

Council Agenda

April 5, 2010, 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

March 22, 2010 regular Council meeting

ANNOUNCEMENTS:

PUBLIC HEARINGS:

Establishment of a new Neighborhood Enterprise Zone in the City of Saginaw.

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

10-06 from David Ortiz, requesting that the property abutting the alley bounded by Lyon and Webster, S. Granger and Mackinaw be vacated.

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

REPORTS FROM MANAGER:

Management Update:

1. Guidelines for Special Events 2010 by Tom Darnell, Director of Public Services.
2. Reinventing government in Saginaw: Department of Development

Recommended Actions:

1. Recommending that the Department of Navy Notice of Renewal of Government Lease be renewed. The City recently received a Lease from the Navy for renewal of property located at 3500 Douglass Street. The Navy is seeking to renew the lease for a one-year term from October 1, 2010 through September

- 30, 2011. The land is used to train reserves and an office is located on the land, which is used for recruiting. This lease has been approved by the City Manager as to substance and the City Attorney as to form.
2. Recommending that the Purchase Agreement between the City of Saginaw and Central Michigan Railway Company be approved and that the City Manager or his designee be authorized to execute all documents necessary. This agreement has been approved by the City Manager as to substance and the City Attorney as to form.
 3. Recommending that the Purchase and Development Agreement between the City of Saginaw and St. Mary's of Michigan Medical Center be approved and that the City Manager or his designee be authorized to execute all documents necessary. This agreement has been approved by the City Manager as to substance and the City Attorney as to form.
 4. Recommending approval of the agreement with Saginaw Habitat for Humanity (SHFH) and that the City Manager be authorized to execute the agreement and all related documents. The City of Saginaw entered into the NSP I agreement with the Michigan State Housing and Development Authority, a part of which requires that the City acquire foreclosed properties, rehabilitate them, and seek buyers. In an effort to not only rehabilitate these homes, but also to find buyers, the City has negotiated this agreement whereby SHFH will rehabilitate the homes according to the City's specifications and utilize their existing program to secure buyers. This agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form.
 5. Recommending that a purchase order be approved and issued to Nutechs, Inc. in the amount of \$3,900.00 for Lotus Domino software, hardware and data migration support services. Funds are budgeted in the Information Services, Operating Services Account, No. 658 1720 711 8005.
 6. Recommending approval and issuance of a purchase order to CDW-G, as our designated Research in Motion – Blackberry software reseller, in the amount of \$5,487.00 for the purchase of Blackberry Enterprise Server software, licenses and support. Funds are budgeted in the Information Services Software Account, No. 658 1720 711 7325.
 7. Recommending that a purchase order be approved and issued to Non-Destructive Testing Services in the amount of \$2,308.90 for annual ladder testing for the Saginaw Fire Department. Funds are budgeted and available in the Saginaw Fire Department Operating Services Account, No. 101 3754 751 8005.
 8. Recommending that a budget adjustment be completed to increase the Community Policing Federal Grants, line item no. 260 0000 513 5834 from

\$200,000.00 to \$212,000.00, which equates to a \$12,000.00 increase. This increase in revenue will be offset by an increase in the Community Policing Capital Outlay/Office Equipment line item no. 260 3327 741 9760 by the same amount.

9. Recommending that the Byrne Justice Assistance Grant (BYRNE JAG) Program Subcontract be approved. The term of the grant is one year. Pursuant to the grant requirements, it is recommended that City Council authorize the City Manager, Police Chief, and the Chief Financial Official to sign the Subcontract and any exhibits. The BYRNE JAG grant provides matching funds in the amount of \$32,353.00 to allow one full-time Saginaw City police officer to be assigned to the Multi-Jurisdiction Task Force known as the Bay Area Narcotics Enforcement Team (BAYANET). The officer will be assigned to BAYANET for one year. Pursuant to the terms of the Subcontract, the City must provide the Grantee, the Michigan State Police, a copy of its Single Audit Report.
10. Recommending that the City accept the 2010 Community Oriented Policing Services (COPS) Grant from the Department of Justice Office of Justice Programs (OJP). The City applied for a COPS Technology Program as part of the OJP program and was notified on March 23, 2010 that the grant was awarded for the estimated amount of \$300,000.00. The Saginaw Police Department proposes to use the funds to purchase Digital Surveillance Cameras to be used for wide area surveillance for crime prevention/control. The OJP requires the City to agree to standard conditions in the use of these funds and execute an agreement to that effect.
11. Recommending that payment be made to Jack Doheny Supplies, Inc. in the amount of \$2,600.00 for the emergency purchase of a multi-utility high frequency locator and transmitter to be used by the Engineering Division. Funds are available in the Water Operation and Maintenance Capital Outlay Account, No. 591 4721 861 9705 (\$1,500.00) and Sewer Operation and Maintenance Capital Outlay Account, No. 590 4821 861 9705 (\$1,100.00).
12. Recommending that the Agreement with Townley Engineering, LLC be approved and that a purchase order be issued to them in an amount not to exceed \$10,070.00. The Wastewater Treatment Plant's Operations Building is heated by a boiler system. The original boiler, installed in 1951, is no longer operational and cannot be repaired. Replacement of this boiler will require engineering design services to size a new efficient boiler and it's exhaust system. Townley Engineering, LLC has submitted a proposal for the scope of services required to specify and install the new boiler. Funds are available in the Sewer Operation and Maintenance Engineering Services Account, No. 590 4830 861 8002.

INTRODUCTION OF ORDINANCES:

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CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Approving the Neighborhood Enterprise Zone Certificate for 855 S. 15th Street.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: NuTechs Domino Upgrade and Migration Services

Manager's Recommendation:

I recommend that a purchase order be issued to Nutechs, Inc. in the amount of \$3,900.00 as a payment for Lotus Domino software, hardware and data migration support services.

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 payment were budgeted and are available in the Information Services, Operating Services Account No. 658-1720-711.80-05.

Justification:

The current Lotus Notes/Domino email and application server is over eight (8) years old and is no longer able to be upgraded due to the age of the operating system and hard drive space limitations. A review of multiple software, hardware and application services was completed and was found that a migration of the current Lotus Notes/Domino email and application server to a new and more cost effective hardware platform was necessary. This migration and upgrade will allow the City to take advantage of the decreased hardware maintenance expenses, increased software and hardware performance and new tools that are available for use within the application.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Habitat for Humanity Agreement

Manager's Recommendation:

I recommend approval of the agreement with Saginaw Habitat for Humanity (SHFH) and that the City Manager be authorized to execute the agreement and all related documents. This Agreement is subject to approval by the City Manager as to substance and the City Attorney as to form.

Justification:

The City of Saginaw entered into the NSP I grant agreement with the Michigan State Housing and Development Authority, a part of which requires that the City acquire foreclosed properties, rehabilitate them, and seek buyers. The NSP I grant is for a total of \$1.8 million dollars, \$300,000 of which is to be used as described above. The remainder of the grant is being used for demolition. In an effort to not only rehabilitate these homes, but also to find buyers, the City has negotiated this agreement whereby SHFH will rehabilitate the homes according to the City's specifications and utilize their existing program to secure buyers. SHFH currently has a waiting list of families seeking to buy a home in the City of Saginaw and up to this point have not been able to proceed through the SHFH program because SHFH has not had funding to complete the rehabilitation work. This is an ideal arrangement that will result in at least four rehabilitated homes that will be occupied upon completion.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Blackberry Enterprise Server Software and Licenses

Manager's Recommendation:

I recommend approval and issuance of a purchase order to CDW-G, as our designated Research in Motion – Blackberry software reseller, in the amount of \$5,487.00 for the purchase of Blackberry Enterprise Server software, licenses and support.

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

Justification:

Several departments throughout the city utilize Blackberrys for their email and calendaring needs. Currently, there is not a live connection between the City's email system and the Blackberrys. Mail forwarding and desktop syncing have been utilized to keep the devices up to date. With the utilization of the Blackberry Enterprise Server, it will allow many benefits such as a live connection between the City's email infrastructure, ability to load/remove applications remotely and secure them if necessary.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Corrective Action Need for Neighborhood Enterprise Zone Certificate

Manager's Recommendation:

I recommend City Council adopt the attached resolution approving the application for a Neighborhood Enterprise Zone Certificate for 855 S. Fifteenth.

Justification:

On April 5, 2004, City Council established Neighborhood Enterprise Zone (NEZ) #8 pursuant to Michigan Public Act 147 of 1992 (as amended), for Saginaw Habitat for Humanity, as part of its 2004 summer blitz in the area of Hartsuff and S. Fifteenth. On April 8, 2004, Saginaw Habitat for Humanity filed with the City Clerk, Applications for NEZ Certificates (Petitions 04-23 through 04-32) for the following addresses:

856 S. Fourteenth	831 S. Fifteenth
850 S. Fourteenth	837 S. Fifteenth
842 S. Fourteenth	841 S. Fifteenth
836 S. Fourteenth	849 S. Fifteenth
830 S. Fourteenth	855 S. Fifteenth

City Council approved NEZ Certificates for these addresses on July 26, 2004. Some time after filing the necessary documents with the State of Michigan Department of Treasury, the City was advised that NEZ Application (Petition 4-32) for the address at 855 S. Fifteenth was defective in that the building permit was issued on March 11, 2004, prior to filing the NEZ application which did not comply with Section 4(1) of Michigan Public Act 147 of 1992. As a result, the homeowner was denied her abatement of property taxes. The Michigan Department of Treasury has advised that Section 4(1) of Michigan Public Act 147 of 1992 was recently amended to provide that applications could qualify if the local government unit adopted a resolution approving the NEZ Certificate, provided the NEZ application was filed no later than six (6) months following the issuance of a building permit, which is the case for 855 South Fifteenth. Given the foregoing, it is recommended that Council adopt a resolution approving the NEZ Certificate for 855 S. Fifteenth.

Council Action:

This Council Communication is for explanation purposes only of the resolution to be adopted.

COUNCIL COMMUNICATION

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

RESOLUTION APPROVING NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE FOR 855 S. FIFTEENTH

Council _____ offered and moved adoption of the following resolution:

WHEREAS, Michigan Public Act 147 of 1992 (as amended), allows the local legislative body to establish Neighborhood Enterprise Zones for the purpose of providing exemption from ad valorem property taxes, and the imposition of specific property tax in lieu of ad valorem taxes; and

WHEREAS, the City Council for the City of Saginaw did establish Neighborhood Enterprise Zone 8, on April 5, 2004 pursuant to Michigan Public Act 147 of 1992 (as amended); and

WHEREAS, on April 8, 2004, Council received a request from Saginaw Habitat for Humanity (Petition 04-32) for a Neighborhood Enterprise Zone Certificate for a new single family home to be constructed at 855 S. Fifteenth, Saginaw, Michigan, within the established Neighborhood Enterprise Zone 8; and

WHEREAS, pursuant to Michigan Public Act 147 of 1992 (as amended), the local governmental unit by resolution may approve a Neighborhood Enterprise Zone Certificate if the application is filed within six (6) months of pulling the building permit; and

WHEREAS, the building permit for 855 S. 15th was pulled on March 11, 2004, and the application filed on April 8, 2004, which is within the six (6) month time period.

NOW, THEREFORE, BE IT RESOLVED that City Council hereby approves 855 S. Fifteenth, Saginaw, Michigan, pursuant to Section 4(1) of Michigan Public Act 147 of 1992 (as amended), as having filed an application within six (6) months of building permit issuance for receipt of a Neighborhood Enterprise Zone Certificate for a period of twelve (12) years.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Townley Engineering, LLC Agreement

Manager's Recommendation:

I recommend that the Agreement with Townley Engineering, LLC be approved and that a purchase order be issued to them in an amount not to exceed \$10,070.00. The Agreement is subject to approval 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 Operation and Maintenance Engineering Services Account, No. 590-4830-861.80-02.

Justification:

The Wastewater Treatment Plant's Operations Building is heated by a boiler system. The original boiler was installed in 1951, is no longer operational, and cannot be repaired. Replacement of this boiler will require engineering design services to size a new efficient boiler and it's exhaust system. Townley Engineering, LLC has submitted a proposal for the scope of services required to specify and install the new boiler. This firm was selected because the owner has provided similar services for the Wastewater Treatment Plant in the past and has knowledge of its heating system. The amount of the Agreement would not exceed \$10,070.00.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Multi-utility High Frequency Locator and Transmitter

Manager's Recommendation:

I recommend that payment be made to Jack Doheny Supplies, Inc. in the amount of \$2,600.00 for the purchase of a multi-utility high frequency locator and transmitter.

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 Water Operation and Maintenance Capital Outlay Account, No. 591-4721-861.97-05 (\$1,500.00) and Sewer Operation and Maintenance Capital Outlay Account, No. 590-4821-861.97-05 (\$1,100.00).

Justification:

On March 17, 2010, emergency purchase order #40590 was issued to purchase a Multi-utility High Frequency Locator and Transmitter. On March 8, 2010, the Engineering Division started a project on E. Genesee Ave. that requires accurate location of active sewer leads. This upgrade will help the Right of Way Division locate the leads for the Engineering Division and is compatible with our insight sewer inspection camera. An immediate purchase was required in order to keep this project moving forward without any delay.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Budget Adjustment Community Policing

Manager's Recommendation:

I recommend that a budget adjustment be completed to increase the Community Policing Federal Grants line item no. 260-0000-513.58-34 from \$200,000.00 to \$212,000.00, which equates to a \$12,000.00 increase. This increase in revenue will be offset by an increase in the Community Policing Capital Outlay / Office Equipment line item no. 260-3327-741.97-60 by the same amount.

Justification:

In fiscal year 2008-2009, the Saginaw Police Department was awarded a Federal Government COPS-Othertech Grant in the amount of \$280,590.00 for the implementation of a Gunshot Detection and Location System (Shotspotter) in the City of Saginaw. Council approved the Proposal and Agreements for the Shotspotter system in the same budget year.

Since July of 2009, the Saginaw Police Department has used \$267,865.01 of the \$280,590.00 grant for Phase I and Phase II for the system and also installation. This budget adjustment will reflect the cost of installation and programming for the Shotspotter GLS system to complete Phase II.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Byrne Justice Assistance Grant (BYRNE-JAG) Program Subcontract

Manager's Recommendation:

It is recommended that the Byrne Justice Assistance Grant (BYRNE JAG) Program Subcontract be approved. The term of the grant is one year. Pursuant to the grant requirements, it is recommended that City Council authorize the City Manager, Police Chief and the Chief Financial Official to sign the Subcontract and any exhibits. The Subcontract has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The BYRNE JAG Grant provides matching funds in the amount of \$32,353.00 to allow one full-time Saginaw City Police Officer to be assigned to the Multi-Jurisdiction Task Force known as the Bay Area Narcotics Enforcement Team (BAYANET). The officer will be assigned to BAYANET for one year. Pursuant to the terms of the Subcontract, the City must provide the Grantee, the Michigan State Police, a copy of its Single Audit Report. The Subcontract will expire on September 30, 2010.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Authorization to Receive the 2010 COPS Technology Program Grant

Manager's Recommendation:

I recommend that the City accept the 2010 Community Oriented Policing Services (COPS) Grant from the Department of Justice Office of Justice Programs (OJP). Further, it is recommended that the City Manager or his designee be authorized to execute and update any documents required by OJP at this time and throughout the grant process.

Justification:

The City applied for a COPS Technology Program Grant as part of the OJP program and was notified on March 23, 2010 that the grant was awarded for the estimated amount of \$300,000.00. The Saginaw Police Department proposes to use the funds to purchase Digital Surveillance Cameras to be used for wide area surveillance for crime prevention/control. The OJP requires the City to agree to standard conditions in the use of these funds and execute an agreement to that effect.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Department of Navy Notice of Renewal of Government Lease

Manager's Recommendation:

I recommend that the Department of Navy ("Navy") Notice of Renewal of Government Lease ("Lease") be renewed. The City recently received a Lease from the Navy for renewal of property located at 3500 Douglass Street. The Navy is seeking to renew the lease for a one year term from October 1, 2010 through September 30, 2011. I have approved the lease as to substance and the City Attorney as to form.

Justification:

The Navy leases 7.39 acres of land from the City located at 3500 Douglass Street, which is known as the Naval Reserve Center. The land is used to train reserves and an office is located on the land, which is used for recruiting. The parties entered into the original lease on October 18, 1985. The lease stated the Navy would pay the City \$1.00 for annual rent and other legal consideration. Further, there is a clause, which states that the lease was renewable for 49 additional one (1) year terms at the same rate. In addition, the lease states the Navy is only required to send the City a letter stating that it wants to renew the lease.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Fire Department Ladder Testing

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Non-Destructive Testing Services in the amount of \$2,308.90 for annual ladder testing for the Saginaw Fire 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 Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted and available in the Saginaw Fire Department Operating Services Account, No. 101-3754-751.80-05.

Justification:

Aerial and ground ladder inspection and testing is required annually by MIOSHA on Saginaw Fire Department apparatus. Non-Destructive Testing Services is the sole source locally for this service.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase of Railroad Property

Manager's Recommendation:

I recommend that the Purchase Agreement between the City of Saginaw and Central Michigan Railway Company be approved and that the City Manager or his designee be authorized to execute all documents necessary. The purchase agreement has been approved by the City Manager as to content and the City Attorney as to form.

Justification:

The City of Saginaw ("City") has been negotiating with Central Michigan Railway Company (Central Michigan), St. Mary's of Michigan Medical Center ("St. Mary's") and the United States Department of Housing & Urban Development ("HUD") for several years regarding this project. The City proposes to purchase property located near St. Mary's, and owned by Central Michigan for the sum of \$330,000, using HUD grant funds. In a separate agreement and deed, the City plans to convey the property to St. Mary's. This will provide additional parking and green space around the hospital, freeing up other land for development and increasing the prospects of the hospital maintaining and expanding operations in the City. HUD has provisionally agreed to this plan. The purchase agreement is contingent upon full HUD approval, title and satisfactory resolution of environmental issues.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase and Development Agreement with St. Mary's

Manager's Recommendation:

I recommend that the Purchase and Development Agreement between the City of Saginaw and St. Mary's of Michigan Medical Center be approved and that the City Manager or his designee be authorized to execute all documents necessary. The Purchase and Development agreement has been approved by the City Manager as to content and the City Attorney as to form.

Justification:

The City of Saginaw ("City") has been negotiating with Central Michigan Railway Company (Central Michigan), St. Mary's of Michigan Medical Center ("St. Mary's") and the United States Department of Housing & Urban Development ("HUD") for several years regarding this project. In a separate deed and agreement, the City proposes to purchase property located near St. Mary's, and owned by Central Michigan for the sum of \$330,000, using HUD grant funds. In this agreement and deed, the City plans to convey the property to St. Mary's. This will provide additional parking and green space around the hospital, freeing up other land for development and increasing the prospects of the hospital maintaining and expanding operations in the City. St. Mary's will enter into a purchase and development agreement confirming these development plans and also agreeing not to reconvey the property without the approval of the City.

Council Action:

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