

Council Agenda

October 29, 2012

Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

1. Request from James Bricault for an Obsolete Property Rehabilitation Certificate at 126 N. Franklin Street.

PERSONAL APPEARANCES:

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

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. SGTV and Website Update, Jeff Klopccic, Director of Technical Services.
2. Department of Public Services Solar Generation Plant Update, Phil Karwat, Director of Public Services.
3. Department of Public Services Radio System Update, Phil Karwat, Director of Public Services.

CONSENT AGENDA:

1. Approve the minutes for October 15, 2012 regular council meeting.
2. Receive and file the Release Agreement in the matter of Stephanale Adams v. City of Saginaw et al., and issue payment in accordance with the Release Agreement.
3. Approve and issue a purchase order to TBF Graphics, in the amount of \$3,507.60 for the printing of the Notices of Assessment for fiscal year 2013 and 2014.
4. Approve the amendments to the 2012/2013 Approved Budget to recognize the carry forward of the 2012 annual purchase orders into the 2013 Approved Budget as well as to recognize any errors, omissions, or changes that have occurred during the 1st quarter.

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5. Approve the five year lease agreement with Telecom Technicians, Inc. and Key Government Finance, Inc. on behalf of Cisco Systems Capital, Corp. for the provision and installation of network switch upgrades. Annual lease payments will be \$27,354.05 for a total of \$136,770.25.
6. Approve the Consumers Energy Interconnection and Parallel Operating Agreement and Exhibit A, Non-Residential Customer Affidavit, and authorize the City Manager or his designee to execute said Agreement and Affidavit.
7. Approve the Release of Easement to Saginaw County for the General Easement and Right of Way Grant for Landscape Improvements, Construction and Maintenance for 310 Johnson Street and authorize the City Manager or his designee to execute said Release.
8. Approve the quote from 3M, St. Paul, MN, at the State bid price, and approve and issue a purchase order to them in the amount of \$19,911.30 for the purchase of vinyl sheeting and sign faces to be used by the Traffic Maintenance Section of the Right of Way Division.
9. Approve the proposal from Anderson Radio at the State bid price, and approve and issue a purchase order to them in the amount of \$453,653 for the replacement of the Department of Public Services radio system.
10. Approve and issue a purchase order in the amount of \$2,800, at the State bid price, to AirGas, Inc. for payment of tank rental charges to be used in the City's Municipal Garage.
11. Approve and issue a purchase order in the amount of \$25,000 to Tri City Contracting for snow plowing services for the removal of snow and ice from the City's surface lots and parking ramp for fiscal year 2013 and 2014.
12. Approve the payment of an additional \$1,800 on blanket purchase order #46578 to Super Flite Oil for the purchase of Black Beauty Coal Slag to be used in the Wastewater Treatment Plant throughout fiscal year 2013.

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

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

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RESOLUTIONS:

1. Approve the Resolution authorizing an Obsolete Property Rehabilitation Certificate, located at 126 N. Franklin Street, Saginaw, Michigan.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Consideration of Freedom of Information Act Appeal.

Darnell Earley
City Manager

CITY OF SAGINAW

NOTICE OF PUBLIC HEARING

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

Notice is hereby given that the Saginaw City Council has scheduled a public hearing on the request from James Bricault for an Obsolete Property Rehabilitation Certificate at 126 N. Franklin Street, Saginaw, Michigan. The public hearing will be held Monday, October 29, 2012, at 6:30 p.m. in the Council Chamber of the City Hall. The petition 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: October 18, 2012

By: ____JKS_____

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, OCTOBER 15, 2012, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Councilman Browning offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Branch called the meeting to order. Council members present: Larry Coulouris, Floyd Kloc, Dennis Browning, Daniel Fitzpatrick and Mayor Branch. Council members absent: Amos O'Neal, Annie Boensch, Norman Braddock and Andrew Wendt.

ANNOUNCEMENTS

City Clerk Janet Santos announced information regarding the process for leaf collection services effective this fall and reminded residents of the absentee voter application deadline for the November 6, 2012 election.

Councilman Kloc presented a proclamation declaring October 21-27, 2012 as Pro Bono Week.

Councilman Fitzpatrick read a proclamation declaring October 2012 Anti-Gang/Anti-Violence Month. The proclamation was presented to De, Desmond Daniel of Kappa Alpha Phi.

Mayor Branch presented a Certificate of Appreciation to Sheilda Braddock for years of service at the First Ward Community Center.

Phil Karwat, Director of Public Services, awarded certificates of appreciation to the participants of the Saginaw Summer Youth Employment Program recognizing their service and contribution to the community.

PUBLIC HEARINGS

City Clerk Janet Santos announced the public hearing on the request from U. S. Graphite, Inc. for an Industrial Facilities Exemption Certificate at 1510 E. Holland Avenue. Mayor Branch called for comments. Steve Jonas of Saginaw Future and Roger New, CEO of U. S. Graphite spoke in favor of the certificate. Mayor Branch called for comments 2 more times.

Moved by Councilman Kloc, seconded by Councilman Fitzpatrick to close the public hearing. 5 ayes, 0 nays, 4 absent. Motion carried.

City Clerk Janet Santos announced the public hearing on the request from U. S. Graphite, Inc. for an Industrial Facilities Exemption Certificate at 1620 E. Holland Avenue. Mayor Branch called for comments. Steve Jonas of Saginaw Future and Roger New, CEO of U. S. Graphite spoke in favor of the certificate. Mayor Branch called for comments 2 more times.

Moved by Councilman Browning, seconded by Councilman Coulouris to close the public hearing. 5 ayes, 0 nays, 4 absent. Motion carried.

City Clerk Janet Santos announced the public hearing on the request from James Bricault for an Obsolete Property Rehabilitation District at 126 N. Franklin Street. Mayor Branch called for comments. Steve Jonas of Saginaw Future and James Bricault and Lisa Zarazua, property owners, spoke in favor of the district. Mayor Branch called for comments 2 more times.

Moved by Councilman Fitzpatrick, seconded by Councilman Coulouris to close the public hearing. 5 ayes, 0 nays, 4 absent. Motion carried.

City Clerk Janet Santos announced the public hearing on the Urban Cooperation Agreement between the City of Saginaw and Frankenmuth Township. Mayor Branch called for comments 3 times.

Moved by Councilman Browning, seconded by Councilman Fitzpatrick to close the public hearing. 5 ayes, 0 nays, 4 absent. Motion carried.

PERSONAL APPEARANCES

The following persons addressed the Council: Rev. Cirven Merrill, Dedrea Carter, Felicia Hogan, Saleem Mannan, Julia Barnton, Christina Jones and Lois Seaffer.

Councilman Wendt entered at 7:16 p.m.

REMARKS OF COUNCIL

Remarks were heard from the following Council members: Wendt, Kloc, Fitzpatrick, Browning and Mayor Branch.

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley introduced Phil Karwat, Director of Public Services and Bill Ernat, Interim Director of Development. Mr. Karwat and Mr. Ernat presented information on the Leaf Collection Enforcement process and an educational flyer for public distribution.

City Manager Darnell Earley introduced Jeff Kloplic, Director of Technical Services. Mr. Kloplic presented and update on the Enterprise Software replacement, implementation timeline and cost savings of the project.

Consent Agenda

1. Approve the minutes of the September 24, 2012 regular council meeting.
2. Approve the Urban Cooperation Agreement with Frankenmuth Township, which is a revenue sharing component of the Water Service Agreement between the City of Saginaw and the City of Frankenmuth, dated June 11, 2012.

3. Approve and issue a purchase order to Circle K Service for two positive pressure ventilation fans in the amount of \$3,906 for Saginaw Fire Department apparatus, Trucks 1 & 2.
4. Approve and issue purchase orders to: Let-R-Graphics in the amount of \$560 for the purchase of magnetic signs; Galls in the amount of \$1,893.74 for the purchase of rotating lights and safety vests; and The Work Wear Store in the amount of \$425 for the purchase of safety caps. The total for these patrol items is \$2,878.74.
5. Approve and issue a purchase order to Bentley Systems, Inc. in the amount of \$6,000 for renewal of the annual maintenance fee of Water GEMS hydraulic water modeling software to be used in the Water Treatment Plant and in the Maintenance and Services Department.
6. Approve and issue a purchase order to Novell, Inc. in the amount of \$12,276 for the renewal of annual software licensing and support.
7. Approve and issue a purchase order in the amount of \$3,099 to Pro Digital Gear for an Epson Large Format Plotter to be used for the daily printing operations of the GIS Division.
8. Approve and issue a purchase order in the amount of \$17,325 to En Pointe GOV, Inc. for 70 licenses of Microsoft Office 2010 Standard Version.
9. Approve the integrated municipal enterprise software system agreement with BS&A Software for \$800,000 over a six-year payment obligation.
10. Approve the agreement with Infor Global Solutions, Inc. and approve and issue a purchase order in the amount of \$116,145.06 for the upgrade of the existing MP2 software to Infor10 EAM enterprise edition.
11. Approve the payment of an additional \$1,750 on purchase order #46922 to Belding Tank Technologies for the repair of two fiberglass chemical storage tanks in the Wastewater Treatment Plant.
12. Approve a 3 year hydraulic computer modeling agreement to be used in the Water Treatment Plant with Greeley and Hansen Engineers, Inc. and a purchase order be approved and issued to them for an amount not to exceed \$90,000.
13. Approve and issue a purchase order to Motion Industries in the amount of \$2,168.33 for fiscal year 2013 for one 2 inch and one 3 inch Tsurumi Trash Pump for use by the Maintenance and Service Division.
14. Approve and issue a purchase order to Alro Steel Corporation in the amount of

\$2,220.07 for fiscal year 2013 for the purchase of 270 feet of round stock and 2,614 pounds of sheet steel to be used in the Maintenance and Service Division.

15. Approve the payment to I.E., Inc. in the amount of \$32,400 for an emergency purchase order to grind 27,000 cubic yards of compost material at the City's compost site.
16. Approve and issue a purchase order to Etna Supply in the amount of \$35,655.37 for fiscal year 2013 for an annual supply of sewer pipe and parts to be used in the Maintenance and Service Division in the construction and repair of the sewage collection system for fiscal year 2013.
17. Approve and issue a purchase order to Etna Supply in the amount of \$9,700 for fiscal year 2013 for the purchase of a replacement 12 inch Mag Meter to be used by the Maintenance and Service Division.
18. Approve the Resolution authorizing the use of amplifying equipment for JABKA – Alternative Choices 4 Excellence (ACE) to use during the “A Call to Peace” Event on October 27, 2012 at 321 N. Washington Avenue.
19. Approve the Resolution authorizing the use of amplifying equipment for Mt. Olive Baptist Church to use during their “Trunk or Treat” Event on October 31, 2012 at 1114 N. 6th Street.
20. Approve the Resolution authorizing the Agreement with MDOT for preliminary engineering services for the resurfacing of East Genesee Avenue from Harold Street to Hess Street.
21. Approve the Resolution authorizing the Agreement with MDOT for preliminary engineering services for the rehabilitation of Hamilton Street from Lyon Street to Court Street.

Council Action:

Moved by Councilman Browning, seconded by Councilwoman Wendt to approve consent agenda items 1 through 21 as presented. 6 ayes, 0 nays, 3 absent. Motion carried.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND
APPOINTMENT OF BOARDS AND COMMISSIONS MEMBERS

Moved by Councilman Browning, seconded by Councilman Kloc to appoint Mayor Branch, City Manager Darnell Earley and Todd Hare to the MBS International Airport Commission each with a term to expire October 15, 2014. 6 ayes, 0 nays, 3 absent. Motion carried.

Mayor Branch announced the appointment of Richard Kemerer to the Saginaw Housing commission for a term to expire September 8, 2012.

RESOLUTIONS

Moved by Councilman Coulouris, seconded by Councilman Wendt to adopt resolution #2012-059 authorizing an Industrial Tax Exemption Certificate for U. S. Graphite, Inc. located at 1510 E. Holland Avenue. 6 ayes, 0 nays, 3 absent. Motion carried.

Moved by Councilman Browning, seconded by Councilman Wendt to adopt resolution #2012-060 authorizing an Industrial Tax Exemption Certificate for U. S. Graphite, Inc. located at 1620 E. Holland Avenue. 6 ayes, 0 nays, 3 absent. Motion carried.

Moved by Councilman Fitzpatrick, seconded by Councilwoman Coulouris to adopt resolution #2012-061 establishing an Obsolete Property Rehabilitation District located at 126 N. Franklin Street. 6 ayes, 0 nays, 3 absent. Motion carried.

MOTIONS AND MISCELLANEOUS BUSINESS

Moved by Councilman Browning, seconded by Councilman Coulouris to enter a closed session to discuss pending litigation in conjuncture with constitutional claim, per MCL 15.268 Section 8.

Roll Call Vote:

Yeas: Wendt, Browning, Coulouris, Kloc, Fitzpatrick and Mayor Branch

Nays: None

Absent: O'Neal, Braddock and Boensch

Motion carried.

Moved by Councilman Browning, seconded by Councilman Kloc to enter a closed session to discuss pending litigation in conjuncture with condemnation claim, per MCL 15.268 Section 8.

Roll Call Vote:

Yeas: Browning, Kloc, Coulouris, Wendt, Fitzpatrick and Mayor Branch

Nays: None

Absent: O'Neal, Braddock and Boensch

Motion carried.

Council entered close session at 8:34 p.m.

Moved by Councilman Kloc, seconded by Councilman Fitzpatrick to return to regular session at 8:58 p.m. 6 ayes, 0 nays, 3 absent. Motion Carried.

Moved by Councilman Kloc, seconded by Councilman Fitzpatrick to approve the settlement proposed by legal counsel as discussed in closed session. 6 ayes, 0 nays, 3 absent. Motion Carried.

Moved by Councilman Kloc, seconded by Councilman Fitzpatrick to approve to file offer of judgment in accordance with legal counsel as discussed in closed session. 6 ayes, 0 nays, 3 absent. Motion Carried.

ADJOURNMENT

Moved by Councilman Browning, seconded by Councilman Wendt, to adjourn the meeting at 9:00 p.m. 6 ayes, 0 nays, 3 absent. Motion carried.

Janet Santos, CMC/MMC
City Clerk

From: The Law and Legal Affairs Team

Subject: Release Agreement

Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend the Release Agreement in the matter of Stephanale Adams v. City of Saginaw et al. be received and filed and that payment is issued in accordance with the Release Agreement.

Justification:

A Release Agreement has been executed and received from Stephanale Adams, plaintiff in the lawsuit against the City of Saginaw, Dennis Howe, Scott Bickel and Terri Johnson-Wise. Mr. Adams releases, acquits, and discharges the City and the named employees (current and former) from claims and causes of action of any kind for payment of Six Thousand Dollars (\$6,000). In exchange for the payment, the lawsuit is dismissed.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Printing/Mailing 2013 and 2014 Notices of Assessment
Prepared by: Mary Malocha, Fiscal Services

Manager's Recommendation:

I recommend the City accept the bid from TBF Graphics, the lowest bidder, and issue a purchase order to them in the amount of \$1753.80 for fiscal year 2012 and \$1753.80 for fiscal year 2013. The total for the two-year agreement is \$3507.60

Justification:

Two-year bids were received from 4 vendors for the printing and mailing of the 2013 and 2014 Notices of Assessment. TBF Graphics is the low qualified bidder. The following is a table of the bids:

| <u>Vendor</u> | <u>FY2012</u> | <u>FY2013</u> | <u>Total</u> |
|--------------------------------------|---------------|---------------|--------------|
| Peregrine Services Monroe, LA | \$1753.80 | \$1753.80 | \$3507.60 |
| TBF Graphics Saginaw, MI | \$1824.90 | \$1824.90 | \$3649.80* |
| Questmark Information Houston, TX | \$1759.73 | \$1796.47 | \$3556.20 |
| Southwest Direct Fort Myers, FL | \$2488.50 | \$2488.50 | \$4977.00 |

*Per the local bidder preference calculation, \$87.69 was added to Peregrine Services' low bid of \$1753.80 to equal their adjusted total of \$1841.49. This makes their total more than TBF Graphics' bid price of 1824.90. It should also be noted that because postage should be relatively equal in each case, the main focus regarding cost is on the printing portion of which TBF Graphics submitted a lower cost for each respective year. Therefore, TBF Graphics is the low bidder for this service.

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 General Fund- Dept. of Fiscal Services Assessor's Office, Printing Account No. 101-1744-711-80.30.

Council Action:

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

From: Darnell Earley, City Manager
Subject: 2012/2013 1st Quarter Budget Adjustment
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

I recommend that the 2012/2013 Approved Budget for the listed funds be amended. This adjustment is required to recognize the carry forward of the 2012 annual purchase orders into the 2013 Approved Budget as well as to recognize any errors, omissions, or changes that have occurred during the 1st quarter.

Justification:

The 2012/2013 annual budget will be adjusted in accordance with Public Act 2 of 1968 Uniform Budgeting and Accounting Act, the City Charter, and the approved 2013 Budget Resolution, which states that the City Manager must provide quarterly budget adjustments to City Council as a result of budget to actual analysis. As a result of the City Manager's 1st quarter analysis, the below-mentioned budget adjustments take into consideration any errors, omissions, or changes in the funding levels and expenditures approved by City Council as prescribed by the City Charter.

The General Fund (101) should be increased by \$26,095 from \$31,854,041 to \$31,880,136. The majority of this increase is due to EECBG and SGTV projects that will be completed in FY 2013. Funding for both of these projects will be provided by restricted fund balance.

Clean Energy Coalition Fund (230) should be increased from \$146,150 to \$150,015. This is a \$3,865 increase. This amendment reflects the encumbrance of funds for the I-675 and M13 Interchange Project with the State of Michigan. Expenditures will be offset by available unassigned and unrestricted fund balance.

Drug Forfeiture Fund (264) should be increased from \$148,036 to \$192,274. This is a \$44,238 increase. This amendment reflects the encumbrance of funds for the purchase of ammunition that was requested and approved in FY 2012. Expenditures will be offset by available unassigned and unrestricted fund balance.

The Community Development Block Grant Fund (275) should be increased by \$23,649. This amendment reflects the acceptance of carryover funds from prior years that will be spent this fiscal year. Expenditures will be offset by an increase in the Federal Grant/Block Grant Entitlement Account No. (275-0000-513.58-22) by the same amount.

The Community Development Block Grant – Residential Fund (276) –should be increased from \$714,596 to \$954,596, which represents a \$240,000 increase. This

amendment reflects the acceptance of carryover funds from prior years that will be spent this fiscal year. This increase will be offset by an increase in the Federal Grant/Block Grant Entitlement Account No. (276-0000-513.58-22) by the same amount.

The Community Development Block Grant – HOME Fund (278) –should be increased by \$517,835. This amendment reflects the acceptance of carryover funds from prior years that will be spent this fiscal year. This increase will be offset by an increase in the Federal Grant/Block Grant Entitlement Account No. (278-0000-513.58-22) by the same amount.

The Neighborhood Stabilization Program (NSP) Fund (279) –should be increased by \$138,863. This amendment reflects the remaining funds for the NSP I program that will be spent on demolition, employment agency fees, rent and taxes. This increase will be offset by an increase in the NSP I Account No. (279-0000-511.60-01) by the same amount.

The Sewer Operations and Maintenance Fund (590) should be increased by a net \$769,557 from \$27,146,879 to \$27,916,436. This amendment reflects the encumbrance of funds from the prior year as well as an adjustment to the Bar Screening Project for the actual loan amount. An available appropriation of retained earnings will offset the increase in the fund.

The Water Operations and Maintenance Fund (591) should be increased from \$22,188,412 to \$22,525,773. This is an increase of \$337,361. This amendment reflects the encumbrance of funds from the prior year as well as an adjustment to debt service payments. An available appropriation of retained earnings will offset the fund's increase.

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 Network Switches
Prepared by: Chris Seager, Technical Services

Manager's Recommendation:

I recommend that the lease agreement with Telecom Technicians, Inc. be approved for the provision and installation of network switch upgrades and that the lease agreement be financed through Key Government Finance, Inc. on behalf of Cisco Systems Capital, Corp. The term of the Agreement is five years. The amount to be financed is \$128,455.82 at a rate of 2.94 percent. Annual payments will be \$27,354.05 for a total of \$136,770.25.

Justification:

The current switches that are being utilized were purchased in April 2004. This equipment has reached the end of its product lifecycle and can no longer be covered under manufacturer support. The new switches will provide support for IP (internet protocol) phone telephony, greater bandwidth and a higher level of security which will increase the speed and efficiency of the City's Network. Additionally, the new switches have newer mainstream technology enhancements such as Layer 3 switching, Power-Over-Ethernet, and support for 10 Gigabit Ethernet.

On June 26, 2012, the City received bids for the purchase of the Cisco network switches, which includes the City Hall core switch and access layer switches for City Hall and Police Department. The alternate bid from MJK Net, Inc. did not match the bid hardware specifications and therefore was not accepted as low bid.

Following is a tabulation of the bids received:

| | |
|---|------------------------------|
| Telecom Technicians, Inc. Sterling Heights, MI | <u>Total</u> \$128,455.82 |
| MJK Net, Inc. Grand Rapids, MI | \$152,912.95 |
| MJK Net, Inc. (Alternate Bid) Grand Rapids, MI | \$89,097.20 |

The lease agreement covers the network switches and associated hardware, installation, and maintenance over the five year lease period. At the end of the lease, the City will own the equipment.

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 available in the Technical Services-IS Maintenance Equipment Account No. 658-1720-711.97-41.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Consumers Energy Agreement and Exhibit – ROW Division
Prepared by: Beth London, Public Services Department

Manager’s Recommendation:

I recommend the approval of the Consumers Energy Interconnection and Parallel Operating Agreement and Exhibit A, Non-Residential Customer Affidavit and the authorization of the City Manager or his designee to execute said Agreement and Affidavit. The City Manager has approved both the Agreement and the Affidavit as to substance and the City Attorney as to form.

Justification:

In March 2012, the City of Saginaw entered into Agreement with Consumers Energy to participate in the Experimental Advanced Renewable Program (EARP) Phase 3. As a participant of EARP, the City was allowed to construct a 24.0 kW solar generation plant on-site at Saginaw’s Public Services facility located at 1435 S. Washington Avenue. With the system fully constructed, Consumers Energy now requires an executed Interconnection and Parallel Operating Agreement between the parties prior to connecting and operating the solar generator. The current Agreement defines the type of generation plant constructed, the conditions for operating a non-utility generating resource such as the City’s 24.0 kW generator, conditions for connecting the generator to the distribution system, and each party’s rights and responsibilities for operation and maintaining the connection to the system.

For the purpose of this Agreement, “Interconnect” means establishing a connection between a non-utility generating resource and Consumers Energy’s distribution system and “Operate in Parallel” means generating electricity from a non-utility resource that is connected to Consumers Energy’s system.

Consumers Energy will purchase all the electricity produced from the generation plant at a rate of \$0.229 per kW hour. The City utilized a combination of grant funds and loans to finance the construction of the generation plant. Revenue of approximately \$6,150 per year will be earned from the sale of electricity, the loan will have a payback of approximately 15 years and the EARP Agreement lasts for 15 years.

Exhibit A, Non-Residential Customers Affidavit notarizes a statement from the City to identify the manufacturer of the generating equipment, specify the installation location on the site, list the percentage of Michigan-based labor, as well as provide contact information for the contractor that installed the system.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Release of Easement – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that the City of Saginaw grant a Release of Easement to Saginaw County for the General Easement and Right of Way Grant for Landscape Improvements, Construction and Maintenance, recorded in Liber 2390, Pages 677 & 678, Saginaw County Register of Deeds for 310 Johnson Street, parcel 03-0167-00000, and authorize the City Manager or his designee to execute said Release. The City Manager has approved the Release of Easement as to substance and the City Attorney as to form.

Justification:

A General Easement and Right of Way Grant for Landscape Improvements, Construction and Maintenance was granted to the City of Saginaw in 2006 by Saginaw Centre Development Company, the owner of the International Centre located at 310 Johnson Street. The purpose of the 9 feet by 78 feet easement was to provide landscaping at the Johnson Street entrance to the International Centre as part of the Johnson Street enhancement project.

Saginaw County currently owns the property at 310 Johnson Street and is in the process of demolishing the International Centre. In its place they plan to construct a parking lot complete with new curb and gutter, drainage structures, and lighted landscaped island areas. Saginaw County has requested a release of this easement to remove the existing landscaping that was installed as part of the Johnson Street project because it would take away parking spaces, disrupt drainage flow, and hinder in directing pedestrian traffic to a specific street crossing location for safety purposes.

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 Sign Materials – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that the quote from 3M, St. Paul, MN, be accepted at the State bid price and a purchase order be approved and issued to them in the amount of \$19,911.30 for the purchase of vinyl sheeting and sign faces.

Justification:

The Traffic Maintenance Section of the Right of Way Division is required to maintain and replace, when necessary, approximately 25,000 street signs within the City of Saginaw. The vinyl sheeting and sign faces are used to replace signs that have been damaged, vandalized or need to be replaced and upgraded because of age.

3M provided the following State bid pricing:

| | <u>Quantity</u> | <u>Unit Price</u> | <u>Extended Price</u> |
|---|-----------------|-------------------|-----------------------|
| Green Electronic Cuttable Film 18 inch X 50 yard | 30 rolls | \$310.50 | \$9,315.00 |
| White High Intensity Prismatic Sheeting 9 inch X 50 yard | 60 rolls | \$163.13 | \$9,787.80 |
| R8-3A No Parking Symbol 12 inch x 12 inch | 150 each | \$5.39 | \$808.50 |

3M 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 - Traffic Engineering Division’s Sign Supplies Account No. 202-4621-791.73-50.

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 the Public Services Radio System
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend that the proposal from Anderson Radio be accepted at the State bid price, and that a purchase order be approved and issued to them in the amount of \$453,653 for the replacement of the Department of Public Services radio system.

Justification:

A proposal from Anderson Radio was received and evaluated by City staff for the replacement of the Department of Public Services radio system. Anderson Radio is the local authorized Motorola dealer who is contracted with the State of Michigan and offers State bid pricing for all equipment. The current system was installed in 2001 at a cost of \$281,419.10, and has exceeded its life expectancy of 7 to 10 years and is experiencing frequent equipment failures and increased maintenance costs. The new system will consist of digital technologies along with GPS capabilities, and will bring the City into compliance with the Federal Communication Commission's new regulations regarding narrow banding. The system will consist of fixed station equipment, 75 mobile radios, 88 portable radios, and 24 desktop controls to include accessories and programming equipment.

Anderson Radio 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 FY 2013 Radio Operation Fund - Radio Operation Division's Radio Equipment Account No. 660-4422-791.97-50.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Compressed Gas Tank Rental
Prepared by: Al Orr, Public Services Department

Manager's Recommendation:

I recommend that a purchase order be approved and issued to AirGas, Inc., Saginaw, at the State bid price of \$2,800 for the payment of tank rental charges.

Justification:

The City's Municipal Garage requires the services of this vendor for supplying tank rentals, and the containment of welding & cutting gasses from July 1, 2012 to June 30, 2013. Under a separate purchase order, AirGas, Inc. is also supplying the City's Municipal Garage with compressed Oxygen, Acetylene, Argon, and Argon/CO2 mixes at State bid pricing for Fiscal Year 2013. The containment tanks must be obtained from the specific vendor who supplies the fuel for the fiscal year. This purchase order will cover the monthly rentals for the eighteen (18) tanks of various mixtures and sizes that the garage has on hand for daily use and emergency repairs. This cost represents no price increase from the previous year.

AirGas, 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 are budgeted in the Motor Pool Operation Fund – 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: Purchase Order for Snow Plowing Services
Prepared by: John C. Stemple, Licensed Inspector

Manager's Recommendation:

I recommend that a purchase order be approved and issued in the amount of \$25,000 for fiscal year 2013 and 2014 to Tri City Contracting of Saginaw, for snow plowing services.

Justification:

On October 2, 2012, the City received bids from three vendors. The lowest bid was from Tri-City Contracting for the removal of snow and ice from the City's surface lots and parking ramp. This service will be provided for Group 1: lots 4 and 23, approximately 94,480 square feet; Group 2: will no longer be plowed as these lots have been leased and the lessee is responsible for plowing; Group 3: lot at 101 S. Hamilton, approximately 17,281 square feet; and Group 4: Ramp #1 at 220 S. Franklin, approximately 21,213 square feet.

The Following is a tabulation of bids received:

2012/2013 Bids:

| | |
|--|------------------|
| Tri-City Contracting Bid | 2012/2013 |
| Group 1: est. 10 hrs w/4 wheel drive w/ plow | \$45.00/hr |
| Group 2: est. 12 hrs w/4 wheel drive w/ plow | \$45.00/hr |
| Group 3: est. 12 hrs w/4 wheel drive w/plow | \$45.00/hr |
| Group 4: est. 12 hrs w/4 wheel drive w/plow | \$45.00/hr |
| | |
| Garage Parking Ramp #1 | \$45.00/hr |
| 220 S. Franklin w/4 wheel drive w/plow | |
| | |
| Loaders | \$75.00/hr |
| Tandem Trucks | \$55.00/hr |
| Bobcat Loaders | \$60.00/hr |
| Salting | \$120.00/ton |
| | |
| Site Management Services | 2012/2013 |
| Group 1: est. 10 hrs w/4 wheel drive w/ plow | \$55.00/hr |
| Group 2: est. 12 hrs w/4 wheel drive w/ plow | \$60.00/hr |
| Group 3: est. 12 hrs w/4 wheel drive w/plow | \$50.00/hr |
| Group 4: est. 12 hrs w/4 wheel drive w/plow | \$55.00/hr |

| | |
|--|------------------|
| Garage Parking Ramp #1 220 S. Franklin w/4 wheel drive w/plow | \$55.00/hr |
| Loaders | \$110.00/hr |
| Tandem Trucks | \$95.00/hr |
| Bobcat Loaders | \$85.00/hr |
| Salting | \$100.00/ton |
| Elite Lawn Care | 2012/2013 |
| Group 1: est. 10 hrs w/4wheel drive w/ plow | \$60.00/hr |
| Group 2: est. 12 hrs w/4wheel drive w/ plow | \$60.00/hr |
| Group 3: est. 12 hrs w/4wheel drive w/plow | \$60.00/hr |
| Group 4: est. 12 hrs w/4wheel drive w/plow | \$60.00/hr |
| Garage Parking Ramp #1 220 S. Franklin w 4/wheel drive w/plow | \$60.00/hr |
| Loaders | \$100.00/hr |
| Tandem Trucks | \$55.00/hr |
| Bobcats Loaders | \$35.00/hr |
| Salting | \$125.00/ton |

2013/2014 Bids:

| | |
|--|------------------|
| Tri-City Contracting | 2013/2014 |
| Group 1: est. 10 hrs w/4wheel drive w/ plow | \$45.00/hr |
| Group 2: est. 12 hrs w/4wheel drive w/ plow | \$45.00/hr |
| Group 3: est. 12 hrs w/4wheel drive w/plow | \$45.00/hr |
| Group 4: est. 12 hrs w/4wheel drive w/plow | \$45.00/hr |
| Garage Parking Ramp #1 220 S. Franklin w/4 wheel drive w/plow | \$45.00/hr |
| Loaders | \$75.00/hr |
| Tandem Trucks | \$55.00/hr |
| Bobcat Loaders | \$60.00/hr |
| Salting | \$120.00/ton |
| Site Management Services | 2013/2014 |
| Group 1: est. 10 hrs w/4wheel drive w/ plow | \$55.00/hr |
| Group 2: est. 12 hrs w/4wheel drive w/ plow | \$60.00/hr |
| Group 3: est. 12 hrs w/4wheel drive w/plow | \$50.00/hr |
| Group 4: est. 12 hrs w/4wheel drive w/plow | \$55.00/hr |

| | |
|--|------------------|
| Garage Parking Ramp #1 220 S. Franklin w/4wheel drive w/plow | \$55.00/hr |
| Loaders | \$110.00/hr |
| Tandem Trucks | \$95.00/hr |
| Bobcat Loaders | \$85.00/hr |
| Salting | \$103.00/ton |
| Elite Lawn Care | 2013/2014 |
| Group 1: est. 10 hrs w/4wheel drive w/ plow | \$60.00/hr |
| Group 2: est. 12 hrs w/4wheel drive w/ plow | \$60.00/hr |
| Group 3: est. 12 hrs w/4wheel drive w/plow | \$60.00/hr |
| Group 4: est. 12 hrs w/4wheel drive w/plow | \$60.00/hr |
| Garage Parking Ramp #1 220 S. Franklin w 4/wheel drive w/plow | \$60.00/hr |
| Loaders | \$125.00/hr |
| Tandem Trucks | \$55.00/hr |
| Bobcats Loaders | \$35.00/hr |
| Salting | \$125.00/ton |

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

Funds are budgeted in the General Fund Parking Operations and Maintenance Division's Operating Services Account No. 101 3868 761 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: Black Beauty Coal Slag
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend payment of an additional \$1,800 on blanket purchase order #46578, issued on July 16, 2012 to Super Flite Oil of Saginaw, increasing the total to \$3,700 for the purchase of Black Beauty Coal Slag throughout fiscal year 2013.

Justification:

Black Beauty Coal Slag is the media used in sandblasting. Blanket purchase order #46578 was issued in the amount of \$1,900 to Super Flite Oil in July to purchase this product throughout the year. The Wastewater Treatment Plant has been doing much more sandblasting and recoating of steel than normal as we are refurbishing the substructure of our 100' diameter primary clarifiers. Because of this we have almost exhausted the funds in the existing purchase order. The additional funds should allow us to complete this project.

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.

Council Action:

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

OBSOLETE PROPERTY REHABILITATION CERTIFICATE FOR JAMES BRICAULT FOR PROPERTY AT 126 N. FRANKLIN STREET

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

WHEREAS, under P.A. 146 of 2000, as amended, the City of Saginaw is a Qualified Local Government Unit eligible to establish one or more Obsolete Property Rehabilitation (OPRA) Districts and approve applications for Obsolete Property Rehabilitation Exemption Certificates; and

WHEREAS, the Saginaw City Council approved the formation of an OPRA District at 126 N. Franklin Street, TAX ID 07 03-0185-00000, "the facility", on October 15, 2012, following a public hearing pursuant to Section 3 of P.A. 146 of 2000, as amended; and

WHEREAS, the taxable value of this exemption plus the aggregate taxable value of property already exempt does not exceed 5% of the total taxable value of the City of Saginaw; and

WHEREAS, the applicant, James Bricault, is not delinquent in any taxes related to the facility; and

WHEREAS, the applicant has provided all required items listed under the application instructions to the City of Saginaw; and

WHEREAS, the facility has been deemed obsolete by the City of Saginaw pursuant to Section 2(h) of P.A. 146 of 2000, as amended; and

WHEREAS, the application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility within the meaning of P.A. 146 of 2000, as amended, situated within an OPRA District; and

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

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

WHEREAS, the completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to revitalize an urban area; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by Section 2(1) of P.A. 146 of 2000, as amended; and

WHEREAS, the Council has on this date and earlier in this meeting afforded the applicant, the Assessor of the City of Saginaw, a representative of each affected taxing unit and the general public, an opportunity to be heard on the above-mentioned

application for an OPRA Certificate at 126 N. Franklin Street, as provided by Section 4(2) of P.A. 146 of 2000, as amended, and the Council has given due consideration to all information presented at said hearing; and

WHEREAS, the City of Saginaw is stipulating that the applicant complete the rehabilitation by September 1, 2017; and

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

NOW, THEREFORE, BE IT RESOLVED that the City of Saginaw hereby grants an Obsolete Property Rehabilitation Act Exemption Certificate, pursuant to Public Act 146 of 2000, as amended, for the eligible property legally described below and commonly known as 126 N. Franklin Street, Saginaw, Michigan, for a period of twelve (12) years.

ASSESSOR'S FILE #: 03 0185 00000

N ½ OF LOT 5, LOT 6, BLK 44, INC S ½ OF ADJACENT VACATED TUSCOLA ST,
MAP OF THE CITY OF EAST SAGINAW ALSO COMMONLY KNOW AS HOYT'S
PLAT

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 October 29, 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