
REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, SEPTEMBER 28, 2009, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Police Chaplain Richard Popard 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, Daniel Fitzpatrick, Amanda Kitterman-Miller, Amos O'Neal, Bill Scharffe, Paul Virciglio, Andrew Wendt and Mayor Joyce Seals-9.

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS

Councilman Scharffe moved to approve the minutes from the May 18, 2009 and June 1, 2009 regular Council meetings, June 8, 2009 special Council meeting, and June 15, 2009 and June 29, 2009 regular Council meetings, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

ANNOUNCEMENTS

Fire Chief E. Dean Holland accepted a proclamation read by Councilman Fitzpatrick designating October 4–10, 2009 as Fire Prevention Week in the City of Saginaw.

PERSONAL APPEARANCES

Earl Jesse, 310 S. Harrison, spoke on the proposal to remove the tax cap, which will be on the November 3, 2009 ballot. Said Council should have split the proposal into two separate issues, removal of the tax cap and removal of the dollar cap.

Mark Oberschmidt, 404 S. Granger, said the amendment to the City Charter changing the taxes will bring hardship to anyone on a fixed or reduced income. Noted the houses in disrepair and number of foreclosures. Said raising the mills from 14 to 20 and the solid waste fee from \$50 per unit to \$150 per unit is frightening. Criticized the City for the recent COPS grant approved that commits the City to spend \$400,000 after 3 years or pay back the grant.

Jimmy Greene, 4591 Spurwood Drive, Co-Founder and Executive Director of the Great Lakes Bay Region African American Leadership Training Institute, spoke on the institute and the affect it has had on young African Americans who have graduated from the institute. Commended City Manager Darnell Earley for his great leadership and presented him with the first Henry Marsh Institute for Excellence in Public Policy award.

REMARKS OF COUNCIL

Councilman Scharffe thanked the gardeners from Tokushima, Japan, for the work they were doing in the Japanese Gardens. Also commended all who planned and supported the NAACP Freedom Fund Banquet and wished them continued success. Mentioned attending the dedication of Central Middle School to Ruben Daniels Middle

School and gave some positive comments about Mr. Daniels. Spoke on the recent robbery where a 9-year old was shot and killed. Was disturbed by the words of a local pastor who stated that someone would come forward if a large reward were offered. Said this inferred that someone had information but would not come forward because there wasn't enough money in it. Said he hopes such an attitude would change.

Councilman Virciglio thanked all who expressed sympathy to him in the passing of his mother. Noted crime was Council's number one priority. Said the community needs to stand up and want to take their neighborhoods back. There has to be responsibility in the home. Mentioned the number of organizations who are serving youth in the community and giving them other options. Welcomed Happy's Pizza to the City at their location on the corner of N. Michigan and W. Genesee.

Councilman Wendt also commended the NAACP for their recent event. Mentioned attending the Michigan Municipal League conference and said he learned a lot about local government. Thanked Jimmy Greene for inspiring youth to be part of the solution and not part of the problem. Said when he heard about the senseless shooting it made him think that citizens had lost their sense of humanity and forgotten how to love one another. Believes some in the community have become numb to the shootings, job loss and dropouts. Urged citizens to partake in the Stop the Violence March Rally to be held the upcoming Saturday.

Councilman Branch spoke on all who were outraged by the recent crime and the loss of a 9-year old life. Noted that no matter how many steps are taken to make Saginaw safer, a handful of young punks can set the community back miles. He mentioned some of the other recent violent attacks. Said the outrage should be directed at the parent whose teenager is carrying a .45, or out at 4 a.m. breaking into a home, etc. Said he intends to bring forth amendments to the Parent Responsibility ordinance. The violence cannot be stopped if parents don't do their job. Noted that most Saginaw residents are decent, kind and helpful.

Councilman O'Neal agreed with Councilman Branch's statement. Said there are a lot of concerned people in the community doing what they can to address the issue of youth and youth violence. Also thanked Mr. Greene for his program and urged his youth leaders to join in Saturday's march. Commended the Police Department and said he knows they have been working tirelessly to address the issue. Urged citizens to step up and take ownership of their community, to report crime activity, otherwise they are being held hostage. Announced the Stop the Violence March Rally would take place on Saturday, October 3, 2009 at 9:00 a.m. from Faith Charity Pentecostal Gospel Church. Also reported the Community Action Center would host a community summit on October 8, 2009 at 5:00 p.m.

Councilman Fitzpatrick said the latest violence is not a racial issue. Through his work travels he has been in rural areas where he was more afraid for his life than any time he road with the Gang Task Force in Saginaw. He has seen areas where poverty, meth labs, pot farms, and a general lack of respect for life are rampant. Believes the youth have been affected by the media in the glorification of violence and easy money in music, television and movies. Stressed that violence is a national problem.

Councilwoman Kitterman-Miller gave condolences to the 9-year old's family. Said she spends her life teaching youth and reiterated, it is a handful of youth who spoil it for

everybody. Said teachers, Council and police cannot raise someone's child, parents need to step up. Mentioned the old adage, "It takes a village to raise a child" but it has to start at home. Urged people to read the book *A Framework for Understanding Poverty* by Ruby Payne. Said poverty needs to be addressed. Reminded City residents of the Waste Collection Convenience Station available to citizens on Saturday, October 10, 2009, at the Public Services building from 10:00 a.m.-2:00 p.m. She advised what materials would be accepted. Noted a House Bill Council needs to be aware of which eliminates collective bargaining for union members for healthcare benefits. Said the language makes municipalities responsible for uncollected costs. Also thanked Jimmy Greene for his work in the community.

Councilman Coulouris mentioned attending an event at the Saginaw Arts and Sciences Academy (SASA) where the Mayor of Tokushima flew in to say thanks for allowing three Japanese students to live here and attend school. Gave some accolades to SASA and mentioned the poor condition of the road on Niagara near the school. Mentioned the upcoming election and removal of the tax and dollar caps. Said the City will not see any new property tax money for the new Happy Pizza establishment due to the dollar cap. Commended the Northmoor Neighborhood Association for their cleanup of Deindorfer Woods.

Mayor Seals noted that once construction is complete, the SASA entrance on W. Genesee and Niagara Street will be repaired. Noted some of Mr. Oberschmidt's statements were inaccurate. She then spoke on the recent violence in the City. She said enough is enough. Addressed mothers and said they need to get it together. Young men should not be walking the streets in the middle of the night with guns. She said parents need to search their drawers, cars, etc. Urged those that know anything to speak up. Stressed the need to lift the tax and dollar cap to retain more police. Named some of the programs offered to help youth. Said everyone needs to do his or her part.

(All Councilpersons extended condolences to Councilman Virciglio on the recent loss of his mother and congratulated the City Manager on his award.)

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

From the Council Boards and Committee:

Councilwoman Kitterman-Miller moved for consideration of appointing Yolanda Jones to the City Planning Commission to fill an administrative vacancy with an indefinite term, seconded by Councilman Coulouris.

Adopted unanimously.

Mayoral Appointments.

At the request of Mayor Seals, Councilman Scharffe moved for consideration of reappointing Lori E. Hausbeck to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2012, seconded by Councilman Wendt.

Adopted unanimously.

Mayor Seals appointed Earl Jesse to the Saginaw Housing Commission Board

of Directors. *(Council approval not needed for this appointment.)*

Reports from other Boards, Commission and Committees:

Councilman Scharffe reported the SEDC approved a loan for \$71,100 for GT, LLC, to purchase real estate and equipment for a full-service recycling center for businesses and the public where 90% of the usable materials will be resold which will interrupt the stream of waste going to landfills. Payments will commence on November 1, 2009.

Councilman Scharffe reported the City/County/School Liaison Committee met the prior week where the City's ballot proposals were discussed and reviewed. The Committee said they would support the City in its efforts. *(Councilwoman Kitterman-Miller added the School Board extends its gratitude to the City for working with them on the road closure around Jesse Rouse School.)*

Councilman Wendt gave some general information with regard to registration deadline and absentee voting for the November 3, 2009 general election.

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley thanked Jimmy Greene and Reverend Coleman for the recognition given him. Said the work he does as City Manager is for the benefit of the community. Spoke briefly on his experiences since working with the City and commended his staff.

Sheilda Braddock provided an update on the recreation programs offered to youth by the First Ward Community Center at the Civitan and Cathedral District Youth Centers, which included the number of teams, types of activities, demographics of youth reached and staffing.

Cherrie J. Benchley, United Way, discussed the Homelessness Prevention and Rapid Re-housing Program, wherein HUD granted the City funds to assist City residents that are homeless or about to become homeless. She explained how the City will enter into a Subgrantee Agreement with United Way, as the nonprofit agency, to carry out program activities to include providing financial assistance, rental assistance, pay security and utility deposits, moving expenses, motel and hotel vouchers and housing relocation and stabilization services.

City Manager Darnell Earley updated Council on the status of State Shared Revenue. He noted the Governor's Executive Order reduced the funds by approximately \$530,000. Said the budget conferences in Lansing were ongoing and decisions may increase that number. The City's organization would have to be reviewed once the numbers are finalized.

Public Services Director Thomas Darnell provided a brief report on the 2009 Leaf Collection program. Said it would begin on October 26, 2009, and end on November 25, 2009, the day before Thanksgiving, weather permitting. Said there will be only one pass-through the City. Noted his staff were currently evaluating when the crews would be in each area of the City and a schedule would be posted on SGTV and the City's website.

Recommended ActionsSubject: Year-End Citywide Budget Adjustment

Manager's Recommendation: It is recommended that the 2009/2010 Approved Budget for the following funds be amended:

The General Fund's (101) total expenditures will be increased by \$333,565.00. This increase in expenditures will be offset by available fund balance, which increases the Fund Equity Account No. (101-0000-680.00-00) from \$818,000.00 to \$1,151,565.00.

Major Street Fund's (202) total expenditures will be increased by \$37,003.00. This increase in expenditures will be offset by available and unrestricted fund balance, which increases Fund Equity Account No. (202-000-680.00-00) from \$73,740.00 to \$110,743.00.

Baker Perkins, LDFA Fund's (250) – Tax Increment Payments Account No. (250-1775-761.81-01) should be increased from \$18,603.00 to \$105,865.00. Available unrestricted and undesignated Fund Balance will offset the increase.

The Community Policing Fund (260) will be increased by \$106,983.00 from \$434,006.00, to \$540,506.00. This increase in expenditures will be offset by the carry-forward of grant monies from the previous fiscal year as well as the use of available unrestricted and undesignated fund balance.

Community Development Block Grant – Residential Loans (276) Fund will be increased by \$23,604.00 from \$513,212.00 to \$536,816.00. The carryover of funds from the previous fiscal years entitlement will offset the increase.

The Community Development Block Grant – Home Program (278) Fund will be increased by \$8,335.00 from \$980,768.00 to \$989,103.00. The carryover of funds from the previous fiscal years entitlement will offset the increase.

The Celebration Park Fund (508) will be increased by \$55,226.00 from \$780,000.00 to \$835,226.00. An available appropriation of retained earnings will offset the increase.

The Sewer Operations and Maintenance Fund's (590) Use of Fund Equity Account No. (590-0000-680.00-00) will be increased by \$815,414.00, from \$26,288,844.00 to \$27,104,258.00. An available appropriation of retained earnings will offset the increase in the fund.

The Water Operations and Maintenance Fund's (591) Use of Fund Equity Account No. (591-0000-680.00-00) will be increased from \$42,224,612.00 to \$44,195,164.00, which equates to an increase of \$1,970,552.00. An available appropriation of retained earnings will offset the fund's increase.

The Geographical Information Systems Fund (650) should be increase from \$509,179.00 to \$526,282.00. This is a \$17,103.00 increase. The increase in expenditures will be offset by available undesignated and unrestricted fund balance.

The Motor Pool Operations (661) Fund's Transfer to Other Funds Account No. (661-9660-771.87-17) will be decreased by \$328,087.00 from \$2,845,671.00 to \$2,517,584.00. The decrease in the fund will be offset by a decrease in the use of retained earnings.

Justification: In accordance with the City Charter and the approved 2010 Budget Resolution, the City Manager must provide annual purchase order carry forward as well as quarterly budget adjustments to City Council as a result of an analysis of the budget to actual. As part of this process, the City Manager recommends the fore-mentioned budget

adjustments.

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

Adopted unanimously.

Subject: Homelessness Prevention and Rapid Re-Housing Program Subgrantee Funding Agreement

Manager's Recommendation: I recommend approval of the Homelessness Prevention and Rapid Re-Housing Program (HPRP) Subgrantee Funding Agreement (Agreement) with the United Way of Saginaw County (United Way). The term of the Agreement is two years. In addition, the amount of the Agreement is \$1,022,177.00. The Agreement has been approved by me as to substance and the City Attorney as to form. A resolution to approve the Agreement appears under the regular order of business.

Justification: Recently, the Department of Development applied for funding under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) sponsored by the U.S. Department of Housing and Urban Development (HUD). This program is intended to assist the chronically homeless with housing needs and various support services. The program is funded pursuant to the American Recovery Re-Investment Act. The request was for \$1,022,177.00.

The City was recently notified by (HUD) that it would receive funds for the HPRP Program. Pursuant to the terms of the Agreement, the City can enter into a Subgrantee Agreement with a local nonprofit agency to carry out HPRP activities. The City has determined that the United Way is the best agency to carry out the HPRP activities using a consortium of providers that currently service the homeless community. HPRP activities include providing financial assistance, rental assistance, payment for security and utility deposits, moving expenses, motel and hotel vouchers and housing relocation and stabilization services. United Way will work with local homeless shelters to provide the services to City residents that are homeless or about to become homeless.

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

Adopted unanimously.

Subject: Fifth Amendment to Development Agreement with Wolgast Corporation

Manager's Recommendation: I recommend that the Fifth Amendment to the Purchase and Development Agreement with Wolgast Corporation be approved and that the City Manager or his designee be authorized to execute all documents necessary. This Fifth Amendment to the Purchase and Development Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification: On December 5, 2005, the City of Saginaw entered into a Purchase and Development Agreement with Wolgast Corporation for property located in the 3200, 3300, 3400, 3500, and 3600 block of Douglass St. on the southeast side of the City. Due to the initial lack of success in obtaining tax credits, the project was delayed, and the agreement amended. The Michigan State Housing Development Authority ("MSHDA") approved Wolgast's application, but the process took longer than expected, and the Agreement was amended three more times, with the closing date to have occurred by

September 30, 2009.

MSHDA is now in the process of converting the original tax credits to federal equity funds to finance this project. This requires a time extension for the closing until December 2009. Construction can commence within 30 days after that.

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

Adopted unanimously.

Subject: American Red Cross of Saginaw County Contract

Manager's Recommendation: I recommend that the American Red Cross of Saginaw County (Red Cross) Contract be approved. The amount of the Contract is \$1,600.00. The Contract has been approved by me as to substance and the City Attorney as to form. It is further recommended that Council authorize me or my designee to sign the Contract.

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

Funds for this service are budgeted in the Water Treatment Operation Professional Services Account, No. 591-4730-861-8001.

Justification: On September 14, 2009, the City of Saginaw Water Treatment Plant (WTP) received a contract from the Red Cross to provide training to staff. The training includes First Aid, Adult Cardio Pulmonary Resuscitation (CPR) and Automatic External Defibrillator (AED) training. The WTP Process Safety Management Plan requires periodic training of plant staff in first aid and CPR. In addition, the MIOSHA Process Safety Management Plan of Highly Hazardous Chemicals Standard requires the training. Also, the plant recently purchased an AED to be used by WTP staff in the event of an emergency. Training in the proper use of this device is required. The WTP is receiving a \$10.00 per person discount due to our recent purchase of the AED.

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

Adopted unanimously.

Subject: WTP Leak Detection System Sensors

Manager's Recommendation: I recommend that the quote from Waterworks Systems, Inc. of Lakeland, MI be accepted and that a purchase order be approved and issued to them in the amount of \$3,030.00 for the purchase of leak detection system sensors.

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

Funds are budgeted in the Water Treatment Operations and Maintenance Parts and Supplies Account, No. 591-4730-861.73-30.

Justification: A quote for five (5) replacement leak detection sensors for the Water Treatment Plant (WTP) gaseous chlorine leak detection system was received on 08/17/09 from Waterworks Systems, Inc. at \$591.00 each, plus a \$75.00 shipping and handling

charge, totaling \$3,030.00. The WTP Process Safety Management Plan requires periodic replacement of the sensors. The MIOSHA Process Safety Management Plan of Highly Hazardous Chemicals Standard requires the plan. The gaseous chlorine system supplies chlorine to the chlorinators. The chlorinators are used to apply chlorine to the raw water supplied to the plant, which disinfects and protects the potable water supply from bacterial contamination. The leak detection system functions to detect a leak in the system and allows for quick and safe response to mitigate any leaks that may occur. A letter was supplied stating that Waterworks Systems, Inc. is the sole source distributor in Michigan for the replacement sensors from Capital Controls/Severn Trent Services.

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

Adopted unanimously.

Subject: Replacement De-Watering Pump

Manager's Recommendation: I recommend that the low bid from Fluid Process Equipment, Inc. be accepted and that a purchase order be approved and issued to them in the amount of \$4,432.00 for a replacement de-watering pump.

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

Funds for this purchase are available in the Sewer Operation and Maintenance Account, No. 590-4835-861.97-05.

Justification: These bids are for a de-watering pump for the Emerson retention basin, one of the city's seven retention basins. The de-watering pump is used to pump out the influent wet well of the basin after a storm event. The pump is worn beyond repair and needs to be replaced. Below are the bids that were received:

Fluid Process Equipment, Inc. Kalamazoo, MI	\$4,432.00
HydroDynamics, Inc. Waterford, MI	\$6,176.00

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

Adopted unanimously.

Subject: Bentley Water GEMS Annual GIS Software Maintenance Fee

Manager's Recommendation: I recommend that a purchase order be approved and issued to Bentley Systems, Inc. in the amount of \$6,000.00 for the Bentley Water GEMS annual renewal maintenance fee. This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing, of "Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds are budgeted in the GIS Operating Services Account, No 650-1738-781.80-05.

Justification: Water GEMS software will provide capabilities ranging from analysis and design to management function such as fire flow assessment, pump scheduling, water quality improvement, emergency planning, leakage reduction and security enhancement. In addition to purchasing the software, an annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the Bentley help desk for all software related questions and/or problems.

Council Action: Councilman Coulouris moved that the recommendation of the City Manager be approved, seconded by Councilman Branch.
Adopted unanimously.

Subject: Gorman Rupp Pump Parts

Manager's Recommendation: I recommend that the only bid received from Detroit Pump, Inc. be accepted and that a purchase order be approved and issued to them in the amount of \$7,876.10 for the purchase of pump parts.

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

Funds for this purchase are available in the Sewer Operation and Maintenance Parts and Supplies Account, No. 590-4835-861.73-30.

Justification: The City has four (4) Gorman Rupp pumps; two at the Drake St. lift station, and two at the Douglas St. lift station. Parts are stocked to rebuild one pump in the event of a failure. One pump was recently rebuilt and restock parts are needed. Bids were opened on August 18th and Detroit Pump was the sole bidder.

Council Action: Councilman Coulouris moved that the recommendation of the City Manager be approved, seconded by Councilman Branch.
Adopted unanimously.

Subject: Allen Bradley Analog Input Cards

Manager's Recommendation: I recommend that the low bid from Kendall Electric, Inc. be accepted and that a purchase order be approved and issued to them in the amount of \$8,928.00 for the purchase of Allen Bradley Analog input cards.

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

Funds for this purchase are available in the Sewer Operation and Maintenance Parts and Supplies Account No. 590-4830-861.73-30 (\$4,464.00) and Remote Facilities Parts and Supplies Account No. 590-4835-861.73-30 (\$4,464.00).

Justification: Allen Bradley Analog Input Cards are used for the SCADA systems at both the plant and remote facilities. We keep them in stock so that repairs can be made in a timely manner. Recently, our stock was exhausted and we need to replenish it. Bids were opened on 9/15/2009 with the following results:

	<u>Cost / Unit</u>	<u>Total Cost</u>
Kendall Electric Saginaw, MI	\$2,232.00	\$8,928.00

Fluid Process Equipment Co. Kalamazoo, MI	\$2,411.00	\$9,644.00
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Council Action: Councilman Coulouris moved that the recommendation of the City Manager be approved, seconded by Councilman Branch.

Adopted unanimously.

Subject: 2009-2010 CDBG Sidewalk Ramps

Manager's Recommendation: I recommend that the low bid from Allen Contracting Inc. in the amount of \$31,845.00 be accepted and a contract awarded them in that amount be approved. Contract documents forwarded herein (City Clerk's File A-8008), have been signed by the contractor. The contract is subject to approval by me as to substance and the City Attorney as to form.

Funds for this contract are available in the Block Grant Services Construction Fund Account, No. 275-6511-761-83.30 (\$31,845.00).

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

Justification: On Sept 8, 2009, the City received bids for the 2009-2010 CDBG Sidewalk Ramps. Work includes the installation of ADA compliant sidewalk ramps in various locations within the City of Saginaw.

Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Allen Contracting Saginaw, MI	\$ 31,845.00
Wobig Construction Saginaw, MI	\$ 34,180.00
Jarmco Corporation St. Charles, MI	\$ 73,065.00

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

Adopted unanimously.

Subject: 2009-2010 Sidewalk Replacement

Manager's Recommendation: I recommend that the low bid from DSP Excavating in the amount of \$54,654.00 be accepted and a contract awarded them in that amount be approved. Contract documents forwarded herein (City Clerk's File A-8014), have been signed by the contractor. The contract is subject to approval by me as to substance and the City Attorney as to form.

Funds for this contract are available in the Engineering Division Major Streets Construction Projects Fund, Account No. 202-4614-781.80-47 in fiscal year 2010.

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

Justification: On Sept 8, 2009, the City received bids for the 2009-2010 Sidewalk Replacement. The work includes the removal and replacement of defective sidewalk in various locations within the City of Saginaw.

Public Act 51 of 1951 created the Michigan transportation fund (MTF). Revenues collected through highway user fees, state motor fuel taxes, vehicle registration taxes and other miscellaneous related automobile taxes are deposited into the MTF. These funds are then distributed throughout the State to various governmental organizations, including the City of Saginaw.

The City of Saginaw, on average, annually receives between four and five million dollars of MTF Funds. In order to continue to receive these funds and stay in compliance with ACT 51 requirements, the City of Saginaw must expend at a minimum 1% of its MTF monies annually on non-motorized improvements. Sidewalk construction and repair is considered as a non-motorized improvement. Therefore, this contract will keep the City of Saginaw compliant with this Act.

Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

DSP Excavating Ovid, MI	\$ 54,654.00
Hilario Martinez dba Tri-City Contracting Saginaw, MI	\$ 58,845.00
Wobig Construction Saginaw, MI	\$ 66,108.00
Jarmco Corporation St. Charles, MI	\$ 93,900.00

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

Adopted unanimously.

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

Subject: First Ward Community Center Year Round Recreation Program Agreement

Manager's Recommendation: I recommend approval of the First Ward Community Center ("FWCC") Year Round Recreation Program Agreement ("Agreement"). The Agreement has been approved by me as to substance and the City Attorney as to form.

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

Funds for this Agreement are available in the Recreation Administration Professional Services Account, No. 101-7550-831-8001.

Justification: FWCC submitted a proposal to operate a Year Round Recreation Program for the City of Saginaw from September 1, 2009 through August 31, 2010. The Year Round Recreation Program will be held at the Civitan Recreation Center for grades 9-12. Students will participate in a variety of activities including, organized basketball leagues, table tennis, chess, field trips, character education, softball, skating, swimming, academic enrichment, substance abuse prevention and violence prevention education. During the summer, students will participate in a multi-gender basketball development league.

In addition, the Year Round Recreation Program includes a ten-week summer day camp program at the Cathedral District Youth Center located at the Warren Avenue Presbyterian Church. The summer day camp at the Cathedral District Youth Center is for grades K-8, Monday through Friday. Students will participate in a variety of activities including, basketball, soccer, table tennis, billiards, board games, health and fitness activities, art and cultural classes, drug and violence prevention classes, Boy Scouts, Girl Scouts, summer reading programs and library and field trips. Students will be provided daily a free lunch and snack.

The Michigan State Housing Development Authority (MSHDA) and the Dow Chemical Company, each donated \$10,000.00. The monies will be used to pay for the cost of utilities at the Civitan. City Council approved the 2009 Summer Recreation Agreement on June 1, 2009. Pursuant to the terms of that agreement, it is scheduled to end on September 30, 2009. That Agreement will be terminated once the Year Round Agreement is approved by Council.

Council Action: Councilman Fitzpatrick moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Subject: Authorization to Receive the Congressionally Selected Award Grant

Manager's Recommendation: I recommend that the City accept the Congressionally Selected Award Grant from the Department of Justice Office of Justice Programs (OJP). Further, it is recommended that the City Manager or his designee be authorized to execute and update any documents required by OJP at this time and throughout the grant process.

Justification: The City has applied for a Congressionally Selected Award Grant as part of the OJP program and was notified on September 10, 2009 that it was approved for funding in the amount of \$200,000.00. The City proposes to use this grant for the purchase of crime fighting technology. The OJP requires the City to agree to standard conditions in the use of these funds. The conditions were reviewed by the City Attorney's Office and determined not to be detrimental to the City's interest.

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

Adopted unanimously.

INTRODUCTION OF ORDINANCES

Subject: Amendment of Ordinance for Housing Tax Exemption

Manager's Recommendation: I recommend that the ordinance for Low Income

Housing Tax Exemption be amended. This will modify a PILOT for scattered site single family housing to remove one property and substitute a different property.

Justification: The City enacted a Payment in Lieu of Taxes ("PILOT") Ordinance on March 23, 2009 for the following five properties:

1. 1519 Delaware;
2. 1625 Johnson;
3. 416 S. 7th;
4. 515 S. 11th; and
5. 429 S. 10th.

The Saginaw Shelter for the Homeless Non-Profit Housing Corporation has requested that the ordinance be amended to delete 1519 Delaware and substitute in place of it the property located at 523 S. 11th Street. All other provisions would remain the same.

The actual amendment would be to Exhibit A of the ordinance, the list of scattered site properties involved.

Council Action: This Council Communication is for explanation of the ordinance and requires no separate approval.

Councilman O'Neal moved to introduce an amended ordinance entitled and reading as follows, seconded by Councilman Scharffe:

AN ORDINANCE TO AMEND "EXHIBIT A" OF "LOW INCOME HOUSING TAX EXEMPTION FOR SAGINAW SHELTER FOR THE HOMELESS NON PROFIT HOUSING CORPORATION," OF THE TABLE OF SPECIAL ORDINANCES, VIII.

Adopted unanimously. Mayor Seals announced the ordinance would be laid over under the Charter provision.

RESOLUTIONS

RESOLUTION TO APPROVE THE HOMELESSNESS PREVENTION AND RAPID-REHOUSING PROGRAM SUBGRANTEE AGREEMENT

Councilman O'Neal offered and moved adoption of the following resolution, seconded by Councilman Branch:

WHEREAS, the Department of Housing and Urban Development notified the City that it was the recipient of the Homelessness Prevention and Rapid Re-Housing Program (HPRP) in the amount of \$1,022,177.00; and

WHEREAS, the funds are to be used to assist City residents that are homeless or about to become homeless; and

WHEREAS, pursuant to the terms of the Subgrantee Agreement, the City can enter into a Subgrantee Agreement with a nonprofit agency to carry out the HPRP activities; and

WHEREAS, the City has decided to enter into a Subgrantee Agreement with the United Way of Saginaw County to carry out HPRP activities. HPRP activities include providing financial assistance, rental assistance, pay security and utility deposits, moving expenses, motel and hotel vouchers and housing relocation and stabilization services; and

WHEREAS, United Way will work with local homeless shelters to provide the

services to City residents that are homeless or about to become homeless.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby approves the Homelessness Prevention and Rapid Re-Housing Program Subgrantee Agreement.

Adopted unanimously.

MOTIONS AND MISCELLANEOUS BUSINESS

Mayor Seals read a letter from Mayor Harrah, Mayor of Tokushima, Japan, the City's Sister City, on the work being done in the Japanese garden by Japanese gardeners. Noted that 2011 will be the Golden Jubilee of the Sister City affiliation and Silver Jubilee of Owa Saginaw On. The Japanese would be sending a delegation of approximately 50 people. Said a fundraising committee would be formed to raise monies so Japanese guests would be treated as honorably as Americans are treated when they visit Japan.

Mayor Seals presented Councilman O'Neal with the Level II Leadership Award from the Michigan Municipal League (MML) for successfully completing the Elected Officials Academy. Noted MML stressed the necessity of training to be an effective leader.

Mayor Seals commended City Manager Darnell Earley for recently receiving international recognition as President of the ICMA.

Councilman Scharffe said he had been working with City Clerk Diane Herman to reduce the length of Council minutes. Also noted Veterans' Administration Hospital receiving a multi-million dollar makeover.

ADJOURNMENT

At 8:58 p.m., Councilman Branch moved to adjourn the meeting, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Diane M. Herman
City Clerk