

Council Agenda

August 9, 2010 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

July 26, 2010 regular Council meeting

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

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

REPORTS FROM MANAGER:

Management Update:

Recommended Actions:

1. Recommending that Grace Deleon be appointed as officer delegate, Dennis Jordan as alternate officer delegate, James Martin as employee delegate, and Rick Massey as alternate employee delegate, to attend the Municipal Employees Retirement Systems 64th Annual Meeting to be held September 15 – 17, 2010, in Kalamazoo, Michigan. Funds are available in the Employee Services Training and Development Account, No. 101 1725 701 8090 and Travel/Meals/Lodging Account, No. 101 1725 701 8091.
2. Recommending that the City Attorney be established as the City's Authorized Representative with Alternative Service Concept for the City's new Medicare reporting requirements under the Medicare, Medicaid and SCHIP Extension Act of 2007 and that he be authorized to execute the MMSEA System Fee

Acknowledgement form and MMSEA Registration Information form on behalf of the City, and any other forms required under the Act.

3. Recommending approval of the lease agreement with Urban Youth Tennis Foundation for use of the Garber Tennis Courts. The Urban Youth Tennis Foundation was organized as a non-profit corporation to promote tennis instruction and programs to inner-city youth. In addition to the programs offered, the Foundation is also interested in making substantial improvements to the City-owned Garber Tennis Courts, and has already obtained funding and supporters to do so. The Agreement has a term of 99 years, but may be terminated by either party upon thirty days written notice.
4. Recommending that the only qualified proposal from Barckholtz Group of Saginaw, Michigan, be accepted and that a purchase order be issued to them in the amount of \$4,329.00 for the design and printing of Saginaw's NSP2 program tri-fold brochures and cover letters targeting potential homebuyers as well as providing information to local realtors, lenders and the general public. Funds are budgeted in the NSP Neighborhood Stabilization Fund NSP II Professional Services Account, No. 279 6551 761 8001.
5. Recommending approval of the budget adjustment for the 2010-2011 Approved Budget for General Fund Revenue – FEMA. The fire department received notification of grant approval and funds awarded from the Federal Emergency Management Agency (FEMA) in the amount of \$173,320.00 under the fiscal year 2009 Assistance to Firefighters Grant program for the fire operations and firefighter safety. This budget adjustment reflects the grant award to the City.
6. Recommending that a purchase order be approved and issued to Triple M Tire, Inc., a state-bid supplier, in the amount of \$10,000.00 for the purchase of tires for the fire department's fleet of apparatus for fiscal year 2011. Funds are budgeted in the Saginaw Fire Department Apparatus Operation/Maintenance Motor Vehicle Supplies Account, No. 101 3754 751 7312.
7. Recommending that the United States Environmental Protection Agency Expedited Settlement Agreement for violations of Risk Management Program regulations at the Wastewater Treatment Plant be approved and that the penalty amount of \$2,100.00 be paid to the Environmental Protection Agency. Funds are budgeted in the Sewer Operation and Maintenance Treatment and Pumping Division's Service Fees Account, No. 590 4830 861 8063.
8. Recommending that payments be made to the various vendors respectively in the appropriate amounts to pay for training related invoices that will not exceed \$10,000.00. The Wastewater Treatment Division is required by MIOSHA and other regulator agencies to provide safety training and refresher courses for its employees who must work with hazardous materials and chemicals and enter

confined spaces in the course of their work. Funds are budgeted in the Sewer Operation and Maintenance Treatment and Pumping Division's Professional Services Account, No. 590 4830 861 8001.

9. Recommending that the easement agreement with Consumers Energy be approved.
10. Recommending acceptance of the low bid and issuance of a purchase order to Karbowski Oil in the amount of \$24,734.15 for an annual supply of motor vehicle bulk fluids. Funds are budgeted in the Motor Pool Operations Motor Vehicle Supplies Account, No. 661 4480 841 7312, and will be accounted for in the Motor Pool Operations Inventory Account, No. 661 0000 171 1123.
11. Recommending acceptance of the low bid and issuance of a purchase order to George Electric in the amount of \$25,880.50 for an annual supply of automotive filters. Funds are budgeted in the Motor Pool Operating Motor Vehicle Supplies Account, No. 661 4480 841 7312 and will be accounted for in Motor Pool Operations Inventory Account, No. 661 0000 171 1123.
12. Recommending that an additional \$40,000.00 be added to Purchase Order No. 41030 for Rich's Lawn & Garden Company for weed abatement lawn mowing services. Funds are available in the General Fund Abatement of Nuisances Operating Services Account, No. 101 7571 841 8005 through a deposit by the Saginaw County Land Bank.
13. Recommending acceptance of the low bid in the amount of \$75,572.00 from Apex Contractors and that a contract be awarded to them in that amount for the construction of a 40-foot diameter pavilion, concrete pad and related items to be located at Celebration Park. Funds are available in the Celebration Park Construction Project Account, No. 508 7580 831 8047.
14. Recommending acceptance of the low bid from Kelcris Corporation in the amount of \$716,890.56 and that a contract be awarded to them in that amount for making repairs to concrete pavement. Further recommend that a budget adjustment be completed to increase the Major Streets State of Michigan Trunkline Maintenance Revenue Account No. 202 0000 511 5702 from \$294,000.00 to \$1,064,657.35, which equates to a \$770,657.35 increase. This increase in revenue will be offset by an increase in the Major Streets – Streets Projects Construction Projects Account No. 202 4614 781 8047. Funds will be made available in the Major Streets – Streets Projects Construction Projects Account, No. 202 4614 781 8047.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Approving Tool & Die Recovery Zone for Fullerton Tool Company.
2. Authorizing the Mayor to sign the Michigan Council for Arts & Cultural Affairs Final Report for the Saginaw Preservation Corporation.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Tool & Die Recovery Zone

Manager's Recommendation:

I recommend approval of the proposed Tool & Die Recovery Zone for Fullerton Tool Company.

Justification:

The Tool & Die Industry has suffered severe losses with 65% in business closures and the loss of 34,000 jobs. In an attempt to help a distressed industry, the Michigan Legislature amended the Renaissance Zone Act to allow for the designation of 35 Tool & Die Recovery Zones. To qualify for a zone, Tool & Die businesses must form a collaborative and have a written agreement with other Tool & Die companies to address such areas as joint sales & marketing, development of standardized processes, tooling and project management. The goal is to enhance the economic effectiveness of each company creating and retaining jobs, increasing revenues and new investment at each company.

Fullerton Tool Company, located at 121 Perry St., Saginaw, MI 48602 has met all the eligibility requirements and plans to join a 17 company collaborative of Michigan Tool & Die firms to apply to the Michigan Economic Development Corporation for a Tool & Die Recovery Zone.

The company employs approximately 110 employees at their City locations. The employees paid \$37,166 in city withholding taxes, which are expected to continue given current employment levels. While certain real and personal property taxes would be abated under the Recovery Zone, other voted millage (including City of Saginaw Police

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& Fire (assessment), school debt, Community Hospital debt and Juvenile Home debt would continue to be paid by the companies. In addition, the state will reimburse school operating, Saginaw ISD special education and operating, Delta College, Saginaw Public Library and the State Education Tax.

In addition, Fullerton Tool Company and its employees support local retailers / suppliers in the city of Saginaw and throughout the County.

Council Action:

This Council Communication is for explanation purposes only of the resolution to be adopted.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Municipal Employees Retirement 64th Annual Meeting

Manager's Recommendation:

I recommend Grace DeLeon be appointed as officer delegate, Dennis Jordan be appointed as alternate officer delegate, James Martin as employee delegate, and Rick Massey as alternate employee delegate, to attend the Municipal Employees Retirement System's 64th Annual Meeting to be held September 15-17, 2010, in Kalamazoo, Michigan.

Funds for the Annual Meeting are available in the Employee Services Training and Development Account No., 101 1725 701 8090 and Travel, Meals and Lodging Account, No. 101 1725 701 8091.

Justification:

The Municipal Employees Retirement Act provides that an annual meeting shall be held for representatives of participating municipalities for the purpose of selecting nominees for membership on the retirement board and to transact such business as may be required for the proper operation of the retirement system. The annual meeting for 2010 has been scheduled for September 15-17, 2010, in Kalamazoo, Michigan.

The officer delegate and alternate officer delegate are recommended based on appointing criteria. The employee delegate and employee alternate delegate are elected in accordance with the Act that requires the City Clerk hold a secret ballot election for all eligible MERS members. Such an election was held. Upon conclusion, votes were counted and tallied resulting in James Martin receiving the highest number of votes and Rick Massey the second highest.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Contract with Kelcris Corporation

Manager's Recommendation:

I recommend that the low bid from Kelcris Corporation in the amount of \$716,890.56 be accepted and that a contract be awarded them in that amount. Contract documents forwarded herein (City Clerk's File _____), have been signed by the contractor. The contract is subject to approval by the City Manager as to substance and the City Attorney as to form.

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.

It is also recommended that a budget adjustment be completed to increase the Major Streets State of Michigan Trunkline Maintenance Revenue Account No. 202-0000-511.57-02 from \$294,000.00 to \$1,064,657.35, which equates to a \$770,657.35 increase. This increase in revenue will be offset by an increase in the Major Streets – Streets Project's Construction Projects Account No. 202-4614-781.80-47 by **\$770,657.85**.

Funds for this contract will be made available in the Major Streets - Streets Project's Construction Projects Account No. 202-4614-781.80-47.

Justification:

On July 27, 2010, the City received bids for making repairs to concrete pavement, including furnishing labor, equipment and traffic control required to repair failed longitudinal joints and transfer joints. New concrete patches will be installed to

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correct existing failed joints east bound and west bound on M-46 between 17th Street and Wilkins Street within the City of Saginaw. This project is being funded 100% percent by the Michigan Department of Transportation (MDOT), and will include a City of Saginaw incentive of 7.5% overhead charge for administering the project, which is estimated to be \$53,766.79. This process for administering the subcontracting of MDOT maintenance projects is included in Section 8. Subcontracts, within the "Michigan Department of Transportation State Trunkline Maintenance Contract City of Saginaw" dated October 7, 2009, which was approved by City Council on June 29, 2009. The Contract with MDOT for State Trunkline Maintenance is for five (5) years and expires on September 30, 2014.

Following is a tabulation of the bids received:

Kelcris Corporation Williamston, MI	\$ 716,890.56
Florence Cement Shelby Twp, MI	\$ 736,875.90
Tony Angelo Cement Const Co. Novi, MI	\$ 794,155.35

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Easement Agreement with Consumers Energy

Manager's Recommendation:

I recommend that the easement agreement with Consumers Energy be approved. The easement agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The City received a request from Consumers Energy ("Consumers") for an easement for installing underground electric lines, cables, conduits, wires, conductors, subsurface junction vaults, surface mounted transformers and enclosures and other equipment for transmitting and distributing electrical energy and communication signals located at 124 Franklin St. Consumers is requesting the easement for this work that will take the place of the existing underground vaults that are beneath the sidewalks on Genesee Avenue and Franklin Streets. The existing vaults beneath the sidewalk are in a deteriorated condition and unsafe to pedestrians traveling above them and will be abandoned as part of the East Genesee Avenue Streetscape project to allow for the new streetscape section to be constructed. Consumers will indemnify, defend and hold harmless the City from liability claims. In addition, Consumers will repair blacktop and/or concrete and grade and reseed the areas that it disturbs in exercising its rights under the agreement.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Annual Supply Automotive Filters

Manager's Recommendation:

I recommend acceptance of the low bid and issuance of a purchase order to George Electric in the amount of \$25,880.50 for an annual supply of automotive filters.

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 Operating Motor Vehicle Supplies Account, No. 661-4480-841.73-12 and will be accounted for in Motor Pool Operations Inventory Account, No. 661-0000-171.11-23.

Justification:

Examining the bid proposals of the 264 items requested, it was determined all four vendors submitted bids for 249 filters that were the same. Using this criteria, it was determined George Electric submitted the lowest bid. Following is a tabulation of the bids received.

George Electric Saginaw, MI (out-city)	\$25,880.50
Quality Auto Parts Bridgeport, MI	\$26,226.81
Larry's Non-Premium Saginaw, MI (in-city)	\$27,426.68
Larry's Premium Saginaw, MI (in-city)	\$28,274.01

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Budget Adjustment/FEMA Grant

Manager's Recommendation:

I recommend that the 2010/2011 Approved Budget for General Fund Revenue – FEMA Account, No. 101-0000-513.58-26 be increased by \$173,320, from \$0 to \$173,320. This increase will be offset by an increase to the Fire Operations Capital Outlay/Maintenance Equipment Account No. 101-3751-751.97-41 in the amount of \$80,000 for the purchase of an Exhaust Removal System as well as **\$93,320** for Overtime Account, No. 101-3751-751.70.10 for the back fill of twenty six firefighters to attend the Hazardous Material Technician classes.

Justification:

On May 26, 2010, the Saginaw Fire Department received notification of grant approval and funds awarded from the Federal Emergency Management Agency (FEMA) under the fiscal year 2009 Assistance to Firefighters Grant program for fire operations and firefighter safety. This budget adjustment reflects the grant award to the City.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Tires for Saginaw Fire Department Apparatus

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Triple M Tire, Inc., a State bid supplier, in the amount of \$ 10,000.00 for tires for the Saginaw Fire Department fleet of apparatus for fiscal year 2011.

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 budgeted and available in the Saginaw Fire Department Apparatus Operation/Maintenance Motor Vehicle Supplies Account, No. 101-3754-751.73-12.

Justification:

Maintaining proper care of tires on the Fire Department's fleet is necessary and critical for the safety of department personnel and the residents of the City of Saginaw. On June 21, 2010, City Council approved a purchase order to Scott Tire Company for this purchase. Since then, Scott Tire Company was purchased by a company that is not a State bid supplier. The new company also does not have the proper equipment to dismount and mount tires on our apparatus. This new purchase order to Triple M Tire, Inc., will replace the one issued to Scott Tire Company.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Annual Supply of Motor Vehicle Bulk Fluids

Manager's Recommendation:

I recommend that the bid from Karbowski Oil be accepted and a purchase order be issued to them in the amount of \$24,734.15.

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 budgeted in the Motor Pool Operations Motor Vehicle Supplies Account, No. 661-4480-841.73-12, and will be accounted for in the Motor Pool Operations Inventory Account, No. 661-0000-171.11-23.

Justification:

The City received bids for an annual supply of bulk fluids. The City's Municipal Motor Pool Operation requires various lubricants to maintain its fleet. Following is a tabulation of the bids received:

Karbowski Oil Bay City, MI	\$24,734.15
Lyden Oil Lansing, MI	\$26,617.80
Michigan Petroleum Clio, MI	\$27,909.70

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Approval of Agreement with Urban Youth Tennis Foundation

Manager's Recommendation:

I recommend approval of the lease agreement with Urban Youth Tennis Foundation for use of the Garber Tennis Courts. The agreement has been approved by the City Manager as to substance and by the City Attorney as to form.

Justification:

The Urban Youth Tennis Foundation was organized as a non-profit corporation to promote tennis instruction and programs to inner-city youth. In addition to the programs offered, the Foundation is also interested in making substantial improvements to the City-owned Garber Tennis Courts, and has already obtained funding and supporters to do so. The City has agreed to provide them access to the courts and priority for various events and tournaments. The Garber Tennis Courts will remain open to the public at all other times.

The Agreement has a term of 99 years, but may be terminated by either party upon thirty days written notice.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Authorization to Allow Sojourner Truth Social Justice Center to Use Amplifying Equipment for a Festival

Manager's Recommendation:

I recommend approval of the attached Resolution authorizing the use of the amplifying equipment for a special event sponsored by Sojourner Truth Social Justice Center International Cultural Festival, on Morley Plaza, which is publicly owned property, on August 27th, 28th, and 29th, 2010.

Justification:

On August 27th, 28th, and 29th, 2010, Sojourner Truth Social Justice Center will sponsor a Festival on Morley Plaza, which is publicly owned property. Sojourner Truth Social Justice Center has requested pursuant to a Special Event Application that the City allow it to use sound amplifying equipment during the event.

Council Action:

This Council Communication is for explanation purposes only of the resolution to be adopted.

COUNCIL COMMUNICATION

RESOLUTION TO AUTHORIZE SOJOURNER TRUTH INTERNATIONAL CULTURAL FESTIVAL TO USE AMPLIFYING EQUIPMENT ON MORLEY PLAZA

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, Sojourner Truth Social Justice Center plans to host the Sojourner Truth International Cultural Festival on Morley Plaza that will be August 27th, 28th, and 29th, 2010; and

WHEREAS, Sojourner Truth Social Justice Center has requested that it be allowed to use amplifying equipment during the three day event; and

WHEREAS, City Council can provide authorization for the use of amplifying equipment on public property.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment on public property during the festival to be held, on August 27th, 28th, and 29th, 2010.

COUNCIL COMMUNICATION

From: The City Manager

Subject: NSP2 Design and Printing Services

Manager's Recommendation:

I recommend that the only qualified proposal from Barckholtz Group of Saginaw, MI be accepted and that a purchase order be issued to them in the amount of \$4,329.00.

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 are budgeted in the NSP Neighborhood Stabilization Fund NSP II's Professional Services Account, No. 279-6551-761-8001.

Justification:

The Department of Development solicited proposals for creative concept, design, and printing of Saginaw's NSP2 program tri-fold brochures, and cover letters targeting potential homebuyers as well as providing information to local realtors, lenders, and the general public.

Council Action:

Council _____ moved that the communication from the City Manager be received and filed.

COUNCIL COMMUNICATION

From: The City Manager

Subject: MMSEA/SCHIP Mandatory Reporting

Manager's Recommendation:

I recommend the City Attorney be established as the City's Authorized Representative with Alternative Service Concept for the City's new Medicare reporting requirements under the Medicare, Medicaid and SCHIP Extension Act of 2007 (the "Act") and that he be authorized to execute the MMSEA System Fee Acknowledgment form and MMSEA Registration Information form on behalf of the City, and any other forms required under the Act.

Justification:

In August 2009, the City was notified by its third party administrator, Alternative Services Concepts, LLC (ASC) of a new Medicare reporting requirement pursuant to Section 111 of the Medicare, Medicaid and SCHIP (State Children's Health Insurance Program) Extension Act of 2007 (MMSEA) (P.L. 110-173) (the "Act"). The Act adds mandatory reporting requirements for liability insurance (including self-insurance), no fault insurance and workers compensation. Additionally, it imposes an obligation on primary payers to identify claimants entitled to Medicare, Medicaid or SCHIP and to notify Centers for Medicaid and Medicare Services. Under the Act, a Responsible Reporting Entity (RRE) is any organization, which pays losses wholly under a self-insured program, up to the limit of a self-insured retention or up to the limit of its deductible. An RRE is permitted to identify and contract with an agent for reporting purposes. ASC agreed to act as the City's reporting agent through its contract with the City's as its third party administrator. There is a one-time implementation fee of

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\$680.00, which the City paid through its self-insurance fund in December 2009. The annual transmission fee of \$1,920.00 was included in ASC's contract approved by Council on June 21, 2010. Registration through Section 111 was completed by the September 30, 2009, deadline, however, ASC requires execution of an MMSEA System Fee Acknowledgment form and an MMSEA Registration Information form which establishes an Authorized Representative for the City and acknowledges and accepts Gould & Lamb, LLC as the Reporting Agent through ASC. I request the City Attorney be established as the City's Authorized Representative and be given authorization to execute these forms on behalf of the City, and any other forms necessary as part of the Act's reporting requirement.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: United States Environmental Protection Agency Expedited Settlement Agreement

Manager's Recommendation:

I recommend that the United States Environmental Protection Agency ("EPA") Expedited Settlement Agreement ("Agreement") for violations of Risk Management Program (RMP) regulations at the Wastewater Treatment Plant (WWTP) be approved and that the penalty amount of \$2,100.00 be paid to the Environmental Protection Agency (EPA). The Agreement 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 Agreement.

Funds for this service are budgeted in the Sewer Operation and Maintenance, Treatment and Pumping Division's Service Fees Account, No. 590-4830-861-8063.

Justification:

On July 8, 2010 the WWTP received a letter from the EPA regarding a compliance inspection, conducted of its RMP, on July 14, 2009. The purpose of the RMP is to establish procedures to detect and prevent or minimize the accidental release of extremely hazardous substances and to provide prompt emergency response to any such release in order to protect human health and the environment. The letter identified certain deficiencies in the WWTP's program. The deficiencies were minor in nature. All of the correctable deficiencies identified have been corrected by WWTP staff, as evidenced in the conclusions section of the inspection report.

The Agreement requires the owner or operator to correct violations discovered during the inspection, certify compliance with the Act and pay a significantly reduced penalty. Once both parties have signed the Agreement, it is binding upon them. Moreover, the EPA will take no further action for the specific violations cited and the City will have waived an opportunity for a hearing pursuant to Section 113 of the Act.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Saginaw Depot Preservation Corporation

Manager's Recommendation:

It is recommended that the highest elected official, the Mayor be authorized, on behalf of the Saginaw Depot Preservation Corporation, to sign the Michigan Council for Arts & Cultural Affairs (MCACA) final grant report for the Saginaw Depot Preservation Corporation to close out the grant agreement .

Justification:

On August 11, 2008, City Council approved the grant agreement for City of Saginaw to be the administrator in compliance with State regulations for the Saginaw Depot Preservation Corporation to receive a \$25,000 grant with an equal cash match of \$12,500, and an in-kind match of \$12,500, for a total of a \$50,000 grant agreement from MCACA for the purpose of planning for and securing a building for a theatre/concert space; and to perform the initial steps of implementation.

The City has already approved and disbursed \$21,000 to the Saginaw Depot Preservation Corporation for grant conforming expenditures. There is still \$4,000 in the City of Saginaw account number 101-0000-511-5109 (State grants) that will need to be disbursed to the Saginaw Depot Preservation Corporation from account number 101-3863-761-8001 upon grant closure.

Council Action:

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

COUNCIL COMMUNICATION

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

Council _____ offered and moved adoption of the following resolution:

**AUTHORIZING THE MAYOR TO SIGN THE MICHIGAN COUNCIL FOR
ARTS & CULTURAL AFFAIRS (MCACA) FINAL REPORT FOR
THE SAGINAW PRESERVATION CORPORATION**

WHEREAS, on June 04, 2007, the City Council approved the grant application for the City of Saginaw to be the administrator in compliance with the State regulations for the Saginaw Depot Preservation Corporation grant agreement from the Michigan Council for Arts & Cultural Affairs (MCACA) Capital Improvement Program as requested by the Saginaw Depot Preservation Corporation; and

WHEREAS, On August 11, 2008, the City Council approved for the City of Saginaw to be the administrator for the Saginaw Depot Preservation Corporation to receive a \$25,000 grant with an equal cash match of \$12,500, and an in-kind match of \$12,500, for a total of a \$50,000 from MCACA for the purpose of planning for and securing a building for a theatre/concert space; and to perform the initial steps of implementation.

WHEREAS, the City of Saginaw via the Saginaw Depot Preservation Corporation was granted \$50,000 from the Michigan Council for Arts & Cultural Affairs and an equal match was required; and

WHEREAS, the Saginaw Depot Preservation Corporation project provided the entire match with no matching funds required by the City of Saginaw; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Saginaw by this Resolution does hereby approve that the highest elected official, the Mayor be authorized, on behalf of the Saginaw Depot Preservation Corporation, to sign the Michigan Council for Arts & Cultural Affairs (MCACA) final grant report for the Saginaw Depot Preservation Corporation to close out the grant agreement.

BE IT FURTHER RESOLVED, that the City disburses to the Saginaw Depot Preservation Corporation the remaining \$4,000 for approved expenditures from the City of Saginaw account number 101-0000-511-5109 (State grants) to the expense account 101-3863-761-8001 for the Saginaw Depot Preservation Corporation.

COUNCIL COMMUNICATION

RESOLUTION APPROVING TOOL & DIE RECOVERY ZONE FOR FULLERTON TOOL COMPANY

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

Council _____ offered and moved the adoption of the following resolution:

WHEREAS, the City of Saginaw desires to promote economic activity and maintain and increase the number of jobs available to residents of the area, and;

WHEREAS, certain industries in the state are facing difficult times and the tool and die industry, in particular, has sustained losses due to foreign competition and increased productivity; and

WHEREAS, the State of Michigan has enacted a law that offers the establishment of 35 Recovery Zones, and

WHEREAS, designation of a Renaissance Recovery Zone will temporarily reduce the tax burden paid by businesses enabling them to reposition themselves to compete globally, and;

WHEREAS, Fullerton Tool Company has entered into a collaborative agreement with other business entities having the appropriate North American industrial classification, and;

WHEREAS, Fullerton Tool Company is a qualified tool and die operations that own or lease property; and

WHEREAS, should the area owned by Fullerton Tool Company be designated a Renaissance Recovery Zone, property within that zone will be exempt from taxes levied by the city, county, and other units of government as provided under this Act, and;

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WHEREAS, certain millage rates (City of Saginaw Police & Fire assessment, school debt, Community Hospital debt and Juvenile Home debt) would not be exempt, while others (school operating, Saginaw ISD special education & operating, Delta College, Saginaw Public Library and the State Education Tax) would be held harmless; and

WHEREAS, we estimate that the foregone tax revenue, which is estimated on the attached schedules, would be a small portion of the benefits the designation of a Renaissance Recovery Zone will bring the community; now

THEREFORE, BE IT RESOLVED, that the City of Saginaw requests that the State of Michigan designate Fullerton Tool Company, identified by the resolution, as a Renaissance Recovery Zone under Public Act 376 of 1996 for a duration of up to ten (10) years.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Personnel Training

Manager's Recommendation:

I recommend that payments be made to the various vendors respectively, in the appropriate amounts, to pay for training related invoices that will not exceed \$10,000.00.

These vendors will meet 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 training are budgeted in the Sewer Operation and Maintenance Treatment and Pumping Division's Professional Services Account, No. 590-4830-861.80-01.

Justification:

The Wastewater Treatment Division is required by MIOSHA and other regulatory agencies to provide safety training and refresher courses for its employees who must work with hazardous materials and chemicals and enter confined spaces in the course of their work. Several classes are taught at the plant throughout the year using services provided by professional trainers and instructors. Quotes for these professional services are requested from several trainers who have been recommended by other utilities, professional training organizations, or state regulatory agencies. These quotes are compared and the most cost effective quote is taken.

To insure the safety of our staff, all plant employees are required to take these classes.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Weed Abatement Lawn Mowing Services

Manager's Recommendation:

I recommend that an additional \$40,000.00 be added to purchase order #41030 for Rich's Lawn & Garden Company for fiscal year 2011.

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 available in the General Fund Abatement of Nuisances Operating Services Account, No. 101-7571-841.80-05 through a deposit by the Saginaw County Land Bank.

Justification:

From 2004 to 2010, the number of cuts performed by the Weed Abatement program has increased by 325%, from 1,192 in 2004 to 3,876 in 2009. The demands for weed abatement services in 2010 have exceeded the City's ability to provide the service. Currently, the Weed Abatement program does not have enough tractors and staff to keep up with the increasing number of citywide weed cutting violations. This purchase order will continue to provide mowing equipment and operators to assist the Weed Abatement crews with cutting vacant lots and properties that are in violation of the City's Noxious Weeds Ordinance. Bids were received in May 2010 and Rich's Lawn & Garden Company was the low bidder. A purchase order in the amount of \$20,000.00 was approved by City Council on 5/24/10. The additional \$40,000.00 will allow them to continue working alongside the city weed abatement crews.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Contract with Apex Contractors

Manager's Recommendation:

I recommend that the low bid from Apex Contractors, in the amount of \$75,572.00 be accepted and a contract awarded them in that amount be approved. Contract documents forwarded herein (City Clerk's File _____), have been signed by the contractor. The contract is subject to approval by the City Manager as to substance and the City Attorney as to form.

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 contract are available in the Celebration Park Construction Project Account, No. 508-7580-831-80.47, project number AW08CS.

Justification:

On July 27, 2010, the City received bids for the construction of a 40-foot diameter Pavilion, concrete pad and related items to be located at Celebration Park. This project will be funded partially by a DNR (Department of Natural Resources) Grant of \$750,000.00, of which \$480,000.00 is State monies, with the City of Saginaw's required match of \$270,000.00 coming from local donations and the Saginaw County Community Foundation, and is part of the repurposing of the former Andersen Water Park located at 1830 Fordney Street, Saginaw. Following is a tabulation of the bids received:

Apex Contractors Dorr, MI	\$ 75,572.00
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COUNCIL COMMUNICATION

J R Heineman & Sons Saginaw, MI (In-City)	\$ 81,100.00
Sugar Construction Midland, MI	\$ 89,441.00
Pumford Construction Saginaw, MI (Out-City)	\$ 92,900.00

Council Action:

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