

CITY COUNCIL AGENDA

JANUARY 12, 2004, 6:30 P.M., COUNCIL CHAMBER

PLEASE NOTE:

A Committee of the Whole meeting will be held today beginning at 5:00 p.m. in the Council Chamber. Karen Lawrence-Webster, Finance Director/Treasurer, will give an update on the City's financial status.

ROLL CALL:

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

December 22, 2003 regular Council meeting.

ANNOUNCEMENTS:

PUBLIC HEARING:

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

03-26 from Saginaw Habitat for Humanity, 316 S. Jefferson, requesting that the property abutting S. 15th St. located between Hartsuff St. and Perkins St. be vacated.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES:

Appointments to Boards:

1. Consideration of reappointing Dan LaPan and Dennis Morrison to Saginaw Transit Authority Regional Services, with terms to expire 9/26/06. Consideration of appointing LaCreta Evans-Douglass to fill a vacancy, with a term to expire 9/26/06, and consideration of appointing Carl Ruth to fill a vacancy, with a term to expire 9/26/04.

2. Consideration of reappointment of Wilmer Jones Ham to the MBS International Airport Commission, with a term to expire 12/31/07.
3. Consideration of reappointing Joe Dziuban to the Housing Board of Appeals, with a term to expire 12/31/05.
4. Consideration of reappointing Robert Andreotti, Albertha Jamerson, Kathryn Rood and Susanne Smokoska to the Human Planning Commission, with terms to expire 11/24/05.

REPORTS FROM THE MANAGER:

1. Recommending acceptance of the low bid and issuance of a purchase order to National Graphic Supply in the amount of \$2,957.20 for the purchase of camera equipment for the Police Department. This vendor meets all requirements of the contract compliance provisions. Funds are available in the General Fund Infant Mortality Account No. 101 3013 721 7330.
2. Recommending that a purchase order be approved and issued to ESRI, Inc. in the amount of \$12,463.01 for the annual GIS software renewal maintenance fee. Engineering/GIS, Inspections, Public Utilities, Assessing, Police, Fire and Parks & Recreation personnel use GIS software on a daily basis. This vendor meets all requirements of the contract compliance provisions. Funds are available in the GIS Operating Services Account No. 650 1738 781 8005.
3. Recommending that the single-family home located at 2323 Maplewood be sold to CAC for \$17,394 and that competitive bidding be waived, as it is in the city's best interest to do. CAC is interested in purchasing the property for their rental program. Selling the property to CAC will ensure that the property continues to meet rental code standards through the Section 8 type Housing Quality Standards inspection.
4. Recommending that a public hearing be set for January 26, 2004 at 6:30 p.m. in the Council Chamber to meet citizen participation requirements for the Community Development Block Grant (CDBG) program, Emergency Shelter Grant (ESG) program and HOME program.

INTRODUCTION OF ORDINANCES

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Requesting eBay to remove the use of racially derogative terms from their marketing and promotion systems.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Deborah Kimble
City Manager

COUNCIL COMMUNICATION

From; The City Manager

Subject: Cost Agreement (No. 03-5573) for the Janes Avenue resurfacing project.

Manager's Recommendation:

I recommend that the Cost Agreement (No. 03-5573) be approved and that proper city officials be authorized to execute said agreement on behalf of the City. The cost agreement has been approved by the City Manager as to substance and the City Attorney as to form. The attached resolution to approve the subject agreement appears under the regular order of business for your consideration.

Justification:

Transmitted herewith is a proposed Cost Agreement (City Clerk's File No. _____) with the Michigan Department of Transportation (MDOT) for the purpose of fixing the rights and obligations of the parties agreeing to the cold milling and resurfacing work along Janes Avenue from Fourth Avenue to the east city limits; including concrete curb and gutter in select areas, ADA sidewalk ramps, modernization of existing traffic signals at the intersections Janes Avenue with Fifth and Sixth Avenues; together with necessary related work. The total project is estimated to cost \$542,900.00 of which federal funds will pay \$414,312.00 and the City's estimated share is \$128,588.00. The City of Saginaw is responsible for any cost overruns in excess of \$542,900.00.

Funds for the City's share are available in the Major Street Fund Account No. 202-4613-781-8046 (\$128,588.00). The Project No. is ST 0444.

Council Action:

Council _____ moved that this communication be received and filed.

COUNCIL COMMUNICATION

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, a Cost Agreement, No. 03-5573, has been submitted by the Michigan Department of Transportation, which requires the City of Saginaw to adopt a resolution indicating its willingness to participate in the cold milling and resurfacing work along Janes Avenue from Fourth Avenue to the east city limits; together with necessary related work; and

WHEREAS, the agreement has been approved by the City Manager as to substance and by the City Attorney as to form.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the City Clerk be authorized to execute said agreement on behalf of the City of Saginaw.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Property Disposition to Saginaw County Community Action Committee, Inc. (CAC)

Manager's Recommendation:

I recommend that the single-family home located at 2323 Maplewood be sold to CAC for \$17,394. I further recommend that competitive bidding be waived, as it is in the city's best interest to do so, and that the appropriate city officials be authorized to execute any documents necessary to complete the property disposition.

Justification:

The city's CDBG program had to foreclose on the rental loan for the 2323 Maplewood property.

CAC is interested in purchasing the property for their rental program. CAC buys rental properties with Federal HOME Community Housing Development Organization (CHDO) funds that are biannually awarded to CAC by City Council. CAC proposes to buy the property with CHDO funds, make some minor cosmetic repairs/improvements, and then rent the property to qualifying low or moderate-income households.

Each year, for at least ten years, CAC will obtain a Section 8 type Housing Quality Standards (HQS) inspection. The annual HQS inspection results will be submitted to the CDBG staff as part of CAC's annual CHDO report.

Selling the property to CAC will ensure that the property continues to meet rental code standards through the HQS inspections. It will save the fee charged by a Realtor as well as save maintenance expenses during a sale. Additionally, the outstanding loan balance will be recouped in full.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Camera Equipment for SPD Identification Bureau

Manager's Recommendation:

I recommend that the low bid received from National Graphic Supply be approved and a purchase order be issued for camera equipment in the amount of \$2,957.20. 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 General Fund Infant Mortality Account No. 101-3013-721-7330, Project No. PDHD02.

Justification:

On November 4, 2003, the City received bids for the purchase of camera equipment for the Identification Bureau. Following is a tabulation of the bids received:

National Graphic Supply Albany, NY	\$2,957.20
Marks Photo & Video Grand Rapids, MI	\$3,037.70
Ritz Camera Beltsville, MD	\$3,098.95

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: ESRI Annual GIS Software Maintenance Fee

Manager's Recommendation:

I recommend that a purchase order be approved and issued to ESRI, Inc. in the amount of \$12,463.01 for the annual GIS software renewal maintenance fee. 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 are available in the GIS Operating Services Account No. 650-1738-781-8005.

Justification:

The Engineering/GIS, Inspections, Public Utilities, Assessing, Police, Fire and Parks & Recreation personnel use GIS software on a daily basis. Software utilization includes Weed Abatement program, Saginaw Fire View, Police Crime View, and Public Utilities viewer. The GIS section builds all data development and customization for the City's GIS program with ESRI software programs. 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 ESRI help desk for all software related questions and/or problems.

The 2002 annual renewal maintenance fees for ESRI software was \$9,681.06. Due to the increase of software licenses purchased by the City, the fee for 2003 has increased by \$2,781.95.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: CDBG Public Hearing

Manager's Recommendation:

I recommend that a public hearing be set for January 26, 2004 at 6:30 p.m. in the Council Chamber.

Justification:

It is necessary to hold a public hearing to meet citizen participation requirements for the Community Development Block Grant (CDBG) program, Emergency Shelter Grant (ESG) program and HOME program. The public hearing is part of the submission approval process for the upcoming 2004-05 CDBG, ESG and HOME programs.

Citizens wishing to comment on the upcoming fiscal year CDBG, ESG and HOME programs will be given an opportunity to comment.

A public hearing notice for a January 26th public hearing has already been published in The Saginaw News and the Mi Gente magazine.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Request eBay to eliminate racially derogative terms from their marketing and promotion systems.

Manager's Recommendation:

I recommend that City Council adopt the attached Resolution whereby the City of Saginaw will request eBay to conduct a simple technical modification of its search engines to eliminate racially derogative terms from their marketing and promotion systems and take steps to move in a more positive and socially acceptable way to promote its products and services.

Justification:

During its 1999 Futures Process, the National League of Cities (NLC) Advisory Council conducted an intense and courageous three-year cycle of study devoted to researching the issue of racism in American cities and towns. It reported its findings in the Ninth Annual Futures Report entitled, "Undoing Racism: Fairness and Justice in America's Cities and Towns." Through such research, it was brought to the attention of the NLC that the present structure of the eBay Internet Search Engine allows for the use of racially insensitive terms to be used to identify products associated with African-Americans such as Black Nigger Tobacco Marbles, 1930 Nigger Head Oysters, Jolly Nigger Head Banks and many others. Corporations have a social responsibility to respect the cultural history and diversity of all citizens of the United States. And in doing so, it is vital that racially derogatory terms be eliminated from the flow of American commerce, while maintaining the values associated with the constitutional right to freedom of speech. It also reported that municipalities are beginning to use eBay to

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auction off government unclaimed, stolen or surplus items to raise revenue. The NLC has requested that municipalities join in this fight against racism and to uphold fundamental principles of tolerance, equality and the rule of law and condemn acts of bias, bigotry and racism against anyone.

Council Action:

Council _____ moved that the recommendation from the City Manager be approved.

COUNCIL COMMUNICATION

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

Council _____ offered and moved adoption of the following resolution:

A RESOLUTION CALLING ON EBAY TO REMOVE THE USE OF RACIALLY DEROGATIVE TERMS

WHEREAS, the present structure of the eBay Internet Search Engine allows for the use of racially insensitive terms to be used to identify products associated with African-Americans such as Black Nigger Tobacco Marbles, 1930 Nigger Head Oysters, Jolly Nigger Head Banks and many others; and

WHEREAS, corporations have a social responsibility to respect the cultural history and diversity of all citizens of the United States. And in doing so, it is vital that racially derogatory terms be eliminated from the flow of American commerce, while maintaining the values associated with the constitutional right to freedom of speech; and

WHEREAS, during its 1999 Futures Process, the National League of Cities (NLC) Advisory Council conducted an intense and courageous three-year cycle of study, reporting and action devoted to researching the issue of racism in American cities and towns. It reported its findings in the Ninth Annual Futures Report entitled, "Undoing Racism: Fairness and Justice in America's Cities and Towns;" and

WHEREAS, former NLC President, Bob Knight, Mayor of Wichita, Kansas, set a precedent for the NLC's use of its resources to join in the fight against racism by devoting much of his tenure as president, and challenging members of the NLC and municipal officials across the county to take action against racism of all forms; and

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WHEREAS, it is reported that municipalities are beginning to use eBay to auction off government unclaimed, stolen or surplus items to raise revenue; and

WHEREAS, the City Council for the City of Saginaw is committed to joining in this fight against racism and to uphold fundamental principles of tolerance, equality and the rule of law and condemn acts of bias, bigotry and racism against anyone.

NOW THEREFORE, BE IT RESOLVED, that the City of Saginaw will request that eBay conduct a simple technical modification of its search engines to eliminate the aforementioned racially derogative terms from their marketing and promotion systems and take steps to move in a more positive and socially acceptable way to promote its products and services; and

BE IT FURTHER RESOLVED, that if this does not result in an acceptable resolution of this issue, the City of Saginaw, will explore further appropriate actions with other municipalities to resolve this matter, including the use of economic pressure.

**MAYOR'S COMMENTS AT PUBLIC HEARING
ON COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM EMERGENCY SHELTER
GRANT PROGRAM AND HOME PROGRAM**

THIS EVENING IS THE TIME SET FOR THE PUBLIC HEARING ON THE COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SHELTER GRANT AND HOME PROGRAMS. THIS HEARING IS TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ABOUT ACTIVITIES PROPOSED FOR FUNDING IN EACH OF THESE THREE PROGRAMS. AN AD DESCRIBING THESE THREE PROGRAMS AND ACTIVITIES RAN ON JANUARY 21, 2004 IN THE SAGINAW NEWS AND EARLIER IN THE MI GENTE MAGAZINE.

EACH PERSON WISHING TO SPEAK WILL GIVE HIS OR HER NAME AND ADDRESS. COMMENTS WILL BE BRIEF.