

## Council Agenda

July 25, 2011 6:30 p.m. Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

July 11, 2011 regular Council meeting

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

*(A list will be provided on Monday after 1:00 p.m.)*

REMARKS OF COUNCIL:

PETITIONS:

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

1. Correction to expiration date for Tom Darnell, appointed to the Saginaw Arts & Enrichment Commission on July 11, 2011. Correct term to expire is July 11, 2014.

REPORTS FROM MANAGER:

Management Update:

1. Recap of Strategic Planning Session

Recommended Actions:

1. Recommending the approval of the exchange agreement between the City of Saginaw and Zilwaukee Properties, Inc. to transfer parcels of land and authorizing the City Manager or his designee to execute this agreement. Zilwaukee Properties, Inc. operates, in conjunction with the Saginaw Rock Products Co., a redi-mix concrete business in Saginaw. This agreement has been approved by the City Manager as to substance and the City Attorney as to form.

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2. Recommending subsequent approval of the Saginaw Area Fireworks Incorporated 25<sup>th</sup> Annual Fireworks Display and the consumption of alcoholic beverages on public property at the Children's Zoo at Celebration Square during the Saginaw Area Fireworks Annual Preview Party held June 30, 2011.
3. Recommending approval of the budget adjustment to increase the Federal Grants/JAG 2011 Grant revenue Account No. 263 000 513 5810 from \$0.00 to \$80,780.00. The funds will be used to purchase/replacement of three (3) police patrol vehicles. This increase in revenue will be offset by an increase in the DOJ Fund – JAG 2011 Division's Vehicles Account No. 263 3330 741.97 70 by the same amount.
4. Recommending approval of the budget adjustment to increase the fiscal year 2012 Approved Budget for the General Fund Revenues – Energy Efficiency Conservation Block Grant (EECBG) Account No. 101 0000 513 5840 from \$0.00 to \$357,799.00. This revenue increase will be offset by an increase to the General Fund – Energy Efficiency Conservation Block Grant Division's Construction Projects Account No. 101 1790 701 8047 by the same amount.
5. Recommending the approval of the Contract Amendment with First Congregational Church ("FCC") to increase the amount of rental space and long distance telephone used for the NSP2 Office and authorizing the Director of Development and/or his designee to sign the Amendment. The Amendment is approved by the City Manager as to substance and the City Attorney as to form.
6. Recommending that a purchase order be approved and issued to Non-Destructive Testing Services in the amount of \$2,267.00 for annual ladder testing for the Saginaw Fire Department. Funds are available in the Community Public Safety – Fire, Fire Apparatus & Maintenance Division's Motor Vehicles Repairs Account No. 101 3554 751 8042.
7. Recommending that a purchase order be approved and issued to Douglass Safety Systems LLC in the amount of \$7,414.00 for the purchase of ten (10) ISI Self Contained Breathing Apparatus (SCBA) air cylinders for the Community Public Safety – Fire Department. OSHA requires all air cylinders be replaced every 10 years. Douglass Safety Systems, LLC, is a sole source provider. Funds are available in the Community Public Safety – Fire, Fire Suppression Division's Parts and Supplies Account No. 101 3551 751 7330.
8. Recommending that a blanket purchase order be approved and issued to Douglass Safety Systems, LLC in the amount of \$15,000.00 for the purchase of protective clothing and equipment for firefighters for fiscal year 2012. Douglass Safety Systems, LLC is a sole source provider. Funds are available in the Community Public Safety – Fire Training Division's Clothing Supplies Account No. 101 3552 751 7303.

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9. Recommending payment be made to SunGard Public Sector, Inc. in the amount not to exceed \$141,000.00 for maintenance and license agreements. SunGard Public Sector Inc., invoices the City of Saginaw for maintenance and license fees on a quarterly basis. License fee payments are required to use copyrighted programs. Funds are available in the Technical Services Operating Services Account No. 658 1720 711 8005.
10. Recommending that a purchase order be approved and issued to Airgas in the amount of \$2,800.00 for tank rentals used for welding & cutting parts within the City's municipal fleet for fiscal year 2012. Tank rentals must be obtained from the vendor who supplies the fuel for the fiscal year. Airgas is supplying the fuel at State Bid price for fiscal year 2012. Funds are available in the Motor Pool Operations Fund, Part & Supplies Account No. 661 4480 841 7330.
11. Recommending that a blanket purchase order be approved and issued to Larry's Auto in the amount of \$3,500.00 for the purchase of new and specialized tools required for changes in industrial materials, electronic computer software and manufactured specs for fiscal year 2012. The City's Municipal Garage mechanics are given a tool allowance at a yearly cost not to exceed \$500.00 per person, per union contract. Funds are available in the Motor Pool Operations Fund, Parts & Supplies Account No. 661 4480 841 7330.
12. Recommending that a purchase order be approved and issued to Modern Crane Technologies in the amount of \$2,846.12 for lightweight tight sheeting material for the Maintenance and Service Division. These sheets will replace older, shorter and heavier steel sheets that require a backhoe to set and can be handled by one person. Funds are available in the Sewer Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 590 4821 861 7330 (\$1,423.06) and Water Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 591 4721 861 7330 (\$1,423.06).
13. Recommending that a purchase order be approved and issued to Infor Global Solutions, Inc. in the amount of \$3,883.22 for the annual renewal maintenance fee for fiscal year 2012. An annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the help desk for all software related questions and or/problems. Funds are available in the Sewer Operation and Maintenance Fund, Instrumentation and Process Controls Division's Operating Services Account No. 590 4815 851 8005.
14. Recommending payment be made to Consumers Energy in the amount of \$4,390.00 for emergency repairs to repair a gas main break at 335 S. 14<sup>th</sup> Street. Funds are available in the Water Operations and Maintenance Fund – Maintenance and Service Division's Operating Services Account No. 591 4721 861 8005.

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15. Recommending payment be made to A.C. Klopff, Inc. in the amount of \$15,975.23 for emergency repairs to the Waste Water Treatment Plant cooling systems. Due to the forecasted temperatures and the critical nature of some of the equipment located in the building cooled by this system, an emergency repair was authorized. Funds are available in the Sewer Operations and Maintenance Fund – Treatment and Pumping Division’s General Repairs Account No. 590 4830 861 8040.
16. Recommending the blanket purchase orders be approved and issued to each local vendor for the amounts listed, totaling \$22,100.00 for miscellaneous tools and materials for fiscal year 2012: Grainger Inc., - \$7,000.00, Larry’s Auto Supply - \$5,000.00, Clark Hardware - \$2,100.00 and Etna Supply - \$8,000.00. These tools are for the Public Services Department, Maintenance and Service Division. Funds are available in the Sewer Operation and Maintenance Fund, Maintenance and Service Division’s Parts and Supplies Account No. 590 4821 861 7330 (\$9,800.00) and the Water Operation and Maintenance Fund, Maintenance and Service Division’s Parts and Supplies Account No. 591 4721 861 7330 (\$12,300.00).
17. Recommending that the sole bid from Saginaw Asphalt be accepted and a blanket purchase order be approved and issued in the amount of \$298,700.00 for fiscal year 2012 to purchase hot and cold asphalt for temporary and permanent repairs of streets and water and sewer excavations. Funds are available in the Local and Major Streets Funds – Routine Maintenance Division’s, Street and Road Materials Account No. 203 4651 841 7340 (\$8,700.00) and Account No. 202 4651 841 7340 (\$20,000.00) respectively, and Water and Sewer Operation and Maintenance Funds – Maintenance and Service Division’s, Street and Road Materials Account No. 591 4721 861 7340 (\$170,000.00) and Account No. 590 4821 861 7340 (\$100,000.00), respectively.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to add §92.15 “Fire Cost Reimbursement” to Chapter 92 “Fire Protection and Public Safety” of Title IX “General Regulations” of the Saginaw Code of Ordinances 0-1.

RESOLUTIONS:

1. Authorizing Family First Credit Union to update the signatures for the Visa Credit Card to include the following personnel from the City Manager’s Office: Darnell Earley, City Manager; Deboria L. Buck, Executive Assistant to the City Manager; and Carolyn M. Hernandez, Administrative Support Clerk.

UNFINISHED BUSINESS:

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MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley  
City Manager

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** MP2 Software Maintenance Fee

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued to Infor Global Solutions, Inc. in the amount of \$3,883.22 for the annual renewal maintenance fee for fiscal year 2012.

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 Sewer Operation and Maintenance Fund, Instrumentation and Process Controls Division's Operating Services Account No. 590-4815-851.80-05 (\$1,941.61) and Water Operation and Maintenance Fund, Instrumentation and Process Controls Division's Operating Services Account No. 591-4715-851.80-05 (\$1,941.61).

**Justification:**

Personnel from the Water Treatment and Wastewater Treatment Plants utilize MP2 Barcode Plus Systems and software to inventory plant equipment. An annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the help desk for all software related questions and/or problems.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Miscellaneous Tools and Materials

**Manager's Recommendation:**

I recommend the following annual purchase orders be issued for miscellaneous tools and materials for fiscal year 2012 in the total amount of \$22,100.00. Grainger Inc., at \$7,000.00, Larry's Auto Supply at \$5,000.00, Clark Hardware at \$2,100.00 and Etna Supply at \$8,000.00.

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

Funds for these purchases are available in the Sewer Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 590-4821-861.73-30 (\$9,800.00) and the Water Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 591-4721-861.73-30 (\$12,300.00).

**Justification:**

During the fiscal year, the Public Services Department, Maintenance and Service Division, utilizes a wide variety of tools and materials. A yearly contract proposal is not feasible because there is no easy way to determine the quantities and parts that will be required in any given time period. Issuing individual purchase orders is costly and administratively time consuming. Therefore, we are requesting authorization to issue a blanket purchase order for a variety of items, some of which are listed below. In following the City of Saginaw Purchasing Ordinance, comparisons as to cost, availability

# COUNCIL COMMUNICATION

and quality will be made through vendors with established blanket purchase orders prior to purchasing the various items:

1. Hand Tools
2. Power Tools
3. Lighting Repair Parts and Fixtures
4. Fabricated Valve Gears
5. Hydraulic Hoses and Repair Parts
6. Safety Equipment
7. Cleaning Supplies and Equipment
8. Metalworking and Welding Equipment and Supplies
9. Painting Supplies
10. Locks and Security Equipment

The vendor locations are as listed below.

Larry's Auto Supply Saginaw, MI (In-City)	\$5,000.00
Clark Hardware Saginaw, MI (In-City)	\$2,100.00
Etna Supply Saginaw, MI (Out-City)	\$8,000.00
Grainger, Inc. Saginaw, MI (Out-City)	\$7,000.00

## **Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be accepted.



# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Budget Adjustment 2011 JAG Grant

**Manager's Recommendation:**

It is recommended that a budget adjustment be completed to increase the Federal Grants/JAG 2011 Grant revenue Account No. 263-0000-513.58-10 from \$0 to \$80,780.00. This increase in revenue will be offset by an increase in the DOJ Fund – JAG 2011 Division's Vehicles Account No. 263-3330-741.97-70 by the same amount.

**Justification:**

On July 11, 2011, City Council accepted an Interlocal Agreement between the County of Saginaw and the City of Saginaw to receive funds under the Byrne "JAG" Grant. The funds will be used to purchase/replacement of three (3) police patrol vehicles.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Douglass Safety Systems, Turnout Gear

**Manager's Recommendation:**

That a purchase order be approved and issued Douglass Safety Systems, LLC, in Sanford, MI, in the amount of \$15,000.00 for the purchase of protective clothing and equipment for FY 2012.

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 Community Public Safety - Fire Training Division's Clothing Supplies Account No. 101-3552-751.73-03.

**Justification:**

The department of Community Public Safety – Fire purchases personal protective equipment annually for firefighters to replace old and/or damaged gear. Douglass Safety has been the sole provider of turnout gear since 2006. The firefighting turnout gear industry has in the last three years increased their product price 5% per year on average. In 2007, Douglass Safety agreed to hold established prices for turnout gear with the City of Saginaw for a minimum of 5 years. Douglass Safety Systems, LLC, is a sole source provider. Our annual purchase order has been reissued on the basis of this agreement.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Community Public Safety - Fire Department Ladder Testing

**Manager's Recommendation:**

That a purchase order be approved and issued to Non-Destructive Testing Services in the amount of \$2,267.00 for annual ladder testing for the Saginaw Fire Department.

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 Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted and available in the Community Public Safety – Fire, Fire Apparatus & Maintenance Division's Motor Vehicles Repairs Account No. 101-3554-751.80-42.

**Justification:**

Aerial and ground ladder inspection and testing is required annually by MIOSHA. Group pricing in conjunction with Saginaw County Fire Chiefs (SCFC) allows Community Public Safety – Fire to benefit from reduced pricing. Non-Destructive Testing Services was the successful bidder in 2006, creating a 5-year purchase agreement.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** SCBA Air Cylinders

**Manager's Recommendation:**

That a purchase order be approved and issued to Douglass Safety Systems, LLC, of Sanford, MI, in the amount of \$7,414.00 for the purchase of ten (10) ISI Self-Contained Breathing Apparatus (SCBA) air cylinders for the Community Public Safety – Fire Department.

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 Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted and available in the Community Public Safety – Fire, Fire Suppression Division's Parts and Supplies Account No. 101-3551-751.73-30.

**Justification:**

A FEMA grant purchased a complete replacement air pak system for fire personnel operating in hazardous environments. OSHA requires all air cylinders be replaced every 10 years. The cylinder replacement program replaces 10 cylinders a year to prevent a major capital expenditure occurring in a single year. The air pak system is manufactured by ISI and Douglass Safety Systems is a sole source provider.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Approval of Exchange Agreement with Zilwaukee Properties, Inc.

**Manager's Recommendation:**

I recommend approval of the exchange agreement for parcels of land to be transferred between the City of Saginaw and Zilwaukee Properties, Inc. and that the City Manager or his designee be authorized to execute this agreement, the relevant deeds and all related documents. This agreement has been approved by the City Manager as to substance and by the City Attorney as to form.

**Justification:**

Zilwaukee Properties Inc. ("Zilwaukee") operates, in conjunction with Saginaw Rock Products Co., a redi-mix concrete business in Saginaw. It wishes to acquire land owned by the City at 1827 1<sup>st</sup> Street in order to add additional equipment and expand its business in this area. The City has no current need for this property. Conveying it would return it to the tax rolls.

Zilwaukee owns a lot in the City, at 76 W. Center Street that the City wishes to acquire for development purposes. Zilwaukee is willing to exchange this property to obtain the land near its industrial facilities. The City property is tax exempt and has no current State Equalized Value. The SEV of 76 W. Center is \$18,737. For purposes of this agreement, it will be considered an exchange of equal valued parcels.

This is a follow up agreement to the prior exchange of properties between the City and Saginaw Rock Products Co.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation from the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** First Congregational Church Contract Amendment

**Manager's Recommendation:**

I recommend approval of the Contract Amendment ("Amendment") with First Congregational Church ("FCC"). The Amendment is approved by the City Manager as to substance and the City Attorney as to form. It is further recommended that City Council authorize the Director of Development and/or his designee to sign the Amendment.

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 Neighborhood Stabilization Program Fund – NSPII Division's Professional Services Account No. 279-6551-761-8001.

**Justification:**

On July 12, 2010, City Council approved the original agreement with FCC to lease office space for the NSP 2 office. The original contract approved by City Council was in the amount of Fifty-Four Thousand Dollars and 00/100 (\$54,000.00) for a term of thirty-six (36) months. The original monthly rent for the use of 1,500 square feet was One Thousand Five Hundred Dollars and/100 (\$1,500.00). Subsequently, it was determined that the original space leased in the original agreement did not provide sufficient space for the NSP2 Program. Specifically, it could not accommodate staff, equipment or afford privacy for clients providing their private financial information in order to obtain financing to purchase homes through the NSP2 Program. In addition,

# COUNCIL COMMUNICATION

staff determined that the space did not provide sufficient space for NSP2 meetings involving City and Land Bank Authority staff, training sessions for vendors and Michigan State Housing Development Authority ("MSHDA") NSP2 seminars.

Thereafter, the parties determined that in order to provide adequate space and privacy, that the City should rent the entire first floor of the FCC Annex. The square footage of the first floor is 3,942 square feet. As a result, the City is renting an additional 1,942 square feet. The monthly rent for the thirty-six (36) month period is Two Thousand One Hundred and Eighty Dollars and 00/100 (\$2,180.00) for a total amount of Seventy-Eight Thousand Four Hundred and Dollars (\$78,480.00). Due to the City's request for significant additional square footage, it was required to provide FCC a refundable security deposit in the amount of Three Thousand Dollars and 00/100 (\$3,000.00). The security deposit was payable after the execution of the Agreement and prior to the first rent payment. Therefore, the total contract amount was increased to Eighty One Thousand Four Hundred and Eighty Dollars and 00/100 (\$81,480.00).

Moreover, the original agreement stated that the cost for utilities was included in the agreement. However, it did not contain language regarding which party was responsible for paying long distance phone bills. The contract amendment provides that the City increased the amount of the original agreement due to a need for significant additional space and that the City will reimburse FCC for long distance phone bills incurred from August 2010 through the present. In addition, the City agrees to pay for all future long distance phone bills. The total amount of the outstanding phone bills is One Hundred and Four Dollars and 75/100 (\$104.75). The City is satisfied with the

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services provided by FCC because the NSP2 Program has easy access to numerous services, including but not limited to, multiple rooms for meetings and seminars.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.



# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Tool Allowance

**Manager's Recommendation:**

I recommend that a blanket purchase order be issued to Larry's Auto in the amount of \$3,500.00 for the purchase of new and specialized tools required for changes in industrial materials, electronic computer software and manufactured specs for fiscal year 2012.

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 Motor Pool Operations Fund, Parts & Supplies Account No. 661-4480-841.73-30.

**Justification:**

The City's Municipal Garage mechanics are given a tool allowance at a yearly cost not to exceed \$500.00 per person, per union contract. This purchase order fulfills that agreement for the purchase of new and specialized tools required for changes in industrial materials, electronic computer software and manufactured specs, etc. Each mechanic selects their own tools through one vendor as issuing individual purchase orders is costly and administratively time consuming. Therefore, as in past years, we are requesting authorization to issue a blanket purchase order as follows:

Larry's Auto	\$3,500.00
Saginaw, MI (in-city)	

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be accepted.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Tank Rentals

**Manager's Recommendation:**

I recommend that a purchase order be issued to AirGas in the amount of \$2,800.00 for tank rentals used in welding and cutting parts for fiscal year 2012.

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 Motor Pool Operations Fund, Parts & Supplies Account No. 661-4480-841.73-30.

**Justification:**

The City's Municipal Garage requires the services of local vendors to supply tank rentals for welding & cutting parts in the City's municipal fleet from July 1, 2011 to June 30, 2012. Tanks rentals must be obtained from the vendor who supplies the fuel for the fiscal year. Airgas is supplying our fuel at State Bid price for fiscal year 2012.

AirGas	\$ 2,800.00
Saginaw, MI (out-city)	

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be accepted.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Cooling System Repairs

**Manager's Recommendation:**

I recommend that payment be made to A.C. Klopff, Inc. in the amount of \$15,975.23 for emergency repairs to the Waste Water Treatment Plant cooling system.

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

Funds for this payment are available in the Sewer Operations and Maintenance Fund -Treatment and Pumping Division's General Repairs Account No. 590-4830-861.80-40.

**Justification:**

Upon start-up of the cooling system for the summer we discovered that the system needed repairs that were beyond the expertise of plant maintenance staff. In addition to cooling the front offices, lab, and lunch room, this system provides cooling for the wastewater plant's computer server as well as the plant electric switch gear. The Purchasing Division recommended A.C. Klopff, Inc. to evaluate the system based on previous work they had done for the City of Saginaw. Due to the forecasted temperatures and the critical nature of some of the equipment located in the building cooled by this system, an emergency repair was authorized. Klopff replaced several valves, sealed several leaks and replaced a damaged compressor. The repairs are covered by a five year warranty.

**Council Action**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** SunGard Public Sector Inc., Software Annual Maintenance and License Fee

**Manager's Recommendation:**

I recommend that payments be made to SunGard Public Sector Inc., for software maintenance and license fees in a total amount not to exceed \$141,000.00, pursuant to the HTE Software License Agreement and Supplemental Software License and Services Agreement approved by City Council on October 27, 1997, as part of the IBM Technology Upgrade Plan. SunGard Public Sector Inc., invoices the City of Saginaw for maintenance and license fees on a quarterly basis.

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

Funds for these payments are budgeted and are available in the Technical Services Operating Services Account No. 658-1720-711.80-05.

**Justification:**

Maintenance and license agreements require the periodic payment of fees. Maintenance agreements allow the City to obtain periodic software enhancements and use SunGard resources for problem support. License fee payments are required to use copyrighted programs. This communication covers quarterly payments for fiscal year 2012. Our agreement with SunGard Public Sector Inc., allows an annual increase in fees equal to the Consumer Price Index.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Consumers Energy Gas Main Repair

**Manager's Recommendation:**

I recommend that a payment be made to Consumers Energy in the amount of \$4,390.00 for emergency repairs.

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 invoice are available in the Water Operations and Maintenance Fund - Maintenance and Service Division's Operating Services Account No. 591-4721-861.80-05.

**Justification:**

On February 11, 2011, a repair crew from the Maintenance and Service Division struck a gas main while excavating to repair a water main break at 335 S. 14<sup>th</sup> Street. Consumers Energy crews repaired the broken gas main, however, due to water entering the old cast iron gas main, repairs were much more extensive than expected and the City was invoiced for \$15,569.81.

After a series of meetings and telephone conversations with Consumers Energy, City staff negotiated the invoice down to \$4,390.00.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager  
**Subject:** Tight Sheeting Material

**Manager's Recommendation:**

I recommend that a purchase order be issued to Modern Crane Technologies in the amount of \$2,846.12 for lightweight tight sheeting needed for excavations in fiscal year 2012.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing, of "Title 1, "General Provisions" of the Saginaw Code of Ordinances 0-1.

Funds for this purchase are budgeted in Sewer Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 590-4821-861.73-30 (\$1,423.06) and Water Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 591-4721-861.73-30 (\$1,423.06).

**Justification:**

The Maintenance and Service Division needs lightweight tight sheeting for excavations that are larger than traditional trench boxes. The sheeting will be used in conjunction with the trench boxes to maintain compliance with MIOSHA underground regulations. The lightweight sheeting will replace older, shorter and heavier steel sheets that require a backhoe to set. These sheets can be handled by one person and still provide the strength to restrain a trench wall. Modern Crane was chosen as they could provide delivery in the shortest time. Below is a breakdown of the tight sheeting.

<b><u>MATERIAL</u></b>	<b><u>COST (per sq. ft.)</u></b>	<b><u>TOTAL</u></b>
10 Sheets of 12'x1.5' wide	\$8.46	\$1,522.25
10 Sheets of 10'X1.5' wide	\$8.83	<u>\$1,323.87</u>
		<b>\$2,846.12</b>

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Annual Supply of Hot and Cold Asphalt

**Manager's Recommendation:**

I recommend that the bid from Saginaw Asphalt be accepted and a blanket order issued to them in the amount of \$298,700.00 for fiscal year 2012.

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 Local and Major Streets Funds - Routine Maintenance Division's, Street and Road Materials Account No. 203-4651-841.73-40 (\$8,700.00), Account No. 202-4651-841.73-40 (\$20,000.00) respectively, and Water and Sewer Operation and Maintenance Funds - Maintenance and Service Division's, Street and Road Materials Account No. 591-4721-861.73-40 (\$170,000.00), Account No. 590-4821-861.73-40 (\$100,000.00), respectively.

**Justification:**

The Department of Public Services, Right of Way Division, requires hot and cold asphalt for temporary and permanent repairs of streets and water and sewer excavations. Saginaw Asphalt submitted the only bid for these materials; their prices increased an average of 3% over the previous fiscal years purchases. Following is a tabulation of the bids received:

<b>Saginaw Asphalt Saginaw, MI</b>	<b>Tons</b>	<b>Cost per Ton</b>	<b>Totals</b>
Hot Mix 13A	1826 tons	\$51.90	\$94,800.00
Hot Mix 36A	1847 tons	\$51.90	\$95,900.00
Cold Patch CP-5	870 tons	\$81.00	\$70,500.00
Cold Patch CP-6	468 tons	\$80.00	<u>\$37,500.00</u>
			\$298,700.00

**Council Action**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Budget Adjustment for Energy Efficiency Conservation Block Grant

**Manager's Recommendation:**

It is recommended that a budget adjustment be completed to increase the fiscal year 2012 Approved Budget for the General Fund Revenues – Energy Efficiency Conservation Block Grant (EECBG) Account No. 101-0000-513.58-40 from \$0.00 to \$357,799.00. This revenue increase will be offset by an increase to the General Fund – Energy Efficiency Conservation Block Grant Division's Construction Projects Account No. 101-1790-701.80-47 by the same amount.

**Justification:**

The City of Saginaw is currently working with existing contractors and professional service companies on EECBG projects that have previously been approved by Council. Existing projects and programs were expected to be completed prior to fiscal year 2012, but have not yet been completed. It was anticipated that all EECBG monies would be expensed prior to June 30, 2011, therefore no monies were budgeted in fiscal year 2012. In order to recognize the remainder of the EECBG funds to be expensed in fiscal year 2012, a budget adjustment needs to be completed. It is anticipated that the remainder of the entire grant amount will be expended within fiscal year 2012.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.



# COUNCIL COMMUNICATION

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

## **RESOLUTION AUTHORIZING USE OF VISA CARD**

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, at a regular meeting of City Council held August 27, 2007, City Council gave City Manager Darnell Earley and Executive Assistant to the City Manager Diane Humphrey-Snowden authorization to utilize the City Manager's Office Visa Credit Card issued by Family First Credit Union for City purchases only; and

WHEREAS, in December 1998, auditors from the State of Michigan ordered the Credit Union to have on file a listing of authorized users of the card; and

WHEREAS, due to the recent retirement of Executive Assistant to the City Manager Diane Humphrey-Snowden, this information needs to be updated.

NOW THEREFORE BE IT RESOLVED, the City Council for the City of Saginaw hereby authorizes Family First Credit Union to update the signatures for the Visa Credit Card to include the following personnel from the City Manager's Office:

Darnell Earley, City Manager

Deboria L. Buck, Executive Assistant to the City Manager

Carolyn M. Hernandez, Administrative Support Clerk

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Subsequent Approval of Saginaw Area Fireworks Annual Events

**Manager's Recommendation:**

I recommend subsequent approval of the Saginaw Area Fireworks Incorporated 25<sup>th</sup> Annual Fireworks Display and the consumption of alcoholic beverages on public property at the Children's Zoo at Celebration Square during the Saginaw Area Fireworks Annual Preview Party held June 30, 2011.

**Justification:**

On July 4, 2011, the Saginaw Area Fireworks, Incorporated, (hereinafter SAFI) hosted its 25th Anniversary Independence Day Celebration. A Special Events Application was submitted by SAFI several months prior to the event and members of the SAFI Board of Directors met with City staff to review and plan any and all procedures necessary for the event, including digging of trenches, fencing, security, traffic control/road closures, public safety, etc. In addition, prior to the July 4, 2011 celebration, the City's Fire Marshall made all necessary inspections and approved the fireworks setup and design. The SAFI also submitted the required insurance certificate listing the City of Saginaw as additional insured for the event.

Following the celebration, it was realized that although all necessary procedures were followed in preparation of the event, City Council did not formally approve the permit for the Fireworks Display. In addition to this oversight, City Council was not requested to authorize the consumption of alcoholic beverages on public property at the Children's Zoo at Celebration Square during the Saginaw Area Fireworks Annual Preview Party held June 30, 2011 as mandated by Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances. Council's subsequent approval of these events will resolve these oversights.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.