the acronym stands for A Higher Standard Revolving Around Truth. Ahsrat provides self-help services and programs that focus on the areas of education for children. Ahsrat is a non-traditional nonprofit organization that stands out from the rest by investing solely into our participants. Our mission is to educate, empower and enrich children to become effective leaders of positive change in society by breaking cycles of defeat. Our pilot tutoring program and mentoring sessions are free of charge and developed to help children ages 5 years through 7 years old.

We are submitting paperwork to the Michigan Bureau of State Lottery to be qualified as a local civic organization for the purpose of obtaining charitable gaming licenses to host parties. One of the required application attachments is a resolution from the local governing body stating our organization is a recognized nonprofit in the community. A format proposed by the State of Michigan is enclosed.

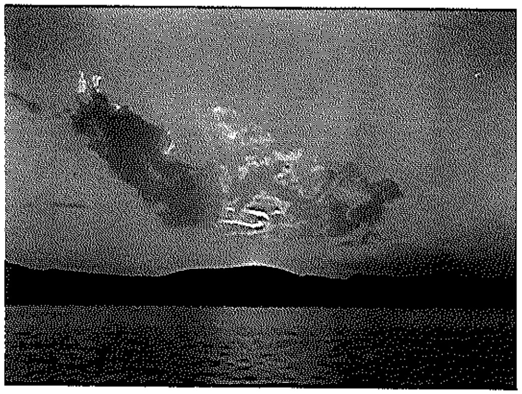
We respectfully ask the City Council of Saginaw to adopt a resolution recognizing Ahsrat Co. as a nonprofit organization in the City of Saginaw. If you have further questions, I can be reached at (989) 213-9340.

Sincerely,

Tarsha Works – President
Ahsrat Co. Nonprofit Organization

Enclosure

A HIGHER STANDARD REVOLVING AROUND TRUTH NON-PROFIT ORGANIZATION



What is AHSRAT?

AHSRAT is the acronym for A Higher Standard Revolving Around Truth which the organization provides self-help services and programs that focus on the areas of education for women, men, children, the elderly and families for their basic needs, including programs that provide at-risk individuals with opportunities to become self-sufficient.

Our programs focus on adult literacy, personal development, self-sufficiency, leadership and community development. A Higher Standard Revolving Around Truth Non-Profit Organization facilitates and administers developmental activities, workshops and programs to the community in which we serve.

MISSION STATEMENT

Educate, empower and enrich children, women and men to become effective leaders of positive change in society by breaking cycles of defeat.

OBJECTIVE

To provide positive, result-oriented programs, workshops & activities that are measurable to educate the population we serve.

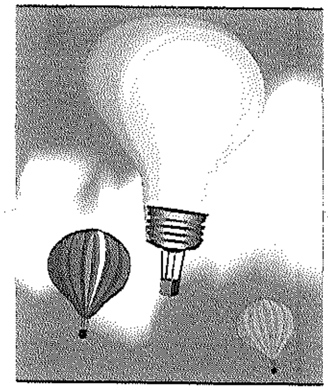
PURPOSE

PILOT TUTORING PROGRAM

Developed to help children (ages 5 – 7) by guiding them to become independent learners through explaining fundamental concepts that promotes educational development and enhancement. The program is in existence so our tutors can help children with their homework on a one-on-one basis to increase overall learning ability. The goal is to provide children with helpful techniques they can use to learn and become effective in their studies.

A HIGHER STANDARD REVOLVING AROUND TRUTH EST. 2006

AHSRAT CO.
Mailing Address
Post Office Box 2464
Saginaw, MI 48605
(989) 213-9340



PROGRAM INFORMATION

Programs are held at:
Hoyt Public Library by appointment.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JAN 05 2011

AHSRAT CO
C/O TARSHA WORKS
PO BOX 2464
SAGINAW, MI 48605-2464

Employer Identification Number:
37-1452625
DLN:
17053140408000
Contact Person:
ZENIA LUK ID# 31522
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
September 9, 2008
Contribution Deductibility:
Yes
Addendum Applies:
No

RECEIVED
CITY CLERK
CITY OF SAGINAW

APR 23 2012

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

AHSRAT CO

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Publication 4221-PC

COPY

BYLAWS
AHSRAT CO.

ARTICLE I

OFFICES

Section 1.: Principal Office. The principal office for the transaction of the business of the corporation shall be located at 2704 Gorham Place, Saginaw, Michigan 48601, or such other location as the Board of Directors shall designate from time to time.

Section 2.: Registered Office. The corporation, by resolution of its board of directors, may change the location of its registered office as designated in the Articles of Incorporation to any other place in Michigan. By like resolution, the resident agent at such registered office may be changed to any other person or corporation.

Section 3.: Other Offices. The corporation may have offices at such other place or places within or without the State of Michigan as the Board of Directors may determine or the business of the corporation may require from time to time.

ARTICLE II

DIRECTORS

Section 1.: Board Of Directors. The corporation shall be organized upon a Directorship basis. The Board of Directors shall be elected at the annual meeting of the corporation by a majority of members present and entitled to vote. The number, qualifications, powers, rights, terms of office, and election of members of the board of directors shall be as set forth in the Articles of Incorporation and these Bylaws.

Section 2.: Powers. Subject to limitations of the Articles of Incorporation, of these Bylaws and of the Michigan Nonprofit Corporation Act, and subject to the duties of directors as prescribed by these bylaws; all corporate powers shall be exercised by or under the authority of, and the business and affairs of the corporation shall be controlled by the board of directors. Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the board of directors shall have the following powers:

A. To alter, amend or repeal the bylaws of the corporation.

B. To select and remove all the other officers, agents and employees of the corporation, prescribe such powers and duties for them as may not be inconsistent with law, or with the Articles of Incorporation or the bylaws, and fix their compensation.

C. To conduct, manage, and control the affairs and business of the corporation, and to make such rules and regulations therefor as they may deem best, including authorizing and approving management contracts with others for the management of the business of the corporation.

D. To change the principal office and registered office for the transaction of the business of the corporation from one location to another; to fix and locate from time to time one or more subsidiary offices of the corporation within or without the State of Michigan; to designate any place within or without the State of Michigan for the holding of any meeting or meetings of the Board of Directors; to adopt, make and use a corporate seal, and to alter the forms of such seal from time to time, as in their judgment they may deem best, provided such seal and such certificate shall at all times comply with the provisions of law.

E. To hold and invest in any securities or other property or any interest in property, wherever located, including bonds, debentures, notes, secured or unsecured, stocks of corporations regardless of class, interests in limited partnerships, real estate or any interest in real estate whether or not productive at the time of investment, interests in trusts, investment trusts, whether of the open and/or closed fund types, and participation in common, collective or pooled trust funds of the Trustee, insurance contracts on the life of any beneficiary or annuity contracts for any beneficiary, without being limited by any statute or rule of law concerning investments by fiduciaries, and to keep, at any time and from time to time, cash and uninvested assets for such period or periods of time as it may deem advisable, without liability for any loss in income by reason thereof.

F. To borrow money and incur indebtedness for purposes of the corporation, and to cause to be executed and delivered therefor, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations or other evidences of debt and securities therefor.

G. To delegate to the officers of the corporation such powers and authority in the management of the business and affairs of the corporation as the board of directors shall from time to time determine.

Section 3.: Number and Qualification of Directors. The authorized number of directors of the corporation shall be not less than three (3), nor more than seven (7), until changed by amendment of these bylaws. All of the directors shall be elected for three (3) year terms.

Section 4.: Election and Term of Office. The directors shall be elected at each annual meeting, but if any such annual meeting is not held, or the directors are not elected, the directors may be elected at a special meeting of the Board, held for that purpose as soon thereafter as conveniently may be scheduled. All directors shall hold office until their respective successors are elected. A director can be removed from office at any time for good cause, however, by a majority of the board then sitting.

Section 5.: Executive and Other Committees. The board of directors may, by resolution(s) passed by a majority of the board, designate an executive committee and one or more other committees, each to consist of two (2) or more directors. The Executive Committee shall have not authority to make, alter or amend the Bylaws, but shall exercise all other powers of the board of directors between the meetings of the full board, except the power to fill vacancies in their own membership, which vacancies shall be filled by the board of directors. The executive committee and such other committees shall meet at stated times or on notice to the entire board. They shall fix their own rules of procedure, but the affirmative vote of a majority of the whole committee shall be necessary in every case. The executive committee and such other committees shall keep regular minutes of their proceedings and report the same to the board of directors. Such other committees shall have and may exercise the powers of the board of directors to the extent provided in their enabling resolution(s). Any action required or permitted to be taken at any meeting of the executive committee or any other committee of the board of directors may be taken without a meeting if all members of such committee consent in writing, and the writing or writings are filed with the minutes of proceedings of such committee.

However, any decision of any such committee may be overridden by a majority of the Board as a whole.

ARTICLE III

MEETINGS

Section 1.: Annual Meeting. The property, business, and affairs of the corporation shall be managed by its directors. The annual meeting of the Directors of the corporation shall be held at its office in Saginaw, Michigan or at such other place within or without the State of Michigan as may from time to time be selected by the directors, in May of each year at Saginaw, Michigan, for the purpose of electing or appointing directors and officers for the ensuing year and for the transaction of such other business as may properly be brought before the meeting.

Section 2.: Regular Meetings of Board Of Directors. Regular meetings of the board of directors may be held at such time or intervals and at such places within or without the State of Michigan as may from time to time be determined by resolution of the board, which resolution may authorize the president to fix the specific date and place of each of such regular meetings, in which case notice of the time and place of such regular meeting shall be given in the manner hereinafter provided.

Section 3.: Special Meetings. Special meetings of the directors may be called by the president and shall be called by the president or secretary at the direction of not less than two directors then in office, or as may otherwise be provided by law. Such meetings shall be held at the office of the corporation in Saginaw, Michigan unless otherwise directed by the board of directors and stated in the notice of meeting, in which case the meeting may be held at any place within or without the State of Michigan. Any request for such meeting shall state the purpose or purposes of the proposed meeting.

Section 4.: Notice of Meetings. Notice of the time, place and purpose of each meeting of the directors, signed by the president or a vice president or the secretary or an assistant secretary shall be served either personally or by mail upon each director not less than 10 nor more than 60 days before the meeting; provided that no notice of adjourned meetings need be given. If mailed, the notice shall be directed to each director at his address as it appears in the records of the corporation unless he shall have filed with the secretary thereof a written request that notices intended for him be mailed to some other address, in which case it shall be mailed to the address designated in such request. Such further notice shall be given as may be required by law. Meetings may be held without notice if all directors are present in person or if notice of the time, place and purpose of such meeting is waived by telegram or other writing, either before or after the holding thereof, by all directors not present at such meeting.

Section 5.: Quorum. A majority of the directors then in office shall constitute a quorum for the transaction of business and the action of the directors present at a meeting at which a quorum is present shall be the action of the board of directors, except as action by a majority of the directors then in office may be specifically required by other sections of these Bylaws or by Michigan or federal law.

Section 6.: Conduct of Meetings. Meetings of the directors shall be presided over by the president. The Vice-President shall preside over meetings at which the president is not present. The secretary or an assistant secretary of the corporation or, in their absence, a person chosen at the meeting shall act as secretary of the meeting.

Section 7.: Action by Unanimous Written Consent. If and when the directors shall severally or collectively consent in writing to any action to be taken by the corporation either before or after the action is taken, such action shall be as valid corporate action as though it had been authorized at a meeting of then directors and the written comments shall be filed with the minutes of the proceedings of the board of directors.

Section 8.: General Powers as to Negotiable Paper. The board of directors shall, from time to time, prescribe the manner of making, signature or endorsement of checks, drafts, notes, acceptances, bills of exchange, obligations and other negotiable paper or other instruments for the payment of money and designate the officer or officers, agent or agents, who shall from time to time be authorized to make, sign or endorse the same on behalf of the corporation.

Section 9.: Powers as to Other Documents. The board of directors may authorize any officer or officers, agent or agents, to enter into any contract or execute or deliver any conveyance or other instrument in the name of the corporation, and such authority may be general or confined to specific instances. When the execution of any contract, conveyance or other instrument has been authorized without specification of the officers authorized to execute, the same may be executed on behalf of the corporation by the president or any vice president, by the secretary, an assistant secretary, the treasurer, or an assistant treasurer.

Section 10.: Telephonic Conferences. A director may participate in a meeting of directors by a conference telephone or similar communication equipment by which all persons participating in the meeting may hear each other if all participants are advised of the communications equipment and the names of the participants in the conference are divulged to all participants. Participation in a meeting pursuant to this section constitutes presence in person at the meeting.

Section 11.: Voting. A simple majority of all directors then in office shall constitute a passing vote.

ARTICLE IV

OFFICERS

Section 1.: Election or Appointment. The board of directors shall elect a president, a secretary, and a treasurer of the corporation at each annual meeting, and may elect one or more vice presidents, assistant secretaries, and assistant treasurers. The same person may hold any two or more offices, but no officer shall execute, acknowledge or verify any instrument in more than one capacity. The directors may also appoint such other officers and agents as they may deem necessary for the transaction of the business of the corporation.

Section 2.: Term of Office. The term of office of all officers shall commence upon their election or appointment and shall continue until the next annual meeting of the corporation and thereafter until their respective successors are chosen or until their resignation or removal. Any officer may be removed from office at any meeting of the directors, with or without cause, by the affirmative vote of a majority of the directors, whenever in their judgment the best interests of the corporation will be served thereby. An officer may resign by written notice to the corporation or at a subsequent time specified in the notice of resignation. The directors shall have power to fill any vacancies in any offices occurring from whatever reason.

Section 3.: Compensation. The officers of the corporation shall receive such reasonable compensation for their service as may, from time to time be fixed by the board of directors, provided that the compensation of any officer who is also a director shall be fixed by a majority of the board of directors then in office.

Section 4.: The President. The president shall be the chief executive officer of the corporation and shall have general and active management of the activities of the corporation, and shall see that all orders and resolutions of the board of directors are carried into effect. He shall execute all authorized conveyances, contracts, or other obligations in the name of the corporation except where required by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the directors to some other officer or agent of the corporation. He shall preside at all meetings of the directors. In his absence, the directors present shall designate another presiding officer.

Section 5.: Vice President. The vice presidents in the order designated by the board of directors or, lacking such a designation, by the president shall, in the absence or disability of the president, perform the duties and exercise the powers of the president and shall perform such other duties as the board of directors shall prescribe.

Section 6.: The Secretary. The secretary shall attend all meetings of the board of directors and record all votes and the minutes of all proceedings in a book to be kept for that purpose. He shall give, or cause to be given, notice of all meetings of the directors for which notice may be required, and shall perform such other duties as may be prescribed by the directors or by the president, under whose supervision he shall act. He shall execute with the president all authorized conveyances, contracts or other obligations in the name of the corporation except as otherwise directed by the directors.

Section 7.: The Treasurer. The treasurer shall have custody of the funds and securities of the corporation and shall keep full and accurate accounts of receipts and disbursements in books belonging to the corporation and shall deposit all monies and other valuable effects in the name and to the credit of the corporation in such depositories as may be designated by the directors. He shall disburse the funds of the corporation as may be ordered by the directors, taking proper vouchers for such disbursements, and shall render to the president and directors, at the regular meeting of the directors, or whenever they may require it, an account of all his transactions as treasurer and of the financial condition of the corporation. If required by the directors, he shall give the corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the directors for the faithful performance of the duties of his office and for the restoration to the corporation(in case of his death, resignation, or removal from office) of all books, papers, vouchers, money and other property of whatever kind in his possession or under his control belonging to the corporation.

Section 8.: Assistant Secretaries and Assistant Treasurers. The assistant secretaries and the assistant treasurers, respectively (in the order designated by the directors or, lacking such designation, by the president), in the absence of the secretary or treasurer, as the case may be, shall perform the duties and exercise the powers of such secretary or treasurer and shall perform such other duties as the directors shall prescribe.

ARTICLE V

CONFLICTS OF INTEREST

Section 1.: Conflict Defined. A conflict of interest may exist when any director, officer, or staff member may be seen as having interests, which are adverse to the interests of this corporation.

Section 2.: Disclosure Required. Any conflict of interest shall be disclosed to the Board of Directors by the person concerned. When any conflict of interest is relevant to a matter requiring action by the Board of Directors, the interested person shall call it to the attention of the Board of Directors or its appropriate committee and such person shall not vote on the matter; provided however, any Director disclosing a possible conflict of interest may be counted in determining the presence of a quorum at a meeting of the Board of Directors or a committee thereof.

Section 3.: Absence from Discussion. The person having the conflict shall not participate in the decision regarding the matter under consideration.

Section 4.: Minutes. The minutes of the meeting of the Board or committee shall reflect that the conflict of interest was disclosed and the interested person was not present during the final vote and did not vote. When there is doubt as to whether a conflict of interest exists, the matter shall be resolved by a vote of the Board of Directors or its committee, excluding the vote of the person concerning whose situation the doubt has arisen.

Section 5.: Annual Review. A copy of this conflict of interest statement shall be furnished each director, officer, and staff member who is presently serving the corporation, or who may hereafter become associated with the corporation.. This policy shall be reviewed periodically for the information and guidance of directors, officers, and staff members. Any new directors, officers, or staff members shall be advised of this policy upon undertaking the duties of such office.

ARTICLE VI

NON-PROFIT OPERATION

The Corporation shall at all times be operated on a nonprofit basis, and shall be operated for the charitable purposes for which the Corporation was created.

ARTICLE VII

INDEMNIFICATION OF DIRECTORS AND OFFICERS

The corporation shall indemnify any and all persons who may serve as officers or directors against any and all expenses including attorneys fees in connection with his defense in a judicial or administrative proceeding involving Chapter 42 of the Internal Revenue Code or Michigan Laws relating to the mismanagement of funds of charitable organizations to the extent that such expenses are reasonably incurred in connection with such proceeding and provided that said officer or director is successful in such defense or such proceeding is terminated by settlement, and that he has not acted willfully but in good faith with reasonable cause to believe that his actions or failures to act were not in violation of said laws and were in the best interest of the corporation. The payment of said expenses by the corporation shall not include the payment of taxes, penalties, expenses of correction, or any other amounts for which said officer or director shall be held liable. Any indemnification hereunder shall be made only after a determination that indemnification of said officer or director is proper in the circumstances because he has met the standards of conduct set forth herein. Such determination shall be made by either a majority vote or a quorum of the board of directors consisting of those directors who were not parties to such proceedings or, if such quorum is not obtainable, by written opinion of independent legal counsel selected by those directors not parties to such proceedings.

ARTICLE VIII

FISCAL YEAR; NOTICES

Section 1.: Fiscal Year. The fiscal year of the corporation shall begin on the first day of January of each year and shall end on the thirty-first day of December following.

Section 2.: Notices. Any notice required by statute or by these Bylaws to be given to the directors or to any officer of the corporation, unless otherwise provided herein or in any stature, shall be sufficient if given by depositing the same in a United States Post Office Box or receptacle in a sealed, postpaid wrapper, addressed to such director or officer at his last address as the same appears on the records of the corporation and such notice shall be deemed to have been given at the time of such mailing.

ARTICLE IX

BOOKS AND RECORDS

The Corporation shall keep, correct and complete books and records of account and shall also keep minutes of the proceedings of its Members, Board of Directors and committees having any of the authority of the Board of Directors, and shall keep at the registered or principal office a record giving the names and addresses of the Members and directors. All books and records of the Corporation may be inspected for any proper purpose at any reasonable time.

ARTICLE X

AMENDMENTS

These Bylaws may be altered or repealed or new Bylaws may be adopted in lieu thereof by the affirmative vote of a majority of the board of directors then in office at any regular or special meeting of the board, if a notice of the proposed alteration, repeal or substitution be contained in the notice of such meeting.

COPY

These Bylaws were duly adopted by a majority of the Directors then entitled to vote at a meeting of the Directors held on August 23, 2008.

DATED: August 23, 2008.

SHAWN PRUITT, Secretary

APPROVED:

TARSHA WORKS, President

Petition for Banner

Petition # 12-11

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.)

RECEIVED
CITY CLERK
CITY OF SAGINAW

APR 26 2012

- [ ] 500 Block of Court Street
- [x] 200 Block of West Genesee
- [ ] 300 Block of South Michigan
- [x] 1000 Block of East Genesee Avenue

For: Saginaw County Community Mental Health Authority
(Organization)

Recognition of May as Mental Health Month
Purpose of Banner

MESSAGE ON BANNER May is Mental Health Month

Time Period Requested: 5·8·12 to 5·31·12
(Not to exceed 30 days)

PETITIONERS

Sandra M. Lindsey
Sandra M. Lindsey SCCMHA CEO

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME Tim Ninemire PHONE (989) 797·3467

ADDRESS: 500 Hancock Saginaw, MI 48602

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

DATE APPROVED BY COUNCIL: ______________________

____
CITY CLERK

COUNCIL COMMUNICATION CC-1

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

<u>Subject</u>: DOW Chemical – Saginaw Citizens Patrol

<u>Prepared by</u>: J. Isquierdo, Community Public Safety Police

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

I recommend that the $10,000 donation from the Dow Chemical Company Foundation be accepted and approved for the purchase of equipment and clothing to be used by the Saginaw's Citizens on Patrol.

It is also recommended that a budget adjustment be completed to increase the General Fund's - Police Donations Account No. 101-0000-601.67-60 from $11,409 to $21,409, which is a $10,000 increase. The increase in revenue will be offset by an increase in the Community Public Safety – Police, Police Administration Division's Professional Services Account No. 101-3512-721.80-01 by the same amount.

<u>Justification:</u>

On April 13, 2012 the Community Public Safety Police was awarded a donation in the amount of $10,000 from The Dow Chemical Company Foundation to purchase equipment to be used by the Saginaw Citizens on Patrol.

<u>Council Action:</u>

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

COUNCIL COMMUNICATION CC-2

From: Darnell Earley, City Manager

Subject: Saginaw Castle Museum Loan Agreement

Prepared by: John Stemple, Licensed Inspector

Manager's Recommendation:

I recommend that the Loan Agreement ("Agreement") between the City of Saginaw ("City") and Saginaw Castle Museum ("Museum") be approved and the document be executed as necessary. I have approved the Agreement as to substance and the City Attorney as to form.

Justification:

The Saginaw Castle Museum wishes to hold and display certain items that are owned by the City of Saginaw. It has been determined that these items are not needed by the City for its operations and that in order to preserve them, it is best that they be managed by the Museum. These include items from two (2) time capsules, which are currently stored in the City Clerk's Office. They include items salvaged from a dwelling that was acquired by the City, and items from a local TV Station, which are no longer needed or useful to the City. The list of items is included in the Agreement as part of Exhibit A. The items will be held, stored, and displayed at the discretion of the Museum. This agreement is for one (1) year, and will renew automatically unless either party terminates the agreement. There are no costs to either party of this agreement.

Council Action:

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

Exhibit A

1. Concrete Lions which are located at from entrance of 633 S. Washington Ave.
2. Bolex H16 Reflex 16mm Film Camera RX-4
   Comes with a Kern-Paillard Vario-Switar 1:2,5 f =18 – 86mm EE lens
   And includes a Rexofader
   Camera looks to be in good condition (except for old eyepiece)
   Serial # 228787
   Has not been tested to see if it is still on working condition.
   Instruction manuals/original documentation
   Leather case w/ strap (fair condition/no key/*City of Saginaw* in gold lettering)
   Extras include:
   Pistol grip
   Tubex set of 4 extension tubes (5, 10, 20 and 40 mm)
   Plus miscellaneous accessories
3. Time Capsule and its contents 1891
   See Attached Photographs
4. Time Capsule and its contents 1907
   See Attached Photographs

COUNCIL COMMUNICATION CC-3

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

<u>Subject</u>: Bliss Park Limited Dividend Housing Association Limited Partnership Development Agreement Amendment

<u>Prepared By</u>: Michele Allen, Department of Development

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

I recommend approval of the Development Agreement Amendment ("Amendment") between the City of Saginaw ("City") and the Bliss Park Limited Dividend Housing Association Limited Partnership ("Bliss Park Limited"). I have approved the Amendment as to substance and the City Attorney as to form.

<u>Justification</u>:

On February 20, 2012, City Council approved the original Development Agreement ("Agreement") between the City and Bliss Park Limited. The Agreement set forth the parties' responsibilities with regard to the development of the Bliss Park Senior Housing Project. In addition, the Agreement stated that the City would provide Neighborhood Stabilization Program 2 ("NSP 2") funds in the amount of Three Million Dollars and 00/100 ($3,000,000) to finance the development.

The City was recently advised by the Michigan State Housing Development Authority ("MSHDA") that all consortium partners must include the following language in their agreements: "subject to funding availability." Therefore, the City must amend the Agreement to include the mandatory language to comply with MHSDA's requirements, even though the City and the Bliss Park Senior Housing Project are not in danger of losing funding. All other terms of the original Agreement remain in effect.

<u>Council Action</u>:

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

COUNCIL COMMUNICATION CC-4

From: Darnell Earley, City Manager

Subject: Annual Alarm Monitoring Services for FY 2012 & FY 2013

Prepared by: Phillip Karwat – Director of Public Services

Manager's Recommendation:

I recommend that a purchase order be issued to Audio Central Alarm, Inc, of Saginaw, MI in the amount of $1,170 for FY 2012 and $2,340 FY for 2013.

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 FY 2012 General Fund – Building & Grounds Maintenance Division's, Operating Services Account No. 101-7575-821.80-05 ($403), Celebrations Park Fund – Celebrations Parks Division's, Operating Services Account No. 508-7580-831.80-05 ($411), and the Public Works Building Fund – Public Works Buildings Division's, Operating Services Account No. 641-4439-811.80-05 ($356).

Funds will be budgeted in FY 2013 General Fund – Building & Grounds Maintenance Division's, Operating Services Account No. 101-7575-821.80-05 ($1,368), Celebrations Park Fund – Celebrations Parks Division's, Operating Services Account No. 508-7580-831.80-0 ($570), and in the Public Works Building Fund – Public Works Building Division's, Operating Services Account No. 641-4439-811.80-05 ($402).

Justification:

On January 26, 2012, a quote was received by ADT, which would require that they install their communication equipment to make each building compatible with their system. The cost per building is estimated for City Hall, Greenpoint Nature Center, and the Celebration Parks Division's Alarm Monitoring and Uplink Cellular Monitoring Services to be between $293.33 and $783.36 each, not including the annual monitoring fees. It would not be cost effective at this time to change vendors. Audio Central Alarm is a locally owned, in-city company and has provided dependable, quality and competitive pricing for their services for many years.

Council Action

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

COUNCIL COMMUNICATION CC-5

From: Darnell Earley, City Manager

Subject: Energy Reduction Revolving Loan Fund

Prepared by: Phil Karwat, PE, Director of Public Services

Manager's Recommendation:

I recommend the City execute the Loan Agreement and Promissory Note to borrow One Hundred Thousand Dollars ($100,000) from Saginaw County's "Energy Reduction Revolving Loan Fund" (ERRLF) administered by Saginaw Future. The funding will be used to purchase and install a 24-kilowatt photovoltaic solar generator system on property located at 1435 S. Washington Avenue. The agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that City Council authorize the City Manager or his designee to execute all related documents. The loan proceeds will be received into the Clean Energy Coalition Fund – Loan Proceeds Account No. 230-0000-609.67-35.

Justification:

On March 5, 2012, the City Council approved an agreement to participate in Consumers Energy's Experimental Advanced Renewable Program (EARP) that will purchase all electricity generated by a 24-kilowatt photovoltaic solar generator system (PV system) installed at 1435 S. Washington Avenue for a period of up to fifteen (15) years at a rate of $0.229 per kilowatt-hour. The anticipated revenue from the sale of electricity will be approximately $6,150 per year for fifteen (15) years based on performance calculations, array type and solar radiation for the region. With typical solar panel warranties of twenty-five (25) years, the useful life of the property acquired will exceed fifteen (15) years.

To fund a majority of the construction of the PV system, the City is proposing to borrow $100,000 from Saginaw County's ERRLF at a rate of 2.5 percent for fifteen (15) years. All revenue from the production and sale of electricity in accordance with the EARP program will be applied to reduce the unpaid loan balance until the loan and accrued interest is paid in full. Any unused loan funds remaining after construction of the PV system will be applied as a lump-sum payment to the principle of the loan to further reduce the City's repayment liability.

Assuming the PV system performs as designed, 26,920-kilowatt hours of AC energy will be produced per year with an energy value of $6,150. A monthly income of approximately $512.50 would be received as revenue from EARP for the sale of the energy. Revenue payments received from Consumers Energy will be placed in the Clean Energy Coalition Fund Reimbursement Account No. 230-0000-602-68.08.

Borrowing $100,000 at 2.5 percent interest for fifteen (15) years would require $120,022.20 payback of principal and interest or a payment of $666.79 per month. The EARP program monthly revenue of approximately $512.50 per month will be applied toward the ERRLF monthly loan payment from the Clean Energy Coalition Fund - Reimbursement Account No. 230-0000-602.68-08. Debt principal and interest accounts have been established for the purpose of repaying the loan – Clean Energy Coalition Fund - Debt Principal Payment Account No. 230-1795-701.85-01 and Clean Energy Coalition Fund - Debt Interest Payment Account No. 230-1795-701.86-02. The balance of the monthly loan payment in the amount of $154.29 ($1,851.48 per year) will be budgeted for and made from their respective Debt Principal and Interest Payment accounts within the Clean Energy Coalition Fund.

Council Action:

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

COUNCIL COMMUNICATION CC-6

From: Darnell Earley, City Manager

Subject: Natural Gas Choice Program

Prepared by: Phil Karwat, PE, Director of Public Services

Manager's Recommendation:

I recommend the contract between Interstate Gas Supply, Inc. (IGS) and the City of Saginaw (City) be approved to provide natural gas from June 2012 through March 2013, at a fixed rate of $3.25 per thousand cubic feet (Mcf) and $3.74 per Mcf from April 2013 through March 2014. The fixed rate will apply to forty-five (45) service accounts for city facilities utilizing natural gas. The contract has been approved by me as to substance and the City Attorney as to form. It is also recommended that City Council authorize the City Manager or his designee to execute all related documents.

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

Natural gas services are paid for separately from each division's operating service accounts. Therefore, each division's funds will realize savings generated by the reduction in operating expenses.

Justification:

The Michigan Public Service Commission and Consumers Energy allow natural gas customers to select third party gas suppliers in lieu of Consumers Energy as a gas provider. The Natural Gas Choice program will allow customers to select a licensed gas supplier in Consumers Energy's service territory to purchase natural gas and utilize Consumers Energy's infrastructure and metering system to deliver and meter natural gas. Delivery and meter billing charges assessed by Consumers Energy still apply.

In an effort to reduce City expenditures and take advantage of current historic low natural gas prices, the City received quotes from four (4) licensed natural gas providers in the Consumers Energy service territory for natural gas for forty-five (45) service accounts for municipal buildings. A low fixed price of $3.25 per Mcf from June 2012 to March 2013 and $3.74 per Mcf from April 2013 to March 2014, was received from IGS. One (1) Mcf unit is equivalent to one thousand (1000) cubic feet. In comparison, Consumers Energy's variable gas cost recovery fee ranged from $6.14 to $6.91 per Mcf in 2011. Accepting the low quote from IGS will result in an average savings of 50 percent in the first year and 42.5 percent in the second year when compared to rates paid in 2011 per Mcf.

In 2011, the City purchased 43,206 Mcf of natural gas over a 12-month period and paid $349,804.05 to Consumers Energy. This amount also includes applicable customer charges, gas distribution fees, energy optimization and gas cost recovery fees that all customers pay. Assuming an equivalent consumption for 2012 and 2013 with IGS as a provider, the City may realize a savings of approximately $125,000 and $100,000 in the first and second years for gas usage.

Four (4) companies provided quotes to provide the City's natural gas. The City's Purchasing Committee reviewed the quotes and recommended IGS to provide the service because they offered the lowest cost per Mcf. Following is a tabulation of the scoring firms in alphabetical order.

Company	Cost per Mcf (6-12 to 3-13)	Cost per Mcf (4-13 to 3-14)
Ardent Gas	$3.79	N/A
IGS Energy	$3.25	$3.74
MXenergy Inc.	$3.59	$4.08
Realgy Energy Services	$3.50	$3.89

Council Action:

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

COUNCIL COMMUNICATION CC-7

From: Darnell Earley, City Manager

Subject: John T. Meyer Professional Services Agreement

Prepared by: Phillip Karwat, PE, Director of Public Services

Manager's Recommendation:

I recommend the City accept the proposal from John T. Meyer, FAIA, Architectural Consultant, dated February 20, 2012, and enter into an agreement with John T. Meyer in the amount of $27,250 for professional services to prepare a statement of physical condition, a preliminary work schedule, and detailed costs involved in renovating Saginaw's City Hall. The agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that City Council authorize the City Manager or his designee to execute all related documents.

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

Funds are available in FY 2012 General Fund - Building and Grounds Maintenance Division's, Professional Services Account No. 101-7575-821.80-01 in the amount of $27,250.

Justification:

In an effort to further refine the costs associated with the renovation, restoration, and preservation of City Hall, John T. Meyer, Architect, has provided a detailed proposal to review the physical condition and proposed construction schedule associated with the work required to renovate City Hall. The proposal also will provide a conceptual estimate of the probable costs associated with the renovation and will also explore financing options in addition to the use of a voted bond issue.

Mr. Meyer's efforts will detail the scope of work and probable costs required to return City Hall to a viable, highly functional, and safe facility that will meet the needs of our community and municipal government.

Mr. Meyer brings 33 years of experience in historic preservation and 37 years of experience designing governmental facilities. In addition to Mr. Meyer's services, structural, mechanical, and electrical engineering review will be coordinated with MacMillan Associates Inc., of Bay City and an accurate assessment of constructability, value engineering, and the probable cost of renovation services will be provided by Spence Brothers of Saginaw.

The recent Space Needs Study completed by Plante Moran CRESA in 2010 will serve as the basis for Mr. Meyer's study and will further detail the probable costs and schedule first outlined in the study. Interior spaces, exterior elements, structural, plumbing, electrical, heating, ventilation, and air conditioning systems, fire suppression, lighting, emergency power and special systems such as phone, technology and security systems will be incorporated into the review.

The cost for this service will be a fixed fee of $27,250 and may take up to eight (8) weeks to complete.

<u>Council Action:</u>

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

COUNCIL COMMUNICATION CC-8

From: Darnell Earley, City Manager

Subject: ROW Annual Water Meter Testing

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend that the quote from Rapid Water Recovery, Summerville, GA, be accepted and purchase orders issued to them in the amounts of $13,569.41 for FY 2013, 2014, 2015 and 2016. Also, included in these purchase orders is an additional $2,000 in each Fiscal Year for repair parts that may be needed to restore the meters accuracy.

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 - Meter Maintenance and Service Division's Operating Services Account No. 591-4720-861.80-05 ($6,784.71), Sewer Operations and Maintenance Fund – Meter Maintenance and Service Division's Operating Services Account No. 590-4820-861.80-05 ($6,784.70) pending approval of Fiscal Year Budgets 2013, 2014, 2015 and 2016.

Justification:

On January 13, 2012, a quote was received for the Maintenance and Service Section annual testing requirements for the master meters servicing the wholesale customers (out-city), industries, and businesses within the City with large volume water meter usage. Testing ensures the accuracy of the meters are restored to American Water Works standards for cold-water meters. Since 2006, Rapid Water Recovery has performed the annual testing of the large cold-water meters, and they have agreed to honor their Fiscal Year 2011/2012 bid prices for FY 2013 thru FY 2016. This provides a 16% savings of increased costs over the previous year as any increase in costs is borne by the Vendor. In addition, the City realizes additional savings from not having to bid the service out each Fiscal Year.

Council Action:

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

COUNCIL COMMUNICATION CC-9

From: Darnell Earley, City Manager

Subject: Replacement Trash Pumps Maintenance and Service

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend the low bid from Cougar Sales and Rental of Novi, MI, be accepted and a purchase order be issued to them in the amount of $2,298.

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund - Maintenance and Service Division's Parts & Supplies Account No. 591-4721-861.73-30 ($1,149), and in the Sewer Operations and Maintenance Fund - Maintenance and Service Division's Parts & Supplies Account No. 590-4821-861.73-30 ($1,149).

Justification:

On April 17, 2012, bids were received for the replacement of two (2) portable trash pumps used by the Maintenance and Service crews to de-water trench construction sites, meter pits, and blow offs on the Water Transmission System. The pumps will be used to replace the existing trash pumps that are worn and damaged. These are gasoline-powered pumps that are used year round and pump everything from abrasive liquids to potable water and they are replaced when they are beyond repair. Following is a tabulation of the bids received:

Cougar Sales and Rental Novi, MI	$2,294.00
Contractors Connection Shelby Twp., MI	$2,297.00
Godwin Pumps Painsville, OH	$2,446.21
Pumps and Systems Dearborn Heights, MI	$2,520.00
Evans Equipment Burton, MI	$2,639.00

Detroit Pump and Manufacturing Ferndale, MI	$2,778.00
Fluid Process Co. Kalamazoo, MI	$2,828.00
United Rentals Midland, MI	$3,165.00
Apex Pinnacle Port Crane, NY	$3,578.67

Council Action:

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

COUNCIL COMMUNICATION CC-10

From: Darnell Earley, City Manager

Subject: Chlorine Induction Pump Parts

Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Siemens Industry Inc. of Vineland, NJ., a sole source provider, be accepted and that a purchase order be issued to them in the amount of $4,276.31 for repair parts for the chlorine induction pumps at the Remote Retention Treatment Basins.

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 Operation and Maintenance Fund, Remote Facilities Division Parts and Supplies Account No. 590-4835-861.73-30.

Justification:

The Wastewater Plant has four (4) of these induction pumps and the Remote Retention Treatment Basins have seven (7). The induction pumps are used to feed chlorine for disinfection of the treated water. The quote is for parts to repair two (2) of these units and for an extra power cable for stock. On April 17th, the Purchasing Department received a quote from Siemens Industry Inc. for the replacement parts. Siemens Industry Inc. is the manufacturer of the induction pumps and the sole source for replacement parts.

Council Action:

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

COUNCIL COMMUNICATION R-1

From: Darnell Earley, City Manager

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

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the sale and consumption of alcoholic beverages on Ojibway Island, a public property, during the Saginaw WonderFest to be held on August 25, 2012 from 12:00 p.m. until 8:00 p.m. The sponsor has requested that the City allow them to sell and consume alcoholic beverages during the event. Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the sale of alcoholic beverages on public property, if the vendor provides the following to the City:

(1) The precise location where said beverages are to be sold and consumed;

(2) The dates and times for said activities;

(3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in subsections (1) and (2) above;

(4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance in the State of Michigan;

(5) Such other insurance as the City Council deems adequate for the benefit of the City;

(6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and

(7) Such other reasonable requirements as said City Council deems appropriate.

The First Ward Community Services will be providing alcoholic beverages at the Saginaw WonderFest, and they will provide the proper documents to the City by August 13, 2012.

If the First Ward Community Services fails to provide the documentation, they will not be allowed to sell or consume alcoholic beverages on Ojibway Island at the event to be held on August 25, 2012.

The City will set the insurance requirements and all insurance certificates must be reviewed and approved by the City. Furthermore, the First Ward Community Services will be advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

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

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

RESOLUTION TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON OJIBWAY ISLAND

Council ________ __________ offered and moved adoption of the following resolution:

WHEREAS, The First Ward Community Services plans to have a Saginaw WonderFest on Ojibway Island on August 25, 2012; and

WHEREAS, The First Ward Community Services requested that they be allowed to sell alcoholic beverages to participants on public property; and

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

WHEREAS, The First Ward Community Services must provide certain documents prior to the event.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the sale and consumption of alcoholic beverages on public property during the Saginaw WonderFest to be held August 25, 2012 from 12:00 p.m. until 8:00 p.m., on Ojibway Island, and all mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided no later than August 13, 2012, to the proper City officials.

BE IT FURTHER RESOLVED, if the First Ward Community Services does not provide the documents by the stated date, they will not be allowed to sell and consume alcoholic beverages during the event on August 25, 2012.

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

COUNCIL COMMUNICATION R-2

From: Darnell Earley, City Manager

Subject: Authorization to the Saginaw County Veterans Memorial Plaza, Inc. to Use Amplifying Equipment during their Event

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the Saginaw County Veterans Memorial Plaza, Inc. (SCVMP) for the event on May 28, 2012. The event will be held at Hoyt Park located at 1574 South Washington Avenue during the hours of 12:00 p.m. and 2:00 p.m.

Justification:

On May 28, 2012, the SCVMP will host their annual Memorial Day parade with the ceremony to be held at Hoyt Park, and they have requested permission to use amplifying equipment during the event.

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

Council Action:

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

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

RESOLUTION TO AUTHORIZE THE SAGINAW COUNTY VETERANS MEMORIAL PLAZA, INC. TO USE AMPLIFYING EQUIPMENT ON MAY 28, 2012 AT HOYT PARK

Council ______ __________ offered and moved adoption of the following resolution:

WHEREAS, the Saginaw County Veterans Memorial Plaza, Inc. (SCVMP) plans to hold their annual parade and ceremony on May 28, 2012; and

WHEREAS, the SCVMP has requested permission to use amplifying equipment between the hours of 12:00 p.m. and 2:00 p.m.; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the Saginaw County Veterans Memorial Plaza, Inc. annual parade and ceremony to be held on May 28, 2012, between the hours of 12:00 p.m. and 2:00 p.m. at Hoyt Park.

COUNCIL COMMUNICATION R-3

From: Darnell Earley, City Manager

Subject: Authorization to the Circle of Love (COL) to Use Amplifying Equipment during their Event

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the "Save the Dream" Free Concert Fundraiser on June 22, 2012. The event will be held at Bliss Park located at 1441 North Michigan Avenue during the hours of 10:00 a.m. and 9:00 p.m.

Justification:

On June 22, 2012, the Circle of Love will host the "Save the Dream" Free Concert Fundraiser at Bliss Park, and they have requested permission to use amplifying equipment during the event.

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

Council Action:

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

RESOLUTION R-3

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

RESOLUTION TO AUTHORIZE THE CIRCLE OF LOVE TO USE AMPLIFYING EQUIPMENT ON JUNE 22, 2012 AT BLISS PARK

Council ____________________ offered and moved adoption of the following resolution:

WHEREAS, the Circle of Love (COL) plans to hold the "Save the Dream" Free Concert Fundraiser on June 22, 2012; and

WHEREAS, the COL has requested permission to use amplifying equipment between the hours of 10:00 a.m. and 9:00 p.m.; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the "Save the Dream" Free Concert Fundraiser to be held on June 22, 2012, between the hours of 10:00 a.m. and 9:00 p.m. at Bliss Park.

COUNCIL COMMUNICATION R-4

From: Darnell Earley, City Manager

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

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend adoption of the Resolution authorizing the sale and consumption of alcoholic beverages at the Children's Zoo at Celebration Square during the "Brew at the Zoo" event, an annual fundraiser, to be held on June 21, 2012 from 6:00 p.m. to 9:00 p.m.

Justification:

On June 21, 2012, the Children's Zoo at Celebration Square (hereinafter "Zoo") is hosting a fundraiser event. The Zoo has requested the City allow them to sell alcoholic beverages to its guest for consumption during their event. Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the sale of alcoholic beverages on public property, if the vendor provides the following to the City:

(1) The precise location where said beverages are to be sold and consumed;

(2) The dates and times for said activities;

(3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in subsections (1) and (2) above;

(4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance in the State of Michigan;

(5) Such other insurance as the City Council deems adequate for the benefit of the City;

(6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and

(7) Such other reasonable requirements as said City Council deems appropriate.

Saginaw Valley Zoological Society will be providing the alcoholic beverages at the "Brew at the Zoo." The Society will provide the proper documents to the City by June 11, 2012. If Saginaw Valley Zoological Society fails to provide the documentation, they will not be allowed to sell alcoholic beverages at the Zoo on June 21, 2012. The City will set the insurance requirements and all insurance certificates must be reviewed and approved by the City. Furthermore, the Saginaw Valley Zoological Society will be advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

This council communication is for explanation purposes only.

RESOLUTION R-4

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

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

Council ________ __________ offered and moved adoption of the following resolution:

WHEREAS, the Children's Zoo at Celebration Square plans to host a fundraiser at the Zoo on June 21, 2012 from 6:00 p.m. until 9:00 p.m.; and

WHEREAS, the Children's Zoo at Celebration Square requested that they be allowed to sell alcoholic beverages to participants 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 event.

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 "Brew at the Zoo" event to be held on June 21, 2012 at the Children's Zoo at Celebration Square provided the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided to proper City officials no later than June 11, 2012.

BE IT FURTHER RESOLVED, 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 event on June 21, 2012.

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

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

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES FOR ASHRAT CO.

Council ____________________ offered and moved adoption of the following resolution:

WHEREAS, Ashrat Co. (A Higher Standard Revolving Around Truth) has submitted a request (Petition No. 12-09) to be recognized as a nonprofit organization for purposes of obtaining a charitable gaming license; and

WHEREAS, the Michigan Bureau of State Lottery, pursuant to MCL 432.103(9), requires a Resolution be adopted by the local governing body approving this recognition.

NOW THEREFORE, BE IT RESOLVED that the request from Ashrat Co. of the City of Saginaw and County of Saginaw, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.