

Council Agenda

April 19, 2010, 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

April 5, 2010 regular council meeting.

ANNOUNCEMENTS:

1. William Cowdry, Co-chair, Saginaw County Bar Association, to accept proclamation designating May 1, 2010 as Law Day in the City of Saginaw.
2. Evelyn McGovern, Arbor Day Coordinator, to accept proclamation designating April 27, 2010 as Arbor Day in the City of Saginaw.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

10-07 from Charles Lange, President, Cignys/Saginaw Products Corporation, requesting an Industrial Facilities Tax Exemption Certificate for the property located at 68 Williamson.

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

From the Council Boards and Commission Committee:

1. Consideration of reappointing Peter N. Ewend to the Saginaw Riverfront Development Commission with a term to expire April 1, 2014.
2. Consideration of reappointing Thomas Miller, Jr. to the Saginaw Riverfront Development Commission with a term to expire April 1, 2014.

REPORTS FROM MANAGER:

Management Update:

1. Recreation Program Plan for 2010 by Sheilda Braddock
2. Public Safety Millage, Taxable Values, and Income Tax presentation by Darnell Earley, City Manager, Lori Brown, City Assessor and Janet Schramke, Income Tax Manager
3. Report on General Motors Tax Tribunal Appeal by Tom Fancher, City Attorney
4. Review of the CDBG-R Amendment and Public Hearing by Odail Thorns, Development Director
5. Review of the NSP I Grant by Odail Thorns, Development Director
6. Briefing on Celebration Water Park by Jeff Kloplic, Technical Services Director

Recommended Actions:

1. Recommending approval of the Services and Space Agreement with the United States Census Bureau and that the City Manager be authorized to execute it and all related documents.
2. Recommending approval of the Ojibway Island User Agreement between the City of Saginaw and Union Civica Mexicana (UCM). On May 8, 2010, UCM will host its annual Cinco De Mayo festival on Ojibway Island. UCM will pay the City a flat fee of \$660.00 for the rental of Ojibway. In addition, the parties have agreed that UCM will pay the City a flat ticket fee of \$1,000.00 for ticket sales. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form.
3. Recommending approval of the First Amended Lease Agreement with Friends of Hoyt Park for use of a portion of Hoyt Park.
4. Recommending that the Amended and Restated Purchase and Development Agreement with Wolgast Corporation and Wickes Parks Homes be approved and that the City Manager or his designee be authorized to execute all documents necessary.
5. Recommending that the Development Agreement with the Michigan State Housing Authority be approved and that the City Manager or his designee be authorized to execute all documents necessary.

6. Recommending that a public hearing for the Community Development Block Grant-R (CDBG-R) program be set for Monday, May 3, 2010 at 6:30 p.m. in the Council Chamber.
7. Recommending approval of the NSP 1 Amended Grant Agreement to carry out the substantially amended 2009-10 program year and that the proper City officials be authorized to execute the same. Further recommend that the 2009-10 budget be amended to reflect the increase of grant monies for the NSP 1 Entitlement Grant from \$957,000 to \$1,600,000; which equates to a \$643,000 increase.
8. Recommending approval of the Professional Services Agreement between Wade Trim and the City of Saginaw to update the City's Master Plan, and to authorize the City Manager or his designee to execute this and all other related documents. The total fee will be \$96,500.00 and the project is to be completed within twelve months. Funds are budgeted in the Planning/Zoning Professional Services Account, No. 101 3863 761 8001.
9. Recommending that payment be made to Creditron Corporation in the amount of \$11,748.85 for the renewal of annual software maintenance (\$8,812.28) and for the renewal of annual hardware maintenance (\$2,936.57). The maintenance covers the Creditron system which processes and images payments and checks received by the Fiscal Services Department, Treasurer's Division. Funds are budgeted in the Information Services Operating Services Account, No. 658 1720 711 8005.
10. Recommending that the phone equipment maintenance agreements with ITI, Inc. be approved and that a purchase order be approved and issued to them in the amount of \$13,163.12. These maintenance agreements cover the telephone equipment located at City Hall, Police Department, Public Works Building and the Wastewater Treatment Plant for a one-year period from April 1, 2010 - March 31, 2011. Funds are budgeted and available in the Information Services Operating Services Account, No. 658 1720 711 8005.
11. Recommending approval and issuance of a purchase order to A.S.C. Security, Livonia, MI, in the amount of \$2,143.38 to purchase additional supplies needed to operate the Closed Circuit TV/Camera System for the police department. Funds are available in the Community Policing / Weed & Seed Account, No. 260 3321 741 9705 (Capital Outlay Less than \$5,000.00).
12. Recommending that a purchase order be approved and issued to Audio Central Alarm Company in the amount of \$3,725.00 for the completion of the security system at Fire Station No. 1, 801 Federal Avenue. Funds are available in the Saginaw Fire Department Operating Services Account, No. 101 3751 751 8005. The City will be partially reimbursed by its insurance carrier.

13. Recommending acceptance of the quote received from Pumps Plus, Inc. and that a purchase order be issued to them in the amount of \$2,044.00 for the purchase of a flow controller. Pumps Plus is the sole source. Funds are available in the Sewer Operation and Maintenance Parts and Supplies Account, No. 590 4830 861 7330.
14. Recommending acceptance of the low bid and issuance of a purchase order to Alro Steel in the amount of \$2,172.64 for the purchase of materials to replace the baffles and pipe supports at 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 bid and issuance of a purchase order to Apex Pinnacle in the amount of \$2,479.90 for the purchase of a dehumidifier for the Water Treatment Plant. Funds are available in the Water Operation and Maintenance Capital Outlay Less than \$5,000 Account, No. 591 4730 861 9705.
16. Recommending acceptance of the quote and issuance of a purchase order to JWC Environmental in the amount of \$7,153.39 for the purchase of a rebuilt grinder cartridge for use by the Wastewater Treatment Plant. Funds are available in the Sewer Operation and Maintenance Parts and Supplies Account, No. 590 4830 861 7330.
17. Recommending acceptance of the quote and issuance of a purchase order to Magnetrol Environmental in the amount of \$11,700.00 for the purchase of ten radar transmitters for use by the Wastewater Treatment Plant. Funds are budgeted in the Sewer Operation and Maintenance Surplus Capital Outlay Repairs and Replacements Account, No. 590 4840 881 9720.
18. Recommending acceptance of the low bid from Apex Contractors, Inc. in the amount of \$507,674.00 and a contract be awarded to them in this amount for the construction of the new Skate Park at Celebration Park. This project will be funded partially by a DNR Grant of \$450,000.00, local donations and the City of Saginaw's funding match and is part of the repurposing of the former Andersen Water Park located at 1830 Fordney Street. Funds are available in the Celebration Park Construction Project Account, No. 508 7580 831 8047.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Designating May 11th as Founder's Day, honoring Norman Little in the City of Saginaw.
2. Approving the ballot language for a Public Safety Millage renewal and Public Safety Renewal and Increase.
3. Approving ballot language for Charter amendments.
4. Approving ballot language for Stars millage renewal.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Motion to go into closed session to consult with the City's attorney concerning pending litigation in an employment case.

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Annual Creditron Software & Hardware Maintenance Renewal Payment

Manager's Recommendation:

I recommend that payment be made to Creditron Corporation (dba Purepay) in the amount of \$11,748.85 for the renewal of annual software maintenance (\$8,812.28) and for the renewal of annual hardware maintenance (\$2,936.57). The maintenance covers the Creditron system which processes and images payments and checks received by the Fiscal Services Department, Treasurer's Division.

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

Justification:

The City annually renews our maintenance fees for the Creditron system. This annual renewal of maintenance fees is for a 12-month period.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: I.T.I. Inc. Maintenance Agreements

Manager's Recommendation:

I recommend that the phone equipment maintenance agreements with I.T.I. Inc. be approved and that a purchase order be approved and issued to them in the amount of \$13,163.12. It is further recommended that the City Manager or his designee be authorized and directed to execute the five (5) maintenance agreements. These agreements were 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.

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

Justification:

These maintenance agreements cover the telephone equipment located at City Hall, Police Department, Public Works Building and Wastewater Treatment Plant for a one-year period from April 1, 2010 to March 31, 2011. The agreements cover all service under normal wear and tear including parts, labor and travel time. It also offers free user training, no charge for service related software updates, free loaner equipment and 24 hour, 7 day service without paying any after hour premium.

Council Action:

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

COUNCIL COMMUNICATION

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

**RESOLUTION APPROVING THE BALLOT LANGUAGE
FOR A PUBLIC SAFETY MILLAGE RENEWAL AND
PUBLIC SAFETY RENEWAL AND INCREASE**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Council of the City of Saginaw, pursuant to the authority granted by Act No. 33 of the Public Acts of 1951, as amended, may create a special assessment district and determine the amount of assessment, with the proceeds dedicated to pay for the costs of police and fire protection for the City of Saginaw, if approved by the voters; and

WHEREAS, at an election held May 2, 2006, voters authorized City Council to create a special assessment district consisting of the entire City of Saginaw and levy up to 6 mills on the taxable value of all real property in the district for a period of 5 years, from 2006 through 2010 inclusive, to fund police and fire services for the City of Saginaw; and

WHEREAS, said 5 year period expires on December 31, 2010; and

WHEREAS, because of economic conditions and because of the need to continue to provide police and fire services to the citizens of the City of Saginaw it is necessary that a levy of up to 6 mills on the taxable value of all real property in the district approved by the voters on May 2, 2006 be reestablished for a period of 5 years from 2011 through 2015, inclusive; and

WHEREAS, because of economic conditions and due to the increase in costs to continue to provide effective police and fire services to the citizens of the City of

COUNCIL COMMUNICATION

Saginaw it is further necessary that an additional 1.5 mills be levied for a total levy of up to 7.5 mills on the taxable value of all real property in the district for a period of 5 years from 2011 through 2015, inclusive.

NOW, THEREFORE, BE IT RESOLVED, that two (2) proposals, one to renew the special assessment district, that being the entire City of Saginaw, approved by the voters on May 2, 2006, and levy up to 6 mills on the taxable value of the real property and one to renew the levy up to 6 mills and add an additional 1.5 mills for a total of 7.5 mills on the taxable value of the real property in the district for a duration of 5 years from 2011 through 2015, inclusive, be placed before the qualified electors of the City of Saginaw on the ballot for the primary election to be held Tuesday, August 3, 2010; and

BE IT FURTHER RESOLVED, that the form of the ballot shall be as follows:

PROPOSAL 1

POLICE AND FIRE SERVICES SPECIAL ASSESSMENT DISTRICT RENEWAL

Shall the City Council be authorized to renew the special assessment district consisting of the entire City of Saginaw and levy up to 6 mills on the taxable value of all real property in the district for a period of 5years, from 2011 through 2015, inclusive, to fund police and fire services for the City of Saginaw, which levy would collect estimated revenues of \$3,085,985 in the first year, if approved and levied?

YES _____
NO _____

PROPOSAL 2

POLICE AND FIRE SERVICES SPECIAL ASSESSMENT DISTRICT RENEWAL AND INCREASE

Shall the City Council be authorized to renew the special assessment district consisting of the entire City of Saginaw and levy up to 6 mills and add an additional 1.5 mills for a total of 7.5 mills on the taxable value of all real property in the district for a period of 5 years, from 2011 through 2015, inclusive, to fund police and fire services for the City of

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Saginaw, which levy would collect estimated revenues of \$3,857,481 in the first year, if approved and levied?

YES _____
NO _____

BE IT FURTHER RESOLVED, that said proposals shall be and the same is hereby ordered to be submitted to the qualified electors of the City of Saginaw on the ballot for the primary election to be held Tuesday, August 3, 2010, and the City Clerk shall certify such ballot proposal language to the County Clerk and to perform all acts required by City Charter, ordinance and state law for the conduct of this election; and

BE IT FURTHER RESOLVED, that the ballot proposals shall be published in full at least once in The Saginaw News not less than ten (10) days prior to the primary election of Tuesday, August 3, 2010, and that a copy of the ballot proposal be posted in a conspicuous place in each polling place during said election.

COUNCIL COMMUNICATION

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

RESOLUTION APPROVING BALLOT LANGUAGE FOR CHARTER AMENDMENTS

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City Clerk of the City of Saginaw, as directed by City Council at a regular meeting held on Monday, August 10, 2009, submitted a certified copy of the resolution approving ballot language for twelve (12) charter amendments to the Governor of the State of Michigan for her approval pursuant to Section 22 of 1909 P.A. 279; MCL 117.22; and

WHEREAS, the Attorney General of the State of Michigan examined the twelve (12) proposed amendments in light of the Home Rule City Act, (HRCA) 1909 PA 279, MCL 117.1 *et seq*, and concluded that the amendments were consistent with the HRCA and therefore approved the ballot language as it conforms to the requirements of Section 21 of the HRCA; and

WHEREAS, the City Council of the City of Saginaw at a regular meeting held Monday, August 24, 2009, approved to place eight (8) of the twelve (12) proposals approved by the Attorney General before the qualified electors at the general election held Tuesday, November 3, 2009; and

WHEREAS, the City Council believes it would promote fair, equitable and good government to place the remaining four (4) proposals approved by the Attorney General before the qualified electors of the City of Saginaw on the ballot for the primary election to be held Tuesday, August 3, 2010 as follows:

PROPOSAL 3

PROPOSED CITY CHARTER AMENDMENT TO SECTION 22

This amendment would require a simple majority of the councilpersons elected, appointed and seated to enact an ordinance (instead of the current requirement of 5 votes), and this same majority plus one to enact an emergency ordinance needing immediate effect (instead of the current requirement of 6 votes), and changes reference from councilmen to councilpersons.

Shall this proposal be adopted?

YES _____
NO _____

COUNCIL COMMUNICATION

PROPOSAL 4

PROPOSED CITY CHARTER AMENDMENT TO SECTION 43

This amendment would delete the role of the director of finance to review the itemized estimate of expenditures submitted by the departments for the next fiscal year and submit the proposed budget to council, and provide instead that such activities be the responsibility of the city manager. With respect to city department heads, the reference to "his" is changed to "his or her".

Shall this proposal be adopted? YES _____
NO _____

PROPOSAL 5

PROPOSED CITY CHARTER AMENDMENT TO DELETE SECTION 45(a)

This amendment deletes Section 45(a) which is a provision regarding city taxes that was applicable to the period from July 1, 1963 through June 30, 1973. As such, Section 45(a) has no current effect.

Shall this proposal be adopted? YES _____
NO _____

PROPOSAL 6

PROPOSED CITY CHARTER AMENDMENT TO SECTION 92

Present Section 92 requires that both elective or appointed officers must reside in the city or the office will be considered vacated. This amendment would continue that requirement with regard to City Council. But it would remove that requirement from appointed officers and leave any restriction to ordinance or state law.

Should this proposal be adopted? YES _____
NO _____

NOW, THEREFORE, BE IT RESOLVED, by a 3/5 vote of the City Council of the City of Saginaw, that the proposition to amend the above-cited sections of the City Charter of the City of Saginaw be submitted to the electors of the City of Saginaw at the primary election to be held on Tuesday, August 3, 2010; and

BE IT FURTHER RESOLVED, that before the submission of said amendments to the qualified electors of the City of Saginaw, the amendments herein proposed shall be

COUNCIL COMMUNICATION

published in full, together with the existing charter provisions which will be repealed thereby, and a notice of said election shall be published in a newspaper of general circulation in the City of Saginaw; and

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.

COUNCIL COMMUNICATION

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

RESOLUTION APPROVING BALLOT LANGUAGE FOR STARS MILLAGE RENEWAL

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Saginaw Transit Authority Regional Services (STARS) was created pursuant to Public Act No. 196 of 1986, as amended, to operate a transit system; and

WHEREAS, Public Act No. 196 of 1986, as amended, provides that a tax may be levied by said authority to provide for public transportation if approved by the voters; and

WHEREAS, at an election held November 6, 2007, voters approved a millage of up to three mills, being \$3.00 per \$1,000 of State equalized valuation on all taxable property within the City of Saginaw for a period of three (3) years; and

WHEREAS, said 3-year period expires in November 2010; and

WHEREAS, STARS requires a levy of a tax pursuant to Public Act No. 196 of 1986, as amended, to continue to provide public transportation services; and

WHEREAS, at its meeting on March 22, 2010, STARS Board of Directors resolved that the following question be placed on the ballot for consideration by the electorate at the primary election to be held Tuesday, August 3, 2010, and that it shall be substantially in the following form:

COUNCIL COMMUNICATION

SAGINAW TRANSIT MILLAGE RENEWAL

SHALL THE PREVIOUSLY APPROVED LEVY OF THREE (3) MILLS (\$3.00 PER \$1,000 OF TAXABLE VALUE) AGAINST ALL TAXABLE PROPERTY WITHIN THE CITY OF SAGINAW BE RENEWED BY THE SAGINAW TRANSIT AUTHORITY REGIONAL SERVICES FOR A PERIOD OF FIVE (5) YEARS, FROM 2011 THROUGH 2015, INCLUSIVE, FOR THE PURPOSE OF OPERATIONS TO PROVIDE PUBLIC TRANSPORTATION, WHICH LEVY WOULD COLLECT ESTIMATED REVENUES OF \$1,823,915.00, IN THE FIRST YEAR LEVIED?

YES _____
NO _____

NOW THEREFORE BE IT RESOLVED, that the proposed ballot language for a renewal millage of 3 mills (\$3.00 per \$1,000 of taxable value) against all taxable property within the City of Saginaw for a period of five (5) years, from 2011 through 2015, inclusive, for Saginaw Transit Authority Regional Services shall be and the same is hereby approved.

COUNCIL COMMUNICATION

From: The City Manager

Subject: JWC Rebuilt Grinder Cartridge

Manager's Recommendation:

I recommend that the quote from JWC Environmental be accepted and that a purchase order be issued to them in the amount of \$7,153.39 for the purchase of a rebuilt grinder cartridge.

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:

Muffin Monster grinders are used in front of all sludge pumps at the wastewater treatment plant. They grind the sludge and prevent plugging of the pumps and damage that could be caused by large debris. The blades on these units dull over time and must be replaced. The old unit is shipped back to JWC and they supply a rebuilt one. JWC is the manufacturer of the equipment and the sole source for replacement parts.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Flow Controller

Manager's Recommendation:

I recommend that the quote from Pumps Plus, Inc. be accepted and that a purchase order be issued to them in the amount of \$2,044.00 for the purchase of a flow 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 Sewer Operation and Maintenance Parts and Supplies Account No. 590-4830-861-7330.

Justification:

The flow controller is a part for the slurry cup grit removal system. Abrasion wore a hole in the old unit and it was taken out and repaired. This quote is for a replacement unit so that we have a spare. Pumps Plus, Inc. is the manufacturer's representative for Eutek and therefore, a sole source for replacement parts.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Aeration Tank Materials

Manager's Recommendation:

I recommend that the low bid from Alro Steel be accepted and that a purchase order be issued to them in the amount of \$2,172.64.

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 Operation and Maintenance Parts and Supplies Account No. 590-4830-861.73-30.

Justification:

As part of the ARRA aerator replacement project the contractor is required to sand blast and repaint the pipe supports and baffles in the aeration tanks. During the start of the demolition work it was discovered that many of the baffles and pipe supports require replacement. Rather than issuing a change order and increasing the project cost, the Wastewater Treatment Plant maintenance staff will fabricate and replace the baffles and pipe supports. Sealed bids for materials to do this repair were opened on 4/6/10. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Alro Steel Bay City, MI	<u>Total Bid</u> \$2,172.64
Central Metallizing & Machine Saginaw, MI	\$2,754.20
Withers Steel Service Center Montrose, MI	\$3,022.40

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Dehumidifier Purchase

Manager's Recommendation:

I recommend acceptance of the low bid and issuance of a purchase order to Apex Pinnacle in the amount of \$ 2,470.90 for the purchase of a dehumidifier for the Water 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 item are available in the Water Operation and Maintenance Capital Outlay Less than \$5,000 Account No. 591-4730-861.97-05.

Justification:

On March 2, 2010, the City received bids for the purchase and delivery of one HI-E Dry Model 195 Portable Dehumidifier. Portable dehumidifiers are used to dry the air in critical areas of the Water Treatment Plant, which helps control corrosion and reduce equipment failure in these areas. A similar model was purchased in 2008 and the price reflects a 15.5% decrease since the last purchase. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

	<u>Total Bid</u>
Apex Pinnacle Port Crane, NY	\$ 2,470.90
MSC Industrial Direct Livonia, MI	\$ 2,999.00
Therma Stor LLC Madison, WI	\$ 3,270.00

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Closed Circuit TV System

Manager's Recommendation:

I recommend approval and issuance of a purchase order to A.S.C. Security, Livonia, MI in the amount of \$2,143.38 to purchase additional supplies needed to operate the Closed Circuit TV/Camera System for the Saginaw Police 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 available in the Community Policing / Weed & Seed Fund, Account No. 260-3321-741.97-05 (Capital Outlay Less than \$5,000).

Justification:

On August 10, 2009 Council approved the issuance of purchase order number #39260 in the amount of \$15,249.00 for the purchase and installation of a closed circuit TV/Camera system to be used for passive surveillance for the Saginaw Police Department, as defined in the Weed and Seed Grant. To fully operate the system, additional antennas and cables are needed.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Neighborhood Stabilization Program (NSP) 1 Amended Grant Agreement and Budget Adjustment

Manager's Recommendation:

I recommend that City Council approve the NSP 1 Amended Grant Agreement to carry out the substantially amended 2009-2010 program year and that the proper City officials be authorized to execute the same. The agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form.

It is also recommended that the 2009/10 budget be amended to reflect the increase of grant monies for the NSP 1 Entitlement Grant from \$957,000 to \$1,600,000; which equates to a \$643,000 increase. The Revenue line item (279-0000-511-6001) will be increased by \$643,000. The house acquisition and rehabilitation expenditure line item (279-6550-761-8455) will be increased by \$643,000.

Justification:

The City of Saginaw has received an Amended Grant Agreement from the Michigan State Housing Development Authority to carry out the substantially amended 2009-2010 program year for the Neighborhood Stabilization Program 1 (City Clerk's File No. _____). The funding agreement is in the amount of \$1,600,000.

The City will use this grant to help acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within its communities and to demolish blighted structures.

In accepting this grant agreement, the City agrees to comply with all terms and conditions of the agreement, applicable laws, regulations and all other requirements of MSHDA now or hereafter in effect pertaining to the assistance provided. The agreement is for a period that began March 17, 2009 and will terminate on June 30, 2010.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Union Civica Mexicana Ojibway Island User Agreement

Manager's Recommendation:

I recommend approval of the Ojibway Island User Agreement (Agreement) between the City of Saginaw (City) and Union Civica Mexicana (UCM). The Agreement is approved by me as to substance and the City Attorney as to form.

Justification:

On May 8, 2010, UCM will host its annual Cinco De Mayo festival on Ojibway Island (Ojibway). UCM will pay the City a flat fee of Six Hundred and Sixty Dollars and 00/100 (\$660.00), for the rental of Ojibway. In addition, the parties have agreed that UCM will pay the City a flat ticket fee of One Thousand Dollars and 00/100 (\$1,000.00) for ticket sales.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Security System/Fire Station #1

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Audio Central Alarm Company in the amount of \$3,725.00 for the completion of the security system at Fire Station No. 1, 801 Federal Avenue.

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. 101-3751-751-80-05. The City will be partially reimbursed for this purchase by its insurance carrier, as this is a necessary security enhancement.

Justification:

During the past several years there have been numerous incidents at this location that have heightened the need to enhance facility security and create a safer working environment. There have been several break-ins and incidents where shootings and foot chases have occurred. Completion of the system would include installation of four (4) cameras at various locations on or in the building, three (3) monitors and Digital Video Recording capability of up to fourteen (14) days. Bidding is waived since Audio Central Alarm is currently monitoring the station's emergency alarm system.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Census Agreement

Manager's Recommendation:

I recommend approval of the Services and Space Agreement with the United States Census Bureau and that the City Manager be authorized to execute it and all related documents. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The United States Census Bureau wishes to use space in City Hall to provide assistance to persons filling out the census forms. They have requested time up to 10 hours a week and space for a table and two chairs. They have requested that the City execute a standardized agreement to formalize this permission. This arrangement will create no inconvenience to the City or its customers and may increase the participation of its citizens in the census.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Approval of Amended Agreement with Friends of Hoyt Park

Manager's Recommendation:

I recommend approval of the First Amended Lease Agreement with Friends of Hoyt Park for use of a portion of Hoyt Park. The agreement has been approved by the City Manager as to substance and by the City Attorney as to form.

Justification:

The Friends of Hoyt Park was organized as a non-profit corporation to promote recreational events at Hoyt Park. It entered into a lease agreement with the City on May 11, 2009 to provide them access to the building and priority to the baseball diamonds for various events and tournaments. This amendment to the agreement contains two changes. One is the extension of the lease term from September 30 to October 31 of each year, to accommodate league play. The second is a clarification of the language regarding their utilization of the Saginaw YMCA in their activities.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Amended and Restated Purchase and Development Agreement with Wolgast Corporation and Wickes Park Homes

Manager's Recommendation:

I recommend that the Amended and Restated Purchase and Development Agreement with Wolgast Corporation and Wickes Park Homes be approved and that the City Manager or his designee be authorized to execute all documents necessary. This Restated and Amended Purchase and Development Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

On January 11, 2010 the City of Saginaw entered into a Purchase and Development Agreement with Wolgast Corporation and Wickes Parks Homes for property located in the 3200, 3300, 3400, 3500, and 3600 block of Douglass St. on the south east side of the City. This was a modification and consolidation of several prior Purchase and Development Agreements with Wolgast Corporation. A Payment in Lieu of Taxes ("PILOT") ordinance had been enacted in furtherance of those agreements.

This proposed Amended and Restated Purchase and Development Agreement would clarify some language in the most recent agreement. Other than minor format changes, the only substantial change is the elimination of the right of the City to regain title to the property if the development goals are not met. In the proposed development arrangement, the Michigan State Housing Development Authority ("MSHDA") will be providing financing and its interest in the property would be jeopardized by a title reversion right of the City.

COUNCIL COMMUNICATION

To protect the City's development rights in the absence of such a clause, MSHDA has agreed to an alternate arrangement. Wickes Park Homes is already paying the City full market value for the properties. The City has approved the building specification and plans MSHDA has required of Wickes Park Homes. MSHDA has also agreed not to allow major changes to the development plan without the consent of the City. These factors and the new agreement with MSHDA will adequately protect the City's interest. That agreement with MSHDA will be executed at the same time as this one with Wickes and Wolgast.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Development Agreement with MSHDA

Manager's Recommendation:

I recommend that the Development Agreement with the Michigan State Housing Authority be approved and that the City Manager or his designee be authorized to execute all documents necessary. This Development Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

On January 11, 2010 the City of Saginaw entered into a Purchase and Development Agreement with Wolgast Corporation and Wickes Parks Homes for property located in the 3200, 3300, 3400, 3500, and 3600 block of Douglass St. on the south east side of the City. In conjunction with consideration of this document, the City will be approving an Amended and Restated Purchase and Development Agreement with Wolgast Corporation and Wickes Park Homes. That Amended and Restated Purchase and Development Agreement will eliminate the City's right to regain title to the properties if the development obligations are not met. The elimination of this reversion right was necessary before the Michigan State Housing Development Authority ("MSHDA") would agree to finance the project.

In order to protect the City's development rights in the absence of such a clause, MSHDA has agreed to an alternate arrangement. It will disallow any change to the number of units built, the square-footage of the units, the number of bedrooms in the units and the general exterior appearance of the units unless the City expressly agrees to these changes. These guarantees will adequately protect the City's interests.

Council Action:

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

COUNCIL COMMUNICATION

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

RESOLUTION TO DESIGNATE MAY 11TH AS FOUNDER'S DAY

Council _____ offered and moved the adoption of the following resolution:

WHEREAS, the Saginaw Valley Historic Society, in cooperation with the Saginaw Valley Antique Society and the Mackinaw Trail Questers, Chapter 562, have requested that a day be set aside by the City of Saginaw to honor the founder of both Saginaw City and East Saginaw: Normal Little; and

WHEREAS, these organizations have proposed that May 11th be officially recognized as Founder's Day, inasmuch it was on that date in 1855 that Norman Little was elected president of the first legislative body of the village of East Saginaw; and

WHEREAS, the City of Saginaw has already approved street signs designating "Norman Little Plank Road" to be installed below East Genesee street signs from the bridge to Janes Street, and will incorporate the plank road theme with parking offsets in concrete, simulating wooden planks; and

WHEREAS, the efforts to promote the importance of Normal Little to our local history will conclude with the establishment of an historic marker at the foot of the Genesee Street Bridge, funded by the Saginaw Valley Antique Society and the Mackinaw Trail Questers.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for Saginaw recognizes May 15th as Founders Day, honoring Norman Little.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Magnetrol Radar Transmitters

Manager's Recommendation:

I recommend that the quote from Magnetrol Environmental be accepted and that a purchase order be issued to them in the amount of \$11,700.00 for the purchase of ten radar transmitters.

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 Sewer Operation and Maintenance Surplus Capital Outlay Repairs and Replacements Account No. 590-4840-881.97-20.

Justification:

At the wastewater treatment plant and the remote retention and treatment basins, we have many types of instruments used to measure liquid level. Over the years, many of these have proved unreliable and prone to failure. Staff has identified the Magnetrol radar unit as reliable. We are therefore replacing all level sensing equipment with the Magnetrol radars as the old level sensors fail. For this reason, Magnetrol Environmental has been identified as a sole source.

Council Action

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Contract with Apex Contractors, Inc.

Manager's Recommendation:

I recommend that the low bid from Apex Contractors, Inc., in the amount of \$507,674.00 be accepted and a contract awarded them in that amount be approved. Contract documents forwarded herein (City Clerk's File _____), have been signed by the contractor. The contract is subject to approval by me as to substance and the City Attorney as to form.

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 contract are available in the Celebration Park Construction Project Account No. 508-7580-831-80.47. (\$507,674.00), project number AW08CS.

Justification:

On April 6, 2010, the City received bids for the construction of the new Skate Park at Celebration Park. This project will be funded partially by a DNR (Department of Natural Resources) Grant of \$450,000.00, local donations and the City of Saginaw funding match and is part of the repurposing of the former Andersen Water Park located at 1830 Fordney Street, Saginaw. The Skate Park will include demolition and site preparation, construction of approximately 20,000 square foot concrete facility, and installation of fencing and signage. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

COUNCIL COMMUNICATION

	<u>Total Bid</u>
Apex Construction Dorr, MI	\$507,674.00
Graham Construction Saginaw, MI	\$545,595.96
J.R. Heineman Saginaw, MI	\$574,116.50
Wobig Construction Saginaw, MI	\$605,805.00
Gerace Construction Midland, MI	\$609,508.00
CMA Design / Build Shelby Twp, MI	\$618,374.40

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: CDBG-R Amendment Public Hearing

Manager's Recommendation:

I recommend that a public hearing for the Community Development Block Grant-R (CDBG-R) program be set for Monday, May 3, 2010 at 6:30 p.m. in the Council Chamber.

Justification:

The City of Saginaw was allocated a supplementary Community Development Block Grant Recovery (CDBG-R) award of \$668,347 under the American Recovery and Reinvestment Act of 2009, funded as administered by the U.S. Department of Housing and Urban Development (HUD). On August 10, 2009, the City Council accepted and allocated \$668,347 of the \$668,347 grant amount. The purpose of the hearing is to allow citizen participation on the substitution of streets originally proposed.

It is necessary to hold a public hearing to meet citizen participation requirements for the Community Development Block Grant-R (CDBG-R) program. Citizens wishing to comment on the CDBG-R program will be given the opportunity to comment.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Wade Trim Agreement to update the City of Saginaw's Master Plan

Manager's Recommendation:

I recommend approval of the Professional Services Agreement between Wade Trim and the City of Saginaw to update the City's Master Plan, and to authorize the City Manager or his designee to execute this and all other related documents. This 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, "Finance and Purchasing", of "Title 1, General Provisions" of Saginaw Code of Ordinances O-1.

Funds are available in the Planning/Zoning Professional Services Account, No. 101 3863 761 8001.

Justification:

The City's Master Plan needs to be reviewed and revised every five to ten years. The City has sought and received proposals from a number of planning firms to perform this service. After a comprehensive review of the bids, documentation and after presentations of the proposals, the City panel has selected Wade Trim to provide this service. The total fee will be \$96,500.00, and the project is to be completed within twelve months.

Action:

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