

**Council Agenda**  
September 24, 2012 6:30 p.m.  
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. 2012 Leaf Collection
2. Registration Deadline for November Voter Registration
3. Mayor Pro-Tem Browning to present Proclamation declaring October 7 – 13, 2012 as Fire Prevention Week.

PUBLIC HEARINGS:

Request from Duperon for an Industrial Facilities Exemption Certificate at 1200 Leon Scott Street, Saginaw, MI.

PERSONAL APPEARANCES:

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

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Homelessness Prevention Program and United Way Partnership, Cherrie Benchley, President/CEO, United Way of Saginaw County.
2. 211 Health and Human Services Call Center, Cherrie Benchley, President/CEO, United Way of Saginaw County.
3. Financial Update on Rubbish Collection Fee, Phil Karwat, Director of Public Services.

CONSENT AGENDA:

1. Approve the minutes for September 10, 2012 regular council meeting and closed session.
2. 12-24 from Saginaw PRIDE requesting approval of public display of fireworks on November 16, 2012 (rain date November 17, 2012) at 8:30 p.m. at Ojibway Island.

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3. 12-25 from Marsha Braun, Anderson Enrichment Center, requesting approval to erect banner located at the 500 block of Court Street from November 6 through December 5, 2012 for the purpose of promoting the Hollyday Fair at the Anderson Enrichment Center.
4. Approve the Substantial Amendment for the Emergency Solutions Grant (ESG) Agreement for 2011-12 in the amount of \$61,950 and authorize the Mayor Pro-Tem to execute the agreement.
5. Approve the 2013 budget adjustment for Community Public Safety – Police Drug Forfeiture Fund’s Use of Fund Equity Account for the purchase of seventy Karbon Arms MPIDs (Tasers), thirty-five 6-pack taser cartridges, two data docking stations, seventy dual cartridge holders, and sixty-six operator training kits.
6. Approve and issue a purchase order in the amount of \$74,253 to Michigan Police Equipment for the purchase of seventy Karbon Arms MPIDs (Tasers) with Tru-Vu cameras for the Community Public Safety – Police Department for fiscal year 2013.
7. Approve the agreement with Sunguard Public Sector, Inc., for software maintenance and license fees to be paid quarterly and not to exceed \$141,000 annually which allows the City to obtain periodic software enhancements and use SunGard resources for problem support.
8. Approve the agreement and extension of the property lease at 1701 North 1st Street with Alltel Communications of Saginaw MSA Limited Partnership d/b/a Verizon Wireless and execute the documents as necessary.
9. Approve and issue a purchase order to Spaulding Manufacturing Company in the amount of \$30,580 for fiscal year 2013 for the replacement of two Heated Hopper Trailers used for patching potholes by the Maintenance and Service Division.
10. Approve and issue separate annual purchase orders to Waste Management of Michigan in the amount of \$10,485 for fiscal year 2013 and \$13,185 for fiscal year 2014, for convenience station containers and trash disposal used by our Maintenance and Service Division.
11. Approve and issue separate annual purchase orders to Billy’s Contracting in the amount of \$27,000 for fiscal year 2013, and \$28,500 for fiscal year 2014 to be used by the Maintenance and Service Division for the 14<sup>th</sup> Street annual sewer debris hauling and disposal.

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12. Approve and issue a blanket purchase order to Larry's Auto Supply in the amount of \$3,000 for fiscal year 2013 for the purchase of tools for the mechanics within the Motor Pool Division.
13. Approve and issue separate annual purchase orders to Wirt Saginaw Stone Dock in the amount of \$15,500 for fiscal year 2013 and 2014; and to Champagne and Marx Excavating in the amount of \$17,850 for fiscal year 2013 and 2014 for the purchase of a two year supply of 1,000 tons of 6AA Stone and 1,700 tons of 22A Stonecrete used by the Maintenance and Service Division.
14. Approve and issue a purchase order to Cannon Truck Equipment Company in the amount of \$23,695 for fiscal year 2013 for the purchase of a used Hi-Ranger to be used by the Maintenance and Service Division for daily tree maintenance and emergency tree trimmings and removals.
15. Approve the bid from Great Lakes Bay Services, LLC for the Queen Street wood and debris removal, and accept the amount of \$3,500 to be paid to the City by Great Lakes Bay Services in advance.
16. Approve the low bid and construction contract from Davis Construction in the amount of \$2,291,000 to replace the coarse screening equipment at the Wastewater Treatment Plant.
17. Approve and issue annual purchase orders to Glidden Professional Paints in the amount of \$10,802.70 for fiscal year 2013 and \$11,205 for fiscal year 2014, for the purchase of paint products to be used throughout the Wastewater Treatment Plant.

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

1. Consideration of reappointing Dennis L. Morrison and Wilnita Williams to the Saginaw Transit Authority Regional Services for terms to expire September 26, 2015.

## INTRODUCTION OF ORDINANCES:

## CONSIDERATION AND PASSING OF ORDINANCES:

## RESOLUTIONS:

1. Approve the Resolution authorizing an Industrial Tax Exemption Certificate for Duperon located at 1200 Leon Scott Street.

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UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley  
City Manager

# CITY OF SAGINAW PROCLAMATION

WHEREAS, in 2010 one home structure fire was reported every 85 seconds; and

WHEREAS, in 2010, U.S. fire departments responded to 369,500 home structure fires; these fires caused 13,350 civilian injuries, 2,640 civilian deaths, and \$6.9 billion in direct damage; and

WHEREAS, almost two-thirds (62%) of reported home fire deaths resulted from fires in homes with no smoke alarms or no working smoke alarms; and

WHEREAS, only one-third of Americans have both developed and practiced a home fire escape plan; and

WHEREAS, home fire escape plans should be created in every household and practiced twice a year; and

WHEREAS, having smoke alarms can cut the chances of dying in a fire in half; and

WHEREAS, the Saginaw Fire Department provides and installs smoke alarms free of charge to Saginaw residents; and

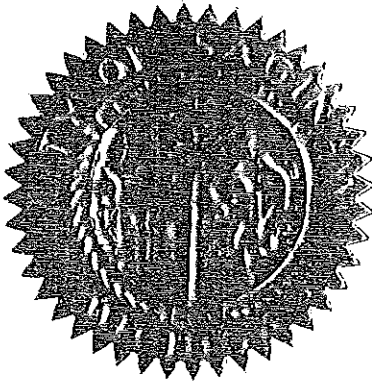
WHEREAS, the 2012 Fire Prevention Week theme, "Have 2 Ways Out" effectively serves to remind us all of the simple actions that we can take to improve awareness and increase protection from fires everyday; now

THEREFORE, I, Greg Branch, Mayor of the City of Saginaw, do hereby proclaim  
October 7-13, 2012 as

## "FIRE PREVENTION WEEK"

throughout the City of Saginaw, and I urge all residents of this city to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2012, and to support the many public safety activities and efforts of the City of Saginaw's Fire and Emergency services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 24th day of September in the year of our Lord two thousand twelve.



September 24, 2012

A handwritten signature in black ink, appearing to read "Greg Branch".

Gregory L. Branch, Mayor

### *Councilpersons*

*Dennis Browning, Mayor Pro Tem  
Annie Boensch, Norman Braddock, Larry Coulouris,  
Daniel Fitzpatrick, Floyd Kloc, Amos O'Neal,  
Andrew Wendt*

Darnell Earley, City Manager

# ***CITY OF SAGINAW***

## **NOTICE OF PUBLIC HEARING**

In compliance with requirements of Act 168, P.A. 1974, the following notice is posted:

Notice is hereby given that the Saginaw City Council has scheduled a public hearing on the request from Duperon for an Industrial Facilities Exemption Certificate at 1200 Leon Scott, Saginaw, Michigan.

The public hearing will be held Monday, September 24, 2012, at 6:30 p.m. in the Council Chamber of the City Hall, 1315 S. Washington Ave., Saginaw, MI. The application and legal description of the property is on file in the Office of the City Clerk.

All interested persons are invited to attend this public hearing.

Janet Santos, CMC/MMC  
City Clerk

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

Posted: September 14, 2012

By: \_\_\_\_\_

PERMIT # 12-24

Permit for Fireworks Display  
Michigan Department of Energy, Labor & Economic Growth  
Bureau of Fire Services  
Office of the State Fire Marshal  
P.O. Box 30700  
Lansing, MI 48909  
517-241-8847

2012

RECEIVED  
CITY CLERK  
CITY OF SAGINAW

SEP 13 2012

Authority: 1968 PA 358  
Compliance: Required  
Penalty: Misdemeanor  
The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to the agency.

*This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.*

Public Display       Agricultural Pest Control

ISSUED TO: COLONIAL FIREWORKS COMPANY      AGE (18 or over)

ADDRESS: 6480 TOMER RD CLAYTON, MI

NAME OF ORGANIZATION, GROUP, FIRM, OR CORPORATION: PRIDE IN SAGINAW      P.O. BOX 872 101 N. WASHINGTON SAGINAW, MI 48606

NUMBER AND TYPES OF FIREWORKS	
300	3" AERIAL DISPLAY SHELLS
210	4" AERIAL DISPLAY SHELLS
100	5" AERIAL DISPLAY SHELLS
60	6" AERIAL DISPLAY SHELLS
16	MULTI-SHOT BARRAGE TYPE ITEMS (CAKES)

EXACT LOCATION OF DISPLAY: OJIBWAY ISLAND SAGINAW, MI

CITY, VILLAGE, TOWNSHIP: SAGINAW, MI      DATE / RAIN DATE: RD: NOV 16, 2012      RD: NOV 17, 2012      TIME: 8:30PM

BOND OR INSURANCE FILED:  Yes       No      AMOUNT: \$10 MILLION

Issued by action of the:  council       commission       board of  
 city       village       township of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_  
  
\_\_\_\_\_  
(Signature and Title of Council/Commission/Board Representative)

\* THIS FORM IS VALID FOR THE YEAR SHOWN ONLY \*

**Application for Fireworks Display Permit**  
 Michigan Department of Energy, Labor, & Economic Growth  
 Bureau of Fire Services  
 P.O. Box 30700  
 Lansing, MI 48909  
 517-241-8847

RECEIVED  
 CITY CLERK  
 CITY OF SAGINAW

**2012**

SEP 13 2012

Authority: Compliance: Penalty:	1968 PA 358 Voluntary Permit will not be issued	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.	
<input type="checkbox"/> Public Display		<input type="checkbox"/> Agricultural Pest Control	
NAME OF APPLICANT <b>COLONIAL FIREWORKS FBO PRIDE IN SAGINAW</b>		ADDRESS <b>6480 TOMER RD CLAYTON, MI</b>	DATE OF APPLICATION
IF CORPORATION, NAME OF PRESIDENT <b>GREG TREMONTI</b>		ADDRESS <b>500 RIVERSIDE ROSSFORD, OH</b>	
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT <b>MICHIGAN RESIDENT CORPORATION</b>		ADDRESS	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR <b>FRANK LOFFREDO, JR.</b>		ADDRESS <b>25 MARLINDALE AVE BOARDMAN, OH 44512</b>	AGE (18 or over) <b>52</b>
NO. YEARS EXPERIENCE <b>30+</b>	NO. DISPLAYS <b>1000+</b>	WHERE <b>THROUGHOUT MICHIGAN AND OHIO</b>	
NAME OF ASSISTANT		ADDRESS	AGE
NAME OF OTHER ASSISTANT		ADDRESS	AGE
EXACT LOCATION OF PROPOSED DISPLAY <b>OJIBWAY ISLAND SAGINAW, MI</b>			
DATE OF PROPOSED DISPLAY <b>NOVEMBER 16, 2012</b>		TIME OF PROPOSED DISPLAY <b>8:30PM</b> RAINDATE: <b>NOVEMBER 17, 2012</b>	
NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED		
<b>300</b>	<b>3" AERIAL DISPLAY SHELLS</b>		
<b>210</b>	<b>4" AERIAL DISPLAY SHELLS</b>		
<b>100</b>	<b>5" AERIAL DISPLAY SHELLS</b>		
<b>60</b>	<b>6" AERIAL DISPLAY SHELLS</b>		
<b>16</b>	<b>MULTI-SHOT BARRAGE TYPE ITEMS (CAKES)</b>		
MANNER AND PLACE OF STORAGE PRIOR TO DISPLAY (Subject to Approval of Local Fire Authorities) <b>COLONIAL FIREWORKS COMPANY VEHICLE</b>			
AMOUNT OF BOND OR INSURANCE (To be set by local government) <b>\$10 MILLION</b>		NAME OF BONDING CORPORATION OR INSURANCE COMPANY <b>BRITTON GALLAGHER &amp; ASSOC</b>	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY <b>6240 SOM CENTER RD SOLON OH</b>			
SIGNATURE OF APPLICANT <i>Jason Lynch</i>			

\* FORM IS VALID FOR YEAR SHOWN ONLY \*





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
8/3/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Britton-Gallagher and Associates, Inc. 6240 SOM Center Rd. Cleveland OH 44139	RECEIVED CITY CLERK CITY OF SAGINAW  SEP 13 2012	<b>CONTACT NAME:</b>	<b>FAX (A/C. No.):</b> 440-544-1234
		<b>PHONE (A/C. No. Ext.):</b> 440-248-4711	<b>E-MAIL ADDRESS:</b>
<b>INSURED</b> Colonial Fireworks Company 6480 Tomer Road Clayton MI 49235	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	<b>INSURER A:</b> Lexington Insurance Co		
	<b>INSURER B:</b> Granite State Insurance Co.		
	<b>INSURER C:</b> Axis Surplus Ins Company		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
	<b>INSURER F:</b>		

**COVERAGES**

CERTIFICATE NUMBER: 1140151423

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC			1618924-04	2/15/2012	2/15/2013	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			CA6265853911	2/15/2012	2/15/2013	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			EAU705977	2/15/2012	2/15/2013	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$ NO STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/>
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			N/A			E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

SHOW NO: 2012-096 DISPLAY DATE: NOVEMBER 16, 2012

LOCATION: OJIBWAY ISLAND SAGINAW MI

ADDITIONAL INSURED: PRIDE IN SAGINAW, INC.; CITY OF SAGINAW PROJECT SPECIFIC LIMIT APPLIES. LIMIT OF \$10,000,000 PER OCCURRENCE ANNUAL AGGREGATE APPLIES SPECIFICALLY TO THE CITY OF SAGINAW, PRIDE IN SAGINAW, INC. SHOW AT OJIBWAY ISLAND IN SAGINAW, MI. THIS POLICY EXTENDS COVERAGE TO THE SPECIAL EVENT AND ITS PARTICIPANTS.

**CERTIFICATE HOLDER****CANCELLATION**
 PRIDE IN SAGINAW, INC.  
 JEANNE CONGER  
 P O BOX 872  
 SAGINAW MI 48606

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

 PRIDE IN SAGINAW, INC. by Jeanne Conger  
 AUTHORIZED REPRESENTATIVE

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Petition # 12-25

# Petition for Banner

RECEIVED  
CITY CLERK  
CITY OF SAGINAW

SEP 14 2012

**PLEASE NOTE:** PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

**TO SAGINAW CITY COUNCIL:**

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at not more than two (2) of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

- 500 Block of Court Street
- 200 Block of West Genesee
- 300 Block of South Michigan
- 1000 Block of East Genesee Avenue

For: Saginaw Arts & Enrichment Commission  
(Organization)

Promotion for Annual Hollyday Fair  
Purpose of Banner

**MESSAGE ON BANNER** Hollyday Fair - Andersen Enrichment Center  
December 5

Time Period Requested: November 6, 2012 to December 5, 2012  
(Not to exceed 30 days)

**PETITIONERS**

Marsha Braun - SAEC

**NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:**

NAME Marsha Braun PHONE 759-1363 ext 223  
ADDRESS: Andersen Enrichment Center  
120 Ezra Rust Dr Saginaw MI 48601

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

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

**Manager's Recommendation:**

I recommend the approval of the Substantial Amendment for the Emergency Solutions Grant (ESG) Agreement for 2011-12 and authorize the Mayor Pro-Tem 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 substantial amendment from the Department of Housing and Urban Development (HUD) for FY 2011 for the Emergency Solutions Grant (ESG) Program. The funding agreement is in the amount of \$61,950. This was a second round of funding that was approved by HUD earlier in 2012. The City requested the funds and was recently notified that the substantial amendment for the funds has been approved.

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 a two-year period that began on August 31, 2012 and will terminate on August 30, 2014. 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 subrecipients financed with ESG monies.

The staff is in the process of allocating the funds to subrecipients. After the applications have been received and a recommendation is made regarding the award of the funds, City Council final approval will be sought.

**Council Action:**

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

**From:** Darnell Earley, City Manager  
**Subject:** Budget Adjustment – Karbon Arms MPID (Tasers) with Tru-Vu Camera  
**Prepared by:** Sienna Rendon, Community Public Safety – Police

**Manager’s Recommendation:**

It is recommended that a budget adjustment be completed to increase the 2013 Drug Forfeiture Fund’s Use of Fund Equity Account No. 264-0000-680.00-00 from \$113,176 to \$187,429 which equates to a \$74,253 increase. This increase in revenues will be offset by an increase to the Drug Forfeiture Fund’s Parts and Supplies Account No. 264-3040-731.73-30 by the same amount.

**Justification:**

This budget adjustment is necessary for the purchase of seventy Karbon Arms MPIDs (Tasers) equipped with Tru-Vu audio and color video, thirty-five 6-pack taser cartridges, two data docking stations, seventy dual cartridge holders, and sixty-six operator training kits for the Community Public Safety – Police.

**Council Action:**

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

**From:** Darnell Earley, City Manager  
**Subject:** Karbon Arms MPIDs (Tasers) with Tru-Vu Cameras  
**Prepared by:** Sienna Rendon, Community Public Safety – Police

**Manager’s Recommendation:**

I recommend that a purchase order be approved and issued to Michigan Police Equipment of Charlotte, MI, in the amount of \$74,253 for the purchase of seventy Karbon Arms MPIDs (Tasers) with Tru-Vu cameras along with accompanying equipment for these items.

**Justification:**

The seventy Karbon Arms MPIDs are equipped with Tru-Vu audio and color video. In addition, the purchase would include thirty-five 6-pack taser cartridges, two data docking stations, seventy dual cartridge holders, and sixty-six operator training kits for the Saginaw Police Department. These items are being purchased as replacements for the current tasers being used, which have exceeded the manufacturer’s 5-year life. Michigan Police Equipment is a distributor of Karbon Arms equipment and is a sole source provider.

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

Funds for this purchase are available in the Community Public Safety – Police Drug Forfeiture Parts & Supplies account no. 264-3040-731.73-30.

**Council Action:**

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

**From:** Darnell Earley, City Manager

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

**Prepared by:** Chris Seager, Technical Services

**Manager's Recommendation:**

I recommend that payments be made to SunGard Public Sector Inc., for software maintenance and license fees in a total amount not to exceed \$141,000, pursuant to the HTE Software License Agreement and Supplemental Software License and Services Agreement approved by City Council on October 27, 1997, as part of the IBM Technology Upgrade Plan. SunGard Public Sector Inc. invoices the City of Saginaw for maintenance and license fees on a quarterly basis.

**Justification:**

Maintenance and license agreements require the periodic payment of fees. Maintenance agreements allow the City to obtain periodic software enhancements and use SunGard resources for problem support. License fee payments are required to use copyrighted programs. This communication covers quarterly payments for fiscal year 2013. Our agreement with SunGard Public Sector Inc., allows an annual increase in fees equal to the Consumer Price Index. Quarterly software payments will continue until a new Enterprise Software Company has been approved by Council and implemented by City Technical Service staff.

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

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

**Council Action:**

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

**From:** Darnell Earley, City Manager  
**Subject:** Letter of Agreement and Extension of Property Lease  
**Prepared by:** Phillip Karwat, Public Service Department

**Manager's Recommendation:**

I recommend that the "Letter of Agreement and Extension of Property Lease" ("Agreement") between the City of Saginaw ("City") and Alltel Communications of Saginaw MSA Limited Partnership d/b/a Verizon Wireless be approved and the documents be executed as necessary. I have approved the Agreement as to substance and the City Attorney has approved as to form.

**Justification:**

Alltel Communications of Saginaw MSA Limited Partnership d/b/a Verizon Wireless, f/k/a Century Cellunet of Saginaw MSA Limited Partnership ("Verizon") is seeking to renew its lease with the City for an additional five-year term, with renewal options to 10 years. On April 23, 1996, the City of Saginaw entered into a fifteen year lease agreement with Century Cellunet of Saginaw, now known as Verizon. The existing lease agreement had renewal options for an additional ten year term on the terms and conditions set forth in the original agreement, upon the agreement of both lesser and lessee. The property that is leased is approximately a 60' x 80' parcel of City-owned land North of Washington Avenue (M-13) and West of North Sixth Avenue. The property address is 1701 North 1st Street. The lease is for maintaining and operating radio communications facilities, including an antenna tower, foundation, utility lines, electronic equipment, equipment shelter, and supporting structures thereto. The City of Saginaw has received approximately \$168,000 to date from the existing lease and is estimating an additional \$181,000 over the next ten years. The lease is incremented in periods of five years with an automatic renewal period unless Verizon or the City notifies either party in writing of a desire to terminate the lease. Verizon will maintain a general liability policy on the premises and facilities for \$3,000,000, name the City as additional insured and will guarantee, upon termination of the lease, that the tower will be removed and the land restored to its original surface condition.

**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 Heated Hopper Trailers for Patching Pot Holes  
**Prepared by:** Al Orr, Public Services Department

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued in the amount of \$30,580 for fiscal year 2013 to Spaulding Manufacturing Company of Saginaw, MI, the sole bidder, for replacement of two Heated Hopper Trailers used for patching potholes by the Maintenance and Service Division.

**Justification:**

On April 11, 2012 Spaulding Manufacturing Company was the sole bidder for the Saginaw County Road Commission bid for a 2013 Model, 4-ton Heated Hopper Spaulding trailer. The Routine Maintenance Division is replacing two 1998 2-ton Spaulding trailer mounted units that were scheduled for replacement in 2008. The trailers have extensive rust and fatigue to the body, frame, and heating chambers, along with mechanical issues, making them often inoperable, and unsafe for use. At this time, one unit is out-of-service, and the other trailer is essentially in the same condition. Due to the excessive maintenance costs, and down time of these trailers, it is in the best interest of the City to replace the heated hopper trailers used for patching potholes. Spaulding Manufacturing Company was awarded the Saginaw County bid in the amount of \$15,290 per trailer for a total amount of \$30,580. The City of Saginaw Code of Ordinances, Chapter 14; Finance and Purchasing, Section 14.30 – Cooperative Purchasing states that "The City Manager or his/her designee is authorized to join with other units of government in cooperative purchasing plans when the best interest of the City would be served thereby, upon City Council Approval."

Spaulding Manufacturing Company 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 Major Streets Fund - Routine Maintenance Division's Maintenance Equipment Account No. 202-4651-841.97-41.

**Council Action:**

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



**From:** Darnell Earley, City Manager  
**Subject:** Convenience Station Containers and Trash Disposal – ROW Division  
**Prepared by:** Beth D. London, Public Services Department

**Manager’s Recommendation:**

I recommend that separate annual purchase orders be approved and issued to Waste Management of Michigan, Inc., Lennon, MI, the lowest bidder, in the amount of \$10,485 for fiscal year 2013 and \$13,185 for fiscal year 2014 for convenience station containers and trash disposal.

**Justification:**

On September 4, 2012, sealed bids were received for the disposal of trash collected at the City of Saginaw’s Convenience Station, located at 1435 S. Washington Avenue. This service requires the vendor to supply up to three 30 cubic yard containers per month for collection of the trash at the Convenience Station. It is estimated that each container will be emptied 12 times a year (36 containers annually). Waste Management bid \$75 per delivery of a 30 cubic yard container and \$9.50 per cubic yard or \$285 per container for disposal for fiscal year 2013. Waste Management also stated that if they are allowed to bring in new dumpsters at the same time they remove the existing dumpsters, they will only charge for the first delivery of containers. The total estimated costs for this service for fiscal year 2013 would be for \$225 for delivery and \$10,260 for disposal of the Convenience Station Containers. The following is a tabulation of the bids:

		<u>Delivery Cost</u> <u>Per Container</u>	<u>Disposal Cost Per</u> <u>Cyd / Container</u>	<u>Total Bid</u>
Waste Management of Michigan, Inc. Lennon, MI	FY13	\$75	\$9.50 / \$285	\$10,485
	FY14	\$75	\$10.00 / \$360	\$13,185
Billy’s Contracting Saginaw, MI (out-city)	FY13	\$0	\$12.50 / \$375	\$13,500
	FY14	\$0	\$12.75 / \$382.50	\$13,770
Republic Services of Northern Michigan Flint, MI	FY13	\$0	\$12.50 / \$375	\$13,500
	FY14	\$0	\$13.00 / \$390	\$14,040

Waste Management of Michigan, 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 – Rubbish Collection Division’s Operating Services Account No. 226-4582-841.80-05 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:** 14<sup>th</sup> Street Sewer Debris Hauling and Disposal  
**Prepared by:** John Premo, Public Services Department

**Manager's Recommendation:**

I recommend annual purchase orders be approved and issued to Billy's Contracting, Saginaw, MI in the amount of \$27,000 for fiscal year 2013, and in the amount of \$28,500 for fiscal year 2014.

**Justification:**

On August 14, 2012, two year bids were received for the 14<sup>th</sup> Street annual sewer debris hauling and disposal of up to sixty (60) 20 yard containers (1,200 cyds) of material from mainline sewer and catch basin cleaning activities. A cost comparison shows a 13% increase from the previous year. Following is a tabulation of the two bids received:

		<b><u>Total Cost for 20 yd. Container</u></b>	<b><u>Total Balance</u></b>
<b>Billy's Contracting</b>	FY13	\$450	\$27,000
Saginaw, MI (out-city)	FY14	\$475	\$28,500
<b>Republic</b>	FY13	\$692	\$41,520
Flint, MI (out- city)	FY14	\$620	\$37,200

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

Funds are budgeted in Sewer Operation and Maintenance Fund - Maintenance and Service Division's Operating Services Account No. 590-4821-861.80-05 (\$27,000) for fiscal year 2013, and will be budgeted in the amount of \$28,500 in the same account number for fiscal year 2014.

**Council Action:**

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

**From:** Darnell Earley, City Manager  
**Subject:** Blanket Purchase Order For Larry's Auto Supply  
**Prepared by:** Al Orr, Department of Public Services

**Manager's Recommendation:**

I recommend that a blanket purchase order be approved and issued in the amount of \$3,000 for fiscal year 2013 to Larry's Auto Supply of Saginaw, MI for the purchase of tools for the mechanics within the Motor Pool Division.

**Justification:**

The City's Municipal Garage mechanics are given a tool allowance at a yearly cost not to exceed \$500 per person, per the SEIU Hourly Bargaining Unit, Union Contract, Section 43 as follows:

For the Mechanical Equipment Repairperson II, Serviceperson Mechanic and Mechanic Equipment Repairperson I positions, the employer will continue to replace broken and worn out tools and contribute to the purchase of "updated" tools owned and used by the employees in these job classifications at a yearly cost not to exceed \$500 per person, per fiscal year. It is further understood that City employees shall be responsible for assigned tools lost or damaged through negligence of the employee. The allowance shall be distributed based on procedure currently in effect in the Division of Motor Equipment.

This blanket purchase order fulfills the City's bargaining agreement to employees for the purchase of new and specialized tools required for changes in industrial materials, electronic computer software and manufactured specifications, etc. Each one of the Garage's six mechanics selects their individual tools. An efficient way of purchasing these items is to establish a blanket purchase order.

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

Funds are budgeted in the Motor Pool Operation – Garage Division's Parts & Supplies Account No. 661-4480-841.73-30.

**Council Action:**

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

**From:** Darnell Earley, City Manager  
**Subject:** 6 AA Stone & 22A Stonecrete  
**Prepared by:** John Premo, Public Services Department

**Manager's Recommendation:**

I recommend that the low bids be accepted and separate annual purchase orders be approved and issued to Wirt Saginaw Stone Dock, Saginaw, MI in the amount of \$15,500 for fiscal year 2013 and 2014; and to Champagne and Marx Excavating, Saginaw, MI in the amount of \$17,850 for fiscal year 2013 and 2014.

**Justification:**

On August 14, 2012, two year bids were received for 1,000 tons of 6AA Stone and 1,700 tons of 22A Stonecrete used annually by the Maintenance and Service Division in the construction and repair of the water distribution and sewage collection systems when de-watering trenches, stabilizing poor soils and restoring roadbeds. A cost comparison shows a 13% reduction for 6AA stone and no change for the 22A stonecrete. Champagne and Marx Excavating submitted an alternative bid for stonecrete that meets Michigan Department of Transportation specifications. Champagne and Marx Excavating supplied the same alternative stonecrete for the previous contract. Following is a tabulation of the two bids received:

<b><u>6AA Stone (1,000 Tons)</u></b>	<b><u>FY 2013</u></b>	<b><u>FY 2014</u></b>
Wirt Saginaw Stone Dock Saginaw, MI (out-city)	\$15,500	\$15,500
Champagne & Marx Excavating Saginaw, MI (out-city)	\$17,590	\$18,340
<b><u>22A Stone (1,700 Tons)</u></b>		
Champagne & Marx Excavating Saginaw, MI (out-city)	\$17,850	\$17,850
Wirt Saginaw Stone Dock Saginaw, MI (out-city)	\$22,525	\$23,120

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 are budgeted in Water Operation and Maintenance Fund - Maintenance and Service Division's Streets and Road Materials Account No. 591-4721-861.73-40 (\$16,675), and in Sewer Operation and Maintenance Fund - Maintenance and Service Division's Streets and Road Materials Account No. 590-4821-861.73-40 (\$16,675) for fiscal year 2013, and will be budgeted in the same account numbers in the same amounts 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:** Purchase of Used Hi-Ranger for Streets Operations  
**Prepared by:** Al Orr, Public Services Department

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued in the amount of \$23,695 for fiscal year 2013 to Cannon Truck Equipment Company of Shelby Township, MI for the purchase of a used Hi-Ranger used by the Maintenance and Services Division for daily tree maintenance and also in emergency situations for storm damage trimmings and removals.

**Justification:**

Al Orr, the Fleet Administrator has worked extensively with Division Heads and Foremen in writing the specifications and searching the area for used equipment that could be used to replace the existing Hi-Ranger. A used Hi-Ranger in good condition was located at Cannon Truck Equipment Company. Estimated costs for a new Hi-Ranger may be in excess of \$100,000. The recommended purchase is for a used 2003 Chevrolet Kodiak C7500/ Hi-Ranger unit with 34,000 miles. The Routine Maintenance Division is replacing a 1988 Chevrolet Hi-Ranger with 91,000 miles that was scheduled for replacement in 2000. It has extensive rust, fatigue to the body, and frame along with mechanical issues that make this vehicle unable to meet DOT or OSHA standards. Current estimated repair costs from the Motor Pool for this vehicle are in excess of \$30,000. This truck is one of two Hi-Rangers used in the daily maintenance of the City's 60,000+ parkway trees and also in emergency situations for storm damage trimmings and removals. As an emergency response vehicle, it must be maintained in a constant state of readiness. The Hi-Ranger is currently out-of-service. Due to the excessive maintenance costs, and down time of this truck, it is in the best interest of the City to replace this Hi-Ranger used in emergencies and for tree maintenance.

The Cannon Truck Equipment Company 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 Major Streets Fund - Routine Maintenance Division's, Capital Outlay, Maintenance Equipment Account No. 202-4651-841.97-41.

**Council Action:**

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

**From:** Darnell Earley, City Manager  
**Subject:** Queen Street Wood Removal – ROW Division  
**Prepared by:** Heather Howe, Public Services Department

**Manager’s Recommendation:**

I recommend that the bid from Great Lakes Bay Services, LLC be accepted for the Queen Street wood and debris removal, and that the amount of \$3,500 be paid to the City from Great Lakes Bay Services in advance of removal.

**Justification:**

On August 28, 2012, sealed bids were received for the removal of all wood and debris materials from the City’s Queen Street Dumpsite located at 1601 Queen Street. This site is full with stored wood and debris from the Right of Way Division’s tree trimming, tree removal, and brush pick up operations.

Great Lakes Bay Services bid is for payment to the City at a rate of \$20 per load of various types of harvested wood materials and debris from the Queen Street Dumpsite. There will be 175 loads removed using a walking floor trailer that holds 120-140 cubic yards per load. The City will receive payment of \$3,500 for the wood removal. Great Lakes Bay Services is the only vender to bid a payment to the City for removing the wood materials and debris. The following is a tabulation of the bids:

	<u>Cost to the City</u>	<u>Payment to the City</u>
Great Lakes Bay Services LLC Saginaw, MI (out-city)	\$0	\$3,500 (\$20 per load @ 175 loads)
I.E. Incorporated Flint, MI	\$0	\$0
C & J Bark Haulers, Inc. Hemlock, MI	\$24,000	\$0
TDE Enterprises Alpena, MI	\$48,000	\$0

Great Lakes Bay Services LLC 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 will be received in the Major Streets Fund – Materials and Services Account No. 202-0000-532.62-90.

**Council Action:**

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

**From:** Darnell Earley, City Manager

**Subject:** Davis Construction Contract for Project C-1608 Wastewater Treatment Plant Coarse Screen Improvements

**Prepared by:** Kimberly Mason, Water and Wastewater

**Manager's Recommendation:**

I recommend that the low bid from Davis Construction, Grand Rapids, be accepted and that a contract be awarded to them in the amount of \$2,291,000 to replace the coarse screening equipment at the Wastewater Treatment Plant. The contract has been approved by me as to substance and the City Attorney as to form.

**Justification:**

The project involves replacement of the coarse screening equipment at the City's Wastewater Treatment Plant. The improvement project is being funded by a State Water Pollution Control Revolving Fund Loan. The revolving fund loan process requires that certain project milestones be met by certain dates. On May 21, 2012 Council approved a resolution authorizing publication of a notice of intent to issue bonds for this project. On July 23, 2012 Council approved a resolution of tentative contract award to Davis Construction. On August 13, 2012 Council approved a resolution authorizing the issuance of general obligation limited tax bonds. The last project milestone to be met prior to award of the contract was the issuance of a Department of Environmental Quality (DEQ) Order of Approval. The DEQ issued the Order of Approval on August 27, 2012. All financial arrangements to secure the loan have been successfully completed and at this time we are seeking Council approval to award the contract to Davis Construction in the amount of \$2,291,000. On June 26, 2012 the City received three bids. The bids were reviewed and two of the bidders were disqualified. The revolving fund loan program has specific Disadvantaged Business Enterprises (DBE) requirements. Documentation confirming that DBE requirements were met was requested from all bidders. Davis Construction was the only bidder that submitted the required documentation.

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 Sewer Operations and Maintenance Fund, Sewer Bonds Capital Construction Projects Account No. 590-4843-881.80-47.

**Council Action:**

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

**From:** Darnell Earley, City Manager  
**Subject:** Paint Purchase  
**Prepared by:** Brian Baldwin, Water and Wastewater

**Manager’s Recommendation:**

I recommend that the low bid from Glidden Professional Paints of Saginaw be accepted and that annual purchase orders be issued to them in the amount of \$10,802.70 for fiscal year 2013 and \$11,205 for fiscal year 2014, for the purchase of paint products as needed at the Wastewater Treatment Plant throughout each fiscal year.

**Justification:**

On August 4, 2012, the City received bids for the purchase of paint to be used throughout the Wastewater Treatment Plant. Four vendors submitted sealed bids. The following is a tabulation of the bids received:

	FY 2013	FY 2014
Glidden Professional Paints Saginaw, MI	\$10,802.70	\$11,205.00
Sherwin Williams Saginaw, MI	\$12,061.90	\$12,061.90
Pittsburg Paints Flint, MI	\$12,774.70	\$13,444.70
Motion Industries Saginaw, MI	\$15,036.60	\$15,036.60

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

Funds for this purchase are available in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 590-4830-861.73-30 for fiscal year 2013, and will be budgeted in the same account for fiscal year 2014.

**Council Action:**

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

**INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FOR  
DUPERON, 1200 LEON SCOTT STREET, SAGINAW, MICHIGAN**

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

**WHEREAS**, Duperon did on August 10, 2012, submit an application for an Industrial Facilities Tax Exemption Certificate as provided by Act 198, P.A. of 1974, as amended, hereinafter referred to as the Act; and

**WHEREAS**, the Council has carefully considered said application and all information pertinent thereto.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council hereby finds and determines as follows:

1. The Council of the City of Saginaw on February 20, 2012, on the request of Duperon (formerly known as Bombay Group, LLC) and on the initiative by the City Council of the City of Saginaw did lawfully establish in the City of Saginaw, an Industrial Development District pursuant to the Act, said district comprising that certain parcels of land in the State of Michigan, County of Saginaw and City of Saginaw of which is on file in the City Clerk’s Office.

2. Upon receipt of the above-mentioned application for an Industrial Facilities Tax Exemption Certificate from Duperon, the City Clerk did notify in writing the Assessor of the City of Saginaw and the legislative body of each taxing unit which levies ad valorem property taxes in the City of Saginaw, this being the governmental unit in which the facility for an Industrial Facilities Tax Exemption Certificate is sought to be located, said taxing units being the Public Libraries of Saginaw, Delta College, Saginaw Intermediate School District, Saginaw Board of Education, Saginaw County Board of Commissioners and Saginaw Transit Authority Regional Services, enclosing a copy of the above-described application for Industrial Facilities Tax Exemption Certificate and notifying each that it would be given an opportunity to be heard on this matter by the Council at its regular meeting on Monday, September 24, 2012 at 6:30 p.m. in the City Hall Council Chamber, 1315 S. Washington, Saginaw, Michigan.

3. The Council has on this date and earlier in this meeting afforded Duperon, the Assessor of the City of Saginaw, and a representative of each affected taxing unit an opportunity for a hearing on the above-mentioned application for Industrial Facilities Tax Exemption Certificate, and the Council has given due consideration to all information presented at said hearing.

4. The City Assessor has heretofore determined and furnished to the Council the value of the property to which the above-mentioned application pertains, the aggregate state equalized valuation of real and personal property which would be exempt from ad

valorem taxes under the Act in the City of Saginaw after granting the above-petitioned Industrial Facilities Tax Exemption Certificate and the sum of the state equalized valuation of the City of Saginaw and the aggregate state equalized valuation of real and personal property exempt from ad valorem taxes under the Act in the City of Saginaw.

5. Construction of the facility or installation of machine and equipment, which is the subject of the above-mentioned application, was not begun earlier than 6 months before the filing of the application for the Industrial Facilities Tax Exemption Certificate.

6. The application filed for the certificate indicates 4-6 new jobs will be created, and 50 current jobs will be retained, in the City of Saginaw, this being the community in which the facility is situated.

7. The aggregate state equalized valuation of real and/or personal property exempt from ad valorem taxes under the Act in the City of Saginaw after granting the Industrial Facilities Tax Exemption Certificate applied for will not exceed 5 percent of an amount equal to the sum of the state equalized valuation of real and/or personal property exempt from ad valorem taxes under the Act in the City of Saginaw.

8. Granting of the Industrial Facilities Tax Exemption Certificate considered with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act. No. 255 of the Public Acts of 1978 shall not have the effect of substantially impeding the operation of local government or impairing the financial soundness of any unit of local government.

9. The aforementioned application complies in all respects with the applicable provisions of the Act, and all actions and proceedings necessary for the approval of said application by the Council of the City of Saginaw have been accomplished as required by said public act.

10. As part of the aforementioned application, Duperon has entered into an Industrial Facilities Tax Abatement Agreement with the City of Saginaw setting forth the terms and requirements of the company as part of the City’s approval of the certificate.

**BE IT FURTHER RESOLVED**, that the Council of the City of Saginaw does hereby approve the above-described application of Duperon, 1200 Leon Scott, Saginaw, Michigan, for an Industrial Facilities Tax Exemption Certificate for a period of 12 years.

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 24, 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.

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Janet Santos, CMC/MMC  
City Clerk