

Council Agenda

December 21, 2009, 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

- December 7, 2009 regular council meeting.

ANNOUNCEMENTS:

- Richard Curry, Coach, and Harold Campau, Manager, and team of Saginaw “Old Golds” to accept Certificate of Recognition.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

- 09-25 from Rodger New, CEO/VP Sales & Marketing of U. S. Graphite, requesting to create an Industrial Development District and request for 12 year PA 198 real and personal property abatement.

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

From the Council Boards and Commission Committee:

- Consideration of reappointing Lori Brown to the Brownfield Redevelopment Authority with a term to expire December 31, 2012.

REPORTS FROM MANAGER:

1. Update on Global Watt plans to invest \$177 million for a solar modular production plant in the City of Saginaw by JoAnn Crary, President, Saginaw Future.
2. Honorable M. T. Thompson, 70th District Court, to review Project Future.
3. Update from Rob Eggers of Spicer Group on the Downtown Development Authority’s TIF Plan.

4. Yolanda Jones, Assistant to the City Manager/Budget Administrator, will review the first quarter 2010 financial report and budget calendar for fiscal year 2010-11.
5. Presentation of the Government Finance Officers Association (GFOA) Distinguished Budget Award by Darnell Earley, City Manager.

Recommended Actions:

1. Recommending that a public hearing for the Community Development Block Grant be set for Monday, January 25, 2010 at 6:30 p.m. in the Council Chamber.
2. Recommending that a public hearing for Community Development Block Grant-R program be set for Monday, January 25, 2010 at 6:30 p.m. in the Council Chamber.
3. Recommending approval of the Agreement for Professional Legal Services with Giarmarco, Mullins & Horton, P.C. The City has entered into agreements with various law firms to provide legal services. These services are necessary in the areas of conflict of interest, expertise and work overflow. The contracts set the hourly rate for services and the amount of expenses charged. This contract has been approved by the City Manager as to substance and the City Attorney as to form.
4. Recommending that Council waive the confidentiality of a December 4, 2009 written legal opinion from Dennis Dubay of the law firm of Keller Thoma on issues involving firefighter pension benefits and contributions. The City Manager and City Attorney do not foresee any damage resulting to the City from the release of this written opinion and recommend that the City Council waive attorney-client privilege so that it may be released.
5. Recommending that the Agreement with Bid Net Interactive Procurement Technologies for online bidding services to the City of Saginaw bidders be approved. The Agreement is for a period commencing upon the execution by both parties and expiring on May 31, 2011. This contract has been approved by the City Manager as to substance and the City Attorney as to form.
6. Recommending approval of the Parking Lot Lease Agreement with SMG. The Agreement is for a period of three years. The Agreement involves the use of City-owned Lots 4 and 23 during events at the Dow Event Center. SMG charges for parking and the City receive 50% of the gross revenues collected by SMG.
7. Recommending acceptance of the quote and issuance of a purchase order to Advantage Business Systems in the amount of \$3,921.14 for a media safe to be used for secure offsite storage of historical and backup/recovery media for the City of Saginaw's Information Technology System. Funds are budgeted and available in the Information Services Capital Outlay – Less Than \$5,000.00 Account, No. 658 1720 711 9705.
8. Recommending that a purchase order be approved and issued to Computer Management Technologies in the amount of \$14,951.00 for the renewal of IBM hardware maintenance and software license fees for the City of Saginaw's AS400 system and Storage Area Network Equipment. The cost for renewal of the software and hardware maintenance coverage and license fees was approved as part of the fiscal year 2009-10 budget process. Funds are budgeted in the Information Services Operating Services Account, No. 658 1720 711 8005.
9. Recommending that the blanket purchase order issued to Douglass Safety Systems, Inc. in the amount of \$20,000.00 be increased by \$9,000.00 for the purchase of additional

pieces of Personal Protective Equipment (turnout gear) to be used by the fire department. Funds are budgeted in the Saginaw Fire Department Clothing Supplies Account, No. 101 3752 751 7303.

10. Recommending acceptance of the following bids and issuance of purchase orders to them in the amounts listed for the purchase of police equipment for the Saginaw Police Department's Emergency Services Team: Protective Products International (ballistic helmets), \$3,705.00; United Shield International (ballistic shields and tactical armor plates), \$4,350.00; and Michigan Police Equipment (radio communications system and protective eye wear), \$9,024.05. The Saginaw Police Department was awarded JAG funds as part of the Federal Government's 2009 Stimulus Package. The police department would like to utilize its portion of the funds to modernize equipment for the Emergency Services Team. Funds are available in the Local Law Enforcement Grant Fund, Supplies/Parts & Supplies Account, No. 263 3321 741 7330.
11. Recommending approval of the agreement between the City of Saginaw and Dianne Hobbes in the amount of \$5,844.00 for her to again act as Program Evaluator for the Weed and Seed Grant activities. Funds are available in the Community Policing Fund – Weed and Seed Division's Professional Services Account, No. 260 3312 741 8001.
12. Recommending acceptance of the sole bid and issuance of a purchase order to Aedis IT, LLC, in the amount of \$10,164.02 for the purchase of computer equipment and software for the Weed and Seed lab located at 310 S. Washington Avenue. Funds are available in the Community Policing/Weed and Seed Fund Account, No. 260 3321 741 9705.
13. Recommending approval of the Proposal Agreement with ShotSpotter, Inc. for Phase II of the gunshot detection system to be utilized by the police department in reducing gunfire and gun violence crimes. The amount of the Agreement is \$200,000. Grant funds from the Department of Justice will be used to pay for Phase II of the ShotSpotter audio location system. Funds are available in the Community Policing Capital Outlay/Office Equipment Account, No. 260 3327 741 9760.
14. Recommending that payment be made to Great Lakes Industrial Control in the amount of \$2,053.00 for the purchase of a stainless steel valve to be used by the Wastewater Treatment Plant. Funds are available in the Sewer Operation and Maintenance Parts and Supplies Account, No. 590 4830 861 7330.
15. Recommending acceptance of the low quote and issuance of an annual purchase order to Miles Propane, Inc. in the amount of \$2,682.00 for the purchase of propane fuel to be used at the Green Point Nature Center. Funds are budgeted in the Building and Ground Division's Fuel Account, No. 101 7575 821 7307.
16. Recommending that Blanket Purchase Order #038552 issued to the Michigan Department of Environmental Quality be increased from \$1,950.00 to \$3,000.00 to perform routine laboratory analysis testing. Funds are available in the Water Treatment Operating Services Account, No. 591 4730 861 8005.
17. Recommending that a purchase order be approved and issued to ESRI, Inc. in the amount of \$6,024.00 for the annual GIS software maintenance fee. Funds are budgeted in the GIS Operating Services Account, No. 650 1738 781 8005.
18. Recommending acceptance of the quote and issuance of a purchase order to Jack Doheny Supplies in the amount of \$8,500.00 for the purchase of a sewer inspection camera. Jack Doheny is the sole source supplier for this equipment. Funds are available in the Sewer Operations Parts and Supplies Account, No. 590 4821 861 7330.

19. Recommending that a purchase order be approved and issued to RS Technical Services, Inc. in the amount of \$12,932.00 for the purchase of an analyzer/controller to be used by the Water Treatment Plant. Funds are available in the Water Operation and Maintenance Repairs and Replacements Account, No. 591 4740 881 9720.
20. Recommending that a purchase order be issued to the John Deere Company in the amount of \$16,313.42 for the purchase of a backhoe and attachments for the utility tractor. The Water Treatment Division purchased a compact utility tractor with only the front-end loader attachment in fiscal year 2009. The rear backhoe and associated attachments were not purchased at the time and the full capability of the utility tractor is not possible without the backhoe. Funds are budgeted in the Water Surplus Maintenance Equipment Account, No. 591 4740 881 9741.
21. Recommending that the Agreement with Hubbell, Roth & Clark be approved and that a purchase order be issued to them in an amount not to exceed \$260,000 for construction engineering/programming. This proposed project addresses replacing the mechanical aerators with new mechanical equipment and technology, adding variable frequency drives for the new aerators and dissolved oxygen probes to make them more efficient. Funds are available in the Sewer Surplus Capital Repairs and Replacement Account, No. 590 4840 881 9720.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Uncodified Ordinance imposing a temporary moratorium on certain land uses connected with the use of marijuana for medical purposes.
2. An Ordinance to delete "Low Income Housing Tax Exemption for Wolgast Corporation," and to add in its place "Low Income Housing Tax Exemption for Wickes Park Homes Limited Dividend Housing Association Partnership," to the Table of Special Ordinances VIII.

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: IBM Software/Hardware Maintenance agreement annual renewal payment

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Computer Management Technologies in the amount of \$14,951.00 for the renewal of IBM hardware maintenance and software license fees for the City of Saginaw's AS400 system and Storage Area Network Equipment. The cost for renewal of the software and hardware maintenance coverage and license fees was approved as part of the fiscal year 2009-2010 budget process.

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

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

Justification:

This renewal covers annual software and hardware maintenance for the IBM AS400 computer operating system software, license programs, licensing, support and upgrades as well as hardware repairs. It also covers the Storage Area Network firmware, licensing, and support as well as hardware repairs.

Model 520 AS400 Hardware Maintenance	\$6,499.00
Model 520 AS400 Software Maintenance	\$3,057.00
Storage Area Network Hardware Maintenance	\$5,395.00
Total	\$14,951.00

This is an on-going agreement with IBM, renewable upon annual payment budgeted in the appropriate account each fiscal year.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Contract for Weed and Seed Evaluation – Independent Contractor

Manager's Recommendation:

I recommend approval of the agreement between the City of Saginaw and Dianne Hobbes, in the amount of \$5,844, for her to again act as Program Evaluator for the Weed and Seed Grant activities.

Funds are available in the Community Policing Fund – Weed and Seed Division's Professional Services Account No. 260-3321-741.80-01.

Justification:

One of the grant requirements for the Weed and Seed Grant program is the submission of a written program evaluation. A total of \$5,000 of grant funds was allocated for this project in the first year, and Dianne Hobbes entered into an agreement to perform that function. A total of \$5,844 was allocated for fiscal year 2009-2010 for program evaluation. The Steering Committee of the Weed and Seed Grant program has again selected Dianne Hobbes to research and construct this evaluation. Ms. Hobbes already performs other grant activities for the City on a contract basis. However, this evaluation will again require a separate contract. The Evaluator will coordinate her work with that of the present Site Coordinator, Ronald O'Brien.

She will act as an independent contractor and receive total compensation of \$5,844, pursuant to the schedule set out in the contract, but no other benefits. The contractor will indemnify the City for any liability. The City will make the initial payments for the services and obtain reimbursement through the federal grant.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Approval of Agreement with Giarmarco, Mullins & Horton, P.C. for Legal Services

Manager's Recommendation:

I recommend approval of the Agreement for Professional Legal Services with Giarmarco, Mullins & Horton, P.C. This contract has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The City has entered into agreements with various law firms to provide legal services to the City. These services are necessary in the areas of conflict of interest, expertise and work overflow. These contracts are five years in duration, but either party may elect to terminate the contract upon sixty days notice. There is no minimum amount of work guaranteed or promised to any law firm. The purpose of the contracts is to provide a pre-existing framework for assignments sent to the various firms. The contracts set the hourly rate for services and the amount of expenses charged.

The City currently uses Giarmarco, Mullins & Horton, P.C. for representation on an action against Blue Cross Blue Shield of Michigan. But that is a contingent fee agreement, specific to that action. The parties require a separate hourly agreement for other legal representation.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: ESRI Annual GIS Software Maintenance Fee

Manager's Recommendation:

I recommend that a purchase order be approved and issued to ESRI, Inc. in the amount of \$6,024.00 for the annual GIS software maintenance fee.

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 GIS Operating Services Account No. 650-1738-781.80-05.

Justification:

Personnel from GIS, Engineering, Inspections, Public Services, Assessing, Police and Fire utilize GIS software on a daily basis. This software utilization includes the Weed Abatement program, Saginaw Fire View, Police Crime View, and Public Utilities viewer. In addition to purchasing the software, an annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the ESRI help desk for all software related questions and/or problems.

The fiscal year 2009 annual renewal maintenance fee was \$6,200.00.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Hubbell, Roth & Clark Engineering Services Agreement

Manager's Recommendation:

I recommend that the Agreement with Hubbell, Roth, & Clark (HRC) be approved and a purchase order be issued to them in an amount not to exceed \$260,000.00 for construction engineering/programming. The Agreement is approved by me as to substance by the City Manager and the City Attorney as to form.

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

The funds are available in the Sewer Surplus Capital Repairs and Replacement Account, No. 590-4840-881.97-20

Justification:

The City's Wastewater Treatment Plant is nearly 60 years of age. The secondary treatment portion of the plant is nearly 40 years old. The recent construction project at the plant upgraded and refurbished the oldest parts of the plant and replaced some of the original equipment from the 1950's. The proposed project addresses replacing the mechanical aerators with new mechanical equipment and technology, adding variable frequency drives for the new aerators and dissolved oxygen probes to make them more efficient.

This project is eligible for funding consideration under President Obama's American Recovery and Reinvestment Act (ARRA) stimulus package. The funding is administered through the Clean Water State Revolving Fund (CWSRF). The Michigan

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Department of Environmental Quality (MDEQ) accepts project plans and proposals for the CWSRF on a very rigid quarterly schedule. To qualify for the ARRA stimulus money, the project design had to be completed and submitted to the MDEQ for first quarter approval by October 16, 2009. Stimulus funds are only available in the first quarter financing schedule. To promote use of stimulus of funds, ARRA has authorized up to forty percent (40%) principle forgiveness of the CWSRF loan. On this project, the principle forgiveness could save the City of Saginaw nearly \$1,400,000.00.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Computer Lab Equipment

Manager's Recommendation:

I recommend acceptance of the sole bid received from Aedis IT, LLC, Saginaw, MI, be accepted and a purchase order be issued to them in the amount of \$10,164.02 for the purchase of computer equipment and software for the Weed and Seed lab located at 310 S. Washington Ave., Saginaw, MI.

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 Policing / Weed and Seed Fund (Capital Outlay/Less Than \$5,000) Account No. 260-3321-741.97-05.

Justification:

The Saginaw east side Weed and Seed Program has recognized the need for additional technology resources in order to better facilitate the Weed and Seed computer lab. This purchase was budgeted and approved as part of the overall Weed and Seed strategies in fiscal year 2009 through the Department of Justice.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Police Equipment - EST

Manager's Recommendation:

I recommend that the bids from the following vendors be accepted and purchase orders be issued to them in the following amounts for the purchase of police equipment for the Saginaw Police Department's Emergency Services Team: Protective Products International (ballistic helmets) \$3,705.00, United Shield International (ballistic shields and tactical armor plates) \$4,350.00, and Michigan Police Equipment (radio communications system and protective eye wear) \$9,024.05.

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

Funds for the purchases are available in the Local Law Enforcement Grant Fund, Supplies / Parts & Supplies Account No. 263-3321-741.73-30.

Justification:

The Saginaw Police Department was awarded JAG funds as part of the Federal Government's 2009 Stimulus Package. The Saginaw Police Department would like to utilize its portion of the funds to modernize equipment for the Emergency Services Team.

Bids consisted of five categories, ballistic helmets, ballistic shields, radio communications system, tactical armor plates and protective eye wear. Following is a tabulation of bids received and reviewed by the Purchasing Committee:

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Protective Products International Sunrise, FL	\$6,889.00 (Partial Bid)
Michigan Police Equipment Charlotte, MI	\$21,728.00
United Shield International Traverse City, MI	\$8,321.00 (Partial Bid)
CMP Distributors Lansing, MI	\$15,506.87 (Partial Bid)

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: ShotSpotter Inc. Phase II Proposal Agreement

Manager's Recommendation:

I recommend approval of the Proposal Agreement ("Agreement") with ShotSpotter Inc. ("ShotSpotter") for Phase II of the gunshot detection system, to be utilized by the Saginaw Police Department in reducing gunfire and gun violence crimes. The amount of the Agreement is \$200,000.00. The Proposal has been approved by me as to substance and the City Attorney as to form. It is further recommended that City Council authorize the Chief of Police or his designee to sign the Agreement.

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 Community Policing Capital Outlay/Office Equipment Account, No. 260-3327-741-9760.

Justification:

On September 28, 2009 City Council accepted a Grant from the Department of Justice, Office of Justice Programs in the amount of \$200,000.00. The grant funds will be used to pay for Phase II of the ShotSpotter audio location system. ShotSpotter has proven to be effective in the detection of gunshots in the City of Saginaw. Specifically, the system has helped to produce arrests, weapons confiscations and assisting in making better prosecution cases by producing detailed forensics.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Water Treatment MDEQ Laboratory Analysis

Manager's Recommendation:

I recommend that the blanket purchase order (#038852) issued to Michigan Department of Environmental Quality be increased from \$1,950.00 to \$3,000.00 to perform various routine tests.

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

Funds for this purchase are available in the Water Treatment Operating Services Account No. 591-4730-861.80-05.

Justification:

The Water Treatment Plant is mandated to perform various routine tests as a result of several Environmental Protection Agency (EPA) and Michigan Department of Environmental Quality (MDEQ) regulatory requirements. Copies of the results must be furnished to the MDEQ and local county health departments. The MDEQ laboratory performs most of the required testing in their laboratory and sends copies of the results to the appropriate regulatory agencies. Also, any laboratories other than the MDEQ laboratory would have to be certified by the MDEQ and/or EPA to perform the analysis. Due to the fact that the MDEQ requires submittal of this information and performs the analysis in their laboratory, the competitive bidding process was forgone. The quantity of tests required was recently and unforeseeably increased. It is recommended to increase the current blanket purchase order from \$1,950.00 to \$3,000.00 to cover the cost of the increased testing. The cost for testing of the increased parameter at the MDEQ laboratory is comparable to other private laboratories.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: SMG Parking Lot Lease Agreement

Manager's Recommendation:

I recommend approval of the Parking Lot Lease Agreement ("Agreement") with SMG. The Agreement is for a period of three years. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The City of Saginaw entered into a Parking Lot Lease Agreement on June 30, 2003 with SMG, the management company that operates the Dow Event Center, f/k/a the Saginaw County Event Center. The Agreement involves the use of City-owned Lots 4 and 23 during events at the Dow Event Center. SMG charges for parking and the City receive 50% of the gross revenues collected by SMG.

In addition, SMG agrees to indemnify the City for certain claims and will provide insurance. The Parking Lot Lease Agreement was renewed on October 9, 2006 and expired on September 30, 2009. The parties wish to renew it for an additional three years under the same terms and conditions, effective from October 1, 2009 through September 30, 2012.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Bid Net Interactive Procurement Technologies Agreement

Manager's Recommendation:

I recommend that the Agreement with Bid Net Interactive Procurement Technologies ("Bid Net") for online bidding services to City of Saginaw ("City") bidders be approved. The Agreement is for a period commencing upon the execution by both parties and expiring on May 31, 2011. It has been approved by me as to substance and the City Attorney as to form.

Justification:

Transmitted herewith is an Agreement between the City and Bid Net. Pursuant to the terms of the Agreement, Bid Net will provide the City with access to the Michigan Inter-governmental Trade Network ("MITN") System. The MITN System was originally started by nine (9) governmental entities located around the Detroit area. The City will be able to list bids and quotes utilizing an e-procurement system that reaches bidders all over the State of Michigan and potentially the rest of the United States. There is no cost to the City to become a part of this system. Furthermore, the City will continue to list bids on the City's website and post notices on the government cable channel.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Propane For Green Point Nature Center

Manager's Recommendation:

I recommend that an annual purchase order be issued to Miles Propane, Inc. in the amount of \$2,682.00 for the purchase of propane fuel to be used at the Green Point Nature Center.

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 Building and Grounds Division's Fuel Account, No.101-7575-821.73-07.

Justification:

The Green Point Nature Center is owned and maintained by the City of Saginaw and uses a propane boiler system for heat. Miles Propane, Inc. provided the low quote for onsite storage and delivery of propane fuel to be used during the 2010-11 season. Sealed bids for propane were solicited and scheduled for opening on October 20, 2009, but no bids were received. A follow up by the purchasing officer revealed the two companies mentioned below received the bid but did not respond due to various scheduling conflicts. Due to time constraints regarding the cold weather season, quotes were received by fax with the following results:

Miles Propane, Inc. Merrill, MI	\$2,682.00
Dague Druis-Gas Saginaw, MI	\$2,862.00

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Waiving Confidentiality of a Legal Opinion

Manager's Recommendation:

I recommend that the Council waive the confidentiality of a December 4, 2009 written legal opinion from Dennis DuBay of the law firm of Keller Thoma on issues involving firefighter pension benefits and contributions.

Justification:

The City and the Police and Fire Pension Board have investigated the issue of the proper application of the 2.8% multiplier for firefighter pensions. This arose out of a June 7, 1999 stipulated Act 312 Award in MERC Case No. L97 B-3058. The specific issue involved was whether the Firefighters Association Local 312 had fully complied with the Act 312 Award provision or whether they should provide further contributions to the City. The City retained attorney Dennis DuBay of the law firm of Keller Thoma to provide a legal opinion on this topic, which he did on December 4, 2009.

The City proposes to use this opinion as a basis for further action in this area and it would be difficult to do so as long as the opinion remained confidential and could not be distributed to other parties. The City Manager and City Attorney do not foresee any damage resulting to the City from the release of this written opinion and recommend that the City Council waive attorney-client privilege so that it may be released.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: CDBG-R Public Hearing

Manager's Recommendation:

I recommend that a public hearing for Community Development Block Grant-R (CDBG-R) program be set for Monday, January 25, 2010 at 6:30 pm in the Council Chamber.

Justification:

It is necessary to hold a public hearing to meet citizen participation requirements for the Community Development Block Grant-R (CDBG-R) program. The public hearing is part of the submission approval process for the upcoming 2010-2011 Program Year.

Citizens wishing to comment on the upcoming fiscal year CDBG-R program will be given an opportunity to comment.

A public hearing notice for a January 25th public hearing will be published in the Saginaw News and the City of Saginaw's website.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: CDBG Public Hearing

Manager's Recommendation:

I recommend that a public hearing for the Community Development Block Grant be set for Monday, January 25, 2010 at 6:30 p.m. in the Council Chamber.

Justification:

It is necessary to hold a public hearing to meet citizen participation requirements for the Community Development Block Grant (CDBG) program, Emergency Shelter Grant (ESG) program and HOME program. The public hearing is part of the submission approval process for the upcoming 2010-2011 CDBG, ESG and HOME programs.

Citizens wishing to comment on the upcoming fiscal year CDBG, ESG and HOME programs will be given an opportunity to comment.

A public hearing notice for a January 25th public hearing will be published in The Saginaw News and on the City of Saginaw's website.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase Media Safe

Manager's Recommendation:

I recommend acceptance of the quote and issuance of a purchase order to Advantage Business Systems in the amount of \$3,921.14 for a media safe to be used for secure offsite storage of historical and backup/recovery media for the City of Saginaw Information Technology System.

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

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

Justification:

On November 10, 2009, a quote was received from Advantage Business Systems for the purchase and inside delivery of a fire rating 2-hr Class 125, Media Safe. The Information Services Department currently uses a small lockbox at an offsite location to store data backup media. The volume of media that is being retained is currently exceeding the capacity of the lockbox. The data is highly sensitive and is critical to the operation of the City. It must be protected from unauthorized access and damage by environmental factors such as fire.

The Purchasing Division issued two previous bids for a new safe, but no responses were received. Advantage Business Systems has been the only quote received.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Stainless Steel Valve

Manager's Recommendation:

I recommend that payment be made to Great Lakes Industrial Control in the amount of \$2,053.00 for the purchase of a stainless steel valve to be used by the Wastewater Treatment Plant.

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

Funds for this purchase are available in the Sewer Operation and Maintenance Parts and Supplies Account No. 590-4830-861.73-30.

Justification:

The Wastewater Treatment Plant has four 4-inch valves on each of the five cells of the sludge storage tank. These valves allow the decanting of water from the biosolids stored in the tank. They have historically required frequent rebuilds and replacement because of the lime content in the stabilized biosolids. Great Lakes Industrial Control provides an all stainless steel valve that they allowed us to use on a trial basis for six months to demonstrate that it would not corrode, plug, or require rebuilding. If this valve performs as expected we want to purchase it by paying purchase order #39205 in February 2010.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Utility Tractor Backhoe and Attachments

Manager's Recommendation:

I recommend that a purchase order be issued to the John Deere Company in the amount of \$16,313.42 for the purchase of a utility tractor and attachments.

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

Funds for this purchase are budgeted in the Water Surplus Maintenance Equipment Account No. 591-4740-881.97-41.

Justification:

The Water Treatment Division purchased a compact utility tractor with only the front-end loader attachment in fiscal year 2009. The rear backhoe and associated attachments were not purchased at the time and the full capability of the utility tractor is not possible without the backhoe. The utility tractor allows the maintenance employees to more efficiently work on landscaping projects that are needed on the plant grounds, at the Kochville station and other outlying stations. The backhoe and attachments are being purchased using State Bid Pricing from John Deere, which allows for a 24% discount off the price of the equipment.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Sewer Inspection Camera

Manager's Recommendation:

I recommend that the quote from Jack Doheny Supplies be accepted and that a purchase order be issued to them in the amount of \$8,500.00 for the purchase of a sewer inspection camera. Jack Doheny is the sole source supplier for this 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 this purchase are available in the Sewer Operations Parts and Supplies Account No. 590-4821-861.73-30.

Justification:

The Right of Way Division, Maintenance and Service Section, is purchasing an Insight-Vision Sewer Inspection Camera to be used in the maintenance and construction of the water distribution and sewage collection systems. The Insight-Vision Camera System has a self-leveling camera with DVD recording capability and can be fitted to televise 3", 4", 6" and 8" sewers. This system will replace a twelve-year-old camera system that cannot be repaired.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Water Treatment Plant Analyzer/Controllers

Manager's Recommendation:

I recommend that a purchase order be approved and issued to RS Technical Services, Inc., Lowell, MI, in the amount of \$12,932.00 for the purchase of an analyzer/controller.

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 Water Operation and Maintenance Repairs and Replacements Account No. 591-4740-881.97-20.

Justification:

On October 27, 2009, the City received a sole bid from RS Technical Services, Inc., for one (1) Wallace and Tiernan Multi-Function Analyzer/Controller (MFC) with Deplox 5 and one (1) Deplox 3 Controller with Deplox 5. The MFC will measure free chlorine, pH, conductance and temperature to monitor distribution system water quality. The bid price is an increase of 3.9% over the price paid in fiscal year 2009, but includes additional items. The Deplox 3 will monitor the free chlorine of plant process water corresponding to chemical feed upgrades. No price comparison is available.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Personal Protective Equipment/Saginaw Fire Department

Manager's Recommendation:

I recommend that the blanket purchase order issued to Douglass Safety Systems, Inc., in the amount of \$20,000 be increased by \$9,000 totaling \$29,000 for the purchase of additional pieces of Personal Protective Equipment (Turnout Gear).

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 and available in the Saginaw Fire Department Clothing Supplies Account No. 101-3752-751.73-03.

Justification:

The Saginaw Fire Department annually purchases personal protective equipment for firefighters to replace old and/or damaged gear. To comply with MIOSHA guidelines/requirements as a result of a recent inspection, additional turnout coats and pants are necessary in addition to two new firefighters being hired that necessitated total protective equipment. Douglass Safety Systems, Inc. is the sole source for this purchase.

Council Action:

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