



Saginaw City Council Agenda

1315 S. Washington Avenue
VIA TELECONFERENCE
PER EXECUTIVE ORDER 2020-154
September 14, 2020
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

1. Establish a Commercial Rehabilitation Act District for 218, 222, 224, and 226 South Washington Avenue.

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

CONSENT AGENDA:

1. Approve the August 24, 2020 regular council meeting minutes.
2. Approve the amendments to the FY 2021 Approved Budget to recognize changes that have occurred during the September period.
3. Approve the Professional Services Agreement with Michele Allen for legal services.
4. Approve the Professional Services Agreement with McKenna for \$28,500 for consulting services for the Community Development Block Grant Program.
5. Approve the HOME Grant Agreement from the Department of Housing and Urban Development for FY 2021 for the HOME Investment Partnership Program for \$437,069.
6. Approve the HOME Subrecipient Agreements and Memorandum of Understanding for FY 2021 for operating expenses and various rehabilitation for \$437,069.
7. Approve the Emergency Solutions Grant Agreement for \$186,847 and the Emergency Solutions Grant COVID-19 Agreement for \$644,300 from the Department of Housing and Urban Development for FY 2021.
8. Approve the Emergency Solutions Grant Subrecipient Agreements for FY 2021 to seven organizations providing shelters and transitional housing for the homeless for \$186,847.
9. Approve the Emergency Solutions Grant COVID-19 Subrecipient Agreements for FY 2021 to five organizations providing shelters and transitional housing for the homeless for \$644,300.

10. Approve the Community Development Block Grant Agreement from the Department of Housing and Urban Development for \$2,568,986 which includes prior year funds and the Community Development Block Grant COVID-19 Agreement for \$872,030 for FY 2021.
11. Approve the Community Development Block Grant Subrecipient Contracts and Memorandums of Understanding for FY 2021 with various organizations for housing, economic development, public improvements, and public service activities for \$2,162,219.
12. Approve the Community Development Block Grant COVID-19 Subrecipient Contracts and Memorandums of Understanding for FY 2021 with various organizations for housing, economic development, public improvements, and public service activities for \$872,030.
13. Approve the purchase with Vance Outdoors, Inc. for \$15,234 for duty and training ammunition for the Police Department.
14. Approve the Saginaw County Mental Health Authority/Mid-State Health Network Treatment and Prevention Services Grant for \$199,805. Further, approve a budget adjustment for FY 2021 to recognize these funds.
15. Approve the purchase with Gerald Bergman, Inc. for \$11,630 for the replacement of the roof at the Fire Training Facility for the Fire Department.
16. Approve the purchase with Westside Decorating Center for \$10,439 for replacement of the flooring in the Public Services Building.
17. Approve the Hoyt Park Chip Seal Agreement with Saginaw County Road Commission for \$19,000 for the Public Services Department.
18. Approve the purchase with Compass Minerals America, Inc. for \$67,150 for early fill road salt for the Streets Division.
19. Approve the purchase with Bandit Industries for \$69,451 for a 2020 18XP Bandit Brush Chipper for the Streets Division.
20. Approve the purchase with MTech Company for \$240,866 for a 2020 Global M-3 Street Sweeper for the Streets Division.
21. Approve the purchase with Republic Services for \$162,500 for FY 2021; and pending budget approval for \$169,000 for FY 2022, for the hauling and disposal of street sweeping debris for the Streets Division.
22. Approve the purchase with Waste Management for \$45,000 for FY 2021; and pending budget approval for FY 2022, for catch basin and sewer debris hauling for the Maintenance and Service Division.
23. Approve the purchase with Ferguson Enterprises for \$339,993 for no-lead brass fittings for the Maintenance and Service Division.
24. Approve the purchase with Ferguson Waterworks for \$65,750 for K-Copper tubing for the Maintenance and Service Division.

25. Approve the purchase with Holzberg Communications, Inc. for \$72,801 to upgrade the Supervisory Control and Data Acquisition System radio telemetry network for the Water and Wastewater Treatment Divisions, Instrumentation and Process Controls Division.
26. Approve the purchase with Infor for \$17,394 for the EAM software annual renewal fee at the Water and Wastewater Treatment Divisions, Instrumentation and Process Controls Division.
27. Approve the Agreement with Kendall Electric, Inc., a sole source, for \$4,882 for software support for the Supervisory Control and Data Acquisition System for the Water and Wastewater Treatment Divisions, Instrumentation and Process Controls Division.
28. Approve the grant award of \$402,878 and grant agreement with the Center for Tech and Civic Life for the City's Safe Voting Plan for the Election Division. Further, approve a budget adjustment for FY 2021 to recognize these funds.
29. Approve the appointment of Kaylene VanWagner as officer delegate and Lisa Crook as alternate officer delegate, and Gerald Gregory as employee delegate, to attend the Municipal Employees Retirement System's 74th Annual Meeting.
30. Approve the purchase with Inclusion Solutions, a sole source, for \$86,122 for one hundred 4-station voting booths for the Election Division.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve the Council appointment of Brandell Adams to the Board of Appeals on Zoning - Alternate with a term to expire December 31, 2022.
2. Approve the Council appointment of Kevin Rooker to the Study Committee for the Pere Marquette Potter Street Station Local Historic District with a term to expire upon completion of the study.
3. Approve the Council reappointment of Misty Grumbley to the Historic District Commission with a term to expire July 31, 2023.
4. Approve the Council appointment of Trisha Baker to the Public Libraries of Saginaw with a term to expire June 30, 2022.

ORDINANCE INTRODUCTION:

1. An ordinance to add §12.042 "Citizens-Police Advisory Commission," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City Of Saginaw Code of Ordinances, O-1.

ORDINANCE CONSIDERATION AND ADOPTION:

1. An ordinance to repeal Chapter 118 and replace with §§118.01 through 118.23, Titled "Chapter 118: Licensing of Marihuana Establishments," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204.
2. An ordinance to add §153.601 "Title," §153.603 "Purpose," §153.605 "Applicability," §153.607 "Definitions," §153.609 "Approval Procedures For Marihuana Establishments,"

§153.611 "Authorized Marihuana Establishments," §153.613 "Consumption; Violations," §153.615 "Penalties," §153.617 "Rights," Titled "Marihuana Establishments" of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204.

3. An ordinance to amend the official city map to rezone E. 74 ft. of S. 222.98 ft. of Outlot A, Davenside, City of Saginaw be rezoned from B-1, Local Business to B-2, General Business.
4. An ordinance to amend the official city map to rezone E.117 ft. of N.150 ft. of E. 427 ft. of Outlot A, Davenside except a strip of land beg at NE'ly Cor. of said Outlot A Th N 89 deg 03'30" W 117 ft, Th S 00 deg 00'00" W 64.28 to POB, Th S 89 deg 02'14" E 6.08 ft. Th S 01 deg 09'08" W 81.31 ft, Th N 89 deg 02'14" W 4.44 ft, Th N 00 deg 00'00" E 81.32 to POB, City of Saginaw be rezoned from B-1, Local Business to B-2, General Business.
5. An ordinance to amend the official city map to rezone E. 427 ft. of Outlot A, exc. E. 117 ft. of N.150 ft., and exc. E. 74 ft. of S. 222.98 ft. Lot 78, Davenside also a strip of land beg. at NE'ly Cor of said Outlot A Th N 89 deg 03'30" W 117 ft, Th S 00 deg 00'00" W 64.28 to POB, Th S 89 deg 02'14" E 6.08 ft. Th S 01 deg 09'08" W 81.31 ft, Th N 89 deg 02'14" W 4.44 ft, Th N 00 deg 00'00" E 81.32 to POB, City of Saginaw be rezoned from B-1, Local Business to B-2, General Business.
6. An ordinance to amend the official city map to rezone Outlot A exc. E. 427 ft. Davenside, also including n 20 ft of vacated State St lying adjacent thereto, City of Saginaw be rezoned from B-1, Local Business to B-2, General Business.
7. An ordinance to amend the official city map to rezone S. 200 ft. of W.140 ft. of that part of W.1/2 of W.1/2 of S.1/2 of S.E.1/4 of S.W.1/4 of Sec.15, T.12,N. R.4,E. Lying N. of State St. & E. of Warwick St., exc. a parcel viz. beg. at intersection of N. line of State St. & E. line of Warwick St. thence E. along N. line of State St.10 ft., thence NWly. to a point on E. line of Warwick St., said point being 25 ft. N. of point of beg., thence S. along E. line of Warwick St. 25 ft.to point of beg., City of Saginaw, be rezoned from B-1, Local Business to B-2, General Business.

RESOLUTIONS:

1. Establish a Commercial Rehabilitation Act District for 218, 222, 224, and 226 South Washington Avenue.

UNFINISHED BUSINESS:

MISCELLANEOUS BUSINESS:

ADJOURNMENT:

Timothy Morales
City Manager

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



CITY OF SAGINAW

PUBLIC HEARING NOTICE

In compliance with requirements of Public Act 210 of 2005, the following notice is posted:

Notice is hereby given that the Saginaw City Council has scheduled a public hearing regarding a request to create a Commercial Rehabilitation Act District at 218,222,224, and 226 S. Washington Avenue. The request and legal description of the property is on file in the Office of the City Clerk.

The public hearing will be held Monday, September 14, 2020, at 6:30 p.m. via video/teleconference per Governor Whitmer's Executive Order 2020-154. The meeting will be streamed live on the SGTV Channel 191 and on the City's website www.saginaw-mi.com

Requests to speak during this public hearing must be made to the City Clerk's Office at 989.759.1480 or by email to clerk@saginaw-mi.com. Include a phone number and email address. You will be connected when it is your turn to speak.

Janet Santos, MiPMC/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: _____
By: __jks_____

March 3, 2020

City of Saginaw
Attention: Janet Santos, City Clerk
1315 South Washington Avenue
Saginaw, MI 48601



RE: Commercial Redevelopment District

Dear Mrs. Santos,

On behalf of 218 Washington LLC, a subsidiary within our Shaheen Development companies, we desire to apply for the establishment of a Commercial Rehabilitation District defined within the Commercial Rehabilitation Act for an upcoming real estate development project located in the City of Saginaw. The district would consist of four vacant, economically distressed South Washington Avenue parcels located between Valerie's Restaurant and the Spicer Group buildings better known as parcel numbers 03-0115-00000, 03-0114-00000, 03-0113-00000 and 03-0112-00000.

This exciting \$1,500,000 development shall consist of a 6,800 square foot, three-story, mixed use building to include retail commercial space on the first floor and residential apartment units on the two upper floors. The project plays an important economic development role in reversing the deterioration of the tax base and is expected to bring at least 8 new jobs to Downtown Saginaw.

Construction is anticipated to commence in the Spring of 2020.

We look forward to continuing to be a part of the revitalization of Downtown Saginaw. Should you have any additional questions, please do not hesitate to reach out to me.

Thank you,



Eric Tankersley, VP of Finance
Shaheen Development
(989) 799-5700
ETankersley@ShaheenDevelopment.com

**City of Saginaw
Assessor's Office
Ownership Summary of Proposed Commercial Rehabilitation District
August 27, 2020**

Proposed District: 218, 222, 224 and 226 S. Washington Ave

This summary serves as notice that 218 S. Washington LLC owns 100% of the proposed Commercial Rehabilitation District.

Parcel #	Owner	Address				2020
						Taxable Value
03 0115 00000	218 Washington LLC	218 S Washington Ave	Commercial			2,300
03 0114 00000	218 Washington LLC	222 S Washington Ave	Commercial			2,300
03 0113 00000	218 Washington LLC	224 S Washington Ave	Commercial			2,300
03 0112 00000	218 Washington LLC	226 S Washington Ave	Commercial			4,600

Legal Description:

ALL OF LOT 3, & LOT 2 EXC S 20FT, BLK 33 MAP OF THE CITY OF EAST SAGINAW, ALSO COMMONLY KNOWN AS HOYT S PLAT

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, AUGUST 24, 2020, AT 6:30 P.M. VIA VIDEO/TELECONFERENCE PER GOVERNOR WHITMER'S EXECUTIVE ORDER 2020-154. THE MEETING WAS STREAMED LIVE VIA THE CITY'S WEBSITE AND ON SGTV.

ROLL CALL

Mayor Kloc called the meeting to order. Council Members present: Reginald Williams II, Jamie Forbes, Annie Boensch, Brenda Moore, Autumn Scherzer, John Milne, Michael Balls, Bill Ostash, and Floyd Kloc: 9. Council Members absent: 0.

ANNOUNCEMENTS

City Clerk Janet Santos announced that City Hall will be closed on Monday, September 7 for the Labor Day Holiday.

PUBLIC INPUT

Public Input that addressed the Council was: Angie Miller.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Williams, Ostash, Balls, Milne, Scherzer, Moore, Boensch, Forbes, and Kloc.

REPORTS FROM CITY MANAGER

City Manager Morales provided updates as follows:

- encouraged use of 211 for assistance with water bills, etc.
- Census 2020 events and turnout, and
- Police Department policies and training update.

CONSENT AGENDA:

Mayor Kloc asked if there were any exceptions to the consent agenda. No exceptions were made.

1. Approve the August 10, 2020 regular council meeting minutes.
2. Approve the purchase with BS&A Software for \$3,500 for the custom procurement card export and import file for the Technical Services Department.
3. Approve the first amendment to the Subrecipient CDBG Agreement with First Ward Community Center to increase their original allocation by \$26,667, for a new total of \$60,450, for infrastructure improvements to the building.
4. Approve the purchase with John E. Green Company for \$5,909 for the repair of the exhaust vent fan at the indoor gun range for the Police Department.
5. Approve the purchase with Tri County International Trucks for \$95,714 for a 2021 International HV607 SBA Cab and Chassis; and with Truck and Trailer Specialties, Inc. for \$37,725 for equipment installation for the Maintenance and Service Division.
6. Approve the purchase with Todd Wenzel Buick GMC for \$81,132 for three 2021 GMC Sierra 1500 Pickup trucks for the Maintenance and Service Division.

7. Approve the purchase with Todd Wenzel Buick GMC for \$42,261 for a 2021 GMC Sierra 3500 one-ton Dump Truck for the Maintenance and Service Division.
8. Ratification of a purchase with Highway and Heavy Parts, LLC for \$3,307 for engine parts for a 10-yard dump truck for the Maintenance and Service Division.
9. Approve the Construction and Maintenance Easement Agreement with the County of Saginaw for \$1.00 for the Tuscola Pedestrian Pathway project for the Engineering Section, Right of Way Division.
10. Ratification of a purchase with Great Lakes Power Service, Inc. for \$2,975 for the inspection and testing of the Kochville Raw Water Pump Station's 2500 kVA transformer and power supply cables for the Water Treatment Division.
11. Approve the agreement with US Trackworks, LLC for \$63,367 for the rehabilitation of the roadway approaches at the Davenport Avenue, East Holland Avenue, and South Jefferson Avenue railroad crossings as part of the 2020 MDOT Local Grade Crossing Surface Program for the Public Services Department.

Moved by Mayor Pro Tem Moore, seconded by Council Member Balls to approve consent agenda items 1 through 11 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

BOARD/COMMISSION/COMMITTEE REPORTS

Mayor Pro Tem Moore reported that Region VII Area Agency on Aging will have another fruit and vegetable basket give away this month.

Council Member Milne reported that the MBS International Airport Commission is disposing of snow removal equipment due to the recent acquisition of new equipment.

Mayor Kloc reported that the Saginaw Transit Authority Regional Services is reinstating their general bus routes. They have purchased sanitizing and disinfectant equipment with CARES funding. They will be purchasing new vehicles for the Ride to Wellness program.

ORDINANCE INTRODUCTION

Moved by Mayor Kloc, seconded by Council member Milne to introduce an ordinance to amend Chapter 152, of Title XV, "Land Usage," by amending §152.056 titled, "Naming or Renaming Streets, Parks, Buildings and Other Property," of the City of Saginaw Code of Ordinances, O-204. Discussion was held.

Motion to amend by Mayor Kloc, seconded by Mayor Pro Tem Moore to change the wording in §152.056 (A) from 5 years to 3 years. Discussion was held.

Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Moore, Milne, Kloc

Nays: Balls, Ostash, Williams, Forbes, Boensch, Scherzer

Motion denied.

Mayor Kloc asked Clerk Santos to conduct a roll call vote on the main motion.

Ayes: Milne, Kloc

Nays: Ostash, Williams, Forbes, Boensch, Moore, Scherzer, Balls

Motion denied.

ORDINANCE CONSIDERATION AND ADOPTION

Moved by Mayor Pro Tem Moore, seconded by Council Member Boensch to adopt an ordinance to add §135.01 "Prohibition," of "Chapter 135: Prohibition of Use or Consumption of Marihuana in Public Place," of Title XIII, "General Offenses," of the City of Saginaw Code of Ordinances, O-204. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Pro Tem Moore, seconded by Council Member Boensch to adopt an ordinance to add §91.36, "Smoking in Parks, Regulations," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-204. 9 ayes, 0 nays, 0 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Milne, seconded by Mayor Pro Tem Moore to adopt the resolution approving the Authorization for Change to the Standard Street Lighting Contract and Bill of Sale with Consumers Energy Company. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Pro Tem Moore, seconded by Council Member Scherzer to adopt the resolution designating Louis Taylor, City Engineer, as the single Street Administrator with the Michigan Department of Transportation. 9 ayes, 0 nays, 0 absent. Motion approved.

MISCELLANEOUS BUSINESS

Moved by Council Member Milne, seconded by Council Member Ostash to designate Mayor Kloc as an official representative and Council Member Balls as the alternate for the virtual 2020 Michigan Municipal League Annual Meeting. 9 ayes, 0 nays, 0 absent. Motion approved.

ADJOURNMENT

Moved by Mayor Pro Tem Moore, seconded by Council Member Boensch to adjourn the meeting at 7:34 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

As recorded by

Janet Santos, MiPMC/MMC
City Clerk

From: Timothy Morales, City Manager
Subject: September Budget Adjustment
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

I recommend approval of the amendments to the 2020/2021 Approved Budget for the listed funds. This adjustment is required to recognize any errors, omissions, or changes that have occurred within the month of September.

Justification:

The 2020/2021 annual budget will be adjusted in accordance with Public Act 2 of 1968, Uniform Budgeting and Accounting Act, the City Charter; and the approved 2021 Budget Resolution, which states that the City Manager must provide budget adjustments to City Council quarterly and/or as needed. As a result of the City Manager's monthly analysis for September, the below-mentioned budget adjustments take into consideration any errors, omissions, or changes in the funding levels and expenditures approved by City Council as prescribed by the City Charter.

In review of the General Fund, it is recommended that this fund be increased by a net \$54,656, from \$36,639,851 to \$36,694,507.

- A budget adjustment is required to carryover purchase order 0507938 for Top Flight Tree Removal for the tree removal at the City's cemeteries. In November 2019, City Council approved the usage of cemetery endowment funds for tree removal at the City's cemeteries. The carryover of this purchase order will complete the previous fiscal year's allocation for cemetery tree removal. Expenditures will be recognized in the General Fund, Department of Public Services, Cemetery Division, Repair and Replacements Account No. 101-1747-974.000 in the amount of \$13,365. To offset the increase expenditure will be an appropriation of restricted fund balance.
- A budget adjustment is required to recognize the unanticipated and unspent revenues for Community Public Safety Police for the Birch Park and Vestry Drive details that were not utilized in the previous fiscal year. Revenues will be recognized in the General Fund Revenue, Police Dept. Services Account No. 101-0000-632.000 in the amount of \$577 for Vestry Drive and \$474 for Birch Park details. To offset the increase in revenues will be an increase to Community Public Safety – Police, Police Patrol Division, Billable Overtime 101-3514-701.0001 in the total amount of \$1,051.
- In July a budget adjustment was completed to recognize the carryover of funds from the Michigan Municipal League for the City's 2020 Census Awareness Campaign efforts. After a complete reconciliation of these funds, an additional

budget adjustment is required to recognize the remaining balance of \$4,932. These expenditures will be recognized in the Office of General Government, City Council Division, Public Meals Account No. 101-0101-961.000 in this amount. These expenditures are offset by use of restricted fund balance.

- A budget adjustment is required to carryover purchase order 0508373 for the Imagecast Central Kits for the Elections Division. As anticipated the City received reimbursement for the State of Michigan – Election Division for the March election in the amount of \$34,108. This reimbursement will be recognized in the General Fund Revenues, Elections Services Account No. 101-0000-627.001. To offset the increase revenues will be an increase to the Office of General Government, Election Division, Office Equipment Account No, 101-1731-981.000 in the amount of \$34,108.
- In FY 2020, the City was expecting to receive a \$1,000 donation from the Kiwanis Club to provide Personal Protection Equipment to public safety. The check was received in August of 2020, making it a revenue source for FY 2021. This budget adjustment recognizes receiving this donation. Revenues will be recognized in the General Fund Revenue, Police Donation Account No. 101-0000-674.009 in the amount of \$500 and the Fire Donation Account No. 101-0000-674.010 in the amount of \$500. To offset the increase in revenues will be an increase to Community Public Safety – Police, Police Building Management Division, Parts and Supplies Account No. 101-3514-742.000 in the amount of \$500 and Community Public Safety – Fire, Fire Technical Service Division, Clothing Supplies Account No. 101-3552-728.000 in the amount of \$500.
- A budget adjustment is required to recognize \$200 from the Saginaw Branch of Woman's National Farm and Garden Association for the Riverfront Beautification Day. These funds are to be used for future beautification projects. Revenues will be recognized in the General Fund Revenues, Riverfront Commission Donation Account No. 101-0000-674.006. To offset the increase in revenues will be an increase the Department of Neighborhood Services and Inspections, Planning and Zoning Division, Riverfront Commission Account 101-3863-827.003 by the same amount.

The Downtown Development Authority (DDA) 2011 Fund (259) should be increased from \$286,040 to \$288,140. This represents a \$2,100 increase. This increase is for the hosting fees for the Riverfront Saginaw/DDA website. Expenditures are recognized in the DDA – 2011 Fund, 2 Mill Levy Division, Professional Services Account 259-1777-801.000. To offset the increase in expenditures will be an appropriation of available fund balance.

The Department of Justice – Coronavirus Emergency Supplemental (DOJ-COVID) Fund (270) should be increased \$184,048 from \$0. This increase is to recognize the Coronavirus Emergency Supplemental grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. This grant allows for activity to prevent, prepare, and respond to the coronavirus. Expenditures will be recognized in

the DOJ – COVID Fund, Salaries Account No. 270-3518-702.000 in the amount of \$95,406 and Supplies Account No. 270-3518-742.000 in the amount of \$88,642.

The Capital Projects Fund (401) should be increased from \$1,704,045 to \$1,707,395, an increase of \$3,350. In October 2019, city council approved purchase order 0507301 to Audio Central Alarm Inc. for the Aiphone Security System measures at the Public Works building. Due to delay in receiving supplies because of the COVID – 19 pandemic, this project has been at a standstill. Recently the city received notification that the supplies have been received. Therefore, a budget adjustment is required to carry forward the abovementioned purchase order for \$3,350. Expenditures will be recognized in the Capital Projects Fund, Facilities Division, Repair and Replacement Account No. 401-7575-974.000. An appropriation of restricted fund balance will offset the increase in expenditures.

The Sewer Operations and Maintenance Fund (590) should be increased \$23,327, from \$24,651,655 to \$24,674,982. This increase is to recognize the carryover of purchase order 0507828 for the purchase of 2020 Ford F350 4X4 Chassis Cab Pickup that was approved by city council in the previous fiscal year but received in the current fiscal year. This purchase is split 50% with the Water Operations and Maintenance Fund. Expenditures are recognized in the Maintenance and Service Division, Vehicle Account No. 590-4821-982.000. This expenditure is offset by restrict retained earnings.

The Water Operations and Maintenance Fund (591) should be increased \$23,327, from \$32,559,285 to \$32,582,612. This increase is to recognize the carryover of purchase order 0507828 for the purchase of 2020 Ford F350 4X4 Chassis Cab Pickup that was approved by city council in the previous fiscal year but received in the current fiscal year. This purchase is split 50% with the Sewer Operations and Maintenance Fund. Expenditures are recognized in the Maintenance and Service Division, Vehicle Account No. 591-4721-982.000. This expenditure is offset by restrict retained earnings.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Agreement with Michele Allen for Legal Services
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

I recommend the approval of the Professional Services Agreement with Michele Allen for legal services.

Justification:

Michele Allen was previously employed by the City for many years as the Chief Assistant City Attorney, and has provided legal counsel since September 2010. Ms Allen is very familiar with all operations of the City. This proposal is to continue these services beginning September 27, 2020. The agreement may be terminated by either party upon thirty days' written notice to the other. With the approval of the agreement, the City will continue to provide an office space along with office supplies, computer, and telecommunication facilities. The hourly rate will be \$110.00. The area of concentration will involve Community Development Block Grant, Saginaw Economic Development, as well as appearances before the Michigan Tax Tribunal and any other additional assignments in labor contracts, and others as needed by the City Attorney.

I have approved this contract as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Five Year Consolidated Plan and One Year Action Plan for Community Development Block Grant Program

Prepared by: Leticia C. Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the Professional Services Agreement with McKenna for \$28,500 for consulting services for the Community Development Block Grant Program.

Justification:

On August 31, 2020, the City received a proposal for consulting services from McKenna for \$28,500. The Professional Services Agreement with McKenna is to prepare the 2021-2026 Consolidated Plan, Citizen Participation Plan, and Annual Action Plan for the 2021 Program Year. McKenna has over 40 years of experience with working with similar communities with preparing and developing plans that are required by HUD. The scope of work includes but is not limited to review of the City's existing Participation Plan, gathering statistical and informational data, citizen engagement and participation and variety of other processes that are required for completion of the plans. The plans must be completed and submitted to HUD no later than May 1, 2021.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Community Development Block Grant Fund, Administration Division's Professional Services Account No. 275-6510-801.000.

I have approved the agreement as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: HUD HOME Investment Partnership Program Grant Agreement
Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the HOME Grant Agreement for FY 2021 for \$437,069.

Justification:

The City of Saginaw has received a Grant Agreement (Agreement) from the Department of Housing and Urban Development (HUD) for FY 2020-21 for the HOME Investment Partnership Program. The Agreement is in the amount of \$437,069. The City will use \$222,069 for the City's Residential Rehabilitation Program that will assist low income homeowners in the community with home repairs. Habitat for Humanity will use \$200,000 for rehabilitation of houses, and \$15,000 for operating fees in conjunction with these activities.

In accepting this Agreement, the City agrees to comply with all of its terms and conditions, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the HOME Investment Partnership Grant Program. These conditions are also made a part of all contracts with third parties or subgrantees financed with HOME monies.

I have approved the Agreement as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: HUD HOME and Community Housing Development Organization Subrecipient Agreements

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the HOME Subrecipient Agreements and a Memorandum of Understanding for FY 2021 for \$437,069.

Justification:

The two HOME Subrecipient Agreements (Agreements) from the HOME Program include the purchase of materials for rehabilitation of property, and operation expenses. In addition, one Memorandum of Understanding (MOU) has also been included for the City home owner rehabilitation program. The following information outlines the scope of activity and funding level for the projects under agreement with the City.

1. CHDO Operating Expenses \$15,000
This activity is administered by Habitat for Humanity. It provides operating funds for Habitat to act as the Community Housing Development Organization (CHDO) for the City of Saginaw.
2. Habitat for Humanity Rehabilitation \$200,000
This activity will be administered by Habitat for Humanity. They will dedicate these funds to full rehabilitation of houses that are homeowner occupied in the City of Saginaw.
3. City of Saginaw Home Owner Rehabilitation Program \$222,069
This program provides low income qualified homeowners with repairs and updates to their homes in low to moderate income areas of the community.

Council approved the City's submission to the Department of Housing and Urban Development for these funds on February 17, 2020.

I have approved the Agreements and MOU as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Emergency Solutions Grant and ESG-CV Agreements
Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the Emergency Solutions Grant Agreement for FY 2021 for \$186,847 and the Emergency Solutions Grant COVID-19 Agreement for FY 2021 for \$644,300.

Justification:

The City of Saginaw has received a Grant Agreement from the Department of Housing and Urban Development (HUD) for FY 2021 for the Emergency Solutions Grant (ESG) Program. The funding agreement is in the amount of \$186,847. This is the City's entitlement amount approved by the federal government.

The City of Saginaw also received an Emergency Solutions Grant COVID-19 (ESG-CV) Agreement from HUD for FY 2021 under the Coronavirus (COVID-19) Aid, Relief and Economic Security Act (CARES ACT) to prevent, prepare for, and respond to the needs of the community in the amount of \$644,300.

The activities referred to in the Agreements include services and needs listed in the submissions approved by the City Council for the entitlement funds on February 17, 2020 and for ESG COVID-19 approved on July 27, 2020.

In accepting both Agreements, the City agrees to comply with all of their terms and conditions, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the ESG Program. The entitlement agreement is for an eighteen (18) month period that begins on July 1, 2020 and will terminate on December 31, 2021. The CARES ACT agreement is for a twenty-four month (24) period that begins August 26, 2020 and will terminate on August 26, 2022. In accepting both Agreements, the City also agrees that it will comply with all standard federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made part of contracts with third parties or subgrantees financed with ESG monies.

I have approved the Agreements as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: HUD Emergency Solutions Grant Subrecipient Agreements

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the Emergency Solutions Grant Subrecipient Agreements for FY 2021 for \$186,847.

Justification:

The seven agreements from the Emergency Solutions Grant (ESG) Program provide \$186,847 assistance to organizations providing shelter and transitional housing for the homeless. The following information outlines the scope of activity and funding level for each project under agreement with the City:

1. Underground Railroad \$40,425
This activity is operated by Underground Railroad, Inc. These funds will be used to supplement the agency in funding the maintenance costs of the emergency shelter including: operating utilities, food, supplies, professional fees, communication costs, transportation and furnishings for the facility.
2. Youth Protection Council (Innerlink) \$29,297
This activity is operated by the Saginaw County Youth Protection Council. The funds will be used to supplement the agency in providing services to three (3) shelters for the homeless: Innerlink Emergency Shelter, Innerlink Transitional Living Program and Teen Parent Services Transitional Living Program.
3. Restoration Community Outreach \$30,162
This activity is operated by Restoration Community Outreach. These funds will be used to supplement the agency in providing emergency housing and supportive services to the homeless, recovering addicts and ex-prisoners re-entering the community.
4. Restoration Community Outreach \$11,310
These funds are committed to Homeless Prevention and Rapid Rehousing services. This activity will provide and promote affordable housing, along with improving health and stability in order to increase economic security. They will also collaborate with other agencies to prevent homelessness and provide rapid re-housing which is a requirement of HUD for grantees to receive ESG funds.

5. United Way of Saginaw Co. HMIS \$17,963
This activity is administered through the United Way of Saginaw County. This project is for the maintenance of the Homeless Management Information System, which is a requirement of HUD for grantees to receive ESG funds. This is a match of funds received directly from HUD.
6. United Way of Saginaw Co. HPRP \$47,730
This activity is administered through the United Way of Saginaw County. This activity will provide and promote affordable housing, along with improving health and stability, in order to increase economic security. They will collaborate with other agencies to prevent homelessness and provide rapid re-housing which is a requirement of HUD for grantees to receive ESG funds.
7. Mustard Seed \$9,960
The funds will be used to provide Emergency Shelter Services to women and children in the community.

Council approved the City's submission to the Department of Housing and Urban Development for these funds on February 17, 2020.

I have approved the Agreements as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: HUD Emergency Solutions Grant Subrecipient Agreements
Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the Emergency Solutions Grant COVID-19 Subrecipient Agreements for FY 2020-21 for \$644,300.

Justification:

The City of Saginaw received an Emergency Solutions Grant COVID-19 (ESG-CV) Agreement from HUD for FY 2021 under the Coronavirus (COVID-19) Aid, Relief and Economic Security Act (CARES ACT) to prevent, prepare for, and respond to the needs of the community in the amount of \$644,300. The five Agreements from the Emergency Solutions Grant COVID-19 (ESG-CV) Program provide \$644,300 in assistance to organizations providing shelter and transitional housing for the homeless. The following information outlines the scope of activity and funding level for each project under agreement with the City:

1. Underground Railroad \$68,395
This funding allocation will be used to purchase PPE, cleaning supplies and touchless equipment for the bathrooms.
2. Youth Protection Council (Innerlink) \$88,049
This allocation will be used for Homeless prevention and rapid rehousing efforts in the City. The need for these services has had a dramatic increase due to the COVID-19 pandemic. This allocation will cover rapid rehousing efforts and a caseworker.
3. Restoration Community Outreach \$35,792
These funds are committed to Homeless Prevention and Rapid Rehousing services. They will also collaborate with other agencies to prevent homelessness and provide rapid re-housing, which is a requirement of HUD for grantees to receive ESG funds.
4. United Way of Saginaw Co. HPRP \$399,064
This funding will be used for rapid rehousing, a staff person, and is administered through the United Way of Saginaw County. This activity will provide and promote affordable housing, along with improving health and stability. Since the COVID-19 outbreak, the need has increased significantly for these services in order to increase economic security. They will also collaborate with other

agencies to prevent homelessness and provide rapid re-housing, which is a requirement of HUD for grantees to receive ESG funds.

5. Mustard Seed \$53,000

Funds will be used to provide Emergency Shelter Services to women and children in the community. They will use the funds to purchase new furnishings for the shelter and supplies to sanitize the shelter.

Council approved the City's submission to the Department of Housing and Urban Development for these funds on July 27, 2020.

I have approved the Agreements as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Community Development Block Grant and CDBG-CV Agreements

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the Community Development Block Grant Agreement for FY 2021 for \$2,568,986 which includes prior year funds and program income, and the CDBG COVID-19 Agreement for FY 2021 for \$872,030.

Justification:

The City of Saginaw has received a Grant Agreement from the Department of Housing and Urban Development (HUD) for FY 2020-21 for the Community Development Block Grant (CDBG) Program. The funding agreement is in the amount of \$2,162,219 for FY 2021. This is the City's entitlement amount approved by the federal government.

The City of Saginaw also received a Community Development Block Grant COVID-19 (CDBG-CV) Grant Agreement from HUD for FY 2020-21 under the Coronavirus (COVID-19) Aid, Relief and Economic Security Act (CARES ACT) to prevent, prepare for, and respond to the needs of the community in the amount of \$872,030.

The activities referred to in the Agreements include services and needs listed in the submissions approved by City Council for the entitlement funds on February 17, 2020 and for CDBG COVID-19 approved on July 27, 2020.

In accepting both Agreements, the City agrees to comply with all their terms and conditions, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the CDBG Program. The entitlement agreement is for a one-year period that begins on July 1, 2020 and will terminate on June 30, 2021. The CARES ACT agreement is for a twenty-four month period that begins on August 26, 2020 and will terminate on August 26, 2022. In accepting both Agreements, the City also agrees to comply with all standard federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made part of contracts with third parties or subgrantees financed with CDBG monies.

I have approved the Agreements as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: HUD Community Development Block Grant Subrecipient Agreements

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the Community Development Block Grant Subrecipient Agreements and Memorandums of Understanding for FY 2020-21 for \$2,162,219.

Justification:

The twenty-seven agreements and five memorandums of understanding for housing, economic development, public improvements, and public service activities are to be carried out under the City's 46th year of the Community Development Block Grant (CDBG) Program. The following information outlines the scope of activity and funding level for each project under agreement with the City:

1. Saginaw Economic Development Corp \$355,909
This activity is operated by the Saginaw Economic Development Corporation. It provides funds to make business loans to credit worthy entrepreneurs and firms that wish to start or expand businesses in the targeted areas. Each business loan is based on the number of jobs to be created and made available to low and moderate-income residents in the City. The budget is comprised of entitlement funds, loan repayments, and carryover funds.
2. Downtown Development Authority \$38,000
This activity is operated by the Downtown Development Authority (DDA). These funds will be utilized by the DDA in their efforts to redevelop properties and recruit businesses to Downtown Saginaw.
3. Habitat for Humanity Housing Counseling \$9,445
This activity is operated by Habitat for Humanity in the City of Saginaw. It provides for housing counseling to homeowners. This service is provided to households with income that fall between 30-60% of the area median income for the number of members in their household.
4. Habitat for Humanity Home Repair Program \$9,086
This program will assist families who have extremely low to low-income and are unable to afford major or critical repairs on their homes on a grant basis for each household they serve.
5. Youth Protective Services \$16,000
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to provide intensive long-term social casework intervention for 20 low to moderate-income families whose personal problems have led to degeneration of the

family unit. This activity will not be effective until October 1, 2020, when the current contract expires.

6. Youth Protective Services Teen Parent Support \$16,000
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to provide assistance directed toward high-risk pregnant and parenting females under the age of 21. Teen Parent Support works to: reduce infant mortality and child abuse, delay subsequent pregnancies, and help young mothers work toward self-sufficiency. This activity will serve 55 clients eligible to be assisted with CDBG funds. This activity will not be effective until October 1, 2020, when the current contract expires.
7. Youth Protective Services \$80,000
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to have the roof replaced at the property that houses teens, social workers and the children.
8. Youth Protective Services Teen Parent Support Services \$40,000
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to have the roof replaced at their main office building.
9. First Ward LACER \$25,000
This activity is sponsored by First Ward Community Services. The purpose of this program is to implement Literacy Arts Cultural Enrichment and Recreation (LACER) Program. It is an after-school and summer program whose goal is to enhance and expand the number and variety of programs serving youth in the K-12th grades and increasing the number of youth who have access to positive opportunities in safe environments in the City of Saginaw.
10. First Ward H.I.R.E. \$18,000
This activity is sponsored by First Ward Community Services. The H.I.R.E. program stands for Helping Individuals Retain Employment. The program is focused on preparing people that are in need with the skills and abilities to be marketable in the workplace and to find jobs. The program targets youth and will provide positive environment and learning opportunities in a safe environment.
11. First Ward Community Senior Center \$5,000
The Senior Citizens Center provides a place for seniors to have a nutritious meal and socialize with their peers in a safe and friendly environment.
12. First Ward Community Facility Update \$45,450
The Community Center is replacing the existing lighting in the entire building. The current lighting system is becoming obsolete and they have difficulty replacing bulbs for the building. The new system will be a great improvement and will be more energy efficient.
13. Houghton-Jones Neighborhood Task Force \$28,841
This organization promotes "community" in their area of the City. The activities they oversee promote and encourage beautification efforts throughout the neighborhood and

seek to have a paid staff person to handle the day-to-day operations and oversee event planning with the continued help of volunteers in the community.

14. Hearts for the Community \$8,000
Provides a summer youth program for youth in the community with nutritional lunches and daily activities throughout the summer provided in a safe, healthy environment in the community.
15. Hearts for the Community \$8,000
Provides an after school program for youth in the community with nutritional lunches and daily activities provided in a safe, healthy environment in the community.
16. Mission in the City \$3,312
A summer youth camp that is in the Community Park. Providing nutritional meals/snacks for the youth along with supervised activities that are safe and enriching.
17. Mission in the City Park Beautification \$24,000
A community park that is focused on promoting health and wellness in a low-income area of the City that is free and open to the community. The funds were requested to maintain and enhance the facilities at the park. They will be purchasing a canopy for the Shuffleboard and Chess pads at the park.
18. Women of Colors, Inc. \$10,000
The STEM program to the youth in the community that serves at risk youth in the community and seek to nurture and promote youth to become positive peers, responsible role models and leaders.
19. Zion-Saginaw Boxing Club \$5,000
The Boxing Club has partnered with a church in the community that provides them space to run this after school program for at risk youth. They teach them boxing fundamentals, offer tutoring, and encourage the youth to volunteer and give back to their community.
20. Zion-Saginaw Senior Art Program \$3,408
This program provides access to arts and education to underserved individuals in the community. They have collaborations with adult care centers, and adult living communities to further outreach to our senior citizen population.
21. Saginaw County Community Action \$112,488
This activity assists the elderly and disabled in the community service areas with home rehabilitation efforts to make their homes more efficient and allow them to continue to be independent in their homes.
22. Saginaw County Community Action Front Porch Repairs Program \$25,000
This activity will be repairing or replacing front porches for residents in the City that are in low income areas of the community.

23. Legal Services of Eastern Michigan \$9,318
This activity will support Fair Housing Education and Testing which is required by HUD.
24. Saginaw Housing Commission \$190,000
The funds allocated to the Commission will be used to update the fire alarm monitoring systems in Pinewood Manor and Rosien Towers.
25. East Side Soup Kitchen Lunchtime Meal Program \$10,000
The program is serving a hot meal to each person that visits the center. The East Side Soup Kitchen has been serving lunches through this program since 1980.
26. Big Brothers/Big Sisters \$10,000
This activity supports at risk youth in the community with one on one mentoring services and tutoring.
27. YMCA Y-Senior Connect Program \$9,500
The Y-Senior Connect program will offer services to the senior population in our community. They will focus on physical activity, cognitive development, healthy eating and offer an opportunity for socialization with each other. This program is taking a holistic approach to improving the quality of life for our seniors.

The following information outlines the scope of activity and funding level for each project under a Memorandum of Understanding (MOU) with City departments outside of the Community Development Block Grant Division:

1. Street Improvements \$300,000
This activity is under the City of Saginaw's Department of Public Services. The purpose of the program is to resurface streets, replace deteriorated pavement sections, adjust manhole structures, and construct ADA compliant sidewalk ramps within CDBG-eligible neighborhoods.
2. Community Policing \$142,967
This activity is under the City of Saginaw's Police Department. The purpose of this program is to continue to fund three (3) Community Police Officers (CPOs) in designated CDBG-eligible neighborhoods. The CPOs have developed close relationships with the residents, business owners/employees and other stakeholders within their assigned neighborhoods. These relationships have resulted in an improved quality of life for the residents.
3. Demolition of Dangerous Buildings \$336,465
This activity is administered under the City of Saginaw's Inspections Division. The purpose of the program is to reduce the presence of blighted, vacant, unsafe structures within the City of Saginaw.
4. Rehabilitation Program \$72,632
This program provides home repairs to residents in the City that own their homes and reside in a low to moderately low income area

5. Specification Writing Program \$126,873
Code Enforcement Officers write specifications and provide oversight of the construction projects through the entire process for the City's Housing Rehabilitation Programs.

Council approved the City's submission to the Department of Housing and Urban Development for these funds on February 17, 2020.

I have approved the agreements as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: HUD Community Development Block Grant COVID-19 Subrecipient Agreements

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the Community Development Block Grant Subrecipient Agreements and Memorandums of Understanding for FY 2021 for \$872,030.

Justification:

The City of Saginaw received a Community Development Block Grant COVID-19 (CDBG-CV) Grant Agreement from HUD for FY 2020-21 under the Coronavirus (COVID-19) Aid, Relief and Economic Security Act (CARES ACT) to prevent, prepare for, and respond to the needs of the community in the amount of \$872,030. Eleven agreements and two memorandums of understanding for Personal Protection Equipment (PPE), economic development assistance, sanitation supplies, senior meal delivery and public improvements, and public service activities are to be carried out under the City's 46th year of the Community Development Block Grant (CDBG) Program. The following information outlines the scope of activity and funding level for each project under agreement with the City:

1. Saginaw Economic Development Corp \$600,619
This program is operated by the Saginaw Economic Development Corporation. The SEDC has put a program together to assist small businesses owners to prevent, prepare for and respond to COVID-19. The small business owners will have the opportunity to receive a forgivable business loan up to \$5,000. There is also micro and macro loans that will available.
2. Major Chords for Minors \$12,607
This program provides singing lessons, musical instrument instruction to children in the City and they will utilize the funds to purchase PPE and construct stations that will keep the staff and students safe and maintain a sanitized environment.
3. Saginaw Shiawassee Habitat for Humanity \$6,141
This allocation will be used to purchase necessary PPE and sanitizing products to assist with keeping staff safe in the office and out in the field.
4. Hearts for the Community \$12,070
Funds will be used to purchase PPE and upgrade bathrooms with touchless faucets and hand sanitizer dispensers. This will assist them in operating their afterschool and summer youth programs.

5. Houghton Jones Taskforce \$13,964
This neighborhood organization is utilizing their allocation to purchase sanitizing products such as antibacterial soap, hand sanitizer and to install auto paper towel dispensers, ultra violet light sanitizers, dividers for work stations, and construct a contactless student check in/out. They will also use funding to hire a part time custodian to keep the building clean and sanitized.
6. Saginaw County Youth Protection Council \$22,260
The Youth Protection Council will replace the flooring in the facility to a hard floor surface and purchase PPE, sanitizing equipment and products to keep their facilities safe for staff and the people that live in the facilities they operate.
7. Saginaw County Community Action Committee \$27,153
They will use the allocation to purchase and place sneeze guards, PPE, consumable supplies and personnel.
8. Saginaw County Community Action Committee \$41,671
This activity is homelessness prevention and the allocation will cover the staff needed to operate this program, which provides assistance to individuals in need with rent and utility expenses
9. Samaritas Community Center \$28,019
This activity is a Beyond the Bell Program and will support approximately 18 students ages 5-13 and will utilize this funding to purchase PPE and screening tools along with the Clorox total 360 Sanitizing System.
10. First Ward Community Center \$81,526
This activity is preparing and delivering meals to our most vulnerable population, our senior citizens, and individuals that have a higher risk in contracting COVID-19. They will use the funding to pay for supplies, and staff the program.
11. Partnership Center \$12,000
This activity is homelessness prevention and the allocation will cover the staff needed to operate this program and which provides assistance to individuals in need with rent and utility expenses.

The following information outlines the scope of activity and funding level for each project under a Memorandum of Understanding (MOU) with City departments outside of the Community Development Block Grant Division:

1. Housing Rehabilitation \$5,000
This allocation will be used to purchase PPE for City Inspectors such as hand sanitizer, wipes, masks, gloves and booties to wear over their work shoes.

2. City Code Enforcement Environmental Services \$9,000

Funds will be used to purchase consumable supplies such as PPE and other equipment to assist with enforcement in areas of the City that are being plagued with illegal dumping due to the pandemic closing many dumping sites. The closures of dumping sites have caused a higher level of illegal dumping in residential areas of the City. Signs will be placed in these areas along with surveillance equipment that will monitor these areas and lead to enforcement action and to deter or eliminate this behavior.

Council approved the City's submission to the Department of Housing and Urban Development for these funds on July 27, 2020.

I have approved the Agreements as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Duty and Training Ammunition
Prepared by: Brian Rowell, Community Public Safety – Police

Manager's Recommendation:

I recommend the approval of purchase with Vance Outdoors, Inc. for \$15,233.60 for duty and training ammunition for the Police Department.

Justification:

Vance Outdoors, Inc. was awarded the state contract to supply Michigan Law Enforcement agencies ammunition at a set price, per State of Michigan Enterprise Procurement, Notice of Contract No. 071B6600126. The price includes all costs, including palletizing, shipping and handling. Items are: 11 boxes of Hornady 90225 Critical Duty 9mm Luger +P 135gr FlexLock ammo, priced at \$193.90 per box (500 Rnds per box); 41 boxes of Hornady 90249 TAP Training 9mm Luger 115gr FMJ ammo, priced at \$85.00 per box (500 Rnds per box); 44 boxes of Hornady 80271 223 REM 55GR FMJ TAP Training ammo priced at \$140.30 per box (500 Rnds per box); 20 boxes of Hornady 83276 223 REM 55GR TAP Urban ammo priced at \$127.00 per box (200 Rnds per box); and 5 boxes of Winchester S308M .308 Win 168GR Sierra Match-King Boat-Tail Hollow Point ammo priced at \$180.50 per box (200 Rnds per box). This purchase will ensure the Saginaw Police Department has sufficient duty and training ammunition available for the upcoming year.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Saginaw Police Department, Drug Forfeiture Fund, Parts and Supplies, Account No. 264-3040-742.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Saginaw County Treatment and Prevention Services Grant and Budget Adjustment

Prepared by: Brian Rowell, Community Public Safety – Police

Manager's Recommendation:

I recommend the City Council approve the Saginaw County Community Mental Health Authority (SCCMHA) / Mid-State Health Network (MSHN) Treatment and Prevention Services (TAPS) Grant for \$199,805.00.

It is also recommended that a budget adjustment be completed to increase the Saginaw (TAPS) Fund's Saginaw County Revenue Account No. 265-0000-674.003 from \$199,635 to \$199,805 which is a \$170 increase. To offset this increase in revenues will be an increase to the Saginaw TAPS Salaries Account No (265-3325-702.000) by \$170.

Justification:

These funds will be used to cover the salary, benefits, and overtime costs of two Youth Prevention Officers at 100% of wage for each officer and to provide educational and outreach activities that prevent and reduce substance abuse in high risk and underserved populations. All prevention services carried out by these officers will be done primarily in the Saginaw School District, churches and youth organizations in the City of Saginaw. Overtime costs will also be paid for any additional officers that are qualified in Prevention Services who participate in outreach activities. The total amount of the agreement is for \$199,805 in which \$149,853.75 will be designated and effective for FY 2021 (October 1, 2020 through June 30, 2021) and the remaining \$49,951.25 for FY 2022 (July 1, 2021 through September 30, 2022).

Approval of the grant agreement is subject to approval of the City Manager as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Fire Training Facility Roof Replacement
Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend the approval of a purchase with Gerald Bergman, Inc. for \$11,630.00 for the replacement of the roof at the Fire Training Facility for the Fire Department.

Justification:

On September 1, 2020, three bids were received for the replacement of the metal roof at the Fire Training Facility, 101 E. Bristol. The scope of the work includes; removal of the existing roof, installation of a new metal roof, and the removal and disposal of all debris. The current roof is the original metal roof that has rusted, deteriorated and has reached the end of its useful life. The Fire Department has selected the alternate bid from Gerald Bergman which includes the installation of a new roof and snow guards installed on the new roof. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Gerald Bergman, Inc. Saginaw, MI (In City)	\$10,880.00
Gerald Bergman, Inc. Saginaw, MI (In City)	\$11,630.00 (Alternate Bid)
Fedak Corporation Saginaw, MI (In City)	\$21,800.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund – Community Public Safety Fire, Fire Operations Division's Repairs and Replacements Account No. 101-3551-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Replacement Carpet at Public Services
Prepared by: Jay Gustin, Public Services Department

Manager's Recommendation:

I recommend the approval of purchase with Westside Decorating Center for \$10,438.62 for the continued replacement of flooring in the Public Services Building.

Justification:

On August 24, 2020, a quote was received to continue the replacement of the flooring in the Public Services Building. The existing flooring in these areas was installed in the mid 1990's and is in need of replacement. The areas that are being replaced include: Streets reception area, Director of Public Services Office, Facilities reception area, and three other office spaces. This is the completion of flooring upgrades for the Public Services Building.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in Public Works Building Funds, Repairs and Replacement Account No. 641-4439-974.000 \$5,849.20 and the Major Streets Funds, Routine Maintenance's Repairs and Replacement Account No. 202-4651-974.000 \$4,589.42.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Hoyt Park Chip Seal Agreement w/County Road Commission
Prepared by: Phillip Karwat, Public Services

Manager's Recommendation:

I recommend approval of the Hoyt Park Chip Seal Agreement with the Saginaw County Road Commission for \$19,000 for the Public Services Department.

Justification:

On June 30, 2020, the Saginaw County Road Commission (SCRC) provided a quote to provide all labor and material to double chip seal the lower drive of Hoyt Park. The proposal is for approximately 3,000 feet of two lane roadway. The existing roadway is well over twenty years old and has deteriorated to the point where it has become expensive and very inefficient to maintain. The cost to pulverize and pave is estimated at \$140,000 and funds are not available. The SCRC has agreed to double chip seal this portion of roadway at a cost of \$19,000. The proposed double chip and seal will provide a more manageable surface for several years and help reduce our annual maintenance costs for this portion of roadway. The City will provide all necessary street sweeping and barricading required to complete this project. Working in conjunction with SCRC to complete this project is in the City's best interest for cost effectiveness.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Department of Public Services, Parks and Grounds Maintenance Division's, Construction Account No. 101-7570-822.000.

I have approved the agreement as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Early Fill Road Salt Purchase
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Compass Minerals America, Inc. for \$67,150.00 for 1,000 tons of early fill road salt for the Streets Division.

Justification:

On April 18, 1977, City Council approved a cooperative purchasing agreement with the State of Michigan, which allows the City to purchase material and equipment at State bid pricing. The City has used this agreement to purchase road salt for ice control in the past. In March of 2020, the City placed an order for 1,000 tons of early fill road salt for this winter.

Compass Minerals America, Inc. was the low bidder on the State bid at \$67.15 per ton. This per ton price includes the salt, weighing, loading, handling and the truck freight charges. The 2019 unit price for early fill road salt was \$70.96 and the 2020 unit price for seasonal road salt was \$73.96 per ton. This year's unit price for early fill road salt represents a 5.4% decrease from the 2019 unit price for early fill road salt and a 9.2% decrease from the 2020 unit price for seasonal road salt. The City purchased 2,000 tons of early-fill road salt last fall and 1,500 tons of seasonal road salt in February of this year. Currently, there are an estimated 3,500 tons of road salt in the salt barn.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Major Streets Fund, Winter Maintenance Division's Street and Road Materials Account No. 202-4655-743.000 \$26,860.00, the Major Streets Fund, State Winter Maintenance Division's Street and Road Materials Account No. 202-4692-743.000 \$30,217.50, and the Local Streets Fund, Winter Maintenance Division's Street and Road Materials Account No. 203-4655-743.000 \$10,072.50.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Purchase Brush Chipper
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of the purchase with Bandit Industries for \$69,450.66 for a 2020 18XP Bandit Brush Chipper for the Streets Division.

Justification:

The Streets Division has budgeted to purchase a 2020 brush chipper as specified replacing a 2009 brush chipper with 7,050 hours on it, which will be sold at auction. This brush chipper is used to maintain the city's urban forest and brush pickup routes. Due to the excessive maintenance costs, and down time of this equipment, it is in the best interest of the City to replace this equipment. This purchase will be made with MIDeal contract number 171-190000000-301.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Major Street Fund, Routine Maintenance Division's Maintenance Equipment Account No 202-4651-978.000 \$69,450.66.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Replacement Street Sweeper
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with MTech Company for \$240,866.00 for a 2020 Global M-3 Street Sweeper equipped as specified for the Streets Division.

Justification:

The Streets Section of the Right of Way Division has budgeted in fiscal year 2021 to replace a 2008 Elgin Pelican Sweeper with over 4805 hours that was scheduled for replacement in 2018, which will be sold at auction. This unit has extensive rust and fatigue to the body, frame, and driveline, along with mechanical, hydraulic, and electrical issues making it expensive to maintain in a daily use condition. This is one of six units performing cleaning operations to remove road erosions and environmental debris, which would normally be washed into the sewer drains during rain events. Operating efficiency, operator safety, and loss of productivity due to down time are contributing factors to the need to replace equipment. This purchase will be made using Sourcewell Contract 122017-GEP.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Sewer Surplus Division's Maintenance Equipment Account No. 590-4840-978.000 \$240,866.00.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Hauling and Disposal of Street Sweeping Debris
Prepared by: Beth D. London, Public Service Department

Manager's Recommendation:

I recommend the approval of a purchase with Republic Services for \$162,500 for FY 2021; and pending budget approval for \$169,000 for FY 2022, for the hauling and disposal of street sweeping debris for the Streets Division.

Justification:

On August 11, 2020, the City received two bids for the hauling and disposal of street sweeping debris. Republic Services of Pinconning was the low bidder. The contractor is responsible for all landfill fees, obtaining all necessary State and City permits and licenses, and complying with all laws, governmental regulations and ordinances. The Contractor shall pick up all street sweeping debris from the City's compost facility on Veteran's Memorial Highway (M-13). It is estimated that there will be approximately 6,500 cubic yards of street sweeping debris to dispose of each fiscal year. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Fiscal Year</u>	<u>Unit Cost</u>	<u>Cost</u>
Republic Services	FY 2021	\$25.00 / cyd	\$162,500
Pinconning, MI	FY 2022	\$26.00 / cyd	\$169,000
Waste Management	FY 2021	\$27.38 / cyd	\$177,970
of Michigan, Inc.	FY 2022	\$28.75 / cyd	\$186,875

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Catch Basin Cleaning Division's Operating Services Account No. 590-4822-805.000 and will be budgeted in the same account for FY 2022, pending budget approval.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Annual Catch Basin and Sewer Debris Hauling
Prepared by: Wayne Tornberg II, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Waste Management for \$45,000.00 for FY 2021; and pending budget approval for FY 2022, for catch basin and sewer debris hauling for the Maintenance and Service Division.

Justification:

On August 25, 2020, the City received one qualifying bid for catch basin and sewer debris hauling for the Maintenance and Service Division. This service provides 20 cubic yard containers to landfill the City's sewer debris from main line sewer and catch basin activities which amount to approximately 1,600 cubic yards of debris annually. This represents a 19% increase from FY 20 and will be followed up by a 5% increase for FY 22. The following is a tabulation of the bid received:

<u>Vendor</u>		<u>Cost</u>
Waste Management Of Michigan, Inc.	FY 2021	\$ 26.15 per CYD
	FY 2022	\$ 27.46 per CYD

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Maintenance and Service Division's, Operations Account No. 590-4821-805.000 \$45,000 and will be budgeted in the same account for Fiscal Year 2022 pending budget approval.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: No-Lead Brass Fittings
Prepared by: Wayne Tornberg II, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Ferguson Enterprises for \$339,992.40 for no-lead brass fittings for the Maintenance and Service Division.

Justification:

On August 25, 2020, the City received qualified two bids for various no-lead brass water service fittings totaling over 34,000 individual pieces. With the adoption of State of Michigan's Lead / Copper Rule of 2018, the City must have an ample amount of no-lead brass fittings on hand for the maintenance, emergency repair and construction of water service lines in the City's water distribution and transmission systems. A cost comparison shows an average of 6% increase over the previous year's bid. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Total</u>
Ferguson Enterprises Saginaw, MI (Out of City)	\$339,992.40
Michigan Pipe and Valve Saginaw, MI (Out of City)	\$357,300.50

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operation and Maintenance Fund, Maintenance and Service Division Lead & Copper Service Line Maintenance Division's Parts and Supplies Account No. 591-4722-742.000 \$339,992.40 and will be accounted for in the Water Operation and Maintenance Fund Water Inventory Account No. 591-0000-110.002.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: K-Copper Tubing
Prepared by: Wayne Tornberg II, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Ferguson Waterworks for \$65,750.00 for K-Copper tubing for the Maintenance and Service Division.

Justification:

On August 18, 2020, bids were received for 25,000 feet of ¾ inch K-Copper tubing to be used for replacing water service connections throughout the City's water distribution system. A cost comparison shows an increase of 7% compared to the November 5, 2019 bid. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Size</u>	<u>Cost</u>
Ferguson Waterworks Saginaw, MI. (out of City)	¾ Inch	\$65,750.00 / \$2.63 per foot
ETNA Supply Company Grand Rapids, MI	¾ Inch	\$66,250.00 / \$2.65 per foot
Michigan Pipe & Valve Saginaw, MI. (out of City)	¾ Inch	\$66,750.00 / \$2.67 per foot
The Macomb Group Sterling Heights, MI	¾ Inch	\$74,500.00 / \$2.98 per foot
Core & Main LP Shelby Township, MI	¾ Inch	\$92,750.00 / \$3.71 per foot

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 591-4721-742.000 \$13,150.00 and Water Operation and Maintenance Fund, Lead & Copper Service Line Maintenance Division's Parts and Supplies Account No. 591-4722-742.000 \$52,600.00 for FY 2020 and will be accounted for in the Water Operation and Maintenance Fund Water Inventory Account No. 591-0000-110.002.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: SCADA Radio Telemetry Network Upgrade
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend approval of a purchase with Holzberg Communications, Inc. for \$72,800.82 for radios and equipment to upgrade the Supervisory Control and Data Acquisition System radio telemetry network for the Water and Wastewater Treatment Divisions, Instrumentation and Process Controls Division.

Justification:

The City received quotes in August of 2020 from four reputable vendors to upgrade the aging radio telemetry network, which is part of our SCADA (Supervisory Control and Data Acquisition System) systems at the Water and Wastewater Treatment Divisions. As the system has grown, the existing network has proven to be too slow for current operations. Following is a summary of the quotes received:

Holzberg Communications, Inc. Totowa, New Jersey	\$ 72,800.82
Trendset Communications Group Clinton Township, MI	\$ 80,961.14
GE MDS, LLC Rochester, NY	\$ 88,830.00
J & K Communications Columbia City, IN	\$ 120,876.72

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Surplus Division, Repairs and Replacements Account No. 591-4740-974.000 \$46,451.05 and Sewer Surplus Division, Repairs and Replacements Account No. 590-4840-974.000 \$26,349.77 for Fiscal Year 2021.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: EAM Software Maintenance Renewal Fee
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend approval of a purchase with Infor for \$17,393.66 for the EAM software annual renewal maintenance fee at the Water and Wastewater Treatment Divisions for the Instrumentation and Process Controls Division.

Justification:

Personnel from the Water and Wastewater Treatment Plants utilize EAM Enterprise Edition Barcoding systems and software for asset management, maintenance processes, collaborative workflow, reporting and analysis and routine equipment maintenance. An annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the help desk for all software related questions and/or problems.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Instrumentation and Controls Division's Operating Services Account No. 590-4815-805.000 \$8,696.83 and the Water Operations and Maintenance Fund, Instrumentation and Controls Division's Operating Services Account No. 591-4715-805.000 \$8,696.83.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Rockwell Automation, Inc. TechConnect Support Agreement Renewal
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend approval of an Agreement with Kendall Electric, a sole source, for \$4,882.00 for hardware/software product support through Rockwell Automation, Inc. at the Water and Wastewater Treatment Divisions for the Instrumentation and Process Controls Division.

Justification:

On June 1, 2020, the City of Saginaw received a quote for a TechConnect Support Agreement renewal to provide automation software support services at the Water and Wastewater Treatment Divisions through September 13, 2021. This support covers hardware, software updates and phone and e-mail support for the Supervisory Control and Data Acquisition System which runs the electrical controls. Kendall Electric is the distributor for Rockwell Automation, Inc. and the sole provider of this service.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Instrumentation and Process Controls Subscriptions Account No. 590-4815-823.002 \$2,441 and the Water Operations and Maintenance Fund, Instrumentation and Process Controls Subscriptions Account No. 591-4715-823.002 \$2,441.

I have approved the Agreement as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Center for Tech and Civic Life Organization Grant Award
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend the acceptance of the grant award of \$402,878.00 and the grant agreement with the Center for Tech and Civic Life for the City's Safe Voting Plan for the Election Division.

In addition, funds will be recognized in the General Fund Revenues Contribution Account No. 101-0000-674.000 in the amount of \$402,878.00. To offset the increase in revenues will be an increase of the same amount to the General Fund, Office of General Government, Elections Division, Capital Outlay less than \$5,000 Account No. 101-1731-971.000 in the amount of \$201,439 and Office Equipment 101-1731-981.000 in the amount of \$201,439 as purchases are acquired in accordance to the grant.

Justification:

On September 1, 2020, the City Clerk submitted a grant application to Center for Tech and Civic Life (CTCL) totaling \$402,878.00. CTCL is a nationally-known nonprofit making \$250 million available to local clerks across the country to support our election infrastructure needs. No matching funds are required. Therefore, the grant was sought to assist the City to continue to provide safe and secure election administration. The City Clerk collaborated with Thomas Group Consulting to prepare the grant application. The successful grant was awarded on September 3, 2020.

Monies will be transmitted to the city upon the return of the executed agreement. Purchases of items within the plan agreement will begin upon receipt of the funds and must be completed before December 31, 2020. A report of grant expenditures must be submitted to CTCL by January 31, 2021.

I have approved the agreement as to substance and the City Attorney approves as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: Municipal Employees Retirement System 74th Annual Meeting
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend the appointment of Kaylene VanWagner as officer delegate and Lisa Crook as alternate officer delegate, and Gerald Gregory as employee delegate, to attend the Municipal Employees Retirement System's 74th Annual Meeting.

Justification:

The Municipal Employees Retirement Act provides that an annual meeting shall be held for representatives of participating municipalities for the purpose of selecting nominees for membership on the retirement board and to transact such business as may be required for the proper operation of the retirement system. The 2020 annual meeting has been scheduled for September 21-24, via virtual online sessions.

The officer delegate and alternate officer delegate are recommended based on appointing criteria. The employee delegate and employee alternate delegate are elected in accordance with the Act that requires the City Clerk to hold a secret ballot election for City eligible Municipal Employees Retirement System members. A nomination period was open for employees to submit their names. However, the only employee to submit their name prior to the deadline was Gerald Gregory. Therefore, no election was required. Gerald Gregory is the qualified employee delegate.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: Voting Booths – Election Division
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend the approval of a purchase with Inclusion Solutions, a sole source, in the amount of \$86,121.60 for one hundred 4-station voting booths for the Election Division.

Justification:

The Center for Tech and Civic Life (CTCL) grant will provide funds to replace the voting booths currently used by the Election Division. Listed in the application for the CTCL grant were one hundred 4-station Franklin voting booths.

The city currently utilizes suitcase-style voting booths with removable plastic legs and collapsible sides. Many of these voting booths have missing legs or broken pieces and have exceeded their usable life. The Franklin voting booth is a universal design, meeting all Americans with Disabilities Act standards, Americans with Disabilities Act Accessibility Guidelines, and allowing for seated or stand-up voting. The booths are self-contained with no removable pieces.

Inclusion Solutions is a sole source provider of this style of voting booth. Currently, the required number of booths are in stock. With many jurisdictions receiving grant funds from CTCL, it would be in the best interest of the City to order the booths at the earliest possible time. This purchase is contingent upon Council approval of the CTCL grant.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions," of the Saginaw Code of Ordinances, O-204.

Funds are available in the General Fund, Office of General Government, Election Division Capital Less than \$5,000.00 Account No. 101-1731-971.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager

Subject: Citizen-Police Advisory Commission

Prepared by: Robert Ruth, Chief of Police

Manager's Recommendation:

I recommend the introduction of the ordinance creating the Citizens-Police Advisory Commission.

Justification:

This ordinance was created in acknowledgement of the continuing need to build trust and positive relationships with all segments of our community. The formation of Citizens-Police Advisory Commission (C-PAC) is a necessary step in reframing the relationship that the residents of Saginaw have with the police and in developing the community-oriented policing that the City strives for and that our community deserves. Its primary purposes will include reviewing Police Department investigation and response to use of force complaints; making recommendations concerning Police Department policies, practices, and compliance; and fostering community relations.

Council Action:

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

ORDINANCE INTRODUCTION

O-1

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

O-_____

AN ORDINANCE TO ADD §12.042 "CITIZENS-POLICE ADVISORY COMMISSION," OF CHAPTER 12, "BOARDS AND COMMISSIONS," OF TITLE I, "ADMINISTRATIVE CODE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

Laid over under the Charter Provision.

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced September 14, 2020, be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO ADD §12.042 "CITIZENS-POLICE ADVISORY COMMISSION," OF CHAPTER 12, "BOARDS AND COMMISSIONS," OF TITLE I, "ADMINISTRATIVE CODE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw Ordains:

Section 1. §12.042 "Citizens-Police Advisory Commission," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-1, is hereby added to read as follows:

§12.042 CITIZEN-POLICE ADVISORY COMMISSION

(A) *Purpose and establishment.* Public safety and crime reduction have been a focus of the City for several years. To have a truly effective police department, the department and city must be engaged with residents. Lack of outreach and availability creates distrust and tension, particularly between marginalized populations and law enforcement. The City is committed to building trust and positive relationships with all segments of the community. The formation of the Citizen-Police Advisory Commission is a necessary step in reframing the relationship that the residents of Saginaw have with the police and in developing the community-oriented policing that the City strives for and that our community deserves.

(B) *Definitions.* For purposes of the ordinance, the following terms shall have the following defined meanings:

(1) *Commission* means the Citizen-Police Advisory Commission.

(2) *Department* means the City of Saginaw Police Department.

(C) *Purpose.* The Commission has all of the following purposes:

(1) To improve and strengthen police-community relations.

(2) To create an environment that allows for better communication, understanding, and relations between the Department and the community.

(3) To provide the community with a role in recommending policies and practices that ensure a high quality of police services.

(4) To work with the Department to encourage the respectful treatment of all persons.

(5) To provide a process for outside review of particular complaints, and the Department's (or external agency's) investigation and conclusion related to such complaints, in order to recommend potential changes in police policies or practices.

(D) *Nature of the Commission.* The Commission shall provide recommendations to the Police Chief, the City Manager, and/or the City Council with respect to matters concerning the Department. The creation and operation of the Commission shall not impair the authority and responsibility of the Police Chief, the City Manager, or the City Council. Recommendations produced by or for the Commission are not binding, factually or legally, on the City or any part thereof, including the Department, the City Manager, the City Attorney, and the City Council.

(E) *Formation of Commission.*

(1) *Membership.* The Commission shall consist of 9 members to be appointed by City Council. Membership on the Commission shall consist of members from each of the following:

- (a) One youth representative from a local high school.
- (b) One representative nominated by the local chapter of the NAACP or similar organization active in the City.
- (c) One representative nominated by the local chapter of the Mexican American Council or similar organization active in the City.
- (d) One representative nominated by a LGBTQ+ organization active in the City.
- (e) One representative from the local neighborhood associations.
- (f) One representative who had previously been convicted of a crime and incarcerated for same.
- (g) One mental health professional.
- (h) One at-large member.
- (i) The Department Chaplain.

Persons who are current employees of the City, or persons who have been employed by the City or another jurisdiction as a police officer, shall not be eligible for appointment. At least four of the members of the Commission shall be female. Members shall be residents of the City. Members shall serve without compensation.

(2) *Terms.* Terms for members shall be 3 years, other than the youth member whose term shall be 1 year. Members shall be limited to 2 consecutive terms.

(3) *Filling vacancies.* If a seat on the Commission becomes vacant, it shall be filled by City Council in the same manner as the original appointment. The individual filling such vacancy shall serve the remainder of the term. A member holding over after their term expires may continue to act until a successor is appointed.

(4) *Member removal.* Council may remove any member for cause upon notice to that member and an opportunity for that member to respond to Council in writing.

(a) Members are expected to attend meetings on a regular basis. Three consecutive absences, or five absences within one calendar year, will constitute cause for the automatic removal of the member.

(5) *Ethical considerations.* Each member of the Commission, and every person who renders services to the Commission, shall maintain and protect the status of confidential information. Each member shall avoid conflicts of interest.

(F) *Incident review.*

(1) The Police Chief shall report to the Commission at least every 3 months on any developments bearing on the Department's performance of its functions, including any significant changes in policies or procedures, staffing, budgetary needs, data on field operations disaggregated by race or other protected class to the maximum extent feasible, and any use of force complaint received by the Department. The Chief shall not report to the Commission on any use of force complaint until any internal or other investigation related to same has concluded. The Police Chief's report will include the facts of the incident, whether the conduct of the officers involved was determined to be appropriate or inappropriate, any discipline that has been or will be imposed, and any changes in Department policies or procedures that were or will be made as a result of the complaint.

(a) The Police Chief will make available to the Commission all documents, videos, and descriptions of tangible evidence related to the incident. Documents, videos, and other materials shall be redacted or withheld from the Commission to the extent necessary to maintain privacy, confidentiality, and other concerns, or as required by federal or state law, City Charter, collective bargaining agreement, or legally recognized privilege.

(b) Members of the Commission shall not disclose private, confidential, or privileged information or records and shall be subject to the same penalties as the legal custodian of the information or records for any unlawful or unauthorized disclosure.

(2) The Commission shall review findings of fact made by the Department, or other outside investigating authorities, with respect to any use of force complaint reported on by the Police Chief, for the purpose of making recommendations for improvement to Department policy and procedure. The Commission's review shall not precede or be concurrent with Department actions, but shall occur after the Department, or other applicable authorities, have completed all proceedings related to the complaint under review, including investigative, criminal, disciplinary, and other proceedings.

(G) *Recommendations concerning policies, practices, and compliance.* The Commission will examine and assess, according to such priorities as it may determine, all non-tactical Department-related policies and the Department's degree of compliance with same. The Commission will make recommendations for improvements, including the development of new policies, as well as revisions to existing ones.

(H) *Reports.*

(1) The Commission may issue a report at any time it deems appropriate concerning any Department-related policy, unless such report would interfere with an ongoing investigative, disciplinary, criminal, or other proceeding. Such a report may make recommendations for improvements. Such recommendations shall be addressed to the Police Chief.

(2) *Public reports; confidentiality.* Reports of the Commission shall be public records, but the Commission shall take care not to make public release of information that

should remain confidential by reason of law, collective bargaining agreement, or overriding public policy, or that has been provided to the Commission in confidence.

(I) *Community relations.*

(1) *Building community relations.* For the Department to be able to perform its vital function in a way that is both effective and equitable to all segments of the community, especially those segments of the community that are vulnerable and marginalized, it is crucial that there be increased understanding of the needs of those particular community groups by the Department. The Commission shall be proactive in discharging its responsibilities of fostering better communications and understanding between the Department and community. The Commission may convene advisory boards or host listening sessions, discussion circles, and educational sessions with community groups and with the community at large, with or without police participation, based on the preferences of each community group. In conducting these actions, the Commission:

(a) Shall seek input from a broad representation of community groups, including but not limited to youth of color; adults of color; women; persons living with mental illness; formerly incarcerated persons; persons who have had adverse interactions with the Department; persons living with persistent economic hardship; LGBTQ+ persons; and persons with immigrant status.

(b) Shall consider whether information that it learns from these actions suggests that it should make any recommendations as to changes in practices and policies bearing on the City's exercise of the policing function.

(c) Shall, through the youth liaison, work with an existing youth council to incorporate a youth perspective into the Commission's decisions and recommendations.

(2) *Community liaisons.* The Commission may identify one or more persons in the community who may serve as a liaison for persons who wish to provide suggestions, concerns, complaints, or other information related to the Commission's purpose, but who do not wish to contact the Commission or City directly. In identifying community liaisons, the Commission shall take reasonable steps to ensure that the liaisons will:

(a) Be publicly available to any person wishing to provide information.

(b) Be available to provide the Commission with regular updates regarding all information received related to their role as a community liaison.

(c) To the best of their ability, accurately report the information received.

(d) In understanding that the information the liaison provides to the Commission is likely to be a public record, protect the identity or confidential information of a person who provides information, unless the person expressly authorizes otherwise.

The Commission may evaluate whether and to what extent any of the information received from a community liaison warrants further discussion or review by the Commission, bearing in mind that the Commission likely will not have access to first-hand information.

(J) *Operations and support.*

(1) *Committees and assignments.* The Commission may create and form special purpose task forces and subcommittees to carry out the business of the Commission, provided that any report prepared by these groups that the Commission wishes to issue must be presented to and adopted by the Commission as a whole.

(2) *Facilities and staff support.* The City shall provide the Commission with suitable facilities for the conduct of its meetings and other business. The City Clerk shall serve as clerk of the Commission meetings and preserve the record of such meetings.

(3) *Meetings.* The Department Chaplain shall serve as Chair of all Commission meetings. At the first regular meeting of each calendar year, the Commission shall select from its members a Vice Chair, who shall serve in the Chair's absence. Regular Commission meetings shall be determined at the January meeting for the current year by a majority vote of the Commission. All meetings shall be open to the public and subject to the requirements of Michigan's Open Meetings Act, PA 267 of 1976. A majority vote of those members present shall be necessary to approve any motion, resolution, or recommendation of the Commission. All records of the Commission shall be subject to the requirements of Michigan's Freedom of Information Act, PA 442 of 1976.

This ordinance shall become effective October 8, 2020.

Enacted: September 28, 2020.

Yeas:

Nays:

Absent:

Floyd Kloc
Mayor

Janet Santos
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 September 28, 2020; 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, MiPMC/MMC
City Clerk

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced August 10, 2020, be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO REPEAL CHAPTER 118 AND REPLACE WITH §§118.01 THROUGH 118.23, TITLED "CHAPTER 118: LICENSING OF MARIHUANA ESTABLISHMENTS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw Ordains:

Section 1. §§118.01 through 118.23, Titled "Chapter 118: Licensing of Marihuana Establishments," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204, is hereby added to read as follows:

CHAPTER 118: LICENSING OF MARIHUANA ESTABLISHMENTS

§118.01 PURPOSE.

The purpose of this chapter is to license and regulate recreational or adult use marihuana establishments to the extent they are licensed under the Michigan Regulation and Taxation of Marihuana Act, being Initiated Law 1 of 2018, MCL 333.27951 *et seq.*, as amended. The City does not intend that licensing and regulation under this chapter be construed as a finding that such businesses are legal under state or federal law. Although some specific uses of medical marihuana are allowed by the Michigan Medical Marihuana Act, marihuana continues to be classified as a schedule 1 controlled substance under federal law and as such, growing, distributing, and possessing marihuana, other than as part of a federally authorized research program, as well as other activities as set forth in federal law, is a violation of federal law. By requiring a license and compliance with requirements as provided in this chapter, the City intends to protect, to the extent possible, the public health, safety, and welfare of the residents of and visitors to the City that may result from the activities of persons who unilaterally, or on the advice of their own attorney, determine that they may legally operate a recreational or adult use marihuana establishment.

The operation of a licensed marihuana establishment is a revocable privilege and not a right in the City. Nothing in this chapter is to be construed to grant a property right for an individual or business entity to apply for, obtain, or have renewed, a City-issued license to engage in the use, distribution, cultivation, production, possession, transportation or sale of recreational or adult use marihuana as a commercial enterprise in the City.

§118.02 DEFINITIONS.

(A) For purposes of this Chapter 118, the following words, terms and phrases shall be defined as follows:

Act shall mean the Michigan Regulation and Taxation of Marihuana Act, being Initiated Law 1 of 2018, MCL 333.27951 *et seq*, as amended, and its corresponding emergency and/or administrative rules.

Chief Inspector shall mean the Chief Inspector of the City of Saginaw or their designee.

City Clerk shall mean the City Clerk of the City of Saginaw or their designee.

Delivery business shall mean a person licensed to delivery marihuana products sold by a licensed retailer on behalf of the licensed retailer, collect payment for the marihuana product, and return payment to the licensed retailer. A delivery business is not subject to the licensing requirements of this chapter, but is subject to the general business licensing requirements of Chapter 110 of this Code.

Excess grower shall mean a person licensed to hold 5 class C grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

Grower shall mean a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

LARA shall mean the Michigan Department of Licensing and Regulatory Affairs or its designee or successor, including the Marijuana Regulatory Agency.

Marihuana establishment or *establishment* shall mean a grower, safety compliance facility, processor, retailer, secure transporter, or excess grower licensed by the state in accordance with the Act. Though contemplated by the Act, as used in this Chapter 118, *marihuana establishment* or *establishment* does not include microbusinesses, designated consumption establishments, marihuana event organizers, temporary marihuana events, marihuana delivery business, or any facility contemplated by the Michigan Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016.

Owner means any person who has equitable or legal title to any portion of property on which a license is being sought under this chapter.

Person shall mean an individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.

Processor shall mean a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

Qualified applicant means an applicant whose application has not been denied as provided in this chapter and the zoning requirements of this Code and has been approved by the City Clerk to be eligible for a license.

Retailer shall mean a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

Secure transporter shall mean a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

Safety compliance facility shall mean a person licensed to test marihuana, including certification for potency and the presence of contaminants.

(B) All other terms and phrases used herein shall be defined consistent with the Act.

§118.03 LICENSE REQUIRED.

(A) No person shall own or operate a marihuana establishment within the City without first obtaining a license as required by this chapter and a valid state operating license.

(1) No establishment purporting to produce, manufacture, test, transfer or transport marihuana prior to the adoption of this chapter shall be considered a lawful use or lawful nonconforming use.

(2) The license requirement in this chapter applies to all marihuana establishments operated for profit or not for profit.

(3) The license requirement in this chapter shall be in addition to any other requirements imposed by any other state or local law.

(B) A marihuana establishment shall meet all conditions of this chapter and other applicable ordinances and laws. Additionally, a marihuana establishment license shall be issued subject to the following conditions:

(1) A marihuana establishment shall be inspected at the time of application; shall be compliant with applicable building, electrical, fire, plumbing and other codes; and shall be inspected yearly by the Chief Inspector.

(2) If the applicant is not the owner of the property upon which the marihuana establishment is to be located, the application shall include the property owner's written consent to the use of the property as a marihuana establishment.

(3) A license issued under this chapter is valid only for the location of the establishment and type of establishment that is listed on the license application and is valid only for the operation of the establishment at that location by the license applicant, provided the establishment remains in compliance with all of the requirements of this chapter.

§118.04 PROCEDURE FOR APPLICATION.

(A) Any person wishing to operate a marihuana establishment in the City shall file a marihuana establishment license application with the City Clerk.

(1) License applications for marihuana establishments shall be received by the City Clerk beginning January 4, 2021.

(2) Except as provided in this section, the City Clerk shall be responsible for establishing the procedure for receiving, reviewing and processing license applications.

(3) Any person desiring to secure a license shall make application to the City Clerk upon a form provided by the City Clerk. All license applicants must be prequalified for a marihuana establishment license by LARA before submitting an application.

(4) A copy of all applications received shall be distributed by the City Clerk to any other necessary City departments for review to determine that the application is complete. If an application is incomplete or missing information, the City Clerk shall notify the applicant of the incomplete or missing information in writing by mail or electronic mail sent to the address provided by the applicant in the application. The applicant shall have ten (10) business days from the date

of mailing of the written notice to provide the incomplete or missing information to the City Clerk. If the applicant shall fail to timely provide such incomplete or missing information, the application shall be deemed withdrawn.

(5) Information requested in the application shall be provided for the applicant, any person who controls, directly or indirectly, the operation of the marihuana establishment, and each stockholder or other person having a ten percent (10%) or greater beneficial interest in the proposed marihuana establishment. The application for a license shall include, at a minimum, the information and documentation listed below:

(a) The name, business address, business telephone number, social security number, and, if applicable, federal tax identification number of the applicant and other persons included in the application.

(b) All residential addresses of the applicant and other persons included in the application.

(c) A copy of the application submitted to LARA for prequalification and documentation evidencing that the applicant has been prequalified for a marihuana establishment license by LARA.

(d) Whether the applicant or other persons included in the application have previously violated this chapter or a substantially similar ordinance in another municipality preceding the date of the application.

(e) A comprehensive operating plan for the marihuana establishment for which the application is being submitted that includes all of the information required for the marihuana establishment plan to be submitted under the Act, the operational standards in this chapter, as applicable, and the following at a minimum:

(i) As required by the Act, the identity of any person who controls, either directly or indirectly, the proposed marihuana establishment;

(ii) Financial and tax information as required by the Act;

(iii) Business organizational documents as required by the Act;

(iv) A description of the type of marihuana establishment applied for and its location.

(v) A diagram of the marihuana establishment including, but not limited to, all of the following: the proposed establishment's size and dimensions, the location of common entryways, doorways, and passageways, means of public entry and exit, limited access areas and restricted access areas, and an indication of the distinct areas or structures for separate marihuana establishments at the same location.

(vi) A detailed floor plan and layout that includes, minimally, all of the following: dimensions of interior and exterior rooms, maximum storage capabilities, number of rooms, dividing structures, fire walls, entrances and exits, locations of hazardous material storage, and quantities of hazardous materials.

(vii) Means of egress, including but not limited to, delivery and transfer points.

(viii) Construction details for structures and fire-rated construction for required walls.

(ix) Building structure information, including, but not limited to, new, pre-existing, freestanding, or fixed.

(x) Building type information, including, but not limited to, commercial, warehouse, industrial, retail, converted property, house, mercantile building, pole barn, greenhouse, laboratory, or center.

(xi) Zoning classification and zoning information.

(xii) If the proposed marihuana establishment is in a location that contains multiple tenants and any applicable occupancy restrictions.

(xiii) A comprehensive security plan for the marihuana establishment for which the application is being submitted that includes all of the information required for the security plan to be submitted under the Act and that addresses the ability to meet all security measures required by the Act.

(xiv) For growers, processors, and safety compliance facilities, a ventilation system plan for the marihuana establishment describing in detail the equipment or systems that will be used to mitigate noxious gasses or other fumes used or created as part of any production process or operation.

(xv) A staffing plan that addresses the number of persons estimated to be employed at the establishment, employee training, and includes an employee training manual that includes, but is not limited to, employee safety procedures, employee guidelines, security protocol, and educational training, including, but not limited to, marihuana product information, dosage and purchasing limits, or educational materials.

(xvi) A marketing plan that, at a minimum, details how the marihuana establishment will comply with all municipal ordinances and state laws regulating signs and advertising; and provides that marihuana products must not be marketed or advertised to minors aged 20 years or younger.

(f) Proof that the applicant or other persons included in the application have or will have lawful possession of the property proposed for the marihuana establishment for the period during which the license will be issued, which proof may consist of a deed, a lease, a real estate contract contingent upon successful licensing, or a letter of intent by the owner of the property indicating an intent to lease the property to the applicant contingent upon the applicant successfully obtaining a state operating license and local license.

(g) The mailing address and electronic address at which the applicant desires to receive notices required under this chapter, and phone numbers at which the applicant desires to be contacted.

(h) Whether the applicant or other persons included in the application have ever applied for or have been granted any commercial license or certificate issued by LARA or any other jurisdiction concerning medical or adult use marihuana that has been denied, restricted, suspended, revoked or not renewed, and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.

(i) Whether the applicant or other persons included in the application have an interest in any other application for a license or approved license under this chapter at the time of application.

(j) Whether the applicant or other persons included in the application have an interest in any other marihuana facility or establishment under the Act or the Michigan Medical Marihuana Facilities Licensing Act, and if so the type of facility or establishment, its name, and the location of the facility or establishment the applicant or other person has an interest in.

(k) A statement that the applicant and other persons included in the application will not violate any of the laws of the State of Michigan or the ordinances of the City in conducting the business in which the license will be used, and that such a violation may be cause for nonrenewal of a license issued under this section or for revocation of the license.

(l) A statement that the applicant and other persons included in the application understand that the issuance of a license under this section is not intended to grant, nor shall be construed as granting, immunity from criminal prosecution for the growing, sale, consumption, use, distribution, or possession of marihuana in any form or manner.

(m) A statement that the applicant and other persons included in the application understand and agree to be bound by the indemnification provision of this chapter.

(n) A statement by the applicant and other persons included in the application indicating acceptance of a license from the City under this chapter constitutes consent by the licensee, and its owners, managers and employees, for the City to conduct inspections of the establishment as provided in §118.14.

(o) A statement by the applicant and other persons included in the application acknowledging that all marihuana establishments licensed to operate in the City shall at all times maintain in full force and effect insurance and/or bonds in an amount and coverage type as required by the Act.

(p) A statement as to whether the applicant or other persons included in the application have been served with a complaint or other notice filed with any public body regarding the payment of any tax required under federal, state, or local law that has been delinquent for one or more years.

(q) Any other information as required by LARA.

(5) Applicants have a continuing duty to provide the City with up-to-date information and shall notify the City Clerk in writing of any material changes to any of the information contained in the application, including mailing addresses, phone numbers, electronic mail addresses or other contact information, within 10 days of any such change occurring.

(6) The City Clerk shall issue a license to an applicant within 90 days after receipt of the application, unless the City Clerk finds and notifies the applicant that the applicant is not in compliance with this Code or the Act.

(7) The City Clerk may from time to time establish other requirements for the application process, which shall then be provided in writing to prospective applicants with the application form.

(8) The annual license fee shall be established by Council and on file in the Office of the City Clerk. This fee shall be in addition to, and not in lieu of, any other fees for licensing or licensing requirements, including but not limited to site plan review, zoning, or building licenses.

§118.05 ACCEPTANCE OR DENIAL OF APPLICATION.

(A) Applications received may be denied by the City Clerk if the applicant, upon written notice, fails to provide missing or incomplete information within the time specified in this section.

(B) The City Clerk may deny an application for any of the following reasons:

(1) The applicant has not been prequalified for a marihuana establishment state license by LARA.

(2) The applicant did not pay the required application fee at the time of submission of the application.

(3) The applicant has not provided satisfactory proof that the applicant has or will have lawful possession of the property proposed for the location of the marihuana establishment for the period during which the license will be issued.

(4) The applicant's proposed location does not comply with the City's zoning requirements as set forth in this Code.

(5) The applicant has not satisfactorily complied with all of the application requirements in this chapter.

(6) The applicant has a suspended or revoked state or local medical or adult use marihuana license in another jurisdiction.

(7) The City Clerk determines that the applicant has submitted an application containing false, misleading, or fraudulent information, or has intentionally omitted pertinent information on the application.

(8) The applicant is delinquent in the payment of any taxes, fees or other charges owed to or collected by the City.

(9) The operating plan submitted by the applicant with the application does not comply with the requirements for a marihuana establishment plan as required by the requirements of this chapter or the Act.

(10) It is a duplicative application.

(C) Notice of denial of an application shall be sent to the applicant in writing by mail or electronic mail to the last known address of the applicant on file with the City. If a license is denied by the City Clerk, the applicant may appeal as set forth in §118.12.

(D) All applications for establishments that are not denied as provided herein, and comply with all of the requirements for an application in this chapter and the zoning requirements of this Code, shall be accepted by the City Clerk as a qualified applicant.

§118.06 PROVISIONAL LICENSE.

(A) Provisional licenses will be issued by the City Clerk to qualified applicants whose applications have been accepted.

(B) A provisional license does not authorize the applicant to operate a marihuana establishment without first obtaining a state operating license for the establishment, and obtaining all other licenses, inspections, and approvals required by this chapter and all other applicable provisions of this Code. Issuance of a provisional license only means that the applicant has submitted a valid application for an establishment license and is eligible to receive the appropriate license from LARA.

(C) Upon issuance of a provisional license, the City Clerk is authorized to execute an affirmation to accompany an application for an establishment license that discloses that the City has adopted an ordinance pursuant to the Act, a description of the City zoning regulations that apply, and any other information that may be required by the Act for such an attestation.

(D) A provisional license will lapse and be void one year from the date it has been issued if a state operating license, and/or all inspections and other licenses and approvals required by this Code, are not obtained, or if an applicant is denied a state operating license. The City Clerk shall notify LARA of all applicants whose provisional licenses have lapsed or become void. A provisional license may be extended, in the sole discretion of the City Clerk, upon a showing of good cause that any delay is not the fault of the applicant, for an additional period not to exceed six months.

(E) A provisional licensee has a continuing duty to provide the City Clerk with up-to-date information including contact information or material changes to any other information it has submitted with its license application and shall notify the City Clerk in writing of any changes to the mailing addresses, phone numbers, electronic mail addresses, or other information the provisional licensee provided to the City within 10 days of any such change occurring.

(F) A provisional license may be revoked by the City Clerk, in writing, for any of the following reasons:

(1) The provisional licensee is denied a state operating license;

(2) The marihuana establishment is substantially different from the comprehensive operating plan or other representations contained in the application;

(3) Officers, employees, or agents of the City are unable to access the proposed establishment for inspection or are otherwise denied access by the provisional licensee;

(4) The provisional licensee fails, refuses, or becomes unable to obtain special approval, site plan approval, a certificate of occupancy, or other necessary zoning or building approvals as required by this Code; or

(5) Noncompliance with the Act or this chapter.

(G) If a provisional license is revoked, the City Clerk will notify both the licensee and property owner, in writing, by mail or electronic mail at the last known address on file with the City, as well as LARA, of the revocation of the license and the reasons therefore.

(H) The holder of a provisional license that is revoked may appeal the revocation to the City Manager as set forth in §118.12.

§118.07 MARIHUANA ESTABLISHMENT LICENSE.

(A) Marihuana establishment licenses will be issued by the City Clerk. In order to be issued a marihuana establishment license an applicant who holds a valid provisional license shall:

(1) Submit proof to the City Clerk it has been issued a state operating license;

(2) Successfully complete any inspections required by this Code;

(3) Submit proof to the City Clerk of obtaining all licenses and approvals required by this Code, including but not limited to an approved site plan; and

(4) Submit proof of insurance or financial responsibility as required by the Act.

(B) Before issuance of a marihuana establishment license the City shall conduct a final inspection of the proposed marihuana establishment to verify that the establishment is constructed and can be operated in accordance with the application submitted, the approved site plan, the requirements of this Code and any other applicable law, rule, or regulation. No marihuana establishment license may be issued, and no marihuana establishment may conduct any business or operations, until the inspection is completed, and it is determined that the establishment is constructed and can be operated in accordance with the application and the comprehensive operating plan submitted with the application.

(C) A marihuana establishment license issued under this section is a revocable privilege granted by the City and is not a property right. Granting the license does not create or vest any right, title, franchise or other property interest.

(D) Each license is exclusive to the person who is issued the license and that person must apply for and receive approval of the City Clerk pursuant to this chapter before a license is transferred, sold, purchased, or otherwise assigned.

(E) The marihuana establishment license and state operating license shall be displayed in a conspicuous public place in the establishment.

(F) A licensee has a continuing duty to provide the City with up-to-date information including contact information or material changes to any other information it has submitted with its license application and shall notify the City Clerk in writing of any changes to its mailing address, phone

numbers, electronic mail address, or other information the licensee is required to provide to the City within 10 days of any such change occurring.

§118.08 TYPES OF LICENSES.

(A) The types of marihuana establishments allowed and eligible to be licensed in the City are:

- (1) Growers;
 - (a) Class A – Allows cultivation of not more than 100 plants;
 - (b) Class B – Allows cultivation of not more than 500 plants;
 - (c) Class C – Allows cultivation of not more than 2,000 plants;
- (2) Excess growers;
- (3) Processors;
- (4) Retailers;
- (5) Secure transporters; and
- (6) Safety compliance facilities.

(B) Microbusinesses, designated consumption establishments, marihuana event organizers, and temporary marihuana events are prohibited in the City.

§118.09 RENEWALS AND AMENDMENTS OF EXISTING LICENSES.

(A) Renewal or amendment of existing licenses.

(1) The same application procedures, including the non-refundable fee, that apply to the submittal of a new license application shall apply to renewal or amendment of existing licenses.

(2) An application for renewal of an existing license shall be submitted no sooner than 90 days before the existing license expires and no later than 30 days before the existing license expires.

(B) Amended applications.

(1) An amended application shall be submitted under either or both of the following circumstances:

(a) When there is a material change in any information the license applicant was required to provide in the most recent application on file with the City Clerk, including but not limited to any change in location or any change of ownership; and/or

(b) When there is a material change in any information the license applicant was required to provide in the most recent application for a state operating license on file with the state, including but not limited to any change in location or any change of ownership.

(C) It shall be unlawful for any person to make changes or allow any changes to be made in the operation of the marihuana establishment as represented in the license application without first obtaining an amended license from the City Clerk.

(D) A marihuana establishment license shall run concurrent with the state operating license issued for the establishment and shall be renewed annually unless revoked as provided by law or this chapter.

(E) Renewal of licenses issued in connection with stacked licenses will require only a single application form for the original license and all stacked licenses issued to the applicant. The

renewal application shall indicate that the application is for the renewal of licenses issued in connection with stacked licenses and the license(s) the applicant is seeking to renew.

(F) The City Clerk may deny an application for renewal as set forth in §118.05. Notice of denial of a renewal application shall be sent to the applicant in writing by mail or electronic mail to the last known address of the applicant on file with the City Clerk. An applicant whose renewal application is denied may appeal the denial to the City Manager as set forth in §118.12.

(G) The City Clerk shall inform LARA in writing by mail or electronic mail of all licensees whose licenses are renewed, if a licensee fails to renew a license, or if the licensee's renewal application is denied and the reasons therefore.

§118.10 COMPLAINTS.

(A) If a written complaint is filed alleging that the owner, operator, or person occupying the marihuana establishment has violated any provisions of this chapter, the City Clerk shall promptly send a copy of the written complaint to the property owner, together with a notice that an investigation will be made as to the truth of the complaint. The property owner shall be invited to respond to the complaint and present evidence and respond to evidence produced by the investigation within 21 days from the date of notice. If the City Clerk, in consultation with other appropriate City staff, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the complaint shall be certified, and the City Clerk shall consider revocation of the license as provided herein.

(B) Complaints alleging a violation of the Act or other state law, rule, or regulation shall be forwarded to LARA by the City Clerk.

§118.11 REVOCATION OF LICENSE.

(A) A marihuana establishment license shall automatically terminate and become void if the state license for the establishment is revoked, suspended, or restricted, or otherwise becomes void.

(1) The revocation, suspension, or placement of restrictions by the state on a state operating license shall apply equally to a license issued by the City.

(B) A marihuana establishment license may be revoked by the City Clerk upon the occurrence of any of the following:

(1) Operation of the licensed use is not commenced within one year of the date of issuance of the marihuana establishment license.

(2) If the licensed use ceases or is discontinued for 90 days or more, including during a change of ownership of the marihuana establishment.

(3) Any change has occurred for which an amendment to the license is required, without the licensee having obtained an amendment to the license as required by this chapter.

(4) Any noncompliance with any of the provisions of this Code, the Act, or any state or federal law, rule or regulation.

(5) The conducting of the marihuana establishment in an unlawful manner, or in such a way as to constitute a public nuisance, that negatively impacts the health, safety, or general welfare of surrounding property or the public. Evidence to support such a finding may include, but is not limited to, a continuing pattern of disorderly or criminal conduct upon or in the immediate vicinity of the establishment, continuing pattern of criminal conduct directly related to or arising

from the operation of the establishment, or an ongoing nuisance condition emanating from or caused by the establishment.

(6) The applicant has made a false material statement in the application.

(C) Prior to such revocation becoming effective, written notice of the basis for revocation shall be given by the City Clerk to both the property owner and licensee in person or by certified mail addressed to their place of business or residence as set forth in the application.

(1) The holder of a marihuana establishment license that is revoked under this section may appeal the revocation to the City Manager as set forth in §118.12. If a timely appeal is not sought by the holder of the marihuana establishment license, the revocation shall become effective 14 days from the date of the written notice of the revocation.

(2) If a marihuana establishment license is revoked, the City Clerk will notify LARA of the revocation of the license and the reasons therefore in writing by mail or electronic mail. In the event the license is revoked as a result of the licensee's state license being revoked, suspended, or restricted, the notification requirement of this subsection does not apply.

§118.12 APPEALS.

(A) If either a provisional license or marihuana establishment license, or a renewal or amendment of either, is denied or revoked by the City Clerk, the applicant or licensee may appeal to the City Manager within 21 days from the date of the written notice of the denial or revocation.

(B) If the applicant or licensee timely submits an appeal, the City Manager or their designee shall issue a written notice of hearing stating the date, hour, place, and nature of the hearing. The City Manager shall appoint a Hearing Officer to conduct a public hearing at which the applicant or licensee will be provided the opportunity to present testimony and evidence to establish the applicant's or licensee's suitability for a license. The Hearing Officer shall make a written determination, after presentation by the applicant or licensee and the City Clerk, as to whether or not the grounds for denial or revocation are true. If the Hearing Officer determines that such grounds are supported by a preponderance of the evidence, the action of the City Clerk shall be sustained.

(1) In any proceedings under this section, the Hearing Officer has the power to administer oaths and affirmations and to certify official acts. The Hearing Officer shall proceed with reasonable dispatch to conclude any matter before them. Due regard shall be shown for the convenience and necessity of the parties and their representatives.

(2) The Hearing Officer shall cause a record of the entire proceeding to be made by tape recording or by other means of permanent recording determined appropriate by the Hearing Officer. A transcript of the proceedings shall be made available to all parties upon request and upon payment of a fee prescribed by the court reporter.

(3) The hearing need not be conducted according to the technical rules of evidence adopted for the courts of record in the state.

(4) The Hearing Officer shall take testimony from the applicant or licensee and any person having knowledge relevant to the denial or revocation of a license. Oral evidence shall be taken only upon oath or affirmation of the party offering the testimony.

(5) Hearsay evidence may be used under the following guidelines:

(a) Hearsay evidence may be used to explain other direct evidence;

(b) Hearsay evidence may be used to support other direct evidence; and

(c) Hearsay evidence shall not be used in itself to support a finding, unless it would be admissible in civil actions in courts of competent jurisdiction.

(6) Any relevant evidence not otherwise excluded herein shall be admitted. Relevant evidence shall be defined, for the purpose of this section, as the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs. Such relevant evidence shall be admitted regardless of whether or not it may be admissible in civil actions in courts of competent jurisdiction.

(7) Irrelevant and unduly repetitious evidence shall be excluded.

(8) Each party shall additionally have these rights:

- (a) To call and examine witnesses on any matter relevant to the issues of the hearing;
- (b) To introduce documentary and physical evidence;
- (c) To cross-examine opposing witnesses on any matter relevant to the witness to testify;
- (d) To impeach any witness regardless of which party first called the witness to testify;
- (e) To refute the evidence;
- (f) To represent themselves or to be represented by anyone of their choice who is lawfully permitted to do so; and
- (g) To make a closing statement at the conclusion of the evidentiary portion of the hearing.

(9) Failure of the applicant or licensee to appear at the hearing may be deemed to be an admission by the applicant or licensee of the facts set forth in the City Clerk's notice.

(10) The Hearing Officer shall make written findings of fact based upon a preponderance of the evidence and testimony admitted during the hearing.

(11) The Hearing Officer shall make written findings whether or not the license shall remain denied or revoked. The Hearing Officer's findings will be reduced to writing and served upon the applicant or licensee and City Clerk within a reasonable time.

(a) If the Hearing Officer sustains the City Clerk's decision to deny or revoke a marihuana establishment license, the City Clerk will notify LARA of the denial or revocation of the license and the reasons therefore in writing by mail or electronic mail.

(12) The hearing officer's decision may be appealed to and reviewed by a court of competent jurisdiction as provided by state statutes and court rules.

§118.13 INDEMNIFICATION OF CITY.

By accepting a license issued pursuant to this chapter, the applicant and licensee agree to indemnify, defend and hold harmless the City, its officers, elected and appointed officials, employees, and insurers, against all liability, claims or demands arising out of, or in connection to, the operation of a marihuana establishment in the City.

§118.14 MINIMUM OPERATIONAL STANDARDS FOR ALL MARIHUANA ESTABLISHMENTS.

(A) Marihuana establishments shall be open for inspection upon request by the Chief Inspector, the Fire Chief, or the Chief of Police, or their designees, for determination of compliance with all applicable laws, rules, and regulations during the stated hours of operation/use and at such other times as anyone is present on the premises. City employees or officials shall have the same rights of inspection as are authorized the employees or officials of LARA under the Act.

(B) Marihuana establishments shall conduct the activities of the establishment, including, without limitation, the cultivating, growing, processing, displaying, manufacturing, selling, storage

of marihuana and marihuana-infused products, and storage of all materials used in connection with the cultivating, growing, processing, displaying, manufacturing, and selling of marihuana and marihuana-infused products, indoors in a building and out of public view, except where cultivation may occur outdoors as allowed under the Act, and such outdoor cultivation shall occur in compliance with the Act.

(C) Marihuana establishments shall install a fire alarm and a burglar alarm system in compliance with the Act.

(D) Marihuana establishments shall have such security measures, including video surveillance systems, in place as are required by the Act.

(1) Surveillance recordings of marihuana establishments shall be subject to inspection and review by the City upon request. City employees or officials shall have the same rights of inspection as are authorized the employees or officials of LARA under the Act.

(E) Marihuana establishments shall utilize sufficient measures and means to prevent smoke, odor, debris, dust, fluids and other substances from exiting the establishment at any time. In the event that any smoke, odor, debris, dust, fluids or other substances exit the marihuana establishment in a detectable amount sufficient to interfere with the reasonable and comfortable use and enjoyment of adjacent property, or that causes damage to property, the licensee for the establishment and the owner of the property shall be jointly and severally liable for such conditions and shall be responsible for immediate, full cleanup and correction of such condition. The licensee shall properly dispose of all such materials, items and other substances in a safe, sanitary, and secure manner in compliance with all federal and state laws and regulations, and this Code.

(1) Marihuana establishments shall install and maintain in operable condition a system to preclude marihuana odors from emanating from the property of the marihuana establishment in a detectable amount sufficient to interfere with the reasonable and comfortable use and enjoyment of adjacent property as determined by the objective standards of a reasonable person of normal sensitivity.

(F) Access to the marihuana establishment is restricted to the licensee, employees of the licensee, and, as applicable, LARA through its investigators, agents, auditors or the state police, and local law and code enforcement officers or any other designee(s) of the City Manager.

(1) Retailers may additionally be accessed by legitimate customers 21 years of age and older.

(G) All marihuana establishments must be at a fixed location. Mobile marihuana establishments and drive through operations are prohibited. Unless otherwise allowed by state law, sale or transfer of marihuana products by internet or mail order, consignment, or at wholesale is prohibited. This provision shall not be construed to prohibit sale or transfer of marihuana products by marihuana establishments as otherwise expressly authorized by the Act.

(H) All marihuana establishments shall comply with all provisions of the Act and this Code regulating signs and advertising.

(I) The business, operations, marketing and advertising of all marihuana establishments and marihuana products shall comply at all times with the Act and this Code.

(J) Unless otherwise allowed by state law, marihuana products not identified and recorded in the statewide monitoring system pursuant to the Act are prohibited from being on the premises of any marihuana establishment and shall not be sold or transferred by any licensee.

(K) Unless otherwise allowed by state law, any marihuana product without a batch number or identification tag pursuant to the Act is prohibited from being at or on the premises of any marihuana establishment.

(L) Marihuana establishments shall, at all times, comply with all applicable building and fire safety provisions of state law, and the corresponding administrative rules.

(M) Marihuana product waste will be destroyed, or rendered into an unusable and unrecognizable form, disposed of, and recorded as required by the Act.

(N) All inventory of marihuana products must be stored in a secured, limited-access area or restricted-access area and identified and tracked consistent with the Act.

(O) All containers used to store marihuana products for transfer or sale between marihuana establishments shall meet the requirements of the Act.

(P) All chemicals or solvents must be stored separately from marihuana products and kept in locked storage areas.

(Q) Marihuana-infused products, edible marihuana products, or materials used in direct contact with such products, must have separate storage areas from toxic or flammable materials.

(R) Licensees shall immediately report to local law enforcement any unlawful act, conduct, or disturbance committed at the establishment. Immediately shall mean within 24 hours of becoming aware of any criminal activity at the establishment.

(S) The licensee is required to respond by phone or email within 3 business days of contact, at the phone number or email address provided to the City as the contact for the business, by any City official or officer concerning its marihuana establishment.

§118.15 MINIMUM OPERATIONAL STANDARDS FOR RETAILERS.

(A) Retailers shall open no earlier than 9:00 a.m. and close no later than 9:00 p.m.

(B) No food, alcohol or tobacco products may be sold, served, or consumed on the premises, unless the establishment has the appropriate authorizations from other federal, state, or local agencies, as applicable.

(C) No marihuana or marihuana-infused products may be used, consumed, or inhaled on the premises.

(D) No marihuana plants shall be allowed on the premises, unless otherwise allowed by the Act.

(E) During times when the retailer is not open to the public, cash and currency shall be stored in a safe or security vault that is incorporated into the building structure or securely attached to the building structure or a safe room with a security vault or other secure door.

(F) A retailer shall purchase marihuana and marihuana-infused products only from a licensed grower or processor.

(G) Except as otherwise allowed by the Act, all transfers of marihuana to a retailer from a separate marihuana establishment, or from a retailer to a licensed safety compliance facility, shall be by means of a licensed secure transporter.

(H) A retailer shall sell marihuana and marihuana-infused products only to individuals 21 years of age and older. Before any such sale occurs, the retailer shall require the customer produce a driver's license or other government-issued photographic identification evidencing the customer's age.

(I) Sales of marihuana or marihuana-infused products shall only occur after it has been tested and bears the label required for retail sale by the Act. A retailer shall comply with all packaging and labeling requirements required the Act before selling or transferring marihuana or marihuana-infused products.

(J) A retailer shall ensure that the sale or transfer of marihuana or marihuana-infused products shall not exceed the single transaction limits established by the Act.

(K) All transactions, current inventory, and other information shall be entered into the statewide monitoring system as required by the Act.

§118.16 MINIMUM OPERATIONAL STANDARDS FOR GROWERS.

(A) All transfers, transactions, current inventory, and other information shall be entered into the statewide monitoring system as required by the Act.

(B) Compressed gases, such as butane, propane, and carbon dioxide, shall be used in accordance with the Act or any other of state law or administrative rule or regulation adopted by the state for such processes.

(C) Any pesticides, herbicides, or other chemicals used in the cultivation of marihuana shall be used in accordance with the Act or any other of state law or administrative rule or regulation adopted by the state for such processes.

(D) Except as otherwise allowed by the Act, the sale or transfer of marihuana to a grower, or from a grower to a licensed retailer or processor, shall be by means of a licensed secure transporter.

§118.17 MINIMUM OPERATIONAL STANDARDS FOR PROCESSORS.

(A) A processor shall purchase marihuana only from a licensed grower or another licensed processor and shall sell marihuana-infused products or marihuana only to a licensed retailer or another licensed processor.

(B) Except as otherwise allowed by the Act, a processor shall transfer marihuana only by means of a licensed secure transporter.

(C) All transactions, current inventory, and other information shall be entered into the statewide monitoring system as required by the Act.

(D) Compressed gases, such as butane, propane, and carbon dioxide, shall be used in accordance with the Act or any other of state law or administrative rule or regulation adopted by the state for such processes.

§118.18 MINIMUM OPERATIONAL STANDARDS FOR SECURE TRANSPORTERS.

(A) A secure transporter may take physical custody of marihuana or money, but legal custody belongs to the transferor or transferee.

(B) A secure transporter may not sell or purchase marihuana or marihuana-infused products.

(C) A secure transporter may store and transport marihuana, and money associated with the purchase or sale of marihuana, between licensed marihuana establishments for a fee.

(D) Marihuana product may only be transported in a sealed container that is not accessible while in transit. Money associated with the purchase or sale of marihuana or marihuana-infused products shall be transported in a sealed container kept separate from the marihuana product and only accessible to the secure transporter and its employees.

(E) Each driver transporting marihuana must have a chauffeur's license issued by the state.

(F) Each vehicle shall be operated with a two-person crew with at least one individual remaining with the vehicle at all times during the transportation of marihuana.

(G) A route plan and manifest shall be entered into the statewide monitoring system, and a copy shall be carried in the transporting vehicle and presented to a law enforcement officer upon request.

(H) A vehicle shall not bear markings or other indication that it is carrying marihuana or a marihuana-infused product.

(I) A secure transporter is subject to administrative inspection by a law enforcement officer at any point during the transportation of marihuana to determine compliance with the Act and this chapter.

(J) All transactions, current inventory, and other information of the secure transporter shall be entered into the statewide monitoring system as required by the Act.

§118.19 MINIMUM OPERATIONAL STANDARDS FOR SAFETY COMPLIANCE FACILITIES.

(A) A safety compliance facility is authorized to only receive marihuana from, test marihuana for, and return marihuana to another licensed marihuana establishment.

(B) A safety compliance facility must be accredited by an entity approved by LARA by one year after the date the license is issued or have previously provided drug testing services to the state or the state's court system and be a vendor in good standing in regard to those services, unless a variance from this requirement is granted by LARA as provided in the Act.

(C) A safety compliance facility shall:

(1) Perform tests to certify that marihuana is reasonably free of known contaminants in compliance with standards established by LARA.

(2) Use validated test methods to perform all safety tests and to determine tetrahydrocannabinol, tetrahydrocannabinol acid, cannabidiol, and cannabidiol acid concentrations.

(3) Perform other tests necessary to determine compliance with any other good manufacturing practices as prescribed by the Act.

(4) Enter all transactions, current inventory, and other information into the statewide monitoring system as required by the Act.

(5) Have a secured laboratory space that cannot be accessed by the general public.

(6) Retain and employ at least one laboratory manager with a relevant advanced degree in a medical or laboratory science.

§118.20 CONFLICTS; FUTURE LAWS AND REGULATIONS.

Should the state in the future adopt additional or stricter laws or regulations governing the production, processing, transporting, testing, sale or distribution of marihuana, the additional or stricter laws and regulations shall control the establishment or operation of any marihuana establishment in the City, as well as the issuance, denial, or revocation of any license under this chapter.

§118.21 PENALTY AND REMEDIES.

A person who violates any provision of this chapter is responsible for a Class E municipal civil infraction, subject to payment of a civil fine as set forth in Ch. 37 of this code of ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by Ch. 37. Each violation and each day of failure to comply with any provision of the chapter shall constitute a separate violation.

§118.22 EFFECT TIE-BARRED.

This chapter shall only take effect if the City's zoning code is simultaneously amended as needed to zone for the activities contemplated in this chapter. If amendments to the zoning code are not adopted by the City Council, marihuana establishments shall be deemed prohibited from developing within the City.

§118.23 RESERVATION OF RIGHTS.

The City Council reserves the right to amend or repeal this chapter in any manner, including, but not limited to the complete elimination of any type of marihuana establishments authorized to operate in the City.

This ordinance shall become effective September 24, 2020.

Enacted: September 14, 2020.

Yeas:
Nays:
Absent:

Floyd Kloc
Mayor

Janet Santos MiPMC/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 September 14, 2020; 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, MiPMC/MMC
City Clerk

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced August 10, 2020, be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO ADD §153.601 "TITLE," §153.603 "PURPOSE," §153.605 "APPLICABILITY," §153.607 "DEFINITIONS," §153.609 "APPROVAL PROCEDURES FOR MARIHUANA ESTABLISHMENTS," §153.611 "AUTHORIZED MARIHUANA ESTABLISHMENTS," §153.613 "CONSUMPTION; VIOLATIONS," §153.615 "PENALTIES," §153.617 "RIGHTS," TITLED "MARIHUANA ESTABLISHMENTS," OF TITLE XV, "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw Ordains:

Section 1. §153.603 "Purpose," §153.605 "Applicability," §153.607 "Definitions," §153.609 "Approval Procedures For Marihuana Establishments," §153.611 "Authorized Marihuana Establishments," §153.613 "Consumption; Violations," §153.615 "Penalties," §153.617 "Rights," Titled "Marihuana Establishments" of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204, is hereby added to read as follows:

Marihuana Establishments

§153.601 TITLE.

This ordinance shall be known as the Marihuana Establishments Zoning Ordinance.

§153.603 PURPOSE.

Marihuana businesses have demonstrated a strong demand for storefront spaces and other business locations. It has been observed that without separation distances, this particular use will concentrate in clusters. In order to limit the intensity and density of this use, and to recognize that separation distances are desired from sensitive uses (e.g. schools, churches, parks, substance use disorder programs, etc.), special regulation of marihuana establishments has been deemed necessary. It is the intent of these provisions to ensure that quality of life is not impaired, neighborhood character is preserved, commercial retail viability and variety is enhanced and encouraged, and the stability of industrial areas is maintained.

§153.605 APPLICABILITY.

Any land use that requires a license from the Michigan Department of Licensing and Regulatory Affairs (LARA) in the administration of the Michigan Regulation and Taxation of Marihuana Act, being Initiated Law 1 of 2018, MCL 333.27951 *et seq*, as amended, or its corresponding administrative rules, shall require review and approval as specified within this Code. Provisions of this section do not apply to the medical use of marihuana in compliance with the Michigan Medical Marihuana Act (MMMA), being Initiated Law 1 of 2018, MCL 333.26424, as amended.

§153.607 DEFINITIONS.

(A) For purposes of this ordinance, the following words, terms and phrases shall be defined as follows:

Act shall mean the Michigan Regulation and Taxation of Marihuana Act, being Initiated Law 1 of 2018, MCL 333.27951 *et seq*, as amended, and its corresponding emergency and/or administrative rules.

Chief Inspector shall mean the Chief Inspector of the City of Saginaw or their designee.

Excess grower shall mean a person licensed to hold 5 class C grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

Grower shall mean a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

Marihuana establishment or *establishment* shall mean a grower, safety compliance facility, processor, retailer, secure transporter, or excess grower licensed by the state in accordance with the Act. Though contemplated by the Act, as used herein, *marihuana establishment* does not include microbusinesses, designated consumption establishments, marihuana event organizers, or temporary marihuana events.

Person shall mean an individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.

Processor shall mean a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

Retailer shall mean a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

Secure transporter shall mean a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

Safety compliance facility shall mean a person licensed to test marihuana, including certification for potency and the presence of contaminants.

(B) All other terms and phrases used herein shall be defined consistent with the Act.

§153.609 APPROVAL PROCEDURES FOR MARIHUANA ESTABLISHMENTS.

(A) Development of marihuana establishments shall be approved by either the Planning Commission or the Chief Inspector as set forth below. The type of marihuana establishments allowed within the City, and the zoning classification where such marihuana establishments are allowed to be located within the City, shall be as set forth below.

License	Description	Criteria	Review Procedure	Zoning Classification Allowed In
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Grower – Any Class excluding Excess Growers	New or Major Expansion ----- Class change and/or license stacking for same use	More than 25% increase in square footage ----- Less than or equal to 25% increase in square footage	Planning Commission Review and Approval ----- Chief Inspector Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
Excess Grower	New or Any Expansion		Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
Processor	New ----- Major Expansion ----- Minor Expansion	----- More than 25% increase in square footage ----- Less than or equal to 25% increase in square footage	Planning Commission Review and Approval ----- Planning Commission Review and Approval ----- Chief Inspector Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
Retailer	New or Any Expansion		Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial B-1 – Local Business District B-1A – Interchange Business District B-2 – General Business

				District
Secure Transporter	New or Any Expansion		Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
Safety Compliance Facility	New or Major Expansion	More than 25% increase in square footage	Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
	----- Minor Expansion	----- Less than or equal to 25% increase in square footage	----- Chief Inspector Review and Approval	

Microbusinesses, designated consumption establishments, marihuana event organizers, and temporary marihuana events are prohibited in the City.

(B) The Planning Commission and Chief Inspector are prohibited from waiving any portion of this Section.

(C) The Chief Inspector may submit any application subject to Chief Inspector Review and Approval to the Planning Commission for its review and approval.

(D) Planning Commission review shall be conducted in accordance with §153.562 and subject to applicable site design standards in §§153.318-153.319, §§153.349-153.350, §§153.369-153.370, §§153.388-153.389, and §153.440, as applicable. Chief Inspector review shall confirm the requested expansion of the use of the property conforms to the building and zoning requirements of this Code.

§153.611 AUTHORIZED MARIHUANA ESTABLISHMENTS.

(A) A marihuana establishment is not eligible for a state license until the Planning Commission or the Chief Inspector, where the Chief Inspector is authorized to grant administrative approval through Chief Inspector Review and Approval, grants approval of the land use in accordance with this Code and upon issuance of a municipal license as provided in chapter 118 of the Code.

(B) The location and co-location of authorized marihuana establishments shall be determined as follows:

(1) *Separation Distances.* The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection (i.e. the sensitive use) to the nearest building line of the physical structure of the marihuana establishment. The following minimum-distancing

regulations shall apply to all marihuana establishments. Marihuana establishments shall not be located within:

- (a) One thousand (1,000) feet of a public or private K-12 school;
- (b) Two hundred fifty (250) feet of a publicly owned park or playground;
- (c) One hundred (100) feet of a church or other place of worship;
- (d) Five hundred (500) feet of a hospital;
- (e) Two hundred fifty (250) feet of a halfway house or other transitional housing operated or licensed by the state or federal government; and
- (g) Five hundred (500) feet of another marihuana establishment location.

(C) *Separation Distance Variance.* The required separation distances between a proposed marihuana establishment location and the sensitive uses delineated in subsection (B), above, are subject to review pursuant to §153.519 and §§153.586-153.591 and cannot be waived except as allowed in this subsection:

(1) Evidence that all eligible sensitive uses within 1,000 feet of the proposed marihuana establishment location have been notified by the applicant of the intent to seek a waiver from the separation distance requirements has been provided to the Board of Appeals on Zoning with the application.

(2) Consent by the owner of the sensitive use that is signed and notarized shall be provided with the application to the Board of Appeals on Zoning; and

(3) The Board of Appeals on Zoning finds that the operation of the marihuana establishment within the requested minimum-distancing separation does not have any particularly detrimental effects on the sensitive use at issue.

(D) *Pre-Existing Establishments.* A marihuana establishment shall not be in violation of the spacing requirements in this section in the event a school or other sensitive use was located less than the minimum spacing distance from the establishment at any time after a City license and a state license to operate the establishment were issued.

(E) *Co-Location and Stacked Licenses.* There may be only one state operating license per parcel, except co-location and stacked grower licenses are permitted in certain circumstances:

(1) A marihuana establishment with a stacked grower license counts as a single grower for the purposes of marihuana establishment separation distance requirements.

(2) Co-location on the same parcel for growers, processors, and retailers is allowed if each license is for a separate use (other than stacked grower licenses), subject to all applicable state laws, rules and regulations concerning co-location, including but not limited to, state requirements for the separation of establishments.

(F) *Application Requirements.* Each application shall be accompanied by a detailed site plan, in accordance with §153.083, and any information necessary to describe the proposed use or change of use. Each request shall be considered a new application, including those for class change, stacking, expansion, transfers or other modifications that require Chief Inspector or

Planning Commission Review and Approval. All items must be satisfactorily completed for an application to be considered eligible for review. The following shall be submitted as part of an application:

(1) A signed statement by the applicant indicating the proposed marihuana establishment type, including if the proposed marihuana establishment type involves stacked licenses or co-location and the number of licenses to be maintained at that property.

(2) A notarized statement by the property owner that acknowledges use of the property for a marihuana establishment and agreement to indemnify, defend and hold harmless the City, its officers, elected and appointed officials, employees, and insurers, against all liability, claims or demands arising out of, or in connection to, the operation of a marihuana establishment on the property.

(3) Written consent of the applicant for the City to inspect the marihuana establishment at any time during normal business hours to ensure compliance with this Code.

(4) A copy of official paperwork issued by the state indicating that the applicant has successfully completed the prequalification step of the application for a state license, as well as copies of all documents submitted to the state in connection with the initial license application, subsequent renewal applications, or investigations conducted by the state.

(5) Existing and proposed building elevations, including building materials, window calculations, descriptions of glass to be used, and other pertinent information that describes building construction or structural alterations, in accordance with §153.083.

(6) Existing and proposed site changes.

(7) A sign plan for the exterior of the building and any interior signs that will be visible to the general public from the public right-of-way in accordance with §§153.145-153.169.

(8) All lighting fixtures visible to the public shall be identified.

(9) A map, drawn to scale, depicting all sensitive uses as delineated in subsection (B), above, within 1,000 feet of the proposed marihuana establishment location.

(10) A proposed security plan as required by the Act. Such plan shall be forwarded, reviewed, and approved by the Chief of Police, or their designee, prior to any public hearing required to be held on the application.

(11) A proposed marihuana establishment plan as required by the Act.

(12) A proposed marihuana product destruction and waste management plan as required by the Act.

(G) *Operations.* Marihuana establishments must be operated in compliance with the Act and all other applicable state laws, administrative rules, conditions of the marihuana establishment's state operating license, and this Code. In addition, such establishments shall comply with the following regulations, to the extent such regulations do not conflict with the Act:

(1) The exterior appearance of a marihuana establishment must comply with the provisions of this Code and the Act.

(2) Except as allowed by the Act, no marihuana or equipment used in the growing, production, sale, processing, or transport of marihuana can be placed or stored outside of an enclosed building.

(3) Site and building lighting shall comply with the Act.

(4) A video surveillance system will be maintained in accordance with the Act.

(5) Drive-through establishments and mobile establishments are prohibited.

(6) A marihuana establishment will not be designed in such a manner that its operation is likely to create a public nuisance.

(7) Neither marihuana nor marihuana-infused products may be directly visible from the exterior of the marihuana establishment.

(8) Security measures shall comply with the applicable provisions of the Act.

(9) Retailers may not be open to customers between the hours of 9:00 p.m. and 9:00 a.m.

(10) Marihuana establishments shall comply with the barrier-free design requirements of the Michigan Building Code.

(11) The separation of plant resin by butane extraction or another method that utilizes a substance with a flashpoint below 100 degrees Fahrenheit shall only be allowed in the M-1, M-2, and M-3 Industrial Zone Districts.

(12) Ventilation, by-product and waste disposal, and water management (supply and disposal) for the marihuana establishment will not produce contamination of air, water, or soil; or reduce the expected life of the building due to heat and mold; or create other hazards that may negatively impact the structure, surrounding properties, and/or public health.

(13) Odors must be controlled and eliminated by the following methods:

(a) The building must be equipped with an activated air scrubbing and carbon filtration system that eliminates all odors at the property line. Fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.

(b) Air scrubbing and filtration systems must be maintained in working order and must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.

(c) Negative air pressure must be maintained inside the building.

(d) Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.

(e) The Chief Inspector may grant an exception for an alternative odor control system if a mechanical engineer licensed in the State of Michigan submits a report that sufficiently demonstrates the alternative system will be equal to or better than the air scrubbing

and carbon filtration system otherwise required or such alternative will otherwise comply with the Act.

§153.613 CONSUMPTION; VIOLATIONS.

(A) No consumption, use, or inhalation of a marihuana product shall take place on or within the premises of any marihuana establishment. It shall be a violation of this ordinance to engage in such behavior, or for a person to knowingly allow such behavior to occur. All of the following will give rise to the rebuttable presumption that a person allowed the consumption of marihuana on or within the premises:

(1) The person had control over the premises or the portion of the premises where the marihuana was consumed;

(2) The person knew or reasonably should have known that the marihuana was consumed; and

(3) The person failed to take corrective action, such as requiring the individual consuming marihuana to cease such activity on the premises or removing such individual from the premises.

(B) Failure to comply with the requirements of this chapter shall be considered a violation and may jeopardize the applicant's approval under this ordinance and/or license issued under chapter 118 of this Code.

(1) If at any time a licensed marihuana establishment violates this chapter, the City Manager may request that the state revoke or refrain from renewing the marihuana establishment's state operating license.

(2) Any approval granted for a marihuana establishment under this chapter will be revoked or suspended automatically for either of the following reasons:

(a) Revocation or suspension of the licensee's authorization to operate by the state.

(b) A finding by the state that a rule or regulation has been violated by the licensee.

(3) After a revocation of an approval under this ordinance, a new application shall be required for a marihuana establishment to commence operation at the same location.

(C) A marihuana establishment license may be revoked in accordance with §118.11.

§153.615 PENALTIES.

A person who violates any provision of this chapter is responsible for a Class E municipal civil infraction, subject to payment of a civil fine as set forth in Ch. 37 of this code of ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by Ch. 37. Each violation and each day of failure to comply with any provision of the chapter shall constitute a separate violation.

§153.617 RIGHTS.

(A) *Rights.* The operation of a licensed marihuana establishment is a revocable privilege and not a right, in conformance with applicable state law. Nothing in this ordinance is to be construed to grant a property right for an individual or business entity to engage in the use, distribution, cultivation, production, possession, transportation or sale of marihuana as a commercial enterprise. Any individual or business entity which purports to have engaged in such activities either prior to or after the enactment of this ordinance without obtaining the required authorization is deemed to be an illegally established use and is not entitled to legal nonconforming status. Nothing in this ordinance may be held or construed to grant a vested right, license, permit or privilege to continued operations within the City.

(B) Nothing in this ordinance shall be construed in such a manner as to conflict with the Act or other applicable state law or rules.

(C) Nothing in this ordinance, or in any companion regulatory or licensing provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for the growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the Act or this Code. Also, since federal law is not affected by the Act or this Code, nothing in this ordinance, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under federal law.

(D) This ordinance shall only take effect if the City's business licensing ordinance is simultaneously amended as needed to license for the activities contemplated herein. If amendments to the business licensing ordinance are not adopted by the City Council, marihuana establishments shall be deemed prohibited from developing within the City.

This ordinance shall become effective September 24, 2020.

Enacted: September 14, 2020.

Yeas:

Nays:

Absent:

Floyd Kloc
Mayor

Janet Santos MiPMC/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 September 14, 2020; 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, MiPMC/MMC
City Clerk

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced on July 27, 2020 be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO REZONE E.74 FT.OF S.222.98 FT.OF OUTLOT A, DAVENSIDE, CITY OF SAGINAW, FROM B-1, LOCAL BUSINESS TO B-2, GENERAL BUSINESS.

The City of Saginaw Ordains:

Section 1. That E. 74 ft. of S. 222.98 ft. of Outlot A, Davenside, City of Saginaw be rezoned from B-1, Local Business to B-2, General Business.

Section 2. That the official map of the City of Saginaw is hereby amended accordingly.

This ordinance shall become effective September 24, 2020.

Enacted: September 14, 2020.

Yeas:

Nays:

Absent:

Floyd Kloc
Mayor

Janet Santos, MiPMC/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 September 14, 2020; 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, MiPMC/MMC
City Clerk

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced on July 27, 2020 be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO REZONE E.117 FT.OF N.150 FT.OF E.427 FT.OF OUTLOT A, DAVENSIDE EXCEPT A STRIP OF LAND BEG AT NE'LY COR OF SAID OUTLOT A TH N89DEG03'30" W 117 FT, TH S00DES00'00" W 64.28 TO POB, TH S89DEG02'14" E 6.08 FT. TH S01DEG09'08"W 81.31 FT, TH N89DEG02'14"W 4.44FT, TH N00DEG00'00"E 81.32 TO POB, CITY OF SAGINAW, FROM B-1, LOCAL BUSINESS TO B-2, GENERAL BUSINESS.

The City of Saginaw Ordains:

Section 1. That E.117 ft. of N.150 ft. of E. 427 ft. of Outlot A, Davenside except a strip of land beg at NE'ly Cor. of said Outlot A Th N 89 deg 03'30" W 117 ft, Th S 00 deg 00'00" W 64.28 to POB, Th S 89 deg 02'14" E 6.08 ft. Th S 01 deg 09'08" W 81.31 ft, Th N 89 deg 02'14" W 4.44 ft, Th N 00 deg 00'00" E 81.32 to POB, City of Saginaw be rezoned from B-1, Local Business to B-2, General Business.

Section 2. That the official map of the City of Saginaw is hereby amended accordingly.

This ordinance shall become effective September 24, 2020.

Enacted: September 14, 2020.

Yeas:

Nays:

Absent:

Floyd Kloc
Mayor

Janet Santos, MiPMC/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 September 14, 2020; 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, MiPMC/MMC
City Clerk

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced on July 27, 2020 be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO REZONE E.427 FT.OF OUTLOT A, EXC.E.117 FT.OF N.150 FT.,AND EXC. E.74 FT.OF S.222.98 FT. LOT 78,DAVENSIDE ALSO A STRIP OF LAND BEG AT NE'LY COR OF SAID OUTLOT A TH N89DEG03'30" W 117 FT, TH S00DES00'00" W 64.28 TO POB, TH S89DEG02'14" E 6.08 FT. TH S01DEG09'08"W 81.31 FT, TH N89DEG02'14"W 4.44FT, TH N00DEG00'00"E 81.32 TO POB, CITY OF SAGINAW, FROM B-1, LOCAL BUSINESS TO B-2, GENERAL BUSINESS.

The City of Saginaw Ordains:

Section 1. That E. 427 ft. of Outlot A, exc. E. 117 ft. of N.150 ft., and exc. E. 74 ft. of S. 222.98 ft. Lot 78, Davenside also a strip of land beg. at NE'y Cor of said Outlot A Th N 89 deg 03'30" W 117 ft, Th S 00 deg 00'00" W 64.28 to POB, Th S 89 deg 02'14" E 6.08 ft. Th S 01 deg 09'08" W 81.31 ft, Th N 89 deg 02'14" W 4.44 ft, Th N 00 deg 00'00" E 81.32 to POB, City of Saginaw be rezoned from B-1, Local Business to B-2, General Business.

Section 2. That the official map of the City of Saginaw is hereby amended accordingly.

This ordinance shall become effective September 24, 2020.

Enacted: September 14, 2020.

Yeas:

Nays:

Absent:

Floyd Kloc
Mayor

Janet Santos, MiPMC/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 September 14, 2020; 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, MiPMC/MMC
City Clerk

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced on July 27, 2020 be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO REZONE OUTLOT A EXC.E.427 FT, DAVENSIDE, ALSO INCLUDING N 20 FTOF VACATED STATE ST LYING ADJACENT THERETO, CITY OF SAGINAW, FROM B-1, LOCAL BUSINESS TO B-2, GENERAL BUSINESS.

The City of Saginaw Ordains:

Section 1. That Outlot A exc. E. 427 ft. Davenside, also including n 20 ft of vacated State St lying adjacent thereto, City of Saginaw be rezoned from B-1, Local Business to B-2, General Business.

Section 2. That the official map of the City of Saginaw is hereby amended accordingly.

This ordinance shall become effective September 24, 2020.

Enacted: September 14, 2020.

Yeas:

Nays:

Absent:

Floyd Kloc
Mayor

Janet Santos, MiPMC/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 September 14, 2020; 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, MiPMC/MMC
City Clerk

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced on July 27, 2020 be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO REZONE S.200 FT.OF W.140 FT.OF THAT PART OF W.1/2 OF W.1/2 OF S.1/2 OF S.E.1/4 OF S.W.1/4 OF SEC.15,T.12,N.R.4,E.LYINGN.OF STATE ST.& E.OF WARWICK ST.,EXC.A PARCEL VIZ.BEG.ATINTERSECTION OF N.LINE OF STATE ST.& E.LINE OF WARWICK ST. THENCE E.ALONG N.LINE OF STATE ST.10 FT.,THENCE N.WLY.TO A POINT ON E.LINE OF WARWICK ST.,SAID POINT BEING 25 FT.N.OF POINT OF BEG.,THENCE S.ALONG E.LINE OF WARWICK ST.25 FT.TO POINT OF BEG., CITY OF SAGINAW, FROM B-1, LOCAL BUSINESS TO B-2, GENERAL BUSINESS.

The City of Saginaw Ordains:

Section 1. That S. 200 ft. of W.140 ft. of that part of W.1/2 of W.1/2 of S.1/2 of S.E.1/4 of S.W.1/4 of Sec.15, T.12,N. R.4,E. Lying N. of State St. & E. of Warwick St., exc. a parcel viz. beg. at intersection of N. line of State St. & E. line of Warwick St. thence E. along N. line of State St.10 ft., thence NWly. to a point on E. line of Warwick St., said point being 25 ft. N. of point of beg., thence S. along E. line of Warwick St. 25 ft.to point of beg., City of Saginaw, be rezoned from B-1, Local Business to B-2, General Business.

Section 2. That the official map of the City of Saginaw is hereby amended accordingly.

This ordinance shall become effective September 24, 2020.

Enacted: September 14, 2020.

Yeas:

Nays:

Absent:

Floyd Kloc
Mayor

Janet Santos, MiPMC/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 September 14, 2020; 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, MiPMC/MMC
City Clerk

ESTABLISHING A COMMERCIAL REHABILITATION ACT DISTRICT

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

WHEREAS: under P.A. 210 of 2005, as amended, the City of Saginaw has the authority to establish "Commercial Rehabilitation Districts" within the City of Saginaw at request of a commercial business enterprise; and

WHEREAS: 218 Washington LLC has filed a written request with the clerk of the City of Saginaw requesting the establishment of the Commercial Rehabilitation District for an area in the vicinity of 218, 222, 224 and 226 S. Washington Avenue property I.D. #03- 0115-00000, 03-0114-00000, 03-0113-00000 and 03-0112-00000, respectively, located in the City of Saginaw hereinafter described; and

WHEREAS: the Council of the City of Saginaw determined that the district meets the requirements set forth in sections 2(b) and 3 of PA 210 of 2005; and

WHEREAS: written notice has been given by certified mail to the county and all owners of real property located within the proposed district as required by section 3(3) of PA 210 of 2005; and

WHEREAS: on September 14, 2020 a public hearing was held and all residents and taxpayers of the City of Saginaw were afforded an opportunity to be heard thereon; and

WHEREAS: the Council deems it to be in the public interest of the City of Saginaw to establish the Commercial Rehabilitation District as proposed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Saginaw that the following described parcel(s) of land situated in the City of Saginaw, Saginaw County, and State of Michigan, to wit:

218, 222, 224, and 226 S. Washington Avenue
Assessor's File #: #03- 0115-00000, 03-0114-00000, 03-0113-00000 and 03-0112-00000
ALL OF LOT 3, & LOT 2 EXC S 20FT, BLK 33 MAP OF THE CITY OF EAST SAGINAW, ALSO
COMMONLY KNOWN AS HOYT S PLAT

be and here is established as a Commercial Rehabilitation District pursuant to the provisions of PA 210 of 2005 to be known as 218 Washington Avenue Commercial Rehabilitation District No. 2.

Ayes:

Nays:

Absent:

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 September 14, 2020; 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, MiPMC/MMC
City Clerk