

**Council Agenda**

**June 4, 2007, 6:30 p.m., Council Chamber**

ROLL CALL:

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

*(A list will be provided on Monday)*

REMARKS OF COUNCIL:

PETITIONS:

07-12 from Alvin D. McGregor, 2225 W. Moore Rd., requesting permission to erect a banner in the 500 block of Court St. from September 14, 2007 thru October 15, 2007 for the purpose of promoting the Crop Walk.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES:

APPOINTMENT OF BOARDS AND COMMISSIONS MEMBERS:

REPORTS FROM MANAGER:

Management Update:

Recommended Actions:

1. Recommend that Council consider a request by WKCQ-FM for in-kind service, in lieu of payment, for one half of the special event fees for the Country Music Fest Free Concert scheduled for June 16, 2007 on Ojibway Island.
2. Recommend approval of the Internet Services Agreement between the City of Saginaw and I.T.I. This Agreement sets terms for the City's access to the Internet, which is currently provided by I.T.I. Further recommend that the Information Services Director be authorized and directed to execute the Agreement on behalf of the City. The parties have agreed to enter into a new Agreement for a period of three (3) years. The monthly charge for Internet

services is \$574.00. Funds are available in the Information Services Fund Account No. 658 1720 711 8005.

3. Recommending approval of an Agreement with Gabriel Roeder Smith & Company in an amount not to exceed \$18,000 to complete an actuarial study of the retiree healthcare insurance liability for fiscal year 2008-09. This study will form the basis of our plan to account for and fund the Other Post Employment Benefits (OPEB) unfunded liability. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Controller's Office Professional Services Account No. 101 1741 711 8001 and will be charged against the functional areas where the study applies once final billing has been received.
4. Recommending approval of the five-year contract with Saginaw Future, Inc. to provide development services to the City of Saginaw. The City has successfully used the services of Saginaw Future for development projects in the City under a five-year written contract dated December 28, 2005 at an annual compensation of \$102,500.00. This vendor meets all requirements of the contract compliance provisions. Funds are available in Planning and Development Professional Services Account No. 101 3863 761 8001.
5. Recommending that the 2006-07 Economic Development budget be amended to accept carryover funds from prior years that will be spent this fiscal year.
6. Recommending that the 2006-07 Downtown Development Authority budget be amended to accept carryover funds from prior years that will be spent this fiscal year.
7. Recommending that the 2006-07 HOME Program budget be amended to accept carryover funds from prior years that will be spent this fiscal year.
8. Recommending that the 2006-07 Recreation Budget be amended. Budgeted revenues will be increased by \$4,000.00 due to a donation received in the current fiscal year.
9. Recommending that the 2006-07 approved budget for the following funds be amended: Local Streets, Public Safety, Youth Initiative Grant, SEDC Micro Loan, Wave Pool Operations, Central Stores, Unfunded Liabilities, and the Saginaw Housing Commission.
10. Recommending approval of the Settlement and Release Agreement in the amount of \$10,000 to resolve a pending unfiled claim against the City. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form. Funds are available in the Self-Insurance Fund Account No. 677 1762 711 8074.

11. Recommending approval of the Visiting Artists Residency Agreement between the City of Saginaw and Kevin Collins. Mr. Collins will be paid \$2,000.00, which includes all workshops and transportation. Funds for this Agreement will be paid by the Saginaw Arts and Enrichment Commission.
12. Recommending approval of the Interlocal Agreement with Saginaw County for administration of the 2007 Byrne Justice Assistance Grant and for the distribution of the proceeds. This contract has been approved by the City Manager as to substance and the City Attorney as to form.
13. Recommending acceptance of the bid and issuance of a purchase order to Acme Block and Supply in the amount of \$12,675.00 for fiscal year 2007-08 for an annual supply of Portland Cement to be used by the Public Services Department, Right of Way Division. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Parts Account No. 591 4721 861 7330 and Sewer Parts Inventory Account No. 590 4821 861 7330 and will be accounted for through the Water Inventory Account No. 591 0000 171 1130.
14. Recommending acceptance of the low bid and issuance of a purchase order to Computer Management Technologies in the amount of \$14,206.25 for the purchase of computer equipment to be used by the Public Utilities Division and GIS. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Geographic Information Systems Capital Outlay Office Equipment Account No. 650 1738 781 9760 (\$5,306.75), and Maintenance and Services Capital Outlay Office Equipment Account No. 590 4821 861 9705 (\$8,799.50).
15. Recommending that a purchase order be issued to P. K. Contracting in the amount of \$16,123.08 for pavement markings for the Traffic Engineering Division. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Major Streets Fund Account No. 202 4621 791 7330.
16. Recommending that a purchase order be issued to D. S. Power in the amount of \$20,310.00 for pole setting services for the Traffic Engineering Division. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Street Lighting Operations Account No. 101 4620 791 8005, Traffic Engineering Operations Account No. 101 4621 791 8005 and Major Streets Operations Account No. 202 4621 791 8005.
17. Recommending acceptance of the bid and issuance of a purchase order to Acme Block and Supply in the amount of \$27,750.00 for an annual supply of manhole blocks to be used in the construction and repair of the water distribution/transmission and sewage collection systems. This vendor meets all requirements of the contract compliance provisions. Funds are available in the

Water Parts Account No. 591 4721 861 7330 and Sewer Parts Inventory Account No. 590 4821 861 7330, and will be accounted through the Water Inventory Account No. 591 0000 171 1130.

18. Recommending that a purchase order be approved and issued to ComSource, Inc. in a total amount of \$32,520.00 to cover costs for repair service and replacement parts for the City's radio communications equipment for fiscal years 2007-08 and 2008-09. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Traffic Engineering's Radio Operations Account No. 660 4421 791 8040.
19. Recommending acceptance of the bid and issuance of a blanket purchase order to East Jordan Iron Works in the amount of \$87,186.24 for an annual supply of manhole and catch basin castings to be used in the construction and repair of the sewage collection system. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Sewer Parts Account No. 590 4821 861 7330 and will be accounted for in Water Stores Asset Inventory Account No. 591 0000 171 1130.
20. Recommending acceptance of the bid and issuance of a blanket purchase order to Saginaw Asphalt Co. in an amount not to exceed \$342,700.00 for the purchase of approximately 5,500 tons of hot asphalt cold patching material and approximately 2,000 tons of cold asphalt patching material. This material is used to repair water, sewer and street cuts. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Water and Sewer Fund Account Nos. 591 4721 861 7340 (\$126,600.00), 590 4821 861 7340 (\$126,600.00) and Local and Major Street Accounts 202 4651 841 7340 (\$59,500.00) and 203-4651 841 7340 (\$31,000.00).
21. Recommending approval of the request from Solav, Inc. to transfer location escrowed 2006 SDD & SDM licensed business located at 1103-1105-1107 E. Holland, Saginaw, MI, to a new building at the same address. The City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved this transfer.

**CONSIDERATION AND PASSING OF ORDINANCES:**

1. An Ordinance to repeal §12.32 "Human Relations Commission," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-1.
2. An Ordinance to amend Section §12.33, "Saginaw Human Planning Commission", of Chapter 12, "Boards and Commissions", of Title I, Administrative Code of the City of Saginaw Code of Ordinances, O-1.

RESOLUTIONS:

1. Adopting the Best Management Practices for compliance with the Storm Water Pollution Prevention Initiative.
2. Approving the transfer of all stock in 2006 Class C Licensed Business with Dance-Entertainment Permit and Official Permit Dance Entertainment, located at 1742 E. Genesee, Saginaw, MI, through transfers of 35,000 shares of stock from existing stockholder, Larry W. Beers to a new stockholder, Randy L. Saylor.
3. Authorizing the application from the Saginaw Depot Preservation Corporation to the Michigan Council for Arts & Cultural Affairs for capital improvements.
4. Acknowledging receipt from the U. S. Fish and Wildlife Service proposal regarding the reprogramming of funds.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Motion to go into closed session for an update on collective bargaining units.

Darnell Earley  
City Manager

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** I.T.I. Inc. Internet Services Agreement

**Manager's Recommendation:**

I recommend approval of the Internet Services Agreement between the City of Saginaw ("City") and I.T.I., Inc. ("ITI"). This Agreement sets terms for the City's access to the Internet, which is currently provided by ITI. I further recommend that the Information Services Director, Jay Beelman, be authorized and directed to execute the Agreement on behalf of the City. The Agreement has been approved by me as to substance and the City Attorney as to form.

**Justification:**

In 2004, City Council approved an agreement with ITI to provide Internet services. The agreement was for a three-year period and will soon expire. The parties have agreed to enter into a new Agreement for a period of three (3) years. The monthly charge for Internet services is \$574.00.

This Agreement contains terms that are not favorable to the City, such as a one-sided indemnification clause, two year limitation for filing of lawsuits and imposition of late fees and collection charges. It is recommended that we accept the Agreement in its present form as these terms and conditions are standard in most Internet service agreements. Funds for this service are available in the Information Services Fund Account No. 658-1720-711-8005.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation from the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Gabriel Roeder Smith & Company Agreement

**Manager's Recommendation:**

I recommend approval of an Agreement with Gabriel Roeder Smith & Company ("Gabriel Roeder Smith") in an amount not to exceed \$18,000.00 to complete an actuarial study of the retiree healthcare insurance liability in FY 2008. This study will form the basis of our plan to account for and fund the Other Post Employment Benefits (OPEB) unfunded liability. The Agreement is approved by me as to substance and the City Attorney as to form.

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 are available in the General Fund's Controller Office - Professional Services Account No. 101-1741-711.80-01 and will be charged against the functional areas where the study applies once final billing has been received.

**Justification:**

On March 1, 2007, Gabriel Roeder Smith submitted a proposal to prepare an actuarial valuation of retiree health care benefits for the City's Retiree Health Care Plan. This proposal includes the development of an initial per capita premium rates as well as the development of the valuation.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Saginaw Future Inc. Contract Amendment.

**Manager's Recommendation:**

I recommend approval of the Amendment to the five-year Contract with Saginaw Future Inc. ("Saginaw Future") to provide development services to the City of Saginaw. This Contract Amendment has been approved by me as to substance and the City Attorney as to form.

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 are available in Planning and Development Professional Services Account, No. 101-3863-761-8001.

**Justification:**

The City has successfully used the services of Saginaw Future for development projects in the City under a five-year written contract dated December 28, 2005 at an annual compensation of \$102,500.00. Saginaw Future provides services in the areas of:

1. Promoting and strengthening existing job base;
2. Recruiting new corporate citizens; and
3. Providing industrial development location opportunities.

The original Contract contemplated payments based upon a calendar year. To better correspond with the City's method of financing and accounting, the parties agreed to convert this to a fiscal year basis. Due to the effect this had in the first year and because of the additional work performed recently on major job creation projects, the



# COUNCIL COMMUNICATION

parties wish to alter the payment schedule. The Amendment to the Contract will make these modifications:

1. Article 4, Compensation, of the Contract will be clarified to provide that the payments will be in fiscal years rather than calendar years;
2. The payments due in Fiscal Year 05-06 will be reduced to \$75,000.00;
3. The payments due in Fiscal Year 06-07 will be increased to \$130,000.00;  
and
4. The payments due in the remaining three fiscal years will remain at \$102,500.00.

The overall effect is to leave the total contract payments the same.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation from the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Human Relations Commission Ordinance Repealed.

**Manager's Recommendation:**

I recommended that §12.32 "Human Relations Commission", of Chapter 12, "Boards and Commission," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-1, be repealed. An Ordinance has been prepared and appears under the regular order of business.

**Justification:**

The Saginaw Human Relations Commission ("HRC") was created to promote mutual understanding and respect among all racial, religious, age, sex, and nationality groups and to discourage discrimination. At the request of Council, it also would investigate complaints between groups or individuals, which may result in discrimination. The board has been inactive for some time and board member vacancies have not been filled.

The Boards and Commissions Committee was established by Council to provide guidance on the creation, abolition and merger of boards and commissions and to make recommendations for appointments. After a thorough study and review by this Committee, it was recommended and approved by Council to merge the Human Planning Commission ("HPC") and the HRC. Duties assigned to the HRC would be absorbed by the HPC by way of revising the HPC ordinance, which is being submitted simultaneously with this repealment.

**Council Action:**

This Council Communication is being submitted to explain the ordinance to be introduced in a subsequent portion of the agenda.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ introduced an ordinance entitled and reading as

follows:

AN ORDINANCE TO REPEAL §12.32 "HUMAN RELATIONS COMMISSION," OF CHAPTER 12, "BOARDS AND COMMISSIONS," OF TITLE I, "ADMINISTRATIVE CODE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced June 4, 2007, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO REPEAL §12.32 "HUMAN RELATIONS COMMISSION," OF CHAPTER 12, "BOARDS AND COMMISSIONS," OF TITLE I, "ADMINISTRATIVE CODE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. That §12.32 "Human Relations Commission, of Chapter 12, Boards and Commission," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-1, is hereby repealed.

Section 2. This repealment shall become effective June 28, 2007.

Enacted: June 18, 2007.

# COUNCIL COMMUNICATION

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

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw has been issued a National Pollutant Discharge Elimination System (NPDES) Permit from the Michigan Department of Environmental Quality to comply with separate storm water discharge rules and;

WHEREAS, the City of Saginaw agrees to use the following Best Management Practices for compliance, as agreed to in the Storm Water Pollution Prevention Initiative (SWPPI);

1. To perform regular inspections and maintenance on the combined sewer system under our jurisdiction
2. To perform regular inspections and maintenance of wastewater facilities per our NPDES Permit
3. To require that new construction must not connect and re-developments must disconnect downspouts to the combined sewer system
4. To track the quality of our wastewater treatment plant effluent
5. To advise well owners of proper well abandonment and refer them to the Saginaw County Health Department
6. To support actions to inventory and inspect bridges
7. To perform catch basin maintenance and estimate quantity removed
8. To establish a schedule for Best Management Practices as part of the Site Review Process in our Storm Water Management Plan

# COUNCIL COMMUNICATION

9. To perform necessary Best Management Practices inspections and maintenance on City owned systems.
10. To develop and maintain a recreation master plan as necessary
11. To sweep curbed streets, bridges, intersections and overpasses where it is our responsibility; and

WHEREAS, it is determined to be in the best interest of our municipality to comply with its NPDES Permit and adopt the Best Management Practices; now

THEREFORE, BE IT RESOLVED, that City Council adopts these Best Management Practices for compliance with its SWPPI program.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** KCQ Country Music Fest Free Concert

**Manager's Recommendation:**

I recommend that Council consider a request by WKCQ-FM for in-kind service, in lieu of payment, for one half of the special event fees for the Country Music Fest Free Concert scheduled for June 16, 2007 on Ojibway Island.

**Justification:**

On January 24, 2007, the Public Services Department received a special event application from WKCQ-FM for the Country Music Fest Free Concert scheduled for June 17, 2006. They are requesting that we extend last year's payment terms of half cash and half in-kind advertising for payment of city services. Costs incurred for last year's event were \$16,341.29. Estimates for this year's event indicate similar costs will be incurred.

An Ordinance became effective on August 19, 2004 to add Chapter 99, "Special Events Regulations" to Title IX, General Regulations of the City of Saginaw Code of Ordinances O-1. Section §99.5 of this ordinance states that fees and insurance will not be waived under any circumstances. The fees would not be waived in this instance, but advertising in lieu of payment for one half of the charges would be accepted.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Economic Development - Budget Adjustment

**Manager's Recommendation:**

It is recommended that the 2006/07 Economic Development budget be amended to accept carryover funds from prior years that will be spent this fiscal year.

The Economic Development revenue line item (244-0000-511-55-05) will be increased from \$0 to \$250,000.00 and the Federal Grant EPA revenue line item (244-0000-513.58-35) from \$10,000.00 to \$410,000.00. This will be offset by an increase to the Professional Services expenditure line item (244-6064-761.80-01) from \$10,000.00 to \$660,000.00.

**Justification:**

Carryover funds are not shown as a receivable by the City of Saginaw, therefore, budget adjustments are required as these funds are utilized. The Council adopted a budget for this fund on an overall basis, but the revenue and expenditures for the budget only included the federal funding earmarked for the 2006/07 fiscal year.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.



# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Downtown Development Authority - Budget Adjustment

**Manager's Recommendation:**

It is recommended that the 2006/07 Downtown Development Authority budget be amended to accept carryover funds from prior years that will be spent this fiscal year.

The Downtown Development Authority's revenue line item (243-0000-680.00-00) will be increased from \$0 to \$75,000.00 as well as the Capital Outlay – Land and Improvement expenditure line item (243-1775-761.97-30) will be increased from \$0 to \$75,000.00.

**Justification:**

Carryover funds are not shown as a receivable by the City of Saginaw, therefore budget adjustments are required as these funds are utilized. The Council adopted a budget for this fund on an overall basis, but the revenue and expenditures for the budget only included the federal funding earmarked for the 2006/07 fiscal year.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** HOME Program - Budget Adjustment

**Manager's Recommendation:**

It is recommended that the 2006/07 HOME Program budget be amended to accept carryover funds from prior years that will be spent this fiscal year.

The Block Grant Home Program revenue line item (278-0000-513.58-21) will be increased from \$863,767.00 to \$962,984.00 as well as the HOME Subgrantee expenditure line item (278-6580-761.83-10) from \$299,701.00 to \$398,918.00.

**Justification:**

Carryover funds are not shown as a receivable by the City of Saginaw, therefore budget adjustments are required as these funds are utilized. The Council adopted a budget for this fund on an overall basis, but the revenue and expenditures for the budget only included the federal funding earmarked for the 2006/07 fiscal year.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Third Quarter Budget Adjustment

**Manager's Recommendation:**

It is recommended that the 2006/2007 Approved Budget for the following funds be amended:

Local Streets Fund's (203) expenditures will increase by \$350,000.00. An operating transfer from the Major Streets Fund will offset this increase.

The Public Safety Fund (205) will increase from \$3,619,117.00 to \$3,969,177.00 to cover a projected expenditure shortfall in FY 2007. An operating transfer from the General Fund of \$350,000.00 will offset this increase.

The Youth Initiative Grant Fund (265) will be increased by \$81,581.00 from \$124,096 to \$205,577.00. This increase will be offset by an increase in the operating transfer from the General Fund in the amount of \$81,581.00.

The SEDC Micro Loan Fund's (283) expenditures will be increased from \$0 to \$2,000.00. This increase will be offset by available fund balance.

The Central Stores Fund's (633) expenditures will be increased by \$92,000.00, from \$0 to \$92,000.00. Also, revenues will be increased from \$0 to \$92,000.00. In 2006/2007, this fund was not expected to be in service. However, during the year revenue and expenditures have been flowing through this fund. This adjustment would establish the budget in FY 2007.

The Unfunded Liabilities Fund (674) will be increased from by \$135,000, which will be offset by available revenues.

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The Saginaw Housing Commission (733) will be increased by \$109,349.00, from \$146,720.00 to \$256,069.00. Available revenues will offset the increase in expenditures.

**Justification:**

In accordance with the City Charter, the City Manager must provide quarterly to City Council an analysis of the budget to actual results. As part of this process, the City Manager recommends the fore-mentioned budget adjustments.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Hot and Cold Patching Materials

**Manager's Recommendation:**

I recommend that the bid be accepted from Saginaw Asphalt Paving Co. for hot and cold patching materials in an amount not to exceed \$342,700.00 and that a blanket purchase order be approved and issued to them in that amount.

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

Funds for this purchase are budgeted in the Water and Sewer Fund Accounts No. 591-4721-861.73-40 (\$126,600.00), 590-4821-861.73-40 (\$126,600.00) and Local and Major Street Accounts 202-4651-841.73-40 (\$59,500.00) and 203-4651-841.73-40 (\$31,000.00).

**Justification:**

The City received one bid for approximately 5,500 tons of hot asphalt patching material and approximately 2,000 tons of cold asphalt patching material. This material is to be used in Fiscal-Year 2007/2008 by the Right of Way Division to repair water, sewer and street cuts. The bid reflects an average \$2.85 per ton decrease for hot patch material and a \$13.00 per ton increase for cold patch material. Following is a tabulation of the bid submitted:

Saginaw Asphalt Saginaw, MI	\$342,700.00
Unique Paving Cleveland, OH	No Bid

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Settlement of Police Claim

**Manager's Recommendation:**

I recommend approval of the Settlement and Release Agreement in the amount of \$10,000 to resolve a pending unfiled claim against the City. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form. Funds for this payment are available in the Self-Insurance Fund Account No. 677-1762-711-8074.

**Justification:**

A criminal defendant was temporarily lodged in jail as a result of criminal charges and an inability to post a high bail. The City eventually determined that the technical evidence did not support prosecution. The defendant was released and all charges dismissed. The person charged contends that this process could have been done more quickly and he would then have been released earlier. In order to avoid the expense and uncertainties of litigation and resolve this matter, the City has negotiated a payment of \$10,000. The claimant has provided a full and complete release of liability.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation from the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Repair service for the City's radio communication equipment.

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued to ComSource, Inc., in a total amount of \$32,520.00 (\$27,520 to cover costs for radio repair service, plus an additional amount of \$5,000 for replacement parts) for Fiscal Year 2007-2008 and Fiscal Year 2008-2009.

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 service are budgeted in Traffic Engineering's Radio Operations Fund Account No. 660-4422-791-8040.

**Justification:**

On June 21, 2005, the City received bids to provide repair service for the City's radio communications equipment from July 1, 2005 through June 30, 2006 and July 1, 2006 through June 30, 2007. The company was asked if they would honor the current bid prices for an additional year and they have complied with the request and also to hold the same prices for fiscal year 2008-2009. The bids quoted were per each and hourly rates on an "as needed basis" to service the 560 +/- pieces of equipment used citywide, including radio base stations and antennas. These services include all radio communication equipment for Public Services, Police and Fire. Bidders were requested to quote a discount rate for replacement parts, the cost of which is not included in the service rates. Radio service was first contracted for during the 1989-90 fiscal year and it has proven to be cost effective

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since its inception. This bid will continue the current manner of radio service. Following is a tabulation of the bids received:

ComSource, Inc.  
Rochester Hills, MI

<u>Item</u>	<u>Qty</u>	<u>Unit/Price</u>	<u>Amount</u>
Technical Service	40 hrs	\$108.00/hr	\$4,320.00
Emergency Service	40 hrs	\$162.00/hr	\$6,480.00
Spectra Mobile	50 ea	\$128.00/ea	\$6,400.00
MTS Portable	30 ea	\$128.00/ea	\$3,840.00
HTS 1250LS Portable	40 ea	\$98.00/ea	\$3,920.00
CDM 1550LS Mobile	20 ea	\$128.00/ea	<u>\$2,560.00</u>
Total Service Charge:			\$27,520.00

Parts Discount Rate – 15%

Anderson Radio  
Bay City, MI

<u>Item</u>	<u>Qty</u>	<u>Unit/Price</u>	<u>Amount</u>
Technical Service	40 hrs	\$84.00/hr	\$3,360.00
Emergency Service	40 hrs	\$126.00/hr	\$5,040.00
Spectra Mobile	50 ea	\$426.00/ea	\$21,300.00
MTS Portable	30 ea	\$352.00/ea	\$10,560.00
HTS 1250LS Portable	40 ea	\$303.00/ea	\$12,120.00
CDM 1550LS Mobile	20 ea	\$352.00/ea	<u>\$7,040.00</u>
Total Service Charge:			\$59,420.00

Parts Discount Rate – 3%

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.



# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Pavement Markings

**Manager's Recommendation:**

I recommend a purchase order be issued to P. K. Contracting, Inc. in the amount of \$16,123.08 for Fiscal Year 2007-2008.

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 service are available in Major Streets Fund Account No 202-4621-791-73.30.

**Justification:**

On June 15, 2004, the City received bids for the Pavement Marking 2004-2005 and 2005-2006 projects. There was a provision for a third year (July 1, 2006 to June 30, 2007) to hold the second year prices and the company complied. The company was asked if they would honor the current bid prices for an additional year and they have complied with the request. This is for sprayable pavement marking services for the Traffic Engineering Section. The pavement marking is necessary to annually improve worn pavement markings on citywide major streets and bridges.

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**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Blueprint and Plotter Supplies

**Manager's Recommendation:**

I recommend that ~~the third year option from Gwyer Reprographic to hold prices at the 2005-2006 level be accepted and~~ a purchase order be issued to Gwyer Repographics in the amount of \$5,061.24 for Fiscal Year ~~06/07~~2007-2008.

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 material are budgeted in the Engineering Office Supplies Account 101-4611-781-73.20

**Justification:**

On June 15, 2004, The City received a single bid for Blueprint and Plotter Supplies to be used by the Engineering Division from July 1, 2004 through June 30, 2005 and July 1, 2005 through June 30, 2006. There was a provision for a third year (July 1, 2006 through June 30, 2007) to hold the second year price and the company complied. The company was asked if they would honor the current bid prices for an additional year and they have complied with the request. These supplies are necessary for the operation of the Engineering Division's plotter and blueprint equipment.

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**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Pole Setting

**Manager's Recommendation:**

I recommend a purchase order be issued to D.S. Power in the amount of \$20,310.00 for the fiscal year 2007-2008.

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 service are budgeted in the following accounts Street Lighting Operations 101-4620-791-80.05, Traffic Engineering Operations 101-4621-791-80.05 and Major Streets Operations 202-4621-791-80.05.

**Justification:**

On June 15, 2004, the City received bids for pole setting for the Traffic Engineering Division from July 1, 2004 through June 30, 2005 and July 1, 2005 through June 30, 2006.

There was a provision for a third year (July 1, 2006 through June 30, 2007) to hold the second year price and the company complied. The company was asked if they would honor the current bid prices for an additional year and they have complied with the request.

These services are provided on an as-needed basis for the Traffic Engineering Division. Some of these costs will be reimbursed through successful claims against property damage offenders. Following is a tabulation of the bids received:

	<u>F/Y 2004-2005</u>	<u>F/Y 2005-2006</u>
D.S. Power Saginaw, MI (out-city)	19,020.00	20,310.00
J. Ranck Elec. Mt. Pleasant, MI	21,100.00	21,875.00

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Saginaw Depot Preservation Corporation

**Manager's Recommendation:**

I recommend approval of the attached resolution authorizing the application from the Saginaw Depot Preservation Corporation to the Michigan Council for Arts & Cultural Affairs (MCACA) for Capital Improvements.

**Justification:**

This grant must be administered by the City of Saginaw in compliance with State regulations. The Saginaw Depot Preservation Corporation is requesting \$50,000 from the MCACA for Capital Improvements. An equal match is required and will be provided by the Saginaw Depot Preservation Corporation.

**Council Action:**

Council \_\_\_\_\_ moved that the communication from the City Manager be received and filed.

# COUNCIL COMMUNICATION

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

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw received from the Saginaw Depot Preservation Corporation, an application for the Michigan Council for Arts & Cultural Affairs Capital Improvement Program; and

WHEREAS, the City of Saginaw must receive the grant in compliance with rules governed by the State of Michigan; and

WHEREAS, the Saginaw Depot Preservation Corporation is requesting \$50,000 from the Michigan Council for Arts & Cultural Affairs Capital Improvement Program and an equal match is required; and

WHEREAS, the Saginaw Depot Preservation Corporation will provide the entire match; and

WHEREAS, the Saginaw Depot Preservation Corporation project will be an exceptional addition to the City of Saginaw, and

WHEREAS, no matching funds are required by the City of Saginaw.

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of Saginaw by this Resolution does hereby approve the application on behalf of the Saginaw Depot Preservation Corporation to the Michigan Council for Arts & Cultural Affairs in the amount of \$50,000.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Amendment to Human Planning Commission Ordinance.

**Manager's Recommendation:**

I recommended that various subsections of Section 12.33 "Saginaw Human Planning Commission" of Chapter 12, "Boards and Commissions" of Title I, Administrative Code of the City of Saginaw Code of Ordinances, O-1, be amended. The subsections to be amended and the reasons for those amendments are set out below. An Ordinance has been prepared and appears under the regular order of business.

**Justification:**

The Saginaw Human Planning Commission ("HPC") was created to serve a variety of functions, the chief and best known of which is to review the applications for Community Development Block Grant ("CDBG") funding and make recommendations to City Council regarding the allocation of those funds. The original ordinance also envisioned some additional duties. This amendment is designed to make the additional functions optional rather than mandatory and to allow the HPC increased flexibility in its operation. In addition, the neighborhood districts have been updated to better reflect the actual districts as they now exist.

The original ordinance set up 23 districts, based upon the location of elementary schools. Because of the consolidation and relocation of these schools, this list is no longer accurate. The amendment would set up 20 districts, based upon the current 20 polling precincts in the City. In the event additional precincts are added, additional

# COUNCIL COMMUNICATION

members may be added. The City is able to better describe these districts and monitor their boundaries.

The requirement of an annual meeting in February and an annual report in April was eliminated. The HPC is free to do this if it chooses, but it is no longer a required activity. The duty to recruit candidates for other boards and commissions is eliminated. This is a function of the City Council committees and the City Manager's Office. Again, this is a function that the HPC may choose to perform, but for which it no longer has an obligation. Finally, the identification of the staff designated to assist the HPC has been updated.

## **Council Action:**

This Council Communication is being submitted to explain the ordinance to be introduced in a subsequent portion of the agenda.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND SECTION 12.33, "SAGINAW HUMAN PLANNING COMMISSION", OF CHAPTER 12, "BOARDS AND COMMISSIONS", OF TITLE I, ADMINISTRATIVE CODE OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.



# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced June 4, 2007, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND SECTION 12.33, "SAGINAW HUMAN PLANNING COMMISSION", OF CHAPTER 12, "BOARDS AND COMMISSIONS", OF TITLE I, ADMINISTRATIVE CODE OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. Section 12.33 "Saginaw Human Planning Commission" of Chapter 12, "Boards and Commissions" of Title I, Administrative Code of the City of Saginaw Code of Ordinances, O-1, is amended to read as follows:

§12.33 SAGINAW HUMAN PLANNING COMMISSION.

(A) *Creation and membership.*

(1) The Saginaw Human Planning Commission is hereby created to provide effective citizen participation in an advisory capacity only to aid the City Council in solving the social and physical problems of the City.

(2) There shall be twenty (20) Neighborhood Representatives on the Commission, one (1) to be appointed by City Council (hereinafter in this section referred to as: "Council") from the geographical area constituting each voting precinct in the City as established at the time of the adoption of this section and as subsequently altered.

(3) A map clearly indicating the geographical area of each of the voting precincts in the City (hereinafter in this section referred to as "neighborhood districts" or "election precincts") shall be maintained in the City Clerk's office for public examination.

# COUNCIL COMMUNICATION

(B) *Neighborhood districts.* The neighborhood districts and their present polling locations are as follows:

- 1- ST. JOSEPH EDUCATION CENTER, 936 N. 6<sup>TH</sup>
- 2- ARTHUR EDDY ACADEMY, 1000 CATHAY
- 3- HEAVENRICH SCHOOL, 2435 PERKINS
- 4- MAPLEWOOD MANOR, 535 S. WARREN
- 5- CENTRAL MIDDLE SCHOOL, 1010 HOYT
- 6- AUDRA FRANCIS RECREATION CENTER, 2717 WEBBER  
(Moved to Saginaw High)
- 7- WEBBER ELEMENTARY, 2000 MORRIS
- 8- SAGINAW HIGH SCHOOL, 3100 WEBBER
- 9- JESSE ROUSE, 435 RANDOLPH
- 10-NEW MOUNT CALVARY MISSIONARY BAPTIST, 3610 RUSSELL
- 11-HANDLEY SCHOOL, 3021 COURT (Moved to Arthur Hill High School)
- 12-KEMPTON SCHOOL, 3040 DAVENPORT
- 13-CAREER OPPORTUNITIES CENTER
- 14-FAITH HARVEST CHURCH, 1734 N. MASON
- 15-HERIG ELEMENTARY, 1905 HOUGHTON
- 16-STAFF DEVELOPMENT CENTER, 1505 OTTAWA
- 17-ST. STEPHEN'S SCHOOL, 1300 MALZAHN
- 18-ROSIEN TOWERS, 310 S. HARRISON
- 19-JEROME SCHOOL, 1515 SWEET
- 20-MERRILL PARK SCHOOL, 1800 GROUT

# COUNCIL COMMUNICATION

(C) *Qualification of representatives.* A Neighborhood Representative on the Commission must be a citizen of the United States, at least eighteen (18) years of age and a registered voter on the date of appointment. No Neighborhood Representative can hold any board membership, remunerative office, employment, or subcontracting relationship with any Community Development Block Grant funded agency or any organization which has applied to the City for Community Development Block Grant funds at the time the Representative is serving on the Human Planning Commission.

(D) *Term of office.* The term of office of Neighborhood Representatives shall be two (2) years from the date of appointment except that the initial appointments under this section for those appointed in even-numbered districts shall be for one (1) year.

(E) *Vacancy in office.* The office of Neighborhood Representative of a district shall be declared to be vacant by the Saginaw Human Planning Commission when the Neighborhood Representative has died, resigned, or when the Commission determines that the Neighborhood Representative no longer occupies as a principle residence a dwelling in the district from which the Representative was appointed, or that the Representative has been convicted of a felony or has been judicially declared to be mentally incompetent. The office of Neighborhood Representative of a district shall be automatically vacant if the Representative holds any board membership, remunerative office, employment, or subcontracting relationship with any Community Development Block Grant funded agency or any organization which has applied to the City for Community Development Block Grant funds at the time the Representative is serving on the Human Planning Commission.

# COUNCIL COMMUNICATION

(F) *Filling vacancy in office.* A vacancy in the office of Neighborhood Representative shall be filled by appointment by the Council for the unexpired term.

(G) *Organization of Commission.* The Saginaw Human Planning Commission shall select its own Chairperson, Vice-Chairperson, Secretary, and any other officers it may deem necessary. The Commission shall establish its own rules of procedure.

(H) *General duties and powers.* The Saginaw Human Planning Commission shall address itself to the social and physical problems of the City. Nothing in this section is intended to or shall be construed to conflict with the provisions of MCL 125.31 through 125.45, as amended, vesting certain powers and duties concerning a program for public structures and improvements in the City Planning Commission. The Commission will establish program priorities by direct communication with the citizens in the respective neighborhood districts. The Commission shall have authority to plan and research social programs and review and recommend programs and action proposed by others in the area of social programming proposed for the City.

(L) *Staff.* Staff to assist the Commission will be assigned from the appropriate division of the City. The head of the division will consult with the Commission as to type and number of staff to be assigned.

Section 2. This ordinance shall become effective June 28, 2007.

Enacted: June 18, 2007.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Computer Equipment

**Manager's Recommendation:**

I recommend that the low bid from Computer Management Technologies in the amount of \$14,106.25 be accepted and a purchase order be issued to them in this amount for the purchase of computer equipment.

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 items are available in the Geographic Information Systems Capital Outlay Office Equipment Account No 650-1738-781.97-60 (\$5,306.75), and Maintenance and Services Capital Outlay Office Equipment Account No 590-4821-861.97-05 (\$8,799.50).

**Justification:**

On May 8th, 2007, the City received bids for 2 Panasonic Toughbook Computers that will be utilized in field operations for the Public Utilities Division, and an HP color laser printer that the Geographic Information System Division will use for printing maps and work orders generated for the weed abatement program. The following is a tabulation of the bids received:

Computer Management Technologies Saginaw, MI	\$14,106.25
Paradigm System Solutions Burnsville, MN	\$14,165.00
Austin Ribbon & Computer Austin, TX	\$14,378.47
Yeo & Yeo Computer Consulting	\$14,380.00

# COUNCIL COMMUNICATION

Saginaw, MI

Net Source One Saginaw, MI	\$14,501.00
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Technical Solutions Troy, MI	\$15,940.00
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**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Kevin Collins Visiting Artists Residency Agreement

**Manager's Recommendation:**

I recommend approval of the Visiting Artists Residency Agreement between the City of Saginaw and Kevin Collins. Mr. Collins will be paid \$2,000.00, which includes all workshops and transportation. The Agreement has been approved by me as to substance and the City Attorney as to form.

Funds for the Agreement will be paid by the Saginaw Arts and Enrichment Commission.

**Justification:**

The Saginaw Arts and Enrichment Commission sponsors an annual Visiting Artists Residency. This program sends renown artists into schools and other venues throughout Saginaw County to teach the arts. This year's residency features Kevin Collins. A series of five (5) student workshops will be held at the First Ward Community Center over a six (6) week period. The residency will run July 6, 2007 through August 9, 2007 and will conclude with a recital at the annual Children's Picnic on that date.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Manhole and Catch Basin Castings

**Manager's Recommendation:**

I recommend the bid from East Jordan Iron Works, Sunfield, MI, be accepted and that a blanket order be approved and issued to them in the amount of \$87,186.24 for fiscal year 2007/2008 for an annual supply of manhole and catch basin castings.

This vendor meets all the 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 in the Sewer Parts Account No. 590-4821-861.73-30 and will be accounted for in Water Stores Asset Inventory Account No. 591-0000-171.11-30.

**Justification:**

On May 9, 2007, the Public Utilities Department, Right of Way Division, received one bid for an annual supply of manhole and catch basin castings that will be used in the construction and repair of the sewage collection system. A cost comparison shows a 6% decrease over the previous purchase.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be accepted.



# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Annual Supply of Portland Cement

**Manager's Recommendation:**

I recommend acceptance of the bid from Acme Block and Supply for an annual supply of Portland cement and that a purchase order be issued to them in the amount of \$12,675.00 for fiscal year 2007-2008.

This vendor meets all the 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 Water Parts Account No. 591-4721-861.73-30 and Sewer Parts Inventory Account No. 590-4821-861.73-30 and will be accounted for through the Water Inventory Account No. 591-0000-171.11-30.

**Justification:**

On May 8, 2006, the Public Services Department, Right of Way Division, received a bid for an annual supply of Portland cement, which will be used in the construction and repair of the water distribution/transmission and sewage collection systems. A cost comparison shows an increase of 6% over the previous purchase due to use of fossil fuels in the manufacture of the products.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be accepted.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Annual Supply of Manhole Blocks

**Manager's Recommendation:**

I recommend acceptance of the bid and issuance of a purchase order to Acme Block and Supply, Saginaw, MI, in the amount of \$27,750.00 for fiscal year 2007-2008 for an annual supply of manhole blocks.

This vendor meets all the 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 Water Parts Account 591-4721-861.73-30 and Sewer Parts Inventory account 590-4821-861.73-30, and will be accounted for through the Water Inventory Account 591-0000-171.11-30.

**Justification:**

On May 8, 2007, the Public Services Department, Right of Way Division, received one bid for an annual supply of manhole blocks to be used in the construction and repair of the water distribution/transmission and sewage collection systems. A cost comparison shows a 28% increase over the previous purchase.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be accepted.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Interlocal Agreement for Distribution of Byrne Grant

**Manager's Recommendation:**

I recommend approval of the Interlocal Agreement with Saginaw County for administration of the 2007 Byrne Justice Assistance Grant and for the distribution of the proceeds. This contract has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The City of Saginaw and the County of Saginaw have negotiated the division of the proceeds of the 2007 Byrne Justice Assistance Grant. The County has agreed to administer the \$201,377.00 grant and provide the City \$100,688.50 (50% of the total award). These funds will be used to reimburse overtime expenses associated with assigning officers to a gang suppression unit; and supporting Area Records Management System (ARMS) annual amortization costs.

This interlocal Agreement sets forth the rights and obligations of the parties and is a requirement before the grant may be awarded.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Liquor License for 1103-1105-1107 E. Holland

**Manager's Recommendation:**

I recommend approval of the request from Solav, Inc. to transfer location escrowed 2006 SDD & SDM licensed business located at 1103-1105-1107 E. Holland, Saginaw, MI 48601, Saginaw County, to a new building at the same address.

**Justification:**

On or about April 24, 2007, the City received notice from the Michigan Liquor Control Commission of the request from Solav, Inc. to transfer location escrowed 2006 SDD & SDM licensed business located at 1103-1105-1107 E. Holland, Saginaw, MI 48601, Saginaw County, to a new building at the same address.

The City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 1103-1105-1107 E. Holland for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by Solav, Inc., I hereby recommend approval of the SDD & SDM License for 1103-1105-1107 E. Holland.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Liquor License for 1742 E. Genesee

**Manager's Recommendation:**

I recommend approval of the request from Beers Investments, Inc. to transfer all stock in 2006 Class C Licensed Business with Dance-Entertainment Permit and Official permit Dance Entertainment), located at 1742 E. Genesee, Saginaw, MI 48601, Saginaw County, thru transfers of 35,000 shares of stock from existing stockholder, Larry W. Beers to new stockholder, Randy L. Saylor.

**Justification:**

On or about March 7, 2006, the City received notice from the Michigan Liquor Control Commission of the Beers Investments, Inc. to transfer all stock in 2006 Class C Licensed Business with Dance-Entertainment Permit and Official permit Dance Entertainment), located at 1742 E. Genesee, Saginaw, MI 48601, Saginaw County, thru transfers of 35,000 shares of stock from existing stockholder, Larry W. Beers to new stockholder, Randy L. Saylor.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 1742 E. Genesee for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by Beers Investments, Inc., I hereby recommend approval of the 2006 Class C License transfer with Dance-Entertainment permit for 1742 E. Genesee Avenue.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of 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, on or about March 7, 2007 the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice advised that Beers Investments, Inc. had applied to transfer all stock in 2006 Class C Licensed Business with Dance-Entertainment Permit and Official Permit (Dance-Entertainment), located at 1742 E. Genesee, Saginaw, MI 48601, Saginaw County, thru transfers of 35,000 shares of stock from existing stockholder, Larry W. Beers to new stockholder, Randy L. Saylor.

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have approved 1742 E. Genesee Ave. for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Saginaw by this Resolution does hereby approve the transfer of all stock in 2006 Class C Licensed Business with Dance-Entertainment Permit and Official Permit (Dance-Entertainment), located at 1742 E. Genesee, Saginaw, MI 48601, Saginaw County, thru transfers of 35,000 shares of stock from existing stockholder, Larry W. Beers to new stockholder, Randy L. Saylor.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Recreation Budget Adjustment

**Manager's Recommendation:**

It is recommended that the 2006/2007 Approved Budget for the following activity be amended:

The General Fund's Recreation budget of \$25,000.00 will increase by \$4,000.00, resulting in an increase of budgeted expenditures from \$25,000.00 to \$29,000.00. Additionally, budgeted revenues will be increased by \$4,000.00 due to a donation received in the current fiscal year. This will result in no additional changes in the General Fund's Fund Balance for FY 2007.

**Justification:**

The City received a donation of \$4,000.00 from Hero's for Kids that is to be applied towards the recreation program.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of 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 City of Saginaw, the U. S. Fish and Wildlife Service ("Service"), the State of Michigan, the City of Bay City, the Saginaw Chippewa Tribe and General Motors Corporation entered into a Settlement Agreement in 1999 to resolve outstanding litigation in the United States District Court over contamination in the Saginaw River; and

WHEREAS, two components of the settlement directly involved Green Point Environmental Learning Center (Green Point), in that the Shiawassee Refuge received two 99 year leases for Green Point and General Motors transferred \$520,000.00 to the Service for the restoration activities at Green Point; and

WHEREAS, discovery of dioxin and furan contamination throughout the 100-year floodplain of the Tittabawassee River downstream from Midland, Michigan and including much of the 80 acres of the Green Point led the Service to believe that restoration activities should not be conducted at Green Point until those concerns are addressed; and

WHEREAS, the Service (along with other parties) is actively pursuing restoration and compensation from Dow Chemical related to the dioxin and furan contamination; and

WHEREAS, the Service fully intends to continue to use Green Point to provide quality environmental education to area schools and the public; and

WHEREAS, in the interim, the Service and other Trustees propose that the funds currently targeted for restoration at Green Point be reprogrammed to acquire the remaining privately-owned, undeveloped tracts at Big Charity Island for addition to Michigan's Islands Refuge; now

THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby acknowledges receipt of this recommendation and request and expresses no opposition to the proposed action by the U. S. Fish and Wildlife Service.