

# Revised Council Agenda

September 9, 2013 6:30 p.m.

Council Chamber

## PRAYER AND PLEDGE OF ALLEGIANCE:

## ROLL CALL:

## ANNOUNCEMENTS:

1. Gavin Goetz, Regional Director External Affairs, AT&T Michigan, to accept proclamation declaring September 19, 2013 as "Drive 4 Pledges Day."

## PUBLIC HEARINGS:

1. Request for an Industrial Facilities Tax Exemption Certificate for Solutions 4 Automation, Inc. at 2124 S. Michigan Avenue.

## PERSONAL APPEARANCES:

*(A list will be provided following submittal deadline.)*

## REMARKS OF COUNCIL:

## REPORTS FROM MANAGER:

### Management Update:

1. Tentative agreement for Interim Fire Chief.
2. Diversity and Cultural Sensitivity Training update.
3. Certificate of Achievement for Excellence in Financial Reporting presented to the City of Saginaw for the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2012 from the Government Finance Offices Association.

## CONSENT AGENDA:

1. Approve the August 19, 2013 regular council meeting minutes.
2. Approve Petition 13-10 from Saginaw Arts and Enrichment Commission to erect banner located at Court Street from November 5 through December 4, 2013 to promote annual "Hollyday Fair."
3. Approve the Consent to City Attorney Andre Borrello's representation of the Saginaw Midland Municipal Water Supply Corporation (SMMWSC) and the City of Saginaw as related to the proposed Raw Water Service Agreement between the SMMWSC and the Bay County Road Commission and the 2013 Revenue Contract Supplement.

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4. Approve a purchase order for \$6,000 to Bentley Systems, Inc. to renew Water GEMS hydraulic water modeling software used by the Public Services Department.
5. Approve the HOME Grant Agreement from the Department of Housing and Urban Development for Fiscal Year 2014 for the HOME Investment Partnership Program for \$351,178.
6. Approve the HOME Sub-recipient Contracts for Fiscal Year 2014 with Habitat for Humanity for \$14,250 for operating expenses and \$61,750 for rehabilitation activities; and with Saginaw County Community Action Committee for \$123,500 for rehabilitation activities.
7. Approve the Emergency Solutions Grant Agreement from the Department of Housing and Urban Development for Fiscal Year 2014 in the amount of \$154,488.
8. Approve the Emergency Solutions Grant Sub-recipient contracts for Fiscal Year 2014 to four organizations providing shelters and transitional housing for the homeless.
9. Approve the Community Development Block Grant Agreement from the Department of Housing and Urban Development for Fiscal Year 2014 for \$2,131,785.
10. Approve the Community Development Block Grant Sub-recipient Contracts and Memorandums of Understanding for Fiscal Year 2014 with various organizations for housing, economic development, public improvements, and public service activities.
11. Approve the easement agreement for 235 S. Washington Avenue with Consumers Energy.
12. Approve the amended contractor list for the Fiscal Year 2013-2014 demolition projects.
13. Approve a blanket purchase order for Fiscal Year 2014 to Warwick Cleaners for \$10,000 for annual dry cleaning services for the Police Department.
14. Approve a blanket purchase order for Fiscal Year 2014 to Warwick Cleaners for \$3,000 for annual dry cleaning services for the Fire Department.
15. Approve a purchase order to Decorative Concrete Resources for \$5,051.80 for materials to reseal the stamped concrete sidewalks around City Hall.

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16. Approve a purchase order to Pace Analytical Service, Inc. for \$2,820 for Unregulated Contaminants Monitoring Rule 3 Analysis for the Water Treatment Division.
17. Approve a purchase order to Infor for \$11,567.78 for the EAM software annual renewal maintenance fee for the Water and Wastewater Treatment Divisions.
18. Approve the Hardest Hit Grant Agreement with the Michigan State Housing and Development Authority to provide 11,196,194 to the City to demolish up to 950 blighted residential properties in various neighborhoods. Further, approve a budget adjustment for FY 2014 to increase the State Grants Revenue Account No. 274-0000-539.000 from \$0 to \$11,196,194. This increase in revenues will be offset by an increase to the Demolition Account No. 274-3866- 816.000 by \$10,076,575 and the Professional Services Account No. 274-3866-801.000 by \$1,119,619.
19. Approve the 2013 Community Video Tour Agreement with CGI Communications, Inc., for a Community Video Showcase Program to be placed on the City's website, for three years, at no cost to the City.

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

### INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend §151.095 "Findings and Purpose," §151.096 "Definitions," §151.097 "Non-owner Occupied Property - Prohibited Conduct," §151.098 "Non-owner Occupied Property – Registry," §151.099 "Unoccupied Property Registry," §151.100 "Violation/Abatement," and §151.101 "Fees," of Chapter 151 "Housing Regulations," Title XV "Land Usage," of the City of Saginaw Code of Ordinances O-1.

### CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to repeal the "Riverfront and Business District Overlay Zone," and to repeal the "Riverfront Mixed Use District," and to add new "Riverfront Mixed Use District," of Chapter 153, "Zoning Regulations," of Title XV "Land Usage," of the City of Saginaw Code of Ordinances , O-1.
2. An Ordinance to amend the Zoning Classification of certain properties within an area more or less bounded to the North by Weiss Street extended Easterly; to the East by part of Washington Avenue, 2<sup>nd</sup> Street, Millard Street, Owen Street, Howard Street and Jefferson Avenue; to the South by part of Rust Avenue and Stephens Street; to the West by part of Fayette Street, S. Harrison Street,

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Remington Avenue, N. Bond Street, Cooper Avenue, Stone Street, Congress Avenue, Schaefer Street, Davenport Avenue and Carrolton Street, to Riverfront Mixed Use.

## RESOLUTIONS:

1. Adopt resolution authorizing change in the Standard Street Lighting Contract with Consumers Energy Corporation.
2. Adopt resolution to approve the Revenue Contract Supplement between the Saginaw Midland Municipal Water Supply Corporation and the City of Saginaw (and the City of Midland).
3. Adopt resolution to approve Industrial Facilities Tax Exemption Certificate for Solutions 4 Automation, Inc. at 2124 S. Michigan Avenue.

## UNFINISHED BUSINESS:

## MOTIONS AND MISCELLANEOUS BUSINESS:

## ADJOURN:

Darnell Earley  
City Manager

IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVE., 989.759.1480.

# PROCLAMATION

**WHEREAS**, texting has become the way many people communicate today, which means some people are doing it at the worst possible time - while driving; and

**WHEREAS**, texting while driving is involved in over 100,000 motor vehicle crashes each year, often causing injuries and deaths; and

**WHEREAS**, those who text while driving are 23 times more likely to be involved in some type of safety critical event as compared to those drivers who don't text while they drive; and

**WHEREAS**, in 2009 AT&T launched the public awareness campaign "It Can Wait" to educate the public about the dangers of texting while driving by encouraging consumers to take the personal pledge not to text while driving,;" and

**NOW, THEREFORE, BE IT RESOLVED**, I, Gregory L. Branch, Mayor of the City of Saginaw, on behalf of my fellow councilmembers, do hereby proclaim September 19, 2013 as

## "Drive 4 Pledges Day"

in the City of Saginaw and urge citizens of all ages to focus attention on the dangers of texting while driving.

**BE IT FURTHER RESOLVED**, that the members of the Saginaw City Council support efforts to raise public awareness about the dangers of texting while driving; have personally pledged not to text and drive, and encourage others to take the pledge not to text and drive.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this ninth day of September in the year of our Lord two thousand and thirteen.



Gregory L. Branch, Mayor

### **Councilpersons**

*Dennis Browning, Mayor Pro Tem  
Annie Boensch, Norman Braddock,  
Larry Coulouris, Daniel Fitzpatrick, Floyd Kloc,  
Amos O'Neal, and Andrew Wendt*

September 9, 2013

**Darnell Earley, City Manager**

# ***CITY OF SAGINAW***

## **NOTICE OF PUBLIC HEARING**

In compliance with requirements of Act 168, P.A. 1974, the following notice is posted:

Notice is hereby given that the Saginaw City Council will conduct a public hearing on the request from Solutions 4 Automation for an Industrial Facilities Tax Exemption Certificate at 2124 S. Michigan Avenue, Saginaw, Michigan.

The public hearing will be held Monday, September 9, 2013, at 6:30 p.m. in the Council Chamber of the City Hall, 1315 S. Washington Avenue, Saginaw, Michigan. The application and legal description of the property is on file in the Office of the City Clerk.

All interested persons are invited to attend this public hearing.

Janet Santos, CMC/MMC  
City Clerk

IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVENUE, 989.759.1480.

Posted: August 21, 2013  
By: \_\_\_\_\_

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, AUGUST 19, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Braddock offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Pro Tem Browning called the meeting to order. Council Members present: Amos O'Neal, Daniel Fitzpatrick, Larry Coulouris, Mayor Pro Tem Dennis Browning, Andrew Wendt, Norman Braddock, and Annie Boensch - 7. Council Members absent: Floyd Kloc, and Mayor Branch - 2.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- City Hall will be closed on Monday September 2 for the Labor Day holiday; and
- the City's Waste Convenience Station will be open Saturday, September 14 from 10:00 a.m. to 2:00 p.m.

Council Member O'Neal read and presented a certificate of recognition in honor of the Voltz Family reunion celebration.

*Council Member Kloc entered the meeting at 6:33 p.m.*

A moment of silence was observed for Dr. Samuel H. Shaheen. Council Member Fitzpatrick read a proclamation to honor Dr. Samuel H. Shaheen. The proclamation was presented earlier to the family by City Manager Darnell Earley.

PERSONAL APPEARANCES

The following person addressed the Council: Johnnie Sanders.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: O'Neal, Fitzpatrick, Coulouris, Wendt, Braddock, Boensch, Kloc and Mayor Pro Tem Browning.

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley introduced Saginaw Future President, Joann Crary. Ms. Crary expressed their support of a charrette design process. She introduced the Downtown Development Authority (DDA) Director, Beth Ernat. Ms. Ernat informed Council that the DDA has submitted a letter of support of the charrette process to compliment the efforts of the DDA.

Ms. Crary introduced the President of the New ERA Group, Pamela Parks. Ms. Parks presented details of the charrette process, benefits, expected outcomes and the difference between a charrette and a master plan.

*Council Member Wendt left the meeting at 7:06 p.m. and returned at 7:09 p.m.*

Ms. Parks confirmed the charrette process would be of no cost to the City and she asked Council to support of the charrette process to be conducted by the New ERA Group. The

charrette is planned for November 6 through November 10 to be held at Great Lakes Crossroads.

City Manager Darnell Earley introduced Riverfront Commission Chairman, John Humphreys. Mr. Humphreys Provided an update of project achievements and future concepts for the Riverfront. He reported that the Riverfront Commission supports the charrette design process to enhance all efforts for Downtown Saginaw.

City Manager Darnell Earley introduced Employee Services Assistant Director, Beth Carson-Church. Ms. Church presented the Equal Employment Opportunity Report/Personnel Update.

*Council Member Wendt left the meeting at 8:09 p.m. and returned at 8:11 p.m.*

City Manager Darnell Earley announced the resignation of Phil Ludos, Assistant City Manager of Public Safety, effective on August 22, 2013. Administration reorganization will align the Inspection Department and neighborhood services reporting to the City Manager. Meetings are scheduled with Fire Department representation to continue their departmental review. Manager Earley mentioned that the Economic Development Department will also be reviewed.

City Manager Darnell Earley introduced Police Chief Brian Lipe. Chief Lipe presented a 2013 Statistical Crime Report with 2012 comparisons that reflect an overall 14% decrease. This decrease is a result of the successful collaborative efforts of the Michigan State Police and the Saginaw Police Department (SPD) Detective Bureau along with the SPD Public Information Officer and citizen's cooperation.

*Council Member Wendt left the meeting at 9:10 p.m.*

City Manager Darnell Earley introduced Phil Ludos, Assistant City Manager of Public Safety. Mr. Ludos thanked the City Manager and Council for the opportunity to serve the City of Saginaw.

#### Consent Agenda

1. Approve the August 5, 2013 regular council meeting minutes.
2. Approve a purchase order for \$16,048 to IBM Corporation to renew the Lotus Notes subscription for maintenance coverage and license fees.
3. Approve the payment to Pro-Tech Cabling Systems, Inc. for \$7,539.41 for the emergency repair of a fiber optic communications line at the Wastewater Treatment Plant.
4. Approve separate annual purchase orders to I.E., Inc. for \$42,000 for Fiscal Years 2014 and 2015 for compost grinding services.
5. Approve separate purchase orders for Fiscal Year 2014 to Etna Supply for \$60,136.30 and to Michigan Pipe and Valve for \$152,895 for a one-year supply of Water Main Appurtenances.



6. Adopt the Resolution authorizing the use of amplifying equipment at 1537 S. Washington Avenue during the "Fiesta de Mexico" event on September 14, 2013, from 12:00 p.m. to 8:00 p.m.
7. Adopt the Resolution authorizing the use of amplifying equipment at Ojibway Island during the "Skool is Cool" Community Day event on August 31, 2013, from 12:00 p.m. to 7:00 p.m.
8. Approve a purchase order to Kennedy Industries, a sole source, for \$2,309 to reline a 30" Dezurik valve for the Wastewater Treatment Division.
9. Approve a purchase order to Wesco Distribution, Inc., a sole source, for \$3,270.61 for a Motor Protect 3000 overload protection unit for the #3 high service pump at the Weiss Street Retention and Treatment Basin.

Council Action:

Moved by Council Member O'Neal, seconded by Council Member Braddock to approve the consent agenda items 1 through 9 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

REPORTS FROM BOARDS; COMMISSIONS AND COMMITTEES, AND  
APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Council Member Boensch reported that the "Foreclosure/Vacant Property" Committee will meet on Thursday, August 22, 2013 at 3:15 p.m.

INTRODUCTION OF ORDINANCES

Moved by Council Member Braddock, seconded by Council Member Coulouris to introduce an Ordinance to repeal the "Riverfront and Business District Overlay Zone," and to repeal the "Riverfront Mixed Use District," and to add a new "Riverfront Mixed Use District," of Chapter 153, "Zoning Regulations," of Title XV "Land Usage," of the City of Saginaw Code of Ordinances, O-1. 7 ayes, 0 nays, 2 absent. Motion carried. Mayor Pro Tem Browning announced that the ordinance would be laid over under Charter provision.

Moved by Council Member Braddock, seconded by Council Member Kloc to introduce an Ordinance to amend the Zoning Classification of certain properties within an area more or less bounded to the north by Weiss Street extended Easterly; to the east by part of Washington Avenue, 2<sup>nd</sup> Street, Millard Street, Owen Street, Howard Street and Jefferson Avenue; to the South by part of Rust Avenue and Stephens Street; to the West by part of Fayette Street, S. Harrison Street, Remington Avenue, N. Bond Street, Cooper Avenue, Stone Street, Congress Avenue, Schaefer Street, Davenport Avenue and Carrollton Road, to Riverfront Mixed Use. 7 ayes, 0 nays, 2 absent. Motion carried. Mayor Pro Tem Browning announced that the ordinance would be laid over under Charter provision.

CONSIDERATION AND PASSING OF ORDINANCES

Moved by Council Member Braddock, seconded by Council Member Fitzpatrick to adopt an Ordinance to amend §92.09, "Pyrotechnics," of Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1. 7 ayes, 0 nays, 2 absent. Motion carried.

RESOLUTIONS

Moved by Council Member Braddock, seconded by Council Member Kloc to adopt the resolution to support the New Enrichment Revitalization Advocates Design Charrette for Downtown Saginaw. City Clerk Janet Santos read the resolution as requested by Council Member Braddock. 7 ayes, 0 nays, 2 absent. Motion carried.

ADJOURNMENT

Moved by Council Member Kloc seconded by Council Member Fitzpatrick to adjourn the meeting at 9:24 p.m. 7 ayes, 0 nays, 2 absent. Motion carried.

Janet Santos, CMC/MMC  
City Clerk

# Petition for Banner

**PLEASE NOTE:** PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

**TO SAGINAW CITY COUNCIL:**

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at not more than two (2) of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

#13-10

- 500 Block of Court Street
- 200 Block of West Genesee
- 300 Block of South Michigan
- 1000 Block of East Genesee Avenue

For: Saginaw Arts & Enrichment Commission  
(Organization)

Purpose of Banner Promotion for Annual Hollyday Fair

**MESSAGE ON BANNER** Hollyday Fair - Andersen Enrichment Center  
December 4

Time Period Requested: November 5, 2013 to December 4, 2013  
(Not to exceed 30 days)

**PETITIONERS**

Marsha Braun - SAEC

**NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:**

NAME Marsha Braun PHONE 759-1363 ext. 223

ADDRESS: Andersen Enrichment Center  
120 Ezra Rust Dr Saginaw, MI 48601

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

**From:** Darnell Earley, City Manager  
**Subject:** Consent to Representation  
**Prepared by:** Andre R. Borrello, City Attorney

**Recommendation:**

I recommend the approval of Consent to City Attorney Andre Borrello's representation of the Saginaw Midland Municipal Water Supply Corporation (SMMWSC) and the City of Saginaw as related to the proposed Raw Water Service Agreement between the SMMWSC and the Bay County Road Commission and the 2013 Revenue Contract Supplement.

**Justification:**

Under this meeting's Consent Agenda is a recommendation to approve 2013 Revenue Contract Supplement between the SMMWSC and the City. Mr. Borrello's legal services were previously utilized by the SMMWSC in drafting the underlying Raw Water Service Agreement between the SMMWSC and the Bay County Road Commission. The agreement of the two entities has resulted in a proposed bond sale for improvements and 2013 Revenue Contract Supplement presently before the Council. Under his normal duties as City Attorney, Mr. Borrello would also approve the Agreement as to form on behalf of the City. The City Manager approves the Agreement as to substance.

Under the applicable conflict of interest rule, Mr. Borrello does not believe his representation of the SMMWSC is directly adverse to the City of Saginaw, in the interest of full disclosure and to satisfy any concerns whatsoever, he requests approval of the disclosure of his representation and, upon consultation and consideration of the disclosure, he requests that City Council consent to the representation, as described.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager

**Subject:** Bentley Water GEMS Annual GIS Software Maintenance Fee

**Prepared by:** Jeff Klopocic, Technical Services Department

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued to Bentley Systems, Inc., Philadelphia, PA, in the amount of \$6,000 for the annual renewal of Water GEMS hydraulic water modeling software.

**Justification:**

The City's Public Services Department uses the Bentley Systems, Inc., GIS Software to help manage and maintain its distribution system. Water GEMS hydraulic modeling software provides capabilities ranging from analysis and design to management functions such as fire flow assessment, pump scheduling, water quality improvement, emergency planning, leakage reduction and security enhancements. This annual renewal maintenance fee is required to receive all new upgrades for the software and gives us the ability to call Bentley Systems for help regarding all software related questions and problems.

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 and available in the Technical Services, GIS Operating Services, Account No. 650-1738-805.000.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation of the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** HUD HOME Investment Partnership Program Grant Agreement  
**Prepared by:** Leticia Trevino, CDBG Specialist

**Manager's Recommendation:**

I recommend that the City Council approve the HOME Grant Agreement for 2013-14. This agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor or his designee be authorized to sign the agreement.

**Justification:**

The City of Saginaw has received a Grant Agreement from the Department of Housing and Urban Development (HUD) for Fiscal Year 2014 for the HOME Investment Partnership Program. The funding agreement is in the amount of \$351,178. The City will use \$151,678 for the single-family, owner-occupied residential grant program for very low-income homeowners. In addition, Habitat for Humanity will use \$61,750 for rehabilitation of houses, and \$14,250 for operating fees in conjunction with these activities. The Saginaw County Community Action Committee will use \$123,500 for rehabilitation of three (3) houses.

In accepting this grant agreement, the City agrees that it will comply with all the terms and conditions of the agreement, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the HOME Investment Partnership Grant Program and other applicable laws. These conditions are also made a part of all contracts with third parties or subgrantees financed with HOME monies.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager

**Subject:** HUD HOME Community Housing Development Organization (CHDO)  
Subrecipient Contracts

**Prepared by:** Leticia Trevino, CDBG Specialist

**Manager's Recommendation:**

I recommend that the City Council approve the HOME Subrecipient Contracts for 2013-14. The contracts have been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor or his designee be authorized to sign the contracts.

**Justification:**

Transmitted herewith are three (3) contracts from the HOME Program, which would include the purchase of materials for rehabilitation of property, and operation expenses. The following information outlines the scope of activity and funding level for the three (3) projects under contract with the City.

1. Community Housing Development Organization Operating Expenses \$14,250  
This activity is administered by Habitat for Humanity. It provides operating funds for Habitat to act as the Community Housing Development Organization (CDHO) for the City of Saginaw.
2. Habitat for Humanity Rehabilitation Activities \$61,750  
This activity is also operated by Habitat for Humanity acting as the CHDO for the City of Saginaw. These funds will be used to rehabilitate houses to be occupied by low and very low-income households.
3. Saginaw County Community Action Committee Rehabilitations \$123,500  
This activity is operated by Saginaw County Community Action Committee (CAC) and will fund three house rehabilitations for sale to low income buyers.

Council approved the City's submission to the Department of Housing and Urban Development for these funds on January 22, 2013.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** Emergency Solutions Grant (ESG) Agreement  
**Prepared by:** Leticia Trevino, CDBG Specialist

**Manager's Recommendation:**

I recommend that the City Council approve the Emergency Solutions Grant (ESG) Agreement for 2013-14. This grant agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor or his designee be authorized to sign the agreement.

**Justification:**

The City of Saginaw has received a grant agreement from the Department of Housing and Urban Development (HUD) for Fiscal Year 2014 for the Emergency Solutions Grant (ESG) Program. The funding agreement is in the amount of \$154,488. This is the City's entitlement amount approved by the federal government.

The activities referred to in the funding agreement include all the activities listed in the submission and approved by the City Council on January 22, 2013.

In accepting this grant agreement, the City agrees that it will comply with all the terms and conditions of the agreement, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the ESG Program and other applicable laws. The agreement is for an eighteen (18) month period that began on July 1, 2013 and will terminate on December 31, 2014. In accepting this grant agreement, the City also agrees that it will comply with standard federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made part of contracts with third parties or subgrantees financed with ESG monies.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.



**From:** Darnell Earley, City Manager  
**Subject:** HUD Emergency Solutions Grant (ESG) Subrecipients Contracts  
**Prepared by:** Leticia Trevino, CDBG Specialist

**Manager's Recommendation:**

I recommend that the City Council approve the Emergency Solutions Grant (ESG) Subrecipient Contracts for 2013-14. The contracts have been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor or his designee be authorized to sign the contracts.

**Justification:**

Transmitted herewith are four contracts from the ESG Program to provide \$104,627 assistance to four organizations providing shelters and transitional housing for the homeless. Separate contracts will be issued for homelessness prevention and rapid re-housing in the amount of \$49,861 at a later date.

The following information outlines the scope of activity and funding level for each project under contract with the City:

1. Underground Railroad \$33,250  
This activity is operated by Underground Railroad, Inc. These funds will be used to supplement the agency in funding the maintenance costs of the emergency shelter including: operating utilities, food, supplies, professional fees, communication costs, transportation, and furnishings for the facility.
2. Youth Protection Council \$29,556  
This activity is operated by the Saginaw County Youth Protection Council. The funds will be used to supplement the agency in providing services to the three shelters for the homeless: Innerlink Emergency Shelter, Innerlink Transitional Living Program, and Teen Parent Services Transitional Living Program.
3. Restoration Community Outreach \$25,872  
This activity is operated by Restoration Community Outreach. These funds will be used to supplement the agency in providing emergency housing and supportive services to the homeless, recovering addicts, and ex-prisoners reentering the community.
4. United Way of Saginaw Co. HMIS \$15,949  
This activity is administered through the United Way of Saginaw County. This project is the maintenance of the Homeless Management Information System,

which is a requirement of HUD for grantees to receive ESG funds. This is a match of funds received directly from HUD.

Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on January 22, 2013.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** Community Development Block Grant (CDBG) Agreement  
**Prepared by:** Leticia Trevino, CDBG Specialist

**Manager's Recommendation:**

I recommend that the City Council approve the Community Development Block Grant (CDBG) Agreement for 2013-14. This grant agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor or his designee be authorized to sign the agreement.

**Justification:**

The City of Saginaw has received a grant agreement from the Department of Housing and Urban Development (HUD) for Fiscal Year 2014 for the CDBG Program. The funding agreement is in the amount of \$2,131,785. This is the City's entitlement amount approved by the federal government.

The activities referred to in the funding agreement include all the activities listed in the submission and approved by the City Council on January 22, 2013.

In accepting this grant agreement, the City agrees that it will comply with all the terms and conditions of the agreement, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the CDBG Program and other applicable laws. The agreement is for a one-year period that began on July 1, 2013 and will terminate on June 30, 2014. In accepting this grant agreement, the City also agrees that it will comply with standard federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made part of contracts with third parties or subgrantees financed with CDBG monies.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** HUD Community Development Block Grant (CDBG) Subrecipients  
Contracts  
**Prepared by:** Leticia Trevino, CDBG Specialist

**Manager's Recommendation:**

I recommend that the City Council approve the Community Development Block Grant (CDBG) Subrecipient Contracts and Memorandums of Understanding for 2013-14. The contracts have been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor or his designee be authorized to sign the Contracts and Memorandums of Understanding.

**Justification:**

Transmitted herewith are twelve (12) contracts and three (3) memorandums of understanding for housing, economic development, public improvements, and public service activities to be carried out under the City's 40<sup>th</sup> year of the CDBG Program. The following information outlines the scope of activity and funding level for each project under contract with the City:

1. Elderly and Disabled Repair \$123,458  
This activity is operated by Saginaw County Community Action Committee (CAC). It provides one-time home repair for the elderly and/or disabled residents in the City who could not otherwise afford to make improvements to their homes. Pre-inspections will determine the priority of homes to be completed.
2. Saginaw Economic Development Corp \$504,457  
This activity is operated by the Saginaw Economic Development Corporation. It provides funds to make business loans to credit worthy entrepreneurs and firms that wish to start or expand businesses in the targeted areas. Each business loan is based on the number of jobs to be created and made available to low and moderate-income residents in the City. The budget is comprised of entitlement funds, loan repayments, and carryover funds.
3. Downtown Development Authority \$67,500  
This activity is operated by the Downtown Development Authority (DDA). These funds will be utilized by the DDA in their efforts to redevelop properties and recruit businesses to Downtown Saginaw.

4. Habitat for Humanity Housing Counseling \$7,965  
This activity is sponsored by Habitat for Humanity. It will include assisting low and moderate-income households with pre-loan housing counseling services, credit counseling, financial management, and homebuyer education. Participants will also receive post-loan support once they have received a loan.
5. Youth Protective Services \$19,089  
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to provide intensive long-term social casework intervention for 20 low to moderate-income families whose personal problems have led to degeneration of the family unit. This activity will not be effective until October 1, 2013, when the current contract expires.
6. Teen Parent Support \$19,089  
This activity is operated by the Saginaw County Youth Protection Council. The program seeks to provide assistance directed toward high-risk pregnant and parenting females under the age of 21. Teen Parent Support works to: reduce infant mortality and child abuse, delay subsequent pregnancies, and help young mothers work toward self-sufficiency. This activity will serve 55 clients eligible to be assisted with CDBG funds. This activity will not be effective until October 1, 2013, when the current contract expires.
7. Mission in the City \$13,378  
This activity is sponsored by Mission in the City. It provides a venue for after school and summer programs for the youth while providing recreational opportunities for adults. It will function as social hub for a very depressed area by having fitness activities. Mission in the City expects to serve hundreds of people daily on the sports equipment and walking trails.
8. Parishioners on Patrol \$15,930  
The purpose of the project is to improve the quality of life of residents within the City. Its members will walk the streets of the City promoting non-violence and engaging with the residents through door-to-door contacts.
9. Youth Mentoring \$10,000  
This activity is sponsored by Women of Colors, Inc. Three unique programs are offered to nurture and promote responsibility in the lives of Saginaw's youth from ages 5 to 18 to mentor at risk youth and instill values of respect and accountability. Each program was also established to challenge and prepare youth to become positive peers, responsible role models, and leaders.
10. First Ward LACER \$10,000  
This activity is sponsored by First Ward Community Services. The purpose of this program is to implement Literacy Arts Cultural Enrichment and Recreation (LACER) Program. It is an after-school and summer program whose goal is to

enhance and expand the number and variety of programs serving youth in the K-12<sup>th</sup> grades and increasing the number of youth who do not have access to positive opportunities in safe environments in the City of Saginaw.

11. Operation Outreach \$10,000  
This activity is run by Operation Outreach. The purpose of this program is to provide an environment where individuals are learning to improve their social skills, have recreational activities, and get assistance with homework in order to improve academic scores in a safe, supervised, drug-free learning environment.
12. Big Brothers/Big Sisters \$10,000  
This activity is operated by Big Brothers/Big Sisters of Saginaw Bay Area. The program will service four area elementary schools that have been identified as high-risk neighborhoods with below poverty level families. The purpose of the program will be to provide mentoring to the children and teach them the tools needed to achieve academic success along with other life coping skills.

The following information outlines the scope of activity and funding level for each project under a Memorandum of Understanding (MOU) with City departments outside of the Development Department:

1. Street Improvements \$171,248  
This activity is under the City of Saginaw's Department of Public Services. The purpose of the program is to resurface streets, replace deteriorated pavement sections, adjust manhole structures, and construct ADA compliant sidewalk ramps within CDBG-eligible neighborhoods.
2. Community Policing \$196,089  
This activity is under the City of Saginaw's Police Department. The purpose of this program is to continue to fund three Community Police Officers (CPOs) in designated CDBG-eligible neighborhoods. The CPOs have been able to develop close relationships with the residents, business owners/employees and other stakeholders within these neighborhoods. These relationships have resulted in an improved quality of life for the residents of these neighborhoods.
3. Demolition of Dangerous Buildings \$272,967  
This activity is administered under the City of Saginaw's Inspections Division. The purpose of the program is to reduce the presence of blighted, vacant, unsafe structures within the City of Saginaw.

Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on January 22, 2013.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager

**Subject:** Easement Agreement with Consumers Energy

**Prepared by:** Bill Ernat, Interim Director of Community and Economic Development

**Manager's Recommendation:**

I recommend that the easement agreement with Consumers Energy for 235 S. Washington Avenue be approved. The easement agreement has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The City received a request from Consumers Energy ("Consumers") for an easement on 235 Washington Avenue to allow the installation of overhead electric lines to the parking lot utilized by AT&T employees. The installation may include poles, anchors, guys, cables (including fiber-optic cable), wires, transformers, and other equipment for transmitting and distributing electrical energy and communication signals.

The lot at 235 Washington Avenue is one of two lots recently leased by AT&T from the City, for the purposes of providing parking to their employees. Per the lease agreement with the City, AT&T will be responsible for the payment of the utilities associated with the lighting of the parking lot after all improvements are made to the parking lot. The AT&T portion of the lot has recently been upgraded for use by AT&T employees. The installation of this equipment would permit the transfer of the electric bills to AT&T for the parking lot. The City is currently responsible for the payment of the utilities for this lot. Attached is a map of the area, with 235 Washington Avenue outlined in blue.

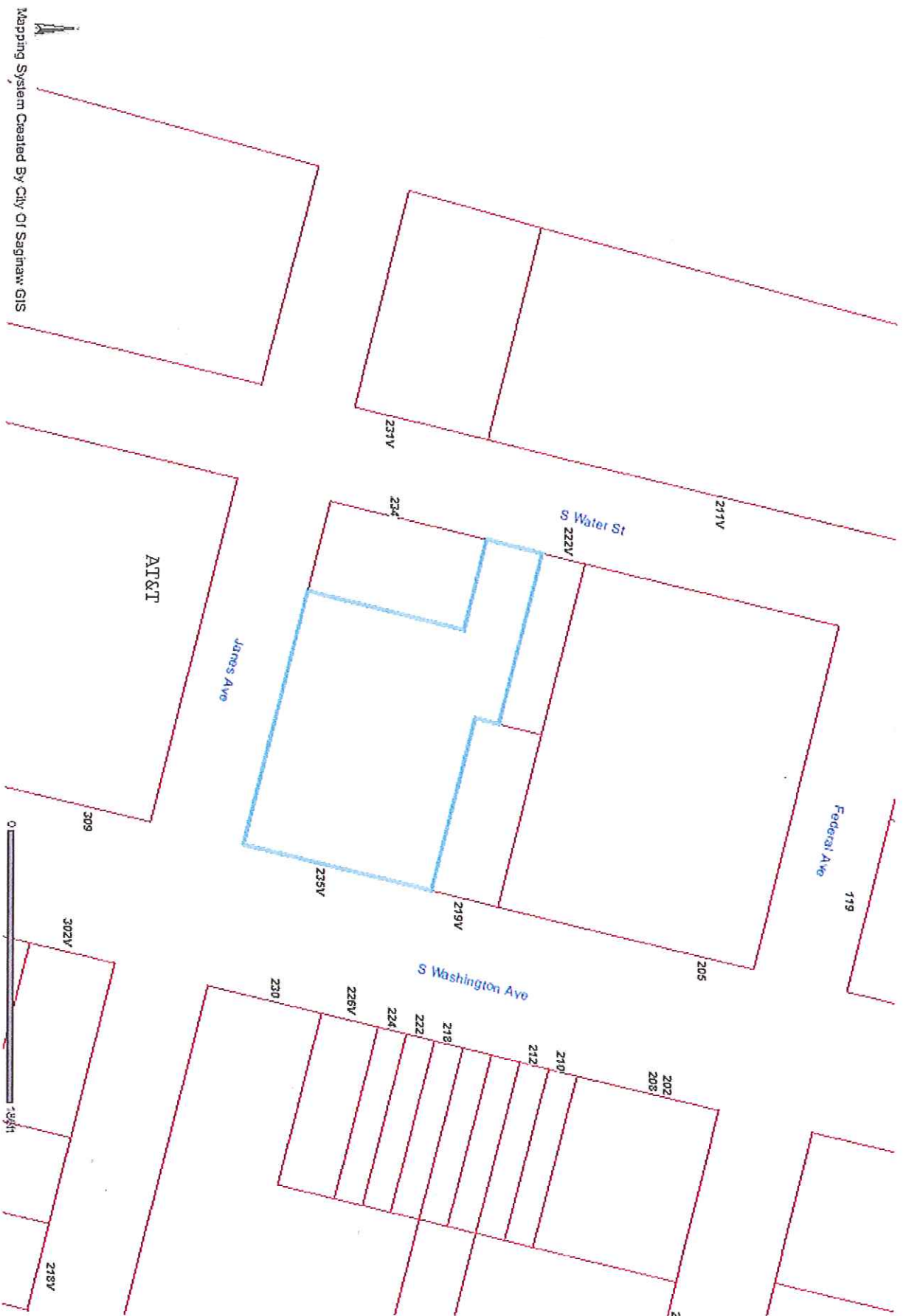
Consumers will indemnify, defend, and hold harmless the City from liability claims. In addition, Consumers will repair blacktop and/or concrete and grade and reseed the areas that it disturbs in exercising its rights under these agreements.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.



# 235 Washington Avenue



Mapping System Created By City Of Saginaw GIS

**From:** Darnell Earley, City Manager  
**Subject:** Demolition Contractor List Amendment  
**Prepared by:** John Stemple, Licensed Inspector

**Manager's Recommendation:**

I recommend the approval of the amended contractor list, as indicated below, for the Fiscal Year 2013-2014 demolition projects.

**Justification:**

City Council previously approved individual purchase orders to various vendors for a cumulative total of \$360,827 for the Fiscal Year 2013-2014 demolition work during the June 17, 2013 meeting. Subsequently Demetrius Braddock of Braddock Demolition personally appeared before the City Council expressing his confusion concerning the insurance requirements within the bid specifications. City staff has met with Mr. Braddock, his insurance representative, and the City's insurance agent representatives to review the documents and provide a resolution to the matter. Mr. Braddock has provided the required insurance documents and the City has determined them acceptable. Therefore, Braddock Demolition is qualified to be added to the bidders list and the contractor list.

The following information has been amended to include Braddock Demolition to the bidders list and the contractor list. The bid has been evaluated and ranked accordingly to the contractor list.

Due to the volume of demolitions, which need to occur in a short time period, it best serves the City to award individual demolitions based on the following criteria:

- low bid
- availability of the contractor to perform the work
- the contractor is current with the assigned work
- the contractor can assist the City meeting Section 3 HUD requirements

All qualified bids will be given consideration with work being awarded to the low bidder until such time that contractor does not have the wherewithal to complete the work in a timely manner, at which point, work would then begin to be awarded to the next lowest bidder until such time that the low bidder becomes current with assigned work. Furthermore, Section 3 of the HUD regulations requires that the City provide assistance to and foster the building of capacity for any contractors located within the City of Saginaw. The City of Saginaw intends, for any contractors which qualify under this section, to the greatest extent possible, work towards compliance with this section. Additionally, any contractor that is awarded work, particularly under NSP II, shall be responsible for compliance with Section 3 HUD regulations.

# COUNCIL COMMUNICATION

# CC- 12

On June 4, 2013, the City received bids for demolition, transite siding removal and disposal, asbestos removal and disposal, replacements, concrete removal, tree removal, and debris removal for various buildings in the City. Bids were received from the following firms:

Rodney Woods Builder  
120 N Michigan Ave  
Suite 210  
Saginaw 48602

Dore Associates Contracting  
900 Harry Truman Pkwy  
Bay City 48706

Mead and Sons  
3330 Schust  
Saginaw 48603

Owen's Contracting  
5277 Dixie Hwy  
Saginaw 48601

SC Environmental Services  
106 Island Ave  
Lansing 48910

Rohde Brothers Excavating  
1240 N Outer Dr  
Saginaw 48601

Able Demolition  
5675 Auburn Rd  
Shelby Twp 48317

Graham Construction  
3399 Fashion Sq Blvd  
Saginaw 48603

Braddock Demolition  
2311 Mershon  
Saginaw, MI 48602

Bidders List	Woods	Mead	SC	Rohde	Owens	Dore	Graham	Able	Braddock
Demo Building	0.1125	0.1351875	0.1005375	0.12705	0.147	0.1365	1.000125	0.294	0.13
Foundation Removal	0.975	0.86625	2.562	1.575	1.4385	1.554	0.378	2.331	1.45
Transite Siding Removal	0.8	0.9345	0.89775	0.798	0.7875	0.8925	0.756	1.575	0.9
ACM Floor Tile Removal	0.8	0.9975	0.945	0.945	0.8925	0.8925	0.8925	1.575	0.85
ACM Caulk Removal	30	32.55	30.26625	37.8	36.75	36.75	36.75	30.45	25
ACM Pipe Insulation Removal	3.5	4.7145	3.74325	3.57	3.675	5.25	3.15	14.7	4.2
ACM Duct Insulation Removal	3.5	4.095	3.69075	3.759	3.675	4.2	3.4125	3.675	4.45
ACM Duct Tape Removal	3.5	4.1475	3.69075	3.759	3.675	4.2	3.4125	2.3625	3.5
ACM Pipe Joint Removal	7	9.24	4.25775	11.55	10.5	10.5	10.5	18.9	9
ACM Drywall Removal	1.3	1.56975	7.27125	1.6275	1.68	1.96875	1.575	1.8375	1.25
ACM Hard Plaster Removal	1.3	2.12625	7.27125	2.436	2.4675	4.2	2.3625	2.1	1.25
ACM Attic Insulation Removal	5	5.29725	26.1975	5.25	4.83	4.2	4.725	2.3625	5.25
Tree Removal 12" – 18"	150	196.875	156.975	147	157.5	210	173.25	525	190
Tree Removal > 18"	400	231	343.875	220.5	231	420	525	2100	275
Debris Removal	19	15.1725	24.28125	26.25	22.05	28.875	22.05	0.105	22
Concrete Removal	0.525	0.5565	0.5355	0.6825	0.735	0.65625	0.8925	0.8925	0.65
Curb Replacement	25.5	14.5425	14.37975	29.4	14.175	18.9	17.19375	8.4	16
Lot Grading & Seeding	0.095	0.105	0.126	0.105	0.105	0.14175	0.1365	0.084	0.1
Concrete Replacement	3.5	3.6435	3.96375	3.9375	3.15	4.85625	3.99	4.2	3.25

The bid tabulations above reflect a two year average price and additionally it reflects a five percent (5%) advantage for Rodney Woods Builder because this business is located within the City limits. The City will utilize Rodney Woods Builder as its primary contractor to complete the work in a timely manner.

Because of the complexity and variation in demolition costs in order to determine the lowest and best bid a scoring system was used to evaluate the bids of each of the contractors. An evaluation team made up of City staff which included the Assistant City Manager for Public Safety, Licensed Inspector, and Dangerous building inspector scored the bids as follows.

<b>Contractor List</b>	<b>Score</b>
Rodney Woods Builder	135.21
Mead and Son	133.77
Rohde Brothers Excavating	127.15
SC Environmental	127.14
Braddock Demolition	122.48
Owen's Contracting	117.83
Dore Associates	117.19
Graham Construction	83.76
Able Demolition	54.15

The bids submitted by these firms meet City specifications and the contractors are currently in compliance with the City's dangerous building demolition contracting policy.

All vendors listed meet all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure, " of Chapter 14, "Finance and Purchasing, of "Title 1, "General Provisions" of the Saginaw Code of Ordinances 0-1.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** Annual P.O. for Uniform Dry Cleaning – Warwick Cleaners  
**Prepared by:** Sienna Rendon, Community Public Safety – Police

**Manager’s Recommendation:**

I recommend that a blanket purchase order be issued to Warwick Cleaners of Saginaw, MI, in the amount of \$10,000 for annual dry cleaning services, which includes 8 clothing items for the Saginaw Police Department.

**Justification:**

On June 16, 2013 one (1) qualified vendor submitted a bid in response to the City of Saginaw’s request for Proposal #1150-13 for Fire and Police annual dry cleaning services.

The following is a tabulation of the bid received:

<b>WARWICK CLEANERS, Saginaw, MI</b>	
<b>First, Second, and Third Year Itemized Cost for Cleaning</b>	
Long Sleeve Shirts	\$2.50
Short Sleeve Shirts	\$2.25
Dress Pants	\$4.75
Pull Over Sweater or Fleece	\$4.00
Waist Length Jacket w/ zip in/out liner	\$6.50
Full Length Overcoat	\$7.00
Class A Uniform (Suit Coat/Dress Pants)	\$N/C
Uniform Tie	\$N/C
<b>TOTAL COST</b>	<b>\$27.00</b>

Per Warwick Cleaners, for bidding purposes and because volume cannot be predicted, all quantities are listed as (1) one. The amounts bid are fixated for (3) three years, commencing in Fiscal Year 2014 and lasting through Fiscal Year 2016. Uniform dry cleaning service is required by the labor agreement between P.O.A.M and the City of Saginaw for police administrative and sworn personnel. Warwick Cleaners has submitted the only bid and is therefore the lowest and best offer. During Fiscal Year 2013, \$9,942.35 was spent on dry cleaning and this figure can be used to estimate upcoming costs for Fiscal Year 2014.

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

Funds for this purchase are budgeted in the General Fund-Community Public Safety – Police Operating Services Account No. 101-3514-805.00.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** Annual P.O. for Uniform Dry Cleaning – Warwick Cleaners  
**Prepared by:** Sienna Rendon, Community Public Safety – Fire

**Manager’s Recommendation:**

I recommend that a blanket purchase order be issued to Warwick Cleaners of Saginaw, MI, in the amount of \$3,000 for annual dry cleaning services, which includes 8 clothing items, for the Saginaw Fire Department.

**Justification:**

On June 16, 2013 one (1) qualified vendor submitted a bid in response to the City of Saginaw’s request for Proposal #1150-13 for Fire and Police annual dry cleaning services.

The following is a tabulation of the bid received:

<b>WARWICK CLEANERS, Saginaw, MI</b>	
<b>First, Second, and Third Year Itemized Cost for Cleaning</b>	
Long Sleeve Shirts	\$2.50
Short Sleeve Shirts	\$2.25
Dress Pants	\$4.75
Pull Over Sweater or Fleece	\$4.00
Waist Length Jacket w/ zip in/out liner	\$6.50
Full Length Overcoat	\$7.00
Class A Uniform (Suit Coat/Dress Pants)	\$N/C
Uniform Tie	\$N/C
<b>TOTAL COST</b>	<b>\$27.00</b>

Per Warwick Cleaners, for bidding purposes and because volume cannot be predicted, all quantities are listed as (1) one. The amounts bid are fixated for (3) three years, commencing in Fiscal Year 2014 and lasting through Fiscal Year 2016. Uniform dry cleaning service is required by the labor agreement between I.A.F.F. Local Union 102 and the City of Saginaw for command staff personnel. Warwick Cleaners has submitted the only bid and is therefore the lowest and best offer. During Fiscal Year 2013, \$2,759.05 was spent on dry cleaning and this figure can be used to estimate upcoming costs for Fiscal Year 2014.

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

Funds for this purchase are budgeted in the General Fund-Community Public Safety – Fire Operating Services Account No. 101-3551-805.00.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.



**From:** Darnell Earley, City Manager  
**Subject:** Decorative Concrete Sealer – Facilities Division  
**Prepared by:** Bruce Caradine, Public Services Department

**Manager’s Recommendation:**

I recommend that the low bid from Decorative Concrete Resources, Saginaw, be accepted and a purchase order be approved and issued to them in the amount of \$5,051.80 for materials to reseal the stamped concrete sidewalks around the City Hall building.

**Justification:**

On August 29, 2013, bids were received from one (1) company. It has been deemed necessary to reseal the decorative stamped concrete that was installed in 2003. Since that time the sealer, concrete coloring and the non-slip additive has worn off and is in need of a new application. This is a purchase of materials only. The installation of the materials will be completed by City staff, temporary and TRICAP employees to restore the concrete surface to its original installed appearance.

Multiple vendors were given the opportunity to submit a bid for these materials, and only one vendor submitted a bid. These line item bid prices are within the product cost ranges for purchasing these materials across the State of Michigan.

Decorative Concrete Resources 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 General Fund – Department of Public Services Facilities Division’s Parts and Supplies Account No. 101-7575-742.000.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation of the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** Unregulated Contaminants Monitoring Rule 3 Analysis  
**Prepared by:** Amanda Kiel, Water & Wastewater

**Manager's Recommendation:**

I recommend that the bid from Pace Analytical Service, Inc. be accepted and a purchase order be approved and issued to them in the amount of \$2,820 for Unregulated Contaminants Monitoring Rule 3 Analysis for the Water Treatment Division.

**Justification:**

On August 27, 2013, the City received bids for quarterly analysis of finished drinking water under the Unregulated Contaminants Monitoring Rule 3 (UCMR3). This analysis is required by the U.S. Environmental Protection Agency (USEPA) on a 5-year cycle. The analysis must be performed by a USEPA certified laboratory. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Pace Analytical Service, Inc. Ormond Beach, FL	\$2,820
UL, LLC South Bend, IN	\$3,260
ALS Environmental Holland, MI	\$3,308

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment and Pumping Division's Operating Services Account Number 591-4730-805.000 for Fiscal Year 2014.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** EAM Software Maintenance Renewal Fee  
**Prepared by:** Dan Simmer, Water and Wastewater

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued to Infor of Minneapolis, MN, in the amount of \$11,567.78 for the EAM software annual renewal maintenance fee for the Water and Wastewater Treatment Divisions.

**Justification:**

Personnel from the Water and Wastewater Treatment Plants utilize EAM Enterprise Edition Barcoding systems and software for asset management, maintenance processes, collaborative workflow, reporting and analysis and routine equipment maintenance. An annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the help desk for all software related questions and/or problems.

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 Operations and Maintenance Fund, Instrumentation and Controls Operating Services Account No. 590-4815-805-000 (\$5,783.89) and the Water Operations and Maintenance Fund, Instrumentation and Controls Operating Services Account No. 591-4715-805-000 (\$5,783.89) for Fiscal Year 2014.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager  
**Subject:** Hardest Hit Fund Grant Agreement  
**Prepared by:** John C. Stemple, Licensed Inspector

**Manager's Recommendation:**

It is recommended that the City of Saginaw approve the agreement with the Michigan State Housing and Development Authority subject to approval by the City Attorney as to form and the City Manager as to substance.

It is also recommended that a budget adjustment be completed to create the Troubled Asset Relief Program (TARP) Blight Elimination Grant Fund. The 2013/2014 Approved Budget should increase this fund's State Grants Revenue Account No. (274-0000-539.000) from \$0 to \$11,196,194. This increase in revenues will be offset by an increase to the following expenditure accounts - Demolition Account No. (274-3866- 816.000) by \$10,076,575 and the Professional Services Account No. (274-3866-801.000) by \$1,119,619.

**Justification:**

The City of Saginaw has been provided an opportunity to secure funds provided by the Michigan State Housing and Development Authority via what is being called the TARP Hardest Hit grant program. Funds in the amount of \$11,196,194 have been awarded to the City of Saginaw for the purpose of demolishing blighted residential properties in various neighborhoods throughout the City. Approval of this agreement will allow the City to begin the removal of up to 950 blighted properties.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member that the recommendation of the City Manager be approved.

**From:** Darnell Earley, City Manager  
**Subject:** CGI Communications Inc., Community Video Tour Agreement  
**Prepared by:** Debbie Buck, Executive Assistant to the City Manager

**Manager's Recommendation:**

I recommend approval of the 2013 Community Video Tour Agreement with CGI Communications, Inc., Rochester, NY for a Community Video Showcase Program to be placed on the City's website, for a term of three years, at no cost to the City. This agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to this agreement.

**Justification:**

CGI has entered into a partnership with the US Conference of Mayors and the National League of Cities to provide communities a marketing tool that they can utilize to showcase and promote their community assets and attributes. As a result of this partnership, the City of Saginaw has been presented with the opportunity to receive a fully produced, NO COST Community Video Showcase Program to be featured on the City's website. The Video Tour will promote the City of Saginaw and all it has to offer, which may include a compilation of videos on "Welcome" and demographics, education, recreation, economic development, etc., all with no financial investment from the City.

CGI retains all rights of ownership of the videos it creates. The City grants CGI the right to use the City's name in its programs. The City grants CGI the right to stream all of its content on the City's website. The term of the agreement is for three years with no cancellation provision. The City shall provide a letter of introduction for CGI Communications, Inc. as they will solicit local business to advertise on the video, which will fund the production of the Video Tour. The letter of introduction will provide information on the City's Community Video Tour Program, and not promote or market a particular vendor. It should be noted that County of Saginaw, Charter Township of Saginaw, and City of Bay City have worked with CGI to create Video Tours, and the City of Bay City recently updated and completed their second Video Tour with CGI.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Darnell Earley, City Manager

**Subject:** Amendment of Housing Regulations Ordinance

**Prepared By:** John C. Stemple, Chief Inspector

**Manager's Recommendation:**

I recommend the amendment of §151.095 "Findings and Purpose," §151.096 "Definitions," §151.097 "Non-Owner Occupied Property - Prohibited Conduct," §151.098 "Non-Owner Occupied Property - Registry," §151.099 "Unoccupied Property Registry," §151.100 "Violation/Abatement," and §151.101 "Fees," of Chapter 151 "Housing Regulations," Title XV "Land Usage," of the City of Saginaw Code of Ordinances O-1, and to establish an annual registration fee of \$150.00.

**Justification:**

In the first quarter of 2012 the SEIU Local 517 proposed to the City staff and Saginaw City Council to develop what was termed as a "Foreclosure Ordinance." They demonstrated that this type of ordinance had been successful in other communities across the country in dealing with absentee property owners by the implementation of stiff fines and penalties for those owners who did not maintain vacant properties. These fines and penalties are then used for enforcement efforts and neighborhood stabilization.

On May 7, 2012, Mayor Greg Branch appointed four members of council to a committee charged with the development of an ordinance that fits the needs of the City of Saginaw looking at the problem of property maintenance, cost recovery on demolition of blighted properties, and mitigation of the loss of information and artifacts in demolitions of blighted properties. The members of council appointed to the committee include Council Member Boensch who acted as the chairperson, Larry Coulouris, Norman Braddock, and Floyd Kloc. Also participating in the development were the City Manager, the ACM for Public Safety, the City Clerk, the City Attorney, and the Chief Inspector. Input was also received from neighborhood associations, local banking institutions, and the Saginaw landlord's association, all of whom were stakeholders in the outcome. The work of the Committee as well as the input from outside groups produced the contents of this ordinance.

The final version of the ordinance, which is presented, includes several changes to our existing ordinance and does not create a "new" ordinance. The amendments provide laws which regulate vacant structures in the City of Saginaw. The first change requires that anyone that owns a vacant structure in

the City of Saginaw, who is not actively seeking tenants, must register that property with the City Clerk. This registration requires the annual payment of a \$150.00 annual fee. The revenue from this fee will be used to offset the cost of administration and enforcement.

Additionally, the ordinance places a number of requirements related to the maintenance of the exterior of the building and property which include:

*Properties subject to this ordinance shall at all times be kept free of weeds, dry brush, dead vegetation, trash, junk, building materials, and the accumulation of other debris and shall otherwise comply with the Saginaw Housing Code. Additionally, the property shall be maintained free of graffiti, tagging, and similar markings. Yards shall be landscaped and maintained pursuant to this Ordinance.*

*Properties subject to this ordinance shall at all times be maintained in a secure manner so as not to be accessible by unauthorized persons. The City shall have the authority to require the owner or controller to implement additional maintenance and/or security measures as deemed necessary.*

Another concern included the ability of the City to enforce the provisions on this ordinance. As a result, City management has explored the idea of utilizing personnel from the Saginaw Fire Department to assist in the implementation and enforcement of this ordinance. After meeting with the IAFF and Fire Department administration, consensus was reached that not only would this be possible but it would also have an unintended benefit to Fire Department Personnel as it would provide an opportunity for the Fire Department to become familiar with these structures and their characteristics should a fire emergency occur in one of them. With assistance from the City's Technology Services Department an online registry is in development with the City Clerk which will assist with the efficient registration of the minimum 1,400 properties that have been identified.

An Ordinance has been prepared and appears under the regular order of business.

### **Council Action:**

This council communication is for explanation purposes of the ordinance to be introduced and enacted according to the City Charter, Section 22, titled, "Ordinances."

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_  
to introduce an Ordinance entitled and reading as follows:

O-\_\_\_\_\_

AN ORDINANCE TO AMEND §151.095 "FINDINGS AND PURPOSE," §151.096 "DEFINITIONS," §151.097 "NON-OWNER OCCUPIED PROPERTY - PROHIBITED CONDUCT," §151.098 "NON-OWNER OCCUPIED PROPERTY – REGISTRY," §151.099 "UNOCCUPIED PROPERTY REGISTRY," §151.100 "VIOLATION/ABATEMENT," AND §151.101 "FEES," OF CHAPTER 151 "HOUSING REGULATIONS," TITLE XV "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter Provision.



Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ that an ordinance introduced on September 9, 2013, be taken up and enacted, entitled and reading as follows:

O-\_\_\_\_\_

AN ORDINANCE TO AMEND §151.095 “FINDINGS AND PURPOSE,” §151.096 “DEFINITIONS,” §151.097 “NON-OWNER OCCUPIED PROPERTY - PROHIBITED CONDUCT,” §151.098 “NON-OWNER OCCUPIED PROPERTY - REGISTRY,” §151.099 “UNOCCUPIED PROPERTY REGISTRY,” §151.100 “VIOLATION/ABATEMENT,” AND §151.101 “FEES,” OF CHAPTER 151 “HOUSING REGULATIONS,” TITLE XV “LAND USAGE,” OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

**§ 151.095 FINDINGS AND PURPOSE.**

Unsupervised properties have a negative impact on surrounding properties and neighborhoods. Owners of such properties should be held accountable for the condition of same, because properties which are not maintained constitute a hazard to the public health, safety, and welfare, create blight and nuisances, and lower property values and neighborhood integrity.

It is the purpose and intent of the City, through the adoption of this article, to establish a non-owner occupied property registry and unoccupied property registry as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of such properties.

**§ 151.096 DEFINITIONS.**

- (A) **City** shall mean the City of Saginaw.
- (B) **Controller** shall mean the person under contract with the owner for the management and/or maintenance of the property or who is otherwise authorized by the owner to exercise any physical control over the property, including but not limited to any property management or property preservation company responsible for the maintenance and security of the property.
- (C) **Local agent** shall mean a Michigan-based person or business entity appointed in writing by the owner to be the contact person on behalf of the owner and/or controller with the City.
- (D) **Non-owner occupied property** shall mean any dwelling, dormitory, dwelling unit, apartment house, or guest room in a lodging house, rooming house, bed and

breakfast establishment, hotel or motel within the City which is occupied by someone other than the owner.

- (E) **Nuisance** shall mean a nuisance as defined by §94.01 of the Saginaw Code of Ordinances.
- (F) **Owner** shall mean the person noted as the last owner of record (*i.e.* person holding legal title to the property) in the records of the City Assessor.
- (G) **Person** shall mean an individual, firm, corporation, trust, estate, partnership, incorporated or unincorporated association, limited partnership, limited liability company, or any other legal entity.
- (H) **Unoccupied property** shall mean any property or lot that is vacant, regardless of whether such property contains a vacant dwelling or other structure.

## **§ 151.097 NON-OWNER OCCUPIED PROPERTY – PROHIBITED CONDUCT.**

- (A) No owner or controller of non-owner occupied property shall allow it to be occupied by someone other than the owner without first registering the property with the Office of the City Clerk.
- (B) No owner or controller of non-owner occupied property shall allow occupancy of the property without first being in compliance with this ordinance.
- (C) No owner or controller of non-owner occupied property shall allow occupancy of the property without first paying any property taxes due and owing on the property.
- (D) No owner or controller shall allow a non-owner occupied property to fall into a state of disrepair, to become in violation of applicable Michigan statutes or City of Saginaw codes, or to otherwise become a nuisance or create a nuisance condition.
- (E) Once registered, no owner or controller shall allow non-owner occupied property to remain occupied if it is in a state of disrepair, in violation of applicable Michigan statutes or City of Saginaw codes, or otherwise has become a nuisance condition or created a nuisance condition.
- (F) No owner or controller of non-owner occupied property shall transfer title, possession, or occupancy of the property without first being in compliance with this ordinance.

## **§ 151.098 NON-OWNER OCCUPIED PROPERTY – REGISTRY.**

- (A) To register non-owner occupied property, the owner or controller shall:

- (1) Complete and file with the City Clerk, online or in-person, a registration application for each non-owner occupied property, which shall state or have attached, as applicable:
    - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
    - (b) A copy of the written agreement appointing a local agent for the owner or controller.
  - (2) Pay in full the registration fees, as well as any applicable late fees, owed to the City for each non-owner occupied property.
  - (3) Provide verification to the City Clerk that the property is not condemned nor under an order to vacate.
  - (4) Pay in full any property taxes due and owing on the property.
- (B) Upon the City Clerk's receipt of the completed registration application and applicable fees, the City Clerk shall verify whether the property is eligible for registration and, if so, shall register the property.
- (1) If the property is not eligible for registration, the City Clerk shall inform the owner or controller of the deficiencies preventing registration, including what additional information, documentation, and/or fees are required.
- (C) After a non-owner occupied property has been registered, the owner or controller shall:
- (1) Notify the City Clerk of any change in the information provided in the original registration application, including but not limited to a change in occupancy status or a change in contact information for the owner, controller, or local agent, within thirty (30) days of the date of the change.
  - (2) Cause the dwelling to be inspected periodically as indicated in the Appendix to this Chapter. The owner is responsible for obtaining from the City evidence of said periodic inspection.
  - (3) If the non-owner occupied property has become ineligible for this registry, the City Clerk shall remove the property from the registry and shall provide the owner or controller with written notification of this action, the reason therefore, and shall inform the owner or controller of the deficiencies preventing

continued registration, including what additional information, documentation, and/or fees are required.

(D) Exceptions:

- (1) Owners or purchasers of structures which contain only one (1) dwelling unit, with or without an accessory garage, carport or shed, and which contain no other occupancy, may occupy that dwelling unit themselves without registering the unit or paying a fee. The owner's immediate family, defined as the owner's spouse or significant other, children, and up to two (2) grandparents, may also occupy that dwelling with the owner. All other requirements of this Chapter shall apply in such instances.
- (2) Owners and controllers of property properly registered under this section who are actively advertising and holding the property out for rental and/or sale shall not be required to register the property as unoccupied property under §151.099 of this ordinance. Evidence of same, such as a copy of any advertisement or listing, shall be provided to the City Clerk.

## **§ 151.099 UNOCCUPIED PROPERTY REGISTRY.**

- (A) The Office of the City Clerk shall maintain a registry of all unoccupied properties within the City of Saginaw.
- (B) An owner or controller of unoccupied property shall register the property with the City Clerk within sixty (60) days of transfer of title to the property to the name of the new owner. If the title was transferred prior to the effective date of this ordinance, the owner or controller of the property shall register the property with the City Clerk no later than sixty (60) days after the effective date of this ordinance.
- (C) To register unoccupied property, the owner or controller shall:
  - (1) Complete and file with the City Clerk, online or in-person, a registration application for each unoccupied property, which shall state or have attached, as applicable:
    - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
    - (b) A copy of the written agreement appointing a local agent for the owner or controller.

- (c) A statement describing the expected period of vacancy, a detailed plan for the regular maintenance of the property during the period of vacancy (for example, lawn maintenance and securing of any structures), and a timeline for the lawful re-occupancy of the property, the rehabilitation of the property, or the demolition of the dwelling and/or structure(s) on the property.
- (2) Pay in full the registration fees, as well as any applicable late fees, owed to the City for each unoccupied property.
- (3) Pay in full any property taxes due and owing on the property.
- (D) Any change in the information provided in the registry, including but not limited to a change in ownership, change in vacancy status, or a change in contact information for the owner, controller, and/or local agent shall be provided to the City Clerk within thirty (30) days of the date of the change.
- (E) Unoccupied property may not be occupied until all outstanding taxes, costs, assessments, and/or liens owed to the City of Saginaw have been paid in full and a certificate of occupancy has been issued by the City of Saginaw.
- (F) Exceptions:
  - (1) Unoccupied properties owned by governmental subdivisions/agencies need not be registered in accordance with this Chapter.

## **§ 151.100 VIOLATION/ABATEMENT.**

- (A) Violations of this Chapter shall be treated as strict liability offenses regardless of intent.
- (B) An owner or controller of non-owner occupied property or unoccupied property that is found to be in violation of any article of this Chapter shall be responsible for a municipal civil infraction as set forth in Chapter 37 of this Ordinance.
- (C) Properties subject to this ordinance shall at all times be kept free of weeds, dry brush, dead vegetation, trash, junk, building materials, and the accumulation of other debris and shall otherwise comply with the Saginaw Housing Code. Additionally, the property shall be maintained free of graffiti, tagging, and similar markings. Yards shall be landscaped and maintained pursuant to this Ordinance.
  - (1) If the property has not been maintained, the City may maintain the property and assess costs to the owner or controller. Such assessments may become a lien against the property.

(D) Properties subject to this ordinance shall at all times be maintained in a secure manner so as not to be accessible by unauthorized persons. The City shall have the authority to require the owner or controller to implement additional maintenance and/or security measures as deemed necessary.

(1) If a property has not been secured, the City may secure the property and assess costs to the owner or controller. Such assessments may become a lien against the property.

(E) Failure to properly maintain or secure either non-owner occupied property or unoccupied property will be deemed a nuisance for which the City may issue a written notice to correct. The City may abate any such nuisance upon the failure of the owner or controller of the property to take abatement action within ten (10) days of the written notice to correct. When the City has abated such a nuisance, the cost of the abatement, including any applicable administrative charges, will be billed to the owner of the property. Such billing shall be a personal debt of the owner to the City, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or which may be assessed as a lien against the property, including interest thereon, until paid.

(1) The owner of the property where such a nuisance exists is also responsible for a Class D municipal civil infraction as set forth in §94.02 of this Ordinance.

## **§ 151.101 FEES.**

(A) Fees for each registry shall be established by City Council and posted in the Office of the City Clerk.

(B) All registration/license cycles for non-owner occupied property shall start on March 15 of each year.

(1) For the period from the effective date of this section to March 15, 2014 all properties with a valid registration shall continue to be registered until March 15, 2014. Registrations shall all expire on March 15 of each year regardless of application date. If March 15 should fall on a holiday or weekend the fee shall be due on the next regular business day.

(C) All registration/license cycles for unoccupied property shall start on December 30 of each year.

(1) All unoccupied properties must be registered within sixty (60) days of the enactment of this ordinance. For the period from the effective date of this section to December 30, 2013, the annual registration fee shall be reduced by fifty (50%) percent.

- (2) Registrations shall expire on December 30 of each year regardless of application date. If December 30 should fall on a holiday or weekend the fee shall be due on the next regular business day.
- (D) An additional late charge of one hundred (100%) percent of the base fee shall apply and be assessed in the event of any of the following:
- (1) Failure to register unoccupied property within sixty (60) days of the enactment of this ordinance.
  - (2) Failure to register a non-owner occupied or unoccupied property within fifteen (15) days of date of written notice from the City that the property is in violation of this ordinance.
  - (3) Failure to pay the registration renewal fee by the required date each year.
  - (4) Failure to register a non-owner occupied or unoccupied property within sixty (60) days of transfer of title in the property.
  - (5) Failure to provide the City Clerk the required notice of any change in the information provided in the registry, including but not limited to a change in vacancy status or a change in contact information for the owner and/or controller within thirty (30) days of the date of the change.
- (E) Failure to pay any applicable fees or late fees shall be deemed a personal debt of the owner to the City, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or assessed as a lien against the property, including interest thereon, until paid.

This ordinance shall become effective October 3, 2013.

Enacted: September 23, 2013.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

## ORDINANCE DECLARED ADOPTED

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Gregory L. Branch  
Mayor

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Janet Santos, CMC/MMC  
City Clerk

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on September 23, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

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Janet Santos, CMC/MMC  
City Clerk



Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to adopt an ordinance introduced on August 19, 2013, entitled and reading as follows, be taken up and enacted:

O-\_\_\_\_\_

AN ORDINANCE TO REPEAL §153.445 “STATEMENT OF PURPOSE,” §153.446 “PRINCIPAL PERMITTED USES,” §153.447 “PROHIBITED USES,” §153.448 “PERMITTED USES AFTER SPECIAL APPROVAL,” § 153.449 “GENERAL REVIEW AND DESIGN GUIDELINES,” AND §153.450 “BOUNDARIES OF THE RIVERFRONT OVERLAY ZONE,” OF THE “RIVERFRONT AND BUSINESS DISTRICT OVERLAY ZONE,” AND TO REPEAL §153.460 “PURPOSE,” §153.461 “PRINCIPAL PERMITTED USES,” §153.462 “PERMITTED USES AFTER SPECIAL APPROVAL,” §153.463 “SITE PLAN REVIEW,” §153.464 “AREA, HEIGHT, BULK, AND PLACEMENT REQUIREMENTS AND PERFORMANCE STANDARDS,” OF THE “RIVERFRONT MIXED USE DISTRICT,” AND TO ADD NEW §153.460 “PURPOSE,” §153.461 “PRINCIPAL PERMITTED USES,” §153.462 “PERMITTED USES AFTER SPECIAL APPROVAL,” §153.463 “REQUIRED CONDITIONS,” §153.464 “SITE PLAN REVIEWS,” §153.465 “AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS AND PERFORMANCE STANDARDS,” AND §153.466 “GENERAL REVIEW AND DESIGN GUIDELINES,” OF THE “RIVERFRONT MIXED USE DISTRICT,” OF CHAPTER 153, “ZONING REGULATIONS,” OF TITLE XV “LAND USAGE,” OF THE CITY OF SAGINAW CODE OF ORDINANCES , O-1.

The City of Saginaw Ordains:

## ***RIVERFRONT MIXED USE DISTRICT***

### **§ 153.460 PURPOSE.**

The Riverfront Mixed Use (RMU) District as identified on the City zoning map is a transitional area of the Riverfront and Washington Avenue Corridor which is intended for new commercial, office, residential, park, recreation and marina development. The RMU District is intended to guide and promote the development of Saginaw’s River Corridor and adjacent business districts in accordance with The Saginaw River Corridor Master Plan (2000) and the City of Saginaw Master Plan 2011. A prime characteristic of this district is a core of intense pedestrian activity with shopping and merchandising activities that serve the entire community or large sections thereof, and which is so located that the provisions of off-street parking facilities cannot reasonably be required. Industrial and single family detached residential uses will be phased out over time and will be treated as nonconforming uses and subject to regulations of § 153.090 *et seq.*

## § 153.461 PRINCIPAL PERMITTED USES.

In the RMU District no uses shall be permitted unless otherwise provided in this subchapter, except the following:

- (A) Food service, (excluding drive-in type businesses), the business of which shall be conducted entirely within an enclosed building, including but not limited to the following:
  - (1) Restaurants;
  - (2) Bakeries;
  - (3) Ice cream, gelato and yogurt shops;
  - (4) Taverns, pubs, and sports bars;
  - (5) Groceries;
  - (6) Meat, fish and poultry markets.
- (B) Business, professional, financial institutions and governmental offices and medical clinics.
- (C) Mixed-use buildings that include at least one floor devoted to an allowed non-residential use and at least one floor devoted to allowed residential uses.
- (D) Retail services and retail stores, excluding adult bookstores, massage parlors and wholesale venues;
- (E) Entertainment venues such as movie theaters, live and dinner theater, entertainment in food establishments, excluding adult motion picture theaters and cabarets;
- (F) Housing:
  - (1) Single-family attached townhouses;
  - (2) Condominiums;
  - (3) Loft-style apartments and apartment buildings.
  - (4) Single family dwellings, as described in § 153.021, in existence as of the date of this ordinance, shall be allowed to continue as a permitted use, including the ability to reconstruct, repair, restore, or use any building or structure if damaged by fire, collapse, explosion, acts of God or acts of a public enemy providing that such restoration shall take

place within one year from the time of such damage, and provided further, that said use be identical to the use directly preceding said damage. Accessory buildings and uses customarily incidental to the above principal permitted use, subject to requirements of § 153.060 will also be a permitted use. Area, height, bulk, and placement requirements and performance standards are as specified for an R-1 Zoning District in § 153.174.

(G) Lodging: Bed and breakfast facilities.

(H) Recreation including but not limited to the following:

(1) Marinas;

(2) Docking facilities;

(3) Parks and recreation areas, riverfront walkways, and bike paths;

(4) Nature preserves;

(5) Commercial recreation, theaters, bowling alleys, skating rinks, billiard and pool halls and dance halls.

(I) Uses similar to the above as determined appropriate by the City Planning Commission;

(J) Off-street parking and loading facilities in accordance with the requirements of § 153.115 *et seq*;

(K) Temporary buildings and trailers for use incidental to construction work.

## **§ 153.462 PERMITTED USES AFTER SPECIAL APPROVAL.**

(A) All uses listed under permitted uses in which any part of the use is not conducted entirely within an enclosed building such as outdoor seating and drive-in facilities, and excluding marinas, docking facilities, parks, riverfront walkways, bike paths, and nature preserves;

(B) Stadiums;

(C) Assembly and concert halls;

(D) Farmers' markets;

(E) Hotels and motels;

(F) Commercial parking lots;

- (G) Schools of instruction;
- (H) Funeral homes;
- (I) Hospitals, excluding veterinary hospitals and veterinary clinics;
- (J) Nursery schools, day nurseries and child day care centers, subject to site standards established in § 153.490 et seq.
- (K) Houses of worship;
- (L) Automobile service stations;
- (M) Food trucks and food carts.

## **§ 153.463 REQUIRED CONDITIONS.**

The following conditions are required for all uses in the RMU District:

- (A) All business and service establishments shall be conducted wholly within a completely enclosed building, unless special approval is granted. Further, all lighting in connection with permitted business uses shall be so arranged as to reflect the light away from all adjoining residential buildings or residentially zoned property.
- (B) All business or service establishments shall be mainly for the purpose of dealing directly with consumers. All goods produced or processed on the premises shall be principally sold at retail on the premises where produced and/or processed.
- (C) Where a new or expanded land use occurs in a RMU district, after the effective date of this chapter, which abuts directly upon a residentially zoned district, protective screening shall be provided in accordance with § 153.072.

## **§ 153.464 SITE PLAN REVIEW.**

For all uses in the RMU District, a site plan shall be submitted for review and approval in accordance with § 153.073.

## **§ 153.465 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS AND PERFORMANCE STANDARDS.**

Area, height, bulk and placement requirements and performance standards, unless otherwise specified, are as provided in § 153.490 et seq. and § 153.074.

## § 153.466 GENERAL REVIEW AND DESIGN GUIDELINES

- (A) The Planning Commission shall place emphasis on the following in review of requests for special approval in the Riverfront Mixed Use District:
- (1) Create high quality commercial, residential and recreational development that improves linkages to the waterfront;
  - (2) Create a high level of pedestrian-oriented street level activity;
  - (3) Renovate all existing buildings, with emphasis placed on the preservation of historic structures;
  - (4) Develop appropriate infill buildings on vacant sites;
  - (5) Encourage development that is urban, not suburban in design;
  - (6) Effectively screen parking for key sight lines through landscaping, decorative fencing or placement of parking behind buildings.
- (B) The River Corridor Design Guidelines are hereby incorporated into the Riverfront Mixed Use District by reference. The City Planning Commission and City staff will use the guidelines in their review of projects to ensure the development is consistent with the intent of the goals and objectives of the Design Guidelines of the River Corridor.

This ordinance shall become effective September 19, 2013.

Enacted: September 9, 2013.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

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Gregory L. Branch  
Mayor

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Janet Santos, CMC/MMC  
City Clerk

### ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on September 9, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

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Janet Santos, CMC/MMC  
City Clerk

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September 9, 2013  
Page 5 of 5

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to adopt an ordinance introduced on August 19, 2013, entitled and reading as follows to taken up and enacted:

O-\_\_\_\_\_

AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES WITHIN AN AREA MORE OR LESS BOUNDED TO THE NORTH BY WEISS STREET EXTENDED EASTERLY; TO THE EAST BY PART OF WASHINGTON AVENUE, 2<sup>ND</sup> AVENUE, MILLARD STREET, OWEN STREET, HOWARD STREET AND JEFFERSON AVENUE; TO THE SOUTH BY PART OF RUST AVENUE AND STEPHENS STREET; TO THE WEST BY PART OF FAYETTE STREET, S. HARRISON STREET, REMINGTON AVENUE , N. BOND STREET, COOPER AVENUE, STONE STREET, CONGRESS AVENUE, SCHAEFER STREET, DAVENPORT AVENUE AND CARROLTON STREET, TO RIVERFRONT MIXED USE.

The City of Saginaw Ordains:

Beginning at the northwesterly corner of Millard Street and Owen Street, thence northeasterly to the northwest corner of E. Genesee Avenue and Second Street extended, thence north on the west line of Second Street to the south right of way of I-675, thence west to the northwest corner of I-675 and Washington Avenue, thence north on the west line of Washington Avenue to the northwest corner of Washington Avenue and Potter Street extended, thence northwesterly along Potter Street extended to the west line of the Saginaw River, thence northerly following the westerly line of the Saginaw River to the north city limits. Thence westerly along the northerly City limits to the center line of the main track of the Grand Trunk Railroad, thence southerly along the center line of the main track of the Grand Trunk Railroad to the southerly line of Davenport Street, thence westerly along the southerly line of Davenport Street to the easterly line of Schaefer Street, thence southerly along the easterly line of Schaefer Street to the southerly line of Congress Avenue, thence westerly along the southerly line of Congress Street to the westerly line of Stone Street, thence southerly along the westerly line of Stone Street to the southerly line of Cooper Street, thence westerly along the southerly line of Cooper Street to the westerly line of North Bond Street, thence southerly and southwestery along the westerly line of North Bond Street to the southerly line of Remington Street, thence southeasterly along the southerly line of Remington Street to the westerly line of North Fayette Street, thence southwestery along the westerly line of North Fayette Street to the northwesterly line of Court Street, thence northwesterly along the northwesterly line of Court Street to the westerly line of South Harrison Street, thence southwestery along the westerly line of South Harrison Street to the southerly line of Cass Street, thence southeasterly along the southerly line of Cass Street to the westerly line of South Fayette Street, thence southwestery along the westerly line of South Fayette Street to the northerly line of Stephens Street, thence southeasterly along the northerly line of Stephens Street to the northerly line of Rust Avenue, thence easterly along the northerly line of Rust Avenue to a point 942.14 feet east of the northeast corner of Rust Avenue and Washington Avenue, thence N

24degrees 30seconds east 360.51 feet, thence east 439.89 feet, thence north 450 feet to the south line of Lot 9, Hoyt's Subdivision of James Riley reservation, thence east to the east line of Jefferson Avenue, thence northeast along the east line of Jefferson Avenue and Jefferson Avenue extended to the southerly line of Holden Street, thence easterly along the southerly line of Holden Street to the easterly line of Owen Street, thence northeasterly along the easterly line of Owen Street to the southerly line of Meredith Street, thence easterly along the southerly line of Meredith Street to the easterly line of Howard Street, thence northeasterly along the easterly line of Howard Street to the northerly line of Hoyt Street, thence northwesterly along the northerly line of Hoyt Street to the easterly line of Owen Street, thence northerly along the easterly line of Owen Street to the northerly line of Millard Street and the place of beginning. Excepting from the above description Lot 1, Joseph Campau Farm lying west of Michigan Avenue and south of Houghton Avenue, Lots 2, 3 & 4 Joseph Campau Farm lying west of Michigan Avenue, also known as Bliss Park.

This ordinance shall become effective September 19, 2013.

Enacted: September 9, 2013.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

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Gregory L. Branch  
Mayor

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Janet Santos, CMC/MMC  
City Clerk

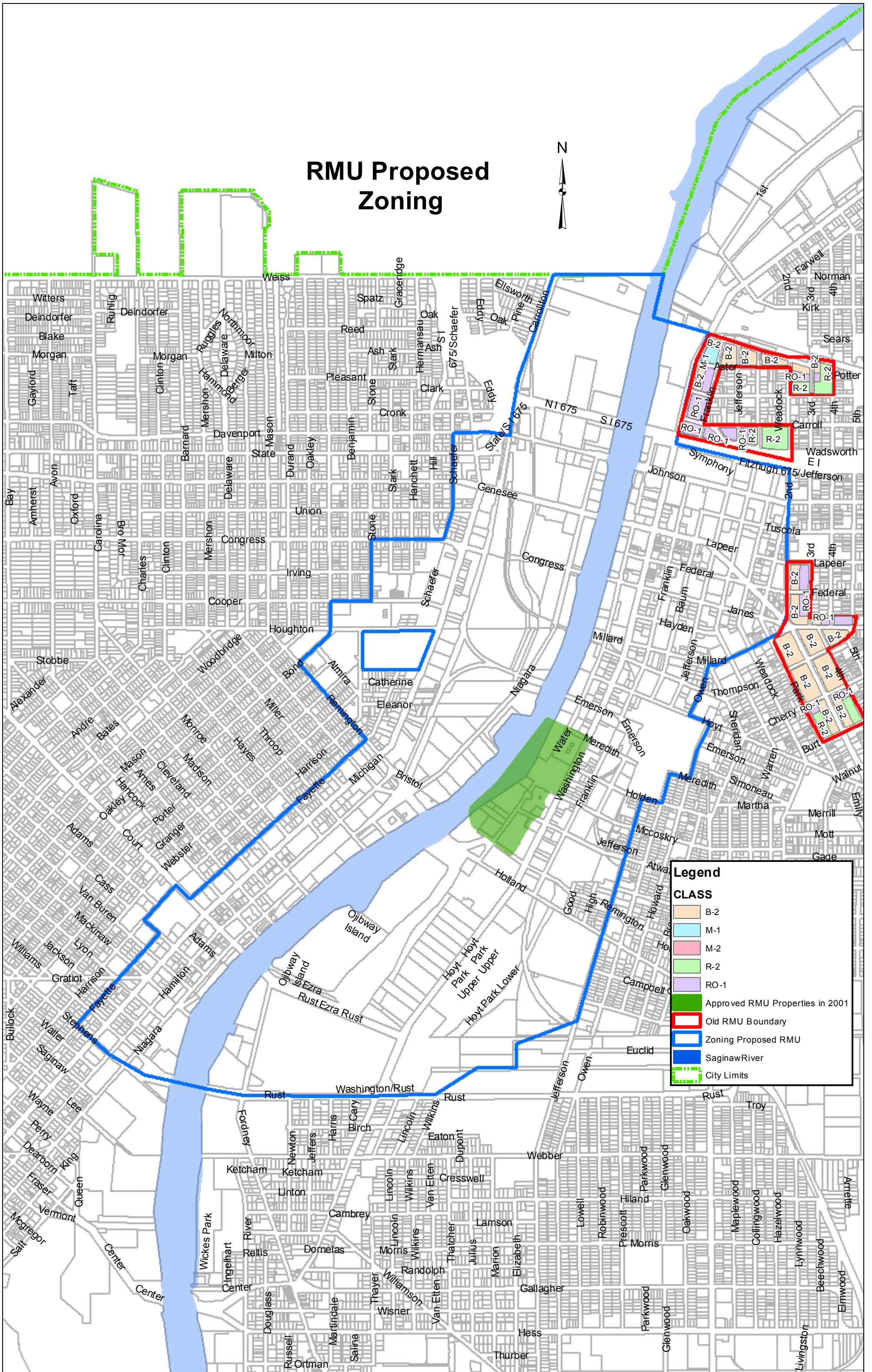
## ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on September 9, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

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Janet Santos, CMC/MMC  
City Clerk

# RMU Proposed Zoning



**Legend**

**CLASS**

- B-2
- M-1
- M-2
- R-2
- RO-1
- Approved RMU Properties in 2001
- Old RMU Boundary
- Zoning Proposed RMU
- Saginaw River
- City Limits



**From:** Darnell Earley, City Manager  
**Subject:** Authorization for Change with Consumers Energy - ROW Division  
**Prepared by:** Beth London, Public Services Department

**Manager's Recommendation:**

I recommend that the Authorization for Change in the Standard Street Lighting Contract with Consumers Energy Corporation ("Consumers") be approved. The Authorization for Change has been approved by the City Manager as to substance and the City Attorney as to form. It is further recommended that the City Council authorize the Mayor or his designee to sign this Authorization for Change for Fiscal Year 2013-2014, and any other changes that may occur within this timeframe.

**Justification:**

In 1978, the City of Saginaw ("City") and Consumers entered into a standard street lighting contract whereas any alterations to the street lighting system require an Authorization for Change be approved by the City Council and submitted to Consumers Energy. These changes are then removed or added to the corresponding street light bill. City staff has determined the contract will need to be amended to reflect the changes listed on the Resolution, for the changes that have occurred due to road construction, and the installation of LED retrofit kits.

Consumer Energy Company 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.

**Council Action:**

This communication is for explanation purposes of the resolution to be adopted.

## Authorization for Change in the Standard Street Lighting Contract with Consumers Energy

Council Member \_\_\_\_\_ moved, seconded by Council Member \_\_\_\_\_ to adopt the following resolution:

**WHEREAS:** the changes to the Standard Street Lighting Contract between Consumers Energy Company and the City of Saginaw have been submitted to Consumers Energy for approval; and those changes are as listed below; and

1. Removed 16 street lights on Court Street between Michigan Avenue and Hamilton Street and these are to be removed from the Unmetered Street Light invoice.
2. Installed 12 street lights on Court Street between Michigan Avenue and Hamilton Street and these were placed on a metered monthly invoice.
3. Removed 1 street light at the NE Corner of Gallagher Street and South Washington Avenue and this is to be removed from the Unmetered Street Light invoice.
4. Removed 2 lights on Jefferson Avenue between Johnson Street and Tuscola Street and these are to be removed from the Unmetered Street Light invoice.
5. Removed 57 lights on East Genesee Avenue from Franklin Street to Janes Avenue and these are to be removed from the Unmetered Street Light invoice and these were placed on a metered monthly invoice.
6. Converted 48 decorative street lights to LED on the Andersen Bridge and these are to be removed from the Unmetered Street Light rate and added to the Unmetered LED Street light rate.
7. Retrofitted 21 street lights on Ezra Rust Drive to LED and these are to be removed from the Unmetered Street Light rate and added to the Unmetered LED Street light rate.
8. Removed 1 light at Baum Street and Federal Avenue and this is to be removed from the Unmetered Street Light invoice.
9. Removed 6 under bridge lights at I-675 and 5<sup>th</sup> Avenue and these are to be removed from the Unmetered Street Light rate and installed 6 under bridge lights and these are to be added to the Unmetered LED Street light rate.
10. Removed 6 under bridge lights at I-675 and 6<sup>th</sup> Street and these are to be removed from the Unmetered Street Light rate and installed 6 under bridge lights and these are to be added to the Unmetered LED Street light rate.
11. Removed 6 under bridge lights at I-675 and Warren Avenue and these are to be removed from the Unmetered Street Light rate and installed 6 under bridge lights and these are to be added to the Unmetered LED Street light rate.
12. Removed 6 under bridge lights at I-675 and 2<sup>nd</sup> Avenue and these are to be removed from the Unmetered Street Light invoice.
13. Removed 6 under bridge lights at I-675 and Weadock Avenue and these are to be removed from the Unmetered Street Light invoice.

14. Removed 3 under bridge lights at I-675 & Davenport Avenue and these are to be removed from the Unmetered Street Light invoice.

**WHEREAS:** additional changes to the Standard Street Lighting Contract between Consumers Energy Company and the City of Saginaw have occurred or may be forthcoming over this fiscal year (2013-2014) for improvements to existing lighting or for additional lighting;

**WHEREAS:** the Authorization for Change has been approved by the City Manager as to substance and the City Attorney as to form;

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor or his designee are authorized to execute said changes on behalf of the City for the above listed changes and any forthcoming changes over this fiscal year (2013-2014) to the Street Lighting Contract with Consumers Energy Company.

Ayes:

Nays:

Absent:

Abstain:

## RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on September 9, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

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Janet Santos, CMC/MMC  
City Clerk

**From:** Darnell Earley, City Manager

**Subject:** 2013 Revenue Contract Supplement between the Saginaw Midland Municipal Water Supply Corporation and the Cities of Saginaw and Midland

**Prepared by:** Andre R. Borrello, City Attorney

**Manager's Recommendation:**

I recommend the approval of the 2013 Revenue Contract Supplement between the Saginaw Midland Municipal Water Supply Corporation and the City of Saginaw (and the City of Midland) and authorize the Mayor and City Clerk to execute same.

**Justification:**

The City of Saginaw is joint owner with the City of Midland of the Saginaw Midland Municipal Water Supply Corporation (SMMWSC), which sells raw, unfiltered water to the two cities for treatment, distribution and sale to retail and wholesale customers. SMMWSC also sells raw water to entities along its transmission lines. Recently, SMMWSC entered into a 40-year contract with the Bay County Road Commission to supply raw water to its new water treatment filtration plant, which will replace the City of Bay City's existing treatment facility. Proceeds from a bond sale are needed to fund capital improvements that are necessary to supply the plant with raw water.

Under the terms of the 2013 Revenue Contract Supplement, the bond sale amount is not to exceed \$4.2 million, and the costs are allocated as follows:

• Capital Improvements Construction Cost	\$3,092,175
• Contingency of ~10%	\$ 309,217
• Engineering	\$ 261,000
• <u>Property Acquisition Cost</u>	<u>\$ 50,000</u>
Sub-Total	\$3,712,392

**Total w/ Capitalized Interest & Bond Sale Costs/Fees      \$4,200,000**

The capital improvements to be made by SMMWSC include construction of the raw water connection (including construction of pipeline, vaults, and acquisition of property for same) and improvements to the Pinconning Plant.

The costs of the bonds to the SMMWSC will be recouped in the raw water rate that it charges the Bay County Road Commission.

In approving the 2013 Revenue Contract Supplement, the City of Saginaw would be pledging its limited tax full faith and credit as secondary security for the payment of its allocable share (23/43) of the principal and interest of the bonds to be issued by the SMMWSC.

**Council Action:**

This council communication is for explanation purposes of the resolution to be adopted.

## APPROVE THE ACQUISITION, CONSTRUCTION AND FINANCING OF THE IMPROVEMENTS TO THE WATER SUPPLY SYSTEM OPERATED BY THE SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION

Moved by Council Member \_\_\_\_\_ seconded by Council Member \_\_\_\_\_ to adopt the following resolution:

**WHEREAS**, the City of Saginaw, County of Saginaw, and the City of Midland, Counties of Bay and Midland, each municipal corporations of the State of Michigan (together, the "Local Units"), and the Saginaw-Midland Municipal Water Supply Corporation, a public corporation formed pursuant to Act 233, of the Public Acts of 1955, as amended ("Act 233"), have entered into a contract, dated April 5, 1965 (the "Base Contract"); and

**WHEREAS**, said Base Contract provides that the cost of enlargements and improvements to the water supply system operated by The Saginaw-Midland Municipal Water Supply Corporation (Corporation), for the benefit of the Local Units be allocated to the Local Units on the basis of 23/43 to the City of Saginaw and 20/43 to the City of Midland; and

**WHEREAS**, said Base Contract further provides that the Local Units will cooperate in the acquisition and financing of such additional enlargements and improvements in accordance with the Base Contract and Act 233; and

**WHEREAS**, the Corporation has agreed to supply raw water to the County of Bay (the "County"), for the new Bay Area Water Treatment Plant (the "Plant"), and has entered into a forty (40) year contract with the County to do so; and

**WHEREAS**, it is now deemed necessary to acquire, construct and finance improvements (the "Improvements"), to the water supply system operated by the Corporation for the benefit of the Local Units in order to supply water to the Plant; and

**WHEREAS**, a contract supplement entitled "2013 Revenue Contract Supplement" has been prepared and presented to this City Council for its review and consideration; and

**WHEREAS**, the Corporation and its constituent members are required by Act 34 of the Public Acts of Michigan of 2001, as amended, to be qualified to issue municipal securities or to file an application to issue long term securities with the Municipal Finance Division of the Michigan Department of Treasury ("Treasury"), and to further agree to certain undertakings required by federal securities laws, so as to facilitate the issuance and sale of the bonds by the Corporation (the "Bonds"), to an underwriter or placement agent in order to finance the Improvements.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The 2013 Revenue Contract Supplement, dated as of July 1, 2013, between the Corporation and the Local Units, with respect to the acquisition, construction and financing of the Improvements to the water supply system operated by the Corporation on behalf of the Local Units, is hereby approved, ratified and confirmed and the Mayor and the City Clerk are hereby authorized and directed to execute, seal and deliver the same for and on behalf of the City.

2. The City Council also hereby approves the plans for such improvements and the estimates of not more than \$4,200,000 as the cost thereof and forty (40) years as the period of usefulness thereof.

3. The City Council ratifies and affirms the City's pledge of its limited tax full faith and credit as secondary security for the payment of its allocable share of the principal and interest of the Bonds to be issued by the Corporation to finance the Improvements and covenants to pay same from its general funds as a first budget obligation or to levy taxes within its charter tax rate limitation beginning with calendar year 2014 should other revenues, including water payments by the County, and funds for this purpose be insufficient.

4. The notice of intent giving rise to a right of referendum as adopted and published by the Corporation be and is hereby acknowledged by the City; and the City Clerk be and is hereby directed to receive any such petition for referendum which are proper as to form and are timely filed.

5. The Mayor and the City Clerk are hereby authorized and directed to execute the 2013 Revenue Contract Supplement for and on behalf of the City. The 2013 Revenue Contract Supplement may be executed in such number of counterparts as may be desirable and a copy of such contract supplement as presented to the City Council as herein approved shall be placed on file with the City Clerk and made available for examination by any interested person during normal business hours during the pendency of any referendum period as may be in effect regarding the issuance of the Corporation's bonds relating to the project referenced in said contract supplement.

6. In order to enable the underwriter of the Bonds to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission ("Rule 15c2-12"), the City hereby agrees to undertake continuing disclosure as an "obligated person" pursuant to Rule 15c2-12, to the extent required by Rule 15c2-12. Pursuant to the terms of a Continuing Disclosure Undertaking to be prepared and executed by the City, to the extent required by Rule 15c2-12, the City will provide, or cause to be provided, (i) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, (ii) timely

notice of the occurrence of certain material events with respect to the Bonds, and (iii) timely notice of a failure by the City to provide the required annual financial information on or before the date required in the Continuing Disclosure Undertaking. The Deputy City Manager/Chief Financial Officer is authorized to approve the disclosure of the City's information in the Preliminary Official Statement and final Official Statement of the Corporation of the Bonds, and is directed to execute such Continuing Disclosure Undertaking on behalf of the City in such form as he shall, in consultation with bond counsel, determine to be appropriate.

7. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of proceeds of the Bonds and moneys deemed to be the proceeds of the Bonds, and to prevent the Bonds from being or becoming "private activity bonds" as that term is used in Section 141 of the Code. The Deputy City Manager/Chief Financial Officer, upon the advice of bond counsel for the Corporation, is hereby authorized to designate all or any portion of the Bonds as "qualified tax-exempt obligations" for purposes of deduction of interest expense pursuant to the Code on the City's behalf, and to execute any form of certificate or order satisfactory to the Corporation's bond counsel to evidence such designation, to the extent that such designation is lawfully available under the Code.

8. The Deputy City Manager/Chief Financial Officer is hereby authorized to execute on behalf of the City any closing document or certificate as may be required by the Corporation or the purchaser of the Bonds and to do such other things and sign such other documents required by the City for the issuance of the Bonds.

9. Miller, Canfield, Paddock and Stone, P.L.C. is being retained by the Corporation to act as bond counsel for the Bonds. The City consents to the representation of the Corporation by Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel, notwithstanding its representation of the City or prospective purchasers of the Bonds in unrelated matters.

10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

- Ayes:
- Nays:
- Absent:
- Abstain:



**RESOLUTION DECLARED ADOPTED**

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on September 9, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

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Janet Santos, CMC/MMC  
City Clerk

## INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FOR SOLUTIONS 4 AUTOMATION, INC., 2124 S. MICHIGAN AVENUE

Moved by Council Member \_\_\_\_\_ seconded by Council Member \_\_\_\_\_ to adopt the following resolution:

**WHEREAS**, Solutions 4 Automation, Inc. did on August 19, 2013, submit an application for an Industrial Facilities Tax Exemption Certificate as provided by Act 198, P.A. of 1974, as amended, hereinafter referred to as the Act; and

**WHEREAS**, the Council has carefully considered said application and all information pertinent thereto.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council hereby finds and determines as follows:

1. The Council of the City of Saginaw on May 23, 2011, on the request of PBW2 LLC and on the initiative by the City Council of the City of Saginaw did lawfully establish in the City of Saginaw, an Industrial Development District pursuant to the Act, said district comprising that certain parcels of land in the State of Michigan, County of Saginaw and City of Saginaw of which is on file in the City Clerk's Office.

2. Upon receipt of the above-mentioned application for an Industrial Facilities Tax Exemption Certificate from Solutions 4 Automation, Inc., the City Clerk did notify in writing the Assessor of the City of Saginaw and the legislative body of each taxing unit which levies ad valorem property taxes in the City of Saginaw, this being the governmental unit in which the facility for an Industrial Facilities Tax Exemption Certificate is sought to be located, said taxing units being the Public Libraries of Saginaw, Delta College, Saginaw Intermediate School District, Saginaw Board of Education, Saginaw County Board of Commissioners and Saginaw Transit Authority Regional Services, enclosing a copy of the above-described application for Industrial Facilities Tax Exemption Certificate and notifying each that it would be given an opportunity to be heard on this matter by the Council at its regular meeting on Monday, September 9, 2013 at 6:30 p.m. in the City Hall Council Chamber, 1315 S. Washington, Saginaw, Michigan.

3. The Council has on this date and earlier in this meeting afforded Solutions 4 Automation, Inc., the Assessor of the City of Saginaw, and a representative of each affected taxing unit an opportunity for a hearing on the above-mentioned application for Industrial Facilities Tax Exemption Certificate, and the Council has given due consideration to all information presented at said hearing.

4. The City Assessor has heretofore determined and furnished to the Council the value of the property to which the above-mentioned application pertains, the aggregate

state equalized valuation of real and personal property which would be exempt from ad valorem taxes under the Act in the City of Saginaw after granting the above-petitioned Industrial Facilities Tax Exemption Certificate and the sum of the state equalized valuation of the City of Saginaw and the aggregate state equalized valuation of real and personal property exempt from ad valorem taxes under the Act in the City of Saginaw.

5. Construction of the facility or installation of machine and equipment, which is the subject of the above-mentioned application, was not begun earlier than 6 months before the filing of the application for the Industrial Facilities Tax Exemption Certificate.

6. The application filed for the certificate indicates that one new job will be created, and 21 current jobs will be retained, in the City of Saginaw, this being the community in which the facility is situated.

7. The aggregate state equalized valuation of real and/or personal property exempt from ad valorem taxes under the Act in the City of Saginaw after granting the Industrial Facilities Tax Exemption Certificate applied for will not exceed 5 percent of an amount equal to the sum of the state equalized valuation of real and/or personal property exempt from ad valorem taxes under the Act in the City of Saginaw.

8. Granting of the Industrial Facilities Tax Exemption Certificate considered with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act. No. 255 of the Public Acts of 1978 shall not have the effect of substantially impeding the operation of local government or impairing the financial soundness of any unit of local government.

9. The aforementioned application complies in all respects with the applicable provisions of the Act, and all actions and proceedings necessary for the approval of said application by the Council of the City of Saginaw have been accomplished as required by said public act.

10. As part of the aforementioned application, Solutions 4 Automation, Inc. has entered into an Industrial Facilities Tax Abatement Agreement with the City of Saginaw setting forth the terms and requirements of the company as part of the City's approval of the certificate.

**BE IT FURTHER RESOLVED**, that the Council of the City of Saginaw does hereby approve the above-described application of Solutions 4 Automation, Inc., 2124 S. Michigan Avenue, Saginaw, Michigan, for an Industrial Facilities Tax Exemption Certificate for a period of 12 years.

Ayes:

Nays:

Absent:

Abstain:

**RESOLUTION DECLARED ADOPTED**

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on September 9, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

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Janet Santos, CMC/MMC  
City Clerk