

Council Agenda

September 10, 2012 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

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

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Leaf Collection Update, Phil Karwat, Director of Public Services

CONSENT AGENDA:

1. Approve the minutes for August 27, 2012 regular council meeting and closed session.
2. Approve the amendments to the following Neighborhood Stabilization Program ("NSP 2") contracts: Century 21 Real Estate Realtor Services, Spence Brothers Construction Management Services, Saginaw County Community Action Center Housing and Credit Counseling Services, Intergovernmental Grass Cutting Monitoring Services, Memorandum of Understanding, First Congregational Church office lease space and Bliss Park Senior Housing Development.
3. Approve the Community Development Block Grant (CDBG) Agreement for 2012-13 in the amount of \$2,123,748 and that the Mayor Pro Tem be authorized to execute the agreement.
4. Approve the Community Development Block Grant (CDBG) Subrecipient Contracts and Memorandums of Understanding for 2012-2013 to include 12 recipients and that the Mayor Pro Tem be authorized to sign the Contracts and Memorandums of Understanding.
5. Approve the HOME Grant Agreement for 2012-2013 in the amount of \$367,456 and that the Mayor Pro-Tem be authorized to execute the agreement.
6. Approve the HOME Subrecipient Contracts for 2012-2013 to provide \$70,118 from the HOME Investment Partnership Program to assist Habitat for Humanity

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to proceed as the Community Housing Development Organization (CHDO), which would include the purchase of materials for rehabilitation of property and operation expenses.

7. Approve the HUD Emergency Solutions Grant (ESG) Agreement in the amount of \$196,797 for 2012-2013 and that the Mayor Pro Tem be authorized to execute the agreement.
8. Approve the HUD Emergency Solutions Grant (ESG) Subrecipient Contracts in the amount of \$110,134 for 2012-13 to four organizations providing shelters and transitional housing to the homeless. These organizations are the Underground Railroad, Youth Protection Council, Restoration Community Outreach, and Homeless Management Information System (HMIS).
9. Approve the easement agreements for 124 S. Baum St., 134 S. Baum St., and 304 S. Baum St. with Consumers Energy.
10. Approve and issue a purchase order to Kustom Signals in the amount of \$5,459 for the purchase of twenty-five Clear Communication Transmitters for the Community Public Safety-Police Department for fiscal year 2013.
11. Approve and issue a purchase order to Arizona Heating & Cooling in the amount of \$6,900 for the purchase of one rooftop heating and cooling unit for the Saginaw Fire Department, Station One.
12. Approve the one-year Adopt-A-Park Agreement with Project Unify for the completion and maintenance of the Lawrence McKinney Veterans Memorial Park and authorize the Director of Public Services or his designee to approve extensions of the Agreement for subsequent years without further Council approval or action.
13. Approve the one-year Adopt-A-Park Agreement with Friends of Sean Stennett for the completion and maintenance of a section located in the back of Ojibway Island and authorize the Director of Public Services or his designee to approve extensions of the Agreement for subsequent years without further Council approval or action.
14. Approve the one-year Adopt-A-Park Agreement with JABKA – Alternative Choices 4 Excellence (ACE) for the completion and maintenance of the Playground Haljean Subdivision and authorize the Director of Public Services or his designee to approve extensions of the Agreement for subsequent years without further Council approval or action.
15. Approve and issue a purchase order to Shaw Contracting Co. in the amount of \$45,924.44 for milling and paving a portion of M-46.

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16. Approve and issue separate purchase orders to Billy's Contracting in the amount of \$9,000 for fiscal year 2013 and in the amount of \$9,600 for fiscal year 2014 to recycle discarded tires.
17. Approve and issue separate purchase orders to Etna Supply in the amount of \$9,861.02; Michigan Pipe and Valve in the amount of \$154,845; and HD Supply in the amount of \$52,077.07 for fiscal year 2013 for a one-year supply of Water Main Appurtenances to be used by the Maintenance and Service Division.
18. Approve the payment made to Carrier and Gable in the amount of \$9,379 for an emergency purchase order for the repair of a base mount traffic signal cabinet.
19. Approve and issue a purchase order in the amount of \$11,208.89 to Boerger LLC for the purchase of parts to convert three sludge pumps to a new style of lobe for the Wastewater Treatment Division.
20. Approve and issue a purchase order to Hamlett Engineering Sales Company (HESCO) in the amount of \$20,749 for the purchase of a cast iron diversion gate for the Wastewater Treatment Division.
21. Approve and issue a purchase order to JWC Environmental in the amount of \$16,062.84 for the purchase of parts to rebuild one fine bar screen mechanism for the Wastewater Treatment Division.
22. Approve the Resolution authorizing the transfer of ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, Outdoor Service and SDM license located at 1313 Bay Street from B. Lombard, Inc. to Nonkhane Saycosie.

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

1. Consideration of appointing Rebekah Potts to the Historic District Commission to fill a vacancy with a term to expire December 20, 2013.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

UNFINISHED BUSINESS:

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MOTIONS AND MISCELLANEOUS BUSINESS:

1. Motion to go into closed session to discuss pending litigation in conjunction with personal/vehicle injury lawsuit, per MCL 15.268 Section 8.

Darnell Earley
City Manager

From: Darnell Earley, City Manager

Subject: Neighborhood Stabilization Program 2 Contract Amendments

Prepared by: M. Allen, Department of Development

Manager's Recommendation:

I recommend approval of the amendments to the following Neighborhood Stabilization Program 2 ("NSP 2") contracts: Century 21 Real Estate Realtor Services, Spence Brothers Construction Management Services, Saginaw County Community Action Center Housing and Credit Counseling Services, Intergovernmental Grass Cutting Monitoring Services, Memorandum of Understanding, First Congregational Church Office Lease Space and Bliss Park Senior Housing Development. I have approved the Amendments as to substance and the City Attorney as to form.

Justification:

Recently, representatives from the United States Housing and Urban Development ("HUD") Detroit Regional Office and the Michigan State Housing Development Authority ("MSHDA") reviewed NSP 2 files. During the reviews, HUD and MSHDA personnel advised City staff that there are new NSP 2 contract provisions that must be included in all NSP 2 agreements. City personnel were advised that NSP 2 contracts should be amended to include new mandatory contract provisions in order to comply with HUD rules and regulations. The City included mandatory contract provisions in the original contracts pursuant to the NSP 2 Policy and Procedures Manual. However, contract provisions contained in 24 CFR Part 85.36(i) must now be included in all NSP 2 contracts.

The following lists the contract provisions:

A grantee's and subgrantee's contracts must contain provisions in paragraph (i) of this section. Federal agencies are permitted to require changes, remedies, changed conditions, access and records retention, suspension of work, and other clauses approved by the Office of Federal Procurement Policy:

1. Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate. (Contracts more than the simplified acquisition threshold);
2. Termination for cause and for convenience by the grantee or subgrantee including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000);

3. Compliance with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity", as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by grantees and their contractors or subgrantees);
4. Compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and subgrants for construction or repair);
5. Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts in excess of \$2000 awarded by grantees and subgrantees when required by Federal grant program legislation);
6. Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327A 330) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts awarded by grantees and subgrantees in excess of \$2000, and in excess of \$2500 for other contracts which involve the employment of mechanics or laborers);
7. Notice of awarding agency requirements and regulations pertaining to reporting;
8. Notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract;
9. Awarding agency requirements and regulations pertaining to copyrights and rights in data;
10. Access by the grantee, the subgrantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions;
11. Retention of all required records for three years after grantees or subgrantees make final payments and all other pending matters are closed;
12. Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and

Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and subgrants of amounts in excess of \$100,000); and

13. Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94A 163, 89 Stat. 871).

In addition, City personnel were advised to include language that the time deadline for contractors to retain records related to their NSP 2 activities is December 31, 2019. The original NSP 2 contracts state that contractors must retain records until December 31, 2017.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Community Development Block Grant (CDBG) Agreement
Prepared by: Bill Ernat, Assistant Director of Development

Manager's Recommendation:

I recommend that the City Council approve the Community Development Block Grant (CDBG) Agreement for 2012-13 and that the Mayor Pro-Tem be authorized to execute the agreement. This grant agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor and/or his designee be authorized to sign the agreement.

Justification:

The City of Saginaw has received a grant agreement from the Department of Housing and Urban Development (HUD) for fiscal year 2012 for the CDBG Program. The funding agreement is in the amount of \$2,123,748. This is the City's entitlement amount approved by the federal government.

The activities referred to in the funding agreement include all the activities listed in the submission and approved by the City Council on January 23, 2012.

In accepting this grant agreement, the City agrees that it will 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 CDBG Program and other applicable laws. The agreement is for a one-year period that began on July 1, 2012 and will terminate on June 30, 2013. 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 part of contracts with third parties or subgrantees financed with CDBG monies.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: HUD Community Development Block Grant (CDBG) Subrecipients Contracts

Prepared by: Bill Ernat, Assistant Director of Development

Manager's Recommendation:

I recommend that the City Council approve the Community Development Block Grant (CDBG) Subrecipient Contracts and Memorandums of Understanding for 2012-13. The contracts have been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor and/or his designee be authorized to sign the Contracts and Memorandums of Understanding.

Justification:

The City of Saginaw has received a grant agreement from the Department of Housing and Urban Development (HUD) for the CDBG Program. The funding agreement is in the amount of \$2,123,748. Transmitted herewith are 12 contracts and three memorandums of understanding in the amount of \$1,207,164 for housing, economic development, public improvements, and public service activities to be carried out under the City's 39th year of the CDBG Program. The remaining \$914,584 from the CDBG program will be used by the Department of Development to fund various projects and administrative functions within the department. The following information outlines the scope of activity and funding level for each project under contract with the City:

1. Elderly and Disabled Repair \$123,458
This activity is operated by Saginaw County Community Action Committee (CAC). It provides one-time home repair for the elderly and/or disabled residents in the City who could not otherwise afford to make improvements to their homes. Pre-inspections will determine the priority of homes to be completed.
2. Saginaw Economic Development Corp \$504,457
This activity 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 to low and moderate-income residents in the City. The budget is comprised of entitlement funds, loan repayments, and carryover funds.

3. American GI Forum \$10,000
This activity is operated by the American G.I. Forum. These funds will be utilized for improvements to the building located at 604 Oak St. and used as a neighborhood center. Improvements will include handicapped accessibility items.
4. Downtown Development Authority \$67,500
This activity is operated by the Downtown Development Authority (DDA). These funds will be utilized by the DDA in their efforts to redevelop properties and recruit businesses to Downtown Saginaw.
5. Habitat for Humanity Housing Counseling \$7,965
This activity is sponsored by Habitat for Humanity. It will include assisting low and moderate-income households with pre-loan housing counseling services, credit counseling, financial management, and homebuyer education. Participants will also receive post-loan support once they have received a loan.
6. Youth Protective Services \$19,089
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to provide 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, 2012, when the current contract expires.
7. Teen Parent Support \$19,089
This activity is operated by the Saginaw County Youth Protection Council. The program 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. This activity will serve 55 clients eligible to be assisted with CDBG funds. This activity will not be effective until October 1, 2012, when the current contract expires.
8. Mission in the City \$13,378
This activity is sponsored by Mission in the City. It provides a venue for after school and summer programs for the youth while providing recreational opportunities for adults. It will function as social hub for a very depressed area by having fitness activities. Mission in the City expects to serve hundreds of people daily on the sports equipment and walking trails.
9. Stop the Violence \$15,930
This activity is operated by Parishioners on Patrol. The purpose of the project is to improve the quality of life of residents within the City. Its members will walk the streets of the City promoting non-violence and engaging with the residents through door-to-door contacts.

10. Youth Mentoring \$10,000
This activity is sponsored by Women of Colors, Inc. Three unique programs are offered 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. Each program was also established to challenge and prepare youth to become positive peers, responsible role models, and leaders.
11. First Ward LACER \$10,000
This activity is sponsored by First Ward Community Services. The purpose of this program is to implement Literacy Arts Cultural Enrichment and Recreation (LACER) Program. It is an after-school and summer program whose goal is to enhance and expand the number and variety of programs serving youth in the K-12th grades and increasing the number of youth who do not have access to positive opportunities in safe environments in the City of Saginaw.
12. Operation Outreach \$10,000
This activity is operated by Operation Outreach. The purpose of this program is to provide an environment where individuals are learning to improve their social skills, have recreational activities, and get assistance with homework in order to improve academic scores in a safe, supervised, drug-free learning environment.

The following information outlines the scope of activity and funding level for each project under a Memorandum of Understanding (MOU) with City departments outside of the Development Department:

1. Street Improvements \$171,248
This activity is under the City of Saginaw's Department of Public Services. The purpose of the program is to resurface streets, replace deteriorated pavement sections, adjust manhole structures, and construct ADA compliant sidewalk ramps within CDBG-eligible neighborhoods.
2. Sidewalk Improvements \$28,961
This activity is under the City of Saginaw's Department of Public Services. The purpose of this program is to install handicapped accessible sidewalk ramps within CDBG-eligible neighborhoods.
3. Community Policing \$196,089
This activity is under the City of Saginaw's Police Department. The purpose of this program is to continue to fund three Community Police Officers (CPOs) in designated CDBG-eligible neighborhoods. The CPOs have been able to develop close relationships with the residents, business owners/employees and other stakeholders within these neighborhoods. These relationships have resulted in an improved quality of life for the residents of these neighborhoods.

Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on January 23, 2012.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: HUD HOME Investment Partnership Program Grant Agreement
Prepared by: Bill Ernat, Assistant Director of Development

Manager's Recommendation:

I recommend that the City Council approve the HOME Grant Agreement for 2012-13 and that the Mayor Pro-Tem be authorized to execute the agreement. This agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor and/or his designee be authorized to sign the agreement.

Justification:

The City of Saginaw has received a Grant Agreement from the Department of Housing and Urban Development (HUD) for fiscal year 2012 for the HOME Investment Partnership Program. The funding agreement is in the amount of \$367,456. The City will use \$297,338 for the single-family, owner-occupied residential grant program for very low-income homeowners. In addition, Habitat for Humanity will use \$55,118 for rehabilitation of houses, and \$15,000 for operating fees in conjunction with these activities.

In accepting this grant agreement, the City agrees that it will 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 HOME Investment Partnership Grant Program and other applicable laws. These conditions are also made a part of all contracts with third parties or subgrantees financed with HOME monies.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: HUD HOME Community Housing Development Organization (CHDO)
Subrecipient Contracts

Prepared by: Bill Ernat, Assistant Director of Development

Manager's Recommendation:

I recommend that the City Council approve the HOME Subrecipient Contracts for 2012-13. The contracts have been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor and/or his designee be authorized to sign the contracts.

Justification:

Transmitted herewith are two contracts from the HOME Program to provide \$70,118 to assist Habitat for Humanity to proceed as the Community Housing Development Organization (CHDO), which would include the purchase of materials for rehabilitation of property, and operation expenses. The following information outlines the scope of activity and funding level for the two projects under contract with the City.

1. CHDO Operating Expenses \$15,000
This activity is administered by Habitat for Humanity. It provides operating funds for Habitat to act as the Community Housing Development Organization (CDHO) for the City of Saginaw.
2. Rehabilitation Activities \$55,118
This activity is also operated by Habitat for Humanity acting as the CHDO for the City of Saginaw. These funds will be used to rehabilitate houses to be occupied by low and very low-income households.

Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on January 23, 2012.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Emergency Solutions Grant (ESG) Agreement
Prepared by: Bill Ernat, Assistant Director of Development

Manager's Recommendation:

I recommend that the City Council approve the Emergency Solutions Grant (ESG) Agreement for 2012-13 and that the Mayor Pro-Tem be authorized to execute the agreement. This grant agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor and /or his designee be authorized to sign the agreement.

Justification:

The City of Saginaw has received a grant agreement from the Department of Housing and Urban Development (HUD) for fiscal year 2012 for the Emergency Solutions Grant (ESG) Program. The funding agreement is in the amount of \$196,797. This is the City's entitlement amount approved by the federal government.

The activities referred to in the funding agreement include all the activities listed in the submission and approved by the City Council on January 23, 2012.

In accepting this grant agreement, the City agrees that it will 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 ESG Program and other applicable laws. The agreement is for an eighteen-month period that began on July 1, 2012 and will terminate on December 31, 2013. 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 part of contracts with third parties or subgrantees financed with ESG monies.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: HUD Emergency Solutions Grant (ESG) Subrecipient Contracts
Prepared by: Bill Ernat, Assistant Director of Development

Manager's Recommendation:

I recommend that the City Council approve the Emergency Solutions Grant (ESG) Subrecipient Contracts for 2012-13. The contracts have been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor and/or his designee be authorized to sign the contracts.

Justification:

Transmitted herewith are four contracts from the ESG Program to provide \$110,134 assistance to four organizations providing shelters and transitional housing for the homeless.

The following information outlines the scope of activity and funding level for each project under contract with the City:

1. Underground Railroad \$35,000
This activity is operated by Underground Railroad, Inc. These funds will be used to supplement the agency in funding the maintenance costs of the emergency shelter including: operating utilities, food, supplies, professional fees, communication costs, transportation, and furnishings for the facility.
2. Youth Protection Council \$31,112
This activity is operated by the Saginaw County Youth Protection Council. The funds will be used to supplement the agency in providing services to the three shelters for the homeless: Innerlink Emergency Shelter, Innerlink Transitional Living Program, and Teen Parent Services Transitional Living Program.
3. Restoration Community Outreach \$27,234
This activity is operated by Restoration Community Outreach. These funds will be used to supplement the agency in providing emergency housing and supportive services to the homeless, recovering addicts, and ex-prisoners reentering the community.
4. HMIS \$16,788
This activity is operated by the United Way of Saginaw County. This project is the maintenance of the Homeless Management Information System, which is a

requirement of HUD for grantees to receive ESG funds. This is a match of funds received directly from HUD.

Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on January 23, 2012.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Easement Agreements with Consumers Energy
Prepared by: Bill Ernat, Assistant Director of Development

Manager's Recommendation:

I recommend that the easement agreements with Consumers Energy be approved. The easement agreements for 124 S. Baum St., 134 S. Baum St., and 304 S. Baum St., have been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The City received a request from Consumers Energy ("Consumers") for easements on 124 S. Baum St., 134 S. Baum St., and 304 S. Baum St, to allow the installation of underground electric lines, cables, conduits, wire, conductors, subsurface junction vaults, surface mounted transformers, and enclosures and other equipment and transmitting and distributing electrical energy and communication signals.

The installation of this equipment would be an upgrade in the current supply of electrical energy and communications cable, as the proposed upgrade is needed with the new development that will occur on the 300 block of Genesee and throughout Downtown Saginaw.

Consumers will indemnify, defend, and hold harmless the City from liability claims. In addition, Consumers will repair blacktop and/or concrete and also grade and reseed the areas that it disturbs in exercising its rights under these agreements.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Clear Communication Transmitters
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

I recommend that a purchase order be approved and issued to Kustom Signals, Inc., Chanute, KS, in the amount of \$5,459 for the purchase of twenty-five Clear Communication Transmitters for the Community Public Safety-Police Department for fiscal year 2013.

Justification:

Clear Communication Transmitters are audio devices, also known as “body mics”, which are worn by police officers. They record all dialogue and interaction within a certain distance.

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 Community Public Safety – Police account no. 101-3514-721.73-30

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Replacement of Air Conditioner, Station One
Prepared by: Sienna Rendon, Community Public Safety – Fire

Manager’s Recommendation:

I recommend that a purchase order be approved and issued to Arizona Heating & Cooling, Freeland, MI, the lowest bidder, in the amount of \$6,900 for the purchase of one rooftop heating and cooling unit for the Saginaw Fire Department, Station One.

Justification:

On August 14, 2012, five qualified vendors submitted bids in response to the City of Saginaw’s request for Proposal #1062-13 for one rooftop heating and cooling unit for Station One.

The following is a tabulation of the bids received:

Arizona Heating & Cooling Freeland, MI	\$6,900
Stargate HVAC Services Romulus, MI	\$7,980
Sol-Air Heating & Cooling, Inc. Saginaw, MI	\$8,950
A.C. Klopf Saginaw, MI	\$10,313
Remer Plumbing & Heating Saginaw, MI	\$10,945

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

Funds for this purchase are budgeted and available in the Community Public Safety – Fire Capital Outlay Repairs and Replacements account no. 101-3551-751.97-20.

Council Action:

Council Member _____ moved, seconded by Council Member _____
that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Project Unify - Adopt-A-Park Agreement (Lawrence McKinney Veterans Memorial Park)

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend that the Director of Public Services or his designee be authorized to enter into a one-year Adopt-A-Park Agreement with Project Unify. I further recommend that the Director of Public Services or his designee be authorized to approve extensions of the Agreement for subsequent years without further Council approval or action.

Justification:

Project Unify has completed an Adopt-A-Park application seeking the City's approval of the completion and maintenance of the Lawrence McKinney Veterans Memorial Park. Whereas the City of Saginaw is the owner of certain real property located near the 900-1000 blocks of S. 20th Street. The described work includes building a new pavilion, fitness walk, paved basketball courts tables, water fountains, playground equipment, and additional improvements as needed to beautify and maintain the park.

Section 95.01 of the Saginaw Code of Ordinances provides that "No person shall plant, remove, or destroy any tree or shrub in any street, alley, or public place without first obtaining a written permit to do so from the Superintendent of Streets and Bridges." The ordinance continues "The City Manager is hereby empowered, subject to approval by the Council, to make any additional rules and regulations pertaining to the planting, removal, care, maintenance, and protection of trees, shrubs, and plants as are necessary to protect public property or the health or safety of the public."

Upon approval by City Council of the above application, the City shall enter into an Agreement with the applicant requiring a one-year commitment to the performance of the described work. The applicant will be responsible for having the proposed work approved by the Director of Public Services or his designee; complying with all applicable laws; obtaining liability insurance, if necessary; and holding the City harmless from any claims arising from applicant's adoption of the public area and work performed at same.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: Friends of Sean Stennett - Adopt-A-Park Agreement (Ojibway Island)

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend that the Director of Public Services or his designee be authorized to enter into a one-year Adopt-A-Park Agreement with Friends of Sean Stennett. I further recommend that the Director of Public Services or his designee be authorized to approve extensions of the Agreement for subsequent years without further Council approval or action.

Justification:

Friends of Sean Stennett have completed an Adopt-a-Park application seeking the City's approval of the completion and maintenance of a section in the back on Ojibway Island in honor of Sean Stennett. Whereas the City of Saginaw is the owner of certain real property located at 121 Ezra Rust Drive. The described work includes planting, maintaining trees, and flowers in a 36' x 46' (1,656 sq. ft.) area in the northeast corner of the park.

Section 95.01 of the Saginaw Code of Ordinances provides that "No person shall plant, remove, or destroy any tree or shrub in any street, alley, or public place without first obtaining a written permit to do so from the Superintendent of Streets and Bridges." The ordinance continues "The City Manager is hereby empowered, subject to approval by the Council, to make any additional rules and regulations pertaining to the planting, removal, care, maintenance, and protection of trees, shrubs, and plants as are necessary to protect public property or the health or safety of the public."

Upon approval by City Council of the above application, the City shall enter into an Agreement with the applicant requiring a one-year commitment to the performance of the described work. The applicant will be responsible for having the proposed work approved by the Director of Public Services or his designee; complying with all applicable laws; obtaining liability insurance, if necessary; and holding the City harmless from any claims arising from applicant's adoption of the public area and work performed at same.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: JABKA (ACE) Adopt-A-Park Agreement (Playground Haljean Subdivision)

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend that the Director of Public Services or his designee be authorized to enter into a one-year Adopt-A-Park Agreement with JABKA – Alternative Choices 4 Excellence (ACE). I further recommend that the Director of Public Services or his designee be authorized to approve extensions of the Agreement for subsequent years without further Council approval or action.

Justification:

JABKA – Alternative Choices 4 Excellence (ACE) has completed an Adopt-A-Park application seeking the City's approval of the completion and maintenance of the Playground Haljean Subdivision. Whereas the City of Saginaw is the owner of certain real property located at 3610 Cora Street. The described work includes building and installing a pavilion; parking lots; restrooms; basketball courts with lighting; an outdoor track; playscape; playground equipment; security cameras; and additional improvements as needed to beautify and maintain the park.

Section 95.01 of the Saginaw Code of Ordinances provides that "No person shall plant, remove, or destroy any tree or shrub in any street, alley, or public place without first obtaining a written permit to do so from the Superintendent of Streets and Bridges." The ordinance continues "The City Manager is hereby empowered, subject to approval by the Council, to make any additional rules and regulations pertaining to the planting, removal, care, maintenance, and protection of trees, shrubs, and plants as are necessary to protect public property or the health or safety of the public."

Upon approval by City Council of the above application, the City shall enter into an Agreement with the applicant requiring a one-year commitment to the performance of the described work. The applicant will be responsible for having the proposed work approved by the Director of Public Services or his designee; complying with all applicable laws; obtaining liability insurance, if necessary; and holding the City harmless from any claims arising from applicant's adoption of the public area and work performed at same.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: M-46 Milling and Paving – ROW Division
Prepared by: Tracy Le Fevre, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Shaw Contracting Co., Bay City, MI, be accepted and that a purchase order be approved and issued to them in the amount of \$45,924.44 for milling and paving a portion of M-46.

Justification:

On August 28, 2012, the City received bids from three contractors, as requested by the Michigan Department of Transportation (MDOT), for milling and paving a portion of M-46 located at the railroad crossings on Sheridan Avenue and South Warren Avenue. The following is a tabulation of the bids received:

Shaw Contracting Co. Bay City, MI	\$ 45,924.44
Pyramid Paving Co. Bay City, MI	\$ 50,256.94
Lois Kay Contracting Saginaw, MI (Out-City)	\$ 55,475.40

This work is being funded 100% percent by the MDOT, and will include a City of Saginaw incentive of 7.5% overhead charge for administering this work, which is estimated to be \$3,444.33. The City will be reimbursed for the cost of this work as part of the MDOT payment process for trunkline maintenance. The process for administering the subcontracting of MDOT maintenance projects/purchases is included in Section 8, Subcontracts, within the “Michigan Department of Transportation State Trunkline Maintenance Contract City of Saginaw” dated October 7, 2009, which was approved by City Council on June 29, 2009. The Contract with MDOT for State Trunkline Maintenance is for five years and expires on September 30, 2014.

Shaw Contracting Co. 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 project will be made available in the Major Streets Fund - Streets Projects Division’s Street Resurfacing Account No. 202-4614-781.80-46.

Council Action:

Council Member _____ moved, seconded by Council Member _____
that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Tire Recycling Service – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that separate annual purchase orders be issued and approved in the amount of \$9,000 for fiscal year 2013 and \$9,600 for fiscal year 2014 to Billy’s Contracting, Inc., Saginaw, the lowest bidder, for tire recycling service.

Justification:

On August 21, 2012, sealed bids were received for the recycling of discarded tires collected at the City of Saginaw’s Convenience Station, located at 1435 S. Washington Avenue. This service requires the vendor to supply a minimum 40 foot trailer for collection and disposal of discarded tires. It is estimated that a 40 foot trailer will need disposal seven times during the year and that a 53 foot trailer will need disposal six times during the year. The following is a tabulation of the bids:

Billy’s Contracting, Inc.	FY13	\$1,500/ 53 ft trailer	6 disposals	\$9,000
Saginaw, MI (out-city)	FY14	\$1,600/ 53 ft trailer	6 disposals	\$9,600
Waddles Tire Service	FY13	\$1,400/ 40 ft trailer	7 disposals	\$9,800
Brownstown, MI	FY14	\$1,400/ 40 ft trailer	7 disposals	\$9,800

Billy’s Contracting, Inc. 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 Rubbish Collection Fund - Sanitary Landfill Division’s Operating Services Account No. 226-4584-841.80-05 for fiscal year 2013, and will be budgeted in the same account number for fiscal year 2014.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Annual Purchase Orders for Water Main Appurtenances
Prepared by: John Premo, Public Services Department

Manager's Recommendation:

I recommend that separate purchase orders be approved and issued to Etna Supply, Grand Rapids, in the amount of \$9,861.02; Michigan Pipe and Valve, Saginaw, in the amount of \$154,845; and HD Supply, Canton, in the amount of \$52,077.07 for fiscal year 2013 for a one-year supply of Water Main Appurtenances to be used in our Maintenance and Service Department. This recommendation is only for fiscal year 2013.

Justification:

On June 12, 2012, the City received bids from three vendors for a two-year supply of Water Main Appurtenances. This bid included 53 Sub-Groups and over 3,000 various items used annually in the maintenance, repair, and construction of the Water Distribution and Transmission Systems. A cost comparison shows an average increase of 17% from fiscal year 2012 to fiscal year 2013. Due to a higher than average second year cost increase, we recommend accepting the bid for a one-year supply for fiscal year 2013 and we will seek bids again for fiscal year 2014. The following is a tabulation of the bids received:

<u>GRP First Year – 2013</u>	<u>Etna Supply Grand Rapids, MI</u>	<u>HD Supply Canton, MI</u>	<u>MI Pipe & Valve Saginaw, MI</u>
#1 Water Service Boxes	\$59,712.95	-0-	\$47,610.00
#2 Valve Service Boxes	\$66,321.00	-0-	\$52,350.00
#3 Resilient Wedge Cut Valves	\$40,095.20	-0-	\$31,045.00
#4 Bell clamps	\$ 4,839.68	\$ 4,348.07	\$ 6,557.00
#5 Type Duo Solid Sleeves	\$46,682.00	\$45,160.00	\$47,810.00
#6 20" Oal MJ Cut in Sleeves	\$10,666.86	\$11,112.00	\$ 6,850.00
#7 MJ Ductile Iron Caps	\$ 2,790.00	\$ 2,569.00	\$ 5,510.00
#8 Mega Lug Restraining	\$ 1,322.02	\$ 1,550.00	\$ 1,394.00
#9 Smith Blair Repair Clamps	\$23,802.64	\$32,423.18	\$16,990.00
#10 Resilient Wedge Tapping	\$ 8,539.00	\$ 8,889.42	\$ 9,665.00

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 O-1.

Funds for these purchases are budgeted in the Water Operation and Maintenance Fund – Maintenance and Service Division’s Parts & Supplies Account No. 591-4721-861.73-30 (\$216,783.09).

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Emergency Purchase – Traffic Signal Cabinet
Prepared by: Mike Hagen, Public Services Department

Manager’s Recommendation:

I recommend that a payment be made to Carrier and Gable, Inc., Farmington Hills, MI, a sole source provider, in the amount of \$9,379 for the cost of an emergency purchase order issued on August 21, 2012 for the repair of a base mount traffic signal cabinet.

Justification:

On August 18, 2012, a car accident occurred at the intersection of E. Genesee Avenue and Hess Avenue causing extensive damage to the base mount traffic signal cabinet making the signal inoperable. This cabinet houses the wiring and electronic controllers for the traffic signal at the intersection. On August 21, 2012, emergency purchase order number 46858 was issued to Carrier and Gable, Inc. in the amount of \$9,379. On August 27, 2012, the cabinet was operational after replacement of the traffic signal cabinet.

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 Major Streets Fund – Traffic Engineering Division’s Parts and Supplies Account No. 202-4621-791.73-30.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Boerger Pump Parts
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Boerger LLC, Minneapolis, MN, a sole source provider, be approved and a purchase order be issued to them in the amount of \$11,208.89 for the purchase of parts to convert three sludge pumps to a new style of lobe.

Justification:

The Wastewater Treatment Plant has eight rotary lobe pumps used for sludge pumping. These pumps have been failing and requiring extensive maintenance. In 2011, Boerger Pump developed a new type of lobe which they felt would work better in our application. At that time, we converted five of our sludge pumps to the new style of lobe and have experienced no failures. On June 18, 2012, we received a quote from Boerger Pump for the parts needed to convert the remaining three pumps to the new style of lobe. Boerger LLC is the manufacturer of the pumps and the sole source for spare parts. There is a 9.5% increase in the price of the parts since the last purchase.

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 Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 590-4830-861.73-30.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Diversion Gate
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Hamlett Engineering Sales Company (HESCO), Warren, MI, a sole source provider, be accepted and a purchase order be issued to them in the amount of \$20,749 for the purchase of a cast iron diversion gate.

Justification:

On August 9, 2012, we received a quote from HESCO for a Rodney Hunt gate. There are three diversion gates that direct the influent flow through the four influent channels. These gates are part of the original 1950 construction. In 2009, one of these gates failed and had to be replaced. At that time it was discovered that the two remaining gates would also require replacement. Funds were budgeted to replace one gate in fiscal year 2011 and the final gate replacement is budgeted for this year. In fiscal year 2011, we went out for sealed bids and got only one response from HESCO, the manufacturer's representative for Rodney Hunt and the sole source for replacement.

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 Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Repairs and Replacements Account No. 590-4830-861.97-20.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: JWC Fine Bar Screen Rebuild
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from JWC Environmental, Buford, GA, a sole source provider, be accepted and a purchase order be issued to them in the amount of \$16,062.84 for the purchase of parts to rebuild one fine bar screen mechanism.

Justification:

The Wastewater Treatment Plant has four ¼ inch fine bar screens located in the grit delivery channel. They remove rags and debris from wastewater before it enters the treatment process. These ¼ inch fine screens are downstream from the 3 inch coarse bar screens in the wet well that are scheduled to be upgraded and replaced by a pending construction project. The number one fine bar screen is used most frequently and the chain and teeth on the rake mechanism are worn out and require replacement. JWC has developed a new chain which utilizes 17-4 stainless steel for the chain's rollers, pins and bushings which will wear longer than the original 400 series stainless steel. On July 12, 2012, we received a quote from JWC Environmental for the parts needed to replace the chains and teeth on one fine bar screen mechanism. JWC Environmental is the manufacturer of the fine bar screen and the sole source for spare parts.

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 Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 590-4830-861.73-30.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: Liquor License for 1313 Bay

Prepared by: Elizabeth Rittenberry, Office of the City Clerk

Manager's Recommendation:

I recommend approval of the request to transfer ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, Outdoor Service and SDM license located at 1313 Bay Street from B. Lombard, Inc. to Nonkhane Saycosie.

Justification:

On or about April 5, 2012, the City received a local government approval application requesting to transfer ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, Outdoor Service and SDM license located at 1313 Bay Street from B. Lombard, Inc. to Nonkhane Saycosie.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have completed the review process and have approved 1313 Bay Street for the license transfer as required by Chapter 110, "General Provisions," of the Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter III, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give recommendation to the City Council of approval or disapproval of the license. Since the necessary requirements have been met by Nonkhane Saycosie, I hereby recommend approval of the request to transfer ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, Outdoor Service and SDM license located at 1313 Bay Street from B. Lombard, Inc. to Nonkhane Saycosie.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

RESOLUTION TRANSFERRING CLASS C LIQUOR LICENSE AT 1313 BAY

Council Member _____ moved, seconded by Council Member _____ to adopt the following resolution:

WHEREAS, on or about April 5, 2012, the City Clerk's Office received a local government approval application for a liquor license transfer; and

WHEREAS, said notice was to transfer ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, Outdoor Service and SDM license located at 1313 Bay Street, Saginaw, MI 48602, Saginaw County from B. Lombard, Inc. to Nonkhane Saycosie; and

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention, City Police Department and the City Building Inspections Division have conducted their respective inspections and have determined compliance of the applicable codes at 1313 Bay Street.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw approves the request to transfer ownership of a Class C licensed business with Dance-Entertainment Permit, Sunday Sales, Outdoor Service and SDM license located at 1313 Bay Street, Saginaw, MI 48602, Saginaw County from B. Lombard, Inc. to Nonkhane Saycosie.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on September 10, 2012; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk