

Council Agenda

August 23, 2010 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

July 24, 2010 Strategic Planning Session; July 26, 2010 and August 9, 2010 regular Council meetings

ANNOUNCEMENTS:

PUBLIC HEARINGS:

Obsolete Property Rehabilitation Certificate for Central Property Development, Inc. at 2115 Rust Avenue

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

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

From the Boards and Commission Committee:

1. Consideration of reappointing Nels M. Andersen to the City Planning Commission with a term to expire December 31, 2013.
2. Consideration of reappointing Wasyl F. Czerewko to the City Planning Commission with a term to expire December 31, 2013.

REPORTS FROM MANAGER:

Management Update:

1. Presentation on Saginaw County 911 Emergency Notification System by Fire Chief Dean Holland and Tom McIntyre, Director of 911 Central Communications.

2. GFOA CAFR Award Presentation by Tim Morales, Assistant City Manager for Administrative Services.
3. Planning Commission and City Council's role in Master Plan Update.
4. Review of the 2010-11 Development programs by Odail Thorns, Director of Development.
5. Space Facilities Need Study by Darnell Earley, City Manager.

Recommended Actions:

1. Recommending issuance of a purchase order to the County of Saginaw in the amount of \$48,000 to cover the annual maintenance/replacement fee for 32 Mobile Data Terminals (MDT). MDT's are located inside of each patrol vehicle and are used to communicate with Central Dispatch directly through the radio system. Funds are available in the DOJ – JAG Fund – Capital Outlay/Repairs and Replacements Account, No. 263 3321 741 9720.
2. Recommending acceptance of the quote and issuance of a purchase order to K – Data Systems in the amount of \$2,245.24 for a Barracuda SPAM and Antivirus Filter for the City of Saginaw's e-mail system. Funds are available in the Information Services Capital Outlay – Less Than \$5,000 Account, No. 658 1720 711 9705.
3. Recommending approval and issuance of a purchase order to Computer Management Technologies, Inc. as our designated Lotus Notes Development Corporation reseller in the amount of \$15,648.26 as an annual payment for the renewal of the City's Lotus Notes software subscription for maintenance coverage and license fees to operate the City of Saginaw's e-mail and calendar system. Funds are budgeted and available in the Information Services Operating Services Account, No. 658 1720 711 8005.
4. Recommending that City Council receive and file the County Board of Canvassers Canvass of Votes Cast at the Primary Election held August 3, 2010 for the City of Saginaw proposals.
5. Recommending approval of the Self-Initiated Community Service Program Placement Agreement with Saginaw Midland Bay Michigan Works Agency wherein an unpaid participant will be assigned to assist in the City Clerk's Office for election and general work. Further recommend that the City Manager or his designee be authorized to sign the agreement and any other related documents and forms required under the program.

6. Recommending final approval of Claim No. P134-09-00340 and payment to claimant in the amount of \$5,500.00 to resolve a trip and fall injury claim at 1410 N. 12th St. This claim settlement has been approved by the City Manager as to substance and the City Attorney as to form. Funds are available in the City's Self Insurance Fund Claims and Judgments Account, No. 677 1762 711 8074.
7. Recommending approval of the purchase agreement for several parcels of land to be transferred between the City of Saginaw, Saginaw Rock Products and Zilwaukee Properties, and that the City Manager or his designee be authorized to execute this agreement, the relevant deeds and all related documents.
8. Recommending that the City of Saginaw transfer the property known as 725 S. 4th to Donna M. Porterfield for the purchase price of \$250.00 and the City Manager or his designee be authorized to sign any documents to complete the transaction.
9. Recommending that the City of Saginaw transfer the property known as 846 N. Washington Avenue to the Saginaw County Land Bank and that the City Manager or his designee be authorized to sign any documents to complete the transaction.
10. Recommending that the Professional Services Consulting Agreement with Robert McDuffy Consulting be approved. Further recommend that the City Manager or his designee be authorized to execute the same. The City must comply with Section 3 of the Housing and Urban Development Act of 1968. The Consultant will provide Section 3 Implementation assistance and advice to residents, businesses, contractors and sub-recipients as directed by the City of Saginaw. The services would be provided on a project-by-project basis at the rate of \$55.00 per hour not to exceed a dollar cap of \$45,000.00. Funds are budgeted in the NSP II Professional Services Account, No. 279 6551 761 8001.
11. Recommending that a public hearing for the Downtown Development Authority Tax Increment Financing Plan be set for Monday, September 13, 2010 at 6:30 p.m. in the Council Chamber.
12. Recommending approval of the 2010-11 Emergency Shelter Grant contracts and 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.
13. Recommending approval of the Emergency Shelter Grant Agreement for 2010-11 and that the Mayor be authorized to execute the same. The agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form.

14. Recommending approval of the 2010-11 HOME Grant Agreement and that the Mayor 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.
15. Recommending approval of the 2010-11 HOME Program Habitat for Humanity contract and that the proper City officials be authorized to execute the same. The contract is subject to the approval of the City Manager as to substance and the City Attorney as to form. Further recommend that the required CHDO funds be reserved until an approved CHDO organization is selected and the contract developed for the use of those funds is in place.
16. Recommending approval of the CDBG Grant Agreement for 2010-11 and that the Mayor 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.
17. Recommending approval of the CDBG Subgrantee Contracts for 2010-11 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.
18. Recommending acceptance of the only quote received from NuSystems, Inc. and that purchase orders be issued to them in the amount of \$5,400.00 for fiscal year 2011 and \$5,400.00 for fiscal year 2012 to provide, monitor, and maintain a chemical feed system to eliminate hydrogen sulfide. Funds are budgeted in the Sewer Operation and Maintenance – Remote Facilities Chemicals Account, No. 590 4835 861 7302 for fiscal year 2011 and will be budgeted in the same account number for fiscal year 2012.
19. Recommending acceptance of the only bid from Gwyer Reprographics and that a purchase order be issued to them in the amount of \$2,000 for fiscal year 2010-11, 2,000.00 for fiscal year 2011-12, and \$2,000.00 for 2012-13 for the purchase of plotter supplies to be used by the Engineering Division. Funds are budgeted in the Engineering Office Supplies Account, No. 101 4611 781 7320 and will be budgeted in the same account for fiscal years 2012 and 2013.
20. Recommending acceptance of the low bid from Champagne and Marx and that purchase orders be issued to them in the amount of \$35,440.00 for fiscal year 2011 and \$36,190.00 for fiscal year 2012 for the purchase of 6AA stone and stonecrete that will be used for water and sewer repairs and maintenance. Funds are budgeted in the Water Operation and Maintenance Street and Road Materials Account, No. 591 4721 861 7340 (\$17,720.00) and Sewer Operation and Maintenance Street and Road Materials Account, No. 590 4821 861 7340 (\$17,720.00) for fiscal year 2011 and will be budgeted in the same accounts in the amount of \$18,095.00 each for fiscal year 2012.

21. Recommending approval of the Right of Way Agreement between the City of Saginaw, County of Saginaw and Northwest Utilities Authority. The agreement regulates the development of the surface of a public utility easement owned by the City for its Saginaw-Midland Water Supply pipelines.
22. Recommending approval of the agreement between the Clean Energy Coalition and the City of Saginaw and that the Mayor be authorized to execute this agreement and all related documents. Further recommend that a budget adjustment be completed to increase the General Fund Federal Grants Clean Energy Coalition Revenue Account, No. 101 0000 513 5841 from \$0.00 to \$463,614.75. This increase in revenue will be offset by an increase in the General Fund Federal Grants Clean Energy Coalition Construction Projects Account, No. 101 1795 701 8047 by \$463,614.75.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Authorizing acceptance and appropriation of \$463,614.75 in grant funding from the Clean Energy Coalition.
2. Approving the Obsolete Property Rehabilitation Certificate for Central Property Development, Inc. at 2115 Rust Avenue.
3. Requesting the President, Congress, and the Federal Communications Commission of the United States Refrain from regulating Internet Broadband Services as Common Carrier Services under Title II of the Communications Act of 1934.
4. Approving the Theater License Application of Sojourner Community Theater to operate a Theater at 310 Johnson, Lecture Theater, in the City of Saginaw subject to final inspection approval by the Police Department, Fire Department and Building Inspections.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Renewal of Lotus Notes Software Subscription

Manager's Recommendation:

I recommend approval and issuance of a purchase order to Computer Management Technologies, Inc., as our designated Lotus Notes Development Corporation reseller in the amount of \$15,648.26 as an annual payment for the renewal of the City's Lotus Notes software subscription for maintenance coverage and license fees to operate the City of Saginaw's e-mail and calendar system.

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

Funds are budgeted and available in the Information Services Operating Services Account, No. 658-1720-711.80-05.

Justification:

Lotus Notes is the e-mail and calendar software used by the City of Saginaw. The annual subscription provides support, upgrades and license coverage for Lotus Notes.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: August 3, 2010 County Board of Canvassers Certified Election Results

Manager's Recommendation:

Recommending City Council receive and file the County Board of Canvassers Canvass of Votes Cast at the Primary Election held August 3, 2010 for the City of Saginaw Proposals.

Justification:

For local election issues, the City utilizes its own Board of Canvassers to certify the City's election. When there are State and/or Federal candidates and issues on the ballot, the County Board of Canvassers certifies the results.

Following the August 3, 2010 Primary Election, the County Board of Canvassers canvassed and certified the votes from the August 3, 2010 Primary Election, including the seven (7) City Proposals. As required by Michigan Election Law, the City filed with the County Clerk a Provisional Ballot Report Form on August 9, 2010 which indicated that two (2) Provisional (Envelope) Ballots received during the August 3, 2010 Primary Election were determined valid. Along with this report form, the City Clerk prepared and filed with the County Clerk an "Envelope Ballot Vote Certification" form to show the votes to be counted on the valid Provisional (Envelope) Ballots. These votes were added to those tabulated at the precincts.

The Board of Canvassers of the County of Saginaw did determine and certify according to law that the following Propositions or Questions were passed or defeated as indicated below:

Proposal 1 – Police and Fire Services Special Assessment District Renewal

Passed YES - 5295 NO - 1590

Proposal 2 - Police and Fire Services Special Assessment District Renewal and Increase

Passed YES - 4362 NO - 2122

Proposal 3 - Proposed City Charter Amendment to Section 22

Passed YES - 3100 NO - 2938

Proposal 4 – Proposed City Charter Amendment to Section 43

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Defeated YES - 2951 NO - 3049

Proposal 5 – Proposed City Charter Amendment to Section 45(a)

Passed YES - 3135 NO - 2699

Proposal 6 – Proposed City Charter Amendment to Section 92

Passed YES - 3651 NO - 2443

Proposal 7 – Saginaw Transit Renewal

Passed YES - 4219 NO – 2292

(See attached table.)

The County Board of Canvasser's Certification is being received and filed so that the results of the City's proposals will be part of the City Council minutes.

Council Action:

Council _____ moved that the report from the County Board of Canvassers be received and filed.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Community Service Program Placement Agreement

Manager's Recommendation:

I recommend approval of the Self-Initiated Community Service Program Placement Agreement with Saginaw Midland Bay Michigan Works Agency wherein an unpaid participant will be assigned to assist in the City Clerk's Office for election and general work. Further recommend that the City Manager or his designee be authorized to sign the agreement and any other related documents and forms required under the program.

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

Justification:

The Saginaw Midland Bay Michigan Works Agency offers a program of community service designed to be unpaid in the private non-profit or public sector to assist the participant(s) in enhancing skills and attitudes related to work. Participants are covered by Workers' Compensation provided by the Department of Human Services. Under the program, the City will be required to provide supervision to the participant, keep a daily record of service hours, furnish supplies or equipment, provide reasonable working conditions, uphold federal state or local laws and standards and permit visits by Michigan Works' staff. The City will assure Michigan Works that the community service participant will not displace or partially displace any laid off employees during the time the participant is assigned, nor offer the participant any gift, favor or anything of monetary value. The City shall defend, indemnify and hold

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harmless Saginaw Midland Bay Michigan Works and its related entities, service providers, officers, directors, members, employees and agents from any and all liability claims, damages, administrative proceedings, court costs and attorney fees incurred as a result of any activities or omissions of the City, its subcontractors, officers, directors, employees, or agents, and the activities or omissions of the community service participant.

Council Action:

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

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

OBSOLETE PROPERTY REHABILITATION CERTIFICATE FOR CENTRAL PROPERTY DEVELOPMENT, INC. AT 2115 RUST AVENUE

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw is a Qualified Local Governmental Unit; and

WHEREAS, under P.A. 146 of 2000, the City of Saginaw is authorized to form Obsolete Property Rehabilitation Districts and approve applications for Obsolete Property Exemption Certificates; and

WHEREAS, the City of Saginaw Council approved the formation of an Obsolete Property Rehabilitation District at 2115 Rust Avenue, TAX ID 08 0917A01103, "the facility", on November 9, 2009, following a public hearing regarding district formation; and

WHEREAS, the proposed rehabilitation of the facility will not result in aggregate exemptions, under P.A. 146 of 2000, exceeding 5% of the total taxable value of the City of Saginaw; and

WHEREAS, a public hearing was held on August 23, 2010, and the Obsolete Property Exemption Certificate application was approved by the City of Saginaw Council; and

WHEREAS, the applicant, Central Property Development, Inc. is not delinquent in any taxes related to the facility; and

WHEREAS, the facility has been deemed obsolete by the City of Saginaw pursuant to P.A. 146 of 2000; and

WHEREAS, the applicant has submitted items (a) through (f) of the Michigan Department of Treasury form 3674 (Rev. 6-05); and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before establishment of the Obsolete Property Rehabilitation District; and

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WHEREAS, the facility is located within an Obsolete Property Rehabilitation District and its rehabilitation will constitute a rehabilitated facility pursuant to P.A. 146 of 2000; and

WHEREAS, the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity, create employment, retain employment, prevent a loss of employment, and revitalize an urban area; and

WHEREAS, the rehabilitation will result in an investment that exceeds 10% or more of the true cash value of the property pursuant to P.A. 146 of 2000; and

WHEREAS, the City of Saginaw is stipulating that the applicant complete the rehabilitation by January 1, 2015, and

WHEREAS, the certificate shall be in effect for a period of twelve (12) years;

NOW, THEREFORE, BE IT RESOLVED that the City of Saginaw hereby approves the Obsolete Property Rehabilitation Exemption Certificate application, pursuant to Public Act 146 of 2000, as amended, for the eligible property legally described below and commonly known as 2115 Rust Avenue, Saginaw, Michigan, for a period of twelve (12) years.

ASSESSOR'S FILE #: 08 0917A01103

THAT PART OF LOT 38, HOYTS SUBDIVISION OF THE JAMES RILEY RESERVE DESCRIBED AS FOLLOWS: COMG. AT POINT OF INTERSECTION ON ELY. LINE OF JEFFERSON AVE. & N. LINE OF RUST AVE., THENCE E. ALONG N. LINE OF RUST AVE. 1985.98 FT. TO POINT OF BEG., THENCE AT RIGHT ANGLES N. 320 FT., THENCE AT RIGHT ANGLES W. 400 FT., THENCE AT RIGHT ANGLES S. 320 FT. TO N. LINE OF RUST AVE., THENCE E. ALONG N. LINE OF RUST AVE. 400 FT. TO POINT OF BEG., EXC. THAT PART TAKEN FOR RUST AVE.

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From: The City Manager

Subject: Chemical Feed System

Manager's Recommendation:

I recommend that the quote from NuSystems, Inc. be accepted and that purchase orders be issued to them in the amount of \$5,400.00 for fiscal year 2011 and \$5,400.00 for fiscal year 2012.

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

Funds for this purchase are budgeted in the Sewer Operation and Maintenance – Remote Facilities Chemicals Account, No. 590-4835-861.73-02 for fiscal year 2011 and will be budgeted in the same account number for fiscal year 2012.

Justification:

Hydrogen Sulfide has been detected at both the Drake and Douglas lift stations. Further investigation has shown that the problem originates at the Drake lift station. Hydrogen Sulfide is extremely corrosive, damaging pipe and pumping systems as well as creating odor problems in the system. NuSystems provides, monitors, and maintains a chemical feed system to eliminate hydrogen sulfide. Sealed bids were opened on 10/20/2009 and NuSystems Inc. was the sole bidder. NuSystems has quoted us the same price to continue using their product and service for the next two years.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: 846 N. Washington Ave.

Manager's Recommendation:

I recommend that the City of Saginaw transfer the property known as 846 N. Washington Ave. to the Saginaw County Land Bank and that the City Manager or his designee be authorized to sign any documents to complete the transaction.

Justification:

The City of Saginaw currently owns a very small parcel of land known as 846 N. Washington Ave. The Saginaw County Land Bank is working with Christ Fellowship Church to assist them in acquiring all of the land in the block where the church is located. The Land Bank is willing to assume all costs of transfer including the payment of all delinquent taxes. This lot by itself is not usable and is non-strategic in the City's development and revitalization plans.

Council Action:

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

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From: The City Manager

Subject: 2009 Stimulus JAG Funds – Mobile Data Terminals

Manager's Recommendation:

I recommend issuance of a purchase order to the County of Saginaw in the amount of \$48,000 to cover the annual Maintenance/Replacement fee for 32 Mobile Data Terminals (MDT).

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 DOJ – JAG Fund - Capital Outlay/Repairs and Replacements Account, No. 263-3321-741.97-20.

Justification:

The Saginaw Police Department was awarded JAG funds as part of the Federal Government's 2009 Stimulus Package. The Saginaw Police Department has in its possession 32 MDT's and would like to utilize its portion of the JAG funds to pay the annual MDT maintenance/replacement fee. The maintenance/replacement fee for each MDT unit is \$1,500 annually, for a total of \$48,000. MDT's are located inside of each patrol vehicle and are used to communicate with Central Dispatch directly through the radio system.

The Saginaw County Mobile Data Terminal Policy was adopted on August 29, 2000. Saginaw County acts as the Fiscal Agent on behalf of the Saginaw County Criminal Justice Coordinating Committee (SCCJCC).

Council Action:

Council_____ moved that the recommendation of the City Manager be approved.

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From: The City Manager

Subject: Resolution of Trip and Fall Claim

Manager's Recommendation:

I recommend final approval of claim number P134-09-00340 and payment to Claimant in the amount of \$5,500.00 to resolve a trip and fall injury claim at 1410 N. 12th St. This claim settlement has been approved by the City Manager as to substance and the City Attorney as to form.

Funds to pay these claims are available in the City's Self Insurance Fund Claims and Judgments Account, No. 677-1762-711.80-74.

Justification:

On or about March 11, 2009, the claimant tripped on a piece of raised sidewalk in front of 1410 N. 12th St., resulting in injuries to his face, hands and teeth. The City's third-party administrator has reached a settlement with the Claimant in the amount of \$5,500.00.

As part of the agreement, Claimant will sign a release, releasing the City from any and all further liability on this claim.

Council Action:

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

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From: The City Manager

Subject: 725 S. 4th Ave.

Manager's Recommendation:

I recommend that the City of Saginaw transfer the property known as 725 S. 4th to Donna M. Porterfield for the purchase price of \$250.00 and that the City Manager or his designee be authorized to sign any documents to complete the transaction.

Justification:

The City of Saginaw currently owns a small parcel of land known as 725 S. 4th Ave. The City sought bids from abutting property owners and only one bid was submitted in the amount of \$250.00 from Donna M. Porterfield whose residence is immediately adjacent to this property. This lot is non strategic in the City's development and revitalization plans.

Council Action:

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

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From: The City Manager

Subject: 6AA Stone and Stonecrete

Manager's Recommendation:

I recommend that the bid from Champagne and Marx be accepted and purchase orders be approved and issued to them in the amount \$35,440.00 for fiscal year 2011 and \$36,190.00 for fiscal year 2012.

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

Funds for this purchase are budgeted in Water Operation and Maintenance Street and Road Materials Account, No. 591-4721-861.73-40 (\$17,720.00) and Sewer Operation and Maintenance Street and Road Materials Account, No. 590-4821-861.73-40 (\$17,720.00) for fiscal year 2011 and will be budgeted in the same account numbers in the amount of \$18,095.00 each for fiscal year 2012.

Justification:

The Right of Way Division, Maintenance & Service Section, received bids from four vendors for a two-year supply of 6AA Stone and Stonecrete that will be used for water and sewer repairs and maintenance. Champagne and Marx submitted an alternative bid for Stonecrete that meets Michigan Department of Transportation specifications. We have inspected the material and find it acceptable. A cost comparison shows a decrease of 10% over the previous purchase. Following is a tabulation of the bids received:

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Champagne & Marx	\$35,440.00	First Year
Alternative MDOT (Equivalent 22A)	<u>\$36,190.00</u>	Second Year
Saginaw, MI	Total \$71,630.00	

Champagne & Marx	\$44,365.00	First Year
Saginaw, MI	<u>\$46,220.00</u>	Second Year
	Total \$90,585.00	

Lafarge North America	\$36,670.00	First Year
Saginaw, MI	<u>\$38,780.00</u>	Second Year
	Total \$75,450.00	

Fisher Transportation	\$37,985.00	First Year
MT. Pleasant, MI	<u>\$43,655.00</u>	Second Year
	Total \$81,640.00	

Wirt Stone Dock	\$35,197.00	First Year
Saginaw, MI	<u>No Bid</u>	
	Total \$35,197.00	

Council Action:

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

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From: The City Manager

Subject: Community Development Block Grant (CDBG) Grant Agreement

Manager's Recommendation:

I recommend that City Council approve the CDBG Grant Agreement for 2010-11 and that the Mayor 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 2010 year Community Development Block Grant program. The funding agreement is in the amount of \$2,718,413.00. 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 January 25, 2010. 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, 2010 and will terminate June 30, 2011. 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 that City Council approve the CDBG Subgrantee Contracts for 2010-2011 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 11 contracts for housing, economic development and public services to be carried out under the City's 37th 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 \$155,000.00.

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 \$450,000.00.

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

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moderate-income residents in the City. A total of 4 firms are anticipated to be helped via loans. The budget is comprised of entitlement funds, loan repayments and carryover funds.

4. DDA Development and Redevelopment \$50,000.00.

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, 2010, when the current contract expires. By approving this contract, City Council will allow the activity staff to begin planning for the 2010-11 year, which begins October 1, 2010.

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, 2010, when

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the current contract expires. By approving this contract, City Council will allow the activity staff to begin planning for the 2010-11 year, which begins October 1, 2010.

7. New Alternatives Youth Service Center \$18,444.00.

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.

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

9. Mobilizing The Community \$15,000.00.

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.

10. Future Kids Marital Arts Program \$5,000.00.

This activity (City Clerk's File No. _____) is operated by Michigan Hapkido Community Outreach (MHCO). It attempts to steer youngsters

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away from the influences of drugs and gang violence by providing safe and positive alternative activities. In addition, the fitness initiative inspired by MHCO seeks 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.

11. Fair Housing \$45,000.00.

This activity (City Clerk's File No. _____) is operated by the Community Housing Resource Board of Saginaw, Inc., it will assist the City of Saginaw in affirmatively furthering fair housing laws in accordance with all Federal, State, and Local laws. Its activities will be carried out to assist the City of Saginaw to meet its CDBG Program certifications to affirmatively further fair housing. In addition it will provide the City compliance assistance with it's Section 3 program and; also with the City's CHRB and HUD's Voluntary Compliance Agreement. It will train testers to provide survey tests of area housing providers and lending institutions. Conduct educational outreach presentations providing fair housing and Section 3 training and opportunities for information.

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 Agreement

Manager's Recommendation:

I recommend that City Council approve the Emergency Shelter Grant (ESG) Agreement for 2010-2011 and that the Mayor be authorized to execute the same. The 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 from the Department of Housing and Urban Development for 2010-2011 for the Emergency Shelter grant portion of the Stewart B. McKinney Homeless Assistant Act (City Clerk's File No. _____). The funding agreement is in the amount of \$109,844. This is the City's entitlement amount approved by the Federal government.

The activities recommended for funding include the four activities listed in the 2010-2011 Annual Plan part of the Consolidated Plan submission approved by Council on January 25, 2010 as follows:

Of this funding agreement \$31,122.00 is to be used by the Underground Railroad, \$31,122.00 by the Youth Protection Council's Innerlink complex and housing programs, \$31,124.00 by Restoration Community Outreach, and \$16,476.00 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, 2010, when the current contract ends. It is being sent to you

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now to be reviewed and approved to allow Innerlink to continue 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 2010.

In accepting the grant agreement, the City agrees to comply with all the terms and conditions of the agreement, applicable laws, regulation, 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, 2010, 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 \$109,844 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 Manager

Subject: HUD Emergency Shelter (ESG) Grant Contracts

Manager's Recommendation:

I recommend that City Council approve the 2010-11 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 No.____) to provide \$109,844.00 from the Emergency Shelter grant portion of the Steward 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 \$31,122.00 to be used for utilities, property insurance, building maintenance, selected operating costs and furnishings. At the Youth Protection Council, \$31,122.00 will be used to pay for insurance, utilities, equipment, minor repairs and operation costs at the Innerlink Shelter, at SC-CHAP \$16,476.00 will be used to fund HMIS and at Restoration Community Outreach, \$31,124.00 will be used 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 January 25, 2010. The DHUD contract is on tonight's agenda for Council approval.

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 that City Council approve the 2010-11 HOME Grant Agreement and that the Mayor 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 2010-2011 HOME Investment Partnership Program (City Clerk's File No.____). The funding agreement is in the amount of \$705,564.00. The city will use \$559,730.00 for a single-family owner-occupied residential grant program for very low-income homeowners and \$40,000.00 to Habitat for Humanity for materials purchase for new construction. The balance of the funds (15%) will be set aside until a CHDO is selected to expend them.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

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

Manager's Recommendation:

I recommend approval of the 2010-2011 HOME Program Habitat for Humanity contract and that the proper City officials be authorized to execute the same. The contract is subject to the approval of the City Manager as to substance and the City Attorney as to form. Further recommend that the required CHDO funds be reserved until an approved Community Housing Development Organization (CHDO) is selected, the contract developed for the use of those funds is in place, and that the proper City official be authorized to execute the same. The contract will be subject to the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith is one contract (City Clerk's File No. _____) to provide \$40,000.00 from the HOME Investment Partnership Program to assist Habitat for Humanity to construct a single family residential home for sale to a low to moderate-income household in the City of Saginaw.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Downtown Development Authority (DDA) TIF Development Plan Public Hearing

Manager's Recommendation:

I recommend that a public hearing for the Downtown Development Authority (DDA) Tax Increment Financing (TIF) Plan be set for Monday, September 13, 2010 at 6:30 pm in the Council Chamber.

Justification:

At its June 22, 2010, Board meeting, the DDA passed a resolution to adopt the drafted Downtown Development Plan and TIF Plan prepared by Spicer Group for the DDA District. The DDA Act requires the passage of an ordinance by the City of Saginaw to adopt a Downtown Development Plan and Tax Increment Financing Plan. It is intended that the Downtown Development Plan and TIF Plan will describe the goals and objectives of the DDA for redevelopment of the downtown development district and to outline the steps necessary for achieving these goals. This will be one development plan and TIF Plan for the entire DDA.

The Downtown Development Plan and TIF Plan is expected to remain in effect to the end of fiscal year 2030 unless amended after hearing and notice in accordance with Section 19(2) of the Act to a shorter period or longer period. The captured funds will be used for various proposed improvements within the DDA District spread over a 20-year period.

It is necessary to hold a public hearing to meet DDA Act requirements. The TIF plan will allow the DDA to capture taxes in the entire DDA District (see attached map).

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Section Three Strategic Consulting

Manager's Recommendation:

I recommend that the Professional Services Consulting Agreement with Robert McDuffy Consulting be approved. It is further recommended that the City Manager or his designee be authorized to execute the same. The agreement has been approved by the City Manager as to substance and by 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 NSP II Professional Services Account No. 279-6551-761-8001.

Justification:

The City must comply with Section 3 of the Housing and Urban Development Act of 1968. Section 3 requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low or very low-income residents in connection with projects and activities in their neighborhoods.

The Consultant will provide Section 3 Implementation assistance and advice to residents, businesses, contractors, and sub-recipients as directed by the City of Saginaw. The services would be provided on a project-by-project basis at the rate of \$55.00 per hour not to exceed a dollar cap of \$45,000.00. The agreement would be handled between the contractor and the Director of Development or his designee.

The agreement is for 12 months and will be subject to renewal after 12 months, but either party upon 20 days advance written notice may terminate it.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Right of Way Agreement between the City of Saginaw, County of Saginaw and Northwest Utilities Authority

Manager's Recommendation:

I recommend approval of the Right of Way Agreement between the City of Saginaw ("City"), County of Saginaw ("County") and Northwest Utilities Authority ("NUA"). Pursuant to the terms of the Agreement, the County and NUA agree to indemnify and hold the City harmless from and against anything arising out of the use and occupancy of the Right-of-Way per this Agreement. It is further recommended that City Council authorize the Mayor and the City Clerk to sign the document. This Agreement has been by the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith for Council approval is an Agreement between the City, County and NUA. The Agreement regulates the development of the surface of a public utility easement owned by the City for its Saginaw-Midland Water Supply pipelines. The pipelines are near and parallel to Interstate I-675. In addition, they are located within Haithco Park in Saginaw Township. The City was granted the easement pursuant to a Saginaw-Midland Water Supply Right of Way agreement, dated October 5, 1946. A portion of the City's easement crosses a County parcel. The easement requires that anyone constructing any building or other structure over or under the Right-of-Way, must initially obtain the consent of the City.

The existing McCarty Road Pump Station, which is part of the NUA district, has reached its hydraulic capacity and needs to be expanded to meet the growing needs of

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the community. In addition, the existing equipment is past its useful life and capacities and requires upgrading. Due to the fact the existing site is small with no available space for expansion, this requires a new pump station to be built to the east of the existing pump station and connection to the existing force main network within the NUA easement. This will require crossing over the City's 36 inch City water main and Right-of Way. In addition, other piping and utilities needed to support this new pump station will require crossing within the City's 36 inch water main Right-of-Way. Furthermore, the project includes the creation of incoming gravity sewer to the pump station, sewer and water service leads from the existing pump station area to the new pump station building, an electrical, driveway, and fencing for security purposes.

Council Action:

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

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RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION OF \$463,614.75 IN GRANT FUNDING FROM THE CLEAN ENERGY COALITION

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw is committed to reducing municipal energy consumption and greenhouse gas emissions as evidenced by specific goals as shown in the City of Saginaw's Energy Efficiency Conservation Strategy (EECS) that has been approved by the Department of Energy (DOE); and

WHEREAS, the Clean Energy Coalition, a Michigan non-profit dedicated to promoting clean energy technologies as a way to create healthier, energy independent communities, received a \$4,400,000.00 grant from the Michigan Public Service Commission to develop the Cities of Promise Clean Energy Initiative; and

WHEREAS, the Cities of Promise Clean Energy Initiative allows the Clean Energy Coalition to provide technical assistance and funding to complete energy efficiency and/or renewable energy installations on municipal facilities in Michigan's eight Cities of Promise; and

WHEREAS, the Clean Energy Coalition will provide \$463,614.75 of this funding to the City of Saginaw on a reimbursement basis, to directly fund energy efficiency and/or renewable energy installations on municipal facilities completed by June 1, 2011; and

WHEREAS, the Cities of Promise Clean Energy Initiative will enable the City of Saginaw to establish an ongoing Clean Energy program and Fund, financed through

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energy savings from energy efficiency and/or renewable energy projects and available incentives, rebates and credits; and

WHEREAS, the Clean Energy program and Fund will fund an Energy manager (either employee or independent contractor) who will use the Clean Energy Fund to implement municipal energy efficiency and renewable energy projects on an ongoing basis, resulting in additional incentives, rebates, credits and ongoing energy savings; and

WHEREAS, this funding is intended to help each of the Cities of Promise increase energy efficiency or renewable energy supply to municipal facilities, reduce utility costs, and create healthier, energy independent communities;

NOW, THEREFORE, BE IT RESOLVED, that City Council of the City of Saginaw does hereby authorize the acceptance and appropriation of \$463,614.75 in Cities of Promise Clean Energy Initiative funding from the Clean Energy Coalition to the Clean Energy Coalition Revenue Account No. 101-0000-513-5841, and;

BE IT FURTHER RESOLVED, that the Mayor or his designee be authorized to execute all grant documents.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Michigan's Cities of Promise Subgrantee Master Agreement, Grant - #PSC-10-22

Manager's Recommendation:

I recommend approval of the agreement between the Clean Energy Coalition ("CEC") and the City of Saginaw and that the Mayor be authorized to execute this agreement and all related documents. I have approved the agreement as to substance and the City Attorney as to form.

It is also recommended that a budget adjustment be completed to increase the General Fund Federal Grants Clean Energy Coalition Revenue Account No. 101-0000-513-5841 from \$0.00 to \$463,614.75. This increase in revenue will be offset by an increase in the General Fund Federal Grants Clean Energy Coalition Construction Projects Account No. 101-1795-701-8047 by \$463,614.75.

Justification:

Michigan's Cities of Promise, through the CEC, is providing a \$463,614.75 grant to the City. The CEC, a Michigan non-profit dedicated to promoting clean energy technologies, received a \$4,400,000.00 grant from the Michigan Public Service Commission to develop Cities of Promise Clean Energy Initiative. The Clean Energy Initiative allows the CEC to provide technical assistance and funding to complete energy efficiency and renewable energy installations on municipal facilities in Michigan's eight Cities of Promise. The CEC will provide \$463,614.75 of this funding to the City of Saginaw on a reimbursement basis, to directly fund energy efficiency and renewable energy installations on municipal facilities completed by June 1, 2011. The Cities of

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Promise Clean Energy initiative will enable the City of Saginaw to establish an ongoing Clean Energy Program and Fund financed through energy savings from energy efficiency and/or renewable energy projects. This funding is intended to help each of the Cities of Promise increase energy efficiency or renewable energy supply to municipal facilities, reduce utility costs, and create healthier, energy independent communities. Contingent upon receipt of the CEC grant funds, the City of Saginaw is responsible to provide a fifty percent (50%) match at \$231,807.50 from other energy efficiency or renewable energy projects executed within the City during the CEC grant period. The City of Saginaw will be using its \$566,200.00 of Energy Efficiency Conservation Block Grant monies as the required match to the CEC funds. Therefore, the City of Saginaw in total has been allocated over \$1,029,814.75 of funds to be used towards energy efficiency and/or renewable energy projects.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Plotter Supplies

Manager's Recommendation:

I recommend acceptance of the only bid received from Gwyer Reprographics and issuance of a purchase order to them in an amount not to exceed \$2,000 for fiscal year 2010-2011, \$2,000 for fiscal year 2011-12, and \$2,000 for fiscal year 2012-13. The total bid amount received from the vendor exceeded the budget for fiscal year 2011. In fiscal year 2010, a total of \$711.50 was spent; therefore, I recommend that a lower amount be approved.

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

Funds for these purchases are budgeted in the Engineering Office Supplies Account 101-4611-781-73.20 and will be budgeted in the same account for fiscal year 2012 and fiscal year 2013.

Justification:

On July 20, 2010, the City received a single bid for plotter supplies to be used by the Engineering Division for a three-year period from July 1, 2010 through June 30, 2013. The vendor's bid was issued to the City as an estimate based upon the price per item quoted, and purchases will be made on an as-needed basis. Therefore, based upon the purchasing history for the department, the cost will be less than the total bid received. Following is a tabulation of the bid received:

Gwyer Reprographics	FY 2010-11	\$8,422.01
Grand Blank, MI (out-city)	FY 2011-12	\$8,422.01
	FY 2012-13	\$8,759.05

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Approval of Purchase Agreement with Saginaw Rock Products and Zilwaukee Properties

Manager's Recommendation:

I recommend approval of the purchase agreement for several parcels of land to be transferred between the City of Saginaw, Saginaw Rock Products and Zilwaukee Properties, and that the City Manager or his designee be authorized to execute this agreement, the relevant deeds and all related documents. The agreement is subject to approval by the City Manager as to substance and by the City Attorney as to form.

Justification:

William Webber owns Saginaw Rock Products and Zilwaukee Properties, also known as Sargent Docks. He wishes to acquire 1813 North 1st Street for Saginaw Rock Products and a portion of 1827 1st Street for Zilwaukee Properties. Those properties are owned by the City of Saginaw. Mr. Webber wants to obtain these properties to sustain and expand his business in this area. The City has no current need for these properties. Conveying them would return them to the tax rolls.

Saginaw Rock Products owns four lots in the City, in the 600 block of S. Water and S. Washington. Zilwaukee Properties owns 76 W. Center Street. The City wishes to acquire these properties for development opportunities, especially those related to the expansion or relocation of the Farmer's Market. Mr. Webber is willing to exchange these properties to obtain the land near his industrial facilities.

Council Action:

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

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

**RESOLUTION REQUESTING THE PRESIDENT, THE CONGRESS,
AND THE FEDERAL COMMUNICATIONS COMMISSION OF THE UNITED STATES
REFRAIN FROM REGULATING INTERNET BROADBAND SERVICES
AS COMMON CARRIER SERVICES UNDER
TITLE II OF THE COMMUNICATIONS ACT OF 1934**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, due in large part to the unregulated efforts of private enterprise over the past 25 years, the development of the Internet has dramatically transformed the way Michigan citizens work, live, and learn; and

WHEREAS, the deployment of efficient, fast, and reliable broadband networks throughout Michigan has created thousands of jobs and economic benefits for local economies; and

WHEREAS, in order to encourage the growth and development of the Internet, the Federal Communications Commission (FCC) has historically followed a policy to refrain from regulating broadband Internet services as common carrier services under Title II of the Communications Act of 1934; and

WHEREAS, as a result, the United States has been at the forefront of technological, business, and social innovations on the Internet; and

WHEREAS, on May 6, 2010, the chairman of the FCC announced a proposal to reclassify broadband Internet services as common carrier services so that they can be more tightly regulated, together with a proposal to forbear from imposing certain common carrier obligations on broadband Internet providers; and

WHEREAS, it is the judgment of the Michigan Senate that using monopoly-era provisions of Title II of the Communications Act of 1934 to regulate the Internet will slow investment in Michigan's Internet broadband infrastructure and jeopardize future job growth.

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NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Saginaw do hereby request the President, the Congress, and the Federal Communications Commission of the United States refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.

BE IT FURTHER RESOLVED, that copies of this Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan Congressional Delegation, and the Commissioners of the Federal Communications Commission.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Barracuda SPAM/Antivirus Filter

Manager's Recommendation:

I recommend acceptance of the quote and issuance of a purchase order to K - Data Systems in the amount of \$2,245.24 for a Barracuda SPAM and Antivirus Filter for the City of Saginaw e-mail 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.

Funds are available in the Information Services Capital Outlay – Less Than \$5,000 Account No. 658-1720-711.97-05.

Justification:

The current SPAM protection has not been adequately protecting the City e-mail system thus causing undue work by City employees. By replacing the current e-mail filtering service with the Barracuda SPAM and Antivirus Filter, it will reduce productivity loss and reduce computer repairs due to unwanted e-mail. The City currently pays \$100.00 per month in contracted services for its spam filter; we would see a cost savings after the second year of the purchase.

Council Action

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

COUNCIL COMMUNICATION

Manager's Recommendation: Approval of the resolution subject to inspection endorsement as follows:

**RESOLUTION APPROVING THEATER PARKING FOR
SOJOURNER COMMUNITY THEATER SUBJECT TO FINAL INSPECTION
APPROVAL**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, Sojourner Community Theater has applied for a Theatre License at 310 Johnson Street in the City of Saginaw; and

WHEREAS, §110.34, "Theaters", of Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances, provides that no such license shall be granted except upon certification of the Police Chief, Fire Chief and Building Inspector; and

WHEREAS, the Police Chief, Fire Chief and Building Inspector or their designees, are in the process of inspecting 310 Johnson, Lecture Theater 1, to operate as a Theatre; and

WHEREAS, §110.34, "Theaters", of Chapter 110, "General Provisions," of Title XI, "Business Regulations" further provides that City Council must approve the parking facilities available to patrons of the theater; and

WHEREAS, the City Building Inspector has advised that parking requirements for the Downtown Business District are waived pursuant to Off-Street Parking regulations at §153.115 (B)(16), of Chapter 153, "Zoning Regulations" of Title XV, "Land Usage" of the Saginaw Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of

COUNCIL COMMUNICATION

Saginaw does hereby approve the Theater License Application of Sojourner Community Theater to operate a Theatre at 310 Johnson, Lecture Theater 1, in the City of Saginaw subject to final inspection approval by the Police Department, Fire Department and Building Inspections.

BE IT FURTHER RESOLVED that in accordance with §153.115 (B)(16), of Chapter 153, "Zoning Regulations" of Title XV, "Land Usage" of the Saginaw Code of Ordinances, Sojourner Community Theater, 310 Johnson, is exempt from the parking requirements under §110.34, "Theaters", of Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances.

AUGUST 3, 2010 PRIMARY ELECTION – CITY OF SAGINAW PROPOSAL RESULTS

(Note: Totals including Absent Voter Ballots)

PROPOSALS		PROPOSAL 1 POLICE & FIRE SERVICES SPECIAL ASSESSMENT DISTRICT RENEWAL		PROPOSAL 2 POLICE & FIRE SERVICES SPECIAL ASSESSMENT DISTRICT RENEWAL & INCREASE		PROPOSAL 3 PROPOSED CITY CHARTER AMENDMENT TO SECTION 22		PROPOSAL 4 PROPOSED CITY CHARTER AMENDMENT TO SECTION 43		PROPOSAL 5 PROPOSED CITY CHARTER AMENDMENT TO SECTION 45(a)		PROPOSAL 6 PROPOSED CITY CHARTER AMENDMENT TO SECTION 92		PROPOSAL 7 SAGINAW TRANSIT MILLAGE RENEWAL	
		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
PRECINCT	PRECINCT NAME														
1	ST. JOSEPH EDUCATION CENTER	88	27	81	27	63	38	66	36	62	38	68	33	96	18
2	ARTHUR EDDY ACADEMY	146	38	115	45	95	50	73	63	70	69	99	46	142	24
3	HEAVENRICH SCHOOL	271	79	204	84	125	124	121	130	115	134	156	95	235	55
4A	CENTRAL FIRE STATION	119	24	104	33	81	43	76	49	75	48	93	37	115	26
4B	MAPLEWOOD MANOR	108	46	86	46	64	61	59	64	64	58	76	53	102	37
5	RUBEN DANIELS MIDDLE SCHOOL	148	46	119	48	92	64	87	63	78	72	105	49	137	35
6	SAGINAW HIGH SCHOOL A	139	43	111	48	81	63	86	56	81	55	90	53	128	34
7	ST. GEORGE CHURCH	151	57	125	62	83	101	82	101	80	98	105	76	137	52
8	SAGINAW HIGH SCHOOL B	279	114	225	155	195	164	188	167	169	172	233	125	298	90
9	YMCA	144	50	123	63	82	92	79	94	89	81	116	61	142	48
10	NEW MT CALVARY MISSIONARY BAPTIST	113	47	106	43	77	64	74	66	71	67	91	51	122	29
11	THOMPSON MIDDLE	496	115	380	212	277	273	251	290	296	233	316	230	357	229
12	KEMPTON SCHOOL	210	79	163	110	126	137	127	131	130	124	151	113	150	124
13	SAGINAW CAREER COMPLEX	355	78	282	111	186	178	180	180	201	146	214	154	235	152
14	SAGINAW ART MUSEUM	209	57	176	85	122	121	114	130	127	107	131	109	164	95
15	HERIG ELEMENTARY	405	112	355	155	243	224	231	242	243	212	279	206	301	202
16	HANDLEY SCHOOL	539	152	448	220	295	327	273	347	331	272	356	276	352	311
17	ST. STEPHEN'S SCHOOL	413	89	357	129	244	204	231	220	265	168	278	181	282	198
18A	ROSIEN TOWERS	214	44	182	49	116	96	116	101	130	75	146	76	163	72
18B	BUTMAN FISH	126	25	107	40	82	60	72	69	83	51	90	52	94	54
19	JEROME SCHOOL	397	156	330	220	239	286	232	287	252	250	286	237	300	253
20	MERRILL PARK SCHOOL	225	112	183	137	132	168	133	163	123	169	172	130	167	154
TOTALS		5295	1590	4362	2122	3100	2938	2951	3049	3135	2699	3651	2443	4219	2292