

Council Agenda

February 21, 2011 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

February 7, 2011 regular Council

ANNOUNCEMENTS:

Pastor Larry Camel to accept Certificate of Recognition for Community Service.

PUBLIC HEARINGS:

1. Single Lot Special Assessment Tax Roll

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

11-03 from Life in Christ Ministries, 2915 S Washington Ave, Saginaw, MI requesting that the alley bounded by S. Washington and Hess be vacated.

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

From the City Planning Commission:

1. Explaining Ordinance No. 1 which amends the official City map by vacating North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue lying between Blocks 82 and 83 of Hoyts Plat.
2. Explaining Ordinance No. 2 which amends the official City map by vacating North Second Avenue Between Fitzhugh Street and Wadsworth Avenue lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers Addition.

REPORTS FROM MANAGER:

Management Update:

Recommended Actions:

1. Recommending a budget adjustment be completed to increase the Federal Grants/JAG 2010 Regular Grant revenue line item 263 0000 513.58 09 from \$121,377.00 to \$226,283.00. This increase in revenue will be offset by an increase in the Repairs and Replacements line item 263 3329 741.97 20 by \$12,540.00, and the Vehicles line item 263 3329 741.97 70 by \$92,366.00. Funds will be used to replace/purchase outdated and/or high maintenance vehicles, and to replace outdated mounted and handheld radar units.
2. Recommending approval of the renewal agreement with Plunkett & Cooney, P.C. for professional legal services at the rate of \$150.00 per hour.
3. Recommending acceptance of the bid from Net Transcripts, Tempe, AZ, and issuance of a purchase order to them in the amount of \$20,240.00 for transcription services for the Saginaw Police Department Investigation Division. The low bidder, Complete Document Service, was not selected because according to the bid, it appears to be staffed by one person and is residential based, and did not provide any information regarding their track record of services provided. Net Transcripts was selected because of their experience with transcribing for law enforcement/government agencies, and was rated by a transcription rating company as having an accuracy rate of 98.9%. Funds are budgeted in the Saginaw Police Department's Investigation Division Professional Services Account, No. 101 3013 721.80 01.
4. Recommending approval of the agreement with Spence Brothers for construction management services for construction projects related to the Neighborhood Stabilization Program. Funds are available in the Neighborhood Stabilization Fund (NSPII) Professional Services Account, No. 279 6551 761 80 01.
5. Recommending that a purchase order be approved and issued to Insource Solutions Group in the amount of \$7,500 for the purchase of an E-File Software Package, which is an addition to a current service agreement. Funds are available in the Department of Fiscal Services – Income Tax Division, Operating Services Account, No. 101 1745 711.80 05.
6. Recommending acceptance of the low bid and issuance of a purchase order to Trivalent Group, Mt. Pleasant, MI in the amount of \$2,985.56 for the cost of Trend Micro Enterprise Antivirus Software for virus and spyware scanning and licensing fees for all City of Saginaw desktop personal computers and servers. Funds are budgeted and available in the Technical Services Operating Services Account, No. 658 1720 711.80 05.
7. Recommending that a purchase order be approved and issued to DLT Solutions, Inc. in the amount of \$5,139.74 for the annual subscription renewal of Auto CAD

- engineering software. Funds are budgeted in the Technical Services, Information Services Software Account, No. 658 1720 711.73 25.
8. Recommending approval of the Hold Harmless Agreement with Navistar, Inc. In March 2009, the Public Services Department purchased a plow truck. In order to obtain title from the Secretary of State, the City is required to complete a Manufacturer's Statement of Origin (MSO) form. The Secretary of State's Office has contracted with a third party vendor, Navistar, to issue MSOs. The agreement has been approved by the City Manager as to substance and the City Attorney as to form.
 9. Recommending acceptance of the low quote and issuance of a purchase order to Northwest Tire, Saginaw, MI, in the amount of \$7,770.00 for the emergency purchase of eight (8) replacement tires for two loaders. Funds are available in the Motor Pool Operation Fund – Motor Vehicle Supplies Account, No. 661 4480 841.73 12.
 10. Recommending acceptance of the low bid and issuance of a purchase order to Spaulding Machine Co., Saginaw, MI in the amount of \$2,100.00 for the repair of the Bridgeport milling machine that is used in the Water Treatment Plant's maintenance department. Funds are budgeted in the Water Treatment Operations and Maintenance Fund – Treatment and Pumping Division's General Repairs Account, No. 591 4730 861.80 40.
 11. Recommending acceptance of the low bid and issuance of a purchase order to State Industrial Products, Cleveland, OH, in the amount of \$3,500.00 for the purchase of treatment chemicals which is used to eliminate grease build up at the lift stations. Funds are available in the Sewer Operations and Maintenance Fund – Treatment and Pumping Division's Remote Facilities Chemicals Account, No. 590 4835 861.73 02.
 12. Recommending Acceptance of a three-year Planned Maintenance Agreement with Cummins Bridgeway, LLC for \$4,465.80 for fiscal years 2011 (\$1,488.60), 2012 (\$1,488.60) and 2013 (\$1,488.60). The Agreement will provide planned maintenance for the diesel generators at the Gratiot Road Pumping Station. Funds are budgeted in the Water Operations and Maintenance Fund – Treatment and Pumping Division's Service Fees Account, No. 591 4730 861.80 63 for fiscal year 2011 and will be budgeted in the same account number for fiscal years 2012 and 2013.
 13. Recommending acceptance of the low bid and issuance of a purchase order to Cygnet Enterprises, Inc. Flint, MI in the amount of \$6,200.00 for the supply and delivery of 4,000 pounds of crystalline copper sulfate. Funds are budgeted in the Water Operations and Maintenance Fund – Treatment and Pumping Division's Chemicals Account, No. 591 4730 861.73 02.

14. Recommending acceptance of the low bid and issuance of a purchase order to Northern Industrial Supply, Saginaw, MI in the amount of \$7,045.76 for the purchase of conveyor retrofit parts. Funds are available in the Sewer Operations and Maintenance Fund – Treatment and Pumping Division's Parts and Supplies Account, No. 590 4830 861.73 30.

INTRODUCTION OF ORDINANCES:

1. An ordinance to amend the official city map by vacating North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Blocks 82 and 83 of Hoyts Plat, located in the City of Saginaw and to retain therein an easement for public utilities, cable TV, and telecommunications, to be added to the table of special ordinances, section II, of the Saginaw Code of Ordinances.
2. An ordinance to amend the official city map by vacating North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers addition, located in the City of Saginaw and to retain therein an easement for public utilities, cable TV, and telecommunications, to be added to the Table of Special Ordinances, Section II, Street Vacations, of the Saginaw Code of Ordinances.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Declaring the City's intent to vacate North Second Avenue between Fitzhugh Street and Wadsworth Avenue lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallagars addition.
2. Declaring the City's intent to vacate North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue lying between Blocks 82 and 83 of Hoyts Plat.
3. Approving the ballot language for Act 78 Rescission.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Grease Treatment Chemicals

Manager's Recommendation:

I recommend that the low bid from State Industrial Products, Cleveland, OH be accepted and a purchase order be approved and issued to them in the amount of \$3,500.00 for the purchase of treatment chemicals to eliminate grease build up at the lift stations.

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

Funds for this purchase are available in the Sewer Operations and Maintenance Fund - Treatment and Pumping Division's Remote Facilities Chemicals Account, No. 590-4835-861.73-02.

Justification:

On November 9, 2010, sealed bids were opened for treatment chemicals to eliminate grease build up at the Drake and Douglass Street lift stations. Grease build up in the lift stations interferes with instrumentation and pump operations as well as contributing to odor problems. Following is a tabulation of the bids received:

| | |
|--|-------------|
| State Industrial Products Cleveland, OH | \$ 3,500.00 |
| NuSystems Inc. Bay City, MI | \$14,800.00 |
| Terus Enviro LLC Albuquerque, NM | \$29,437.00 |

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Conveyor Retrofit Parts

Manager's Recommendation:

I recommend that the low bid from Northern Industrial Supply, Saginaw, MI be accepted and a purchase order be approved and issued to them in the amount of \$7,045.76 for the purchase of conveyor retrofit parts.

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

Funds for this purchase are available in the Sewer Operations and Maintenance Fund - Treatment and Pumping Division's Parts and Supplies Account, No. 590-4830-861.73-30.

Justification:

On February 9, 2011 sealed bids were opened for parts to retrofit the existing shaftless conveyor to a conventional shafted conveyor. Due to the abrasive nature of the grit, the screw and trough liners are failing prematurely. The cost for replacement of these components is estimated to be more than \$15,000.00. To remedy this problem we are recommending replacing the shaftless conveyor with a traditional shafted conveyor. The existing trough and drive will be utilized. Following is a tabulation of the bids received:

| | |
|---|-------------|
| Northern Industrial Supply Saginaw, MI | \$ 7,045.76 |
| Valmec Inc. Fenton, MI | \$ 7,158.50 |
| Binkelman Corp. Saginaw, MI | \$ 7,162.76 |
| S & A Co. Inc. Alpena, MI | \$ 8,998.17 |

Council Action

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

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading
as follows:

AN ORDINANCE TO AMEND THE OFFICAL CITY MAP BY VACATING NORTH WEADOCK AVENUE BETWEEN FITZHUGH STREET AND WADSWORTH AVENUE, LYING BETWEEN BLOCKS 82 AND 83 OF HOYTS PLAT, LOCATED IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV, AND TELECOMMUNICATIONS, TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCES, SECTION II, OF THE SAGINAW CODE OF ORDINANCES.

Laid over under the charter provision.

Revised COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced February 21, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP BY VACATING NORTH SECOND AVENUE BETWEEN FITZHUGH STREET AND WADSWORTH AVENUE, LYING BETWEEN BLOCK 83 HOYTS PLAT AND BLOCK 49 GLASBY AND GALLAGHERS ADDITION, LOCATED IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS, TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCES, SECTION II, STREET VACATIONS, OF THE SAGINAW CODE OF ORDINANCES.

The City of Saginaw Ordains:

Section 1. That North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers Addition, located in the City of Saginaw, be and same is hereby vacated.

Section 2. That there is hereby reserved in the street vacated an easement for public utilities, cable tv and telecommunications to the same extent as though said street had not been vacated and no structure shall hereafter be erected thereon without the prior written consent of the City of Saginaw.

Section 3. The official map of the City of Saginaw is hereby amended accordingly.

Section 4. This ordinance shall take effect on March 31, 2011.

Enacted: March 21, 2011.

Revised COUNCIL COMMUNICATION

Planning Commission Recommendation: Approval of the resolution as follows:

**RESOLUTION OF INTENT TO VACATE NORTH WEADOCK AVENUE BETWEEN
FITZHUGH STREET AND WADSWORTH AVENUE LYING BETWEEN
BLOCKS 82 AND 83 OF HOYTS PLAT**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City Planning Commission (“Commission”) held a public hearing on July 27, 2010, on a proposal to vacate North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Blocks 82 and 83 of Hoyts Plat, in the City of Saginaw; and

WHEREAS, after a duly advertised public hearing, the Commission found that the public and private interest would best be served by the requested street vacation; now

THEREFORE, BE IT RESOLVED, that City Council hereby declares its intent to vacate North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Blocks 82 and 83 of Hoyts Plat, in the City of Saginaw.

BE IT FURTHER RESOLVED, that City Council will meet on March 21, 2011 at 12:00 p.m., in Council Chambers at City Hall to hear any objections to the proposed vacation of North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Blocks 82 and 83 of Hoyts Plat, in the City of Saginaw.

COUNCIL COMMUNICATION

From: The City Planning Commission

Subject: Amend the Official City Map by Vacating North Weadock Avenue Between Fitzhugh Street and Wadsworth Avenue Lying Between Blocks 82 and 83 of Hoyts Plat

Planning Commission Recommendation:

It is recommended that the official City map be amended by vacating North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Blocks 82 and 83 of Hoyt's Plat, subject to a standard easement for public utilities, cable tv and telecommunications.

Justification:

The City Engineer requested the closure of North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Blocks 82 and 83 of Hoyt's Plat, located in the City of Saginaw. The street vacation will give the Michigan Department of Transportation, the ability to reconstruct the interchange from I-675 and M-13. The Planning Commission ("Commission") held a public hearing on the request on July 27, 2010 and all interested persons were heard. In addition, all adjacent property owners were notified. The Commission found in favor of the petition to vacate North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Blocks 82 and 83 of Hoyts Plat, located in the City of Saginaw.

Council Action:

Council _____ moved that the report from the Planning Commission be received and filed.

PUBLIC HEARING NOTICE

NOTICE OF INTENT TO AMEND THE OFFICAL CITY MAP BY VACATING NORTH SECOND AVENUE BETWEEN FITZHUGH STREET AND WADSWORTH AVENUE LYING BETWEEN BLOCK 83 HOYTS PLAT AND BLOCK 49 GLASBY AND GALLAGHERS ADDITION LOCATED IN THE CITY OF SAGINAW

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

Notice is hereby given that the Saginaw City Council will meet on Monday, March 21, 2011, at 6:30 p.m., in Council Chambers at City Hall, 1315 South Washington Avenue to hear objections on its intent to amend the official City map by vacating North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers Addition

Written objections to the proposed street vacation of North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers Addition can be filed with the City Clerk of the City of Saginaw.

At said time and place all interested persons will be heard.

Diane Herman
City Clerk

IF YOU ARE DISABLED AND NEED ACCOMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 SOUTH WASHINGTON AVENUE, (989) 759-1480.

COUNCIL COMMUNICATION

From: The City Planning Commission

Subject: Amend the Official City Map by Vacating North Second Avenue Between Fitzhugh Street and Wadsworth Avenue Lying Between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers Addition

Planning Commission Recommendation:

It is recommended that the official City map be amended by vacating North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers Addition, subject to a standard easement for public utilities, cable tv and telecommunications.

Justification:

The City Engineer requested the vacation of North Second Avenue between Fitzhugh Street and Wadsworth Avenue lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers Addition. This street vacation will give the Michigan Department of Transportation the ability to reconstruct the interchange from I-675 and M-13. The Planning Commission (“Commission”) held a public hearing on the request on July 27, 2010 and all interested persons were heard. In addition, all adjacent property owners were notified. The Commission found in favor of the petition to vacate North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallaghers Addition.

Council Action:

Council _____ moved that the report from the Planning Commission be received and filed.

PUBLIC HEARING NOTICE

NOTICE OF INTENT TO AMEND THE OFFICAL CITY MAP BY VACATING NORTH WEADOCK AVENUE BETWEEN FITZHUGH STREET AND WADSWORTH AVENUE, LYING BETWEEN BLOCKS 82 AND 83 OF HOYTS PLAT

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

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Written objections to the proposed street vacation can be filed with the City Clerk of the City of Saginaw.

At said time and place all interested persons will be heard.

Diane Herman
City Clerk

IF YOU ARE DISABLED AND NEED ACCOMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 SOUTH WASHINGTON AVENUE, (989) 759-1480.

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading
as follows:

AN ORDINANCE TO AMEND THE OFFICAL CITY MAP BY VACATING NORTH SECOND AVENUE BETWEEN FITZHUGH STREET AND WADSWORTH AVENUE, LYING BETWEEN BLOCK 83 HOYTS PLAT AND BLOCK 49 GLASBY AND GALLAGHERS ADDITION, LOCATED IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV, AND TELECOMMUNICATIONS, TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCES, SECTION II, STREET VACATIONS, OF THE SAGINAW CODE OF ORDINANCES.

Laid over under the charter provision.

Revised COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced February 21, 2011, entitled and reading as follows, be taken up and enacted:

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The City of Saginaw Ordains:

Section 1. That North Weadock Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Blocks 82 and 83 of Hoyts Plat, located in the City of Saginaw, be and same is hereby vacated.

Section 2. That there is hereby reserved an easement for public utilities, cable TV and telecommunications to the same extent as though said street had not been vacated and no structure shall hereafter be erected thereon without the prior written consent of the City of Saginaw.

Section 3. The official map of the City of Saginaw is hereby amended accordingly.

Section 4. This ordinance shall take effect on March 31, 2011.

Enacted: March 21, 2011.

Revised COUNCIL COMMUNICATION

Planning Commission Recommendation: Approval of the resolution as follows:

RESOLUTION OF INTENT TO VACATE NORTH SECOND AVENUE BETWEEN FITZHUGH STREET AND WADSWORTH AVENUE LYING BETWEEN BLOCK 83 HOYTS PLAT AND BLOCK 49 GLASBY AND GALLAGHERS ADDITION

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City Planning Commission (“Commission”) held a public hearing on July 27, 2010, on a proposal to vacate North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallagher’s Addition, in the City of Saginaw; and

WHEREAS, after a duly advertised public hearing, the Commission found that the public and private interest would best be served by the requested vacation of North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallagher’s Addition, in the City of Saginaw; now

THEREFORE, BE IT RESOLVED, that City Council hereby declares its intent to vacate North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallagher’s Addition, in the City of Saginaw.

BE IT FURTHER RESOLVED, that City Council will meet on March 21, 2011 at 12:00 p.m. in Council Chambers at City Hall to hear any objections to the proposed street vacation of North Second Avenue between Fitzhugh Street and Wadsworth Avenue, lying between Block 83 Hoyts Plat and Block 49 Glasby and Gallagher’s Addition.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Navistar Inc. Hold Harmless Agreement

Manager's Recommendation:

I recommend that the Hold Harmless Agreement ("Agreement") with Navistar, Inc. ("Navistar") be approved. The Agreement has been approved by the City Manager as to substance 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, "Financing and Purchasing," of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Justification:

In March 2009, the Public Services Department purchased a plow truck. In order to obtain title from the Secretary of State, the City is required to complete a Manufacturer's Statement of Origin ("MSO") form. The Secretary of State's Office has contracted with a third party vendor, Navistar, to issue MSOs. Prior to the City receiving the MSO form, it must enter into an Agreement with Navistar. Pursuant to the terms of the Agreement, the City agrees to indemnify and hold harmless Navistar and its agents and officers from and against any and all claims, liabilities, costs, penalties, losses, damages, demands and causes of action related to the issuance by Navistar of the MSO. This language is standard and cannot be modified. Therefore, the City must accept the terms in order to receive the MSO.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Loader Tires for 76-0870 & 76-0868 Emergency Purchase

Manager’s Recommendation:

I recommend that the low quote from Northwest Tire, Saginaw, MI be accepted and a purchase order be approved and issued to them in the amount of \$7,770.00 for the emergency purchase of eight (8) replacement tires for two loaders.

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 Motor Pool Operation Fund – Motor Vehicle Supplies Account, No. 661-4480-841.73-12.

Justification:

The Municipal Garage received quotes from four vendors for eight (8) replacement tires for Loaders 76-0870 & 76-0868. These loaders are used for daily operations at the Compost Facility and by the Streets Department for loading salt, snow removal, and other various tasks. The emergency purchase is required due to the tires on the loaders being worn and past their usable tread.

Following below is a tabulation of the quotes received:

| | |
|----------------------------------|-------------|
| Northwest Tire Saginaw, MI | \$ 7,770.00 |
| Meekhof Tire Saginaw, MI | \$ 8,440.00 |
| Millar’s Tireman Bay City, MI | \$ 9,586.72 |
| Triple M Tire Saginaw, MI | \$10,099.76 |

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Engineering Software Subscription Renewal

Manager's Recommendation:

I recommend that a purchase order be approved and issued to DLT Solutions, Inc. in the amount of \$5,139.74 for the annual subscription renewal of Auto CAD engineering software for fiscal Year 2011. DLT Solutions is the General Services Administrations (GSA) vendor for the Federal Government and the City uses this contract for reduced software pricing.

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 Technical Services, Information Services Software Account, No. 658-1720-711.73-25.

Justification:

The Engineering Division use several specialized engineering software applications developed by AutoDesk. This request renews the subscription and maintenance with support for AutoCAD, AutoCAD Light and AutoCAD Civil 3D. Engineering staff utilizes these software applications for all design and build projects for the City of Saginaw.

The fiscal year 2010 annual renewal maintenance fee was \$4,887.98, which is an increase of \$251.76.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Construction Management Services

Manager's Recommendation:

It is recommended that the agreement with Spence Brothers for construction management services be approved and that the City Manager or his designee be authorized to execute all documents necessary. This is subject to approval by the City Manager as to substance 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 0-1.

Funds are available in the Neighborhood Stabilization Fund (NSPII) Professional Services Account, No. 279 6551 761 80 01.

Justification:

On February 1, 2011 the City of Saginaw received bids for construction management services for construction projects related to the Neighborhood Stabilization Program. These services will be utilized to assist the City in expediting the program and provide an additional resource to City staff in the area of construction management. The City will maintain input in the decision making process as it relates to the awarding of contracts, particularly as it relates to meeting the requirements of Section 24, Code of Federal Regulations, Subchapter B, Section 135.1 (a) Section 3. In addition the city will assure compliance to other job and environmental regulations as stipulated in the original Consortium Agreement between the City of Saginaw and the Michigan State Housing Authority. The City will utilize these services as needed for

COUNCIL COMMUNICATION

projects which include single family residential rehabilitation, the 505 Millard Apartment Building Renovation, and any new infill housing projects. The City received seven responses to the bid solicitation as follows:

| | | |
|-------------------------------------|--|---|
| Spence Brothers | 417 McCoskry Saginaw, MI 48601 | 2.4% of Construction Costs plus reimbursable expenses |
| Martha Brown Custom Builders LLC | 10076 Sheridan Rd. Burt, MI 48417 | 7.5% of Construction Costs |
| Bay Area Housing | 114 Washington Ave Bay City, MI 48708 | 10% of Construction Costs |
| CIG | 615 Griswold STE 1600 Detroit, MI 48226 | 8.95% of Construction Costs (Average) |
| TJ Associates | 29217 Ford Rd. #118 Garden City, MI 48135 | 20% of Construction Costs |
| Skabardis Custom Builders | 6319 Dorwood Rd. Saginaw, MI 48601 | 15% of Construction Costs |
| Dumas, Concepts in Building | 43334 West Seven Mile Suite 300 Northville, MI 48167 | 15% of Construction Costs |

The proposals have been evaluated by Department of Development staff and based on evaluation it has been determined that Spence Brothers offers the necessary services and experience at a cost acceptable and below the other responders. Services will be provided to the City of Saginaw on an as-needed basis with a base fee of 2.4% plus reimbursable expenses. In no case shall any project exceed 7.5% of construction costs.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Cummins Bridgeway LLC Planned Maintenance Agreement

Manager's Recommendation:

It is recommended that the three-year Planned Maintenance Agreement ("Agreement") with Cummins Bridgeway, LLC ("Cummins") be approved. The total amount of the Agreement is Four Thousand Four Hundred and Sixty-Five Dollars and 80/100 (\$4,465.80). The City will pay Cummins Bridgeway, LLC the amount of One Thousand Four Hundred and Eighty-Eight Dollars and 60/100 (\$1,488.60) during each individual Fiscal Year in 2011, 2012 and 2013. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form. It is further recommended that City Council authorize the City Manager or his designee to execute all related documents.

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund – Treatment and Pumping Division's Service Fees Account, No. 591-4730-861.80-63 for FY 2011 and will be budgeted in the same account number for FY 2012 and FY 2013.

Justification:

On January 13, 2011, the City received an Agreement from Cummins Bridgeway, LLC to provide planned maintenance for the diesel generators at the Gratiot Road Pumping Station. The station has two generators that provide emergency power to the station in the event of a power outage. Proper operation is critical for the station, which boosts and supplies water to the western and southwest communities. The annual cost is a 3.1% increase from the cost for the same service offered last year.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Milling Machine Repair

Manager's Recommendation:

I recommend that the low bid from Spaulding Machine Co., Saginaw, MI be accepted and a purchase order be approved and issued to them in the amount of \$2,100.00 for the repair of the Bridgeport milling machine that is used in the Water Treatment Plant's maintenance department.

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 Treatment Operations and Maintenance Fund – Treatment and Pumping Division's General Repairs Account No. 591-4730-861.80-40.

Justification:

On February 8, 2011, the City received bids for the repair of the Bridgeport milling machine that is used in the Water Treatment Plant's maintenance department. The variable speed drive needs to be rebuilt to make it capable of machining much closer tolerances. Some parts are unavailable for the older equipment utilized at the Water Plant. The milling machine enables us to machine some of these unavailable parts on site, extending the life of equipment and saving on the cost of repairs. There is no cost comparison available for this item. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

| | <u>Total Bid</u> |
|--------------------------------------|------------------|
| Spaulding Machine Co. Saginaw, MI | \$ 2,100.00 |
| High Quality Tools East Lake, OH | \$ 3,536.00 |

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Budget Adjustment 2010 JAG Regular

Manager's Recommendation:

It is recommended that a budget adjustment be completed to increase the Federal Grants/JAG 2010 Regular Grant revenue line item 263-0000-513.58-09 from \$121,377.00 to \$226,283.00. This increase in revenue will be offset by an increase in the Repairs and Replacements line item 263-3329-741.97-20 by \$12,540.00, and the Vehicles line item 263-3329-741.97-70 by \$92,366.00.

Justification:

On July 12, 2010, City Council accepted an Interlocal Agreement between the County of Saginaw and the City of Saginaw to receive funds under the Byrne "JAG" Grant. The funds will be used to replace/purchase outdated and/or high maintenance vehicles, and to replace outdated mounted and handheld radar units that have been utilized far beyond their expected service period.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Transcription Outsourcing for Saginaw Police Department

Manager's Recommendation:

I recommend that the bid from Net Transcripts, Tempe, AZ, be accepted and a that purchase order be issued to them in the amount of \$20,240.00 for transcription services for the Saginaw Police Department's Investigation Division.

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 Saginaw Police Department's Investigation Division Other Services/Professional Services Account, No. 101-3013-721.80-01.

Justification:

In July of 2010, the City of Saginaw underwent a reorganizational structuring that would result in cost savings to the City. One of the recommendations of the Staffing and Efficiency Review was to outsource the transcription services provided by support staff in the Investigation Division. Savings realized from the elimination of full-time positions would be used to fund the transcription services.

On October 12, 2010 the City received bids for transcription services for the Investigation Division. The bid was based on a per-page cost (average of 8,000 pages per year), for a one-year period.

The low bidder, Complete Document Service, was not selected because according to the bid it appears to be staffed by one person and is residential based, and did not provide any information regarding their track record of services provided. Net Transcripts was selected because of their experience with transcribing for law enforcement/government agencies nationwide, well staffed, and is used to handling high volumes of work and was rated by a transcription rating company as having an accuracy rate of 98.9%.

Following is a tabulation of the bids received and viewed by the Purchasing Committee:

| | |
|--|-------------|
| Complete Document Services Howell, MI | \$14,000.00 |
|--|-------------|

COUNCIL COMMUNICATION

| | |
|---|-------------|
| Net Transcripts Tempe, AZ | \$20,240.00 |
| ANP Transcriptions Suffern, NY | \$20,400.00 |
| Sargent Court Reporting Srv. Johnstown, PA | \$21,040.00 |
| AEGIS Rapid Text Burbank, CA | \$21,760.00 |
| Associated Reporters Int. Massena, NY | \$24,000.00 |
| WPU, Inc. Canoga Park, CA | \$24,000.00 |
| Datascript Systems Southfield, MI | \$24,160.00 |
| American High-Tech Transcription & Reporting Clearwater, FL | \$32,000.00 |
| Speakwrite Austin, TX | \$35,040.00 |
| The Paralegal Group Albuquerque, NM | \$51,600.00 |

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase Income Tax Software

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Insource Solutions Group in the amount of \$7,500 for the purchase of an E-File Software Package, which is an addition to a current service agreement. This is the only vendor that provides software of this nature in Michigan, and is the only company currently working with Innovative Software Services, Inc. (our vendor for income tax software) to provide 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 are available in Department of Fiscal Services - Income Tax Division, Operating Services Account, No. 101-1745-711.80-05.

Justification:

This is the first step toward our goal of Electronic-Filing (E-File) of all city income tax forms. Due to a decrease in the amount of employee processing time, e-filing will ultimately save the city money. This capability will allow income tax auditors to spend less time opening mail and manually entering paper tax returns, and allow them to focus more on the collection of delinquent taxes.

Additionally, Insource Solutions Group has a secure web site and can provide the safety and security necessary to electronically receive and process income tax returns. This is a necessity for providing this type of valuable service to our citizens. This service could not be provided in-house.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Trend Micro Enterprise Antivirus Software for Desktops and Servers

Manager's Recommendation:

I recommend that the low bid from Trivalent Group, Mt. Pleasant, MI be accepted and a purchase order be approved and issued to them in the amount of \$2,985.56 for the cost for Trend Micro Enterprise Antivirus Software for virus and spyware scanning and licensing fees for all City of Saginaw desktop personal computers and servers.

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

Funds for this purchase are budgeted and available in the Technical Services Operating Services Account, No. 658-1720-711.80-05.

Justification:

On February 8, 2011 the City received bids for the purchase of Trend Micro Enterprise Antivirus Software to be used for the virus and spyware scanning of all City PC's and servers. This software will replace McAfee Antivirus and Anti-Spyware software for an annual savings of \$3,900.00. Please note the preference for local bidders calculation was applied but the original results did not change. Following is a tabulation of the bids received:

| | <u>Totals</u> |
|-------------------------------------|---------------|
| Trivalent Group Mt. Pleasant, MI | \$2,985.56 |
| Yeo & Yeo Consulting Saginaw, MI | \$3,082.52 |

COUNCIL COMMUNICATION

Ocean Inc. \$3,013.84
Grand Rapids, MI

Weston Computer Sys, Inc. \$4,040.00
Saginaw, MI (In-City)

CDW-G \$6,464.00
Vernon Hills, IL

Dynamic Computer Corp \$6,593.28
Farmington Hills, MI

The software subscription provides support, updates and license coverage.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Plunkett & Cooney, P.C. Agreement.

Recommendation:

The City Manager recommends approval of the Agreement for Professional Legal Services with Plunkett & Cooney, P.C. and that the City Manager or his designee is authorized to execute this agreement.

This contract has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

Attorney H. William Reising of the law firm of Plunkett & Cooney, P.C. has represented the City in prior matters. The contract expired on July 1, 2010 and the City wishes to renew it so that the firm will be available for further assignments. The rate of compensation to Plunkett & Cooney, P.C. will be at \$150.00 per hour.

Council Action:

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

COUNCIL COMMUNICATION

RESOLUTION APPROVING BALLOT LANGUAGE FOR ACT 78 RESCISSION

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, Act No. 78 of the Public Acts of 1935 provided for a civil service system for full-time paid members in the fire and police departments, provided that the electors of the municipality voted to approve such a system, and

WHEREAS, a majority of the electors of the City of Saginaw voted in favor of the adoption of Act 78 of the Public Acts of 1935 in November, 1935 and the civil service system has been in effect since that time, and

WHEREAS, Act No. 78 of the Public Acts of 1935 provides for the mechanism of rescission of the adoption of that Act, and

WHEREAS, the City Council of the City of Saginaw believes it would promote fair, equitable and good government to place the rescission of the approval of Act 78 of the Public Acts of 1935 before the qualified electors of the City of Saginaw.

NOW, THEREFORE, BE IT RESOLVED, that the proposition to rescind Act 78 of the Public Acts of 1935, be submitted to the electors of the City of Saginaw at the special election to be held on Tuesday, May 3, 2011; and

BE IT FURTHER RESOLVED, that the question of such rescission of approval be designated on the ballot to read as follows:

“Shall Act No. 78 of the Public Acts of 1935, entitled as amended, ‘An act to establish and provide a board of civil service commissioners in cities, villages and municipalities having full-time paid members in the fire or police departments, or both; to provide a civil service system based upon examination and investigation as to merit, efficiency, and fitness for appointment, employment and promotion of all full-time paid members appointed in the fire and police departments and respective cities, villages and municipalities; to regulate the transfer, reinstatement, suspension, and discharge of officers, fire fighters, and police officers; and to repeal certain acts and parts of acts,’ be rescinded?”

YES ()
NO ()”

COUNCIL COMMUNICATION

BE IT FURTHER RESOLVED, that the City Clerk shall perform all acts required by City Charter, ordinance or state law for the conduct of this election.

AGREEMENT FOR PROFESSIONAL LEGAL SERVICES

This agreement is made as of the date subscribed below by and between the City of Saginaw, located at 1315 S. Washington Avenue, Saginaw, Michigan 48601 (hereinafter referred to as "CITY"), and Plunkett & Cooney, P.C., 111 E. Court Street, Suite 1B, Flint, MI 48502 (hereinafter referred to as "FIRM"), upon the following terms and conditions:

1. CITY retains FIRM as an Independent Contractor to provide legal services as directed by the CITY. There shall be no guarantee as to the amount or nature of legal work to be assigned under this Agreement. FIRM may elect to decline any work assigned.
2. Such services will be performed and billed by the FIRM and paid by the CITY as follows:
 - a. Partners shall be paid at a rate not to exceed One Hundred and Thirty-Five Dollars (\$135.00) per hour.
 - b. The rate includes normal postage and all local telephone call expenses, but does not include actual long distance charges, copy expenses or usage charges associated with computerized legal research.
3. Assignments by CITY to FIRM will be made by the City Attorney. The City Attorney, prior to assignment, must authorize assignment to FIRM members.
4. FIRM shall provide certificates of insurance, including malpractice insurance, for such types and amounts in coverage deemed satisfactory to the City of Saginaw.

5. This Agreement shall commence effective February 21, 2011 and may be terminated by either party by giving sixty (60) days advance written notice thereof to the other party. The Agreement shall terminate on June 30, 2016. Any amendments to or modifications of this Agreement shall be in writing and signed by both parties. This Agreement shall continue in effect and be binding upon the parties and their successors and assigns.

The parties have executed this Agreement this ____ day of _____, _____.

CITY OF SAGINAW, a Municipal Corporation

Plunkett & Cooney, P.C.,

BY: _____
THOMAS H. FANCHER, City Attorney

BY: _____