

Council Agenda

August 10, 2009, 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

March 9, March 23, April 6 and April 20, 2009 Regular Council Meetings

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

1. 09-18 from Andersen Enrichment Center, 120 Ezra Rust Drive, requesting permission to erect a banner in the 500 block of Court Street from November 5, 2009 to December 4, 2009 for the purpose of promoting the annual Hollyday Fair.

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

From the Planning Commission:

1. Explaining the ordinance listed under the regular order of business that amends the zoning map by rezoning the area bounded by Durand Street, Pleasant Street, Schaefer Street and Davenport Avenue from R-2, One and Two Family Residential to R-1, Single Family Residential.
2. Explaining the ordinance listed under the regular order of business that vacates a 95' portion of the alley bounded by South Harrison Street, Van Buren Street, South Webster Street and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street.

From the Boards and Commissions and Committees:

1. Consideration of appointing Dawn Morrell to the Downtown Development Authority to fill a vacancy with a term to expire March 31, 2011.
2. Consideration of reappointing Barbara Roberts to the Saginaw Community Enrichment Commission with a term to expire June 30, 2012.

APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

REPORTS FROM MANAGER:

Management Update:

1. Review of the traffic rules and regulations by Phil Karwat, City Engineer
2. Review of the Interactive Police Surveillance system.

Recommended Actions:

1. Recommending approval of the contract between the City of Saginaw and St. George Church for purposes of conducting general and local elections in the City of Saginaw.
2. Recommending approval of the revised Confidentiality and Indemnification Agreements with the members of the Saginaw Police Department Review Panel, and that the City Manager be authorized to execute the agreements.
3. Recommending that the Memorandum of Understanding with the Saginaw County Youth Protection Council Prevention and Youth Services Division be approved for a 3-year term, and that the City Manager or his designee be authorized to sign on behalf of the City.
4. Recommending approval of the Department of Justice Drug Enforcement Administration (“DEA”) State and Local Task Force Agreement, and that the Police Chief be authorized to sign the agreement and any exhibits.
5. Recommending approval of the agreement between the City of Saginaw and Dianne Hobbes to act as Program Evaluator for the Weed and Seed Grant activities in the amount of \$5,000. Funds are available in the Community Policing Weed & Seed Professional Services Account No. 260 3321 741 80 01.
6. Recommending the purchase of a closed circuit TV system, as defined in the Weed and Seed Grant, through ASC Security, the sole bidder, in the amount of \$15,249.00. Funds are available in the Community Policing Weed & Seed Capital Outlay less than \$5,000 Account No. 260 3321 741 97 05.
7. Recommending approval of the 2009-2010 HUD Emergency Shelter Grant Agreement for the Emergency Shelter grant portion of the Stewart B. McKinney Homeless Assistance Act, in the amount of \$110,620.00.
8. Recommending approval of the 2009-2010 HUD Emergency Shelter Grant contracts in the amount of \$110,620.00.
9. Recommending approval of the Michigan State Housing Development Authority Home Grant Agreement in the amount of \$330,000 for 2 years, and that the Mayor be authorized to sign the agreement on behalf of the City. Further authorizing execution of an Authorized Signature Designation Form designating John Falls and Kanah Franklin to sign and submit grant related reports on the City’s behalf, as required by MSHDA.

10. Recommending approval of the HUD HOME Investment Partnership Program Grant Agreement for 2009-2010, in the amount of \$709,480.00.
11. Recommending approval of the HUD HOME Community Housing Development Organization contract in the amount of \$143,416.00 for 2009-2010.
12. Recommending approval of the Community Development Block Grant Agreement for 2009-2010, in the amount of \$2,506,107.00.
13. Recommending approval of the Community Development Subgrantee Contracts for 2009-2010, which consists of 13 contracts for housing, economic development and public services.
14. Recommending approval of the agreement with Brady's Business Systems for maintenance of the copier in the Engineering Division for a 1-year term, automatically renewed unless notified in writing. Funds are budgeted in the Engineering Operating Services Account No. 101 4611 781 80 05.
15. Recommending acceptance of the low bid and issuance of a purchase order for bacteriological performance tests to R.T. Corporation in the amount of \$2,230.50. Funds are available in the Water Treatment Operations Account No. 591 4730 861 80 05.
16. Recommending acceptance of the quote and issuance of a purchase order for large water meter testing to Rapid Water Recovery in the amount of \$11,880.00. Funds are available in the Water Meter Operating Services Account No. 591 4720 861 80 05 (\$5,940.00) and Sewer Meter Operating Services Account 590 4820 861 890 05.
17. Recommending issuance of a purchase order for analytical testing of PCB's to Kar Laboratories in the amount of \$12,250.00. Funds are available in the Sewer Operation & Maintenance Operating Services Account No. 590 4830 861 80 05.
18. Recommending acceptance of the low bid and issuance of a purchase order to Stephens Tile in the amount of \$29,075.51 and to Michigan Pipe & Valve, the sole bidder, in the amount of \$35,403.30, for the annual supply of PVC pipe and fittings. Funds are available in the Sewer Maintenance and Service Parts & Supplies Account No. 590 4821 861 73 30 (\$29,075.51) for fiscal year 2010 and will be budgeted for in fiscal year 2011 (\$35,403.30).
19. Recommending acceptance of the low bid and issuance of a purchase order for grit hauling to Billy's Contracting in the amount of \$29,200.00 per year for fiscal years: 2010, 2011 and 2012. Funds are available in the Sewer Operation and Maintenance Operating Service Account No. 590 4830 861 80 05.
20. Recommending acceptance of the low bid and issuance of a purchase order to Kar Laboratories in the amount of \$65,380.00 for laboratory testing for the Wastewater Treatment Plant. Funds are available in the Sewer Operation & Maintenance Operating Service Account No. 590 4830 861 80 05.
21. Recommending acceptance of the only qualifying bid and issuance of a blanket order for a 2-year supply of fire hydrants, to Michigan Pipe & Valve in the amount of \$72,450.00 for fiscal year 2010 and \$76,400.00 for fiscal year 2011. Funds are available in Water Maintenance and Service Parts & Supplies Account No. 591 4721 861 73 30 (\$72,450.00) for fiscal year 2010 and will be budgeted for in fiscal year 2011 (\$76,400.00)
22. Recommending approval of the proposed rules and regulations for traffic control.
23. Recommending that a budget adjustment be completed to increase the Public Services Weed Abatement Division's Operating Service Account No. 101 7571 841 8005 from \$0

to \$60,000. The increase in expenditures will be offset by an increase in the use of available and undesignated Fund Balance Account No. 101 0000 608 0000 by the same amount.

24. Recommending approval of the Agreement with Ope's Landscaping, Inc. for grass cutting services in an amount up to \$60,000.00. The Agreement is subject to the City Manager's approval as to substance and the City Attorney as to form. Funds for this service are available in the Public Services Abatement of Nuisances Operating Services Account No. 101 7571 841 8005.
25. Recommending approval of the CDBG-R Grant Agreement for 2009-10 and that the Mayor be authorized to execute all related documents. The City of Saginaw has received a Grant Agreement for the 2009-10 year from the Community Development Block Grant Recovery fund as administered by the U. S. Department of Housing and Urban Development. The funding agreement is in the amount of \$668,347.00 and is to be spent by September 30, 2012. The activities per the grant provisions will allow for portions of the funding to be used as a match for the I-675 pavement repairs, bridge overlay and rehabilitation work on multiple bridges, removal of the 11th street pedestrian bridge, the 11th street pedestrian bridge and various sidewalk improvements in the construction area.

INTRODUCTION OF ORDINANCES:

1. An ordinance to amend the zoning map by rezoning the area bounded by Durand Street, Pleasant Street, Schaefer Street and Davenport Avenue from R-2, One and Two Family Residential to R-1, Single Family Residential.
2. An ordinance to vacate a 95' portion of an alley bounded by South Harrison Street, Van Buren Street, South Webster Street and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street, subject to a standard easement for reservation for public utilities, cable TV and telecommunications.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Declaring the City's intent to amend the zoning map by rezoning the area bounded by Durand Street, Pleasant Street, Schaefer Street and Davenport Avenue from R-2, One and Two Family Residential to R-1, Single Family Residential.
2. Declaring the City's intent to vacate a 95' portion of an alley bounded by South Harrison Street, Van Buren Street, South Webster Street and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street, subject to a standard easement for reservation for public utilities, cable tv and telecommunications.
3. Approving ballot language for Charter Amendments.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Motion to go into closed session to discuss the negotiation of a collective bargaining agreement.

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Agreement for Administering Elections with St. George Church

Manager's Recommendation:

I recommend approval of the contract between the City of Saginaw and St. George Church for purposes of conducting General and Local Elections in the City of Saginaw.

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

Justification:

Near the end of the 2008/2009 school year, the Saginaw Board of Education announced it would be closing Webber Middle School located at 2600 Prescott, which currently serves as a polling location for Precinct 7. The City Clerk has secured St. George Church, 3121 Sheridan, as an alternate location.

Following the November 2004 General Election, the Precinct Consolidation Committee recommended the City enter into Contracts with all precincts so the obligations, responsibilities and understandings of the parties in conducting general and local elections were clearly defined. To date, City Council has approved contracts with the Public Libraries of Saginaw, St. Stephen Parish, St. Joseph Parish, Saginaw Art Museum, YMCA of Saginaw, New Mt. Calvary Missionary Baptist Church, Saginaw Housing Commission and the School District of the City of Saginaw, for this purpose.

As with the prior contracts, the parties (hereinafter referred to as "City" and "St. George") have agreed as follows:

(1) St. George will provide the use of a room or space of adequate size and accessibility and the parties will review the designated area prior to each election. They will attempt to make the designated area as close as possible to the entrance of the polling location.

(2) St. George will provide ample handicap and regular parking spaces, store election equipment and supplies, have the buildings accessible at 6:00 a.m. the morning of the election, heat the buildings, remove snow from parking lots and walkways and have tables and chairs for precinct workers available.

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(3) St. George will attempt to avoid scheduling major activities in the buildings on Election Days such as prayer services, luncheons, socials, etc.

(5) The parties further agreed to coordinate efforts with regard to emergencies, signage, accessibility for the disabled and will discuss any concerns and issues subsequent to each election, if any.

(6) St. George and City have agreed to each indemnify the other with regard to any possible claims.

(7) The term of the contract will commence upon execution and will terminate on December 31, 2013, with an option to renew. The parties will review the terms and conditions six months prior to the termination and make any necessary modifications, if needed, prior to renewal. In all other events, each party has agreed to give the other 12-months written notice to terminate the contract.

(8) City agrees to pay a rental fee of \$75.00 following each Election, for use of the building. Funds for these rental fees are budgeted annually in the Election Division Account No. 101-1731-701-8062.

Given the foregoing, I recommend approval of the contract between the City of Saginaw and the St. George Church for purposes of conducting General and Local Elections in the City of Saginaw.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Closed Circuit TV System

Manager's Recommendation:

I recommend payment be made to A.S.C. Security and that a purchase order be issued to them in the amount of \$15,249.00 for the purchase of a closed circuit T.V. system.

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.

The funds for this purchase are budgeted in the Community Policing / Weed & Seed Fund (Capital Outlay Less than \$5,000) Account No. 260-3321-741.97-05.

Justification:

On July 21, 2009 the City received bids for the purchase and installation of a closed circuit TV system. ASC Security was the sole bidder. This purchase was budgeted and approved as part of the overall Weed and Seed strategies in fiscal year 2009 through the Department of Justice.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Community Development Block Grant (CDBG) Grant Agreement

Manager's Recommendation:

I recommend approval of the CDBG Grant Agreement for 2009-10 and that the proper City officials be authorized to execute the same. The grant agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form.

Justification:

The City of Saginaw has received a Grant Agreement for the 2009 year Community Development Block Grant program. The funding agreement is in the amount of \$2,506,107.00. This is the City's entitlement amount approved by the Federal Government.

The activities referred to in the funding agreement include all of the activities listed in the submission and approved by Council on February 9, 2009. A summary of the activities contained in the funding agreement is attached and included in the City Clerk's File No. (_____). The environmental clearances for those projects requiring this step have been completed. The contract is being sent to you now so that it can be reviewed, approved and returned to the Department of Housing and Urban Development.

In accepting the grant agreement, the City agrees to comply with all terms and conditions of the agreement, applicable laws, regulations and all other requirements of DHUD now or hereafter in effect pertaining to the assistance provided. The agreement is for a one-year period that began July 1, 2009 and will terminate June 30, 2010. In accepting this grant agreement, the City also agrees that it will comply with standard

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federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made a part of contracts with third parties or subgrantees financed with block grant monies.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Community Development Block Grant (CDBG) Subgrantee Contracts

Manager's Recommendation:

I recommend approval of the CDBG Subgrantee Contracts for 2009-10 and that the proper City officials be authorized to execute the same. The contracts are subject to the approval of the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith are 13 contracts for housing, economic development and public services to be carried out under the City's 36th year of the Community Development Block Grant (CDBG) Program. The following information outlines the scope of activity and funding level for each of these projects.

1. Home Maintenance Self-Help \$14,000.00.

This project (City Clerk's File No. _____) is sponsored by the County of Saginaw through Michigan State Cooperative Extension Service. It assists low and moderate-income residents to help maintain properties and prevent further deterioration in city neighborhoods. It also provides homebuyer education, financial literacy, and foreclosure counseling.

2. Elderly and Disabled Home Repair \$257,892.00.

This activity (City Clerk's File No. _____) is operated by Saginaw County Community Action Committee (CAC). It provides onetime home repairs for the elderly and disabled residents in the City who could not otherwise afford to make improvements to their home. Pre-inspections will determine which repairs are needed and prioritize them.

3. Saginaw Economic Development Corp \$302,804.00.

This program (City Clerk's File No. _____) is operated by the Saginaw Economic Development Corporation. It provides funds to make business loans to credit worthy entrepreneurs and firms that wish to start or expand businesses in the targeted areas. Each business loan is based on the number of jobs to be created and made available for low and moderate-income residents in the City. A total of 4 firms are anticipated to

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be helped via loans. The budget is comprised of entitlement funds, loan repayments and carryover funds.

4. DDA Development and Redevelopment \$37,400.00.

This activity (City Clerk's File No. _____) is sponsored by the Downtown Development Authority. Its main focus is to bolster economic development within the districts. The district includes what is referred to as the Riverfront District (Michigan Avenue to Center Street, across the Douglass G. Schenck bridge to Washington Avenue to Potter Street). Development activities also take place in the Central Business District (Downtown), the East Genesee Avenue Corridor, Covenant Hospital District, Cathedral District (including St. Mary's Hospital) and Old Town Business District. Acquiring land for future development and preparing properties for redevelopment are key to revitalizing these areas.

5. Youth Protective Services \$23,966.00.

The Saginaw County Youth Protection Council (YPC) operates this program (City Clerk's File No. _____). It provides intensive long-term social casework intervention for 20 low to moderate-income families whose personal problems have led to degeneration of the family unit. This activity will not be effective until October 1, 2009, when the current contract expires. By approving this contract, City Council will allow the activity staff to begin planning for the 2009-10 year, which begins October 1, 2009.

6. Teen Parent Support \$23,966.00.

The Saginaw County Youth Protection Council (YPC) operates this program (City Clerk's File No. _____). It seeks to provide assistance directed toward high-risk pregnant and parenting females under the age of 21. Teen Parent Support works to: reduce infant mortality and child abuse; delay subsequent pregnancies; and help young mothers work toward self-sufficiency. The activity will serve 55 clients eligible to be assisted with CDBG funds. This activity will not be effective until October 1, 2009, when the current contract expires. By approving this contract, City Council will

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allow the activity staff to begin planning for the 2009-10 year, which begins October 1, 2009.

7. Teen Intervention \$10,500.00.

This project (City Clerk's File No. _____) is sponsored by the Boys and Girls Club of Saginaw County. It will identify youths showing signs of risky or criminal behavior and/or gang activity. Selected youth will be involved in daily Boys and Girls Club activities including support groups and individual help. Individual development plans will be set up and tracked. Teens selected will live in low and moderate-income areas of the City.

8. Urban Scouting \$5,000.00.

This program (City Clerk's File No. _____) is sponsored by Lake Huron Area Council #265 Boy Scouts of America. The program will service 500 at-risk youth in grades 1-12 throughout numerous CDBG eligible areas of the City. Youth will be mentored by adults of high character, trained to be self-reliant, assisted in building self-confidence, taught the value of citizen participation and physical and mental development.

9. New Alternatives Youth Service Center \$8,444.00.

This activity (City Clerk's File No. _____) is sponsored by New Alternatives Youth Service Center, Inc. It provides funding for a youth service center, which provides alternative programs and services for inner city youth in the neighborhood strategy areas within low to moderate income areas of the City after school and during the summer. The goal is to provide counseling, support, job training and placement with mentors that serve as role models. Targeted outreach will take place to reach high-risk youth between the ages of 10 and 20.

10. Youth Mentoring \$10,500.00.

This activity (City Clerk's File No. _____) is operated by Big Brothers Big Sisters of Saginaw Bay Area, Inc. It is committed to making a positive difference in the lives of children and youth, primarily though

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professionally supported one-to-one relationships with mentors who assist them in becoming confident, competent and caring individuals.

11. Girl Pride Sugar and Spice/Young Men Who Dare \$3,000.00.

This activity (City Clerk's File No._____) is sponsored by Women of Colors, Inc. Three unique programs were developed to nurture and promote responsibility in the lives of Saginaw's youth from ages 5 to 18. To mentor at risk youth and instill values of respect and accountability. Teach etiquette, teamwork, and community service outreach to develop youth of excellence. Each program also was established to challenge and prepare youth to become positive peers, responsible role models and leaders. Enhance the gifts, talents and skills of each participant through collaboration and implementation of successful initiatives.

12. Mobilizing The Community \$3,000.00.

This activity (City Clerk's File No._____) is operated by Parishioners On Patrol (POPS). Its members provide the service of patrolling the streets in an effort to help provide safe streets by working with the community in ways that have traditionally been difficult for the police. Since POPS, there has been an increase in neighborhood collaboration with the policing agencies. This project encourages and promotes residents to stand up for themselves. The project's mission is to make Saginaw a safe, vibrant, and healthy community.

13. Future Kids Martial Arts Program \$3,000.00.

This activity (City Clerk's File No._____) is operated by Michigan Hapkido Community Outreach (MHCO). It attempts to steer youngsters away from the influences of drugs and gang violence by providing safe and positive alternative activities. In addition, the fitness initiatives inspired by MHCO seek to combat the epidemic of childhood obesity. The organizations mission is to provide students with a strong physical, mental, and spiritual foundation that incorporates martial arts as a benchmark to prepare them for life long learning.

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Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: HUD HOME Investment Partnership Program Grant Agreement

Manager's Recommendation:

I recommend approval of the 2009-2010 HOME Grant Agreement and that the proper City officials be authorized to execute the same. The grant agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form.

Justification:

The City has received a notice of funding and Grant Agreement from DHUD for the 2009-10 HOME Investment Partnership program (City Clerk's File No. _____). The funding agreement is in the amount of \$709,480.00. The City will use \$566,064.00 for a single-family owner-occupied residential grant program for very low-income homeowners and \$15,000 for Circle of Love's operating expenses. The Circle of Love (COL) Community Development Corporation will use the balance of the funds (\$128,416.00). Council selected COL to be the 2009-10 Community Housing Development Organizations (CHDO) during the February 09, 2009 Council meeting.

Council Action:

Council ____ _____ moved that the recommendation of the City Manger be approved.

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From: The City Manager

Subject: HUD HOME Community Housing Development Organization (CHDO) Contract

Manager's Recommendation:

I recommend approval of the 2009-10 HOME CHDO contract and that the proper City officials be authorized to execute the same. The contract is subject to the approval of the City Manger as to substance and the City Attorney as to form.

Justification:

Transmitted herewith are two contracts (City Clerk's File No. _____ and _____) to provide \$128,416.00 from the Home Investment Partnership program to assist the Circle of Love (COL) Community Development Corporation to construct single family residential homes for sale to low and moderate-income residents in the City of Saginaw and \$15,000 for operating expenses.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: HUD Emergency Shelter (ESG) Grant Contracts

Manager's Recommendation:

I recommend approval of the 2009-10 Emergency Shelter Grant (ESG) contracts and that the proper City officials be authorized to execute the same. The grant contracts are subject to the approval of the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith are four contracts (City Clerk's File Nos. _____, _____, _____, _____) to provide \$110,620.00 from the Emergency Shelter grant portion of the Stewart B. McKinney Homeless Assistance Act to three organizations providing shelters and transitional housing for the homeless. These are the Underground Railroad shelter for homeless and abused women and their children, the Youth Protection Council Innerlink Shelter for runaway youth, Restoration Community Outreach for homeless persons and Saginaw County Consortium of Homeless Assistance Providers (SC-CHAP) for HMIS. The Underground Railroad will receive \$28,939.00 to be used for utilities, property insurance, building maintenance, selected operating costs and furnishings. At the Youth Protection Council, \$28,939.00 is to pay for insurance, utilities, equipment, minor repairs and operating costs at the Innerlink Shelter. At SC-CHAP \$23,803 to fund HMIS. At Restoration Community Outreach, \$28,939.00 is to pay for insurance, utilities, food, and supplies.

Council approved the City's submission to the Department of Housing and Urban Development for these funds on February 9, 2009. The DHUD contract is on tonight's agenda for Council approval.

Council Action:

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

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From: The City Manager

Subject: HUD Emergency Shelter (ESG) Grant Agreement

Manager's Recommendation:

I recommend approval of the Emergency Shelter Grant (ESG) Agreement for 2009-2010 and that the proper City officials be authorized to execute the same. The agreement is subject to the approval of the City Manger as to substance and the City Attorney as to form.

Justification:

The City of Saginaw has received a Grant Agreement from the Department of Housing and Urban Development for 2009-10 for the Emergency Shelter grant portion of the Stewart B. McKinney Homeless Assistance Act (City Clerk's File No._____). The funding agreement is in the amount of \$110,620.00. This is the City's entitlement amount approved by the Federal government.

The activities recommended for funding include the four activities listed in the 2009-10 Annual Plan part of the Consolidated Plan submission approved by Council on February 9, 2009 as follows:

Of this funding agreement \$28,939.00 is to be used by the Underground Railroad, \$28,939.00 by the Youth Protection Council's Innerlink complex and housing programs, \$28,939.00 by Restoration Community Outreach, and \$23,803.00 to provide the necessary funds for the HUD mandated Homeless Management Information System (HMIS) that is required of all communities that wish to continue receiving HUD funds.

The Youth Protection Council's Innerlink contract mentioned above is not effective until October 1, 2009, when the current contract ends. It is being sent to you now to be reviewed and approved to allow Innerlink to continuing its programmed activities.

The grant agreement is being sent to you now so that it can be reviewed, approved, and returned to HUD. This will allow the above activities to continue to help battered women and children that are homeless as well as runaway and homeless youth and homeless adults. The agreement was approved by DHUD for July 2009.

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In accepting the grant agreement, the City agrees to comply with all the terms and conditions of the agreement, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the assistance provided.

Special conditions to this agreement are: the Emergency Shelter Grant funds are to be obligated by 180 days from July 1, 2009, and completely expended by two years from this date. If this is not done, then funds which are not used will become available for reallocation to other communities by DHUD. Compliance with these conditions should not be a problem. In a separate communication, City Council is being asked to approve contracts committing the \$110,620.00 provided by this grant to the Underground Railroad shelter, the Innerlink Shelter Complex, and Restoration Community Outreach shelter for the activities described above and funds for the HMIS.

In accepting this grant agreement, the City also agrees that it will comply with Federal regulations pertaining to the Emergency Shelter Grants Program and other applicable laws. These conditions are also made a part of any contracts with third parties or subgrantees financed with Shelter Grant monies.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Planning Commission

Subject: Amend the Zoning map by rezoning the area bounded by Durand Street, Pleasant Street, Schaefer Street, and Davenport Avenue

Planning Commission Recommendation:

It is recommended that the zoning map be amended to change the zoning of the area bounded by Durand Street, Pleasant Street, Schaefer Street, and Davenport Avenue from R-2, One and Two Family Residential to R-1, Single Family Residential.

Justification:

The Northmoor Neighborhood Association (“Association”) requested the area bounded by Durand Street, Pleasant Street, Schaefer Street, and Davenport Avenue be rezoned from R-2, One and Two Family Residential to R- 1, Single Family Residential. The Association requested the rezoning to discourage further conversions of homes to multiple dwelling units. The petition was referred to the Planning Commission (“Commission”) for investigation and a report with a recommendation. The Commission held public hearings on the request on April 22 and May 27, 2008, and all interested persons were heard.

From investigation and review of evidence presented at the hearings, the Commission found in favor of the petition to rezone the area bounded by Durand Street, Pleasant Street, Schaefer Street, and Davenport Avenue from R-2, One and Family Residential to R-1, Single Family Residential.

Council Action:

Council _____ moved that the report from the Planning Commission be received and filed and that a resolution be adopted declaring City Council’s intention to amend the zoning map by rezoning this area.

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Council _____ introduced an ordinance entitled and reading as

follows:

AN ORDINANCE TO AMEND TO THE ZONING MAP BY REZONING THE AREA BEGINNING AT A POINT 83 FEET WEST OF THE NORTHWEST CORNER OF LOT 7, BLOCK 3, UNION PARK PLAT ON THE NORTH LINE OF SAID PLAT EXTENDED, SAID POINT ALSO BEING ON THE WEST LINE OF THE OLD PERE MARQUETTE RAILROAD RIGHT OF WAY 120 FEET NORTH OF THE NORTH LINE OF PLEASANT STREET EXTENDED. THENCE EAST ALONG THE NORTH LINE OF SAID UNION PARK PLAT 1234.05 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF UNION PARK PLAT. THENCE SOUTH ALONG THE EAST LINE OF LOT 1 4.5 FEET TO THE NORTH LINE OF THE SMITH AND PARSON'S ADDITION, THENCE EAST ALONG THE NORTH LINE EXTENDED 943.8 FEET TO A POINT ON THE EAST LINE OF HERMANSAU STREET, THENCE NORTH ALONG THE EAST LINE OF HERMANSAU STREET 10 FEET TO A POINT 275 FEET NORTH OF THE NORTHEAST CORNER OF THE HERMANSAU STREET & CLARK STREET INTERSECTIONS, THENCE EAST, PARALLEL WITH CLARK STREET, 165 FEET, TO THE WEST LINE OF PAUL NUERMINGER'S ADDITION AT A POINT 20 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 7, BLOCK 2 OF SAID ADDITION, THENCE NORTH ALONG SAID WEST LINE 114.7 FEET TO THE NORTHWEST CORNER OF LOT 9, THENCE EAST 147 FEET TO THE NORTHEAST CORNER OF LOT 9. THENCE SOUTHEASTERLY ALONG THE WEST LINE OF SCHAFFER STREET 140.8 FEET TO THE SOUTHEAST CORNER OF LOT 7, THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SCHAFFER STREET TO A POINT AT THE NORTHEAST CORNER OF LOT 2 BLOCK 10 OF DAVENPORT FARM PLAT, THENCE SOUTH ALONG THE WEST LINE OF HILL STREET 426 FEET TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 11 DAVENPORT FARM PLAT AND THE NORTH LINE OF DAVENPORT AVENUE. THENCE WEST ALONG THE NORTH LINE OF DAVENPORT AVENUE 2287.27 FEET TO THE WEST LINE OF THE OLD PERE MARQUETTE RAILROAD RIGHT OF WAY, THENCE NORTH ALONG WEST LINE OF RIGHT OF WAY TO THE POINT OF BEGINNING, FROM R-2, ONE AND TWO FAMILY RESIDENTIAL TO R-1, SINGLE FAMILY RESIDENTIAL.

Laid over under the charter provision.

PUBLIC HEARING NOTICE

NOTICE OF INTENT TO AMEND THE OFFICAL CITY MAP BY REZONING THE AREA BOUNDED BY DURAND STREET, PLEASANT STREET, SCHAEFER STREET, AND DAVENPORT AVENUE, R-2, ONE AND TWO FAMILY RESIDENTIAL TO R-1, SINGLE FAMILY RESIDENTIAL

In compliance with requirement of Act 267, P.A. 1976, the following notice is posted:

Notice is hereby given that the Saginaw City Council will meet on Monday, September 14, 2009, at 6:30 p.m., in the Council Chambers at City Hall, 1315 South Washington Avenue, to hear objections on its intent to amend the official City map by rezoning the area bounded by Durand Street, Pleasant Street, Schaefer Street and Davenport Avenue, from R-2, One and Two Family Residential to R-1, Single Family Residential.

Written objections to the proposed amendment to the official City map can be filed with the City Clerk of the City of Saginaw.

At said time and place all interested persons will be heard.

Diane Herman
City Clerk

IF YOU ARE DISABLED AND NEED ACCOMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE IN OR OBSERVE PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVE., 989-759-1480.

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced August 10, 2009, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND TO THE ZONING MAP BY REZONING THE AREA BEGINNING AT A POINT 83 FEET WEST OF THE NORTHWEST CORNER OF LOT 7, BLOCK 3, UNION PARK PLAT ON THE NORTH LINE OF SAID PLAT EXTENDED, SAID POINT ALSO BEING ON THE WEST LINE OF THE OLD PERE MARQUETTE RAILROAD RIGHT OF WAY 120 FEET NORTH OF THE NORTH LINE OF PLEASANT STREET EXTENDED. THENCE EAST ALONG THE NORTH LINE OF SAID UNION PARK PLAT 1234.05 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF UNION PARK PLAT. THENCE SOUTH ALONG THE EAST LINE OF LOT 1 4.5 FEET TO THE NORTH LINE OF THE SMITH AND PARSON'S ADDITION, THENCE EAST ALONG THE NORTH LINE EXTENDED 943.8 FEET TO A POINT ON THE EAST LINE OF HERMANSAU STREET, THENCE NORTH ALONG THE EAST LINE OF HERMANSAU STREET 10 FEET TO A POINT 275 FEET NORTH OF THE NORTHEAST CORNER OF THE HERMANSAU STREET & CLARK STREET INTERSECTIONS, THENCE EAST, PARALLEL WITH CLARK STREET, 165 FEET, TO THE WEST LINE OF PAUL NUERMINGER'S ADDITION AT A POINT 20 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 7, BLOCK 2 OF SAID ADDITION, THENCE NORTH ALONG SAID WEST LINE 114.7 FEET TO THE NORTHWEST CORNER OF LOT 9, THENCE EAST 147 FEET TO THE NORTHEAST CORNER OF LOT 9. THENCE SOUTHEASTERLY ALONG THE WEST LINE OF SCHAFFER STREET 140.8 FEET TO THE SOUTHEAST CORNER OF LOT 7, THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SCHAFFER STREET TO A POINT AT THE NORTHEAST CORNER OF LOT 2 BLOCK 10 OF DAVENPORT FARM PLAT, THENCE SOUTH ALONG THE WEST LINE OF HILL STREET 426 FEET TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 11 DAVENPORT FARM PLAT AND THE NORTH LINE OF DAVENPORT AVENUE. THENCE WEST ALONG THE NORTH LINE OF DAVENPORT AVENUE 2287.27 FEET TO THE WEST LINE OF THE OLD PERE MARQUETTE RAILROAD RIGHT OF WAY, THENCE NORTH ALONG WEST LINE OF RIGHT OF WAY TO THE POINT OF BEGINNING, FROM R-2, ONE AND TWO FAMILY RESIDENTIAL TO R-1, SINGLE FAMILY RESIDENTIAL.

The City of Saginaw Ordains:

Section 1. That the area bounded by Durand Street, Pleasant Street, Schaefer Street, and Davenport Avenue be rezoned from R-2, One and Two Family Residential to R-1, Single Family Residential.

COUNCIL COMMUNICATION

Section 2. The official map of the City of Saginaw is hereby amended accordingly.

Section 3. This ordinance shall take effect on September 24, 2009.

Enacted: September 14, 2009.

COUNCIL COMMUNICATION

RESOLUTION TO AMEND THE ZONING MAP BY REZONING THE AREA BOUNDED
BY DURAND STREET, PLEASANT STREET, SCHAEFER STREET, AND
DAVENPORT AVENUE FROM R-2, ONE AND TWO FAMILY RESIDENTIAL TO R-1,
SINGLE FAMILY RESIDENTIAL

Planning Commission Recommendation: Approval of the resolution as follows:

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City Planning Commission ("Commission") held public hearings on April 22 and May, 27 2008, on a petition to amend the zoning map by rezoning the area bounded by Durand Street, Pleasant Street, Schaefer Street, and Davenport Avenue from R-2, One and Two Family Residential to R-1, Single Family Residential in the City of Saginaw; and

WHEREAS, after duly advertised public hearings, the Commission found that the public and private interests would best be served by the requested amendment to the zoning map; and

NOW THEREFORE BE IT RESOLVED, that City Council hereby declares its intent to amend the zoning map by rezoning the area bounded by Durand Street, Pleasant Street, Schaefer Street, and Davenport Avenue from R-2, One and Two Family Residential to R-1, Single Family Residential, in the City of Saginaw.

BE IT FURTHER RESOLVED, that City Council will meet on September 14, 2009 at 6:30 p.m., in the Council Chamber at City Hall to hear any objections to the proposed rezoning.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Laboratory Testing

Manager's Recommendation:

I recommend that the low bid received from Kar Laboratories be accepted and a purchase order be issued to them in the amount of \$65,380.00 for laboratory testing.

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

Funds for this purchase are available in the Sewer Operation and Maintenance Operating Services Account No. 590-4830-861.80-05.

Justification:

On July 21, 2009, the City received bids for outside laboratory testing and analysis. Analysis of volatile organic compounds, heavy metals, and other pollutants in the Wastewater Treatment Plant's effluent and in the industrial wastewater discharged to the treatment plant are mandated by the City of Saginaw's Industrial Pretreatment Program and by the Wastewater Treatment Plant's National Pollutant Discharge Elimination System Permit. The bids received are as follows:

Kar Labs Inc. Kalamazoo, MI	\$65,380.00
Test America Pontiac, MI	\$66,796.00
ALS Lab Group Holland, MI	\$70,217.00
Summit Environmental Technology Cuyahoga Falls, WI	\$71,250.00

COUNCIL COMMUNICATION

Fibertech, Inc. Holt, MI	\$74,980.00
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Paragon Labs Livonia, MI	\$74,224.00
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Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: ROW Annual Supply of Fire Hydrants

Manager's Recommendation:

I recommend that the bid from Michigan Pipe & Valve be accepted and that a blanket purchase order be approved and issued to them in the amount of \$72,450.00 for fiscal year 2010 and \$76,400.00 for the purchase of an annual supply of fire hydrants.

These vendors meet 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 the Water Maintenance and Service Parts & Supplies Account No. 591-4721-861.73-30 (\$72,450.00) for fiscal year 2010 and \$76,400.00 will be budgeted and accounted for in the Water Inventory Account No. 590-0000-171.11-30 for fiscal year 2011.

Justification:

On June 30, 2009 the Right of Way Division, Maintenance & Service Section, received one bid for a two-year supply of fire hydrants. An annual supply of fire hydrants is needed for the Division to maintain adequate inventory and secure the best cost for the City. Following is a tabulation of the bid received:

Michigan Pipe & Valve	\$72,450.00	(First Year)
Zilwaukee, MI	<u>\$76,400.00</u>	(Second Year)
	\$148,850.00	
East Jordan Iron Works		
Sunfield, Michigan	Disqualified	No Bid/Bond

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Annual Supply of P.V.C Pipe and Fittings

Manager's Recommendation:

I recommend that the bid from Stephens Tile be accepted and that a blanket purchase order be issued to them in the amount of \$29,075.51 for fiscal year 2010 and to Michigan Pipe & Valve in the amount of \$35,403.30 for fiscal year 2011 for the annual supply of P.V.C. pipe and fittings for the ROW Division.

These vendors meet 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 Maintenance and Service Parts & Supplies Account No. 590-4821-861.73-30 (\$29,075.51) for fiscal year 2010 and \$35,403.30 will be budgeted and accounted for in the Water Inventory Account No. 590-0000-171.11-30 for fiscal year 2011.

Justification:

The Right of Way Division, Maintenance and Service Section, received bids from two vendors for an annual supply of P.V.C pipe and fittings needed to maintain adequate inventory for repairs and to secure the best cost for the City. Following is a tabulation of bids received:

Stephen's Tile	\$29,075.51	(First Year)
Birch Run, MI	No-Bid	(Second Year)
Michigan Pipe and Valve	\$34,923.30	(First Year)
Saginaw, MI	\$35,403.30	(Second Year)

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Brady's Business Systems Copier Agreement

Manager's Recommendation:

I recommend approval of the Agreement with Brady's Business Systems (Brady's) for the maintenance of the copier in the Engineering Division. The term of the Agreement is for one year. The Agreement has been approved by me as to substance and the City Attorney as to form.

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

Funds are budgeted in the Engineering Operating Services Account No. 101-4611-781-8005.

Justification:

In 2005, the Engineering Division bought a copier from Brady. The current Service Agreement expires at the end of the month. Under the terms of the current agreement, the City pays \$0.0079 cents per copy. Pursuant to the terms of the new Agreement, the City will pay \$0.0095 cents per copy. In addition, the term of the Agreement is for one year and it will automatically renew at the end of the term, unless the City provides a 30-day written notification.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Approval of Revised Confidentiality and Indemnification Agreements

Manager's Recommendation:

I recommend approval of the revised Confidentiality and Indemnification Agreements with the members of the Saginaw Police Department Review Panel. The City Attorney has approved them as to form and the City Manager has approved them as to content.

Justification:

The Council has previously approved confidentiality agreements for the five member police review panel. The panel member representing the Michigan Department of Civil Rights has sought an exception to this agreement, so that he could routinely report the work of the panel to the Director of the Michigan Department of Civil Rights. After extended discussions with that member the City believes that to be an acceptable procedure and supports the execution of a special agreement for him, allowing him that exception. The Agreements still contain the same language for the City to indemnify and hold harmless the panel members for their work. In addition, all the Agreements have been revised so that the City Manager is authorized to execute them.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Laboratory Testing for PCBs

Manager's Recommendation:

I recommend that the only bid received from Kar Laboratories, Inc. be accepted and a purchase order be issued to them in the amount of \$12,250.00 for laboratory testing for PCBs.

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

Funds for this purchase are available in the Sewer Operation and Maintenance Operating Services Account No. 590-4830-861.80-05.

Justification:

On April 17, 2006 the City received responses to a request for qualifications and bids for the analytical testing of PCBs. At that time, Kar Laboratories won the bid and was issued purchase orders for the next three fiscal years (2007-2009). This year Kar Laboratories has offered to extend the price bid in April 2006 for PCB analyses through December 31, 2010. The City of Saginaw's Industrial Pretreatment Program and the Wastewater Treatment Plant's National Pollutant Discharge Elimination System Permit require PCB analyses of the Wastewater Treatment Plant's effluent and in the industrial wastewater discharged to the treatment plant.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Michigan State Housing Development Authority Home Grant Agreement (MSHDA)

Manager's Recommendation:

I recommend approval of the Michigan State Housing Development Authority ("MSHDA") Home Grant Agreement. MSHDA requires the highest elected official of the City to sign the agreement. Therefore, it is recommended that City Council authorize the Mayor to sign the Grant Agreement on behalf of the City. In addition, the grant requires the City to execute an Authorized Signature Designation Form which designates a staff member(s) to sign and submit grant related reports and forms. It is recommended that City Council designate John Falls and Kanah Franklin to sign and submit grant related reports and forms on behalf of the City.

Justification:

Recently, the City was notified by MSHDA that it was approved to receive a Home Grant in the amount of \$330,000.00. Pursuant to the terms of the grant, the City must enter into an Agreement with MSHDA. Moreover, per the terms of the Agreement, the grant monies are to be utilized in the Cathedral District for homeowner rehabilitation assistance. Also, the City must indemnify, defend and hold harmless MSHDA, the State of Michigan, their officers, agents and employees from any claims and losses in connection with negligent performance of the Agreement. The amount of the Agreement is \$330,000.00 and the term is for two years.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Planning Commission

Subject: Alley vacation of a 95' portion alley bounded by South Harrison Street, Van Buren Street, South Webster Street, and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street

Planning Commission Recommendation:

It is recommended that a 95' portion of an alley bounded by South Harrison Street, Van Buren Street, South Webster Street and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street, subject to a standard easement for reservation for public utilities, cable tv and telecommunications.

Justification:

A petition was filed to vacate a 95' portion alley bounded by South Harrison Street, Van Buren Street, South Webster Street and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street, be vacated to deter unnecessary traffic through the alley. The petition was referred to the City Planning Commission ("Commission") for investigation and a report with a recommendation. The Commission held a public hearing on the request on March 28, 2003 and all interested persons were heard. In addition, all adjacent property owners and all utilities were notified.

From investigation and review of the evidence presented at the hearing, the Commission found in favor of the petition to vacate a 95' portion alley bounded by South Harrison Street, Van Buren Street, South Webster Street, and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street, subject to a standard easement for reservation for public utilities, cable tv and telecommunications.

Council Action:

Council _____ moved that the report from the Planning Commission be received and filed and that a resolution be adopted declaring City Council's intention to vacate this alley.

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading
as follows:

AN ORDINANCE TO VACATE A 95' PORTION OF THE ALLEY BOUNDED BY SOUTH HARRISON STREET, VAN BUREN STREET, SOUTH WEBSTER STREET AND MACKINAW STREET, ABUTTING THE PROPERTIES KNOWN AS 421 AND 429 SOUTH HARRISON STREET, 415 SOUTH HARRISON STREET, 714 MACKINAW STREET AND 416 SOUTH WEBSTER STREET, LOCATED IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV, AND TELECOMMUNICATIONS, TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCES II OF THE SAGINAW CODE OF ORDINANCES.

Laid over under the charter provision.

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced August 10, 2009, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO VACATE A 95' PORTION OF THE ALLEY BOUNDED BY SOUTH HARRISON STREET, VAN BUREN STREET, SOUTH WEBSTER STREET AND MACKINAW STREET, ABUTTING THE PROPERTIES KNOWN AS 421 AND 429 SOUTH HARRISON STREET, 415 SOUTH HARRISON STREET, 714 MACKINAW STREET AND 416 SOUTH WEBSTER STREET, LOCATED IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS, TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCES II OF THE SAGINAW CODE OF ORDINANCES.

The City of Saginaw Ordains:

Section 1. That a 95' portion of the alley bounded by South Harrison Street, Van Buren Street, South Webster Street, and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street, located in the City of Saginaw, be and same is hereby vacated.

Section 2. That there is hereby reserved in the alley vacated an easement for public utilities, cable TV and telecommunications to the same extent as though said alley had not been vacated and no structure shall hereafter be erected thereon without the prior written consent of the City of Saginaw.

Section 3. The official map of the City of Saginaw is hereby amended accordingly.

Section 4. This ordinance shall take effect on September 24, 2009.

Enacted: September 14, 2009.

COUNCIL COMMUNICATION

RESOLUTION OF INTENT TO VACATE A 95' PORTION OF THE ALLEY BOUNDED BY SOUTH HARRISON STREET, VAN BUREN STREET, SOUTH WEBSTER STREET AND MACKINAW STREET ABUTTING THE PROPERTIES KNOWN AS 421 AND 429 SOUTH HARRISON STREET, 415 SOUTH HARRISON STREET, 714 MACKINAW STREET AND 416 SOUTH WEBSTER STREET

Planning Commission Recommendation: Approval of the resolution as follows:

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City Planning Commission ("Commission") held a public hearing on March 28, 2003, on a proposal to vacate a 95' portion of the alley bounded by South Harrison Street, Van Buren Street, South Webster Street and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street, in the City of Saginaw; and

WHEREAS, after a duly advertised public hearing, the Commission found that the public and private interest would best be served by the requested alley vacation.

NOW THEREFORE BE IT RESOLVED, that City Council hereby declares its intent to vacate a 95' portion of the alley bounded by South Harrison Street, Van Buren Street, South Webster Street, and Mackinaw Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison Street, 714 Mackinaw Street and 416 South Webster Street, in the City of Saginaw.

BE IT FURTHER RESOLVED, that the City of Saginaw will meet on September 14, 2009, at 6:30 p.m. in Council Chambers at City Hall to hear any objections to the proposed alley vacation.

PUBLIC HEARING NOTICE

NOTICE OF INTENT TO VACATE A 95' PORTION OF THE ALLEY BOUNDED BY SOUTH HARRISON STREET, VAN BUREN STREET, SOUTH WEBSTER STREET AND MACKINAW STREET, ABUTTING THE PROPERTIES KNOWN AS 421 AND 429 SOUTH HARRISON STREET, 415 SOUTH HARRISON STREET, 714 MACKINAW STREET AND 416 SOUTH WEBSTER STREET

In compliance with requirement of Act 267, P.A. 1976, the following notice is posted:

Notice is hereby given that the Saginaw City Council will meet on Monday, September 14, 2009, at 6:30 p.m., in Council Chambers at City Hall, 1315 South Washington Avenue to hear objections on its intent to vacate a 95' portion of the alley bounded by South Harrison Street, Van Buren Street, Mackinaw Street and South Webster Street, abutting the properties known as 421 and 429 South Harrison Street, 415 South Harrison, 714 Mackinaw Street and 416 South Webster Street.

Written objections to the proposed alley vacation can be filed with the City Clerk of the City of Saginaw.

At said time and place all interested persons will be heard.

Diane Herman
City Clerk

IF YOU ARE DISABLED AND NEED ACCOMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE IN OR OBSERVE PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVE., 989-759-1480.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Department of Justice Drug Enforcement Administration State and Local Task Force Agreement

Manager's Recommendation:

I recommend that the Department of Justice Drug Enforcement Administration ("DEA") State and Local Task Force Agreement be approved. In addition, it is recommended that City Council authorize the Police Chief to sign the Agreement and any exhibits. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The DEA and City have agreed to enter into an Agreement whereby a City officer will be detailed to the DEA. The officer will assist the DEA with disrupting illicit drug trafficking activities in the City, gathering intelligence data and assisting with investigations. Under the terms of the Agreement, the City is responsible for the officer's salary and the DEA will reimburse the City for overtime payments not to exceed \$16,903.25. Furthermore, the City will receive eighty percent (80%) of the forfeited funds. The Agreement will expire on September 30, 2010.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Contract for Weed and Seed Evaluation – Independent Contractor

Manager's Recommendation:

I recommend approval of the agreement between the City of Saginaw and Dianne Hobbes for her to act as Program Evaluator for the Weed and Seed Grant activities.

Funds have been budgeted in the Community Policing Fund – Weed and Seed Division Professional Services Account No. 260-3321-741.8001.

Justification:

One of the grant requirements for the Weed and Seed Grant program is the submission of a written program evaluation. A total of \$5,000 of grant funds is allocated for this project. The Steering Committee of the Weed and Seed Grant program has selected Dianne Hobbes to research and construct this evaluation. Ms. Hobbes already performs other grant activities for the City on a contract basis. However, this evaluation will require a separate contract. The Evaluator will coordinate her work with that of the present Site Coordinator, Ronald O'Brien.

She will act as an independent contractor and receive total compensation of \$5,000, pursuant to the schedule set out in the contract, but no other benefits. The contractor will indemnify the City for any liability. The City will make the initial payments for the services and obtain reimbursement through the federal grant.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager
Subject: Large Water Meter Testing

Manager's Recommendation:

I recommend that the only bid received from Rapid Water Recovery be accepted and a purchase order be issued to them in the amount of \$11,880.00 for the annual water testing and 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 purchase are budgeted in the Water Meter Operating Services Account No. 591-4720-861.80-05 (\$5,940.00) and in the Sewer Meter Operating Services Account 590-4820-861.80-05 (\$5,940.00).

Justification:

Annual testing is performed on large cold-water meters to ensure their accuracy. Rapid Water Recovery has agreed to charge the same costs as they have for the two previous years to test and repair the water meters. Any parts required will either be supplied from our stock or the vendor will supply and charge list price for them. Charges for parts supplied by the vendor would be additional to the original bid price. It would be in the best interest of the City to issue a single purchase order for all the work, with the additional \$2,500.00 for parts, if needed, added to the \$9,380.00 of the original bid. Following is a tabulation of the bid(s) received:

Rapid Water Recovery	\$ 9,380.00
Armuchee, GA	<u>2,500.00</u> (additional parts)
	\$11,880.00

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Saginaw County Youth Protection Council Prevention and Youth Services
Division Memorandum of Understanding

Manager's Recommendation:

It is recommended that the Memorandum of Understanding ("MOU") with the Saginaw County Youth Protection Council Prevention and Youth Services Division ("PAYS Division") be approved. The term of the MOU is for three years. The MOU has been approved by the City Manager as to substance and the City Attorney as to form. Furthermore, it is recommended that the City Manager and/or his designee be authorized to sign the MOU on behalf of the City.

Justification:

PAYS Division is a licensed substance abuse prevention program that has provided services to the youth in the Saginaw community since 1970. PAYS wishes to obtain funding from the Saginaw County Department of Public Health ("SCDPH") to reduce tobacco access to minors. In addition, PAYS will develop and implement a new environmental prevention initiative. The purpose of this initiative is twofold: to reduce alcohol-related traffic crashes, injuries and deaths and to reduce substance abuse access/use and abuse by youth in the community.

PAYS intends to apply for a three year grant from the SCDPH. The terms of the grant require the PAYS Division to obtain signed MOU of collaboration with the various municipalities. Pursuant to the terms of the MOU, the City through the Saginaw Police Department will collaborate with the PAYS Division to reduce the sale of tobacco to minors and tobacco access to minors. In addition, the parties will collaborate to reduce alcohol-related traffic crashes, injuries and deaths and to reduce alcohol and other drug access/use and abuse of drugs by minors.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Water Treatment Plant Bacteriological Standards

Manager's Recommendation:

I recommend that the low bid received from R. T. Corporation be accepted and a purchase order issued to in the amount of \$2230.50 for the purchase of bacteriological performance tests.

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 Water Treatment Operations Account No. 591-4730-861.80-05.

Justification:

On June 16, 2009, the City received bids for bacteriological performance tests. The Water Treatment Plant Laboratory is required to run bacteriological performance tests (PT) twice a year in order to maintain Microbiology Certification regulated by the Michigan Department of Environmental Quality (MDEQ). These samples must be produced and provided by a company that complies with all certification regulations and is MDEQ approved. In addition, each employee who performs bacteriological work will also perform an annual Quality Control (QC) microbiology test. No price comparison is available due to varying items, however, pricing is similar to past years. It should also be noted that Microcheck, Inc. did not bid on two of the six items requested. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

	<u>Total Bid</u>
R. T. Corporation Laramie, WY	\$2,230.50
Microcheck, Inc. Northfield, VT	\$2,178.56

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Grit Hauling

Manager's Recommendation:

I recommend that the low bid received from Billy's Contracting be accepted and that a purchase order be issued to them in the amount of \$29,200.00 for fiscal year 2010, \$29,200.00 for fiscal year 2011, and \$29,200.00 for fiscal year 2012, for grit hauling in the Wastewater Treatment Plant.

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

Funds for this purchase are available in the Sewer Operation and Maintenance Operating Services Account No. 590-4830-861.80-05.

Justification:

Grit and screenings are removed at the beginning of the treatment process at the Wastewater Treatment Plant. This service bid is to supply a 40-yard container for the grit and screenings and to haul this waste to the landfill as needed. Following is a tabulation of the bids received:

	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>
Billy's Contracting			
Saginaw, MI			
Cost / CY	14.60	14.60	14.60
Container Rental	0.00	0.00	0.00
Annual Cost	\$29,200.00	\$29,200.00	\$29,200.00

COUNCIL COMMUNICATION

Waste Management

Saginaw, Mi

Cost / CY	14.50	15.08	15.68
Container Rental	125.00	125.00	125.00
Annual Cost	\$30,500.00	\$31,660.00	\$32,860.00

Richfield Management

Flint, MI

Cost / CY	15.00	15.00	15.00
Container Rental	0.00	0.00	0.00
Annual Cost	\$30,000.00	\$30,000.00	\$30,000.00

Disposal Management

Troy, MI

Cost / CY	16.66	16.66	16.66
Container Rental	0.00	0.00	0.00
Annual Cost	\$33,320.00	\$33,320.00	\$33,320.00

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Weed Cutting Budget Adjustment

Manager's Recommendation:

I recommend that a budget adjustment be completed to increase the Public Services - Weed Abatement Division's - Operating Service Account No. 101-7571-841.80-05 from \$0 to \$60,000. The increase in expenditures will be offset by an increase in the use of available and undesignated Fund Balance Account No. 101-0000-608.00-00 by the same amount.

Justification:

At the direction of the City Manager, the Public Services' Director has sought out requests for weed cutting proposals to assist the Weed Abatement crew in completing one pass through the City and approximately 75% of a second pass through. The contract will last until September 30th, with the existing crew completing the remaining 25% by the end of the weed-cutting season, which is approximately October 21st.

The work will be assigned by the Public Services Department to the contractors just as it would to the city crew. This will also give city administration the chance to evaluate the weed cutting process for efficiencies given the increasing number of lots and declining revenues.

This is an emergency measure to abate the City's weed cutting problem. A permanent recommendation for fiscal year 2010 will involve further and more in depth discussion.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Ope's Landscaping Inc. Agreement

Manager's Recommendation:

I recommend approval of the Agreement with Ope's Landscaping Inc. ("Ope's") for grass cutting services in an amount up to \$60,000.00. This Agreement is subject to the City Manager's approval as to substance and the City Attorney as to form.

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

Funds for this service are available in the Public Services Abatement of Nuisances Operating Services Account No. 101-7571-841-8005.

Justification:

Staff has a substantial amount of grass to cut in the City. Due to the large amount of grass, staff is not able to cut all of the lots. A determination was made to solicit proposals from outside vendors to assist in-house staff with cutting grass. Proposals were submitted by several vendors. Staff reviewed the proposals and determined that Ope's offered the best deal. Ope's will supply the City with grass cutting assistance whenever it is needed, at a rate of \$80.00 an hour. Other vendors had higher hourly rates and could only provide grass cutting assistance on certain days.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: American Recovery and Reinvestment Act/CDBG-R Grant Agreement.

Manager's Recommendation:

I recommend approval of the CDBG-R Grant Agreement for 2009-2010 and that the Mayor be authorized to execute all related documents. The Grant Agreement has been approved by the City Manager as to substance and the City Attorney as form.

Justification:

The City of Saginaw has received a Grant Agreement for the 2009-2010 year from the Community Development Block Grant-Recovery (CDBG-R) fund as administered by the U.S. Department of Housing and Urban Development. The funding agreement is in the amount of \$668,347. These funds are all to be spent by September 30, 2012.

The activities per the grant provisions will allow for portions of the funding (\$357,600) to be used as a match for the I-675 pavement repairs, bridge overlay and rehabilitation work on multiple bridges, removal of the 11th street pedestrian bridge, the 11th street pedestrian bridge and various sidewalk improvements in the construction area. In addition, \$278,022 will be used for the purpose of resurfacing local streets. The contract is being sent to you now for review and approval and returned with appropriate signatures to the Department of Housing and Urban Development.

In accepting the grant agreement, the City agrees to comply with all terms and conditions of the grant agreement, applicable laws, regulations and all other requirements of DHUD now or hereafter in effect pertaining to the assistance provided. The agreement covers a period of three years from September 30, 2009 to September

COUNCIL COMMUNICATION

22, 2012. In accepting this grant agreement the City also agrees that it will comply with standard federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made a part of contracts with any third parties or sub grantees involved.

Council Action:

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

COUNCIL COMMUNICATION

RESOLUTION APPROVING BALLOT LANGUAGE FOR CHARTER AMENDMENTS

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Council of the City of Saginaw, pursuant to the authority granted by Act No. 279 of the Public Acts of 1909, as amended, has determined that it would be in the best interest of the city and would promote good and efficient government to amend certain sections of the City Charter; and

FIRST CHARTER BALLOT QUESTION.

WHEREAS, Section 14 of Chapter III, Governing Body, presently reads as follows:

Qualifications

Section 14. No person shall be eligible for the office of councilman unless he is a duly registered elector in the city and has been a resident of the city or any area annexed thereto for at least three (3) years immediately prior to the election at which he is a candidate.

Section 14 amended (Amendment No. 11)
Effective April 17, 1959

Three-year residency ruled unconstitutional. Hargrove v. City of Saginaw. U.S. Federal District Court, 1979.
--

And,

WHEREAS, Section 14 of Chapter III, Governing Body, regarding the eligibility to become a candidate for council, has had its 3-year residency requirement ruled unconstitutional, and the council wishes to replace that with a 1-year residency requirement and to modernize the language to read as follows:

Qualifications

Section 14. No person shall be eligible for the office of councilperson unless he or she is a duly registered elector in the city and has been a resident of the city or any area annexed thereto for at least 1 year immediately prior to the election at which he or she is a candidate.

And,

COUNCIL COMMUNICATION

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City Charter provision before the qualified electors of the City of Saginaw to amend Section 14 of Chapter III, Governing Body.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 14 be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

PROPOSAL 1

PROPOSED CITY CHARTER AMENDMENT TO SECTION 14

This amendment would reduce the residency requirement from three years to one year to become a candidate for City Council. The office shall be designated as councilperson, rather than councilman.

Shall this proposal be adopted?

YES _____

NO _____

COUNCIL COMMUNICATION

SECOND CHARTER BALLOT QUESTION.

WHEREAS, Section 18 of Chapter IV, Legislation, presently reads as follows:

Regular Meetings

Section 18. The council shall meet at the official council chamber at seven-thirty (7:30) p.m., on the Monday next following each regular city election at which session newly elected councilmen shall assume the duties of this office. Regular meetings shall be held at least once every two (2) weeks.

Regular meetings shall be posted within ten days after the first meeting in each calendar or fiscal year. (1976 P.A. 267, MCLA 15.265)
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And,

WHEREAS, Section 18 of Chapter IV, Legislation, regarding the time when the council shall meet, may be made more flexible to improve efficiency and to modernize the language to read as follows:

Regular Meetings

Section 18. The council shall meet at least twice monthly. At the first regular meeting following each regular city election, newly elected councilpersons shall assume their duties of office.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City Charter provision before the qualified electors of the City of Saginaw to amend Section 18 of Chapter IV, Legislation.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 18 be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

COUNCIL COMMUNICATION

PROPOSAL 2

PROPOSED CITY CHARTER AMENDMENT TO SECTION 18

This amendment would allow the council to meet twice monthly rather than every two weeks. The elected officials shall be designated as councilpersons, rather than councilmen.

Shall this proposal be adopted?

YES _____

NO _____

COUNCIL COMMUNICATION

THIRD & FOURTH CHARTER BALLOT QUESTIONS.

WHEREAS, Section 21 of Chapter IV, Legislation, presently reads as follows:

Rules

Section 21. The council shall determine its own rules, and shall keep a journal of its proceedings in the English language which shall be signed by the city clerk. All regular and special meetings of the council shall be open to the public. A summary of the council proceedings at each meeting shall be prepared by the city clerk and published in the official newspaper.

And,

WHEREAS, Section 21 of Chapter IV, Legislation, regarding the publication of a summary of council proceedings by the city clerk, may be made more flexible to improve efficiency and to recognize the different means of providing minutes of meetings to citizens and to modernize the language to read as follows:

Rules

Section 21. The council shall determine its own rules and shall keep a journal of its proceedings in the English language, which shall be signed by the city clerk. All regular and special meetings of the council shall be open to the public. The minutes of each council meeting shall be prepared by the city clerk and made available to the public. Copies of the minutes will be made available at cost.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City Charter provisions before the qualified electors of the City of Saginaw to amend Section 21 of Chapter IV, Legislation.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 21 be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

COUNCIL COMMUNICATION

PROPOSAL 3

PROPOSED CITY CHARTER AMENDMENT TO SECTION 21

This amendment would discontinue the requirement to publish summaries of the council meetings in the official newspaper, which no longer publishes daily, but rather require the city clerk to have the minutes otherwise available to the public.

Shall this proposal be adopted? YES _____
NO _____

PROPOSAL 4

PROPOSED CITY CHARTER AMENDMENT TO SECTION 21

This amendment would add a sentence to the original Section 21 and provide that the public must pay for copies of the minutes of council meetings.

Shall this proposal be adopted? YES _____
NO _____

COUNCIL COMMUNICATION

FIFTH CHARTER BALLOT QUESTION.

WHEREAS, Section 22 of Chapter IV, Legislation, presently reads as follows:

Ordinances

Section 22. Legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The style of all ordinances shall be "The City of Saginaw Ordains." The effective date of an ordinance shall be prescribed therein. At least two (2) weeks shall elapse between the introduction and enactment of an ordinance; enactment shall require the affirmative vote of not less than five (5) councilmen and the effective date shall not be earlier than ten (10) days after enactment; except that ordinances immediately necessary for the preservation of the public peace, health or safety may be enacted on the date of introduction and given immediate effect by the affirmative vote of not less than six (6) councilmen. No ordinance shall be amended by reference to its title only, but the section or sections amended shall be enacted in full. An ordinance may be repealed by reference to its number and title only.

And,

WHEREAS, Section 22 of Chapter IV, Legislation, regarding the introduction, enactment and repeal of ordinances, to improve efficiency should reflect a simple majority of the councilpersons elected, appointed and seated to enact an ordinance and this same majority plus one to immediately enact and ordinance, and to modernize the language to read as follows:

Ordinances

Section 22. Legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The style of all ordinances shall be "The City of Saginaw Ordains." The effective date of an ordinance shall be prescribed therein. At least 2 weeks shall elapse between the introduction and enactment of an ordinance. Enactment shall require the affirmative vote of not less than a simple majority of the councilpersons elected, appointed and seated, and the effective date shall not be earlier than 10 days after enactment. Ordinances immediately necessary for the preservation of the public peace, health or safety may be enacted on the date of introduction and given immediate effect by the affirmative vote of not less than a simple majority plus one of the councilpersons elected, appointed and seated. No ordinance shall be amended by reference to its title only, but the section or sections amended shall be enacted in full. An ordinance may be repealed by reference to its number and title only.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City Charter provision before the qualified electors of the City of Saginaw to amend Section 22 of Chapter IV, Legislation.

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NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 22 be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

PROPOSAL 5

PROPOSED CITY CHARTER AMENDMENT TO SECTION 22

This amendment would require a simple majority of the councilpersons elected, appointed and seated to enact an ordinance (instead of the current requirement of 5 votes), and this same majority plus one to enact an emergency ordinance needing immediate effect (instead of the current requirement of 6 votes), and changes reference from councilmen to councilpersons.

Shall this proposal be adopted?

YES _____

NO _____

COUNCIL COMMUNICATION

SIXTH CHARTER BALLOT QUESTION.

WHEREAS, Section 25 of Chapter V, Administrative Service, presently reads as follows:

City Manager

Section 25. The council shall appoint a city manager for an indefinite term who shall be the chief administrative officer and the head of the administrative branch of the city government. The manager need not be a resident of the city or the state at the time of his appointment. The council may designate a qualified administrative officer of the city to perform the duties of manager during his absence or disability.

And,

WHEREAS, Section 25 of Chapter V, Administrative Service, regarding the appointment by council of the city manager, should reflect a similar 2/3 majority of the entire council to appoint as is proposed to remove a manager, and the council wishes to reflect that change and to modernize the language to read as follows:

City Manager

Section 25. The council shall appoint a city manager for an indefinite term by a 2/3 majority vote of the elected, appointed and seated members of the council. The manager shall be the chief administrative officer and head of the administrative branch of the city government. The manager need not be a resident of the city or the state at the time of his or her appointment. The council may designate a qualified administrative officer of the city to perform the duties of manager during his or her absence or disability.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City Charter provision before the qualified electors of the City of Saginaw to amend Section 25 of Chapter V, Administrative Service.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 25 be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

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PROPOSAL 6

PROPOSED CITY CHARTER AMENDMENT TO SECTION 25

This amendment would increase the number of councilpersons needed to select a city manager from a simple majority to 2/3 of those elected or appointed and serving as councilpersons. The reference to the city manager has been changed from "him" to "him or her".

Shall this proposal be adopted?

YES _____

NO _____

COUNCIL COMMUNICATION

SEVENTH CHARTER BALLOT QUESTION.

WHEREAS, Section 27 of Chapter V, Administrative Service, presently reads as follows:

Removal

Section 27. The manager may be removed by a majority vote of the members of the council as herein provided, except that no manager who has been in the service of the city for one (1) year or more prior to a regular city election shall be removed within the ninety (90) days subsequent to such election unless by a two-thirds vote of the members of the council. At least thirty (30) days before removal of the manager, the council shall adopt a resolution stating its intention to remove him and the reasons therefore, a copy of which shall be served forthwith on the manager, who may within ten (10) days demand a public hearing, in which event the final resolution removing the manager shall not be adopted until such public hearing has been held. Upon passage of a resolution stating the council's intention to remove the manager, the council may suspend him from duty, but his pay shall continue until his removal. The action of the council in removing the manager shall be final.

And,

WHEREAS, Section 27 of Chapter V, Administrative Service, regarding the removal by council of the city manager, should require a 2/3 majority of the entire council and the council wishes to clarify the time frame and to modernize the language to read as follows:

Removal

Section 27. The manager may be removed by a 2/3 majority vote of the elected, appointed and seated members of the council. At least 30 days before removal of the manager, the council shall adopt a resolution stating its intention to remove him or her and the reasons therefore, a copy of which shall be served forthwith on the city manager who may, within 10 days, demand a public hearing in which event the final resolution removing the manager shall not be adopted until such public hearing has been held. Upon passage of a resolution stating the council's intention to remove the manager, the council may suspend him or her from duty but his or her pay shall continue until his or her removal. The action of the council in removing the manager shall be final.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City Charter provision before the qualified electors of the City of Saginaw to amend Section 27 of Chapter V, Administrative Service.

COUNCIL COMMUNICATION

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 27 be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

PROPOSAL 7

PROPOSED CITY CHARTER AMENDMENT TO SECTION 27

This amendment would increase the number of councilpersons needed to remove a city manager from a simple majority to 2/3 of those elected or appointed and serving as councilpersons in all circumstances. The reference to the city manager has been changed from "him" to "him or her".

Shall this proposal be adopted?

YES _____

NO _____

COUNCIL COMMUNICATION

EIGHTH CHARTER BALLOT QUESTION.

WHEREAS, Section 33 of Chapter V, Administrative Service, presently reads as follows:

Purchasing Procedure

Section 33. Competitive bids for all purchases and public improvements shall be obtained where practicable and contracts awarded to the lowest and best bidders. Sealed bids shall be asked for in all transactions involving the expenditure of two thousand dollars (\$2,000) or more and the transaction evidenced by written contract submitted to and approved by the council; provided that, in cases where it is clearly to the city's advantage to contract without competitive bidding, the council upon recommendation of the manager may so authorize. Detailed purchasing and contracting procedure shall be established by ordinance. The council may authorize the making of public improvements by day labor.

And,

WHEREAS, Section 33 of Chapter V, Administrative Service, regarding the necessity of sealed competitive bids for purchases of \$2,000 or more, does not reflect the effect of inflation on the price of goods and materials since 1935 and is unduly burdensome and inefficient, and the council wishes to increase this amount to \$10,000 and therefore suggests that Section 33 be amended to read as follows:

Purchasing Procedure

Section 33. Competitive bids for all purchases and public improvements shall be obtained where practicable and contracts awarded to the lowest and best bidders. Sealed bids shall be asked for in all transactions involving the expenditure of \$10,000 or more and the transaction evidenced by written contract submitted to and approved by the council; provided that, in cases where it is clearly to the city's advantage to contract without competitive bidding, the council upon recommendation of the manager, may so authorize. Detailed purchasing and contracting procedure shall be established by ordinance. The council may authorize the making of public improvements by day labor.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City Charter provision before the qualified electors of the City of Saginaw to amend Section 33 of Chapter V, Administrative Service.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 33 be submitted to the electors

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of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

PROPOSAL 8

PROPOSED CITY CHARTER AMENDMENT TO SECTION 33

This amendment would increase the threshold for requiring sealed bids for purchases from \$2,000 or more, to \$10,000 or more, provided that, in cases where it is clearly to the city's advantage to contract without competitive bidding, the council upon recommendation of the manager, may approve the contract without competitive bidding.

Shall this proposal be adopted?

YES _____

NO _____

COUNCIL COMMUNICATION

NINTH CHARTER BALLOT QUESTION.

WHEREAS, Section 43 of Chapter VII, General Finance, presently reads as follows:

Budget Procedure

Section 43. At such time as may be requested by the manager or specified by ordinance, each officer or director of a department shall submit to the director of finance an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his control. The director of finance shall prepare and submit to the manager a complete budget for the next fiscal year in such detail and with such supporting schedules as the manager shall require. After review by the manager he shall submit the proposed budget to the council on or before the last Monday in April.

And,

WHEREAS, Section 43 of Chapter VII, General Finance, regarding the creation and presentation of the budget, created some ambiguity in the past over who had responsibility for what functions, and the council wishes to make it clear that this is the responsibility of the manager and to further modernize the language council suggests that Section 43 be amended to read as follows:

Budget Procedure

Section 43. At such time as may be requested by the manager or specified by ordinance, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his or her control. The manager shall review and submit the proposed budget to the council on or before the last Monday in April.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City Charter provision before the qualified electors of the City of Saginaw to amend Section 43 of Chapter VII, General Finance.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 43 be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

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BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

PROPOSAL 9

PROPOSED CITY CHARTER AMENDMENT TO SECTION 43

This amendment would delete the role of the director of finance to review the itemized estimate of expenditures submitted by the departments for the next fiscal year and submit the proposed budget to council, and provide instead that such activities be the responsibility of the city manager. With respect to city department heads, the reference to "his" is changed to "his or her".

Shall this proposal be adopted?

YES _____

NO _____

COUNCIL COMMUNICATION

TENTH CHARTER BALLOT QUESTION.

WHEREAS, Section 45 of Chapter VII, General Finance, presently reads as follows:

Adoption of Budget, Tax Limit

Section 45. The council shall, by resolution, determine and adopt the budget and make the appropriations for the next fiscal year and shall provide, by resolution, for a tax levy of the amount necessary to be raised by taxation at least thirty (30) days prior to the first day of the upcoming fiscal year. The amount of property taxes which may be levied by the city in any year shall not exceed three-quarters of one percent (.75 of 1%) of the assessed valuation as equalized of all taxable real and personal property in the city. If the assessed value of all property in the city as determined on the first Monday in May, 1979, is increased in subsequent years for any reason, the maximum millage rate provided herein shall be permanently reduced to yield the same gross dollar revenue as the fiscal 1978-79 property tax revenue yield.

This limit may be exceeded up to three-tenths of one percent (.3 of 1%) of the assessed value over the maximum limit provided herein as reduced only if the mayor declares a specific emergency, the dollar amount of the emergency and the portion of such dollar amount that is needed from property taxes, and the council thereafter, by a three-quarters recorded vote of the full council, declares an emergency in accordance with the specifics of the mayor's request. The millage limit may be exceeded only during the fiscal year for which the emergency is declared. Millage levied pursuant to Article 9, Section 6, 1963 Michigan Constitution, is exempt from these limitations.

Section 45 amended (Amendment No. 10)
Effective November 22, 1957

Section 45 amended (Amendment No. 16)
Effective December 5, 1979

And,

WHEREAS, Section 45 of Chapter VII, General Finance, regarding the 7.5 mill general property tax limit and the dollar general tax limit, has restricted tax revenues and the council therefore suggests that Section 45 be amended to read as follows:

Adoption of Budget, Tax Limit

Section 45. The Council shall, by resolution, determine and adopt the budget and make the appropriations for the next fiscal year and shall provide by resolution for a tax levy of the amount necessary to be raised by taxation at least 30 days prior to the first day of the upcoming fiscal year. The amount of property taxes which may be levied by the city in any year shall not exceed 2% of the taxable value of the real and personal property in the city.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place an amendment of the above-cited City

COUNCIL COMMUNICATION

Charter provision before the qualified electors of the City of Saginaw to amend Section 45 of Chapter VII, General Finance.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 45 be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

PROPOSAL 10

PROPOSED CITY CHARTER AMENDMENT TO SECTION 45

The present section limits the property tax rate to the lesser of 7.5 mills or that needed to yield the same revenue as was received in the 1978-1979 fiscal year, (\$3,828,778). It also provides for a temporary 3 mill additional tax for a declared emergency. The proposed amendment would eliminate these provisions and allow a millage rate up to 20 mills.

Shall this proposal be adopted?

YES _____

NO _____

COUNCIL COMMUNICATION

ELEVENTH CHARTER BALLOT QUESTION.

WHEREAS, Section 45(a) of Chapter VII, General Finance, presently reads as follows:

Reduction of Tax Limit

Section 45(a). The tax limit created by Section 45 of Chapter VII of the charter shall be reduced by 3/10 of 1% of the assessed valuation as equalized of the real and personal property subject to taxation in the city during each of the fiscal years in the ten-year period beginning July 1, 1963, in which the council imposes the tax authorized by Section 1 of Chapter XIX of the charter.

Section 45(a) added (Amendment No. 14)
Effective January 16, 1963
Question of adding Section 1, Chapter XIX
Defeated January 7, 1963

And,

WHEREAS, Section 45(a) of Chapter VII, General Finance, references a provision of the charter that was never enacted and would have expired by its own terms on or before 1973 and therefore Section 45(a) should be repealed; and

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to repeal Section 45(a) of Chapter VII, General Finance.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to repeal Section 45(a) be submitted to the electors of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

PROPOSAL 11

PROPOSED CITY CHARTER AMENDMENT TO DELETE SECTION 45(a)

This amendment deletes Section 45(a) which is a provision regarding city taxes that was applicable to the period from July 1, 1963 through June 30, 1973. As such, Section 45(a) has no current effect.

Shall this proposal be adopted?

YES _____
NO _____

COUNCIL COMMUNICATION

TWELFTH CHARTER BALLOT QUESTION.

WHEREAS, Section 92 of Chapter XIV, Miscellaneous Provisions, presently reads as follows:

WHEREAS, Section 92 of Chapter XIV, Miscellaneous Provisions, presently reads as follows:

Vacancy Defined

Section 92. In addition to other provisions of this charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, moves from the city, is convicted of a felony or judicially declared to be mentally incompetent.

And,

WHEREAS, Section 92 of Chapter XIV, Miscellaneous Provisions, presently requires that both elective and appointed officers be residents of the city, and that restriction may not properly apply to all appointed officers, the council suggests that the section be amended and divided into two subsections, to read as follows:

Vacancy Defined

Section 92. In addition to other provisions of this charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, is convicted of a felony or judicially declared to be mentally incompetent. Also, a vacancy shall be deemed to exist in City Council when a councilperson moves from the city.

And,

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to amend Section 92 of Chapter XIV, Miscellaneous Provisions.

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend Section 92 be submitted to the electors

COUNCIL COMMUNICATION

of the City of Saginaw at the general election to be held on Tuesday, November 3, 2009; and

BE IT FURTHER RESOLVED, that the statement of purpose and ballot question of such amendment be designated on the ballot to read as follows:

PROPOSAL 12

PROPOSED CITY CHARTER AMENDMENT TO SECTION 92

Present Section 92 requires that both elective or appointed officers must reside in the city or the office will be considered vacated. This amendment would continue that requirement with regard to City Council. But it would remove that requirement from appointed officers and leave any restriction to ordinance or state law.

Should this proposal be adopted?

YES _____

NO _____

BE IT FURTHER RESOLVED, that the city clerk be and is hereby directed to submit a certified copy of this resolution and proposition to the Governor of the State of Michigan for her approval of said amendment of said charter provision pursuant to Section 22 of 1909 PA 279; MCL 117.22; and

BE IT FURTHER RESOLVED, that before the submission of said amendment to the qualified electors of the City of Saginaw, the amendment herein proposed shall be published in full, together with the existing charter provisions which will be repealed thereby, and a notice of said election shall be published in a newspaper of general circulation in the City of Saginaw; and

BE IT FURTHER RESOLVED, that the city clerk shall perform all acts required by City Charter, ordinance or state law for the conduct of this election.