
REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, AUGUST 25, 2008, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Police Chaplain Bill Bodnar offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Joyce Seals called the meeting to order. The following Councilpersons were present: Gregory Branch, Larry Coulouris, Amos O'Neal, Bill Scharffe, Paul Virciglio, Andrew Wendt and Mayor Joyce Seals-7.

Absent: Councilpersons Daniel Fitzpatrick, Amanda Kitterman-Miller-2.

PUBLIC HEARINGS

City Clerk Diane Herman announced the public hearing on the Brownfield Plan Amendment for Rifkin Scrap Iron and Metal, Inc., 835-1227 N. Washington Avenue. City resident, Rebekah Chandler Benjamin, President of Carlisle Group Saginaw, Tom Miller, Jr. of Saginaw Future, Brian Eggers of AKT Peerless and David Rifkin, spoke in favor of the project and requested Council's support. Mayor Seals called for additional comments three times. No one else was heard.

Councilman Scharffe moved to declare the hearing closed.

Adopted unanimously.

PERSONAL APPEARANCES

Earl Jesse, 310 S. Harrison, said the halfway house issue is a waste of time. It's back in the hands of the Federal court and Bannum will prevail. Said he isn't saying whether he is or is not for the halfway house, it's just based on facts, truth and the law.

Johnny Sanders, 3420 Grant, commended the Mayor for reminding speakers how to act in the Chambers and how to respect one another. Complained about junk cars not being ticketed and towed away. Questioned why the City does not enforce the laws.

Ron Spess, 2112 Division, spoke on behalf of the Saginaw County Consortium of Homeless Assistance Providers. Requested Council sign the necessary forms so the groups could apply for HUD funding. Noted there may be additional applicants in the future.

Debra Melkonian, 2116 Adams Blvd., brought forth a petition signed by 74 residents of Adams Boulevard requesting a traffic study be performed in the area due to increased traffic from the opening of the new Thompson Middle School. Requested the City consider additional signage to help the situation.

Alfonzie Smith, 2222 S. 23rd, congratulated Council on the improvements he was with the grass issue. Requested Council do something to commemorate Pastor Dan who has been on the corner of Weadock & Genesee for many years.

Robert Zelle, 5405 Northfield Ct., shared with Council the successful baseball camps held at Hoyt Park. Said there were 9 instructional camps which serviced 437 children. Named and thanked all those organizations and volunteers who supported the camps and made it possible, in particular those from the Saginaw Fire Department.

Bill Giorgis, 2522 Hess, thanked Council for their support and requested their

consideration in approving the towing contracts on the agenda that evening. Also requested Council's support on the Neighborhood Enterprise Zone in the Old Towne District.

Willie Haynes, 1800 Morgan, invited Council to attend the upcoming Ezekiel Project meeting to be held Sunday, September 21st. Said 600-800 people throughout the State of Michigan were expected to attend. Core problems that attack the standard of living for families in the community will be discussed.

REMARKS OF COUNCIL

Councilman Wendt advised Mrs. Melkonian that he drove through the Adams Blvd. area and sympathized with her concerns. Said he did note there was no left turn signal at Court and Congress. Thanked City crews for addressing the grass issue and all those who supported the baseball camps at Hoyt Park. Congratulated Bill Federspiel on his win in the August Primary.

Councilman O'Neal thanked Tom Darnell and City crews for addressing the tall grass issues, and in particular Officer Rabideau for his assistance in cutting some lots. Thanked Marcia Rabideau for her assistance with the Arson Watch program and mentioned a recent fundraiser which raised \$4,500. Mentioned the Rifkin project and was pleased to see the neighborhood was notified. Said it should be used as a model for future projects. Thanked Councilmen Virciglio, Fitzpatrick, Wendt and all the volunteers who brought baseball back to Hoyt Park.

Councilman Scharffe mentioned attending the open house at Saginaw Machine Systems, 800 N. Hamilton, a long time business, and commended the company for taking on a whole new vision and product line. Also attended the Michigan Youth Leadership Academy graduation and praised the students and thanked the officers who worked with them. Congratulated Rifkin for continuing to grow as a leader in its industry and Saginaw Future for the work they've done in making the move possible.

Mayor Seals noted she was wearing her Arson Watch t-shirt. Said in 2006 there were 40 fires and the Arson Watch group reduced that to 7. Would like to see "0" this year.

Spoke a little on the program and stressed the need for more volunteers. Advised Ms. Melkonian her issue was referred to the City Manager and a traffic study would have to be performed. Thanked Mr. Zelle and all who worked on the baseball program at Hoyt Park. Mentioned attending the Northeast Neighborhood Association's fitness day at Unity Park and said there were hundreds of citizens at the event all day long. Believes the City is turning the corner.

Councilman Virciglio mentioned the Friends of Hoyt Park had received \$15,000-\$20,000 of in-kind contributions from people, corporations and unions and proceeded to name them. Said everyone wants to see Hoyt Park return to what it used to be.

PETITIONS

08-08 from Saginaw Future, Inc., 515 N. Washington Ave., and the Department of Development, 1315 S. Washington Ave., requesting that the City of Saginaw establish one (1) Neighborhood Enterprise Zone for the proposed project in the Old Town area.

Councilman O'Neal moved to receive and file the request.

Adopted unanimously. Mayor Seals referred the matter to the City Manager.

- 08-26 from Fred Cox, 523 S. Oakley, Vernon Roe, 517 S. Oakley, Mautza Perkins, 1220 Lyon, Reba Kelley, 516 S. Mason, requesting that the alley abutting the property bounded by S. Mason, Mackinaw, S. Oakley, and Lyon be vacated.
Councilman Scharffe moved to receive and file the request.
Adopted unanimously. Mayor Seals referred the matter to the Planning Commission.
- 08-28 from Mr. Sopcak, 609 W. Remington, Ruth Barnett, 1012 N. Harrison, and Mary Sopcak, 1016 N. Harrison, requesting that the alley abutting the property bounded by Remington, Harrison, Holland, and Fayette be vacated.
Councilman Scharffe moved to receive and file the request.
Adopted unanimously. Mayor Seals referred the matter to the Planning Commission.
- 08-29 from Rifkin Scrap Iron & Metal, 1445 Niagara, submitting an application for an Industrial Facilities Tax Exemption Certificate.
Councilman O'Neal moved to receive and file the request.
Adopted unanimously. Mayor Seals referred the matter to the City Manager and announced a Public Hearing for September 8, 2008 at 6:30 p.m., in City Hall Council Chambers.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND
APPOINTMENT OF BOARDS AND COMMISSIONS MEMBERS

From the Boards & Commissions Committee:

Councilman Coulouris moved for consideration of appointing Bridget Ann Looby to fill a vacancy on the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2011.

Adopted unanimously.

Councilman Virciglio moved for consideration of reappointing JoAnn Crary and Mark Neumeier to the Economic Development Corporation with a term to expire May 2, 2014.

Adopted unanimously.

Councilman Coulouris moved for consideration of reappointing Larry Leddy to the Hospital Finance Authority with a term to expire June 30, 2013.

Adopted unanimously.

Councilman Scharffe reported from the Saginaw Economic Development Corporation that it had approved a \$250,000 loan for a funeral home development at 3100 South Washington Avenue, pending final inspections and review. It will be built on the site of the former St. James Lutheran Church which has been vacant for 3 years.

Councilman O'Neal reported the City/County/School Liaison Committee would

meet August 28, 2008 at 5:30 p.m., in City Hall Council Chamber. Said there would be reports from the City's Development Department, Safe Routes to School and from the Job Fair Committee. (*Councilman Wendt noted his excused absence due to the band's first football game.*)

City Manager Darnell Earley reported the Riverfront Development Commission did approve the plan for the parking lot at the former McDonald's Restaurant site downtown. Noted that Councilman Wendt's comments were read to the Commission. Said the Commission does not have the authority to reject or to authorize the developments. The role of the Commission is strictly advisory. (*Councilman Wendt expressed his beliefs that Council should have final approval with regard to Downtown development.*) The City Manager said a Committee of the Whole would be held on September 8, 2008 to discuss such issues.

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley noted that Council had been provided with the final printed FY2008-2009 Budget document or spending plan for the City.

Tom Miller of Saginaw Future gave a short presentation on the Purchase and Development Agreement with Michigan Healthpark Development, LLC to build a medical campus in the City of Saginaw on an area bounded by Davenport Avenue, Carrollton Street and the Saginaw River. Said Drs. Field and Schell envision the creation of a world class environment for patient care, utilizing and benefiting the hospitals, physicians and care providers in the area. Their goal is to secure a strong future in Saginaw's medical community.

Odail Thorns, Director of Development, introduced the "SCENIC" Team (Saginaw Code Enforcement Neighborhood Improvement Cooperative), which consisted of members from Inspections Division, Police Department, Fire Department and Environmental. The team was formed as part of the City's Blight Elimination Program. John Stemple, Zoning & Development Coordinator, updated Council on what the group had accomplished to date, noting it was the interdepartmental effort that made it all possible. The purpose of the task force is to make marked improvements in the appearance of and the quality of neighborhoods in the City.

Recommended Actions

Subject: Original Equipment Manufacturer Vehicle Parts & Supplies

Manager's Recommendation: I recommend that a purchase order be issued to Ritter Tech of Saginaw, MI in the amount of \$2,990.00 for the purchase of Original Equipment Manufacturer (OEM) vehicle parts and supplies.

This vendor meet all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35 – 14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are available in the Right of Way Division's Garage Account No. 661-4480-841.73-12.

Justification: The City's Municipal Garage requires the purchase of a vast array of OEM vehicle parts and supplies for the maintenance of the fleet vehicles from July 1, 2008 to June 30, 2009.

Garage personnel will price quote each item and are aware of the lowest and best

vendor for each item. The purchases will then be ordered and billed to the vendor.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Miscellaneous Lawn Equipment Supplies

Manager's Recommendation: I recommend an annual purchase order in the amount of \$6,500.00 be issued to Bader Brothers, Inc. for miscellaneous John Deere lawn equipment parts and supplies. Bader Brothers, Inc. is the area's supplier for John Deere parts.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are budgeted in the Building & Grounds Maintenance Parts and Supplies Account No. 101-7575-821.73-30.

Justification: The unusually high rainfall for the months of May, June, and July has caused an increase in the growth of grass, which has increased cutting demands from the start of the cutting season. With our aging John Deere riding mowers, this has resulted in more frequent breakdowns. The Parks and Weed Abatement Section of the Building and Grounds Maintenance Division will need to maintain a reliable source for replacement parts and supplies to keep the mowers operational.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Purchase of Coal Slag Abrasive

Manager's Recommendation: I recommend that the sole bid from Acme Block and Supply Co., Saginaw, MI be accepted and a purchase order be issued to them in the amount of \$21,531.25 for the purchase of coal slag abrasive blasting media for the Wastewater Treatment Division.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are budgeted in the Sewer Operation and Maintenance Fund Account No. 590-4830-861.73-30.

Justification: On June 24, 2008, the City received one bid for coal slag abrasive blasting media for the Wastewater Treatment Division. This material will be used to prepare rusted equipment surfaces for painting and rehabilitation in all areas of the plant including the aeration tanks and final settling tanks.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: "Old Town" Neighborhood Enterprise Zone

Manager's Recommendation: I recommend the preliminary approval of the tentative boundaries for the proposed "Old Town" Neighborhood Enterprise Zone (Map Attached).

Justification: The City of Saginaw has received several requests for the

establishment of a Neighborhood Enterprise Zone ("NEZ") in the "Old Town" area from developers and property owners attempting to construct new market rate housing. In an effort to encourage the redevelopment and rehabilitation of residential housing in eligible distressed communities, the Michigan Legislature passed Public Act 147 of 1992. PA 147 allows a certificate holder to pay a specific tax known as the Neighborhood Enterprise Zone Tax. Applications are filed, reviewed and approved locally, but are also subject to review at the state level by the Property Services Division.

Exemptions are approved for a new or rehabilitated facility as allowed by the Act. The State Tax Commission is ultimately responsible for final approval and issuance of certificates. Exemptions are not effective until approved by the Commission. The NEZ is not designated until after the completion of the following procedure:

1. The Assessor has provided notice to all taxing units located in the zone;
2. A public hearing is held;
3. A housing inspection ordinance making sales of NEZ facilities dependent on code compliance is adopted by Council;
4. A finding that the NEZ is consistent with the City's master plan is adopted by Council;
5. A statement of housing objectives and policies is adopted by Council;
6. An Assessor's report of the amount of true cash value of property in the proposed NEZ is obtained;
7. A resolution designating the NEZ is adopted by Council; and
8. The State Tax Commission is notified of the passage of the resolution.

Afterwards, the individual property owners may seek certificates for their specific properties. For the above reasons, I recommend the preliminary approval of the tentative boundaries for the proposed "Old Town" Neighborhood Enterprise Zone.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Second Amendment of Purchase and Development Agreement for North Hamilton Project

Manager's Recommendation: I recommend approval of the Second Amendment to the Purchase and Development Agreement with SSP Associates, Inc. ("SSP") with regard to the property at 314-406 N. Hamilton, and that the City Manager or his designee be authorized to execute all related documents. This Second Amendment has been approved by the City Manager as to substance and the City Attorney to form.

Justification: On March 6, 2005, the City executed a Purchase and Development Agreement with SSP for the sale and development of two parcels of property commonly known as 314-406 N. Hamilton. SSP agreed to obtain certificates of occupancy for the minimum 10 residential units and a certificate of occupancy for the 3,000 square feet of commercial space by December 31, 2006. Many activities supporting the project have occurred since the signing of the original agreement. Saginaw Future has written and secured grant funds to acquire adjacent property and fund infrastructure improvements.

Once the funds were secured, meetings were held with Consumers Energy to relocate obstructing utility lines, which were removed in 2006.

On July 10, 2006, the parties amended the original agreement and extended the time for occupancy to December 31, 2008. Due to the downturn in the economy and high foreclosure rates, the project has been delayed. SSP has requested that the City of Saginaw establish a Neighborhood Enterprise Zone as an incentive to potential residents of the development. City Council is now considering the request and SSP is prepared to move forward with the project following Council action.

Due to these circumstances, SSP has requested a Second Amendment to the Purchase and Development Agreement to extend the timeframe from December 31, 2008 to December 31, 2010 to complete construction of both the residential and commercial space and to obtain occupancy permits.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Approval of Purchase and Development Agreement for Michigan Healthpark

Manager's Recommendation: I recommend approval of the Purchase and Development Agreement with Michigan Healthpark Development, LLC with regard to the property on Davenport Avenue (see attached map), and that the City Manager or his designee be authorized to execute all related documents. This Agreement has been approved by me as to substance and the City Attorney as to form.

Justification: The City owns several large parcels of land that are generally unimproved, except for some storage facilities and a storm water retention basin. The property is subject to Orders of Abatement from the Michigan Department of Environmental Quality ("MDEQ"), pursuant to which the City is required to implement a remedial action plan.

Michigan Healthpark Development, LLC is interested in acquiring this property so that it can develop it into a medical health park, including physician offices and other healthcare facilities, a hotel, retail stores and other related facilities. In exchange for the transfer of this property for \$1, Michigan Healthpark Development, LLC will invest a minimum of \$10 million to complete the project, create approximately 40 new medical jobs and potentially more in other areas. The project would be completed by December 31, 2013. If Michigan Healthpark Development, LLC does not fulfill its obligations, the property would be returned to the City.

The proposed Purchase and Development Agreement contains provisions ensuring that the City is able to maintain environmental control over the property to satisfy all conditions imposed or to be imposed by the MDEQ, as well as providing a suitable development site for Michigan Healthpark Development, LLC.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Three-Year Contract with Mike's Wrecker Service

Manager's Recommendation: I recommend approval of a three-year contract

between the City of Saginaw and Mike's Wrecker Service to provide impound towing, inside and outside storage, and parts removal services. This contract has been approved by me as to substance and the City Attorney as to form.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35 – 14.44, of the Saginaw Code of Ordinances.

Justification: The City of Saginaw has been without a towing contract for approximately four years, and therefore has not received any revenue for storage fees for vehicles impounded at the request of the Saginaw Police Department. The three-year agreement with Mike's Wrecker Service will provide the City of Saginaw with 70% of the storage fees from the impounded vehicles. Presently, the Saginaw Police Department is incurring approximately 1,200 impounds per year. The bid results are detailed on the attached bid tabulation sheet.

RESULTS FOR BID #P616-08 POLICE TOWING SERVICES

FIRST YEAR COST	<u>COMPANY NAME</u>		
	BOXWOOD AUTO	KREAGER TOWING	MIKE'S WRECKER
1. Police Impound-Wheel lift	\$75.00	\$80.00	\$75.00
2. Police Impound-Flat bed	\$95.00	\$85.00	\$85.00
3. Police Impound-Medium Duty	\$115.00	\$95.00	\$95.00
4. Police Impound-Heavy Duty	\$130.00	\$125.00	\$115.00
5. Winching (per hour)	\$65-175.00	\$35.00	\$55.00
6. R & R Transmission linkage	\$25.00	\$10.00	\$20.00
7. Dollies	no cost	\$35.00	no cost
8. R & R Drive Shafts	\$40-55.00	\$35.00	\$30.00
9. Fuel Surcharge	\$8-12.00	8% 8%	

SECOND YEAR COST	<u>COMPANY NAME</u>		
	BOXWOOD AUTO	KREAGER TOWING	MIKE'S WRECKER
1. Police Impound-Wheel lift	\$77.00	\$85.00	\$78.00
2. Police Impound-Flat bed	\$97.00	\$90.00	\$88.00
3. Police Impound-Medium Duty	\$117.00	\$105.00	\$100.00
4. Police Impound-Heavy Duty	\$130.00	\$127.00	\$120.00
5. Winching (per hour)	\$65-175.00	\$37.00	\$60.00
6. R & R Transmission linkage	\$25.00	\$13.00	\$20.00
7. Dollies	no cost	\$37.00	no cost
8. R & R Drive Shafts	\$40-55.00	\$37.00	\$30.00
9. Fuel Surcharge	\$8-12.00	9%	10%

	<u>COMPANY NAME</u>	
	BOXWOOD	KREAGER
		MIKE'S

THIRD YEAR COST	AUTO	TOWING	WRECKER
1. Police Impound-Wheel lift	\$79.00	\$95.00	\$81.00
2. Police Impound-Flat bed	\$99.00	\$95.00	\$81.00
3. Police Impound-Medium Duty	\$119.00	\$115.00	\$105.00
4. Police Impound-Heavy Duty	\$130.00	\$115.00	\$125.00
5. Winching (per hour)	\$65-175.00	\$40.00	\$65.00
6. R & R Transmission linkage	\$25.00	\$15.00	\$20.00
7. Dollies	no cost	\$40.00	no cost
8. R & R Drive Shafts	\$40-55.00	\$40.00	\$30.00
9. Fuel Surcharge	\$8-12.00	10%	12%

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.
Adopted unanimously.

Subject: City Wide Towing Services Contract with Mike's Wrecker Service

Manager's Recommendation: I recommend approval of a three-year contract between the City of Saginaw and Mike's Wrecker Service to provide towing services, tire change services, lockout services and fuel delivery for out of gas vehicles for all City owned vehicles. This contract has been approved by me as to substance and the City Attorney as to form.

This vendor meets all requirements of the contract compliance provisions.

Justification: The City of Saginaw has been without a towing contract for approximately four years and has operated under an extension of the last existing contract. The results are detailed on the attached bid tabulation sheet:

RESULTS FOR BID #P617-08 CITY WIDE TOWING SERVICES

FIRST YEAR COST	<u>COMPANY NAME</u>		
	BOXWOOD AUTO	KREAGER TOWING	MIKE'S WRECKER
TOWING SERVICES			
1. Passenger Vehicles	\$75.00	\$40.00	\$40.00
2. Light Trucks	\$95.00	\$65.00	\$60.00
3. Heavy Duty Trucks	\$130.00	\$125.00+5/ml	\$85.00
TIRE CHANGING SERVICES			
4. Passenger Vehicles	\$42.00	\$40.00	\$30.00
5. Light Trucks	\$50.00	\$60.00	\$40.00
6. Heavy Duty Trucks	\$130.00	\$150.00	\$72.00
7. Lockout Services (all vehicles)	\$42.00	\$35.00	\$20.00
8. Fuel Delivery (all vehicles)	\$42.00+fuel	\$35.00+fuel	\$20.00

	BOXWOOD	KREAGER	MIKE'S
9. Fuel Surcharge (\$) or %	\$12.00	8%	no cost
	<u>COMPANY NAME</u>		
SECOND YEAR COST TOWING SERVICES	BOXWOOD AUTO	KREAGER TOWING	MIKE'S WRECKER
1. Passenger Vehicles	\$77.00	\$42.00	\$44.00
2. Light Trucks	\$97.00	\$70.00	\$66.00
3. Heavy Duty Trucks	\$130.00	\$130.00+5/ml	93.00
TIRE CHANGING SERVICES			
4. Passenger Vehicles	\$44.00	\$41.00	\$32.00
5. Light Trucks	\$52.00	\$62.00	\$42.00
6. Heavy Duty Trucks	\$130.00	\$160.00	\$78.00
7. Lockout Services (all vehicles)	\$44.00	\$37.00	\$24.00
8. Fuel Delivery (all vehicles)	\$44.00+fuel	\$37.00+fuel	\$24.00
9. Fuel Surcharge (\$) or %	10%	9%	no cost

RESULTS FOR BID #P617-08 CITY WIDE TOWING SERVICES

	BOXWOOD	KREAGER	MIKE'S
	<u>COMPANY NAME</u>		
THIRD YEAR COST TOWING SERVICES	BOXWOOD AUTO	KREAGER TOWING	MIKE'S WRECKER
1. Passenger Vehicles	\$79.00	\$45.00	\$48.00
2. Light Trucks	\$99.00	\$75.00	\$72.00
3. Heavy Duty Trucks	\$130.00	\$135.00+5/ml	\$101.00
TIRE CHANGING SERVICES			
4. Passenger Vehicles	\$46.00	\$42.00	\$34.00
5. Light Trucks	\$54.00	\$65.00	\$45.00
6. Heavy Duty Trucks	\$130.00	\$170.00	\$84.00
7. Lockout Services (all vehicles)	\$46.00	\$40.00	\$28.00
8. Fuel Delivery (all vehicles)	\$46.00+fuel	\$40.00+fuel	\$28.00+fuel
9. Fuel Surcharge (\$) or %	10%	10%	no cost

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.
Adopted unanimously.

Subject: Liquor License for 925-927 N. Bond

Manager's Recommendation: I recommend approval of the request from Joni

Investments, Inc. to transfer ownership 2007 SDM licensed business location at 925-927 N. Bond, Saginaw, MI 48602, Saginaw County, from H & W, Inc.

Justification: On or about May 4, 2007, the City received notice from the Michigan Liquor Control Commission of the request from Joni Investments, Inc. to transfer ownership 2007 SDM licensed business location at 925-927 N. Bond, Saginaw, MI 48602, Saginaw County, from H & W, Inc. On July 30, 2008 Joni Investments, Inc. submitted the necessary paperwork to complete the City of Saginaw application process.

The City of Saginaw Fire Prevention, City Building Inspections Division and the Michigan Department of Agriculture have completed the necessary inspections and have approved 925-927 N. Bond for the license as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by Joni Investments, Inc., I hereby recommend approval of Joni Investments, Inc. to transfer ownership 2007 SDM licensed business location at 925-927 N. Bond, Saginaw, MI 48602, Saginaw County, from H & W, Inc.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Liquor License for 2030 N. Mason

Manager's Recommendation: I recommend approval of the request from Johnnie G. Kashat to transfer ownership of 2007 SDM Licensed Business located at 2030 N. Mason, Saginaw, MI 48602, Saginaw County from Garb-Ko, Inc.

Justification: On or about April 4, 2008, the City received notice from the Michigan Liquor Control Commission of the request from Johnnie G. Kashat to transfer ownership of 2007 SDM Licensed Business located at 2030 N. Mason, Saginaw, MI 48602, Saginaw County from Garb-Ko, Inc.

The City of Saginaw Fire Prevention, City Building Inspections Division and the Michigan Department of Agriculture have completed the necessary inspections and have approved 2030 N. Mason for the license as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by Johnnie G. Kashat, I hereby recommend approval of the request from Johnnie G. Kashat to transfer ownership of 2007 SDM Licensed Business located at 2030 N. Mason, Saginaw, MI 48602, Saginaw County from Garb-Ko, Inc.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Liquor License for 1010 N. Niagara

Manager's Recommendation: I recommend approval of the request from SRI SAI

Enterprises, LLC for a new SDM License to be held in conjunction with pending request to transfer ownership of 2008 Class C Licensed Business, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc.

Justification: On or about June 30, 2008, the City received notice from the Michigan Liquor Control Commission of the request from SRI SAI Enterprises, LLC for a new SDM License to be held in conjunction with pending request to transfer ownership of 2008 Class C Licensed Business, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc.

The City of Saginaw Fire Prevention, City Building Inspections Division and the Saginaw County Health Department have completed the necessary inspections and have approved 1010 N. Niagara for the license as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by SRI SAI Enterprises, LLC., I hereby recommend approval of SRI SAI Enterprises, LLC for a new SDM License to be held in conjunction with pending request to transfer ownership of 2008 Class C Licensed Business, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Certifications of Consistency with the Consolidated Plan

Manager's Recommendation: It is recommended that the Mayor be authorized to sign the Certifications of Consistency with the Consolidated Plan for several local agencies, which provide assistance to the homeless in Saginaw. Further, in the future, the Mayor may be required to sign additional certificates related to the programs to fulfill Department of Housing and Urban Development (HUD) requirements. Therefore, it is requested that the Mayor be given blanket authorization to sign future certificates for local agencies to receive grants from HUD, until June 30, 2009.

Justification: There are several homeless programs throughout the City of Saginaw sponsored by local community organizations. The agencies include, but are not limited to: the Emmaus House, Homes from Heaven, Restoration Community Outreach, Saginaw County Community Mental Health Authority, Saginaw County Youth Protection Council and the Underground Railroad. However, in order for the groups to receive federal grants, the agencies must obtain signed Certifications of Consistency from the Mayor to submit to HUD.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

All City Manager recommendations to this point were adopted by general consent. The following was considered after discussion.

Subject: Steel Snow Plow Blade

Manager's Recommendation: I recommend acceptance of the low bid and issuance of a purchase order to Scientific Brake and Equipment Company, in the amount of \$3,796.20 for the purchase of a steel snowplow blade to be installed on the existing Saginaw Police Department's 1995 Chevy Truck 4x4 to be used for snow removal.

This vendor meets all requirements of Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are available in the Building and Maintenance Section Other Services / Motor Vehicle Repairs Account No. 101-3014-721-80-42.

Justification: On May 20, 2008, the Purchasing Committee reviewed and accepted two bids for a Western Model IUTP 75 7'6" Pro Series Steel Snow Plow Blade for the Saginaw Police Department's Building and Maintenance Section. The current snowplow blade the department is using was purchased in 1990 and is unable to perform snow removal for the police department's parking lots and drives, due to the age and condition.

Following is a tabulation of the bids received:

Scientific Brake And Equipment Company Saginaw, MI	\$3,796.20
Monroe Truck Equipment Flint, MI	\$3,869.00

Council Action: Councilman Scharffe moved that the recommendation of the City Manager be approved. Adopted by the following vote:

Ayes: Councilpersons Scharffe, Virciglio, Wendt, Coulouris, O'Neal and Mayor Seals-6.

Abstain: Councilman Branch-1.

Absent: Councilpersons Fitzpatrick and Kitterman-Miller-2.

Subject: Approval of Agreements for the Saginaw County Veterans Memorial Plaza

Manager's Recommendation: I recommend approval of the two (2) lease agreements with Saginaw County Veterans Memorial Plaza, Inc., a non-profit corporation (Veterans). The lease agreements include expansion of the exterior Veterans Memorial area at Hoyt Park and a lease of a portion of the building to be used by this group as an office. These agreements have been approved by me as to substance and by the City Attorney as to form.

Justification: On July 25, 2005, Veterans entered into a lease with the City to create and maintain a memorial area at Hoyt Park. It has been a successful and well-received venture. Veterans wish to expand the area so they may place additional memorial monuments and better maintain the area.

In addition, Veterans would like use of one section of the warming house for an office. The group will pay for the cost of utilities and upkeep in a portion of the building that is not currently being used by the City. The group's use of this office would not interfere with any potential recreational activities at Hoyt Park.

The Veterans has supplied insurance and will indemnify the City against liability. Both leases are revocable upon 30 days notice if circumstances require the City to regain possession of these two areas.

Council Action: Councilman Wendt moved that the recommendation from the City Manager be approved.

Adopted unanimously.

CONSIDERATION AND PASSING OF ORDINANCES

Councilman Coulouris moved that an ordinance introduced, August 11, 2008, entitled and reading as follows, be taken up and enacted:

O-72

AN ORDINANCE TO ADD PARAGRAPH (E) TO §111.11, "APPLICATION FOR LICENSE" OF CHAPTER 111, "ALCOHOLIC BEVERAGES" OF TITLE XI, "BUSINESS REGULATION," OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraph (E) is hereby added to §111.11, "Application for License," of Chapter 111, "Alcoholic Beverages" of Title XI, "Business Regulations" of the Saginaw Code of Ordinances O-1, and shall to read as follows:

§ 111.11 APPLICATION FOR LICENSE.

(E) *Exception.* Local approval (City Manager and City Council) is not required for an SDD and SDM license application, transfer or renewal. These licenses are strictly regulated and approved by the State of Michigan Liquor Control Commission in conjunction with the City Police Department, County Department of Health or Michigan Department of Agriculture. The local governing body, or its designee, may however, notify the Liquor Control Commission within fifteen (15) days of receipt of notification from the State of the pending application, if the applicant's location will not be in compliance with all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, or if the applicant is considered ineligible due to other factors. All conditions of non-compliance must be outlined in detail, indicating the laws and ordinances applicable to the case, with a copy of the law and ordinance submitted with the notification. In addition to the foregoing, the City Council reserves the right to recommend revocation or denial of renewal of an application for SSD or SDM licenses as set for in §111.13.

Section 2. That this Ordinance shall take effect on September 4, 2008.

Enacted: August 25, 2008

Adopted unanimously.

RESOLUTIONS

Subject: Liquor License for 417 S. Michigan

Manager's Recommendation: I recommend approval of the request to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County from James Kokas to the Lockerroom Sports Pub, LLC.

Justification: On or about May 29, 2008, the City received notice from the Michigan Liquor Control Commission of the request to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County from James Kokas to the Lockerroom Sports Pub, LLC.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 417 S. Michigan for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter

111, "Alcoholic Beverages," §111.11, "Application for License," wherein the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by the Lockerroom Sports Pub, LLC, I hereby recommend approval of the 2007 Class C license transfer from James Kokas, located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County.

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

RESOLUTION TRANSFERRING LIQUOR LICENSE AT 417 S. MICHIGAN

Councilman Coulouris offered and moved adoption of the following resolution:

WHEREAS, on or about May 29, 2008 the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice requests to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County from James Kokas to the Lockerroom Sports Pub, LLC.

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have approved 417 S. Michigan for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Saginaw by this Resolution does hereby approve the request to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County from James Kokas to the Lockerroom Sports Pub, LLC. be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

Adopted unanimously.

Subject: Liquor License for 1010 N. Niagara

Manager's Recommendation: I recommend approval of the request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc. to SRI SAI Enterprises, LLC.

Justification: On or about June 30, 2008, the City received notice from the Michigan Liquor Control Commission of the request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc. to SRI SAI Enterprises, LLC.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 1010 N. Niagara for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," wherein the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by SRI SAI Enterprises, LLC., I hereby recommend approval of the 2008

Class C license transfer with dance permit, from Asian Food Enterprises, Inc., located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County.

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

RESOLUTION TRANSFERRING 2008 CLASS C LIQUOR LICENSE WITH DANCE ENTERTAINMENT PERMIT AT 1010 N. NIAGARA

Councilman Scharffe offered and moved adoption of the following resolution:

WHEREAS, on or about June 30, 2008 the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc. to SRI SAI Enterprises, LLC.

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have approved 1010 N. Niagara for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc. to SRI SAI Enterprises, LLC., be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

Adopted unanimously.

Subject: Brownfield Plan Amendment, Rifkin Scrap Iron and Metal, Inc., (Brownfield Plan Project No. 01-2008)

Brownfield Redevelopment Authority Recommendation: Recommending that City Council adopt the resolution approving the Brownfield Plan amendment for Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue that is listed under the regular order of business.

Justification: On August 11, 2008 the Brownfield Redevelopment Authority approved an amendment to the Brownfield Plan to include the Brownfield Plan Project No. 01-2008, Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue. Rifkin Scrap Iron and Metal, Inc., will invest approximately \$18.2 million in site preparation and construction of a new scrap metal recycling processing plant, storage and office facility.

This Brownfield Plan has been created for the purpose of facilitating the redevelopment of the property and to allow an application for a State of Michigan Brownfield Redevelopment Business Tax Credit.

The original Brownfield Plan was adopted by City Council on May 17, 1999 in compliance with State Act 381. The purpose of Brownfield legislation is to assist in the development of vacant and/or underutilized sites. The State Act requires that the City Council approve amendments to the plan and adopt a resolution after a duly advertised public hearing. The Public Hearing on the proposed amendment is also on the Council Agenda for the August 25, 2008 meeting. A notice was published in The Saginaw News. A notice was also sent to all taxing jurisdictions.

Subject to any compelling reasons to the contrary that may develop after the public hearing, it is recommended that the City Council adopt the resolution approving the Brownfield Plan amendment for Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue, which is listed under the regular order of business.

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

A RESOLUTION TO AMEND THE BROWNFIELD PLAN FOR THE CITY OF
SAGINAW, MICHIGAN TO INCLUDE RIFKIN SCRAP IRON AND METAL, INC., 835
THROUGH 1227 N. WASHINGTON AVENUE, IN COMPLIANCE WITH THE
PROVISIONS OF ACT 381, PUBLIC ACTS OF 1996, AS AMENDED
BY ACT 145, PUBLIC ACTS OF 2000.

Councilman Virciglio offered and moved adoption of the following resolution:

WHEREAS, the Saginaw City Council approved a resolution on September 29, 1997 creating a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone; and

WHEREAS, the Saginaw City Council approved a resolution on May 17, 1999 adopting a development plan for the Brownfield Redevelopment Zone which complies with the provisions of Act 381 of Public Acts of 1996; and

WHEREAS, on August 11, 2008, the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Project No. 01-2008 – Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue, which complies with the provisions of Act 381 of Public Acts of 1996, as amended by Act 145 of Public Acts of 2000; and

WHEREAS, a public hearing notice on the proposed amendment was published in The Saginaw News and all taxing jurisdictions were notified of the hearing on the plan amendment; and

WHEREAS, the amended Brownfield Plan constitutes a public purpose and eligible activities provided in the amended plan are feasible and the cost of the eligible activities is reasonable to carry out the purposes of the Act.

NOW, THEREFORE, BE IT RESOLVED, that the Saginaw City Council does hereby approve the amendment to the Development Plan for the City of Saginaw Brownfield Redevelopment Zone to include Brownfield Plan Project No. 01-2008, Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue.

Adopted unanimously.

Subject: Application for Transportation Enhancement Funds

Manager' Recommendation: I recommend that the City actively seek Transportation Enhancement funds and participate in the proposed streetscape project on E. Genesee Avenue between N. Franklin Street and Janes Avenue. MDOT requests, as part of the application process, that a resolution be adopted by City Council indicating their support of the enhancement project.

Justification: The Michigan Department of Transportation has announced its call for applications for Transportation Enhancement funds for proposed non-motorized enhancements/beautification improvements. The City is proposing to install streetscape

amenities on E. Genesee Avenue between N. Franklin Street and Janes Avenue. The streetscape items include decorative streetlights, colored stamped sidewalk and crosswalks, decorative stone half-walls and decorative fencing, benches, trash receptacles, and landscaping. This project will extend an existing downtown streetscape located on N. Washington Avenue (M-13). The streetscape enhancements will be constructed in conjunction with the reconstruction of E. Genesee Avenue between N. Franklin Street and Janes Avenue. The reconstruction of Johnson Street is scheduled for the 2010 construction season. The enhancement of this entrance to the downtown will improve the economic viability of the downtown area. The proposed roadway improvements will improve vehicular traffic flow and both vehicular and pedestrian safety.

The total estimated cost of this project is \$5,185,000.00; of which, \$805,000.00 is the estimated cost of the water main improvements, \$1,050,000.00 is the estimated cost of the sewer main improvements, \$1,705,000.00 is the estimated cost of the roadway improvements, and traffic signal equipment upgrades, and \$1,625,000 is the estimated cost of the streetscape improvements. City Water Surplus funds will be used to fund the water/sewer main improvements. Federal STP Urban funds will be used to pay for \$760,000.00 of said road improvements. Federal Safety funds will pay for \$240,000.00 towards traffic signal upgrades. Transportation Enhancement funds, if approved by the State of Michigan, will pay for \$510,000.00 of enhancement/streetscape items. Federal appropriations monies will pay for \$1,000,000 of the streetscape improvements. The required City match monies for this project may come from ACT 51 funds, Community Development Block Grant funds, and Sewer Surplus or Water surplus funds. Should the State not approve the project for Transportation Enhancement monies, the project scope will be drastically reduced to eliminate many of the enhancement items and project estimate. The City of Saginaw will provide full design engineering and construction administration services for the project.

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

SAFETEA-LU TRANSPORTATION ENHANCEMENT FUNDS
FOR EAST GENESEE STREETScape PROJECT

Councilman Virciglio offered and moved adoption of the following resolution:

WHEREAS, the federal legislation known as Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), offers special funding known as Transportation Enhancement which are set aside for non-motorized transportation needs; and

WHEREAS, these funds are eligible for streetscape projects in communities such as Saginaw; and

WHEREAS, the City proposes to procure Transportation Enhancement funds for the purpose of beautifying and enhancing E. Genesee Avenue between N. Franklin Street and Janes Avenue as outlined in its application; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw is actively seeking SAFETEA-LU Transportation Enhancement funds to construct said streetscape project and is willing to participate in its funding and implementation.

Adopted unanimously.

Subject: Acceptance of Grant for Air Cascade System

Manager's Recommendation: I recommend approval of the attached resolution that authorizes the Fire Department to accept a grant in the amount of \$24,000.00 from the Federal Emergency Management Agency (FEMA) under the fiscal year 2008 Assistance to Firefighters Grant program for fire operations and firefighter safety.

The City of Saginaw's required matching funds of \$6,000.00 will be available in Capital Outlay/Repairs and Replacements Account No. 101-3751-751.97-20.

Justification: This grant will be used to purchase an Air Cascade System to fill self-contained breathing equipment that firefighters use in contaminated atmospheres while fighting fires. The current Air Cascade System is 16 years old and has become inoperable.

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

2008 ASSISTANCE TO FIREFIGHTERS GRANT
AWARD FOR NEW AIR CASCADE SYSTEM

Councilman Virciglio offered and moved adoption of the following resolution:

WHEREAS, the Federal Emergency Management Agency (FEMA) in cooperation with the U.S. Fire Administration has awarded the Saginaw Fire Department \$24,000 under the Fiscal Year 2008 Assistance to Firefighters Grant program for fire operations and firefighter safety, and

WHEREAS, the cost required from the City of Saginaw in the form of matching funds is \$6,000.00, and

WHEREAS, these funds will be used to purchase a new Air Cascade System to fill self-contained breathing apparatus which is protective equipment to eliminate smoke inhalation while fighting fires and working in hazardous environments, and

WHEREAS, the Saginaw Fire Department's current Air Cascade System has become inoperable.

NOW, THEREFORE, BE IT RESOLVED, that the Saginaw City Council is in full support of the Saginaw Fire Department's Grant Award.

Adopted unanimously.

RESOLUTION RATIFYING 1992 REVENUE CONTRACT SUPPLEMENT BETWEEN
SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION AND THE
LOCAL UNITS OF GOVERNMENT

Councilman Scharffe offered and moved adoption of the following resolution:

WHEREAS, said Base Contract further provides that each of the Local Units will cooperate in the acquisition and financing of such additional enlargements and improvements in accordance with the Base Contract and Act 233; and

WHEREAS, the Corporation pursuant to said Base Contract and its subsequent amendments has issued its Water Supply System Revenue Bonds, Series 1992, the proceeds of which were used to acquire, construct and finance improvements to the water supply system operated by the Corporation for the benefit of the Local Units; and

WHEREAS, said bonds were refunded through the issuance of the Corporation's Supply System Refunding Revenue Bonds, Series 1998 (the "1998 Bonds") in order to achieve interest expense savings; and

WHEREAS, the Corporation proposes to refund the 1998 Bonds with an issue of refunding bonds in order to achieve additional interest expense savings; and

WHEREAS, in order to issue an additional series of refunding which will reduce this City's contractual obligation to the Corporation, it is necessary for the City to affirm its undertakings.

NOW, THEREFORE, BE IT RESOLVED:

1. That the 1992 Revenue Contract Supplement between the Corporation and the Local Units is hereby ratified and confirmed.

2. That, provided present value savings are realized by the proposed refunding, the City Council also hereby approves the proposed issuance of refunding bonds and ratifies and affirms the City's pledge of its limited tax full faith and credit as secondary security for the payment of its allocable share of the principal and interest of such refunding bonds.

3. That in accordance with Rule 15c2-12 as promulgated by the Securities and Exchange Commission (the "Rule") the City, as long as it is an "obligated person" pursuant to the Rule, covenants and agrees to enter into a continuing disclosure undertaking and to provide or cause to be provided certain information as set forth in the City's undertaking.

4. That the City's Finance Director, or his or her designee, be and is hereby appointed as the City Disclosure Representative in accordance with the Rule.

5. That all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Adopted unanimously.

ADJOURNMENT

At 8:47 p.m. Councilman Scharffe moved to adjourn the meeting.

Adopted unanimously.

Diane M. Herman
City Clerk