

## Council Agenda

September 27, 2010 6:30 p.m., Council Chamber

### PRAYER AND PLEDGE OF ALLEGIANCE

### ROLL CALL

### CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

September 13, 2010 regular Council meeting.

### ANNOUNCEMENTS:

Fire Chief E. Dean Holland to accept proclamation designating October 3 – 9, 2010 as Fire Prevention Week

### PUBLIC HEARINGS:

1. Request from Custom Foods, Inc. for an Industrial Facilities Exemption Certificate for the property located at 634 Kendrick Street, Saginaw, Michigan.
2. Request from Hausbeck Pickle Company, Inc. for an Industrial Facilities Exemption Certificate for the property located at 1626 Hess Street, Saginaw, Michigan.

### PERSONAL APPEARANCES:

### REMARKS OF COUNCIL:

### PETITIONS:

10-25 from Diane Clements, 201 N. Washington, requesting permission to erect a banner in the 300 block of South Michigan from November 1<sup>st</sup> – November 30<sup>th</sup>.

10-26 from James R. McIntyre, PRIDE in Saginaw, requesting permission for fireworks display at Ojibway Island on November 19, 2010 (rain date November 20, 2010) for the Holidays in the Heart of the City.

10-27 from Michael Quinnell, Saginaw Midland Municipal Water Supply Corporation, requesting approval of the capital expenditure items as shown on the attached Revised Budget for Capital Improvement and Emergency Repair.

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

REPORTS FROM MANAGER:

Management Update:

Greg McDonald, Co-chair of the City Planning Commission, and Rob Eggers, Senior Planner of Spicer Group, will give an update on the City's Master Plan.

Recommended Actions:

1. Recommending approval of the year-end citywide budget adjustment.
2. Recommending approval of the Extension of the Agreement for Professional Legal Services with Gilbert, Smith and Borrello, P.C. This extension of the contract has been approved by the City Manager as to substance and the City Attorney as to form. The City has entered into agreements with various law firms to provide legal services to the City. This agreement would extend the contract for another two years, until July 10, 2012, under the same terms, rates and conditions.
3. Recommending approval of the Agreement for Professional Legal Services with Michele Allen. This contract has been approved by the City Manager as to substance and the City Attorney as to form. Michele Allen was previously employed for many years as Chief Assistant City Attorney and is familiar with all operations of the City. The hourly rate will be \$75.00. The area of concentration will involve the NSP2, but there may be additional assignments in labor, contracts and others.
4. Recommending approval of the Extension of the Agreement for the City of Saginaw to provide wastewater services to the Northwest Utilities Authority, and that the City Manager or his designee be authorized to execute this extension and any related documents.
5. Recommending that an easement be granted to Northwest Utilities Authority (NUA). The City received a request from NUA for an easement and right-of-way to make surveys, lay, construct, maintain, operate, alter, replace and repair and remove at any time hereafter any sanitary force main and appurtenances on, over, under, and across the easement. The easement is adjacent to Veteran's Memorial Highway (M-13), and includes property within the Wastewater Treatment Plant. The easement has been approved by the City Manager as to substance and the City Attorney as to form.

6. Recommending acceptance of the sole bid and issuance of a purchase order to R. T. Corporation in the amount of \$2,413.50 for bacteriological performance tests. Funds are budgeted in the Water Operations and Maintenance Fund, Treatment and Pumping Operating Services Account, No. 591 4730 861 8005.
7. Recommending that a purchase order be approved and issued to Infor Global Solutions, Inc. in the amount of \$3,807.08 for the annual renewal maintenance fee for the MP2 Software utilized by personnel from the Water Treatment and Wastewater Treatment Plant for the inventory of plant equipment. Funds are budgeted in the Sewer Operation and Maintenance Fund – Process Control Systems Operating Services Account, No. 590 4815 851 8005 (\$1,903.54) and Water Operation and Maintenance Fund Process Control Systems Operating Services Account, No. 591 4715 851 8005 (\$1,903.54).
8. Recommending that a purchase order be approved and issued to Bentley Systems, Inc. in the amount of \$6,000.00 for the Bentley Water GEMS Annual GIS Software Renewal Maintenance Fee. Funds are budgeted in the Technical Services Operating Services Account, No. 650 1738 781 8005.
9. Recommending acceptance of the lowest quote from Engel's Auto Body and issuance of a purchase order to them in the amount of \$3,469.77 for the body repair of a truck used by the Right of Way Division. Insurance proceeds will be combined with the deductible to pay for repairs. Funds are budgeted in the Motor Pool Operations Fund, Motor Vehicle Repair Account, No. 661 4480 841 8042.
10. Recommending acceptance of the lowest bid TBF Graphics and issuance of a purchase order to them in the amount of \$8,299.58 for the printing and mailing of 2011 Rubbish Bills. Funds are budgeted in the Rubbish Collection Fund, Administration's Professional Services Account, No. 226 4581 841 8001 (\$4,149.79) and Postage and Freight Account, No. 226 4581 841 8015 (\$4,149.79).
11. Recommending that the purchase order issued to Scott Tire Sales in the amount of \$39,250.00 be rescinded and a new purchase order be issued to Northwest Tire and Service for the same amount. Council approved a purchase order to Scott's Tire Service on July 10<sup>th</sup> for State bid pricing on tires. Scott's Tire Service has gone out of business. Northwest Tire and Service is now the State bid vendor locally and is located in the City.
12. Recommending that payment be made to Old Dominion Brush Company in the amount of \$17,880.00 for fiscal year 2011 and \$17,880.00 for fiscal year 2012 for a total of \$35,760.00 for replacement brooms for street sweepers. Funds are available in the Motor Pool Operations Fund, Motor Vehicle Parts and Supplies Account, No. 661 4480 841 7312.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:  
RESOLUTIONS:

1. Approving the Facilities Tax Exemption Certificate for Custom Foods, Inc., 634 Kendrick Street.
2. Approving the Industrial Facilities Tax Exemption Certificate for Hausbeck Pickle Company, Inc. 1626 Hess Avenue.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley  
City Manager

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Ikon Office Solutions Copy Machine Lease

**Manager's Recommendation:**

I recommend that the bid from the State of Michigan be accepted and that a purchase order be issued to Ikon Office Solutions in the amount of \$169.24 per month for 60 months, for a total cost of \$10,154.40. Further, that the lease agreement between the City of Saginaw and Ikon Office Solutions be approved and the appropriate officials be authorized and directed to execute it and that the Director of Technical Services can execute any associated documents on behalf of the City. The State of Michigan bid has been approved by the City Manager as to substance and by the City Attorney as to form.

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

Funds for this purchase are available in the City Manager's Office - Operating Services Account, No. 101-1710-701-8005.

**Justification:**

The State of Michigan solicited bids for copy machines of which Ikon Office Solutions was the successful bidder. The lease cost includes copier maintenance, supplies and new model switch out program. To ease the impact to departmental budgets, a 60-month lease is recommended for the office of the City Manager.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** MP2 Software Maintenance Fee

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued to Infor Global Solutions, Inc. in the amount of \$3,807.08 for the annual renewal maintenance fee for the MP2 Software.

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 are budgeted in Sewer Operation and Maintenance Fund – Process Control Systems Operating Services Account, No. 590-4815-851.80-05 (\$1,903.54) and Water Operation and Maintenance Fund Process Control Systems Operating Services Account, No. 591-4715-851.80-05 (\$1,903.54).

**Justification:**

Personnel from the Water Treatment and Wastewater Treatment Plants utilize MP2 Barcode Plus Systems and software to inventory plant equipment. 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.

**Council Action:**

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

# COUNCIL COMMUNICATION

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

## **INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FOR CUSTOM FOODS, INC., 634 KENDRICK STREET**

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

WHEREAS, Custom Foods, Inc., did on August 25, 2010, file its 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, receipt of said application having been reported to City Council on September 13, 2010, and said application being on file in City Clerk's File 10-23; 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 April 7, 1997 on the petition of Custom Foods, Inc. did lawfully establish in the City of Saginaw, an Industrial Development District pursuant to the Act, said district comprising that certain piece or parcel of land in the State of Michigan, County of Saginaw and City of Saginaw under the City of Saginaw Tax Roll No. 19 2207 00100 commonly known as 634 Kendrick Street, Saginaw, Michigan.

2. Upon receipt of the above-mentioned application for an Industrial Facilities Tax Exemption Certificate from Custom Foods, 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

# COUNCIL COMMUNICATION

matter by the Council at its regular meeting on Monday, September 27, 2010 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 Custom Foods, 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 six (6) months before the filing of the application for the Industrial Facilities Tax Exemption Certificate.

6. The application filed for the certificate indicates no new jobs will be created, however thirteen (13) 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% 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

# COUNCIL COMMUNICATION

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, Custom Foods, 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 Custom Foods, Inc., 634 Kendrick, Saginaw, Michigan, for an Industrial Facilities Tax Exemption Certificate for a period of twelve (12) years.

# COUNCIL COMMUNICATION

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

**INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FOR  
HAUSBECK PICKLE COMPANY, INC., 1626 HESS AVENUE**

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

WHEREAS, Hausbeck Pickle Company, Inc., did on August 31, 2010, file its 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, receipt of said application having been reported to City Council on September 13, 2010, and said application being on file in City Clerk's File 10-24; 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 June 7, 2010 on the petition of Hausbeck Pickle Company, Inc. did lawfully establish in the City of Saginaw, an Industrial Development District pursuant to the Act, said district comprising that certain piece or parcel of land in the State of Michigan, County of Saginaw and City of Saginaw under the City of Saginaw Tax Roll No. 12 1156 00000 commonly known as 1626 Hess Avenue, Saginaw, Michigan.

2. Upon receipt of the above-mentioned application for an Industrial Facilities Tax Exemption Certificate from Hausbeck Pickle Company, 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

# COUNCIL COMMUNICATION

opportunity to be heard on this matter by the Council at its regular meeting on Monday, September 27, 2010 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 Hausbeck Pickle Company, 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 six (6) months before the filing of the application for the Industrial Facilities Tax Exemption Certificate.

6. The application filed for the certificate indicates no new jobs will be created, however forty-seven (47) 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% 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

# COUNCIL COMMUNICATION

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, Hausbeck Pickle Company, 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 Hausbeck Pickle Company, Inc., 1626 Hess Avenue, Saginaw, Michigan, for an Industrial Facilities Tax Exemption Certificate for a period of twelve (12) years.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Easement for Northwest Utilities Authority

**Manager's Recommendation:**

I recommend that an easement be granted to Northwest Utilities Authority. The easement has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The City received a request from Northwest Utilities Authority (NUA) for an easement and right-of-way to make surveys, lay, construct, maintain, operate, alter, replace and repair and remove at any time here after any sanitary force main and appurtenances on, over, under, and across the easement. The easement is adjacent to Veteran's Memorial Highway (M-13), and includes property within the Wasterwater Treatment Plant. The forcemain within the easement was constructed approximately 20 years ago, and the easement has been requested as a part of NUA's request for Rural Development Funds to improve their system.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

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

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued to Bentley Systems, Inc. in the amount of \$6,000.00 for the annual GIS software maintenance fee.

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 are budgeted in the Technical Services Operating Services Account, No. 650-1738-781.80-05.

**Justification:**

Water GEMS software will provide capabilities ranging from analysis and design to management function such as fire flow assessment, pump scheduling, water quality improvement, emergency planning, leakage reduction and security enhancement. In addition to purchasing the software, an annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the Bentley help desk for all software related questions and/or problems.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Body Repair for Truck 57-0224

**Manager's Recommendation:**

I recommend that the quote from Engel's Auto Body be accepted and a purchase order be issued to them in the amount of \$3,469.77.

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 are budgeted in the Motor Pool Operations Fund, Motor Vehicle Repair Account, No. 661-4480-841.80-42.

**Justification:**

Insurance proceeds will be combined with the deductible to pay for repairs that have been completed. Following is a tabulation of the quotes received:

Engel's Auto Body Saginaw, MI	\$3,469.77
Draper Chevrolet Saginaw, MI	\$3,993.76
McDonald Pontiac Saginaw, MI	\$4,177.39

**Council Action**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Water Treatment Plant Bacteriological Standards

**Manager's Recommendation:**

I recommend that the sole bid from R. T. Corporation, Laramie, WY, be accepted and a purchase order be approved and issued to them in the amount of \$2,413.50 for bacteriological performance tests.

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 have been budgeted in the Water Operations and Maintenance Fund, Treatment and Pumping Operating Services Account, No. 591-4730-861.80-05.

**Justification:**

The Water Treatment Plant Laboratory is required to run bacteriological performance tests (PT) twice yearly in order to maintain Microbiology Certification regulated by the Michigan Department of Natural Resources and Environment (MDNRE). These samples must be produced and provided by a company that complies with all certification regulations and is MDNRE approved. In addition, each employee who performs bacteriological work also performs an annual Quality Control microbiology test. Price per item is the same as during fiscal year 2010.

**Council Action:**

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

# COUNCIL COMMUNICATION

**Rescind Scotts Tire Sales Purchase Order**From: The City Manager

**Subject:** Rescind Scotts Tire Sales Purchase Order

**Manager's Recommendation:**

I recommend the purchase order issued to Scotts Tire Sales in the amount of \$39,250.00 be rescinded and a new purchase order issued to Northwest Tire and Service for the same amount.

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 are budgeted in the Motor Pool Operations, Motor Vehicle Supplies, Account No. 661-4480-841.73-12.

**Justification:**

On July 16, 2010, Council approved a purchase order to Scotts Tire for State bid pricing on tires. Scotts Tire Service has gone out of business and can no longer supply the tires. They were the City's State Bid Vendor and the City could purchase tires for fleet at State Bid prices. Northwest Tire and Service is now the State Bid Vendor locally and is located in the City.

**Council Action**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Printing and Mailing of 2011 Rubbish Bills  
Printing and Mailing of 2011 Rubbish Bills

**Manager's Recommendation:**

I recommend acceptance of the lowest bid from TBF Graphics and issuance of a purchase order to them in the amount of \$8,299.58 for the printing and mailing of the 2011 Rubbish Bills.

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 are budgeted in the Rubbish Collection Fund, Administration's Professional Services Account, No. 226-4581-841.80-01(\$4,149.79), and Postage and Freight Account, No. 226-4581-841.80-15 (\$4,149.79).

**Justification:**

In previous years, the rubbish bills were processed in-house; however, due to a reduction in staff levels, the work was out-sourced in 2009.

Bids were received from four vendors for the printing, stuffing, postage, and mailing of the 2011 Rubbish bills. Cost comparisons are not available for this service as this is the first time the City has bid out the entire process. Following is a tabulation of the bids received:

TBF Graphics Saginaw, MI	\$ 8,299.58
Professional Systems Oaks, PA	\$ 8,846.62
360 Services Livonia, MI	\$ 9,931.46
Rotary Multiforms Warren, MI	\$10,682.72

**Council Action**

# COUNCIL COMMUNICATION

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Replacement Brooms for Streets Sweepers

**Manager's Recommendation:**

I recommend acceptance of the bid and issuance of purchase orders to Old Dominion Brush Co. (ODB) in the amount of \$17,880.00 for fiscal year 2011 and \$17,880.00 for fiscal year 2012 for a total of \$35,760.00 for replacement brooms for street sweepers.

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

Funds for this purchase are available in Motor Pool Operations Fund, Motor Vehicle Parts and Supplies Account, No. 661-4480-841.73-12.

**Justification:**

The Right of Way Division, Streets Section, received bids from four vendors for two-year supplies of replacement gutter and main brooms that will be used on the City's sweeper fleet to maintain City Streets. ODB brooms were compared to the brooms of Bell Equipment bid, and in a side-by-side use test, it was found that ODB brooms are better in longevity than the brooms bid by Bell Equipment. Following is a tabulation of the bids received:

ODB	2010/2011	\$17,880.00
Richmond, VA	2011/2012	\$17,880.00
Bell Equipment	2010/2011	\$17,700.00
Lake Orion, MI	2011/2012	\$18,800.00
West Coast Equipment	2010/2011	\$19,560.00
Glendale, AZ	2011/2012	\$18,960.00
Lacal Equipment	2010/2011	\$20,900.00
Jackson Center, OH	2011/2012	\$21,391.00

**Council Action**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Approval of Extension of Agreement with Gilbert, Smith & Borrello, P.C. for Legal Services

**Manager's Recommendation:**

I recommend approval of the Extension of the Agreement for Professional Legal Services with Gilbert, Smith and Borrello, P.C. This extension of the contract has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The City has entered into agreements with various law firms to provide legal services to the City. These services are necessary in the areas of conflict of interest, expertise and work overflow. These contracts are generally five years in duration, but either party may elect to terminate the contract upon sixty days notice. There is no minimum amount of work guaranteed or promised to any law firm. The purpose of the contracts is to provide a pre-existing framework for assignments sent to the various firms. The contracts set the hourly rate for services and the amount of expenses charged.

The City had an existing contract of this type with the law firm of Gilbert, Smith & Borrello, P.C., which expired on July 10, 2010. This agreement would extend the contract for another two years, until July 10, 2012, under the same terms, rates and conditions.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Approval of Extension of Agreement with Northwest Utilities Authority

**Manager's Recommendation:**

I recommend approval of the Extension of the Agreement for the City of Saginaw to provide wastewater services to the Northwest Utilities Authority, and that the City Manager or his designee be authorized to execute this Extension and any related documents. This Extension of the Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The City provides wastewater services to the communities of the Northwest Utilities Authority ("Northwest") pursuant to an agreement dated September 1, 1989. Northwest is seeking refinancing with Rural Development, an agency of the United States Department of Agriculture. As a condition of the refinancing, Rural Development requires Northwest to have an agreement in place for the entire 30 year term of the refinancing bond. This requires an extension of the agreement with the City for the 30 year term of the bond or until it is fully paid. All other terms and conditions of the wastewater agreement remain the same.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Year-End Citywide Budget Adjustment

**Manager's Recommendation:**

It is recommended that the 2010/2011 Approved Budget for the following funds be amended:

The General Fund's (101) Use of Fund Equity Account No. (101-0000-680.00-00) should be increased from \$750,000.00 to \$984,919.00, which equates to an increase of \$234,919.00. An available appropriation of fund balance will offset the fund's increase.

The Major Street Fund (202) should be increased from \$5,511,079.00 to \$5,569,655.00. This is a \$58,576.00 increase. The increase in expenditures will be offset by available undesignated and unrestricted fund balance.

Local Street Fund (203) should be increased from \$1,222,297.00 to \$1,225,304.00. This is a \$3,007.00 increase. The increase in expenditures will be offset by available undesignated and unrestricted fund balance.

The Rubbish Collection (226) Fund should be increased by \$108,293.00. Available unrestricted and undesignated fund balance will offset this increase.

The Community Policing Fund (260) – Weed and Seed Grant Division should be increased by \$115,000.00. This increase will be offset by an increase in the Federal Grant/EPA Grant Account No. (260-0000-513.58-35) by the same amount.

The Community Development Block Grant Fund (275) –should be increased by \$692,929.00. This increase will be offset by an increase in the Federal Grant/Block Grant Entitlement Account No. (275-0000-513.58-22) by the same amount.

The Community Development Block Grant – Residential Fund (276) –should be increased by \$3,632.00. This increase will be offset by an increase in the Federal Grant/Block Grant Entitlement Account No. (276-0000-513.58-22) by the same amount.

The Community Development Block Grant – HOME Fund (278) –should be increased by \$237,060.00. This increase will be offset by an increase in the Federal Grant/Block Grant Entitlement Account No. (278-0000-513.58-22) by the same amount.

The Neighborhood Stabilization Fund (279) –should be increased by \$91,450.00. The increase in expenditures will be offset by an increase the revenues' MSHDA/NSP I

# COUNCIL COMMUNICATION

Account No (279-0000-511.60-01) by \$41,117.00 and MSHDA/NSP II Account No (279-0000-511.60-02) by \$50,333.00.

The Park Operations Fund (516) should be increased by \$6,314.00. This increase will be offset by available and undesignated fund balance.

The Sewer Operations and Maintenance Fund's (590) Use of Fund Equity Account No. (590-0000-680.00-00) should be increased by \$3,697,343.00, from \$2,988,288.00 to \$6,685,631.00. An available appropriation of retained earnings will offset the increase in the fund.

The Water Operations and Maintenance Fund's (591) Use of Fund Equity Account No. (591-0000-680.00-00) should be increased from \$3,619,884.00 to \$6,330,611.00, which equates to an increase of \$2,710,727.00. An available appropriation of retained earnings will offset the fund's increase.

The Public Works Building Fund's (641) should be increase from \$0 to \$1,016.00. This increase will be offset by available fund balance.

The Technical Services Department - Geographical Information Systems Fund (650) should be increased from \$517,825.00 to \$520,228.00. This is a \$2,403.00 increase. The increase in expenditures will be offset by available undesignated and unrestricted fund balance.

Technical Services - Information Services Fund (658) should be increased from \$1,324,077.00 to \$1,352,578.00. This equates to an increase of \$28,501.00. The increase in the fund will be offset by the use of retained earnings.

The Motor Pool Operations (661) should be increased by \$5,787.00 from \$2,264,883.00 to \$2,270,670.00. The increase in the fund will be offset by an increase in the use of retained earnings.

Self Insurance Fund (677) should be increased from \$1,506,666.00 to \$1,528,666.00. This equates to an increase of \$22,000.00. The increase in the fund will be offset by the use of retained earnings.

Workers Compensation Fund (678) should be increased from \$1,291,955.00 to \$1,292,274.00. This equates to an increase of \$319.00. The increase in the fund will be offset by the use of retained earnings.

# COUNCIL COMMUNICATION

Police and Fire Pension Fund (732) should be increased by \$362.00 from \$13,336,050.00 to \$13,336,412.00. The increase in the fund will be offset by an increase in the use of retained earnings.

**Justification:**

In accordance with the City Charter and the approved 2011 Budget Resolution, the City Manager must provide annual purchase order carry-forwards as well as quarterly budget adjustments to City Council as a result of an analysis of the budget to actual. As part of this process, the City Manager recommends the fore-mentioned budget adjustments.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Approval of Agreement with Michele Allen for Legal Services

**Manager's Recommendation:**

I recommend approval of the Agreement for Professional Legal Services with Michele Allen. This contract has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The City has entered into agreements with various law firms to provide legal services to the City. These services are necessary in the areas of conflict of interest, expertise and work overflow. These contracts are five years in duration, but either party may elect to terminate the contract upon sixty days notice. There is no minimum amount of work guaranteed or promised to any law firm. The purpose of the contracts is to provide a pre-existing framework for assignments sent to the various firms. The contracts set the hourly rate for services and the amount of expenses charged.

Michele Allen was previously employed for many years as Chief Assistant City Attorney, and is familiar with all operations of the City. This proposal is for the City to provide office space along with office supplies, computer and telecommunications facilities. The hourly rate will be \$75.00. The area of concentration will involve the NSP2, but there may be additional assignments in labor, contracts and others.

**Council Action:**

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