



Saginaw City Council Agenda

1315 S. Washington Avenue
VIA TELECONFERENCE
PER PA 267 OF 1976/PA 228 of 2020
and Local Emergency Declaration dated April 8, 2021
April 12, 2021
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Proclamation declaring April 30, 2021 as "Arbor Day."

PUBLIC HEARINGS:

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

1. Overview of Engineering projects, Louis J. Taylor, P.E., City Engineer, and Travis Hare, Assistant City Engineer.
2. Update of MI Clean Waters Grant, Disadvantaged Community Lead Service Line Replacement Application, Paul D. Reinsch, Director of Water and Wastewater Treatment.

CONSENT AGENDA:

1. Approve the March 22, 2021 regular council meeting minutes.
2. Approve the introduction of the proposed amendments to the Council Rules of Order of the City of Saginaw.
3. Approve the purchase with Inclusion Solutions, a sole source, for \$21,728 for twenty-five 4-station voting booths for the Election Division.
4. Approve the agreements with I.T.I., Inc. for \$24,305 for the maintenance of telephone equipment for the City's digital and Internet Protocol phone system.
5. Approve the purchase with Hex Lighting for \$15,490 for two mobile UVC Germicidal Sanitation Systems for the Police Department.
6. Approve the first amendment to the Security Detail Agreement with Birch Park-2004 Limited Dividend Housing Association Limited Partnership for the Police Department.
7. Approve the purchase with Rosenbauer South Dakota, LLC for \$489,421 for a fire apparatus for the Fire Department. Further, approve a purchase agreement with Huntington Public Capital Corporation.

8. Approve the purchase with Wobig Construction Company, Inc. for \$34,443 for the installation of insulation and interior wall surfaces at the Fire Training Facility.
9. Approve the Memorandum of Agreement with Bird Rides, Inc. to deploy an electric scooter business within the City.
10. Approve the Declaration of Restrictive Covenant for all future use of the properties located at 2602 Carrollton Street and 120 Davenport Avenue.
11. Approve the Access Agreement with Rock Products to access the property located at 1812 North 1st Street.
12. Approve the purchase with Dover and Company for \$13,807 to replace two Thermacore commercial doors at the Public Works building for the Facilities Division.
13. Approve the purchase with Gohm Insurance Restoration for \$8,686 to restore the bathroom building at Fordney Park for the Facilities Division.
14. Approve the purchase with GW Heating and Air Conditioning Company, Inc. for \$23,600 to replace the HVAC system in the Fabrication Shop of the Public Works Building for the Facilities Division.
15. Approve the purchase with Woodland Industries for \$9,117 for an enclosed trailer for the Maintenance and Service Division.
16. Approve to increase the blanket purchase orders issued to various vendors by \$19,000, for a new total of \$63,995, for vehicle parts for the Garage Division.
17. Approve to increase the blanket purchase orders issued to various vendors by \$13,500, for a new total of \$16,200, for vehicle repair services for the Garage Division.
18. Approve the purchase with Hoffman's Power Equipment for \$35,196 for two 2021 Toro mowers for the Weed Abatement Division.
19. Approve the purchase with Spartan Distributors for \$205,647 for two 2021 Toro Groundsmaster mowers for the Parks Division.
20. Approve the purchase with Falcon Asphalt Repair Equipment for \$24,522 for a hot patch machine for the Streets Division.
21. Approve the purchase with MTech, The Safety Company for \$97,271 for a 2021 Xtreme Vac self-contained trailer debris collector for the Parks Division.
22. Approve the purchase with Todd Wenzel Buick GMC for \$39,667 for a 2021 GMC Sierra 2500 HD Double Cab Pickup truck for the Streets Division.
23. Approve the contract with J & N Concrete, Inc. for \$278,831 for the 2021 Sidewalk and ADA Ramp Installation project for the Engineering Section, Right of Way Division.
24. Approve the purchase with Metropolitan Air Compressor Co., Inc., a sole source, for \$13,950 for a Sulliar Air Compressor for the Water Treatment Division

25. Approve the purchase with Advanced Rehabilitation Technology for \$14,948 for the repair and sealing of concrete structures at the 14th Street and Weiss Street Retention Treatment Basins for the Remote Facilities Division.
26. Approve the purchase with Great Lakes Power Services for \$4,750 for the inspection and cleaning of electrical components for the Wastewater Treatment Division.
27. Approve the professional services agreement with Dickinson Wright, PLLC for \$5,000 for financial advisory and bond counsel services in connection with the installment purchase agreement with Huntington Public Capital Corporation.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve the Mayoral appointment of Michael Flores to the Board of Building Appeals & Fire Code Appeals with a term to expire December 31, 2022.
2. Approve the Council appointment of Alexander Mixter to the Historic District Commission with a term to expire July 31, 2023.
3. Approve the Mayoral appointment of Floyd Kloc to the Local Officers Compensation Commission with a term to expire March 1, 2027.
4. Approve the Mayoral appointment of Jamie Forbes to the Local Officers Compensation Commission with a term to expire March 1, 2024.
5. Approve the Mayoral appointment of Michael Hanley to the Local Officers Compensation Commission with a term to expire March 1, 2028.
6. Approve the Mayoral reappointment of Abraham Allen to the Riverfront Development Commission with a term to expire April 1, 2026.

ORDINANCE INTRODUCTION:

1. To amend Chapter 153, of Title XV, "Land Usage," by amending §153.605 titled, "Approval Procedures for Marihuana Establishments," and §153.606 titled, "Authorized Marihuana Establishments," of the City of Saginaw Code of Ordinances, O-204.

ORDINANCE CONSIDERATION AND ADOPTION:

RESOLUTIONS:

1. Authorizing Installment Purchase Contracts for Equipment.
2. Approving the Cost Agreement with the Michigan Department of Transportation for the preventative maintenance work on West Center Street Bridge for the Engineering Section, Right of Way Division.
3. Approving the Cost Agreement with the Michigan Department of Transportation for the reconstruction of Mackinaw Street from Alexander Street to Hamilton Street for the Engineering Section, Right of Way Division.

4. Support of recognizing lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ+) individuals as a protected class.

UNFINISHED BUSINESS:

MISCELLANEOUS BUSINESS:

ADJOURNMENT:

Timothy Morales
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.

CITY OF SAGINAW

PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, and for our fires. Trees also increase property values, enhance the economic vitality of business areas, and beautify our community. The City of Saginaw would like to recognize Trees For The Tri-Cities that was established in 2008, and since its inception has planted over 705 trees in various locations throughout the City of Saginaw; and

WHEREAS, trees provide numerous aesthetics and economic benefits, in which Trees For The Tri-Cities has made a significant investment to the community by purchasing, planting, watering and nurturing trees in the City of Saginaw to improve the quality of life for city residents; and

WHEREAS, trees wherever they are planted, are a source of joy and spiritual renewal. Trees For The Tri-Cities has collaborated with the City of Saginaw and committed to monitoring trees and replacing trees that were lost in various locations within the City. In 2020, the City of Saginaw, Streets, Section of the Right of Way Division also pruned 300 trees, and removed 611 trees.

NOW THEREFORE BE IT RESOLVED, I, Brenda F. Moore, Mayor of the City of Saginaw, do hereby proclaim April 30, 2021 as “**ARBOR DAY**” in the City of Saginaw; and

FURTHERMORE, I urge all citizens to plant trees to gladden the heart and promote the well being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 12th day of April in the year of our Lord two thousand twenty one.



A handwritten signature in black ink that reads "Brenda F. Moore".

Brenda F. Moore, Mayor

Councilpersons

Michael D. Balls, Mayor Pro Tem,
Annie Boensch, George Copeland, Jr.,
Michael Flores, Monique Lamar-Silvia, Bill Ostash,
Autumn L. Scherzer, and Reggie Williams II

April 12, 2021

Timothy Morales, City Manager

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, MARCH 22, 2021, AT 6:30 P.M. VIA VIDEO/TELECONFERENCE PER PUBLIC ACT 267 OF 1976. THE MEETING WAS STREAMED LIVE VIA THE CITY'S WEBSITE AND ON SGT.V.

OPENING PRAYER

Mayor Moore offered the opening prayer and led the Pledge of Allegiance to the Flag.

ROLL CALL

Council Members present: Reggie Williams II, attending remotely from Saginaw, MI, Michael Balls, attending remotely from Saginaw, MI, Annie Boensch, attending remotely from Saginaw, MI, Bill Ostash, attending remotely from Saginaw, MI, Autumn Scherzer, attending remotely from Saginaw, MI, Monique Lamar-Silvia, attending remotely from Saginaw, MI, George Copeland, attending remotely from Saginaw, MI, Michael Flores attending remotely from Saginaw, MI, and Brenda Moore, attending remotely from Saginaw, MI: 9. Council Members absent: 0.

ANNOUNCEMENTS

City Clerk Janet Santos announced that Yard Waste pick up will resume April 1 on your regular trash day. Place yard waste in 35-gallon or smaller cans or in paper yard waste bags for collection. Cans must be labeled with "Yard Waste Only" stickers, available from the City Clerk's Office. Cans and bags must weigh less than 50 pounds each. Twigs and grasses cannot extend more than 12" above the container.

The City's Waste Convenience Station is open to City residents the second Saturday of the month from 8:00 am to 12:00 pm. The station is located at the Public Works Building and can be accessed using Holland Avenue. City residents may dispose of items that would otherwise be taken to the landfill that curbside does not pick up, such as building materials, with recycling for glass, plastic and paper. The next collection day will be Saturday, April 10.

City Council will return to in-person meetings beginning with the next meeting on April 12.

PUBLIC INPUT

Public input that addressed the Council: Adrian Rodriguez, and Marcus Muhammad.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Flores, Williams, Balls, Boensch, Ostash, Scherzer, Copeland, and Moore.

REPORTS FROM CITY MANAGER

City Manager Morales provided information and updates regarding City projects.

He introduced Louis J. Taylor, P.E., City Engineer, and Tanya M. Moore, Landscape Architect, Spicer Group, Inc. They presented an update regarding the Wickes Park Drive conversion project.

Council Member Flores left the meeting at 7:02 p.m. and returned at 7:04 p.m.

Council member Scherzer left the meeting at 7:15 p.m. and returned at 7:20 p.m.

Council Member Boensch left the meeting at 7:34 p.m. and returned at 7:36 p.m.

Council Member Flores left the meeting at 7:35 p.m. and returned at 7:37 p.m.

CONSENT AGENDA:

Mayor Moore asked if there were any exceptions to the consent agenda. No exceptions were made.

1. Approve the March 8, 2021 regular council meeting minutes.
2. Approve the recommendations for the 2021 Single Lot Assessment Tax Roll.
3. Approve the three-year Service Agreement with NEOGOV for \$47,452 for employment application software for the Human Resources Department.
4. Approve the amendments to the FY 2021 Approved Budget to recognize changes that have occurred during the February period.
5. Approve the purchase with CMP Distributors, Inc. for \$3,652 for Simunition non-lethal training ammunition for the Police Emergency Services Team.
6. Approve the purchase with Exercise Warehouse for \$24,882 for physical fitness equipment for the Fire Department.
7. Approve the purchase with Firehouse Innovations Corporation, a sole source, for \$7,450 for a forcible entry door simulator for the Fire Department.
8. Approve the purchase with Pinnacle Design for \$18,715 for the professional services associated with the renovation of the Foreman and Field Inspector's office area for the Maintenance and Service Division.
9. Approve the purchase with Valley Glass Co. for \$4,360 for office windows in the Motor Pool Division.
10. Approve the purchase with MTech, The Safety Company for \$523,450 for a 2021 Peterbilt GapVax MC1511-3S4X Combination Jet/Vac for the Maintenance and Service Division.
11. Approve to increase the purchase order with Waste Management by \$7,500, for a new total of \$21,000, for trash disposal from the Convenience Station for the Streets Division.
12. Approve the purchase with Pro-Seal Service Group, a sole source, for \$2,925 for a 55-gallon drum of Royal Purple synthetic oil for the Water Treatment Division.
13. Approve the purchase with J.G.M. Valve Corporation, a sole source, for \$4,438 for an Auma Manual Valve Gearbox for the Water Treatment Division.
14. Approve the purchase with MLive for \$2,631 for the publication of the issuance of the Water Supply System Revenue and Revenue Refunding Bond, Series 2021.

Moved by Council Member Boensch, seconded by Council Member Scherzer to approve consent agenda items 1 through 14 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

BOARD/COMMISSION/COMMITTEE REPORTS

Mayor Moore reported that the Region VII Area Agency will soon name a new Chair and that she is one of the candidates for the position.

Council Member Scherzer reported that she is now serving as Vice President for the Saginaw Economic Development Corporation.

APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Moved by Council Member Lamar-Silvia, seconded by Council Member Copeland to approve the following:

1. Council reappointment of Darlean Carpenter to the Human Planning Commission with a term to expire January 31, 2023.
2. Mayoral reappointment of Erin Andrus to the Riverfront Development Commission with a term to expire April 1, 2026.

9 ayes, 0 nays, 0 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Boensch, seconded by Council Member Scherzer to adopt the resolution certifying the 2021 Single Lot Assessment Tax Roll. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Scherzer, seconded by Council Member Boensch to adopt the resolution approving the Cost Agreement with the Michigan Department of Transportation for the rehabilitation of the Pump Station located on M-46 and CSX railroad tracks for the Engineering Section, Right of Way Division. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Pro Tem Balls, seconded by Council Member Flores to adopt the resolution authorizing to seek FY 2024 Local Bridge Program Funds from the Michigan Department of Transportation. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Flores, seconded by Council Member Boensch to adopt the resolution authorizing issuance of Water Supply System Revenue and Revenue Refunding Bonds, Series 2021. 9 ayes, 0 nays, 0 absent. Motion approved.

Council Member Balls left the meeting at 7:56 and returned at 7:57 p.m.

MISCELLANEOUS BUSINESS

Council Member Boensch requested the City Manager direct staff to amend the Council Rules of Order to require members of Council keep their cameras on during a virtual meeting. Discussion was held.

Council Member Flores left the meeting at 8:02 p.m. and returned at 8:03 p.m.

Council Member Boensch requested the City Manager to draft a resolution to support legislation to expand the protection for the LGBTQ+ community and further requested that a meeting of the work group discussing such matters be scheduled.

Council Member Flores left the meeting at 8:10 p.m. and returned at 8:14 p.m.

Council held discussion regarding the Land Bank and their development and demolition projects

Council Member Flores left the meeting at 8:18 p.m. and returned at 8:19 p.m.
Council Member Flores left the meeting at 8:28 p.m. and returned at 8:29 p.m.

ADJOURNMENT

Moved by Council Member Flores, seconded by Mayor Pro Tem Balls to adjourn the meeting at 8:30 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

As recorded by

Janet Santos, MiPMC/MMC
City Clerk

From: Timothy Morales, City Manager
Subject: Council Rules of Order Amendment
Prepared by: Annie Boensch, Council Member

Recommendation:

I recommend introduction of the proposed amendments to the Rules of Order of the Council of the City of Saginaw.

Justification:

On October 16, 2020, Governor Whitmer signed Public Act 228 of 2020 into law, effective immediately. The Act amended Michigan's Open Meetings Act (OMA) to provide for remote attendance of members of Council under certain, limited circumstances, specifically due to a member's medical condition or when a state or local state of emergency or disaster has been declared. The OMA requires that procedures be adopted in accordance with the Act.

City Council Members are elected to serve the community and earn pay for Council meeting they attend. To ensure accountability and transparency, and due to concerns raised by the public, the Rules of Order of the Council will require that while attending a meeting virtually, cameras are to be utilized at all times. When a Council Member is not on camera they will be considered as absent from the meeting.

According to Section 17: Amendments, "these rules may be amended by the affirmative vote of six Council members, notice having been given in writing of proposed amendments at a previous meeting." A copy of the amendments have been provided to Council for review and introduced at the April 12, 2021 regular meeting of the City Council.

Council Action:

Motion to approve the recommendation of the Manager.

From: Timothy Morales, City Manager
Subject: Voting Booths – Election Division
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend the approval of a purchase with Inclusion Solutions, a sole source, in the amount of \$21,727.40 for twenty five 4-station voting booths for the Election Division.

Justification:

On September 14, 2020, Council accepted the grant from the Center for Tech and Civic Life (CTCL) and approved a purchase of one hundred 4-station Franklin voting booths utilizing a portion of the grant funds. The Franklin voting booths replaced aged suitcase-style booths that had exceeded their usable life.

The City has been granted an extension to use the remaining CTCL grant funds. Voter turnout is expected to continue to steadily increase, and it's in the best interest of the City to purchase additional booths at this time. The Franklin voting booth is a universal design, meeting all Americans with Disabilities Act standards, Americans with Disabilities Act Accessibility Guidelines, and allowing for seated or stand-up voting. The Franklin booths were used in the November 2020 General election.

Inclusion Solutions is a sole source provider of this style of voting booth. Due to the high volume of requests the required number of booths are not currently in stock, however the vendor guarantees delivery before June 30, 2021.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Office of General Government, Election Division Capital Less than \$5,000.00 Account No. 101-1731-971.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: I.T.I., Inc. Phone Maintenance Agreements
Prepared by: Jeff Klopocic, Technical Services Department

Manager's Recommendation:

I recommend the approval of the phone maintenance agreements with I.T.I., Inc. for \$24,304.56 for the yearly maintenance and support fees for the City's digital and Internet Protocol (IP) phone system.

Justification:

The I.T.I. Agreements cover the telephone equipment located at the City Hall, Public Services, Police Department, Maintenance & Service Water & Sewer Division and the Water and Waste Water Treatment Plants for a one-year period. The agreements cover all service under normal wear and tear including parts, labor and travel time. It also includes free user training, no charge for service related software updates, free loaner equipment and 24 hour, seven day service without paying any after-hour premium.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Technical Services Fund – Information Services, Operating Services Account No. 658-1720-805.000.

I have approved the agreements as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: UVC Germicidal Sanitation Systems Purchase
Prepared by: Brian Rowell, Community Public Safety – Police

Manager’s Recommendation:

I recommend the approval of purchase with Hex Lighting for \$15,490 for two mobile UVC Germicidal Sanitation Systems for the Saginaw Police Department.

Justification:

HEX Lighting provided the sole bid received on March 16, 2021, in response to the City’s request for bids for two mobile UVC Germicidal Sanitation Systems. The following is a tabulation of the bid received:

VENDOR & LOCATION	TOTAL COST
HEX Lighting Saginaw, MI	\$15,490.00

This purchase is comprised of two different models of UVC light sanitization systems which will be used to sanitize and disinfect the air and surfaces of the unoccupied spaces they are activated in. Any surface the UVC light illuminates is disinfected and the air treated. UVC light is effective against viruses (including Covid-19), bacteria, mold, and insects. The Space-1000 Mobile UVC unit rolls on four casters and can cleanse an 8’x8’ room in 1.5 minutes. It can cleanse a 20’x20’ room in 8 minutes. It will be utilized throughout the department, as needed. The UVC2 Hanging Ambulance unit can be used in vehicles and small rooms, cleansing the area, depending on size, in two to four minutes. It will be utilized in police vehicles, as needed.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Coronavirus Emergency Supplemental Funds, Parts and Supplies Account No. 270-3518-742.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: First Amendment to Security Detail Agreement – Birch Park
Prepared by: Brian Rowell, Community Public Safety – Police

Manager’s Recommendation:

I recommend approval of the First Amendment to the Security Detail Agreement with Birch Park-2004 Limited Dividend Housing Association Limited Partnership to extend the Agreement for an additional three years.

Justification:

On April 13, 2020, City Council approved the Security Detail Agreement (Agreement) with Birch Park-2004 Limited Dividend Housing Association Limited Partnership (Client) for additional security services at the Birch Park Apartments, located within the City at 3000 Birch Park Drive, to obtain the services of the Saginaw Police Department (SPD) to ensure safety and order. Under the terms and conditions outlined within the Agreement, SPD furnishes law enforcement officers at times and dates as determined by the SPD Chief of Police and Birch Park’s Regional Property Manager. The term of the Agreement was for one year, with the option that it may be extended upon the mutual written agreement of both parties.

SPD and Client mutually agree that the Agreement is to be extended for a period of three years. In all other respects, the terms and conditions of the Agreement shall continue unchanged and in full force and effect.

I have approved the agreement as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Fire Apparatus Purchase

Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend approval of a purchase with Rosenbauer South Dakota, LLC for \$489,421 for a fire apparatus for the Fire Department. Further, I recommend approval of a purchase agreement with Huntington Public Capital Corporation that secures this purchase.

Justification:

The Fire Department will replace a 2002 Pierce fire engine with over 86,470 miles on the odometer and 11,120 hours on the engine hour meter. The National Fire Protection Association (NFPA) Standard 1901, Standard for Automotive Fire Apparatus, recommends removing apparatus 15 years or older from front line service. The 2002 Pierce fire engine that is being replaced exceeds industry standards for front line service life and has become increasingly more difficult and expensive to maintain. Operating dependability, efficiency, operator safety, and maintenance difficulties are contributing factors for the need to replace this vehicle. This apparatus will be moved to reserve status when the new apparatus is placed in service.

The apparatus that will be purchased is a 2021 Rosenbauer Commander fire engine. It has a pumping capacity of 1500 gallons per minute, a 750 gallon onboard water tank, a 6,000 watt onboard generator, and an onboard foam system capable of supplying foam to all of its available discharge ports. This apparatus will also provide a maintenance savings as it comes with; a 2 year bumper-to-bumper warranty, 7 year pump warranty, 5 year engine and transmission warranty, and a lifetime frame and water tank warranty. The most important benefit this new apparatus will provide is improved firefighter safety as it will come with all of the modern safety devices that are found in modern automobiles. Examples of the safety devices include; full crew compartment air bags, anti-lock brakes, and a rearview backup camera.

The 2021 Rosenbauer fire engine is a custom unit that will be built per Saginaw Fire Department specifications. The Fire Department's Apparatus Committee has been researching apparatus and meeting with manufacturers over the last 12 months to create an apparatus specification that meets the needs of the department yet limits overall cost. The specification will provide a serviceable, safe, and NFPA 1901 compliant apparatus that will serve the city for the next 15-20 years.

Fifty percent of the purchase price of the apparatus, \$244,710, will be funded through a donation from the Rutledge Trust. The remaining portion of the purchase price,

\$244,711 will be paid through an installment purchase agreement with annual payments funded from the Fire Department's operating budget. There will be no increase to the Fire Department's operating budget as maintenance cost savings realized through this purchase will offset the annual installment contract payments.

There were only two vendors that were able to provide a proposal for an apparatus that met the fire department's apparatus specifications. The following is a tabulation of the proposals received:

<u>Vendor</u>	<u>Cost</u>
Rosenbauer South Dakota, LLC c/o Front Line Services Inc. Freeland, MI	\$489,421
Spartan ER c/o CSI Emergency Apparatus, LLC Grayling, MI	\$500,000

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund – Community Public Safety Fire, Fire Apparatus Operations and Maintenance Division's Vehicle Account No. 101-3554-982.000

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Fire Training Facility Interior Walls and Insulation
Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend the approval of a purchase with Wobig Construction Company, Inc. for \$34,443.00 for the installation of insulation and interior wall surfaces at the Fire Training Facility.

Justification:

On March 16, 2021, two bids were received for the installation of insulation and interior wall surfaces at the Fire Training Facility, 101 E. Bristol. The scope of the work includes; spray in foam insulation in the wall cavities, blown in insulation above the ceiling, and white Pro Panel II metal wall panels installed on all interior walls and ceiling surfaces. The project will also include the installation of horizontal stringers and miscellaneous blocking, and cutting out openings in the metal wall surfaces to allow for finish electrical and plumbing work to be completed.

Fully insulating the Fire Training building will help reduce future utility costs and the white metal wall surfaces will provide a clean, neat, and maintenance free interior finish for the building. This project is funded through a donation from the Rutledge Trust.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Wobig Construction Co., Inc. Saginaw, MI (in-City)	\$34,443.00
Schwind Construction Co., Inc. Midland, MI	\$49,800.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund – Community Public Safety Fire, Fire Operations Division's Repairs and Replacements Account No. 101-3551-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Authorization for Bird Rides, Inc. to Operate Electric Scooter Business

Prepared by: Robert Gollin, Urban Planner

Manager's Recommendation:

I recommend the approval of the Memorandum of Agreement with Bird Rides, Inc. to deploy an electric scooter business within the agreed upon restrictions and obligations in the City of Saginaw.

Justification:

Bird Rides, Inc. (Bird) has requested to deploy stand-up electric scooter sharing systems within the City. Bird is a last-mile electric vehicle sharing company serving over 100 cities worldwide. City staff and the City Attorney have developed a mutually acceptable Memorandum of Agreement outlining a list of obligations and restrictions. Stand-up electric scooters are governed by portions of the Michigan Vehicle Code applicable to electric skateboards, and other Federal, State, and local laws and regulations.

The proposed initial deployment of scooters would be 100 with approximately 40-60 units operational at one time. Bird subcontracts with a local vendor to monitor, maintain and continually stage the scooters. Bird's geo-fencing technology (an onboard GIS) restricts no-ride zones, no-parking zones, and reduced-speed zones that include custom messaging to increase safe riding. Through the Bird smartphone app, riders can locate the closest Bird scooter on a map, unlock it, complete the safety tutorial and ride directly to their desired destination. The initial cost to ride is \$1 to start, then a per-minute fee. The Bird app encourages and incentivizes responsible riding. City Staff will work with the company to identify specific areas of the City in which the scooters will initially operate. The areas will likely be limited to Downtown and Old Town.

I have approved the Memorandum of Agreement with Bird Rides, Inc. as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Declaration of Restrictive Covenant
Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend approval of the Declaration of Restrictive Covenant for all future use of the properties located in the City of Saginaw at 2602 Carrollton Street and 120 Davenport Avenue.

Justification:

In the early 1990's, the Saginaw County Drain Commission and the City of Saginaw (City) constructed several combined storm sewer overflow (CSO) retention basins within the City. Under a Michigan Department of Environment, Great Lakes and Energy (EGLE) order, contaminated soil from the CSO's excavations were disposed of at the Weiss Street CSO, in lieu of disposal in a landfill. Four stock piles were created at the site from the contaminated soils. The Property is associated with the Weiss Street CSO Basin, Part 201 Site ID 73000106 for which response activities were conducted pursuant to Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451. The Property described contains hazardous substances in excess of the concentrations developed as the unrestricted residential criteria as defined in the NREPA. EGLE recommends that prospective purchasers or users of the Property undertake appropriate due diligence prior to acquiring or using this Property, and undertake appropriate actions to comply with the due care requirements of Section 20107a of the NREPA.

The restrictions contained in this Restrictive Covenant serve to prevent unacceptable exposure to impacted soil and groundwater at concentrations that exceed the unrestricted residential criteria as defined in the NREPA; the discovery of environmental conditions at the Property that were not accounted for during implementation of the response activities; or use of the Property in a manner inconsistent with the restrictions described herein, may result in this Restrictive Covenant not being protective of public health, safety, and welfare, and the environment. The City shall prohibit all residential land uses on the property, where people live and sleep for long periods of time. The Restrictive Covenant shall run with the property and shall be binding on the owner; future owners; and their successors and assigns, lessees, easement holders, and any authorized agents, employees or persons acting under their direction and control.

I have approved the Declaration of Restrictive Covenant as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Access Agreement with Rock Products.
Prepared by: Josh Hoffman, Public Services Department

Manager's Recommendation:

I recommend approval of the Access Agreement with Rock Products to access the property located at 1812 North 1st Street.

Justification:

Rock Products requested permission to access the property owned by the City of Saginaw (City) located at 1812 N. 1st Street (Property) for the removal of excavated concrete materials to be repurposed as crushed aggregate. This location is utilized by the City for dumping excavated spoils from maintenance and repair work being performed in the Right of Way on the water distribution and sewer collection systems. Allowing Rock Products access to remove the concrete material will benefit the City by lessening the volume of excavated spoil material at this location.

The City shall allow Rock Products non-exclusive access to the Property for limited purpose of excavating such spoils to retrieve any concrete products. Rock Products access to the Property shall not interfere with the City's use of the Property.

This Agreement will be for a one-year period from the effective date on the signed agreement. The parties can extend the Agreement upon the written mutual agreement of the City Manager and an appropriate representative of Rock Products.

I have approve the Access Agreement as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Public Works Overhead Doors
Prepared by: Jay Gustin, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Dover and Company for \$13,807.00 to replace two Thermacore commercial doors at the Public Works building for the Facilities Division.

Justification:

On March 23, 2021, one bid was received to replace two Thermacore 592 commercial doors at the Public Works Building. The Facilities Department has budgeted to annually replace two of the 28 doors in the Public Works Garage. The current doors that are being replaced are over 20 years old and have exceeded their useable life. The replacement includes: two steel insulated doors with heavy duty 3" High Lift Track, a single row of three insulated windows and Photo-electric Eyes and exterior weather seal. The following is a tabulation of the bid received:

<u>Vendor</u>	<u>Costs</u>
Dover and Company Flint, MI	\$ 13,807.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Public Works Building Fund, Repairs and Replacement Account No. 641-4439-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Restoration of Fordney Park Bathroom Building
Prepared by: Jay Gustin, Public Works, Facilities Division

Manager's Recommendation:

I recommend the approval of a purchase with Gohm Insurance Restoration for \$8,685.35 to restore the bathroom building at Fordney Park for the Facilities Division.

Justification:

On March 23, 2021, four bids were received to restore the bathroom building at Fordney Park. The bathroom building was vandalized and set on fire in the fall of 2019. The restoration includes blasting and sealing of the block and steel lintel, and removal and replacement of the damaged ceiling, soffit, fascia board, freeze board, metal roof edge and LED light fixtures. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Costs</u>
Gohm Insurance Restoration Saginaw, MI (out-City)	\$ 8,685.35
Hammer Restoration Inc. Saginaw, MI (out-City)	\$ 10,337.23
Brava Contracting LLC Saginaw, MI (out-City)	\$ 12,350.00
Wobig Construction Company, Inc. Saginaw, MI (in-City)	\$ 18,981.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Public Services Department, Parks and Grounds Division Construction Projects Account No. 101-7570-822.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Replacement of the Public Works Fabrication Shop HVAC
Prepared by: Jay Gustin, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with GW Heating & Air Conditioning Company, Inc. for \$23,600.00 to replace the HVAC system in the Fabrication Shop of the Public Works Building, for the Facilities Division.

Justification:

On March 23, 2021, two bids were received to replace the HVAC System in the Fabrication Shop of the Public Works Building. The Fabrication Shop is used by Motor Pool mechanics for welding and repair of heavy equipment. The current HVAC system for the shop is original to the building and has exceeded its useful life. The replacement includes: Sealing duct work from outside air infiltration, and providing and installing a new exhaust fan and controls, and new radiant tube heater, including a wall mounted thermostat.

Smillie Plumbing & Heating Inc. of Freeland, Michigan was the as-read low bidder with a bid of \$23,600.00. GW Heating & Air Conditioning Company, Inc. of Saginaw, Michigan was the second low bidder with a bid of \$23,608.00. In accordance with Chapter 14, Section 14.36 "Preference for Local Bidders" of the City Ordinances, GW Heating & Air Conditioning Company, Inc., an in city bidder, has the option of matching the low bid if their bid is within 5% of the low bid. GW Heating & Air Conditioning Company, Inc., agreed to match the low bid of \$23,600.00. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Costs</u>
GW Heating & Air Conditioning Company, Inc. Saginaw, MI (in-City)	\$ 23,600.00
Smillie Plumbing & Heating, Inc. Freeland, MI	\$ 23,600.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Public Works Building Fund, Public Works Building Division's Repairs and Replacement Account No. 641-4439-974.000 \$12,600 and the Motor Pool Operations, Garage Operations, General Repairs Account No. 661-4481-930.000 \$11,000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Tool and Equipment Trailer

Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Woodland Industries for \$9,116.73 for an enclosed trailer for the Maintenance and Service Division.

Justification:

On March 9, 2021, one qualified bid was received for an enclosed trailer equipped as specified. The Maintenance and Service Division has budgeted to purchase a 7' x 14' tandem axle enclosed trailer. This trailer is used by the Maintenance and Service Division to haul tools, equipment, forms, and barricades for various repairs on job sites within the City of Saginaw. In June 2018, the State of Michigan adopted the new Lead and Copper Rule. As part of that rule, the City must have a verified material inventory of all water service connections and water extensions connected to its distribution system by 2025. Due to the additional workload, this trailer is needed to support daily operations. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Total Cost</u>
Woodland Industries Kawkawlin, MI	\$9,116.73

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operations and Maintenance Fund, Maintenance and Service Division's Repairs and Replacements Account No. 591-4721-974.000 \$4,558.37 and the Sewer Operations and Maintenance Fund, Maintenance and Service Division's Repairs and Replacements Account No. 590-4821-974.000 \$4,558.36.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Increase Blanket Purchase Order - Vehicle Parts
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend the approval to increase blanket purchase orders issued to various vendors by \$19,000, for a new total of \$63,995, for vehicle parts for the Garage Division.

Justification:

In FY 2021, the purchase orders listed below were approved to be issued to vendors in amounts totaling \$29,495. The City's Municipal Garage requires parts sold by these vendors for various repairs of fleet vehicles from July 1, 2020 to June 30, 2021.

In FY 2020, the Garage spent \$1,253.50 on parts from Bandit. In the current fiscal year we have spent \$2,259.56, leaving a balance of \$735.44. The Garage purchases replacement parts and blades for brush chippers used by the Brush Collection section of the Streets Division.

In FY 2020, the Garage spent \$14,906.61 on parts from Michigan Cat. In the current fiscal year we have spent \$21,824.21, leaving a balance of \$675.79. The Garage has had to purchase multiple replacement parts for heavy equipment used by Maintenance and Service and the Streets Divisions. This is a sole source vendor for Caterpillar parts.

In FY 2020, the Garage spent \$2,606.51 on parts from Michigan Truck Spring. In the current fiscal year we have spent \$3,662.74, leaving a balance of \$337.26. The Garage has replaced brake and suspension parts on heavy equipment used by the Maintenance and Service, Streets, and Rubbish Divisions.

In FY 2020, the Garage spent \$12,661.19 on parts from Mtech, The Safety Company. In the current fiscal year we have spent \$14,712.99, leaving a balance of \$738.78. The Garage has replaced multiple wear parts on Street Sweepers for the Streets Division.

There are no feasible means to predetermine what parts will be needed to be replaced on these vehicles. The Garage Division's personnel obtain price quotes for parts awarding purchases to the lowest and best vendor for each item. The original blanket purchase order information is as follows:

<u>PO Number</u>	<u>Vendor</u>	<u>Current Amount</u>	<u>Recommended Increase</u>	<u>Total Amount</u>
508516	Bandit	\$ 2,995	\$4,000	\$ 6,995
508531	Michigan Cat	\$22,500	\$7,000	\$29,500
508534	Michigan Truck Spring	\$ 4,000	\$1,500	\$ 5,500
508528	M Tech the Safety Company	<u>\$15,500</u>	<u>\$6,500</u>	<u>\$22,000</u>
	Total	\$44,995	\$19,000	\$63,995

These vendors meet all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Motor Pool Operation Fund, Garage Operations Division's Motor Vehicle Supplies Account No. 661-4481-737.000, \$63,995, and will be accounted for in the Motor Pool Operation Fund, Inventory Account No. 661-0000-110.001.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Increase Blanket Purchase Orders – Vehicle Repair Services
Prepared by: Don Riley, Public Services Department

Manager’s Recommendation:

I recommend the approval to increase blanket purchase orders issued to various vendors by \$13,500, for a new total of \$16,200, for vehicle repair services for the Garage Division.

Justification:

In FY 2021, the purchase order listed below was issued to Garber Chevrolet in the amount of \$1,500. The City’s Municipal Garage requires the services of these vendors for various repairs and certification inspections from July 1, 2020 to June 30, 2021.

In FY 2020, the Garage spent \$850.45 on services from Garber Chevrolet. In the current fiscal year we have spent \$1,020.16 leaving a balance of \$479.84. The Garage uses this vendor for services on General Motors Pickup Trucks and cars used by all divisions within the City. Recently a few vehicles have required repairs and software updates, such as computer module replacements, that can only be completed by an OEM authorized dealer.

In FY 2020, the Garage spent \$982.97 on services from W.W.Williams Company. In the current fiscal year we have received a preliminary quote in the amount of \$11,086 for necessary repairs to the transmission in the packer truck used by the Recycling Division. W.W.Williams is the local authorized Allison Transmission repair vendor.

There are no feasible means to predetermine what services will be needed. The Garage Division’s personnel obtain price quotes for services awarding purchases to the lowest and best vendor for each item. The original blanket PO information is as follows:

<u>PO Number</u>	<u>Vendor</u>	<u>Current Amount</u>	<u>Recommended Increase</u>	<u>New Total Amount</u>
508615	Garber Chevrolet	\$1,500	\$2,500	\$4,000
508627	W.W.Williams Company	<u>\$1,200</u>	<u>\$11,000</u>	<u>\$12,200</u>
	Total:	\$2,700	\$13,500	\$16,200

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in Motor Pool Operation Fund, Garage Operations Division's Motor Vehicle Repairs Account No. 661-4481-931.000 \$16,200.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Purchase Replacement Mowers
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Hoffman's Power Equipment for \$35,196.00 for two 2021 Toro mowers as specified for the Weed Abatement Division.

Justification:

The Weed Abatement Division has budgeted in fiscal year 2021 to purchase a Toro Model #72028 Mower with 60" rear discharge deck and a Model #72267 60" side discharge mulching, bagging mower and replacing two Toro mowers scheduled for replacement in 2021. These mowers are used to maintain abandoned and overgrown lots throughout the City. At this time as a gesture of appreciation to the Saginaw Community, our local vendor is offering additional discounted pricing that exceeds the discounts offered within the cooperative municipal bid per Sourcewell Contract # 062117-TTC pricing, allowing us an additional \$548.97 savings as shown below.

<u>Vendor</u>	<u>Cost</u> <u>Model 72028</u>	<u>Cost</u> <u>Model 72267</u>
Hoffman Power Equipment -Sourcewell Contract pricing	\$17,762.00	\$17,982.97
Hoffman Power Equipment -2021 Bid Pricing	<u>\$17,519.00</u>	<u>\$17,677.00</u>
	\$ 243.00	\$ 305.97
Total Savings		\$ 548.97

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Department of Public Services, Abatement of Nuisances Division's Maintenance Equipment Account No. 101-7571-978.000 \$35,196.00

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Parks Mower Replacements
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Spartan Distributors for \$205,646.34 for two 2021 Toro Groundsmaster mowers for the Parks Division.

Justification:

The Parks Division has planned for in fiscal year 2021 to purchase two 2021 Toro Groundsmaster model 5900 15' coverage mowers replacing a 1989 and a 2002 model 580 mowers for which many of the repair or replacement parts have been discontinued. These mowers are used throughout the cutting season maintaining the grounds within the city's 24 parks and other locations covering over 300 acres of land. This purchase will be made using OMNIA contract #2017025 pricing and is part of the finance package also being reviewed on today's agenda.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Department of Public Services, Parks and Grounds Maintenance Division's Maintenance Equipment Account No. 101-7570-978.000 \$205,646.34.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Purchase Replacement Hot Patch Machine

Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Falcon Asphalt Repair Equipment for \$24,521.50 for a hot patch machine for the Streets Division.

Justification:

The Streets Division has budgeted in fiscal year 2021 to purchase a 4 ton asphalt recycler and hot box trailer. This will replace a nine-year old hot patch machine that has extensive wear causing this unit to be expensive to maintain for daily use. Operating efficiency, operator safety, and loss of productivity due to down time contribute to the need to replace this piece of equipment. This unit is one of two units used for temporary repairs in maintaining the City's over 300 lane miles of paved streets and state highways. This purchase will be made using MiDeal State bid pricing contract number 071B7700092.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Major Street Fund, Routine Maintenance Division's Maintenance Equipment Account No 202-4651-978.000 \$24,521.50.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Leaf Vac Purchase
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with MTech, The Safety Company for \$97,270.44 for a 2021 Xtreme Vac self-contained trailer debris collector for the Parks Division.

Justification:

The Parks Division has budgeted in fiscal year 2021 to purchase a 2021 Xtreme Vac self-contained trailer debris collector for leaf collection purposes, replacing a 1993 Giant Vac model 6500 for which many of the repair or replacement parts have been discontinued. This debris collector is used throughout the year and heavily in the spring and fall collecting fallen leaves and other debris required during maintenance operations within the city's 24 parks and other locations covering over 300 acres of land throughout the City. This purchase will be made using Wayne County RESA CoPro+ contract #2018-WR-060-M pricing and is part of the finance package also being reviewed on today's agenda.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Department of Public Services, Parks and Grounds Maintenance Division's Maintenance Equipment Account No. 101-7570-978.000 \$97,270.44.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Pickup Truck Purchase
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Todd Wenzel Buick GMC for \$39,666.70 for a 2022 GMC Sierra 2500HD Double Cab Pickup truck for the Streets Division.

Justification:

The Streets Division has budgeted in FY 2021 to purchase a 2022 GMC Sierra 2500HD Double Cab Pickup truck. Due to the restructuring of the Streets Division, a foreman position was created requiring an additional truck for the daily operations. This truck will be used by the Streets Division Foreman for daily operations and in emergency situations to support the supervision of the various maintenance activities required to maintain the City's over 300 lane miles of paved streets and state highways such as winter snow removal, street sweeping, road repair and paving operations, tree trimming, and removals, etc. This purchase will be made using State bid pricing per MiDeal contract number 071B7700184, MiDeal Spec #0076-4WDL.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Major Streets Fund, Routine Maintenance Division's Vehicles Account No. 202-4651-982.000 \$39,666.70.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: 2021 Sidewalk and ADA Ramp Contract (C-1668)
Prepared by: Louis Taylor, Public Services Department

Manager’s Recommendation:

I recommend the approval of the contract with J & N Concrete, Inc. for \$278,831.00 for the 2021 Sidewalk and ADA Ramp project for the Engineering Section, Right of Way Division.

Justification:

Bids were received on March 23, 2021, for the 2021 Sidewalk and ADA Ramp project for a spring 2021 construction schedule. J & N Concrete, Inc. was the low bidder.

The 2021 Sidewalk and ADA Ramp project is a combination of the previously separated projects for each, respectively. Combining the two projects together allows for better bid prices and better coordination of project efforts. Project includes the removal and replacement of public sidewalk located within the right-of-way. The 49 locations of sidewalk were derived from a list of the City’s outstanding sidewalk complaints. All locations have been inspected by the City and made safe where necessary. Project includes constructing 85 ADA compliant sidewalk ramps at 16 intersections. The following is a tabulation of the bids received for the spring 2021 construction schedule:

<u>Vendor</u>	<u>Bid</u>
J & N Concrete, Inc. Mt. Pleasant, MI	\$278,831.00
Martha Brown Custom Builder, LLC Saginaw, MI (in-City)	\$314,825.00
Wobig Construction Co, Inc. Saginaw, MI (in-City)	\$320,566.00
Rohde Brothers Saginaw, MI (out-City)	\$333,733.50

Per Chapter 96: Streets and Sidewalk: §96.001, of Saginaw’s Code of Ordinance, property owners are responsible for keeping sidewalk in a permanent safe state of repair. All property owners have been informed by letter of the Code of Ordinance violation and were given until October 16, 2020 to complete the sidewalk repairs. The letter also informed the property owners that the cost of the sidewalk repair is their responsibility and will be billed to them when the project is completed. If not paid, the

cost will be charged against the property as a Single Lot Assessment per §33.26. ADA ramp replacements are not billed against the property.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Public Services Department, Engineering Division's Construction Projects Account No. 101-4611-822.000 \$32,940.50, the Major Street Fund, Street Projects Division's Construction Projects Account No. 202-4614-822.000 \$225,302.68 and the Local Street Fund, Street Projects Division's Construction Projects Account No. 203-4614-822.000 \$20,587.82.

I have approved the contract as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Sullair Air Compressor
Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Metropolitan Air Compressor Co. Inc., a sole source, for \$13,950.00 for a Sullair Air Compressor for the Water Treatment Division.

Justification:

On February 9, 2021, the City received a quote for a new Sullair Air Compressor, Model 1512e. The Water Treatment Division is in the middle of a phased replacement of two existing air compressors that are over 50 years old. In 2019, a Sullair Air Compressor was purchased and has exceeded expectations. Therefore, a second unit is being purchased to finish the air system replacement. Having two of the same model saves money in maintenance time and stocking of service parts. Metropolitan Air Compressor Co. Inc. is the sole supplier and dealer for the Sullair Air Compressor.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division's Repairs and Replacements Account No. 591-4730-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Retention Treatment Basin Concrete Repairs
Prepared by: John Frollo, Water and Wastewater

Manager's Recommendation:

I recommend approval of a purchase with Advanced Rehabilitation Technology for \$14,948.00 for the repair and sealing of concrete structures at the 14th Street and Weiss Street Retention Treatment Basins for the Remote Facilities Division.

Justification:

On March 2, 2021, sealed bids were received for the repair and sealing of concrete structures at the 14th Street and Weiss Street Retention Treatment Basins. Remote Facilities Division staff has identified ground water infiltration into the 14th Street Retention Treatment Basin wet well and the Weiss Street Retention Treatment Basin vortex unit. These structures are in excess of 30 years old and exposed to excessive freeze/thaw conditions, which led to crack development. The concrete needs to be repaired before further damage is done. Following is a summary of the bids received:

Advanced Rehabilitation Technology Bryan, OH	\$14,948.00
Uretek USA, Inc. Tomball, TX	\$19,500.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Surplus Division's Repairs and Replacements Account No. 590-4840-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Switchgear Inspection and Cleaning
Prepared by: John Frollo, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Great Lakes Power Services for \$4,750.00 for the inspection and cleaning of electrical components for the Wastewater Treatment Division.

Justification:

On January 26, 2021, the City received bids for the inspection and cleaning of electrical components. The Wastewater Treatment Plant receives a 2400 volt feed from Consumers, which is fed through outdoor switchgear that in turn feeds several smaller 480 volt switchgear/substations. These switchgear/substations transform and distribute the power throughout the Wastewater Treatment Plant. Switchgear/substations are periodically required to be cleaned and inspected by a licensed contractor. This work is not within the capabilities of plant electricians. The contractor will perform visual inspections; evaluate switches for signs of excessive heating and discoloration, tightness of components and lubrication. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

	<u>Total Bid</u>
Great Lakes Power Services Linwood, MI	\$4,750.00
Premier Power Maintenance Brighton, MI	\$6,384.00
Michigan Switchgear Auburn, MI	\$6,550.00
CE Power Engineered Services, LLC Walled Lake, MI	\$6,640.00
Electric Power Systems Riverview, MI	\$10,480.00
Utilities Instrumentation Service Dexter, MI	\$10,510.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Surplus Division's Repairs and Replacements Account No. 590-4840-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Dickinson Wright, PLLC Agreement
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

I recommend the approval of the professional services agreement with Dickinson Wright, PLLC for \$5,000 to act as bond counsel for the City in connection with the issuance of the installment purchase agreement.

Justification:

Community Public Safety - Fire and the Department of Public Services is in the process of financing the replacement of equipment.

In order for the installment purchase to be completed, bond counsel is required to provide documentation and any approving opinions on the total financing packages. The agreement covers the fee and provided services of bond counsel. The fee for performing such services is included in the installment contract.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Community Public Safety Community Public Safety – Fire, Fire Apparatus Operations and Maintenance Division, Legal Services Account No. 101-3554-803.000 in the amount of \$2,234.28, and in the Department of Public Services, Cemeteries Division, Legal Services Account No. 101-1747-803.000 in the amount of \$2,765.72.

I have approved the agreement as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager

Subject: Amendment to ordinance §§153.605 and 153.606

Prepared by: Robert Gollin, Urban Planner

Manager's Recommendation:

I recommend the introduction of an ordinance to amend Chapter 153, of title XV, "Land Usage," by amending §153.605 titled, "Approval Procedures for Marihuana Establishments," and §153.606 titled "Authorized Marihuana Establishments," of the City of Saginaw Code of Ordinances, O-204.

Justification:

The Marihuana Establishments Zoning Ordinance was adopted by the City of Saginaw on September 24, 2020. Staff has initiated two amendments to the ordinance and submitted them to the Planning Commission for consideration. At their regular meeting, March 23, 2021, the Planning Commission held a public hearing on the matter, considered the proposed amendments and is requesting adoption by the City Council.

The first amendment is to §153.605 under subsection (E) requiring that applicants who receive Special Use Permit approval must also receive their provisional license, in accordance with Chapter 118, the licensing of marihuana establishments, within 90 days or it will be considered void. This amendment would provide some assurance that projects are moving forward and not being tied up for speculation.

§153.606(C)(2) currently requires consent of the sensitive use of another marihuana establishment for a variance to the setback requirement. The ordinance establishes minimum separation distances from various identified sensitive uses. One of these sensitive uses is an Authorized Marihuana Establishment. The ordinance does allow for a separation distance variance from the Board of Appeals on Zoning, provided that the Marihuana Establishment apply for a waiver from the sensitive use in the form of a notarized written consent. This amendment will eliminate the requirement on a proposed Marihuana Establishment to obtain written consent from an authorized Marihuana Establishment to pursue a variance from the separation distances.

I have approved the proposed zoning ordinance amendment as to substance and the City Attorney approves as to form.

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 CHAPTER 153, OF TITLE XV, "LAND USAGE," BY AMENDING §153.605 TITLED, "APPROVAL PROCEDURES FOR MARIHUANA ESTABLISHMENTS," AND §153.606 TITLED, "AUTHORIZED MARIHUANA ESTABLISHMENTS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

Laid over 30 days according to the Zoning statute.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced April 12, 2021, entitled and reading as follows, be taken up and enacted:

O- _____

AN ORDINANCE TO AMEND CHAPTER 153, OF TITLE XV, "LAND USAGE," BY AMENDING §153.605 TITLED, "APPROVAL PROCEDURES FOR MARIHUANA ESTABLISHMENTS," AND §153.606 TITLED, "AUTHORIZED MARIHUANA ESTABLISHMENTS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw ordains:

Section 1. An ordinance to amend Chapter 153, of title XV, "Land Usage," by amending §153.605 titled, "Approval Procedures for Marihuana Establishments," and §153.606 titled "Authorized Marihuana Establishments," of the City of Saginaw Code of Ordinances, O-204, is hereby amended to read as follows:

§153.605 APPROVAL PROCEDURES FOR MARIHUANA ESTABLISHMENTS.

(A) Development of marihuana establishments shall be approved by either the Planning Commission or the Chief Inspector as set forth below. The type of marihuana establishments allowed within the City, and the zoning classification where such marihuana establishments are allowed to be located within the City, shall be as set forth below.

License	Description	Criteria	Review Procedure	Zoning Classification Allowed In
Grower – Any Class excluding Excess Growers	New or Major Expansion	More than 25% increase in square footage	Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
	----- Class change and/or license stacking for same use	Less than or equal to 25% increase in square footage	----- Chief Inspector Review and Approval	
Excess Grower	New or Any Expansion	-	Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial

Processor	New	-	Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
	----- Major Expansion	----- More than 25% increase in square footage	----- Planning Commission Review and Approval	
	----- Minor Expansion	----- Less than or equal to 25% increase in square footage	----- Chief Inspector Review and Approval	
Retailer	New or Any Expansion	-	Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial B-1 – Local Business District B-1A – Interchange Business District B-2 – General Business District
Secure Transporter	New or Any Expansion	-	Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
Safety Compliance Facility	New or Major Expansion	More than 25% increase in square footage	Planning Commission Review and Approval	M-1 – Light Industrial M-2 – General Industrial M-3 – Heavy Industrial
	----- Minor Expansion	----- Less than or equal to 25% increase in square footage	----- Chief Inspector Review and Approval	

Microbusinesses, designated consumption establishments, marihuana event organizers, and temporary marihuana events are prohibited in the City.

(B) The Planning Commission and Chief Inspector are prohibited from waiving any portion of this Section.

(C) The Chief Inspector may submit any application subject to Chief Inspector Review and Approval to the Planning Commission for its review and approval.

(D) Planning Commission review shall be conducted in accordance with §153.562 and subject to applicable site design standards in §§153.318 through 153.319, §§153.349 through 153.350, §§153.369 through 153.370, §§153.388 through 153.389, and §153.440, as applicable. Chief Inspector review shall confirm the requested expansion of the use of the property conforms to the building and zoning requirements of this Code.'

(E) Planning Commission or Chief Inspector approval under this section will lapse and be void 90 days from the date it was issued if applicant has not obtained a provisional license from the City Clerk in accordance with Chapter 118 of this Code within that time.

§153.606 AUTHORIZED MARIHUANA ESTABLISHMENTS.

(A) A marihuana establishment is not eligible for a state license until the Planning Commission or the Chief Inspector, where the Chief Inspector is authorized to grant administrative approval through Chief Inspector Review and Approval, grants approval of the land use in accordance with this Code and upon issuance of a municipal license as provided in Ch. 118.

(B) The location and co-location of authorized marihuana establishments shall be determined as follows:

(1) *Separation Distances.* The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection (i.e. the sensitive use) to the nearest building line of the physical structure of the marihuana establishment. The following minimum-distancing regulations shall apply to all marihuana establishments. Marihuana establishments shall not be located within:

- (a) One thousand (1,000) feet of a public or private K-12 school;
- (b) Two hundred fifty (250) feet of a publicly owned park or playground;
- (c) One hundred (100) feet of a church or other place of worship;
- (d) Five hundred (500) feet of a hospital;
- (e) Two hundred fifty (250) feet of a halfway house or other transitional housing operated or licensed by the state or federal government; and
- (f) Five hundred (500) feet of another marihuana establishment location.

(C) *Separation Distance Variance.* The required separation distances between a proposed marihuana establishment location and the sensitive uses delineated in subsection (B), above, are subject to review pursuant to §153.519 and §§153-586 through 153.591 and cannot be waived except as allowed in this subsection:

(1) Evidence that all eligible sensitive uses within 1,000 feet of the proposed marihuana establishment location have been notified by the applicant of the intent to seek a waiver from the separation distance requirements has been provided to the Board of Appeals on Zoning with the application.

(2) Consent by the owner of the sensitive use that is signed and notarized shall be provided with the application to the Board of Appeals on Zoning; **however, the consent of the owner of another marihuana establishment located within the established separation distance shall not be required;** and

(3) The Board of Appeals on Zoning finds that the operation of the marihuana establishment within the requested minimum-distancing separation does not have any particularly detrimental effects on the sensitive use at issue.

(D) *Pre-Existing Establishments.* A marihuana establishment shall not be in violation of the spacing requirements in this section in the event a school or other sensitive use was located less than the minimum spacing distance from the establishment at any time after a City license and a state license to operate the establishment were issued.

(E) *Co-Location and Stacked Licenses.* There may be only one state operating license per parcel, except co-location and stacked grower licenses are permitted in certain circumstances:

(1) A marihuana establishment with a stacked grower license counts as a single grower for the purposes of marihuana establishment separation distance requirements.

(2) Co-location on the same parcel for growers, processors, and retailers is allowed if each license is for a separate use (other than stacked grower licenses), subject to all applicable state laws, rules and regulations concerning co-location, including but not limited to, state requirements for the separation of establishments.

(F) *Application Requirements.* Each application shall be accompanied by a detailed site plan, in accordance with §153.083, and any information necessary to describe the proposed use or change of use. Each request shall be considered a new application, including those for class change, stacking, expansion, transfers or other modifications that require Chief Inspector or Planning Commission Review and Approval. All items must be satisfactorily completed for an application to be considered eligible for review. The following shall be submitted as part of an application:

(1) A signed statement by the applicant indicating the proposed marihuana establishment type, including if the proposed marihuana establishment type involves

stacked licenses or co-location and the number of licenses to be maintained at that property.

(2) A notarized statement by the property owner that acknowledges use of the property for a marihuana establishment and agreement to indemnify, defend and hold harmless the City, its officers, elected and appointed officials, employees, and insurers, against all liability, claims or demands arising out of, or in connection to, the operation of a marihuana establishment on the property.

(3) Written consent of the applicant for the City to inspect the marihuana establishment at any time during normal business hours to ensure compliance with this Code.

(4) A copy of official paperwork issued by the state indicating that the applicant has successfully completed the prequalification step of the application for a state license, as well as copies of all documents submitted to the state in connection with the initial license application, subsequent renewal applications, or investigations conducted by the state.

(5) Existing and proposed building elevations, including building materials, window calculations, descriptions of glass to be used, and other pertinent information that describes building construction or structural alterations, in accordance with §153.083.

(6) Existing and proposed site changes.

(7) A sign plan for the exterior of the building and any interior signs that will be visible to the general public from the public right-of-way in accordance with §§153.145 through 153.169.

(8) All lighting fixtures visible to the public shall be identified.

(9) A map, drawn to scale, depicting all sensitive uses as delineated in subsection (B), above, within 1,000 feet of the proposed marihuana establishment location.

(10) A proposed security plan as required by the Act. Such plan shall be forwarded, reviewed, and approved by the Chief of Police, or their designee, prior to any public hearing required to be held on the application.

(11) A proposed marihuana establishment plan as required by the Act.

(12) A proposed marihuana product destruction and waste management plan as required by the Act.

(G) *Operations.* Marihuana establishments must be operated in compliance with the Act and all other applicable state laws, administrative rules, conditions of the marihuana establishment's state operating license, and this Code. In addition, such establishments shall comply with the following regulations to the extent such regulations do not conflict with the Act:

(1) The exterior appearance of a marihuana establishment must comply with the provisions of this Code and the Act.

(2) Except as allowed by the Act, no marihuana or equipment used in the growing, production, sale, processing, or transport of marihuana can be placed or stored outside of an enclosed building.

(3) Site and building lighting shall comply with the Act.

- (4) A video surveillance system will be maintained in accordance with the Act.
- (5) Drive-through establishments and mobile establishments are prohibited.
- (6) A marijuana establishment will not be designed in such a manner that its operation is likely to create a public nuisance.
- (7) Neither marijuana nor marijuana-infused products may be directly visible from the exterior of the marijuana establishment.
- (8) Security measures shall comply with the applicable provisions of the Act.
- (9) Retailers may not be open to customers between the hours of 9:00 p.m. and 9:00 a.m.
- (10) Marijuana establishments shall comply with the barrier-free design requirements of the Michigan Building Code.
- (11) The separation of plant resin by butane extraction or another method that utilizes a substance with a flashpoint below 100 degrees Fahrenheit shall only be allowed in the M-1, M-2, and M-3 Industrial Zone Districts.
- (12) Ventilation, by-product and waste disposal, and water management (supply and disposal) for the marijuana establishment will not produce contamination of air, water, or soil; or reduce the expected life of the building due to heat and mold; or create other hazards that may negatively impact the structure, surrounding properties, and/or public health.
- (13) Odors must be controlled and eliminated by the following methods:
- (a) The building must be equipped with an activated air scrubbing and carbon filtration system that eliminates all odors at the property line. Fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
 - (b) Air scrubbing and filtration systems must be maintained in working order and must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.
 - (c) Negative air pressure must be maintained inside the building.
 - (d) Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.
 - (e) The Chief Inspector may grant an exception for an alternative odor control system if a mechanical engineer licensed in the State of Michigan submits a report that sufficiently demonstrates the alternative system will be equal to or better than the air scrubbing and carbon filtration system otherwise required or such alternative will otherwise comply with the Act.

This ordinance shall become effective June 3, 2021.

Enacted: May 24, 2021.

Yeas:

Nays:

Absent:

ORDINANCE DECLARED ADOPTED

Brenda F. Moore
Mayor

Janet Santos, MiPMC/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 May 24, 2021; 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.

Janet Santos, MiPMC/MMC
City Clerk

AUTHORIZING INSTALLMENT PURCHASE CONTRACTS FOR VEHICLES AND EQUIPMENT

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: it is determined to be necessary and desirable and in the best interest of the City of Saginaw (the "City") that the City acquire certain vehicles and equipment as described in Exhibit A hereto (collectively, the "Property") and that the acquisition of the Property be financed all or in part by installment purchase authorized under Act 99, Public Acts of Michigan, 1933, as amended ("Act 99"), and more specifically by the acquisition of the Property pursuant to one or more installment purchase contracts (each, a "Contract" and collectively, the "Contracts") with the sellers thereof (each, a "Vendor" and collectively, the "Vendors") and Huntington Public Capital Corporation; and

WHEREAS: the aggregate outstanding balance, exclusive of interest, of all purchases made by the City pursuant to Act 99, including the Contracts, does not exceed 1¼% of the taxable value of the real and personal property in the City.

NOW, THEREFORE, BE IT RESOLVED that

1. It is hereby found to be necessary and desirable for the City to finance all or a portion of the cost of the Property, including costs of issuance of the Contracts, which includes the cost of bond counsel, in the aggregate principal amount of not to exceed \$552,627.28 by purchasing the Property pursuant to the terms and conditions of the Contracts; and the City hereby pledges its full faith and credit for the payment of its obligations thereunder. The balance of the cost of the Property, if any, shall be paid by the City from available funds of the City.
2. The City shall include in its budget and pay the sum or sums necessary each year to meet the payments due pursuant to the provisions of the Contracts.
3. The Contracts shall be dated the date of delivery thereof. The interest rate on the outstanding principal balance of each Contract shall equal 2.88% per annum, and each Contract shall be payable as to principal and interest in thirty semiannual installments on the dates and in the amounts set forth in Exhibit A to the respective Contract. The Contracts shall not be subject to prepayment.
4. The Contracts, in the form presented to this meeting, are hereby approved, and the Mayor and the City Clerk are hereby authorized to execute and deliver the Contracts in substantially the form approved, with such changes approved by them and consistent with the terms of this resolution. The approval of such

changes shall be conclusively evidenced by their signatures on the Contracts. Each Contract may be executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

- 5. The City covenants to comply with all provisions of the Internal Revenue Code of 1986, as amended, necessary to maintain the exclusion of interest on the Contracts from gross income for federal income tax purposes.
- 6. The Mayor, the City Clerk, the Treasurer, the City Manager and other officers of the City as may be necessary are each hereby authorized to execute and deliver such documents, instruments and certificates as are necessary or desirable to consummate the described transactions and to maintain the exclusion of the interest on the Contracts from gross income for federal income tax purposes.
- 7. The useful life of the Property is determined to be 15 years and upwards.
- 8. Dickinson Wright PLLC, Troy, Michigan, is hereby appointed as bond counsel with respect to the Contracts.
- 9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

Ayes:
 Nays:
 Absent:

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 April 12, 2021; 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.

Janet Santos, MiPMC/MMC
 City Clerk

EXHIBIT A

	<u>Vendor</u>	<u>Property</u>	<u>Unit Cost</u>	<u>Qty.</u>	<u>Vendor Cost</u>	<u>Contract Amt.</u>
1	Rosenbauer of South Dakota, LLC c/o Front Line Services, Inc.	Fire apparatus-pumper mounted on Rosenbauer commander chassis	\$489,421.00	1	\$489,421.00	\$244,710.50
2	MTech Company	Debris collector-leaf vacuum	\$ 97,270.44	1	\$ 97,270.44	\$ 97,240.44
3	Spartan Distributors	TORO Groundmaster 5900 (T4) wing mower	\$102,823.17	2	\$205,646.34	\$205,646.34

From: Timothy Morales, City Manager
Subject: MDOT Cost Agreement 20-5583, Center Street Bridge
Prepared by: Louis Taylor, Public Services Department

Manager's Recommendation:

I recommend the approval of the Cost Agreement with the Michigan Department of Transportation for the preventative maintenance work on West Center Street Bridge over the Saginaw River for the Engineering Section, Right of Way Division.

Justification:

Michigan Department of Transportation Cost Agreement 20-5583 is for the purpose of fixing the rights and obligations of the parties in agreeing to the cost of the bridge preventative maintenance work on the West Center Street Bridge over the Saginaw River (Structure No. 9438); including deck joint replacement, steel diaphragm repair at the east abutment deck joint, surface sealer and maintaining traffic work; and all together with necessary related work.

The total estimated project cost is \$385,739, and is partially funded with Federal Surface Transportation Funds and State Local Bridge Funds. Federal Surface Transportation Funds shall be applied to the project cost up to the lesser of (1) \$253,440 or (2) 80 percent, the normal participation ratio for such funds. State Local Bridge Funds shall be applied to the project cost at a participation ratio equal to 15 percent up to an amount not to exceed \$47,520. The balance of the project costs, after deduction of all Federal and State funds, shall be paid by the City of Saginaw. In summary, Federal and State funds will pay for \$300,960 of the project costs. The City is responsible for \$84,779 and any cost overruns.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Major Street Fund, Bridge Projects Division's Construction Projects Account No. 202-4616-822.000.

I have approved the cost agreement as to substance and the City Attorney as to form.

Council Action:

This Council Communication is for informational purposes of the resolution to be adopted.

APPROVING MDOT COST AGREEMENT 20-5583 FOR THE REHABILITATION OF THE CENTER STREET BRIDGE

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: Cost Agreement No. 20-5583 has been submitted by the Michigan Department of Transportation, which requires the City of Saginaw to adopt a resolution indicating its willingness to participate in the cost of the bridge preventative maintenance work on the West Center Street Bridge over the Saginaw River (Structure No. 9438); including deck joint replacement, steel diaphragm repair at the east abutment deck joint, surface sealer and maintaining traffic work; and all together with necessary related work.

WHEREAS: Cost Agreement No. 20-5583 has been approved by the City Manager as to substance and the City Attorney as to form; and

WHEREAS: By virtue of their positions, the Mayor and City Manager are authorized to sign the cost agreement contract.

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Saginaw does hereby approve Cost Agreement No. 20-5583 submitted by the Michigan Department of Transportation.

Ayes:
Nays:
Absent:

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 April 12, 2021; 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.

Janet Santos, MiPMC/MMC
City Clerk

From: Timothy Morales, City Manager

Subject: MDOT Cost Agreement 21-5014, Mackinaw Street, Alexander to Hamilton

Prepared by: Louis Taylor, Public Services Department

Manager's Recommendation:

I recommend the approval of Cost Agreement 21-5014 with the Michigan Department of Transportation for the reconstruction of Mackinaw Street from Alexander Street to Hamilton Street for the Engineering Section, Right of Way Division.

Justification:

Michigan Department of Transportation Cost Agreement 21-5014 fixes the rights and obligations of the parties in agreeing to the following road improvements:

Part A - Federal Participation

Hot mix asphalt reconstruction work along Mackinaw Street from Alexander Street to Hamilton Street; including curb and gutter, sidewalk ramp, permanent signing, and pavement markings work; and all together with necessary related work.

Part B – No Federal Participation

Water main and sanitary main installation work within the limits as described in PART A; and all together with necessary related work.

The total estimated project cost is \$3,437,900. The estimated Part A project cost is \$2,660,800, and is partially funded with Federal Surface Transportation Urban Local (STUL) Funds, Federal Highway Infrastructure Program (HIP) Funds, and Federal HIP – COVID Relief Funds. Federal STUL Funds shall be applied to the Part A portion of the project cost up to the lesser of (1) \$1,144,879 or (2) 81.85 percent, the normal Federal participation ratio for such funds. Federal HIP Funds shall be applied to the PART A portion of the project cost up to the lesser of (1) \$266,521 or (2) 81.85 percent. Federal HIP – COVID Relief Funds shall be applied to the PART A portion of the project cost up to \$303,296. The balance of the Part A project costs, after deduction of all Federal Funds, shall be paid by the City of Saginaw. In summary, Federal Funds will pay for \$1,714,696 of the Part A project costs. The City's estimated share of the Part A project costs is \$946,104.

The estimated project cost for Part B is \$777,100. Part B work is not eligible for federal funds and all costs associated with Part B are the responsibility of the City. Therefore, the City's cost obligation for this project is \$1,723,204 of the estimated total project cost of \$3,437,900. The City is also responsible for any cost overruns.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operations and Maintenance Fund, Surplus Division's Construction Projects Account No. 591-4740-822.000 \$305,000, Sewer Operations and Maintenance Fund, Surplus Division's Construction Projects Account No. 590-4840-822.000 \$195,000 and the Major Street Fund, Street Project Division's Construction Project Account No. 202-4614-822.000 \$100,000, and will be budgeted in the FY 2022 Water Operations and Maintenance Fund, Surplus Division's Construction Projects Account No. 591-4740-822.000 \$472,100, Sewer Operations and Maintenance Fund, Surplus Division's Construction Projects Account No. 590-4840-822.000 \$550,000 and the Major Street Fund, Street Project Division's Construction Project Account No. 202-4614-822.000 \$101,104, upon approval of the FY 2022 budget.

I have approved the cost agreement as to substance and the City Attorney as to form.

Council Action:

This Council Communication is for informational purposes of the resolution to be adopted.

**APPROVING MDOT COST AGREEMENT 21-5014
FOR THE RECONSTRUCTION OF MACKINAW STREET
FROM ALEXANDER STREET TO HAMILTON STREET**

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: Cost Agreement No. 21-5014 has been submitted by the Michigan Department of Transportation, which requires the City of Saginaw to adopt a resolution indicating its willingness to participate in the cost of hot mix asphalt reconstruction work along Mackinaw Street from Alexander Street to Hamilton Street; including curb and gutter, sidewalk ramp, permanent signing, pavement marking work, and water main and sanitary sewer main installation work; and all together with necessary related work.

WHEREAS: Cost Agreement No. 21-5014 has been approved by the City Manager as to substance and the City Attorney as to form; and

WHEREAS: By virtue of their positions, the Mayor and City Manager are authorized to sign the cost agreement contract.

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Saginaw does hereby approve Cost Agreement No. 21-5014 submitted by the Michigan Department of Transportation.

Ayes:
Nays:
Absent:

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 April 12, 2021; 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.

Janet Santos, MiPMC/MMC
City Clerk

SUPPORT OF RECOGNIZING LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER/QUESTIONING (LGBTQ+) INDIVIDUALS AS A PROTECTED CLASS

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: the City of Saginaw has a diverse Lesbian, Gay, Bisexual, Transgender and Queer/Questioning (LGBTQ+) community and is committed to supporting visibility, dignity and equity for all people in the community; and

WHEREAS: many of the residents, students, city employees, and business owners within the City of Saginaw who contribute to the enrichment of our City are a part of the LGBTQ+ community; and

WHEREAS: various advancements have been made with respect to equitable treatment of LGBTQ+ persons throughout the nation, but there continues to be some opposition to people from this community and around the world making it important for cities like Saginaw to stand up and show support for our residents who are impacted; and

WHEREAS: all individuals should be able to live and work in a safe and inclusive environment free from discrimination, and that history has shown that civil rights laws are effective in contributing to such environments; and

WHEREAS: explicit federal and state statutory protections currently address discrimination on the basis of race, color, national origin, sex, disability, and other protected classes, but do not provide protections specifically on the basis of sexual orientation or gender identity.

NOW THEREFORE BE IT RESOLVED, that the City Council for the City of Saginaw encourages its federal and state legislators to support amendments to existing civil rights legislation that specifically recognize the LGBTQ+ community as a protected class and addresses discrimination based upon sexual orientation, gender identity, and gender expression; and

BE IT FURTHER RESOLVED, that the City Council for the City of Saginaw encourages local companies and individuals to adopt nondiscrimination policies that require the fair and equal treatment of the LGBTQ+ community in areas of public accommodation like hotels, restaurants, hospitals, retail stores, and housing rentals; and

BE IT FURTHER RESOLVED, the City Council for the City of Saginaw invites everyone to reflect on ways we can all live and work together with a commitment to mutual respect and understanding and to continue that sentiment each and every day.

Ayes:
Nays:
Absent:

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 April 12, 2021; 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.

Janet Santos, MiPMC/MMC
City Clerk