

Council Agenda

June 17, 2013 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

1. Regarding the Urban Cooperation Agreement with Spaulding Township to provide building inspection, planning and zoning services.

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Dan Skiver, Vice President, Brown and Brown, regarding Unfunded Liability and Retiree Health Care costs.
2. Michigan State Police/Saginaw Police Department continued collaboration.
3. 4th Quarter Budget Adjustments for FY 2012/2013.

CONSENT AGENDA:

1. Approve the May 29, 2013 special council meeting minutes and June 3, 2013 regular council meeting minutes.
2. Approve Petition 13-07 from Saginaw Area Fireworks Committee to display fireworks at the north end of Ojibway Island on Thursday, July 4, 2013 at 10:15 p.m., or as an alternate, on Friday, July 5, 2013 at 10:15 p.m.
3. Approve the insurance renewals for the City's General Liability, Automobile Liability, Michigan No Fault, Employee Benefits Liability, Law Enforcement Liability, Public Officials Liability (Employment Practices Liability, Errors & Omissions, EEOC, Administrative Hearings and Sexual Harassment) for \$470,976 and authorize the City Manager and/or his designee to execute any and all necessary insurance documents under the plans.

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4. Approve the one-year Urban Cooperation Agreement with Spaulding Township to provide building inspection, planning and zoning services.
5. Approve an annual purchase order to AKT Peerless for \$11,000 for FY 2013-2014 for the completion of asbestos surveys.
6. Approve individual purchase orders to various vendors for a cumulative total of \$360,827 for FY 2013-2014 for demolition work.
7. Approve the Administrative Services Agreement with Benefit Administrative Services International Corporation for \$17,800 for managing a onetime Health Care Reimbursement Arrangement for claims to City retirees.
8. Approve the Business Associate Agreement with Benefit Administrative Services International Corporation to insure compliance with the Standards for Privacy of Individually Identifiable Health Information set forth by the U.S. Department of Health and Human Services.
9. Approve the Employee Assistance Services Agreement with Child and Family Services for \$12,555 to provide counseling, support mechanisms and coaching to City employees and dependents.
10. Approve the addendum to extend the Service Agreement with Sedgwick Claims Management Services, Inc. to adjudicate and manage workers compensation claims.
11. Approve a purchase order to Creditron Corporation for \$6,288.60 for the annual maintenance of software and hardware used in the Fiscal Services Department, Treasurer's Division.
12. Approve the amendments to the FY 2012 - 2013 Approved Budget to recognize any errors, omissions, or changes for the 4th quarter.
13. Approve the recommendation to set a public hearing to create an Obsolete Property Rehabilitation Act District at 301, 311 and 315 Court St., 103 S. Niagara St., and 100 S. Hamilton St. for Monday, July 1, 2013 at 6:30 pm.
14. Approve the recommendation to set a public hearing to create a Commercial Rehabilitation Act District at 131 S. Franklin St. and 120, 122 and 126 S. Washington Ave. for Monday, July 1, 2013 at 6:30 pm.
15. Approve the six-month agreement with South Saginaw Homes LDHA LLC I for \$60 per hour to provide police presence.

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16. Approve a purchase order to Michigan Police Equipment for \$2,400 for training and duty ammunition for the Police Department.
17. Approve the Composting Services Agreement with the Mid Michigan Waste Authority for the receiving and disposing of yard waste at the City's composting site.
18. Approve separate annual purchase orders to SMAC Testing, Inc. up to the authorized amount of \$28,400 for Fiscal Years 2014, 2015, and 2016 for road resurfacing testing services.
19. Adopt the Resolution authorizing the sale and consumption of alcoholic beverages at Morley Plaza during "Friday Night Live" outdoor concert events scheduled on July 12, 19, 26, 2013 and August 2, 9, 16, 2013 from 5:30 p.m. to 9:00 p.m.
20. Adopt the Resolution authorizing Saginaw Habitat for Humanity the use of amplifying equipment at the Consumers Energy/Habitat for Humanity Celebration event on June 22, 2013 at Deindorfer Woods Park from 1:00 p.m. to 5:00 p.m.
21. Approve a purchase order to PVS Technologies for \$109,500 for 250 tons of Ferric Chloride for the Water Treatment Division for FY 2014.
22. Approve a purchase order to Key Chemical, Inc. for \$103,716.34 for 182 tons of Hydrofluosilicic Acid for the Water Treatment Division for FY 2014.
23. Approve a purchase order to Polydyne, Inc. for \$11,600 for 20,000 lbs. of Liquid PolyDMDAAC Polymer for the Water Treatment Division for FY 2014.
24. Approve a purchase order to K.A. Steel Chemicals, Inc. for \$46,104 for 68,000 gallons of Sodium Hypochlorite for the Water Treatment Division for FY 2014.
25. Approve purchase orders to Carmeuse Lime & Stone for \$256,960 for 1,600 tons of lime for the Wastewater Treatment Division and for \$56,210 for 350 tons of lime for the Water Treatment Division for FY 2014.
26. Approve a purchase order to JCI Jones Chemical, Inc. for \$114,887.50 for 175,000 gallons of Sodium Hypochlorite for the Wastewater Treatment Division for FY 2014.
27. Approve separate annual purchase orders to Fibertech, Inc. for \$85,190 for Fiscal Years 2014, 2015, and 2016 for outside lab analysis for the Wastewater Treatment Division.

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28. Approve a purchase order to JCI Jones Chemical, Inc. for \$18,060 for sixty tons of chlorine for the Wastewater Division for FY 2014.

29. Approve blanket purchase orders to seven of the City's primary suppliers of parts and supplies for various amounts for the Wastewater Treatment Plant FY 2014.

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

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend Paragraph (B), "Meetings; Compensation," of § 12.10 "Board of Examiners of Stationary Boiler Operators and Stationary Engineers," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinance, O-1.

RESOLUTIONS:

1. Adopt the Resolution authorizing the request to transfer location and ownership of a Class C licensed business from E & J Ventures Company, Jonesville Township to J & L, LLC, 207 N. Hamilton.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Receive and File the letter from Andre Borrello regarding Disclosure of Pecuniary Interest in City Attorney Contract.
2. Closed session to discuss negotiations, per MCL 15.268 Section 8.

ADJOURN:

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., 989.759.1480.

**CITY OF SAGINAW
SAGINAW COUNTY, MICHIGAN**

**NOTICE OF
PUBLIC HEARING**

**URBAN COOPERATION AGREEMENT
BETWEEN
CITY OF SAGINAW
AND SPAULDING TOWNSHIP**

Notice is hereby given that the Saginaw City Council has scheduled a public hearing on the proposed Urban Cooperation Agreement between the City of Saginaw and Spaulding Township to provide inspection and planning and zoning services to Spaulding Township.

The public hearing will be held **June 17, 2013 at 6:30 p.m.** in the Council Chamber of the City Hall. The proposed agreement is on file in the City Clerk's Office. All interested persons are invited to attend this public hearing.

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., 989.759.1480.

Posted: __6-06-13__
By: __jks__

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD WEDNESDAY, MAY 29, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Fitzpatrick offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Branch called the meeting to order. Council Members present: Annie Boensch, Norman Braddock, Andrew Wendt, Mayor Pro Tem Dennis Browning, Larry Coulouris, Daniel Fitzpatrick, Amos O'Neal, Floyd Kloc and Mayor Gregory Branch - 9. Council Members absent: None.

ANNOUNCEMENTS

There were no announcements.

PERSONAL APPEARANCES

Eve Perry addressed City Council.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Fitzpatrick, Browning, Wendt, Braddock and Mayor Branch.

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley informed Council of the State's 2014 EVIP program, formerly known as State Revenue Sharing, and the proposed 4.8% increase that could potentially generate \$173,531 additional revenue to the City if approved by the Legislature and Governor. This will not be known until August 2013. Manager Earley reminded Council that the SAFER grant was not awarded to the City last fiscal year and the SAFER grant awards for this year have not been announced. When awarded, this grant funding is allocated for firefighter positions in the Fire Department. He stated that negotiation meetings continue between management and the POAM/COAM and IAFF unions with progress being made. Such consensus on proposals would require the respective membership and Council approvals. Manager Earley spoke on the fiscal year 2013 budget amendments approved to retain a balanced budget without use of fund balance reserves.

City Manager Darnell Earley introduced City Auditor, Dave Youngstrom. Mr. Youngstrom recapped the Fiscal Year 2012 audit results to the fund balance and the impact on future budgets. He noted that the Fiscal Year 2012 audit fund balance would provide 10 days of operational costs. Mr. Youngstrom reminded Council that the budget is a working document and is monitored for appropriate amendments throughout the fiscal year.

City Manager Darnell Earley noted that the City presented and approved a balanced budget, as required, for the last eight years that has managed the decline in revenues and increasing legacy costs while considering the impact of future budgets.

RESOLUTIONS

Moved by Council Member Braddock, seconded by Mayor Pro Tem Browning to adopt the resolution adopting the Fiscal Year 2013-2014 Budget. Discussion held.

Moved by Council Member Kloc, seconded by Council Member Wendt to amend the main motion to include the following: 1) If, by June 28, 2013, the City Administration and the IAFF have reached consensus on budget neutral measures that will allow the City to preserve fire department positions, they shall be implemented, and if necessary Council shall be presented with an amendment of the budget to do so; 2) If, by June 28, 2013, the City Administration and the POAM and/or COAM have reached a consensus on budget neutral measures that will allow the City to preserve police department positions, they shall be implemented, and if necessary Council shall be presented with an amendment of the budget to do so; 3) It is the Council's policy to expect the City Administration to immediately implement and give effect to the maximum utilization of civil infraction actions and the City's municipal infraction Bureau to maximize whatever revenue may be achieved thereby.

Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Wendt, Mayor Branch

Nays: O'Neal, Fitzpatrick, Boensch, Kloc, O'Neal, Coulouris, Mayor Pro Tem Browning

Absent: None

Abstain: None

Motion failed.

Moved by Council Member Kloc, seconded by Council Member Wendt to approve and make policy the following: 1) If, by June 28, 2013, the City Administration and the IAFF have reached consensus on budget neutral measures that will allow the City to preserve fire department positions, they shall be implemented, and if necessary Council shall be presented with an amendment of the budget to do so; 2) If, by June 28, 2013, the City Administration and the POAM and/or COAM have reached a consensus on budget neutral measures that will allow the City to preserve police department positions, they shall be implemented, and if necessary Council shall be presented with an amendment of the budget to do so; 3) It is the Council's policy to expect the City Administration to immediately implement and give effect to the maximum utilization of civil infraction actions and the City's municipal infraction Bureau to maximize whatever revenue may be achieved thereby.

Moved by Council Member Braddock, seconded by Council Member O'Neal to postpone the previous motion, until Monday, June 3, 2013, so that a legal opinion can be obtained.

Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: O'Neal, Fitzpatrick, Boensch, Braddock, Mayor Pro Tem Browning, Coulouris, Mayor Branch

Nays: Kloc, Wendt

Absent: None

Abstain: None

Motion carried.

Mayor Branch asked the Clerk to conduct a roll call vote on the main motion to adopt the resolution adopting the Fiscal Year 2013-2014 Budget.

Ayes: Braddock, Boensch, Kloc, O'Neal, Coulouris, Mayor Pro Tem Browning

Nays: Wendt, Fitzpatrick, Mayor Branch

Absent: None

Abstain: None

Motion carried.

ADJOURNMENT

Moved by Council Member O'Neal, seconded by Council Member Braddock to adjourn the meeting at 7:47 p.m. 9 ayes, 0 nays, 0 absent. Motion carried.

Janet Santos, CMC/MMC
City Clerk

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REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, JUNE 3, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member O'Neal offered a prayer and led the pledge of allegiance.

ROLL CALL

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

ANNOUNCEMENTS

City Clerk Janet Santos announced that the Waste Convenience station is open the second Saturday of every month from 10:00 a.m. to 2:00 p.m. and that changes to the Weed Abatement Policy will affect the Local Streets only, with cutting of the parkways three feet behind the sidewalks and corner site clearance.

PERSONAL APPEARANCES

The following persons addressed the Council: Margueritha Ford, Gaitis Skabardis, David S. Schaeffer, Darryl M. White, Mary Washington and Charles Kelley.

REMARKS OF COUNCIL

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

Council Member Wendt entered the meeting at 7:05 p.m.

REPORTS FROM CITY MANAGER

Management Update

There were no reports from the City Manager.

Consent Agenda

1. Approve the May 20, 2013 regular council meeting minutes.
2. Approve claim number P134-13-00560 and payment to Claimant for \$3,520 to resolve an excavation contractor claim at 628 N. Hamilton St.
3. Approve the Claims Service Contract with Alternative Service Concepts as the City's third party administrator for insurance claims from July 1, 2013 through June 30, 2015.
4. Approve annual purchase orders for 2013 - 2019 to Election Source for maintenance on the City's 27 Optech Insight Optical Scan Voting Tabulators and Memory Pack Reader and approve annual purchase orders for 2013 - 2019 to Election Systems and Software for maintenance on the City's 24 AutoMark Voter Assist Terminals.
5. Approve to increase PO #46975 to TBF Graphics, the sole bidder, by \$470 for the printing of 10 additional proposed FY 2014 Budget documents and for the cost of an extension error discovered in the original bid.

6. Approve amendments to the 2012/2013 Approved Budget to recognize any errors, omissions, or changes that have occurred during the 3rd quarter.
7. Approve a purchase order to TBF Graphics for \$7,392 for the processing and mailing of Property Tax Bills for fiscal years 2014 and 2015.
8. Approve to receive grant funds from the Community Reinvestment Act Bankers Forum for \$1,000 for the Saginaw Economic Development Corporation's 2nd Annual Business Expo. Further, approve a budget adjustment for FY 2013 to increase the CDBG Fund's – Local Grants/Donations Account No. 275-0000-571.60-03 by \$1,000. The increase in revenue will be offset by an increase in the CDBG Fund – SEDC Project Account No. 275-6520-761.73-20 by the same amount.
9. Approve a purchase order and the contract agreement with Arsenault Associates for \$48,000 for fleet management software for the Motor Pool Operations Division.
10. Approve a purchase order and contract agreement with Utility Services Authority, LLC for \$540,000 for sewer cleaning and televising for the Maintenance and Service Division.
11. Approve a purchase order to Zervan Brothers for \$19,100 for the river bank stabilization repair, seeding and restoration. Further, approve a budget adjustment for FY 2013 to increase General Fund Revenues' Contribution Account No 101-0000-571.67-50 by \$18,600. This increase in revenues will be offset by an increase to the General Fund – Department of Public Services - Facilities Division Repairs and Replacements Account No 101-7575-821.97-20 by the same amount. The remaining \$500 of the \$19,100 will be charged directly to the Downtown Development Authority Fund.
12. Approve the Ojibway Island User Agreement with the Rock the Island Committee for rental of Ojibway Island for Rock the Island Event on July 12 and 13, 2013.
13. Adopt the Resolution authorizing the Rock the Island Committee the use of amplifying equipment at the Rock the Island event on July 12 and 13, 2013 at Ojibway Island between 11:00 a.m. and 9:00 p.m.
14. Adopt the Resolution authorizing White's Bar the use of amplifying equipment at 2609 State Street during musical performance events on June 22, July 27, and August 31, 2013.
15. Approve a purchase order to D.S. Power Services for \$10,000 for FY 2014 for pole setting services for the Right of Way Division.
16. Approve emergency purchase order #48134 to York Repair, Inc. for \$7,400 for the fabrication of a new shaft for raw sewage pump #5 and repair of the impeller for the Wastewater Treatment Division.

Council Action:

Moved by Council Member Coulouris, seconded by Council Member O'Neal to approve the consent agenda items 1, 2, 4, 6 through 10, 12, 13, 15 and 16 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member O'Neal to approve consent agenda item 3 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member O'Neal to approve consent agenda item 5 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Coulouris, seconded by Council Member O'Neal to approve consent agenda item 11 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Wendt, seconded by Council Member Kloc to approve consent agenda item 14 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 Coulouris reported that the Planning Commission met on May 28, 2013 and action regarding the request for mixed zoning for both sides of the riverfront was postponed for further review.

Council Member Coulouris reported on the May 21, 2013 meeting of the Land Bank Authority stating that for the period of September 2012 through May 2013 101 properties were in the City out of the 121 properties sold. Also, that the MSU extension office and Land Bank Authority are in collaboration to implement a weed control program.

Moved by Council Member Coulouris, seconded by Council Member Wendt to reappoint Robert E. Van Deventer to the Hospital Finance Authority with a term to expire June 30, 2018. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Mayor Pro Tem Browning, seconded by Council Member Fitzpatrick to reappoint Charles A. Shelley to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2016. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Mayor Pro Tem Browning, seconded by Council Member Fitzpatrick to reappoint Richard A. Spitzer to the Saginaw Economic Development Corporation with a term to expire June 30, 2016. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Mayor Pro Tem Browning, seconded by Council Member Coulouris to reappoint Herbert A. Spence III to the Saginaw Riverfront Development Commission with a term to expire April 1, 2018. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member O'Neal, seconded by Council Member Coulouris to reappoint Neville B. Britto to the Board of the Public Libraries of Saginaw with a term to expire June 30, 2017. 7 ayes, 0 nays, 2 absent. Motion carried.

Mayor Branch appointed Dawn Morrell, Fred Harvey, Ana Hidalgo, Larry Campbell, Pastor Robert Davis Jr., Tanya Welch, and Tiffany Goodman to the Citizens Advisory Committee with terms to expire September 12, 2016.

INTRODUCTION OF ORDINANCES

Moved by Council Member Kloc, seconded by Mayor Pro Tem Browning to introduce an ordinance to amend Paragraph (B), "Meetings; Compensation," of §12.10 "Board of Examiners of Stationary Boiler Operators and Stationary Engineers," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, 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 Kloc, seconded by Mayor Pro Tem Browning to adopt an Ordinance to amend §150.02 "Fees," of Chapter 150, "Building Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-1. 7 ayes, 0 nays, 2 absent. Motion carried.

UNFINISHED BUSINESS

Moved by Council Member Kloc, seconded by Council Member Wendt to adopt the following: 1) If, by June 28, 2013, the City Administration and the IAFF have reached consensus on budget neutral measures that will allow the City to preserve fire department positions, they shall be implemented, and if necessary Council shall be presented with an amendment of the budget to do so; 2) If, by June 28, 2013, the City Administration and the POAM and/or COAM have reached a consensus on budget neutral measures that will allow the City to preserve police department positions, they shall be implemented, and if necessary, Council shall be presented with an amendment of the budget to do so; 3) It is the Council's policy to expect the City Administration to immediately implement and give effect to the maximum utilization of civil infraction actions and the City's municipal infraction Bureau to maximize whatever revenue may be achieved thereby. Discussion was held.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to divide the question into two separate parts with items 1 and 2 being one part and item 3 one part.

Council Member Kloc called for the question. Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Fitzpatrick, Kloc, Mayor Pro Tem Browning, Wendt, Mayor Branch

Nays: O'Neal and Coulouris

Absent: Boensch and Braddock

Abstain: None

Motion carried.

Discussion was held on the consideration of items 1 and 2 of the main motion.

Moved by Council Member Kloc, seconded by Council Member Wendt to amend and approve items 1 and 2 with the replacement of "consensus" to "an agreement" as follows: If, by June 28, 2013, the City Administration and the IAFF have reached an agreement on budget neutral measures that will allow the City to preserve fire department positions, they shall be implemented, and if necessary, Council shall be presented with an amendment of

the budget to do so. And if, by June 28, 2013, the City Administration and the POAM and/or COAM have reached an agreement on budget neutral measures that will allow the City to preserve police department positions, they shall be implemented, and if necessary, Council shall be presented with an amendment of the budget to do so.

Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Kloc, Wendt, Fitzpatrick, Mayor Branch

Nays: O'Neal, Coulouris, Mayor Pro Tem Browning

Absent: Boensch and Braddock

Abstain: None

Motion carried.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to approve that it is the Council's policy to expect the City Administration to immediately implement and give effect to the maximum utilization of civil infraction actions and the City's municipal infraction Bureau to maximize whatever revenue may be achieved thereby.

City Manager Darnell Earley introduced Assistant City Manager of Public Safety Phil Ludos. Mr. Ludos explained that the City Treasurer has been serving in the capacity of the civil infractions bureau as allowed by ordinance and collects all revenue of civil infraction allowed by code. City Manager Earley added that the maximum revenue enhancement process is conducted in the context of all laws.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to amend the language of the previous motion to add the proper words to state "municipal civil infraction" for the motion to be as follows: It is the Council's policy to expect the City Administration to immediately implement and give effect to the maximum utilization of *municipal* civil infraction actions and the City's municipal *civil* infraction Bureau to maximize whatever revenue may be achieved thereby.

Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Wendt, Mayor Pro Tem Browning, Fitzpatrick, Kloc, Mayor Branch

Nays: Coulouris, O'Neal

Absent: Boensch and Braddock

Abstain: None

Motion carried.

Council Member Kloc called for the question. Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Kloc

Nays: O'Neal, Coulouris, Mayor Pro Tem Browning, Wendt, Fitzpatrick, Mayor Branch

Absent: Boensch and Braddock

Abstain: None

Motion denied.

ADJOURNMENT

Moved by Council Member O'Neal, seconded by Mayor Pro Tem Browning to adjourn the meeting at 8:35 p.m. 7 ayes, 0 nays, 2 absent. Motion carried.

Janet Santos, CMC/MMC
City Clerk

#13-07

2013

Application for Fireworks Other Than Consumer or Low Impact

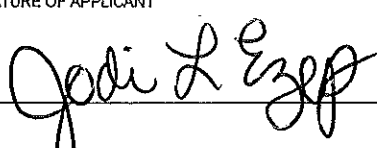
Michigan Department of Licensing & Regulatory Affairs

Bureau of Fire Services

P.O. Box 30700

Lansing MI 48909

(517) 241-8847

Authority: 2011 PA 256 Compliance: Voluntary Penalty: Permit will not be issued		The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.	
☐ Agricultural or wildlife fireworks ☐ Special effects manufactured for outdoor pest control or agricultural purposes		☐ Articles Pyrotechnic ☐ Public Display ☒ Display Fireworks ☐ Private Display	
NAME OF APPLICANT SAGINAW AREA FIREWORKS		ADDRESS P.O. Box 1923, SAGINAW, MI	AGE (18 or over) 48/05
IF A CORPORATION, NAME OF PRESIDENT JODI L. EZOP		ADDRESS (same as above)	
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT		ADDRESS	TELEPHONE NUMBER 989-751-0792
NAME OF PYROTECHNIC OPERATOR FRANK LOFFREDO		ADDRESS 25 Marlindale, Boardman, OH	AGE (18 or over) 44/12
NO. YEARS EXPERIENCE 20+	NO. DISPLAYS 1000+	WHERE	
NAME OF ASSISTANT Robert Russo		ADDRESS 2959 Eldora, Youngstown OH	AGE 52
NAME OF OTHER ASSISTANT		ADDRESS	AGE
EXACT LOCATION OF PROPOSED DISPLAY North End of Ojibway Island			
DATE OF PROPOSED DISPLAY 7/4/2013 - Rain date 5/4/2013		TIME OF PROPOSED DISPLAY 10:15 PM	
MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT			
AMOUNT OF BOND OR INSURANCE (To be set by local government) \$9,000,000 Umbrella \$1,000,000 per occurrence		NAME OF BONDING CORPORATION OR INSURANCE COMPANY Britton Gallagher	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY One Cleveland Center, 1375 E. 9th St., Cleveland, OH 44114			
NUMBER OF FIREWORKS 3000+	KIND OF FIREWORKS TO BE DISPLAYED Class B Fireworks Display		
SIGNATURE OF APPLICANT 			DATE 6/3/2013

2013

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

Authority: 2011 PA 256	The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.
Compliance: Voluntary	
Penalty: Permit will not be issued	

This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.

Display Fireworks		
ISSUED TO	SAGINAW AREA FIREWORKS (Frank Lofferdo)	AGE (18 or over) 52
ADDRESS	25 Marlindale Ave. Boardman, OHIO 44512	
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION	SAGINAW AREA FIREWORKS, INC.	
ADDRESS	P.O. Box 1923, SAGINAW, MI 48605	
NUMBER AND TYPES OF FIREWORKS	3000+ Class B Fireworks Display	
EXACT LOCATION OF DISPLAY OR USE		
NORTH END OF Ojibway Island		
CITY, VILLAGE, TOWNSHIP	DATE	TIME
SAGINAW, MI	7/4/2013	10:16pm
BOND OR INSURANCE FILED	Rain date 7/15/2013	AMOUNT
☒ YES ☐ NO	a checked	

Issued by action of the Legislative Body of a	
☒ City	☐ Village ☐ Township of SAGINAW on the _____ day of _____
_____ (Signature and Title of Legislative Body Representative)	

THIS FORM IS VALID FOR THE YEAR SHOWN ONLY



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/7/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME:		
	PHONE (A/C, No, Ext): 216-658-7100	FAX (A/C, No): 216-658-7101	
INSURED Colonial Fireworks Company 6480 Tomer Road Clayton MI 49235	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Lexington Insurance Co		
	INSURER B : Granite State Insurance Co.		
	INSURER C : Axis Surplus Ins Company		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES**CERTIFICATE NUMBER:** 675406848**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☒ LOC			1619924-05	2/15/2013	2/15/2014	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000 \$50,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS - COM/OP AGG	\$2,000,000
								\$
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☒ SCHEDULED AUTOS NON-OWNED AUTOS			CA6265853912	2/15/2013	2/15/2014	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
C	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$			EAU705977	2/15/2013	2/15/2014	EACH OCCURRENCE	\$9,000,000
							AGGREGATE	\$9,000,000
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATU-TORY LIMITS	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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

SHOW NO: 2013-002 DISPLAY DATE: JULY 4, 2013 RAIN DATE 07/05/13
LOCATION: NORTH END OF OJIBWAY ISLAND AND HOLLAND AVENUE BRIDGE SAGINAW MI
ADDITIONAL INSURED: CITY OF SAGINAW; LINEAR MOTION, LLC/MEGGITT; SAGINAW AREA FIREWORKS; PROJECT SPECIFIC LIMIT APPLIES. LIMIT OF \$10,000,000 PER OCCURENCE, ANNUAL AGGREGATE APPLIES SPECIFICALLY TO THE CITY OF SAGINAW FORUTH OF JULY SHOW AT OJIBWAY ISLAND AND HOLLAND AVENUE BRIDGE IN SAGINAW, MICHIGAN, ON JULY 4, 2013. THIS POLICY EXTENDS COVERAGE TO THE SPECIAL EVENT AND ITS PARTICIPANTS.

CERTIFICATE HOLDER**CANCELLATION**

SAGINAW AREA FIREWORKS
JODI EZOP
P O BOX 1923
SAGINAW MI 48605

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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From: Darnell Earley, City Manager

Subject: Insurance Policy Renewal for July 1, 2013 to June 30, 2014

Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval of the insurance proposals under Lloyd's of London and RSUI Indemnity Company for the City's General Liability, Automobile Liability, Michigan No Fault, Employee Benefits Liability, Law Enforcement Liability, Public Officials Liability (Employment Practices Liability, Errors & Omissions, EEOC, Administrative Hearings and Sexual Harassment); with Lloyd's of London for Automobile Physical Damage; with Safety National Casualty Corporation for Excess Workers' Compensation & Employers Liability; and with Torus National Insurance Company for an Excess (Umbrella) Liability Policy. Each policy is effective July 1, 2013 through June 30, 2014, and that I, and/or my designee, be authorized to execute any and all necessary insurance documents under the plans as necessary throughout the policy term, including, but not limited to, removing and/or adding automobiles as the City acquires and/or disposes of same.

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

Justification:

Saginaw Bay Underwriters obtained quotes from the City's current insurance providers and other insurance providers for the City's policies expiring on July 1, 2013. Saginaw Bay Underwriters seek quotes from multiple companies every two to three years.

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

Lloyd's of London & RSUI Indemnity Company: The City will retain the same carriers for its Public Officials, Liability and Automobile Physical Damage coverage. RSUI Indemnity Insurance paired with Lloyd's of London premium was \$372,715. This is for liability limits of \$10,000,000 including the self-insured retention of \$250,000, which is the same as last year. For the automobile physical damage the deductible is increased from \$15,000 last year to \$25,000 with a \$2,000,000 dollar limit. The premium savings for this deductible increase is \$7,000.

Safety National Casualty Corporation. This is the carrier for the Excess Workers' Compensation and Employer Liability coverage. The quote received was \$50,193 with a \$650,000 self-insured retention. This is an increase of \$9,592 in premium. The self-insured retention did not change from last year. Premiums for this policy are based on City payroll amounts.

Torus National Insurance Company. This is the Umbrella Liability Policy, providing an additional \$10,000,000 in liability coverage for General Liability, Law Enforcement Liability, Public Officials Liability, Employers Liability and Auto Liability. The premium quoted is \$48,068, an increase of \$1,924.

Comparison between last year's premium and those proposed for FY2013-2014 is as follows:

<i>Description of Coverage</i>	<i>Expiring Premium 2012-2013</i>	<i>Renewal Premium 2013-2014</i>
General Liability, Law Enforcement Liability, Public Officials Liability and Automobile Liability	<u>Lloyd's & RSUI</u> <u>Indemnity</u> \$ 344,000 \$ 250,000 SIR	<u>Lloyd's & RSUI</u> <u>Indemnity</u> \$ 366,840 \$ 250,000 SIR
Surplus Lines Tax	\$ 5,475	\$ 5,875
Automobile Physical Damage	\$ included - 229 vehicles \$15,000 deductible for all accidents	\$ included - 230 vehicles \$25,000 deductible for all accidents
Excess Worker's Compensation SIR	Safety National \$ 40,601 \$ 650,000 SIR	Safety National \$ 50,193 \$ 650,000 SIR
Umbrella	Torus National \$ 46,144 (\$10 mil limit)	Torus National \$ 48,068 (\$10 mil limit)
Total Estimated Premium	\$436,220	\$470,976

Overall the City will see an increase of \$34,756 in insurance costs for FY2013-2014. Quotes received were comparable to those of the industry standards and all insurance carriers have excellent ratings according to the Best Guide, which determines the financial stability of insurance companies.

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

Funds for insurance premiums are budgeted and spread over all departmental budgets. General and excess liability policies are charged against the division and/or department's budget pursuant to its size. Auto physical damage is charged to each division and/or department based on the number of vehicles assigned.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Spaulding Township Agreement
Prepared by: John Stemple, Licensed Inspector

Manager's Recommendation:

I recommend the approval of the Urban Cooperation Agreement ("Agreement") with Spaulding Township ("Township") to provide building inspection, planning and zoning services. The total amount of the Agreement is \$11,000. The parties have negotiated this Agreement, pursuant to the Urban Cooperation Act, MCL 124.501, et.seq. The term of Agreement is for one year. However, the parties can extend the Agreement for individual terms of one year. I have approved the Agreement as to substance and the City Attorney as to form.

Justification:

Recently, the City approached the Township about providing it with building inspection, planning, and zoning services. Pursuant to the terms of the Agreement, the City will make the persons available for assignments in the Township for inspections on an as needed basis. In addition, the Township will pay all office supplies and other incidental costs. In addition, the parties have agreed to mutually indemnify and hold each other harmless.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Asbestos Survey Contractor
Prepared by: John Stemple, Licensed Inspector

Manager's Recommendation:

It is recommended that the low bid from AKT Peerless be accepted and that an annual purchase order be issued for \$11,000 for fiscal year 2013-2014 for the completion of asbestos surveys.

Justification:

On June 4, 2013, the City received bids for asbestos surveys. Asbestos surveys are required as a part of our demolition process to determine the location and quantity of Asbestos Containing Materials (ACM) at each demolition site. These surveys are then used by the demolition contractor to perform the ACM abatement prior to demolition. AKT Peerless has experience working in our programs and is qualified to perform this service under Michigan Law. Following is a tabulation of the bids received:

AKT Peerless Saginaw, MI	\$275.00
Cardno ATC Novi, MI	\$450.00
Bonus Environmental Mt. Pleasant, MI	\$520.00
MJ Environmental Mt. Clemens, MI	\$525.00
Environmental Testing and Consulting Romulus, MI	\$600.00
Testing Engineers & Consultants Inc. Troy, MI	\$650.00
PSI Inc. Saginaw, MI	\$750.00
Bierlein Companies Inc. Midland, MI	\$2700.00

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 0-1.

Funds are budgeted for and available in the Community Development Block Grant Codes Compliance Demolitions Account Number 275-6511-761-80.25.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Demolition Contractor
Prepared by: John Stemple, Licensed Inspector

Manager's Recommendation:

I recommend the approval to award demolition services for fiscal year 2013-2014 by individual project and approve that purchase orders be issued to the applicable qualified vendor for a cumulative total of \$360,827. The City will utilize Rodney Woods Builder as its primary contractor to complete the work in a timely manner.

Justification:

Due to the volume of demolitions, which need to occur in a short time period, it best serves the City to award individual demolitions based on the following criteria:

- low bid
- availability of the contractor to perform the work
- the contractor is current with the assigned work
- the contractor can assist the City meeting Section 3 HUD requirements

All qualified bids will be given consideration with work being awarded to the low bidder until such time that contractor does not have the wherewithal to complete the work in a timely manner, at which point, work would then begin to be awarded to the next lowest bidder until such time that the low bidder becomes current with assigned work. Furthermore, Section 3 of the HUD regulations requires that the City provide assistance to and foster the building of capacity for any contractors located within the City of Saginaw. The City of Saginaw intends, for any contractors which qualify under this section, to the greatest extent possible, work towards compliance with this section. Additionally, any contractor that is awarded work, particularly under NSP II, shall be responsible for compliance with Section 3 HUD regulations.

On June 4, 2013, the City received bids for demolition, transite siding removal and disposal, asbestos removal and disposal, replacements, concrete removal, tree removal, and debris removal for various buildings in the City. Bids were received from the following firms:

Rodney Woods Builder 120 N Michigan Ave Suite 210 Saginaw 48602	Dore Associates Contracting 900 Harry Truman Pkwy Bay City 48706	Mead and Sons 3330 Schust Saginaw 48603	Owen's Contracting 5277 Dixie Hwy Saginaw 48601
SC Environmental Services 106 Island Ave Lansing 48910	Rohde Brothers Excavating 1240 N Outer Dr Saginaw 48601	Able Demolition 5675 Auburn Rd Shelby Twp 48317	Graham Construction 3399 Fashion Sq Blvd Saginaw 48603

The following is a table of the bids received:

BC - Boards & Commissions
CC - Council Communication
R - Resolution
O - Ordinance

June 17, 2013
Page 1 of 3

	Woods	Mead	SC	Rohde	Owens	Dore	Graham	Able
Demo Building	0.1125	0.1351875	0.1005375	0.12705	0.147	0.1365	1.000125	0.294
Foundation Removal	0.975	0.86625	2.562	1.575	1.4385	1.554	0.378	2.331
Transite Siding Removal	0.8	0.9345	0.89775	0.798	0.7875	0.8925	0.756	1.575
ACM Floor Tile Removal	0.8	0.9975	0.945	0.945	0.8925	0.8925	0.8925	1.575
ACM Caulk Removal	30	32.55	30.26625	37.8	36.75	36.75	36.75	30.45
ACM Pipe Insulation Removal	3.5	4.7145	3.74325	3.57	3.675	5.25	3.15	14.7
ACM Duct Insulation Removal	3.5	4.095	3.69075	3.759	3.675	4.2	3.4125	3.675
ACM Duct Tape Removal	3.5	4.1475	3.69075	3.759	3.675	4.2	3.4125	2.3625
ACM Pipe Joint Removal	7	9.24	4.25775	11.55	10.5	10.5	10.5	18.9
ACM Drywall Removal	1.3	1.56975	7.27125	1.6275	1.68	1.96875	1.575	1.8375
ACM Hard Plaster Removal	1.3	2.12625	7.27125	2.436	2.4675	4.2	2.3625	2.1
ACM Attic Insulation Removal	5	5.29725	26.1975	5.25	4.83	4.2	4.725	2.3625
Tree Removal 12" – 18"	150	196.875	156.975	147	157.5	210	173.25	525
Tree Removal > 18"	400	231	343.875	220.5	231	420	525	2100
Debris Removal	19	15.1725	24.28125	26.25	22.05	28.875	22.05	0.105
Concrete Removal	0.525	0.5565	0.5355	0.6825	0.735	0.65625	0.8925	0.8925
Curb Replacement	25.5	14.5425	14.37975	29.4	14.175	18.9	17.19375	8.4
Lot Grading & Seeding	0.095	0.105	0.126	0.105	0.105	0.14175	0.1365	0.084
Concrete Replacement	3.5	3.6435	3.96375	3.9375	3.15	4.85625	3.99	4.2

The bid tabulations above reflect a two year average price and additionally it reflects a Five percent (5%) advantage for Rodney Woods Builder because this business is located within the City limits.

Because of the complexity and variation in demolition costs in order to determine the lowest and best bid a scoring system was used to evaluate the bids of each of the contractors. An evaluation team made up of City staff which included the Assistant City Manager for Public Safety, Licensed Inspector, and Dangerous building inspector scored the bids as follows.

Bidder	Score
Rodney Woods Builder	127.29
Mead and Son	120.44
S C Environmental	115.57
Rohde Brothers Excavating	107.49
Owens Contracting	96.01
Dore and Associates	88.26
Graham Construction	67.06
Able Demolition	45.05

The bids submitted by these firms meet City specifications and the contractors are currently in compliance with the City's dangerous building demolition contracting policy.

All vendors listed 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.

Funds are budgeted and available in the CDBG Fund Code Demolitions Account No. 275-6511-761.80.25 for \$120,827 and General Fund Inspections Demolition Account No. 101-3865-761.80-25 for \$240,000.

Council Action:

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

From: Darnell Earley, City Manager
Subject: BASIC Benefit Administrative Agreement - HRA
Prepared by: Dennis Jordan, Director of Employee Services

Manager's Recommendation:

I recommend approval of an Agreement with Benefit Administrative Services International Corporation (BASIC) to provide Administrative Services for the purposes of managing a onetime Health Care Reimbursement Arrangement (HRA) for claims to City retirees. 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:

On July 1, 2013 the City of Saginaw will be moving all retirees into a CB-4 PPO health plan. The health plan has an annual \$500 individual and \$1,000 family deductible. The contract with Blue Cross and Blue Shield of Michigan is on a July 1 fiscal year and the deductible is on a calendar year. Therefore, we will be reimbursing retirees up to \$250 of \$500 depending on the claims through December 31, 2013 only. BASIC is a third party vendor that will administer the reimbursement program. BASIC currently provides other services for the City such as COBRA administration and they administer our Section 125 Flex Spending accounts. The Contract provides for a \$4.02 monthly processing fee per retiree contract for an estimated total cost of \$17,800. The funding for this contract will be provided by the reduction in health care costs associated with the modification in retiree benefits as of July 1, 2013. BASIC is based out of Portage, Michigan.

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 0-1.

Council Action:

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

From: Darnell Earley, City Manager
Subject: BASIC Business Associate Agreement
Prepared by: Dennis Jordan, Director of Employee Services

Manager's Recommendation:

I recommend approval of a Business Associate Agreement between the City of Saginaw and Benefit Administrative Services International Corporation (BASIC) to provide Administrative Services for the City of Saginaw. 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:

This agreement requires BASIC to process benefits and claims for the City of Saginaw in compliance with the Standards for Privacy of Individually Identifiable Health Information (the "Privacy Standards") set forth by the U.S. Department of Health and Human Services ("HHS") pursuant to the Health Insurance Portability and Accountability Act of 1996, ("HIPAA") and amended by the Health Information Technology for Economic and Clinical Health Act ("HITECH Act"), part of the American Recovery and Reinvestment Act of 2009 ("ARRA") and the Genetic Information Nondiscrimination Act of 2008 ("GINA").

BASIC is based out of Portage, Michigan and has been a provider for the City since 1999 whereas; they have facilitated the federally required COBRA responsibilities, and other benefit programs such as the Flexible Spending Account and the Dependent Verification program. This agreement is simply an amended agreement that provides compliance with the new Federal Health Care legislation.

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 0-1.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Employee Assistance Program
Prepared by: Dennis Jordan, Director of Employee Services

Manager's Recommendation:

I recommend approval of an Agreement between the City of Saginaw and Child and Family Services to provide an Employee Assistance Services for the City of Saginaw. 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:

This agreement is a continuation of services that provide the City Employees and dependents with services that help individuals and families become more productive and achieve emotional health through counseling, support mechanisms and coaching. In addition, special assessments, crisis counseling and Substance Abuse Professional Services are available on an as needed basis. Child and Family Services reside in the City and have provided exceptional service to the City since 1995. The annual service agreement is \$12,555.

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 0-1.

Funds are available in the Workers Compensation Fund - Employee Health Division's Professional Services Account No 678-1751-701.80-01

Council Action:

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

From: Darnell Earley, City Manager
Subject: Addendum to extend the service agreement with Sedgwick
Prepared by: Dennis Jordan, Director of Employee Services

Manager's Recommendation:

I recommend approval of an addendum to extend the service agreement between the City of Saginaw and Sedgwick Claims Management Services, Inc. to adjudicate and manage workers compensation claims for the City of Saginaw. 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:

This addendum will extend the agreement we have in place for an additional year, July 1, 2013 through June 30, 2014. Sedgwick is the third party administrator that adjudicates, manages and processes all workers compensation claims filed by the City of Saginaw. The vendor provides all State of Michigan reporting forms including our self-insured status as well as our monthly loss run, monthly deposit/payable and activity/injury reports. The administration fee is \$32,093 for current claims and \$1,075 for additional indemnity claims plus \$162 for additional medical only claims. The vendor also provides all mandated reporting to the Center for Medicare Subsidies (CMS) at a cost of \$3,550.

Funds are in the Workers Compensation Fund - Professional Services Account No 678-1750-701.80-01

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 0-1.

Council Action:

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

From: Darnell Earley, City Manager

Subject: Annual Creditron Corporation Software and Hardware Maintenance Renewal

Prepared by: Chris Seager, Technical Services

Manager's Recommendation:

I recommend that payment be made to Creditron Corporation (dba Purepay), Rockville, MD, in the amount of \$6,288.60 for the renewal of annual maintenance for software and hardware used in the Fiscal Services Department, Treasurer's Division.

Justification:

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

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

Funds for this payment are budgeted and available in the Technical Services - IS Operating Services Account No. 658-1720-711.80-05.

Council Action:

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

From: Darnell Earley, City Manager
Subject: 2012/2013 4th Quarter Budget Adjustment
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

It is recommended that the 2012/2013 Approved Budget for the listed funds be amended. This adjustment is required to recognize any errors, omission, or changes that have occurred during the 4th quarter.

Justification:

The 2012/2013 annual budget will be adjusted in accordance with Public Act 2 of 1968 Uniform Budgeting and Accounting Act, the City Charter, and the approved 2013 Budget Resolution, which states that the City Manager must provide quarterly budget adjustments to City Council as a result of a budget-to-actual analysis. As a result of the City Manager's 4th quarter analysis, the below-mentioned budget adjustments take into consideration any errors, omissions, or changes in the funding levels and expenditures approved by City Council as prescribed by the City Charter.

The General Fund (101) should be increased by a net \$1,168,888 from \$31,939,208 to \$33,108,096. The majority of this increase is due to the recognition of the compensatory and paid-time off payouts for Community Public Safety – Police and Fire. In addition, the operating transfers to the Police Grant Funds have been increased due to these payouts and overtime expenditures. Furthermore, this adjustment also recognizes unrealized revenues.

The Community Policing Fund (260) should be increased from \$784,055 to \$829,850. This is an increase of \$45,795. This adjustment is required to cover the compensatory and paid-time off payouts for those who have left employment as well as accounting for incurred overtime expenditures. An increase to the General Fund subsidy will cover these expenditures.

The Auto Theft Prevention Fund (289) should reflect a net \$0 change. In evaluating the State Grant revenue line item, it appears that the budgeted amount will not be received. This requires a higher allocation of the General Fund subsidy. This adjustment reflects the increase in the operating transfers into this fund by \$14,300 while reducing the approved budgeted amount for State Grant revenues.

Council Action:

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

From: Darnell Earley, City Manager

Subject: Establishing an Obsolete Property Rehabilitation Act District

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

Manager's Recommendation:

I recommend that public hearing be held to create an Obsolete Property Rehabilitation Act (OPRA) District at 301, 311 and 315 Court Street, 103 S. Niagara Street, and 100 S. Hamilton Street at the City Council Meeting, Monday, July 1, 2013 at 6:30 pm in the City Council Chamber.

Justification:

The Public Hearing will be held to establish an OPRA district at 301, 311 and 315 Court Street, 103 S. Niagara Street, and 100 S. Hamilton Street, which would promote the redevelopment of the property. Hall Commercial Properties, LLC submitted a request for the creation of the OPRA District as they have purchased the properties. They are in the process of redeveloping the property to have condominiums on the second and third floors of 100 S. Hamilton Street (Jake's Old City Grille), and condominiums on all three floors of 311- 317 Court Street, the property to the east. The property currently occupied by Ewald's Bar will be developed as parking for the condominium units.

The parcel numbers are: 16 0082 00000, 16 0083 00000, 16 0084 00000, 16 0087 00000 and 16 0088 00000.

The legal description is as follows:

A parcel of land in the State of Michigan, City of Saginaw, described as Lots 3, 4, and 8, and the northeasterly ½ of Lot 7 and the northeasterly ½ of a private alley adjacent to said lots running from Hamilton Street to the southerly line of Lot 4, Block 9, City of Saginaw in Division North of Cass Street.

Council Action:

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

Proposed Condos



Legend

Proposed Condos

Other City Parcels



From: Darnell Earley, City Manager

Subject: Establishing a Commercial Rehabilitation District at 131 S. Franklin St., 120,122 and 126 S. Washington Ave.

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

Manager's Recommendation:

I recommend that public hearing be held to create a Commercial Rehabilitation Act (CRA) District at 131 S. Franklin St. and 120,122 and 126 S. Washington Ave. at the City Council Meeting set for Monday, July 1, 2013 at 6:30 pm in the City Council Chamber.

Justification:

The Public Hearing will be held to establish a CRA district at 131 S. Franklin St. and 120,122 and 126 S. Washington Ave., which would promote the redevelopment of the property. Bancroft Project Saginaw, LLC owns the three parcels on Washington Avenue and will be purchasing 131 S. Franklin St. from the City of Saginaw to develop the four as a parking lot for the tenants of the Bancroft and Eddy Buildings.

The Commercial Rehabilitation District is being requested in lieu of the Obsolete Property Rehabilitation Act (OPRA) District, as this property is vacant and not eligible for OPRA designation. The CRA District was created to benefit developers of vacant parcels critical to the redevelopment of downtowns.

The parcel numbers are: 03 0127 00000, 03 0128 00000, 03 0129 00000, 03 0130 00000

The legal description is as follows:

A parcel of land in the State of Michigan, City of Saginaw, described as Lots 1 and 2, the south 40 feet of Lot 3, the south 20 feet of Lot 11, the west 20 feet of the north 40 feet of lot 11 except the east 1 foot of the west 20 feet of the south 20 feet of the north 40 feet of lot 11, and Lot 12, Block 34, Map of the City of East Saginaw, also commonly known as Hoyt's Plat.

Council Action:

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

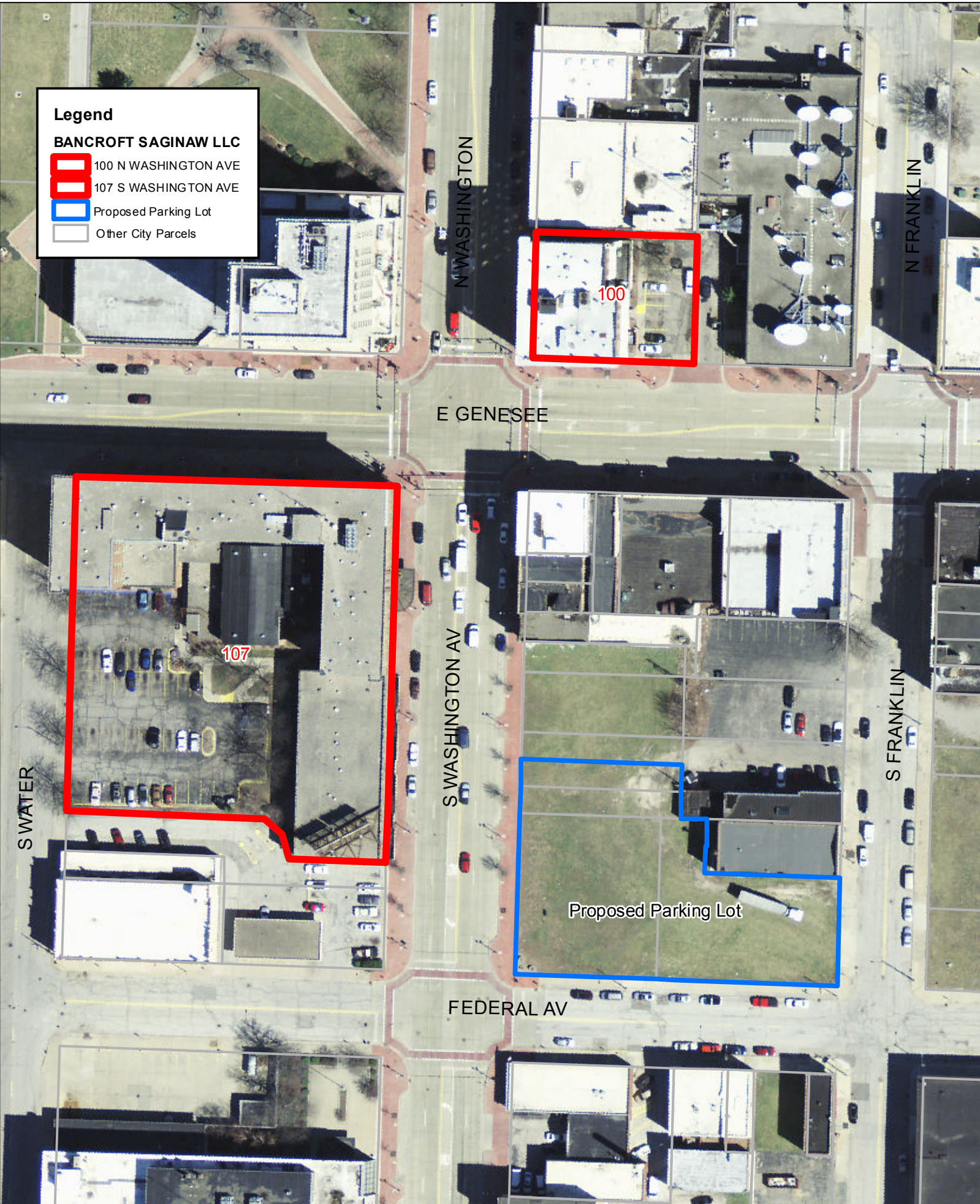
Downtown Proposed Parking Lot



Legend

BANCROFT SAGINAW LLC

100 N WASHINGTON AVE

107 S WASHINGTON AVE

From: Darnell Earley, City Manager
Subject: South Saginaw Homes LDHA LLC I
Prepared by: Sienna Rendon, Community Public Safety - Police

Manager's Recommendation:

I recommend approval of the agreement between the City of Saginaw and South Saginaw Homes LDHA LLC I. The term of the agreement is for a six (6) month time period, beginning June 17, 2013 and ending December 17, 2013. I have approved the agreement as to substance and the City Attorney as to form.

Justification:

The purpose of this program is to provide police presence within the South Saginaw Homes. South Saginaw Homes LDHA LLC I. will reimburse the City for one Saginaw Police Officer and Patrol Car for three hours per week at a pay rate of \$60.00 per hour. Scheduling to be set by South Saginaw Homes and/or the Saginaw Police Department. The amount of the agreement will not exceed \$4,320.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Michigan Police Equipment - Practice Ammunition
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

I recommend that a purchase order be issued and approved to Michigan Police Equipment of Charlotte, MI, in the amount of \$2,400 for the purchase of training and duty ammunition for the Police Department.

Justification:

Michigan Police Equipment holds the state-bidding contract for sale of training and duty ammunition in the State of Michigan. The Saginaw Police Department intends to purchase training ammunition from this vendor until further notice.

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 Drug Forfeiture Fund's Parts and Supplies Account No. 264-3040-731.73-30.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Composting Services Agreement - ROW Division
Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend that the Composting Services Agreement ("Agreement") between the City of Saginaw ("City") and the Mid Michigan Waste Authority ("MMWA") be approved and that the proper City officials be authorized to execute it on behalf of the City. The Agreement has been approved by me as to substance and the City Attorney as to form.

Justification:

On December 8, 1997, by City Council approval, the City entered into a Composting Services Agreement with MMWA (f/k/a Saginaw Area Solid Waste Authority) for the receiving and disposing of yard waste at the City's composting site. The effective date of the agreement was April 1, 1998, and the Agreement terminated on December 31, 2001.

On March 25, 2002, by City Council approval, the City approved an amendment to the original agreement. The only change from the original agreement was the effective date of April 1, 2002 and the Agreement terminated on December 31, 2004.

The City has been providing Composting services to the MMWA since December 31, 2004 without amending the existing agreement or creating a new agreement. The City has also been providing composting services to MMWA and its members at a tipping fee of \$6.50 per cubic yard for yard waste delivered in compacted rubbish trucks. This rate has been the same since the original agreement in 1998. Since then, costs to provide services have increased; therefore, the new Agreement is requesting to increase the tipping fees to MMWA incrementally, annually from the current \$6.50 per cubic yard to \$8.50 per cubic yard. Effective May 1, 2013 the tipping fee will be \$7.50 per cubic yard for compacted yard waste. Effective April 1, 2014 the tipping fee will be \$8.50 per cubic yard for compacted yard waste. Based on a four (4) year average volume of 28,520 cubic yards of material delivered to the City's compost site from MMWA, it is estimated that this incremental increase will generate an additional \$28,520 in revenue in 2013 and \$57,040 in 2014. The effective date of the new Agreement will be April 1, 2013 and the termination date will be December 31, 2014. This termination date was set to coincide with the termination date of the Agreement between the City and MMWA for "Curbside Solid Waste Collection Services" which is also December 31, 2014.

Council Action:

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

From: Darnell Earley, City Manager

Subject: Material Testing Services (P-1143-13) – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend the low bid from SMAC Testing, Inc., of Saginaw, MI, be accepted and that the City Engineer be authorized to approve and issue payments for the service in varying amounts up to the annual authorized amount of \$28,400 for Fiscal Year 2014, 2015 and 2016 for road resurfacing testing services.

Justification:

On May 21, 2013, the City received bids for material testing services. These services are provided on an as needed basis. The testing services are necessary for quality control for road resurfacing, road reconstruction, water and sewer construction projects. Some projects will use federal funds and the Federal Highway Administration requires that all construction materials be tested by certified labs during production and placement.

The following is a tabulation of the bids received:

SMAC Testing, Inc.	FY14	\$28,840
Saginaw, MI (out-city)	FY15	\$28,840
	FY16	\$28,840
Professional Service, Inc.	FY14	\$31,297.50*
Saginaw, MI (out-city)	FY15	\$31,952.50*
	FY16	\$32,607.50*
Survey Solutions, LLC.	FY14	\$53,625
Sanford, MI (out-city)	FY15	\$53,625
	FY16	\$53,625

*Corrected bid price due to unit price extension error.

SMAC Testing, Inc. 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 following Major Streets Fund – Streets Projects Division's Professional Services Account No. 202-4614-781.80-01, Sewer Operations and Maintenance Fund – Surplus Division's Professional Services Account

No. 590-4840-881.80-01 and Water Operations and Maintenance Fund – Surplus Division's Professional Services Account No. 591-4740-881.80-01 and Water Operations and Maintenance Fund – Water Refunding Bonds Division's Professional Services Account No. 591-4741-881.80-01 for Fiscal Years 2014, 2015 and 2016.

Council Action:

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

From: Darnell Earley, City Manager

Subject: Authorization to Allow the Sale and Consumption of Alcoholic Beverages at Morley Plaza

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the sale and consumption of alcoholic beverages at Morley Plaza during "Friday Night Live" outdoor concert events scheduled to be held on July 12, 19, 26, and August 2, 9, 16, 2013 from 5:30 p.m. to 9:00 p.m.

Justification:

On July 12, 19, 26, and August 2, 9, 16, 2013, PRIDE in Saginaw, Inc. (hereinafter "PRIDE") will host the annual "Friday Night Live" outdoor concerts at Morley Plaza, a public property. PRIDE has requested that the City allow them to sell alcoholic beverages for consumption during these events. Title XIII, Chapter 132, and 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.

Approval to sell alcoholic beverages for these events is contingent upon the applicable vendors providing the proper required documents to the appropriate City departments by June 24, 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:

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

RESOLUTION TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT MORLEY PLAZA

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

WHEREAS, PRIDE in Saginaw, Inc. ("PRIDE") plans to host the annual "Friday Night Live," outdoor concert events on July 12, 19, 26 and August 2, 9, 16, 2013 between the hours of 5:30 p.m. until 9:00 p.m.; and

WHEREAS, PRIDE requests that they be allowed to consume and sell alcoholic beverages to participants at Morley Plaza on public property; and

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

WHEREAS, PRIDE must provide certain documents prior to these events; and

WHEREAS, if PRIDE does not provide the documents by the stated date, they will not be allowed to sell alcoholic beverages for consumption during these events scheduled on July 12, 19, 26 and August 2, 9, 16, 2013; and

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

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 "Friday Night Live," outdoor concert events to be held on July 12, 19, 26 and August 2, 9, 16, 2013 at Morley Plaza provided that the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided to proper City Departments no later than June 24, 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 June 17, 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

From: Darnell Earley, City Manager

Subject: Authorization for the Saginaw Habitat for Humanity to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the Consumers Energy/Habitat for Humanity Celebration event to be held on June 22, 2013. The event will be at Deindorfer Woods Park between the hours of 1:00 p.m. and 5:00 p.m.

Justification:

On May 29, 2013, the Saginaw Habitat for Humanity submitted a Special Event application for the Consumers Energy/Habitat for Humanity Celebration on June 22, 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 SAGINAW HABITAT FOR HUMANITY TO USE AMPLIFYING EQUIPMENT JUNE 22, 2013 AT DEINDORFER WOODS PARK

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

WHEREAS, Saginaw Habitat for Humanity plans to have a community event to celebrate at Deindorfer Woods Park on June 22, 2013, the partnership with Consumers Energy for the Northmoor Neighborhood rehabilitation of 30 homes; and

WHEREAS, Saginaw Habitat for Humanity has requested permission to use amplifying equipment between the hours of 1:00 p.m. and 5:00 p.m.; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the Consumers Energy/Saginaw Habitat for Humanity Celebration to be held on June 22, 2013 between the hours of 1:00 p.m. and 5:00 p.m. at Deindorfer Woods 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 June 17, 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

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

Manager's Recommendation:

I recommend that the low bid from PVS Technologies of Detroit, MI, be accepted and that a purchase order be approved and issued to them in the amount of \$109,500 for the purchase of 250 tons of Ferric Chloride for the Water Treatment Division for Fiscal Year 2014.

Justification:

Ferric Chloride is used as the primary coagulant in the water treatment process for improved particulate removal. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 7, 2013 sealed bids were opened. The low bid of \$438.00 per ton is a 3.5% increase from fiscal year 2013. Following is a tabulation of the bids received:

	<u>Per Ton</u>	<u>Total Bid</u>
PVS Technologies Detroit, MI	\$438.00	\$109,500.00
Kemira Water Solutions Lawrence, KS	\$445.00	\$111,250.00
Rowell Chemical Corp. Hinsdale, IL	\$699.00	\$174,750.00

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 & Pumping Division's Chemicals Account No. 591-4730-861.73-02 for Fiscal Year 2014.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Hydrofluosilicic Acid Purchase, Joint Bid
Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Key Chemical, Inc. of Waxhaw, NC, be accepted and that a purchase order be approved and issued to them in the amount of \$103,716.34 for the purchase of 182 tons of Hydrofluosilicic Acid for the Water Treatment Division for Fiscal Year 2014.

Justification:

Hydrofluosilicic Acid (Fluoride) is added to the drinking water for the prevention of tooth decay. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 7, 2013 sealed bids were opened. The low bid of \$569.87 per ton is a 13% decrease from Fiscal Year 2013. Following is a tabulation of the bids received:

	<u>Per Ton</u>	<u>Total Bid</u>
Key Chemical, Inc. Waxhaw, NC	\$569.87	\$103,716.34
PVS Nolwood Chemicals, Inc. Detroit, MI	\$650.00	\$118,300.00
Alexander Chemical Co. Peru, IL	\$659.00	\$119,938.00
Mosaic Crop Nutrition Lithia, FL	\$765.00	\$139,230.00
Pencco, Inc. San Felipe, TX	\$822.00	\$149,604.00

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 & Pumping Division's Chemicals Account No. 591-4730-861.73-02 for Fiscal Year 2014.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Liquid PolyDMDAAC Polymer Purchase, Joint Bid
Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Polydyne, Inc. of Riceboro, GA, be accepted and that a purchase order be approved and issued to them in the amount of \$11,600 for the purchase of 20,000 lbs. of Liquid PolyDMDAAC for the Water Treatment Division for Fiscal Year 2014.

Justification:

Liquid PolyDMDAAC Polymer is used as a coagulant aid to improve removal of suspended particles in the water treatment process. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint-Bid for chemical purchases. On May 7, 2013 sealed bids were opened. The low bid of \$0.58 per pound is a decrease of 3.3% compared to the price paid for the same chemical during Fiscal Year 2013. Following is a tabulation of the bids received:

	<u>Per Lb.</u>	<u>Total Bid</u>
Polydyne, Inc. Riceboro, GA	\$0.580	\$11,600.00
Neo Solutions, Inc. Detroit, MI	\$0.585	\$11,700.00

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 & Pumping Division's Chemicals Account No. 591-4730-861.73-02 for Fiscal Year 2014.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Sodium Hypochlorite Purchase, Joint Bid
Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from K.A. Steel Chemicals, Inc. of Downers Grove, IL be accepted and that a purchase order be approved and issued to them in the amount of \$46,104 for the purchase of 68,000 gallons of Sodium Hypochlorite for the Water Treatment Division for Fiscal Year 2014.

Justification:

Sodium Hypochlorite is used at the Water Treatment Plant for disinfection during the water treatment process. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 7, 2013 sealed bids were opened. The low bid of \$0.678 per gallon is a 12% decrease from fiscal year 2013. Following is a tabulation of the bids received:

<u>Vendor</u>	<u>Per gallon</u>	<u>Total Bid</u>
K. A. Steel Chemicals, Inc. Downers Grove, IL.	\$0.678	\$46,104.00
JCI Jones Chemical , Inc. Riverview, MI	\$0.690	\$47,389.20
Alexander Chemical Co. Peru, IL	\$0.877	\$59,772.00
Rowell Chemical Corp. Hinsdale, IL	\$0.915	\$62,220.00
PVS Nolwood Chemicals, Inc. Detroit, MI	\$0.960	\$65,280.00

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 & Pumping Division's Chemicals Account No. 591-4730-861.73-02 for Fiscal Year 2014.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Lime Purchase, Joint Bid
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the bid from Carmeuse Lime & Stone of River Rouge, MI be accepted and purchase orders issued to them in the amounts of \$256,960 for the purchase of 1,600 tons of lime for the Wastewater Treatment Division and \$56,210 for the purchase of 350 tons of lime for the Water Treatment Division for Fiscal Year 2014.

Justification:

Lime is used in the treatment of both water and wastewater for pH control and for bio-solids stabilization. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. There were three bidders for lime, but Western Lime was disqualified because of previous issues with the product they supplied. In Fiscal Year 2009, the Wastewater Treatment Plant attempted to use the product supplied by Western and determined that the product would not slake properly and huge amounts of waste were generated. The increase in operational costs associated with the excessive waste easily outweighs the lower purchasing cost. Following is a tabulation of the qualified bids:

	Per Ton	Water Total Total Bid	Wastewater Total Bid
Carmeuse Lime River Rouge, MI	\$160.00	\$56,210.00	\$256,960.00
Mississippi Lime Co, St. Louis, MO	\$216.49	\$75,771.50	\$349,384.00

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 Chemicals Account No. 590-4830-861.73-02, and in the Water Operation and Maintenance Fund Chemicals Account No. 591-4730-861.73-02 for Fiscal Year 2014.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Sodium Hypochlorite Purchase, Joint Bid
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from JCI Jones Chemical of Riverview, MI be accepted and that a purchase order be issued to them in the amount of \$114,887.50 for the purchase of 175,000 gallons of Sodium Hypochlorite for the Wastewater Treatment Division for FY2014.

Justification:

Sodium Hypochlorite is used at the Remote Treatment Facilities to disinfect the water discharged during a storm event as required by our National Pollutant Discharge Elimination System permit. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 7, 2013 sealed bids were opened. Following is a tabulation of the bids received:

	Per Gallon	Total Bid
JCI Jones Chemical Riverview, MI	\$0.6565	\$114,887.50
K A Steel Chemicals Downers Grove, IL	\$0.6970	\$121,975.00
PVS Technologies Detroit, MI	\$0.9600	\$168,000.00

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 purchase are budgeted in the Sewer Operations and Maintenance Fund, Remote Facilities Division's Chemicals Account No. 590-4835-861.73-02 for Fiscal Year 2014.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Outside Lab Analysis
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the offer from Fibertech, Inc. of Holt, MI to extend their Fiscal Year 2011 bid price to include Fiscal Years 2014, 2015, & 2016 be accepted and that a purchase order be issued to them in the amount of \$85,190 for Fiscal Year 2014, \$85,190 for Fiscal Year 2015, and \$85,190 for Fiscal Year 2016 for outside lab analysis for the Wastewater Treatment Division.

Justification:

The Wastewater Treatment Plant's National Pollutant Discharge Elimination System permit and Industrial Pretreatment Program require some laboratory analysis which we do not perform in-house. This analysis includes Total Toxic Organics, Heavy Metals, Mercury and PCB's. Sealed bids from five vendors were opened August 10, 2010 and Fibertech, Inc. was the low bidder. Fibertech has offered to provide the same services for the same price in Fiscal Years 2014, 2015, and 2016.

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 Operating Services Account No. 590-4830-861.80-05 for Fiscal Year 2014, and will be budgeted in the same account for Fiscal Years 2015 and 2016.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Chlorine Purchase, Joint Bid
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the bid from JCI Jones Chemical Inc., Riverview, MI, be accepted and a purchase order be issued to them in the amount of \$18,060 for the purchase of sixty tons of chlorine for the Wastewater Division for Fiscal Year 2014.

Justification:

Chlorine is used at the Wastewater Treatment Plant for disinfection of the treated water prior to its discharge to the Saginaw River. The Saginaw-Midland Municipal Water Supply Corporation jointly specifies and competitively bids chlorine for its annual need and for the requirements of several other communities, including the City of Saginaw. The Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation, at their regular meeting on April 18, 2013, named the low bidder JCI Jones Chemical, Inc. as the exclusive supplier of chlorine for the Corporation for Fiscal Year 2014, at a firm price of \$301 per ton of liquid chlorine. As a member of the bidding consortium, the City of Saginaw is also afforded this price for Fiscal Year 2014. This cost represents a 6% decrease from the Fiscal Year 2013 cost.

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 Chemicals Account No. 590-4830-861.73-02 for Fiscal Year 2014.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Blanket Purchase Orders for Parts and Supplies
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that a purchase order be issued to each of the vendors listed below for the purchase of various parts and supplies that will be needed to operate and maintain the Wastewater Treatment Plant and the Remote Treatment Facilities during Fiscal Year 2014.

Justification:

Time and experience have shown that certain vendors reliably provide the lowest price on certain parts and supplies. These include pump packing, bearings, nuts and bolts, piping, safety supplies, welding supplies, etc. Wastewater personnel solicit quotes for items purchased to insure that we obtain the lowest possible price. Issuing individual purchase orders is costly and administratively time consuming, therefore we are requesting authorization to issue blanket purchase orders as follows:

Compressor Engineering Corp. Detroit, MI	\$3,000
MSC Industrial Livonia, MI	\$4,500
Motion Industries Saginaw, MI	\$3,500
The Macomb Group Sterling Heights, MI	\$7,000
Grainger Lincolnshire, IL	\$7,000
Applied Industrial Saginaw, MI	\$7,000
Standard Electric Saginaw, MI	\$4,000

These vendors 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 O-1.

Funds for these purchases are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 590-4830-861.73-30.

Council Action:

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

ORDINANCE

O- 1

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced on June 3, 2013, entitled and reading as follows, be taken up and enacted:

O- _____

AN ORDINANCE TO AMEND PARAGRAPH (B), "MEETINGS; COMPENSATION," OF § 12.10 "BOARD OF EXAMINERS OF STATIONARY BOILER OPERATORS AND STATIONARY ENGINEERS," OF CHAPTER 12, "BOARDS AND COMMISSIONS," OF TITLE I, "ADMINISTRATIVE CODE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

§ 12.10 BOARD OF EXAMINERS OF STATIONARY BOILER OPERATORS AND STATIONARY ENGINEERS.

(B) Meetings; compensation. The Board shall meet one Saturday of each month or upon call of the City Clerk and members shall be compensated on a quarterly basis in an amount recommended by the City Clerk and approved by the City Manager and City Council through the approval of the budget each year.

This ordinance shall become effective June 27, 2013.

Enacted: June 17, 2013.

Yeas:

Nays:

Absent:

Abstain:

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 June 17, 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

From: Darnell Earley, City Manager
Subject: Liquor License for 207 N. Hamilton
Prepared by: Elizabeth Rittenberry, City Clerk's Office

Manager's Recommendation:

I recommend approval of the request to transfer location and ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, SDM License from E & J Ventures Company, 22690 Gratiot, Merrill, MI 48637, Saginaw County to J & L, LLC, 207 N. Hamilton St, Saginaw, MI 48602, with the addition of a new Outdoor Service permit to be located in a fenced area at the rear of the building.

Justification:

On or about July 11, 2012, the City received an initial local government approval application for departmental review. Due to subsequent changes in specific permits requested to accompany the Class C license, the applicant has since revised the application and resubmitted the request in its final form on May 9, 2013. Lisa Czerniak, the sole member of J & L, LLC, is requesting to transfer location and ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, SDM License from E & J Ventures Company, 22690 Gratiot, Merrill, MI 48637, Saginaw County to J & L, LLC, 207 N. Hamilton St, Saginaw, MI 48602, with the addition of a new Outdoor Service permit to be located in a fenced area at the rear of the building.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have completed the review process and have approved 207 N. Hamilton for the license transfer as required by Chapter 110, "General Provisions," of the Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter III, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give recommendation to the City Council of approval or disapproval of the license. Since the necessary requirements have been met by J & L, LLC, I hereby recommend approval of the request to transfer location and ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, SDM License from E & J Ventures Company, 22690 Gratiot, Merrill, MI 48637, Saginaw County to J & L, LLC, 207 N. Hamilton St, Saginaw, MI 48602, with the addition of a new Outdoor Service permit to be located in a fenced area at the rear of the building.

Council Action:

This communication is for explanation purposes of the resolution to be adopted.

TRANSFERRING OWNERSHIP AND LOCATION OF A CLASS C LIQUOR LICENSE FROM JONESVILLE TOWNSHIP TO 207 N. HAMILTON

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

WHEREAS, on or about July 11, 2012, the City received an initial local government approval application for a liquor license transfer. Due to subsequent changes in specific permits requested to accompany the Class C license, the applicant has since revised the application and resubmitted the request in its final form on May 9, 2013; and

WHEREAS, said notice was to transfer location and ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, SDM License from E & J Ventures Company, 22690 Gratiot, Merrill, MI 48637, Saginaw County to J & L, LLC, 207 N. Hamilton St, Saginaw, MI 48602, with the addition of a new Outdoor Service permit to be located in a fenced area at the rear of the building; and

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention, City Police Department and the City Building Inspections Division have conducted their respective inspections and have determined compliance of the applicable codes at 207 N. Hamilton.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw approves the request to transfer location and ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, SDM License from E & J Ventures Company, 22690 Gratiot, Merrill, MI 48637, Saginaw County to J & L, LLC, 207 N. Hamilton St, Saginaw, MI 48602, with the addition of a new Outdoor Service permit to be located in a fenced area at the rear of the building.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on June 17, 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

June 17, 2013
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GILBERT, SMITH & BORRELLO, P.C.

ATTORNEYS AT LAW

721 SOUTH MICHIGAN AVENUE
SAGINAW, MICHIGAN 48602-1529

WWW.GSB-LAW.COM

DAVID M. GILBERT
LAWRENCE WM. SMITH
ANDRÉ R. BORRELLO
AMY L. LUSK

SAGINAW (989) 790-2500
FAX (989) 790-2889

June 12, 2013

The Honorable Gregory Branch, Mayor
City of Saginaw
1315 S. Washington Avenue
Saginaw, Michigan 48601

Re: Disclosure of Pecuniary Interest in City Attorney Contract

Dear Mr. Mayor:

Under a strict reading of a statute that I believe is intended to apply to elected officials and employees of municipalities who have an unreported or otherwise unknown financial interest in a public contract that requires a public body's approval, it could be viewed that as the appointed City Attorney, I am to disclose my pecuniary interest in the extension of my contract as City Attorney, though such disclosure seems redundant, obvious and apparent.

Obviously, City Council is well aware that I have a pecuniary interest in the contract for my services, as I am a party to the contract for which I will receive compensation for services rendered. Nevertheless, in an effort to dispel any question that City Council is aware of my interest, I am officially disclosing such pecuniary interest of the payments received for legal services rendered in the extension of my contract as City Attorney.

Per the statute, I ask that this disclosure be made a part of the official record of the meeting held June 17, 2013 and be made public in the same manner as a public meeting notice. At the City Council meeting to be held on July 1, 2013, the City Council shall approve the contract extension by a vote of not less than 2/3 of the full membership of the Council. Finally, upon approval, the City shall disclose my name as a party to the contract, the terms and conditions of my contract and the nature of my pecuniary interest, which is as a one-third shareholder in the law firm of Gilbert, Smith & Borrello, PC.

Thank you for your attention to this seemingly obvious and apparent matter.

Sincerely,

A handwritten signature in black ink, appearing to read "André R. Borrello". The signature is fluid and cursive, with a large, stylized "B" at the end.

André R. Borrello

cc: Mayor Pro Tem Browning
City Council Members
City Manager (via email only)
City Clerk (via email only)
DCM/CFO (via email only)
