

Council Agenda

April 20, 2009, 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

November 10, November 24, December 8 and December 22, 2008 Regular Council meetings.

ANNOUNCEMENTS:

Amber Davis-Johnson, Vice President of the Saginaw Bar Association, to accept proclamation designating April 30, 2009 as Law Day in the City of Saginaw.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

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

REMARKS OF COUNCIL:

PETITIONS:

- 09-07 from Tamar Chipp, Saginaw Community Foundation, requesting permission to erect a banner in the 500 block of Court Street from May 1, 2009 to May 21, 2009 and the 1000 block of East Genesee from June 1, 2009 to June 30, 2009 for the purpose of promoting the 25th Anniversary of the Saginaw Community Foundation.
- 09-08 from Daniel McGee, Executive Director of Saginaw Bay Symphony Orchestra, requesting that the Saginaw Symphony Association be recognized as a nonprofit organization in the City of Saginaw.

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

From the Boards and Commission Committee:

REPORTS FROM MANAGER:

Management Update:

1. Dr. Eric Scorsone, Director of Government Affairs – Michigan State University, will discuss the economic condition of the state and City stat.
2. Presentation of the 2010 Census by Anthony Turner, U. S. Department of Commerce – Bureau of the Census.

Recommended Actions:

1. Recommending that the 2008-09 Approved Budget for General Fund/State Grant Account No. 101 0000 511 5109 be increased from \$504,000 to \$639,000; which equates to a \$135,000 increase. Likewise, the Inspection Division's Demolition Account No. 101 3865 761 8025 will be increased the same. Through the Cities of Promise Blight Elimination program, the City of Saginaw was awarded \$135,000 for the implementation of the Deconstruction Program.
2. Recommending approval of the termination of the prior lease agreement with the Saginaw Downtown Lions Club for use of the Lions Park. The termination agreement has been approved by the City Manager as to substance and by the City Attorney as to form.
3. Recommending approval of the Ojibway Island User Agreement between the City of Saginaw and Union Civica Mexicana (UCM). The Agreement has been approved by the City Manager as to substance and the City Attorney as to form. On May 2, 2009, 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. This is the first year that UCM will charge participants admission to the festival and sell alcoholic beverages. Therefore, the parties have agreed that UCM will pay the City a minimum service fee of \$200.00 for ticket sales. Moreover, UCM will pay the City \$0.10 per ticket for ticket sales over 2,000.
4. Recommending that the Lease Agreement with Pitney Bowes for a DM525 Digital Mailing System be approved. This Agreement includes equipment maintenance, Soft-Guard Subscription and Intellilink meter rental. The term of the Agreement is 60 months and the monthly payment is \$315.00. The Agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form. Further recommend that the City Manager and/or his designee be authorized to sign the Agreement and any other related documents on behalf of the City. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted and spread over all departmental budgets.
5. Recommending acceptance of the quote and issuance of a purchase order to Superior Business Systems in the amount of \$2,043.50 for the purchase of pressure seal/accounts payable checks and pressure seal direct deposit forms. These forms are necessary to print bi-weekly pension, bi-weekly and weekly payroll checks, and the printing of weekly accounts payable checks. This vendor meets all requirements of the contract compliance provisions. Fund are budgeted in the City Treasurer's Printing Account No. 101 1743 711 8030.
6. Recommending that a purchase order be approved and issued to Computer Management Technologies in the amount of \$3,982.00 as annual payment for hardware maintenance and support services. This support service will cover a modular tape library unit and a disk storage unit. This vendor meets all requirements of the contract compliance

provisions. Funds are available in the Information Services Operating Services Account No. 658 1720 711 8005.

7. Recommending acceptance of the low bid and issuance of a purchase order to West Shore Fire in the amount of \$2,011.03 for one Tempest ventilation saw and two chains to be used by the Saginaw Fire Department. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted and available in the Saginaw Fire Department's Capital Outlay Account No. 101 3751 751 9705 (\$1,673.53) and Parts and Supplies Account No. 101 3751 751 7330 (\$337.50).
8. Recommending acceptance of the sole bid and issuance of a purchase order to Ro-Flo Compressors LLC in the amount of \$4,542.00 for the purchase of compressor parts. These parts are necessary to rebuild both of the compressors used to mix biosolids in our above ground storage tanks. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Surplus Repair and Replacements Account No. 576 4840 881 9720.
9. Recommending acceptance of the low bid and issuance of a purchase order to Wholesale Electric in the amount of \$7,989.30 for the purchase of street light bulbs. These bulbs are necessary to maintain and repair street lighting. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Traffic Engineering Inventory Account No. 101 4620 791 7330.
10. Recommending acceptance of the low bid and issuance of a purchase order to American Controls, Inc. in the amount of \$15,829.00 for the purchase of a new chemical feed system. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Surplus Repairs and Replacements Account No. 576 4840 881 9720.
11. Recommending that MDOT Cost Agreement No. 08-5415 be approved and that City officials be authorized to execute said Agreement. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form. Specifically, the parties agree to the streetscaping work along M-13 (Washington Avenue) between Holland Avenue and Janes Avenue. The total project is estimated to cost \$1,995,200.00. The City's estimated share is \$49,800.00. Funds for the City's share will be made available in the fiscal year 2010 Major Streets Street Resurfacing Account No. 202 4614 781 8046.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend §52.33, "Charge for Premises within City," and §52.34, "Charge for premises outside City" of Chapter 52, "Water" of Title V, "Public Works," of the Saginaw Code of Ordinances, O-1.
2. An Ordinance to amend §51.55, "Wastewater Disposal Charges for premises within and outside the City," of Chapter 51, "Sewer" of Title V, "Public Works," of the Saginaw Code of Ordinances, O-1.

RESOLUTIONS:

1. Approving the City of Saginaw to participate in the M-13 Streetscaping Project.
2. Authorizing the sale of alcoholic beverages on Ojibway Island on May 2, 2009 during the Cinco De Mayo festival.
3. Recognizing the Saginaw Bay Symphony Orchestra as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.
4. Recommending the City of Saginaw to maximize the creation of American jobs and restore economic growth and opportunity by spending economic recovery plan funds on products and services that are made or performed in the United States of America whenever and wherever possible.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Motion to go into closed session to consult with the City's attorney regarding settlement strategy in a pending employment case.

Darnell Earley
City Manager

COUNCIL COMMUNICATION

**RESOLUTION TO APPROVE MDOT COST AGREEMENT
NUMBER 08-5415 FOR M-13 STREETSCAPING PROJECT**

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, a Cost Agreement, Number 08-5415, has been submitted by the Michigan Department of Transportation, which requires the City of Saginaw to adopt a resolution indicating its willingness to participate in the streetscaping work along M-13 (Washington Avenue) between Holland Avenue and Janes Avenue; including the placement of decorative street lighting, stamped and conventional sidewalk and sidewalk ramp upgrades, burying of overhead utilities, installation of decorative mast arm signals and landscaping; together with necessary related work; and

WHEREAS, the Agreement has been approved by the City Manager as to substance and by the City Attorney as to form.

NOW, THEREFORE, BE IT RESOLVED, that City Officials be authorized to execute said agreement on behalf of the City of Saginaw.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Michigan Department of Transportation Cost Agreement Number 08-5415

Manager's Recommendation:

I recommend that Michigan Department of Transportation ("MDOT") Cost Agreement ("Agreement"), Number 08-5415, be approved and that City officials be authorized to execute said Agreement. The Agreement has been approved by me as to substance and the City Attorney as to form. A resolution to approve the Agreement appears under the regular order of business.

Funds for the City's share will be made available in FY 2010 Major Streets Street Resurfacing Account No. 202-4614-781-8046 (\$49,800.00). The Project Number is ST0701.

Justification:

Transmitted herewith is a proposed Cost Agreement (City Clerk's File No. _____) with MDOT for the purpose of setting forth the rights and obligations of the parties. Specifically, the parties agree to the streetscaping work along M-13 (Washington Avenue) between Holland Avenue and Janes Avenue. The improvements include, but are not limited to, the placement of decorative street lighting, stamped and conventional sidewalk and sidewalk ramp upgrades, burying of overhead utilities, installation of decorative mast arm signals and landscaping; together with necessary related work. The total project is estimated to cost \$1,995,200.00. Federal funds will pay \$1,596,200.00, MDOT funds will pay \$349,200.000 and the City's estimated share is \$49,800.00.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Chemical Feed System

Manager's Recommendation:

I recommend acceptance of the low bid and issuance of a purchase order to American Controls, Inc. in the amount of \$15,829.00 for the purchase of a new chemical feed system.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are available in the Sewer Surplus Repairs and Replacements Account No. 576-4840-881.97-20.

Justification:

This bid is for a new chemical feed system for feeding ferrous sulfate. Our old feed system was installed in the mid 1970's. Parts are no longer available and the fiberglass has deteriorated to the extent that leaks have to be patched regularly. Ferrous sulfate is metered into the wastewater to precipitate phosphorus as required by the MDEQ in our NPDES permit. Ferrous sulfate is an extremely corrosive chemical, making the replacement of this system a safety issue as well as a maintenance issue. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

American Controls Inc. Farmington Hills, MI	\$15,829.00
Kerr Pump & Supply. Oak Park, MI	\$17,870.00
Detroit Pump Co. Ferndale, MI	\$22,935.00
Jett Pump & Valve. Waterford, MI	\$26,599.44

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Ro-Flo Compressor Parts

Manager's Recommendation:

I recommend acceptance of the bid and issuance of a purchase order to Ro-Flo Compressors LLC in the amount of \$4,542.00 for the purchase of compressor parts.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are available in the Sewer Surplus Repair and Replacements Account No. 576-4840-881.97-20.

Justification:

These are the parts necessary to rebuild both of the compressors used to mix bio-solids in our above ground storage tanks. One of the compressors is currently out of service and the remaining one is in bad shape. This request for sealed bids was sent out twice and both times the sole bidder was Ro-Flo Compressors LLC.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Termination of Prior Agreement regarding Lions park

Manager's Recommendation:

I recommend approval of the termination of the prior lease agreement with the Saginaw Downtown Lions Club for use of the Lions Park. The termination agreement has been approved by me as to substance and by the City Attorney as to form.

Justification:

On March 25, 1996, the City entered into an agreement with the Saginaw Downtown Lions Club for the maintenance and use of the small park located between the 500 Block of Lapeer Avenue and the 500 block of Genesee Avenue. This has been a successful enterprise, but the Lions Club notified the City that they are unable to maintain this effort because of the declining size of its organization.

Health Delivery, Inc. ("HDI") offered to take over the responsibilities of the Lions Club and maintain and improve this park. The City Council approved the new agreement with HDI on April 6, 2009. Now that the new agreement is effective, the City and the Lions Club wish to formally terminate the old agreement.

Council Action:

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

COUNCIL COMMUNICATION

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment; and

WHEREAS, those same Americans are the taxpayers that provide the revenue needed to operate essential government services; and

WHEREAS, Congress approved and President Obama signed into law a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects and other projects that will require manufactured components; and

WHEREAS, our taxpayer dollars should be spent to maximize the creation of American jobs and to restore the economic vitality of our communities; and

WHEREAS, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize our greater economy; and

WHEREAS, any economic recovery plan spending should - to every extent possible – include a commitment from the City of Saginaw to buy materials, goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place.

COUNCIL COMMUNICATION

NOW, THEREFORE, BE IT RESOLVED, the City of Saginaw will work to maximize the creation of American jobs and restore economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed; and

BE IT FURTHER RESOLVED THAT, the City of Saginaw will, to the extent it is consistent with its obligations under the Charter and ordinances, commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to the City of Saginaw by the American taxpayers.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Hardware Maintenance

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Computer Management Technologies, (in city business) in the amount of \$3,982.00 as annual payment for hardware maintenance and support services. This support service will cover a modular tape library unit and a disk storage unit.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

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

Justification:

This purchase order with Computer Management Technologies covers the City for a period of one year with hardware maintenance and support services.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase of Pressure Seal Payroll/Accts Payable Checks & Payroll Direct Deposit Pressure Seal Forms

Manager's Recommendation:

I recommend acceptance of the quote and issuance of a purchase order to Superior Business Systems in the amount of \$2,043.50 for the purchase of Pressure Seal Payroll/Accounts Payable Checks and Pressure Seal Payroll Direct Deposit forms.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for these forms are budgeted in the City Treasurer's Printing Account No. 101-1743-711-8030

Justification:

Quotes for these forms were received on February 18, 2009, and initially the best low combination for the City resulted in splitting the bid between two companies with the total for each coming in under \$2,000.00. However, it was later determined that the second low bidder (Total Business Forms) made an error on their submission and could not honor their quote. With the time that passed in determining the above, it placed the department in a situation where the checks and forms had to be ordered. These forms are necessary to print bi-weekly pension, bi-weekly and weekly payroll checks, and the printing of weekly accounts payable checks.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: MSHDA Grant for the Deconstruction Program – Budget Adjustment

Manager's Recommendation:

It is recommended that the 2008/2009 Approved Budget for General Fund/State Grant account (101-0000-511.51-09) be increased from \$504,000 to \$639,000; which equates to a \$135,000 increase. Likewise, the Inspection Division's Demolition account (101-3865-761.80-25) will be increased the same.

Justification:

Through the Cities of Promise's Blight elimination program, the City of Saginaw was awarded \$135,000 for the implementation of the Deconstruction Program. This council communication recognizes the receipt and use of these funds.

Council Action:

Council _____ moved that the recommendation from 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 2, 2009, 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. This is the first year that UCM will charge participants admission to the festival and sell alcoholic beverages.

Therefore, the parties have agreed that UCM will pay the City a minimum service fee of Two Hundred Dollars and 00/100 (\$200.00) for ticket sales. Moreover, UCM will pay the City, Ten Cents (\$0.10) per ticket for ticket sales over 2,000. Furthermore, UCM must provide an insurance certificate and liquor liability license to the City. UCM must provide a liquor liability license to the City because it plans to sell alcoholic beverages to participants.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Authorization to Allow the Sale of Alcoholic Beverages on Ojibway Island

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the sale of alcoholic beverages on Ojibway Island, a public property, during the annual Cinco De Mayo Festival to be held on May 2, 2009.

Justification:

On May 2, 2009, Union Civica Mexicana (UCM) will host its annual Cinco De Mayo festival on Ojibway Island, a public property. The sponsor has requested that the City allow it to sell alcoholic beverages during the event. Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the sale of alcoholic beverages on public property if the vendor provides the following to the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The dates and times for said activities;
- (3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in subsections (1) and (2) above;
- (4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance in the State of Michigan;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;
- (6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and
- (7) Such other reasonable requirements as said City Council deems appropriate.

COUNCIL COMMUNICATION

The vendor will provide the proper documents to the proper City officials. If the vendor fails to provide the documentation by April 28, 2009, it will not be allowed to sell alcoholic beverages on Ojibway Island. The City has set the insurance requirements and all insurance certificates must be reviewed and approved by the City Attorney. Furthermore, the vendor has been advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

This council communication is for explanation purposes only.

COUNCIL COMMUNICATION

RESOLUTION TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES

ON PUBLIC PROPERTY

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Union Civica Mexicana (UCM) plans to hold its annual Cinco De Mayo festival on Ojibway Island on May 2, 2009; and

WHEREAS, UCM requested that it be allowed to sell alcoholic beverages to participants on Ojibway Island; and

WHEREAS, City Council can provide authorization for the sale of alcoholic beverages on public property; and

WHEREAS, the UCM must provide certain documents prior to the event.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the sale of alcoholic beverages on public property during the Cinco De Mayo festival to be held May 2, 2009 on Ojibway Island, provided that UCM provides the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances no later than April 28, 2009 to the proper City officials.

BE IT FURTHER RESOLVED, if UCM does not provide the documents by the stated date, it will not be allowed to sell alcoholic beverages during the event on May 2, 2009.

BE IT FURTHER RESOLVED, that the City has set all insurance requirements and all insurance certificates must be reviewed and approved by the City Attorney.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Traffic Engineering, Street light bulbs

Manager's Recommendation:

I recommend acceptance of the low bid and issuance of a purchase order to Wholesale Electric in the amount of \$7,989.30 for the purchase of street light bulbs.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are available in the Traffic Engineering Inventory Account No. 101-4620-791-7330.

Justification:

On March 17, 2009, the City received bids for street light bulbs. These bulbs are necessary to maintain and repair street lighting. The price is for 588 bulbs and 30 fixtures. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

1000Bulbs.com Garland, TX (Disqualified, did not bid all items)	\$ 4,645.20
Wholesale Electric Bay City, MI	\$ 7,989.30
Gexpro Troy, MI	\$ 8,085.12
Graybar Electric Flint, MI	\$ 9,106.05
Standard Electric Saginaw (out-city)	\$ 9,181.14
Marshall Campbell Saginaw (in-city)	\$ 9,643.05

COUNCIL COMMUNICATION

Light Bulb Depot
Springfield, MO

\$ 10,011.00

Council Action:

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

COUNCIL COMMUNICATION

From: City Manager
Subject: Rescue/Ventilation Saws

Manager's Recommendation:

I recommend acceptance of the low bid and issuance of a purchase order to West Shore Fire in the amount of \$2,011.03 for one Tempest ventilation saw and two chains to be used by the Saginaw Fire Department.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44 of the Saginaw Code of Ordinances.

Funds for this purchase are budgeted and available in the Saginaw Fire Department's Capital Outlay Account No. 101-3751-751-9705 (\$1,673.53) and Parts and Supplies Account No. 101-3751-751-73-30 (\$337.50).

Justification:

Rescue/ventilation saws are specialized pieces of equipment essential to Fire Department operations. These saws are used on a daily basis and are subjected to very harsh conditions. The saws currently in use have reached the end of their service life and need replacement due to rising repair costs and a lack of reliability.

On March 17, 2009 the Saginaw Fire Department received bids for two Tempest ventilation saws and four Raptor chainsaw chains. Following is a tabulation of bids received and reviewed by the Purchasing Committee:

Airgas Great Lakes Saginaw (out-City)	\$2,486.00
Care Controls Mill Creek, WA	\$2,387.02
West Shore Fire Allendale, MI	\$2,011.03

Council Action:

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

COUNCIL COMMUNICATION

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

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES FOR SAGINAW BAY SYMPHONY ORCHESTRA

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Saginaw Bay Symphony Orchestra has submitted a request (Petition No. 09-08) to be recognized as a nonprofit organization for purposes of obtaining a charitable gaming license; and

WHEREAS, the Michigan Bureau of State Lottery, pursuant to MCL 432.103(9), requires a Resolution be adopted by the local governing body approving this recognition.

NOW THEREFORE, BE IT RESOLVED that the request from Saginaw Bay Symphony Orchestra of the City of Saginaw and County of Saginaw, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Pitney Bowes Lease Agreement

Manager's Recommendation:

I recommend that the Lease Agreement (Agreement) with Pitney Bowes for a DM525 Digital Mailing System be approved. This Agreement includes equipment maintenance, Soft-Guard Subscription and IntelliLink meter rental. The term of the Agreement is 60 months and the monthly payment is \$315.00.

The Agreement is subject to my approval as to substance and the City Attorney as to form. It is further recommended that I and/or my designee be authorized by City Council to sign the Agreement and any other related documents on behalf of the City.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this lease are budgeted and spread over all departmental budgets.

Justification:

The United States Postal Service (USPS) has announced postal rate changes effective May 11, 2009. The software used by the City's current Pitney Bowes Digital Mailing System will not support these changes. Pitney Bowes will provide an upgraded digital mailing system capable of supporting upcoming postal rate changes as well as adding network capabilities for better report generation and maintenance, at a \$5.00 decrease per month from our existing 60 month lease which was signed in January, 2005. The 2005 Agreement was due to expire in 2010. However, due to the new postal rate changes, the City will terminate the 2005 Agreement.

Council Action:

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