

City of Flint, Michigan

*Third Floor, City Hall
1101 S. Saginaw Street
Flint, Michigan 48502
www.cityofflint.com*



Meeting Agenda - Final

Monday, June 10, 2024

5:30 PM

Council Chambers

CITY COUNCIL

Ladel Lewis, President, Ward 2

Candice Mushatt, Vice President, Ward 7

*Leon El-Alamin, Ward 1
Judy Priestley, Ward 4
Tonya Burns, Ward 6*

*Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5
Dennis Pfeiffer, Ward 8*

Jonathan Jarrett, Ward 9

Davina Donahue, City Clerk

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****PRAYER OR BLESSING****READING OF DISORDERLY PERSONS CITY CODE SUBSECTION**

Any person that persists in disrupting this meeting will be in violation of Flint City Code Section 31-10, Disorderly Conduct, Assault and Battery, and Disorderly Persons, and will be subject to arrest for a misdemeanor. Any person who prevents the peaceful and orderly conduct of any meeting will be given one warning. If they persist in disrupting the meeting, that individual will be subject to arrest. Violators shall be removed from meetings.

REQUEST FOR AGENDA CHANGES/ADDITIONS**PUBLIC HEARINGS**

Members of the public shall have no more than three (3) minutes to speak during a public hearing. A member of the public shall stand to obtain recognition by the President [Presiding Chair] at the opening of the hearing or at the conclusion of the remarks of the previous speaker. Comments during a public hearing must be germane to the public hearing.

Councilmembers may not speak during public hearings nor respond to speakers.

240191.6 Public Hearing/Ordinance No. 240191

A Public Hearing for Ordinance No. 240191, an ordinance to amend Chapter 31 (General Offenses) Code of Ordinances by amending Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons). [NOTE: This ordinance shall become effective 30 days after enactment.]

240192.6 Public Hearing/Ordinance No. 240192

A Public Hearing for Ordinance No. 240192, an ordinance to amend Chapter 46 (Utilities) Article II (Water Supply and Sewage Disposal System), by the addition of Division 5 (Replacement of Lead Service Lines). [NOTE: This ordinance shall become effective 30 days after enactment.]

PUBLIC COMMENT

Members of the public who wish to address the City Council or its committees must register before the meeting begins. A box will be placed at the entrance to the Council Chambers for collection of registrations. No additional speakers or slips will be accepted after the meeting begins.

Members of the public shall have no more than three (3) minutes per speaker during public comment, with only one speaking opportunity per speaker.

COUNCIL RESPONSE

Councilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to two (2) minutes.

CONSENT AGENDA

Per the amended Rules Governing Meetings of the Flint City Council (as adopted by the City Council on Monday, April 22, 2024), the Chair may request the adoption of a "Consent Agenda". After a motion to adopt a Consent Agenda is made and seconded, the Chair shall ask for separations. Any agenda item on a Consent Agenda shall be separated at the request of any Councilmember. After any separations, there is no debate on approving the Consent Agenda - it shall be voted on or adopted without objection.

RESOLUTIONS

240144 Administrative Consent Order/City of Flint/State of Michigan/Department of Environment, Great Lakes and Energy [EGLE]/Drinking Water and Environmental Health Division

Resolution resolving that the City Council approves authorizing the City of Flint to take all actions necessary to enter into DWEHD Order No. ACO-399-03-2024 ("Administrative Consent Order between the City of Flint and EGLE"). [NOTE: The State of Michigan, Department of Environment, Great Lakes, and Energy ("EGLE"), Drinking Water and Environmental Health Division ("DWEHD") has made allegations that the City of Flint is in violation of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), and the administrative rules promulgated thereunder, being 2009 ACS R 325.10101, et seq., Title XIV of the Public Health Service Act: Safety of Public Water Systems (Safe Drinking Water Act), Title 42 of the United States Code (USC), Section 300f, et seq. (collectively, the "SDWA"). The City of Flint and EGLE have tentatively agreed to resolve the violations alleged by EGLE through entry of an Administrative Consent Order.]

240169 Reallocation ARPA Funds/Payment of Uncollected Trash Fees

Resolution resolving that the appropriate City Officials are authorized to do all things and execute any agreements necessary to appropriate funding in the current and future fiscal years, for as long as the funds are available. Prior to any disbursement of funds, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury rules. [NOTE: City Administration recommends reallocating \$2,000,000 of ARPA funds, previously obligated for revenue

replacement, to provide funding for payment of uncollected trash fees. Reallocated funds will be moved from Acct #101-287.000-963.000.]

240189 Reallocation of ARPA Funds/Small Business Grants/ Local Initiatives Support Corporation (LISC)

Resolution resolving that the appropriate City officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to Local Initiatives Support Corporation (LISC) Flint in the amount of \$500,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US department of Treasury requirements and previously approved authorizations.

240207 Issuance of Bonds/Sewage Disposal System Revenue Bonds/System Improvements and Related Costs/Standing and Priority of Lien/Outstanding Bonds/Retirement and Security of Bonds/Acceptance of Grants/Authorization of Agreements

Resolution resolving that Section 1. Definitions. Whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings: (a) "2024 SRF Improvements" means design, acquisition, equipping, and construction of improvements to the System, including, but not limited to, the improvements described in Section 2 with respect to the 2024 SRF Bonds, as well as all work necessary and incidental to these improvements. (b) "2024 SRF Bonds" means the Sewage Disposal System [Junior Lien] Revenue Bonds, Series 2024 authorized by Section 9 of this Resolution for the purpose of paying for the 2024 SRF Improvements and paying the costs of issuing the 2024 SRF Bonds. (c) "Act 94" shall have the meaning assigned to it in the recitals to this Resolution. (d) "Additional First Lien Bonds" means any additional First Lien bonds issued in the future. (e) "Additional Junior Lien Bonds" means any additional Junior Lien Bonds issued in the future. (f) "Adjusted Net Revenues" means for any operating year the Net Revenues to which may be made the following adjustments: (i) Revenues may be augmented by the amount of any rate increase adopted prior to the issuance of additional Bonds or to be placed into effect before the time principal or interest on the additional Bonds becomes payable from Revenues as applied to quantities of service furnished during the operating year or portion thereof that the increased rates were not in effect, (ii) Revenues may be augmented by amounts that may be derived from rates and charges to be paid by new customers of the System. (g) "Authorized Officer" means any one of the following officials of the City: the Mayor, the Chief Financial Officer, the City Administrator, or the Treasurer. (h) "Bondholder" or "Bondholders" means the holder or holders of the Bonds. (i) "Bond Reserve Account" means, if necessary, a subaccount established within the Redemption Account pursuant to Section 22(b)(ii)(2). (j) "Bonds" means the 2024 SRF Bonds and any Additional Junior Lien Bonds and any Additional First Lien Bonds authorized pursuant to this Resolution or any other resolution of the City, whether presently outstanding or hereafter issued. (k) "Code" means the Internal Revenue Code of 1986, as amended, and the rules

and regulations promulgated thereunder. (l) "Council" means the City Council of the City of Flint, Michigan, the legislative and governing body thereof. (m) "2024 SRF Construction Fund" shall mean the construction fund created pursuant to Section 22(a). (n) "Contract Documents" means the Purchase Contract between the City and the Authority, the Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through EGLE, and the Issuer's Certificate for the 2024 SRF Bonds, or such other closing documents required by the Authority for the issuance of the 2024 SRF Bonds. (o) "First Lien Bonds" shall mean any bonds or other obligations that may be issued or incurred by the City payable from the Revenues of the System secured by a lien that is a first lien on the Net Revenues of the System, senior in standing and priority of lien with respect to the Net Revenues to the claim of the Junior Lien Bonds. (p) "First Lien Redemption Account" means the First Lien Bond and Interest Redemption Account created as a subaccount of the Redemption Account pursuant to Section 22(b)(ii)(1). (q) "GO Fund" means, if necessary, the General Obligation Debt Fund created pursuant to Section 22(b)(iii). (r) "Junior Lien Bonds" shall mean any bonds or other obligations that may be issued or incurred by the City payable from the Revenues of the System secured by a lien on the Net Revenues of the System that is subordinate to a first lien on the Net Revenues of the System created for the benefit of any First Lien Bonds. (s) "Junior Lien Redemption Account" shall mean the Junior Lien Bond and Interest Redemption Account created as a subaccount of the Redemption Account pursuant to Section 22(b)(ii)(3). (t) "Net Revenues" shall have the same meaning as defined in Section 3 of Act 94. (u) "Operation and Maintenance Fund" means the Operation and Maintenance Fund created pursuant to Section 22(b)(i). (v) "Purchase Contract" shall have the meaning as defined in Section 9 of this Resolution. (w) "Receiving Fund" shall mean the Sewage Disposal System Receiving Fund created pursuant to Section 22(b). (x) "Redemption Account" shall mean the Bond and Interest Redemption Account created pursuant to Section 22(b)(ii). (y) "Resolution" means this Resolution and all amendments hereto. (z) "Revenues" shall have the same meaning as defined in Section 3 of Act 94 and shall include all earnings on investment of funds of the System and all other revenues derived from or pledged to operation of the System. (aa) "System" means the City's complete sewage disposal system, both inside and outside the City, including all collection and treatment facilities for sanitary sewer and all appurtenances thereto now owned by the City and those acquired pursuant to this Resolution and all extensions and improvements thereto hereafter made.

Section 2. Necessity of 2024 SRF Improvements. It is hereby determined to be necessary for the public health, safety and welfare of the City to acquire, construct, furnish and equip improvements to the City's existing System including wastewater treatment plant improvements, and force main and pump station rehabilitations, together with all related appurtenances and attachments thereto (the "2024 SRF Improvements") in accordance with the maps, plans and specifications therefor prepared by the City's engineers and issue the 2024 SRF Bonds pursuant to Act 94 to finance the acquisition, construction, furnishing and equipping of the 2024 SRF Improvements.

Section 3. Cost and Useful Life of 2024 SRF Improvements. The cost of the 2024 SRF Improvements is estimated not to exceed Sixty-Six Million Nine Hundred Eighty Thousand Dollars (\$66,980,000) including, the payment of legal, engineering, financial and other expenses, which estimate of cost is hereby approved and

confirmed, and the period of usefulness of the 2024 SRF Improvements is estimated to be not less than thirty (30) years. Section 4. Payment of Costs of 2024 SRF Improvements and Authorization of 2024 SRF Bonds. It is hereby determined that the City shall borrow the sum of not-to-exceed Forty-Six Million Nine Hundred Eighty Thousand Dollars (\$46,980,000), with such maximum amount being reduced by an amount commensurate with the amount of the Grant ultimately realized by the City, and as finally determined by an Authorized Officer upon the sale of thereof, and the 2024 SRF Bonds shall be issued pursuant to the provisions of Act 94 to pay the cost of acquiring and constructing the 2024 SRF Improvements, including the payment of engineering, legal, financial, bond insurance, underwriter's discount and other expenses incident thereto and incident to the issuance and sale of the 2024 SRF Bonds. The balance of the cost of the 2024 SRF Improvements, if any, will be paid from other funds of the City legally available therefor. The 2024 SRF Bonds shall be designated as the SEWAGE DISPOSAL SYSTEM [JUNIOR LIEN] REVENUE BONDS (SRF PROJECT #5739-01), SERIES 2024, with such modifications as may be approved by an Authorized Officer, and unless required by the Authority and as authorized by Act 94, shall not be a general obligation of the City, but be revenue bonds, payable solely out of the Net Revenues of the System. During the time funds are being drawn down by the City under the 2024 SRF Bonds, the Authority will periodically provide the City with a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced and not forgiven, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of the 2024 SRF Bonds. Section 5. Year of Sale. If the 2024 SRF Bonds, or any series thereof, are not sold or delivered in calendar year 2024, then references to the name of the bonds, funds and accounts approved by this Resolution may be changed to reflect the year in which such bonds will be sold or delivered. Section 6. Payment of Bonds; Pledge of Net Revenues. Principal of and interest on the 2024 SRF Bonds shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of principal on the 2024 SRF Bonds shall be made at the principal office of the Paying Agent, upon surrender of the 2024 SRF Bonds. Payment of interest on the 2024 SRF Bonds shall be paid to the registered owner at the address as it appears on the registration books. The principal of and interest on the 2024 SRF Bonds shall be payable from the Net Revenues derived from the operation of the System, including future improvements, enlargements and extensions thereof, after provision has been made for the payment of expenses of administration, operation and maintenance thereof. The Net Revenues of the System, including future enlargements, improvements, and extensions thereto, are hereby pledged to the payment of the principal of and interest on the 2024 SRF Bonds. To secure the payment of the principal of and interest on the 2024 SRF Bonds, a statutory lien is created pursuant to the Act to and in favor of the Bondholders of the 2024 SRF Bonds upon the Net Revenues of the System, including future enlargements, improvements, and extensions thereof. The statutory lien on the Net Revenues securing any First

Lien Bonds shall be a first lien as provided in the Act and shall at all times and in all respects be and remain superior to the lien on the Net Revenues securing any Junior Lien Bonds. The Net Revenues so pledged shall be and remain subject to such lien until the payment in full of the principal of and interest on the 2024 SRF Bonds or until the 2024 SRF Bonds are defeased as provided in Section 29. The Authorized Officer is hereby authorized and directed to determine in an order signed by the Authorized Officer upon or prior to the delivery of the 2024 SRF Bonds whether the 2024 SRF Bonds are First Lien Bonds or Junior Lien Bonds. The 2024 SRF Bonds, including both principal and interest thereon, shall not be a general obligation of the City and shall not constitute an indebtedness of the City for the purpose of any debt limitations imposed by any constitutional or statutory provisions. Section 7. Prior Redemption. The 2024 SRF Bonds issued and sold to the Authority shall be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority. Section 8. Paying Agent and Registration. (a) Appointment of Paying Agent. From time to time the Authorized Officer shall designate and appoint a Paying Agent, which shall also act as transfer agent and bond registrar. The initial Paying Agent shall be the Treasurer of the City. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bonds. (b) Registration of Bonds. Registration of the Bonds shall be recorded in the registration books of the City to be kept by a Paying Agent. Bonds may be transferred only by submitting the same, together with a satisfactory instrument of transfer signed by the Registered Owner or the Registered Owner's legal representative duly authorized in writing, to the Paying Agent, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in any denomination, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any Bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption. (c) Authority's Depository. Notwithstanding any other provision of this Resolution or the 2024 SRF Bonds, so long as the Authority is the owner of the 2024 SRF Bonds, (a) the 2024 SRF Bonds are payable as to principal, premium, if any, and interest at the U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on the 2024 SRF Bonds in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 p.m. (noon) on the scheduled day, the City shall immediately pay to the

Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of the 2024 SRF Bonds shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made. Section 9. 2024 SRF Bond Details. The 2024 SRF Bonds shall be issued in the form of one or more fully-registered, nonconvertible bonds, dated as of the date of delivery, payable in annual principal installments in the amounts and on the dates as determined by the order of EGLE and approved by the Authority and the Authorized Officer, provided that the final payment on the 2024 SRF Bonds shall occur within the period of usefulness of the 2024 SRF Improvements as set forth in this Resolution. Final determination of the principal amount and the payment dates and amounts of principal installments of the 2024 SRF Bonds shall be evidenced by execution of a Purchase Contract (the "Purchase Contract") between the City and the Authority providing for sale of the 2024 SRF Bonds, and the Authorized Officer is authorized and directed to execute and deliver the Purchase Contract. The 2024 SRF Bonds shall bear interest at a rate or rates to be determined by the Authorized Officer at the time of execution of the Purchase Contract, but in any event not exceeding the maximum amount permitted by law, payable semiannually on the dates as determined in the Purchase Contract. In addition, if required by the Authority, the 2024 SRF Bonds will bear additional interest, under the terms required by the Authority, in the event of a default by the City in the payment of principal or interest on the 2024 SRF Bonds when due. The 2024 SRF Bonds principal amount is expected to be drawn down by the City periodically, and interest on each installment of the principal amount shall accrue from the date such principal installment is drawn down by the City. Principal installments of the 2024 SRF Bonds will be subject to prepayment prior to maturity as permitted by the Authority and approved by the Authorized Officer. The Mayor and City Clerk are authorized to execute the 2024 SRF Bonds by manual or facsimile signature. If required, at least one signature on the 2024 SRF Bonds shall be a manual signature. If required, the 2024 SRF Bonds shall have the facsimile corporate seal of the City printed or impressed thereon. The 2024 SRF Bonds may be transferred by the bondholder as provided in the 2024 SRF Bonds as executed. Section 10. State Revenue Sharing Pledge. If required by the Authority, as additional security for repayment of the 2024 SRF Bonds, the Council agrees to pledge the state revenue sharing payments that the City is eligible to receive from the State of Michigan under Act 140 to the Authority as purchaser and holder of the 2024 SRF Bonds. The Authorized Officer is authorized to execute and deliver a revenue sharing pledge agreement between the City and the Authority. Section 11. Bond Form. The 2024 SRF Bonds shall be in substantially the [described] form subject to changes, including references to additional security, as may be required by the Authority. [NOTE: Pursuant to Act 94, Public Acts of Michigan, 1933, as amended (the "Act 94"), the City of Flint, County of Genesee, State of Michigan (the "City") has determined to make improvements to the City's System (as defined). On June 24, 2019 the City Council of the City (the "Council") adopted Resolution No. 190188.1 (the "Project Plan Resolution") approving a proposed project plan and program application (the "Project Plan") to the Michigan Department of Environment, Great Lakes and Energy ("EGLE") for improvements to the System as set forth in such Project Plan. The

improvements will enable the City to provide more efficient and better quality public services to the users of the System. Pursuant to Resolution No. 200303.1, the Council approved the issuance of \$35,360,000 principal amount of City's Sewage Disposal System Junior Lien Revenue Bonds, SRF Series 2020 (the "Series 2020 Bonds") to pay a portion of the costs of certain improvements under the Project Plan, and a portion of the Series 2020 Bonds remain outstanding. Pursuant to Resolution No. 210407, the Council approved the issuance of \$37,255,000 principal amount of City's Sewage Disposal System Junior Lien Revenue Bonds, SRF Series 2021 (the "Series 2021 Bonds," and together with the Series 2020 Bonds, the "Prior Bonds") to pay a portion of the costs of certain improvements under the Project Plan, and a portion of the Series 2021 Bonds remain outstanding. It is now deemed necessary by the Council to equip, improve, rehabilitate, acquire, construct and install certain improvements to the System including but not limited to the wastewater treatment plant, force main and pump station remediation, together with any appurtenances and attachments thereto and any related site acquisitions or improvements (the "2024 SRF Improvements") in compliance with and according to the Project Plan. The City intends to finance construction and acquisition of the 2024 SRF Improvements through issuance of sewage disposal system revenue bonds (the "2024 SRF Bonds") and to sell the 2024 SRF Bonds to the Michigan Finance Authority (the "Authority"). As additional security for payment of the principal of, premium, if any, and interest on the 2024 SRF Bonds, it may be necessary for the City to pledge to the Authority revenue sharing payments that the City is eligible to receive under Act 140, Public Acts of Michigan, 1971, as amended ("Act 140"). Not less than 45 days prior to the issuance of the 2024 SRF Bonds, a notice of intent to issue bonds must be published in accordance with Section 33 of Act 94, a ("Notice of Intent"), which will provide that the proposed 2024 SRF Bonds may be issued without a vote of the electors of the City unless the requisite petitions for an election on the question of the issuance of the 2024 SRF Bonds are filed with the Clerk of the City ("City Clerk") within a period of 45 days from the date of publication. Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of 2024 SRF Bond proceeds, and the City intends to qualify amounts advanced by the City to make improvements to the City's System for reimbursement from proceeds of the 2024 SRF Bonds in accordance with the requirements of the Reimbursement Regulations. All things necessary to the authorization and issuance of the 2024 SRF Bonds under the Constitution and laws of the State of Michigan, particularly Act 94, the Charter and ordinances of the City, have been done or will be done, and the Council is now empowered and desires to authorize the issuance and sale of the 2024 SRF Bonds. The City has been awarded one or more grants from EGLE pursuant to the American Rescue Plan legislation, and appropriated pursuant to Section 307 of Michigan Public Act 53 of 2022, pursuant to America's Water Infrastructure Act of 2018, which amended Section 221 of the Clean Water Act to reauthorize Sewer Overflow and Stormwater Reuse Municipal Grants administered by EGLE's Water Resources Division, or pursuant to such other legislation or appropriations for the benefit of the 2024 SRF Improvements (collectively, the "Grant") in an aggregate amount up to the lesser of \$20,000,000, or fifty percent (50%) of the amount of the 2024 SRF Improvements eligible for financing through the State

Revolving Fund program. Pursuant to this Resolution, the City, by and through the Council, wishes to accept and appropriate the Grant to support the financing of the 2024 SRF Improvements. The Council wishes to authorize the Authorized Officers (as defined) to finalize the terms of the issuance and sale of the 2024 SRF Bonds and to take any actions necessary to receive the Grant without further resolution of the Council.]

240223 Support/Local Bridge Program Funding Application/Michigan Department of Transportation (MDOT)/Five Percent (5%) Local Share of Construction Costs

Resolution resolving/confirming the City's commitment to the proposed bridge projects [as submitted by the City of Flint to the Michigan Department of Transportation (MDOT) for Local Bridge Program Funding Applications] and the ability to finance the 5% local share of construction costs from funding available in the 202 Major Street Fund if the City is awarded funding for the proposed bridge projects.

240224 CO#1/Contract/Shannon Chemical Corporation/Phosphoric Acid 75%

Resolution resolving that the Division of Purchases and Supplies is authorized to issue additional Purchase Orders (change order) to Shannon Chemical Corporation for the supply of Phosphoric Acid 75% NSF grade for the Water Plant, in an additional amount NOT-TO-EXCEED \$60,481.91, for an aggregate grand total NOT-TO-EXCEED \$200,481.91 for FY2024 (07/01/23-06/30/24).

240225 Contract/Lighthouse Insurance Group/Workers Compensation Excess Policy

Resolution resolving that the appropriate City officials are authorized to enter into a contract with Lighthouse Insurance Group to provide the City with excess workers compensation insurance coverage through Midwest Employers Insurance Company at a premium cost amount not to exceed \$136,978.00 for the period beginning 7/1/24 to 7/1/25. Funding for these services will come from account 677-267.651-955.000.

240226 Budget Amendment/Allocation/State of Michigan Pension Protection Grant

Resolution resolving that the appropriate officials are authorized to do all things necessary to amend the FY2024 budget to recognize revenue and expenditures for the amount of \$172,463,377.98 to recognize the State of Michigan Pension Protection Grant Award. [NOTE: The Flint City Council adopted resolution 230161 on 5/22/23, authorizing the submission of a claim for the grant payment from the Protecting MI Pension Grant Program. Subsequently, the City of Flint was awarded \$172,463,377.98 under the grant program.]

240227 Reallocation of ARPA Funds/Grants for Youth Job Training/Faith foundation Resources

Resolution resolving that the appropriate City Officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to

Faith Foundation Resources, in the amount of \$200,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations.

240228 Consumers Energy Easement/Lake State Railroad Company Pedestal

Resolution resolving that the Flint City Council approves the easement for running power underground to the pedestal signal between the City of Flint and Consumers Energy Company. [NOTE: Lake States Railroad Company has a powered signal on the railroad track near parcel ID number 41-21-326-063. Unfortunately, the current power line runs above ground and is frequently vandalized, so the signal loses power. Consumers is willing to run the power line underground to reduce the occurrences of vandalism and power disruption, however, the property between the railroad tracks and the power supply is owned by the City of Flint so that Consumers requires an easement to do so.]

240232 Setting of Public Hearing/Street Vacation/Dewey Street (Between N. Saginaw and North Streets)

Resolution resolving that a public hearing to consider the vacation of Dewey Street, between North Saginaw Street and North Street, shall be held on the _____ day of _____, 2024, at 5:30 p.m., in City Council Chambers, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

240233 ARPA Funding/3rd Ward/\$30,000 Ward Account

Resolution approving ARPA Funding for the 3rd Ward \$30,000 Ward Account for the following projects as listed: 4 Back Boards, Poles, Rims Replacement for Dewey Park (\$12,500.00); Replacement of ½ Court to Full Court for Rolling Wood Park including Replacement of Poles, Rims, Back Boards Rims, and expansion of Asphalt Court (\$15,000.00); The Oatmeal Clubs/Community Park Beautification Project/Good Church Fiduciary (\$1,000.00); and Rolling Wood Neighborhood Clean Up Material (\$500.00). Total: \$29,000.00.

RESOLUTIONS (May Be Referred from Special Affairs)

240120 Contract/Ernst & Young/Management of ARPA Funds (Revised FY24)

Resolution resolving that the appropriate City Officials can enter into Year 3 of the amended ARPA Compliance Services Contract with Ernst & Young LLP, in the amount not to exceed \$738,025.00 for a for FY2024 (07/01/23-06/30/24). Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations.

240182 Reallocation ARPA Funds/Emergency Water Relief Funds

Resolution resolving that the appropriate City officials are authorized to do all things and execute any agreements necessary to the City of Flint Administration and appropriate funding in the current and future fiscal years in the amount of \$250,000.00, for as long as the funds are available. Prior to any disbursement of funds, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury rules. [NOTE: City Administration recommends reallocating \$250,000 of ARPA funds, previously obligated for revenue replacement, to provide emergency water payment assistance. The administration recommends funding \$250,000 for Emergency Water Relief Funds. Reallocated funds will be moved from Acct #101-287.000-963.000.]

240234 Adjournment/Meetings of the Flint City Council and Its Committees/July 3rd and 8th, 2024

Resolution resolving that the Flint City Council adjourns the meetings of the Flint City Council and its Committees scheduled for July 3, 2024, and July 8, 2024, AND, resolving that a Special Meeting of the Flint City Council shall be held before t meeting of the Flint City Council Committees on July 17, 2024.

240235 Scheduling of a Public Hearing/Removal for Cause/Ethics and Accountability Board/Member Billie Danzler

Resolution resolving that the Law Department is requested to retain outside counsel to act as the Manager for this public hearing, who will present the case for removal to the City Council, AND, resolving that Ms. Danzler may, at her own expense, be represented by legal counsel at this public hearing, AND, resolving that the City Clerk shall, in conjunction with the Manager and Ms. Danzler or her legal counsel, schedule a public hearing regarding the removal of Billie Danzler of the Ethics and Accountability Board, to be held at a special meeting of the City Council, and shall provide notice of the same to Ms. Danzler and the public as required by the Flint City Charter. [NOTE: Section 1-603(A) of the Flint City Charter states that "the City Council shall declare the forfeiture of the office of any elective officer or appointee and may remove for cause any person appointed to an office for a fixed term. In every case there shall be a public hearing before the City Council with public notice published in the manner set forth in this Charter." Section 1-603(B) of the Flint City Charter states that "[t]he position of an elective City of Flint officer or an appointee shall be forfeited if he or she: 1. Lacks at any time any qualifications required by law or this Charter; or 2. Violates any provisions of this Charter; or 3. Is convicted of a felony while holding the office or appointment." Section 1-602(C)(1) of the Flint City Charter prohibits public servants from "willfully or grossly neglect the discharge of his or her duties." Ms. Danzler's multiple violation of the City's disorderly conduct ordinance constitutes a willful or grossly negligent discharge of her duties as a member of the Ethics and Accountability Board and a public servant, and is grounds for removal for cause.]

INTRODUCTION AND FIRST READING OF ORDINANCES (May Be Referred from Special Affairs)

240168 Amendment/Ordinance/Chapter 4 (Air Pollution Control)/Section 4-13 (Open

Burning)

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 4 (Air Pollution Control), Section 4-13 (Open Burning). [NOTE: This ordinance shall become effective immediately upon publication.]

SECOND READING AND ENACTMENT OF ORDINANCES

240191 Amendment/Ordinance/Chapter 31 (General Offenses)/Article I (In General)/Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons)

An ordinance to amend Chapter 31 (General Offenses), Article I (In General), of the Code of the City of Flint by amending Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons). [NOTE: This ordinance shall become effective 30 days after enactment.]

240192 Amendment/Ordinance/Chapter 46 (Utilities)/Article II (Water Supply and Sewage Disposal System)/Division 5 (Replacement Lead Service Lines)

An ordinance to amend Chapter 46 (Utilities), Article II (Water Supply and Sewage Disposal System), by the addition of Division 5 (Replacement of Lead Service Lines). [NOTE: This ordinance shall become effective 30 days after enactment.]

FINAL COUNCIL COMMENTS

Final Council Comments shall be limited to two (2) minutes.

ADJOURNMENT

240144



RESOLUTION NO.: _____

PRESENTED: 4-17-2024

ADOPTED: _____

RESOLUTION AUTHORIZING ENTRY INTO ADMINISTRATIVE CONSENT ORDER BETWEEN THE CITY OF FLINT AND THE STATE OF MICHIGAN, DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY, DRINKING WATER AND ENVIRONMENTAL HEALTH DIVISION

BY THE CITY ADMINISTRATOR:

The State of Michigan, Department of Environment, Great Lakes, and Energy ("EGLE"), Drinking Water and Environmental Health Division ("DWEHD") has made allegations that the City of Flint is in violation of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), and the administrative rules promulgated thereunder, being 2009 ACS R 325.10101, *et seq.*, Title XIV of the Public Health Service Act: Safety of Public Water Systems (Safe Drinking Water Act), Title 42 of the United States Code (USC), Section 300f, *et seq.* (collectively, the "SDWA").

The City of Flint is a supplier of water as defined under the SDWA through the City of Flint's ownership and operation of a Class D1 water treatment system and S1 water distribution system.

The City of Flint and EGLE have tentatively agreed to resolve the violations alleged by EGLE through entry of an Administrative Consent Order.

The Department of Public Works recommends that the City enter into the Administrative Consent Order to resolve the allegations made by EGLE.

IT IS RESOLVED that the City Council approves authorizing the City of Flint to take all actions necessary to enter into DWEHD Order No. ACO-399-03-2024 ("Administrative Consent Order between the City of Flint and EGLE").

For the City

For the City Council

CLYDE D EDWARDS / A0148
C:\YDF\EDWARDS / A0148 (Apr 11, 2024 11:23 ED)
Clyde Edwards, City Administrator

APPROVED AS TO FORM:

William Y. Kim
William Y. Kim (Apr 11, 2024 09:39 ED)
William Y. Kim, City Attorney



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: April 9, 2024

BID/PROPOSAL# None.

AGENDA ITEM TITLE: Resolution Authorizing Entry Into Administrative Consent Order Between the City of Flint and the State of Michigan, Department of Environment, Great Lakes and Energy, Drinking Water and Environmental Health Division

PREPARED BY: Joseph N. Kuptz, Chief Deputy City Attorney

VENDOR NAME: State of Michigan, Department of Environment, Great Lakes and Energy, Drinking Water and Environmental Health Division

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The State of Michigan, Department of Environment, Great Lakes, and Energy ("EGLE"), Drinking Water and Environment Health Division ("DWEHD") has made allegations that the City of Flint is in violation of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), and the administrative rules promulgated thereunder, being 2009 ACS R 325.10101, *et seq.*, Title XIV of the Public Health Service Act: Safety of Public Water Systems (Safe Drinking Water Act), Title 42 of the United States Code (USC), Section 300f, *et seq.* (collectively, the "SDWA").

The City of Flint is a supplier of water as defined under the SDWA through the City of Flint's ownership and operation of a Class D1 water treatment system and S1 water distribution system.

The City of Flint and EGLE have tentatively agreed to resolve the violations alleged by EGLE through entry of an Administrative Consent Order.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

None.



CITY OF FLINT STAFF REVIEW FORM

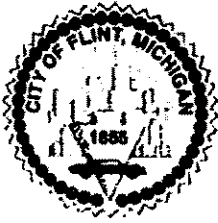
BUDGET YEAR 3

OTHER IMPLICATIONS (*i.e., collective bargaining*):

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE: CLYDE D EDWARDS / A0148
CLYDE D EDWARDS / A0148 (Apr 11, 2024 11:23 EDT)
Clyde Edwards, City Administrator

240169



RESOLUTION NO.: _____

PRESENTED: 5-8-2024

ADOPTED: _____

RESOLUTION APPROVING REALLOCATION OF ARPA FUNDS TO PAYMENT OF UNCOLLECTED TRASH FEES

In 2022 and 2023, the City of Flint received funds pursuant to the American Rescue Plan Act of 2021 (ARPA), which could be used by the City for specific and defined purposes. In 2023, the City of Flint obligated all of the ARPA funding received, of which approximately \$40 million was obligated as "revenue replacement" on December 20, 2023;

City Administration recommends reallocating \$2,000,000 of ARPA funds, previously obligated for revenue replacement, to provide funding for payment of uncollected trash fees.

Reallocated funds will be moved from Acct #101-287.000-963.000 as follows:

Account Number	Account Name / Grant Code	Sub-category Amount	Total Amount
101-528.208-801.000	Revenue Replacement		\$2,000,000
	Payment of uncollected trash fees due to tax foreclosure	\$2,000,000	
	TOTAL		\$2,000,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things and execute any agreements necessary to appropriate funding in the current and future fiscal years, as described above, for as long as the funds are available. Prior to any disbursement of funds, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury rules.

For the City:

For the City Council:

CLYDE D EDWARDS
CLYDE D EDWARDS (Feb 26, 2024 10:44 EST)
Clyde D. Edwards, City Administrator

Approved as to Form:

Approved as to Finance:

William Kim
William Kim (Feb 26, 2024 08:59 EST)
William Kim, City Attorney

Phillip Moore
Phillip Moore (Feb 26, 2024 08:14 EST)
Phillip Moore, Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: February 23, 2024

Agenda Item Title: RESOLUTION APPROVING REALLOCATION OF ARPA FUNDS TO PAYMENT OF UNCOLLECTED TRASH FEES

Prepared by: Chay Linseman


Background/Summary of Proposed Action:

Payment of uncollected trash fees: \$2,000,000 to the City's Finance Department to ensure that uncollected trash fees in the tax foreclosure process will not be passed on to Flint residents in the form of increased trash assessments through 2026 which should allay any concerns about the stability of waste services fund through the transition to new recycling and trash cart program.

Financial Implications:

American Rescue Plan Act funds must be fully expended by 12/31/26.

Budgeted Expenditure: Yes No Please explain, if no:
Pre-encumbered: Yes No Requisition #: N/A
Other Implications: No other implications are known at this time.
Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL 
Chay Linseman, Budgets and Grants Manager

240189



RESOLUTION NO.: _____

PRESENTED: 5-22-2024

ADOPTED: _____

RESOLUTION APPROVING REALLOCATION OF ARPA FUNDS TO PROCEED WITH ARPA FUNDS GRANTS FOR SMALL BUSINESS GRANTS FOR LOCAL INITIATIVES SUPPORT CORPORATION

BY THE CITY ADMINISTRATION:

In 2022 and 2023, the City of Flint received funds pursuant to the American Rescue Plan Act of 2021 (ARPA), which could be used by the City for specific and defined purposes. In 2023, the City of Flint obligated all of the ARPA funding received, of which approximately \$40 million was obligated as "revenue replacement."

City Administration recommends reallocating \$500,000 of ARPA funds, previously obligated for revenue replacement, to provide funding to the City's Business and Community Services Department specifically the economic development function to subcontract with LISC Flint to run a small business grant program.

Reallocated funds will be moved from #101-287.000-963.000 as follows:

Account	Description	Amount
101-728.017-801.000	ARPA Small Business Grants – subcontract with LISC Flint	\$500,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to Local Initiatives Support Corporation (LISC) Flint in the amount of \$500,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations

For the City:

For the City Council:

Clyde D. Edwards / A0193
Clyde D. Edwards, A0193 M I, I-I, 2024-81 DEPT

Clyde D. Edwards, City Administrator

Approved as to Form:

Approved as to Finance:

William Kim
William Kim, City Attorney

Phillip Moore
Phillip Moore, Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: May 13, 2024

Agenda Item Title:

RESOLUTION APPROVING REALLOCATION OF ARPA FUNDS TO PROCEED WITH GRANTS FOR SMALL BUSINESS GRANTS FOR LOCAL INITIATIVES SUPPORT CORPORATION (LISC) FLINT

Prepared by:

Latrese Brown, Community Liaison

Background/Summary of Proposed Action:

The City’s Division of Business Services (which houses our Economic Development staff) requests \$500,000 of ARPA funds to be used for small business grants. We will subcontract with the Local Initiatives Support Corporation (LISC) Flint to disburse grants to small and micro-businesses. This will foster a robust and accessible entrepreneurial ecosystem that focuses on businesses adversely impacted by the COVID-19 quarantine and catalyzes their stabilization and expansion. The combination of financial assistance coupled with technical assistance from LISC will help stabilize Flint neighborhood commercial corridors. This program will serve between 40 to 50 small businesses within the City of Flint. It will build Flint’s small business ecosystem through continuing to facilitate mentorship programs to enable peer knowledge sharing.

History of Program Partner LISC Flint

Since 1988, LISC Flint has been working towards this vision by providing funding, financing, and technical assistance to Community Development Corporations (CDCs), non-profit developers, and policy & advocacy organizations in the city of Flint. With LISC’s support, community developers have been able to provide affordable housing and spark economic development. LISC bridges the gap by expertise to help community organizations attract the kinds of resources that allow them do their best work.

Account	Description	Amount
101-728.017-801.000	ARPA Small Business Grants – subcontract with LISC Flint	\$500,000

Financial Implications:

American Rescue Plan Act funds must be fully expended by 12/31/26.

Budgeted Expenditure: Yes ___ No X **Please explain, if no:**
Pre-encumbered: Yes ___ No X **Requisition #:** N/A
Other Implications: No other implications are known at this time.
Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL Emily Doerr
Emily Doerr, Business and Community Services Department

240207



RESOLUTION NO.: _____

PRESENTED: MAY 22 2024

ADOPTED: _____

A RESOLUTION ENACTED UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SEWAGE DISPOSAL SYSTEM REVENUE BONDS FOR THE PURPOSES OF PAYING FOR IMPROVEMENTS TO THE SYSTEM, AND PAYING COSTS RELATING THERETO; AUTHORIZING DETERMINATION OF STANDING AND PRIORITY OF LIEN WITH RESPECT TO OUTSTANDING BONDS OF THE CITY; PROVIDING FOR RETIREMENT AND SECURITY OF THE BONDS HEREIN AUTHORIZED; ACCEPTING ONE OR MORE GRANTS AND AUTHORIZING SUCH AGREEMENTS AND ACTIONS RELATED TO SUCH ACCEPTANCE; AND PROVIDING FOR OTHER MATTERS RELATIVE THERETO.

BOND RESOLUTION

Sewage Disposal System Revenue Bonds, Series 2024

WHEREAS, pursuant to Act 94, Public Acts of Michigan, 1933, as amended (the "Act 94") the City of Flint, County of Genesee, State of Michigan (the "City") has determined to make improvements to the City's System (as defined herein); and

WHEREAS, on June 24, 2019 the City Council of the City (the "Council") adopted Resolution No. 190188.1 (the "Project Plan Resolution") approving a proposed project plan and program application (the "Project Plan") to the Michigan Department of Environment, Great Lakes and Energy ("EGLE") for improvements to the System as set forth in such Project Plan; and

WHEREAS, the improvements will enable the City to provide more efficient and better-quality public services to the users of the System; and

WHEREAS, pursuant to Resolution No. 200303.1, the Council approved the issuance of \$35,360,000 principal amount of City's Sewage Disposal System Junior Lien Revenue Bonds, SRF Series 2020 (the "Series 2020 Bonds") to pay a portion of the costs of certain improvements under the Project Plan, and a portion of the Series 2020 Bonds remain outstanding; and

WHEREAS, pursuant to Resolution No. 210407, the Council approved the issuance of \$37,255,000 principal amount of City's Sewage Disposal System Junior Lien Revenue Bonds, SRF Series 2021 (the "Series 2021 Bonds," and together with the Series 2020 Bonds, the "Prior Bonds") to pay a portion of the costs of certain improvements under the Project Plan, and a portion of the Series 2021 Bonds remain outstanding; and

WHEREAS, it is now deemed necessary by the Council to equip, improve, rehabilitate, acquire, construct and install certain improvements to the System including but not limited to the wastewater treatment plant, force main and pump station remediation, together with any

appurtenances and attachments thereto and any related site acquisitions or improvements (the "2024 SRF Improvements") in compliance with and according to the Project Plan; and

WHEREAS, the City intends to finance construction and acquisition of the 2024 SRF Improvements through issuance of sewage disposal system revenue bonds (the "2024 SRF Bonds"), and to sell the 2024 SRF Bonds to the Michigan Finance Authority (the "Authority"); and

WHEREAS, as additional security for payment of the principal of, premium, if any, and interest on the 2024 SRF Bonds, it may be necessary for the City to pledge to the Authority revenue sharing payments that the City is eligible to receive under Act 140, Public Acts of Michigan, 1971, as amended ("Act 140"); and

WHEREAS, not less than 45 days prior to the issuance of the 2024 SRF Bonds, a notice of intent to issue bonds must be published in accordance with Section 33 of Act 94, a form of which is attached as Exhibit A ("Notice of Intent"), which will provide that the proposed 2024 SRF Bonds may be issued without a vote of the electors of the City unless the requisite petitions for an election on the question of the issuance of the 2024 SRF Bonds are filed with the Clerk of the City ("City Clerk") within a period of 45 days from the date of publication; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of 2024 SRF Bond proceeds, and the City intends to qualify amounts advanced by the City to make improvements to the City's System for reimbursement from proceeds of the 2024 SRF Bonds in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, all things necessary to the authorization and issuance of the 2024 SRF Bonds under the Constitution and laws of the State of Michigan, particularly Act 94, the Charter and ordinances of the City, have been done or will be done, and the Council is now empowered and desires to authorize the issuance and sale of the 2024 SRF Bonds; and

WHEREAS, the City has been awarded one or more grants from EGLE pursuant to the American Rescue Plan legislation, and appropriated pursuant to Section 307 of Michigan Public Act 53 of 2022, pursuant to America's Water Infrastructure Act of 2018, which amended Section 221 of the Clean Water Act to reauthorize Sewer Overflow and Stormwater Reuse Municipal Grants administered by EGLE's Water Resources Division, or pursuant to such other legislation or appropriations for the benefit of the 2024 SRF Improvements (collectively, the "Grant") in an aggregate amount up to the lesser of \$20,000,000, or fifty percent (50%) of the amount of the 2024 SRF Improvements eligible for financing through the State Revolving Fund program; and

WHEREAS, pursuant to this Resolution, the City, by and through the Council, wishes to accept and appropriate the Grant to support the financing of the 2024 SRF Improvements; and

WHEREAS the Council wishes to authorize the Authorized Officers (as defined herein) to finalize the terms of the issuance and sale of the 2024 SRF Bonds and to take any actions necessary to receive the Grant without further resolution of the Council; and

NOW, THEREFORE, THE CITY OF FLINT RESOLVES:

Section 1. Definitions. Whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) "2024 SRF Improvements" means design, acquisition, equipping, and construction of improvements to the System, including, but not limited to, the improvements described in Section 2 with respect to the 2024 SRF Bonds, as well as all work necessary and incidental to these improvements.

(b) "2024 SRF Bonds" means the Sewage Disposal System [Junior Lien] Revenue Bonds, Series 2024 authorized by Section 9 of this Resolution for the purpose of paying for the 2024 SRF Improvements and paying the costs of issuing the 2024 SRF Bonds.

(c) "Act 94" shall have the meaning assigned to it in the recitals to this Resolution.

(d) "Additional First Lien Bonds" means any additional First Lien bonds issued in the future.

(e) "Additional Junior Lien Bonds" means any additional Junior Lien Bonds issued in the future.

(f) "Adjusted Net Revenues" means for any operating year the Net Revenues to which may be made the following adjustments:

(i) Revenues may be augmented by the amount of any rate increase adopted prior to the issuance of additional Bonds or to be placed into effect before the time principal or interest on the additional Bonds becomes payable from Revenues as applied to quantities of service furnished during the operating year or portion thereof that the increased rates were not in effect,

(ii) Revenues may be augmented by amounts that may be derived from rates and charges to be paid by new customers of the System.

(g) "Authorized Officer" means any one of the following officials of the City: the Mayor, the Chief Financial Officer, the City Administrator, or the Treasurer.

(h) "Bondholder" or "Bondholders" means the holder or holders of the Bonds.

(i) "Bond Reserve Account" means, if necessary, a subaccount established within the Redemption Account pursuant to Section 22(b)(ii)(2).

(j) "Bonds" means the 2024 SRF Bonds and any Additional Junior Lien Bonds and any Additional First Lien Bonds authorized pursuant to this Resolution or any other resolution of the City, whether presently outstanding or hereafter issued.

(k) "Code" means the Internal Revenue Code of 1986, as amended, and the rules and regulations promulgated thereunder.

(l) "Council" means the City Council of the City of Flint, Michigan, the legislative and governing body thereof.

(m) "2024 SRF Construction Fund" shall mean the construction fund created pursuant to Section 22(a).

(n) "Contract Documents" means the Purchase Contract between the City and the Authority, the Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through EGLE, and the Issuer's Certificate for the 2024 SRF Bonds, or such other closing documents required by the Authority for the issuance of the 2024 SRF Bonds.

(o) "First Lien Bonds" shall mean any bonds or other obligations that may be issued or incurred by the City payable from the Revenues of the System secured by a lien that is a first lien on the Net Revenues of the System, senior in standing and priority of lien with respect to the Net Revenues to the claim of the Junior Lien Bonds.

(p) "First Lien Redemption Account" means the First Lien Bond and Interest Redemption Account created as a subaccount of the Redemption Account pursuant to Section 22(b)(ii)(1).

(q) "GO Fund" means, if necessary, the General Obligation Debt Fund created pursuant to Section 22(b)(iii).

(r) "Junior Lien Bonds" shall mean any bonds or other obligations that may be issued or incurred by the City payable from the Revenues of the System secured by a lien on the Net Revenues of the System that is subordinate to a first lien on the Net Revenues of the System created for the benefit of any First Lien Bonds.

(s) "Junior Lien Redemption Account" shall mean the Junior Lien Bond and Interest Redemption Account created as a subaccount of the Redemption Account pursuant to Section 22(b)(ii)(3).

(t) "Net Revenues" shall have the same meaning as defined in Section 3 of Act 94.

(u) "Operation and Maintenance Fund" means the Operation and Maintenance Fund created pursuant to Section 22(b)(i).

(v) "Purchase Contract" shall have the meaning as defined in Section 9 of this Resolution.

(w) "Receiving Fund" shall mean the Sewage Disposal System Receiving Fund created pursuant to Section 22(b).

(x) "Redemption Account" shall mean the Bond and Interest Redemption Account created pursuant to Section 22(b)(ii).

(y) "Resolution" means this Resolution and all amendments hereto.

(z) "Revenues" shall have the same meaning as defined in Section 3 of Act 94 and shall include all earnings on investment of funds of the System and all other revenues derived from or pledged to operation of the System.

(aa) "System" means the City's complete sewage disposal system, both inside and outside the City, including all collection and treatment facilities for sanitary sewer and all appurtenances thereto now owned by the City and those acquired pursuant to this Resolution and all extensions and improvements thereto hereafter made.

Section 2. Necessity of 2024 SRF Improvements. It is hereby determined to be necessary for the public health, safety and welfare of the City to acquire, construct, furnish and equip improvements to the City's existing System including wastewater treatment plant improvements, and force main and pump station rehabilitations, together with all related appurtenances and attachments thereto (the "2024 SRF Improvements") in accordance with the maps, plans and specifications therefor prepared by the City's engineers and issue the 2024 SRF

Bonds pursuant to Act 94 to finance the acquisition, construction, furnishing and equipping of the 2024 SRF Improvements.

Section 3. Cost and Useful Life of 2024 SRF Improvements. The cost of the 2024 SRF Improvements is estimated not to exceed Sixty-Six Million Nine Hundred Eighty Thousand Dollars (\$66,980,000) including, the payment of legal, engineering, financial and other expenses, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the 2024 SRF Improvements is estimated to be not less than thirty (30) years.

Section 4. Payment of Costs of 2024 SRF Improvements and Authorization of 2024 SRF Bonds. It is hereby determined that the City shall borrow the sum of not-to-exceed Forty-Six Million Nine Hundred Eighty Thousand Dollars (\$46,980,000), with such maximum amount being reduced by an amount commensurate with the amount of the Grant ultimately realized by the City, and as finally determined by an Authorized Officer upon the sale of thereof, and the 2024 SRF Bonds shall be issued pursuant to the provisions of Act 94 to pay the cost of acquiring and constructing the 2024 SRF Improvements, including the payment of engineering, legal, financial, bond insurance, underwriter's discount and other expenses incident thereto and incident to the issuance and sale of the 2024 SRF Bonds. The balance of the cost of the 2024 SRF Improvements, if any, will be paid from other funds of the City legally available therefor.

The 2024 SRF Bonds shall be designated as the SEWAGE DISPOSAL SYSTEM [JUNIOR LIEN] REVENUE BONDS (SRF PROJECT #5739-01), SERIES 2024, with such modifications as may be approved by an Authorized Officer, and unless required by the Authority and as authorized by Act 94, shall not be a general obligation of the City, but be revenue bonds, payable solely out of the Net Revenues of the System.

During the time funds are being drawn down by the City under the 2024 SRF Bonds, the Authority will periodically provide the City with a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced and not forgiven, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of the 2024 SRF Bonds.

Section 5. Year of Sale. If the 2024 SRF Bonds, or any series thereof, are not sold or delivered in calendar year 2024, then references to the name of the bonds, funds and accounts approved by this Resolution may be changed to reflect the year in which such bonds will be sold or delivered.

Section 6. Payment of Bonds; Pledge of Net Revenues. Principal of and interest on the 2024 SRF Bonds shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of principal on the 2024 SRF Bonds shall be made at the principal office of the Paying Agent, upon surrender of the 2024 SRF Bonds. Payment of interest on the 2024 SRF Bonds shall be paid to the registered owner at the address as it appears on the registration books. The principal of and interest on the 2024 SRF Bonds shall be payable from the Net Revenues derived from the operation of the System, including future improvements, enlargements and extensions thereof, after provision has been made for the payment of expenses of administration, operation and maintenance thereof. The Net Revenues of the System, including future enlargements, improvements, and extensions

thereto, are hereby pledged to the payment of the principal of and interest on the 2024 SRF Bonds. To secure the payment of the principal of and interest on the 2024 SRF Bonds, a statutory lien is created pursuant to the Act to and in favor of the Bondholders of the 2024 SRF Bonds upon the Net Revenues of the System, including future enlargements, improvements, and extensions thereof. The statutory lien on the Net Revenues securing any First Lien Bonds shall be a first lien as provided in the Act and shall at all times and in all respects be and remain superior to the lien on the Net Revenues securing any Junior Lien Bonds. The Net Revenues so pledged shall be and remain subject to such lien until the payment in full of the principal of and interest on the 2024 SRF Bonds or until the 2024 SRF Bonds are defeased as provided in Section 29.

The Authorized Officer is hereby authorized and directed to determine in an order signed by the Authorized Officer upon or prior to the delivery of the 2024 SRF Bonds whether the 2024 SRF Bonds are First Lien Bonds or Junior Lien Bonds.

The 2024 SRF Bonds, including both principal and interest thereon, shall not be a general obligation of the City and shall not constitute an indebtedness of the City for the purpose of any debt limitations imposed by any constitutional or statutory provisions.

Section 7. Prior Redemption. The 2024 SRF Bonds issued and sold to the Authority shall be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority.

Section 8. Paying Agent and Registration.

(a) Appointment of Paying Agent. From time to time the Authorized Officer shall designate and appoint a Paying Agent, which shall also act as transfer agent and bond registrar. The initial Paying Agent shall be the Treasurer of the City. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bonds.

(b) Registration of Bonds. Registration of the Bonds shall be recorded in the registration books of the City to be kept by a Paying Agent. Bonds may be transferred only by submitting the same, together with a satisfactory instrument of transfer signed by the Registered Owner or the Registered Owner's legal representative duly authorized in writing, to the Paying Agent, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in any denomination, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any Bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption.

(c) Authority's Depository. Notwithstanding any other provision of this Resolution or the 2024 SRF Bonds, so long as the Authority is the owner of the 2024 SRF Bonds, (a) the 2024 SRF Bonds are payable as to principal, premium, if any, and interest at the U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to

the City by the Authority (the “**Authority’s Depository**”); (b) the City agrees that it will deposit with the Authority’s Depository payments of the principal of, premium, if any, and interest on the 2024 SRF Bonds in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority’s Depository has not received the City’s deposit by 12:00 p.m. (noon) on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority’s administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of the 2024 SRF Bonds shall be given by the City and received by the Authority’s Depository at least 40 days prior to the date on which such redemption is to be made.

Section 9. 2024 SRF Bond Details. The 2024 SRF Bonds shall be issued in the form of one or more fully-registered, nonconvertible bonds, dated as of the date of delivery, payable in annual principal installments in the amounts and on the dates as determined by the order of EGLE and approved by the Authority and the Authorized Officer, provided that the final payment on the 2024 SRF Bonds shall occur within the period of usefulness of the 2024 SRF Improvements as set forth in this Resolution. Final determination of the principal amount and the payment dates and amounts of principal installments of the 2024 SRF Bonds shall be evidenced by execution of a Purchase Contract (the “**Purchase Contract**”) between the City and the Authority providing for sale of the 2024 SRF Bonds, and the Authorized Officer is authorized and directed to execute and deliver the Purchase Contract.

The 2024 SRF Bonds shall bear interest at a rate or rates to be determined by the Authorized Officer at the time of execution of the Purchase Contract, but in any event not exceeding the maximum amount permitted by law, payable semiannually on the dates as determined in the Purchase Contract. In addition, if required by the Authority, the 2024 SRF Bonds will bear additional interest, under the terms required by the Authority, in the event of a default by the City in the payment of principal or interest on the 2024 SRF Bonds when due. The 2024 SRF Bonds principal amount is expected to be drawn down by the City periodically, and interest on each installment of the principal amount shall accrue from the date such principal installment is drawn down by the City. Principal installments of the 2024 SRF Bonds will be subject to prepayment prior to maturity as permitted by the Authority and approved by the Authorized Officer.

The Mayor and City Clerk are authorized to execute the 2024 SRF Bonds by manual or facsimile signature. If required, at least one signature on the 2024 SRF Bonds shall be a manual signature. If required, the 2024 SRF Bonds shall have the facsimile corporate seal of the City printed or impressed thereon. The 2024 SRF Bonds may be transferred by the bondholder as provided in the 2024 SRF Bonds as executed.

Section 10. State Revenue Sharing Pledge. If required by the Authority, as additional security for repayment of the 2024 SRF Bonds, the Council agrees to pledge the state revenue sharing payments that the City is eligible to receive from the State of Michigan under Act 140 to the Authority as purchaser and holder of the 2024 SRF Bonds. The Authorized Officer is authorized to execute and deliver a revenue sharing pledge agreement between the City and the Authority.

Section 11. Bond Form. The 2024 SRF Bonds shall be in substantially the following form subject to changes, including references to additional security, as may be required by the Authority:

[Form of Bond To Be Completed After Bond Sale]

United States of America
State of Michigan
County of Genesee

CITY OF FLINT
SEWAGE DISPOSAL SYSTEM
[JUNIOR LIEN] REVENUE BOND (SRF PROJECT #5739-01), SERIES 2024

Interest Rate Date of Maturity

___% [Month 1, 20__]

Registered Owner: Michigan Finance Authority

Principal Amount: _____ Dollars (\$ _____)

Date of Original Issue: _____, 2024

The CITY OF FLINT, County of Genesee, State of Michigan (the "City"), for value received, acknowledges itself to owe, and for value received hereby promises to pay, but only out of the hereinafter described Net Revenues of the City's Sewage Disposal System (hereinafter defined), to the Michigan Finance Authority (the "Authority") the principal amount of this Bond or so much thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environment, Great Lakes, and Energy.

During the time funds are being drawn down by the City under this Bond, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on Schedule I attached hereto and made a part hereof. Interest is first payable on [April 1, 202_/October 1, 202_] and semiannually thereafter, and principal is payable on the first day of [April/October] commencing [April 1, 202_/October 1, 202_] (as identified in the Purchase Contract) and annually thereafter.

The Bond may be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority.

Notwithstanding any other provision of this Bond, as long as the Authority is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at U.S. Bank Trust

Company, National Association or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent (2%) above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

For prompt payment of principal and interest on this Bond, the City has irrevocably pledged the revenues of its Sewage Disposal System, including all appurtenances, extensions and improvements thereto (the "System"), after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and a statutory lien thereon is hereby recognized and created. [This Bond is of [equal][junior] standing and priority of lien as to the Net Revenues of the System with the _____.]

This Bond is one of a series of bonds aggregating the principal sum of \$ _____, issued pursuant to Resolution No. _____ duly adopted by the City Council of the City (the "Resolution"), and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan 1933, as amended for the purposes of constructing and acquiring improvements to the System.

[IF BOND ISSUED AS JUNIOR LIEN BOND: The statutory liens securing any First Lien Bonds (as defined in the Resolution) issued by the City will be first liens that are and shall remain superior to the lien on the Net Revenues securing this Bond and any and any Additional Junior Lien Bonds (as defined in the Resolution). The Bonds of this series shall have equal standing with any Additional Junior Lien Bonds that may be issued pursuant to the Resolution, and additional

bonds of superior standing to the bonds of this series may be issued pursuant to the Resolution.] [IF BOND ISSUED AS FIRST LIEN BOND: The Bonds of this series shall have equal standing with the City's First Lien Bonds (as defined in the Resolution) that may be issued pursuant to the Resolution and the lien securing this Bond is superior to the lien on the Net Revenues securing Junior Lien Bonds (as defined in the Resolution) that may be issued pursuant to the Resolution.] For a complete statement of the revenues from which, and the conditions under which, this Bond is payable, a statement of the conditions under which additional bonds of equal or superior standing may hereafter be issued, and the general covenants and provisions pursuant to which this Bond is issued, reference is made to the Resolution.

THIS BOND IS A SELF-LIQUIDATING BOND AND IS NOT A GENERAL OBLIGATION OF THE CITY AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATION, AND IS PAYABLE BOTH AS TO PRINCIPAL AND INTEREST, SOLELY FROM THE NET REVENUES OF THE SYSTEM. THE PRINCIPAL AND INTEREST ON THIS BOND ARE SECURED BY A STATUTORY [FIRST][JUNIOR] LIEN ON THE NET REVENUES.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this Bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law.

IN WITNESS WHEREOF, the City of Flint, County of Genesee, State of Michigan, by authority of its City Council, has caused this Bond to be signed for and on its behalf and in its name by the manual or facsimile signatures of the Mayor and Clerk of the City, and the official seal of the City or a facsimile thereof to be impressed or printed hereon, all as of the Date of Original Issue.

FOR THE CITY OF FLINT:

APPROVED BY CITY COUNCIL:

Sheldon A. Neeley, Mayor

APPROVED AS TO FINANCE

APPROVED AS TO FORM:



Phillip Moore (May 15, 2024 08:58 EDT)
Phillip Moore, Chief Financial Officer



William Kim (May 14 2024 14:03 EDT)
William Kim, City Attorney

(SEAL)
Countersigned:

By: _____
Davina Donahue, City Clerk

[FORM OF SCHEDULE I]

Name of Issuer: CITY OF FLINT
EGLE Project No.: _____
EGLE Approved Amt:

SCHEDULE I

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the City is repaid. In the event the Order of Approval issued by the Department of Environment, Great Lakes, and Energy (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the City and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order, or (2) that less than the principal amount of assistance approved by the Order is disbursed to the City by the Authority, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the City.

<u>Due Date</u>	<u>Amount of Principal Installment</u>
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Interest on the bond shall accrue on principal disbursed by the Authority to the City from the date principal is disbursed, until paid, at the rate of ____% per annum, payable [April/October] 1, 202_, and semi-annually thereafter.

The City agrees that it will deposit with U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository") payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

[END OF BOND FORM]

Section 12. Reimbursement. The City declares that it reasonably expects to make advances of funds to make improvements to the System. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. §1.150-2 pursuant to the Internal Revenue Code of 1986, as amended (the "Code"):

(a) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of debt to be incurred by the City.

(b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the 2024 SRF Improvements which were or will be paid subsequent to sixty (60) days prior to the date hereof.

Section 13. Tax Exemption. The City covenants that it will not take any action or fail to take any action required to be taken, if taking such action or failing to take such action would

adversely affect the general exclusion from gross income of interest on the 2024 SRF Bonds, from federal income taxation under the Code.

Section 14. Arbitrage Covenant.

(a) The City will not directly or indirectly (1) use or permit the use of any proceeds of the 2024 SRF Bonds or other funds of the City, or (2) take or omit to take any action required by Section 148(a) of the Code in order to maintain the exclusion from gross income of the interest on the 2024 SRF Bonds for federal income tax purposes. To that end, the City will comply with all requirements of Section 148 of the Code to the extent applicable to the 2024 SRF Bonds and the requirements set forth in the Non-Arbitrage and Tax Compliance Certificate of the City.

(b) Without limiting the generality of subsection (a), above, the City agrees that there shall be paid by the City from time to time all amounts, if any, required to be rebated to the United States pursuant to Section 148(f) of the Code. This covenant shall survive payment in full or defeasance of the 2024 SRF Bonds.

(c) Notwithstanding any provision of this Section, if the City obtains an opinion of Bond Counsel to the effect that any action required under this Section is no longer required, or that some further action is required, to maintain the exclusion from gross income of the interest of the 2024 SRF Bonds for federal income tax purposes pursuant to Section 103 of the Code, the City may conclusively rely on such opinion in complying with the provisions hereof.

Section 15. Municipal Advisor. The City hereby confirms Robert W. Baird & Co. Incorporated, as Municipal Advisor for the 2024 SRF Bonds.

Section 16. Negotiated Sale; Application to EGLE and Authority. The Council determines that it is in the best interest of the City to negotiate the sale of the 2024 SRF Bonds to the Authority because the State Revolving Fund financing program provides significant savings to the City compared to a competitive sale in the municipal bond market. The Authorized Officer and the City's Director of Public Works are authorized to apply to the Authority and to EGLE for placement of the 2024 SRF Bonds with the Authority. The actions taken by the Authorized Officer and the Director of Public Works with respect to the 2024 SRF Bonds prior to the adoption of this Resolution are ratified and confirmed. The Authorized Officer is authorized to sell the 2024 SRF Bonds to the Authority and to execute and deliver the Purchase Contract, the Supplemental Agreement and the Issuer's Certificate in the forms provided by the Authority. The Authorized Officer and the Director of Public Works are further authorized to execute and deliver such contracts, documents and certificates as are necessary or advisable to qualify the 2024 SRF Bonds for the State Revolving Fund program. If the position of Director of Public Works is vacant, the City Administrator is authorized to take the necessary actions on its behalf.

Section 17. Bond Counsel. The City hereby appoints Dykema Gossett PLLC as Bond Counsel with respect to the 2024 SRF Bonds notwithstanding Dykema's occasional representation of the Authority in other unrelated transactions.

Section 18. Notice of Intent to Issue Bonds. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the 2024 SRF Bonds in *The Flint Journal*, a newspaper of general circulation in the City. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A. The Council does hereby determine that the foregoing form of Notice of Intent to Issue

Bonds, and the manner of publication directed, is adequate notice to the electors of the City and users of the System, and is the method best calculated to give them notice of the City's intent to issue the 2024 SRF Bonds, the purpose of the 2024 SRF Bonds, the security for the 2024 SRF Bonds, and the right of referendum of the electors with respect thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

Section 19. Acceptance of Grant. The Council accepts the Grant in the amount of up to the lesser of \$20,000,000 or fifty percent (50%) of the amount of the 2024 SRF Improvements eligible for financing through the State Revolving Fund program, and appropriates such funds as necessary to support the financing of or provide security for the 2024 SRF Improvements. The total amount of the Grant funds may be received in one or more distributions. An Authorized Officer is authorized to cause to be created appropriate accounts to make necessary operating transfers for the expenditure and control of the balance of the awarded Grant for the benefit of the 2024 SRF Improvements as ultimately designed. The acceptance, approvals and authorizations contained in this Resolution will apply to the Grant, including if the amount of the Grant is increased from time to time, and including the negotiation and execution of any additional documentation reflecting such increases.

Section 20. Other Actions. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and to facilitate issuance, sale, and delivery of the 2024 SRF Bonds and receipt of the Grant, and to execute and deliver all other agreements, documents, and certificates and to take all other actions necessary or convenient to complete the issuance and delivery of the 2024 SRF Bonds and receipt of the Grant in accordance with this Resolution, and to pay costs of issuance including Bond Counsel fees, Municipal Advisor fees, filing fees with State Treasury, costs of printing the 2024 SRF Bonds, and any other costs necessary to accomplish sale and delivery of the 2024 SRF Bonds. The Authorized Officer is authorized to determine final bond details for the 2024 SRF Bonds and the final Grant details, to the extent necessary or convenient to complete the transactions authorized by this Resolution, to exercise the authority and make determinations authorized pursuant to Section 7a(1)(c) of Act 94, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters.

Section 21. Rights of Bondholders. The Bondholders representing in the aggregate not less than twenty percent (20%) of the entire amount of Bonds then outstanding may protect and enforce the statutory lien, either at law or in equity, by suit, action, mandamus, or other proceedings, and enforce and compel the performance of all duties of the officials of the City, including the fixing of sufficient rates, the collection of revenues, the proper segregation of revenues and the proper application thereof; provided, however, that such statutory lien shall not be construed to give any Registered Owner of any Bond authority to compel the sale of the System, the revenues of which are pledged thereto. If there is any default in the payment of the principal of or interest on any of the Bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the System on behalf of the City and under the direction of such court, and by and with the approval of such court, to fix and charge rates and collect revenues sufficient to provide for the payment of any Bonds or other obligations outstanding against the revenues of the System and for the payment of the expenses of operating and maintaining the

System and to apply the income and revenues of the System in conformity with the Act and this Resolution.

The owners of the Bonds, or Bondholders, from time to time, shall have all the rights and remedies given by law, and particularly by the Act, for the collection and enforcement of the Bonds and the security therefor.

Section 22. Funds and Accounts The Director of Finance is hereby directed to create and maintain the following funds, which shall be designated as follows, into which the Bond proceeds and the revenues and income from the System shall be deposited, which funds and accounts shall be established and maintained, except as otherwise provided, so long as any of the Bonds hereby authorized remain unpaid.

(a) The Construction Fund. The proceeds of the 2024 SRF Bonds shall be deposited in the 2024 SRF Construction Fund. Such moneys shall be used solely for the purpose for which the 2024 SRF Bonds were issued. Any unexpected balance in the 2024 SRF Construction Fund remaining after completion of the 2024 SRF Improvements may be used for such purposes as allowed by law. After completion of the Improvements and disposition of remaining 2024 SRF Bond proceeds, if any, pursuant to the provisions of this Section, the 2024 SRF Construction Fund shall be closed.

(b) Receiving Fund. The gross income and revenue of the System shall be set aside into the Receiving Fund. The moneys so deposited are pledged for the purpose of the following funds and accounts and shall be expended and used only in the manner and order as follows:

(i) Operation and Maintenance Fund. The City shall create and maintain the Operation and Maintenance Fund. Prior to the beginning of each fiscal year, the Council shall prepare an annual budget of the System for the ensuing fiscal year. Out of the revenues in the Receiving Fund, there shall be set aside, quarterly and deposited into the Operation and Maintenance Fund a sum sufficient to pay the reasonable and necessary current expenses of administering, operating and maintaining the System for the ensuing three months.

(ii) Redemption Account. The City shall create and maintain the Redemption Account and following subaccounts as necessary.

(1) First Lien Redemption Account. The First Lien Redemption Account shall be established as a subaccount within the Redemption Account to be used solely for the purpose of paying the principal of and interest on First Lien Bonds. After the transfers required above, there shall first be transferred quarterly from the Receiving Fund, and deposited in the First Lien Redemption Account, for payment of principal of and interest on the First Lien Bonds, a sum equal to at least one-half (1/2) of the amount of interest due on First Lien Bonds on the next ensuing interest payment dates plus not less than one-fourth (1/4) of the principal maturing on First Lien Bonds on the next ensuing principal payment dates in each year. The moneys in the First Lien Redemption Account shall be accounted for separately.

(2) Bond Reserve Account. The Bond Reserve Account shall be established as a subaccount of the Redemption Account. Upon the issuance of any First Lien Bonds, the City shall deposit into the Bond Reserve Account such amounts determined by the City in the resolution authorizing such First Lien Bonds, to be used as provided in the resolution

authorizing their issuance. No deposit to the Bond Reserve Account shall be required for the 2024 SRF Bonds.

(3) Junior Lien Redemption Account. The Junior Lien Redemption Account shall be established as a subaccount within the Redemption Account to be used solely for the purpose of paying the principal of and interest on the Junior Lien Bonds. After the transfers required above, there shall be transferred quarterly from the Receiving Fund, and deposited in the Junior Lien Redemption Account for payment of principal of and interest on the Junior Lien Bonds, a sum equal to at least one-half (1/2) of the amount of interest on Junior Lien Bonds due on the next ensuing interest payment dates plus not less than one-fourth (1/4) of the principal maturing on Junior Lien Bonds on the next ensuing principal payment dates in each year. The monies in the Junior Lien Redemption Account shall be accounted for separately.

(4) Additional Deposits. If for any reason there is a failure to make a required deposit to any of the subaccounts of the Redemption Fund or for any reason there is a deficiency in any of the subaccounts, then an amount equal to the deficiency shall be set aside and deposited in the subaccount from the Net Revenues in the next succeeding period, which amount shall be in addition to the regular deposit required during such succeeding period.

No further payments need be made into a subaccount of the Redemption Fund after the amount accumulated and held in the subaccount is sufficient to pay when due the entire amount of principal and interest that will be payable at the time of maturity or at an earlier redemption date of all the Bonds then remaining outstanding that are payable from the subaccount, or for Bonds that have been defeased as provided in Section 29.

(iii) General Obligation Debt Fund. The GO Fund is hereby established. After meeting the requirement of the foregoing funds, there may be transferred quarterly from remaining revenues in the Receiving Fund, or from other available monies, and deposited in the GO Fund, such sums as the Council in its sole discretion determines to be desirable to pay debt service on presently existing or future general obligation bond issues of the City or general obligation contractual obligations of the City incurred or to be incurred for System purposes. This section shall not be construed to create a lien on the Net Revenues in favor of any obligations the debt service on which may be paid from the GO Fund from time to time.

(iv) Improvement and Repair Fund. The City hereby establishes the Improvement and Repair Fund, into which there shall be placed, after meeting the requirements of the subsections set forth above, such sums as the Council shall determine to be used by the City for the purpose of acquiring and constructing improvements, additions and extensions to the System and for making repairs and replacements to the System.

(v) Surplus Moneys. All moneys remaining in the Receiving Fund at the end of any operating year after satisfying the above requirements may be transferred to the Redemption Account and its subaccounts and used as authorized in this Resolution or, at the option of the City, transferred to the GO Fund or the Improvement and Repair Fund and used for the purposes for which said funds were established. Provided, however, that if there should be a deficit in the Operation and Maintenance Fund, and any subaccount of the Redemption Account, a bond reserve account or the GO Fund on account of defaults in setting aside therein the amounts required in this Resolution, or a future resolution, then the City shall transfer the moneys remaining in the Receiving Fund at the end of any operating year to such funds in the priority and order named, to the extent of such deficits. Available surplus moneys may be used to retire any outstanding

obligations of the City incurred for construction, expansion or addition to the System, including additional bonds, the issuance of which is authorized by this Resolution, or if no other disposition has been provided for, such moneys may be used for such other purposes of the System as the City Council may deem to be for the best interest of the City.

(vi) Priority of Accounts. In the event the moneys in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund or any subaccounts of the Redemption Account, any moneys or securities in other funds of the System, except the 2024 SRF Construction Fund, shall be credited or transferred, first, to the Operation and Maintenance Fund, second to the First Lien Redemption Account, third to a bond reserve account, if applicable, and fourth to the Junior Lien Redemption Account, to the extent of any deficit therein.

Section 23. Investment of Funds. Moneys in the funds and accounts established herein may be invested by the City in bonds, notes, bills and certificates of, or guaranteed by, the United States of America, or in interest bearing time deposits or other investments as shall be determined by the City, subject to the provisions of Act 20, Public Acts of Michigan, 1943, as amended, or any statute subsequently adopted regulating investments by the City, and subject to the limitations imposed by arbitrage regulations and Section 148 of the Code. Profit realized or interest income earned on investment of funds in the various funds and accounts shall be deposited in or credited as received to the Receiving Fund.

Section 24. Depository and Funds On Hand. Moneys in the several funds and accounts maintained pursuant to this Resolution, except moneys in the 2024 SRF Construction Fund and Redemption Account, which must be kept in a separate account, may be kept in one or more accounts at financial institutions designated by resolution of the City, and if kept in one account, the moneys shall be allocated on the books and records of the City in the manner and at the times provided in this Resolution.

Section 25. Rates and Charges. Rates shall be fixed and revised from time to time by the Council so as to produce amounts that are sufficient to pay the expenses of administration and the costs of operation and maintenance of the System, to provide an amount of revenues adequate for the payment of principal of and interest on the Bonds, reserve, replacement and improvement requirements, if any, and to otherwise comply with all requirements and covenants provided herein; and such that are reasonably expected to yield annual Net Revenues of the System, in the current fiscal year equal to at least 100% of the average annual principal and interest thereafter maturing in any fiscal year on the then outstanding First Lien Bonds and equal to at least 100% of the average annual principal and interest thereafter maturing in any fiscal year on the then outstanding Junior Lien Bonds; and promptly upon any material change in the circumstances which were not contemplated at the time such rates and charges were most recently reviewed, but not less frequently than once in each fiscal year, review the rates and charges for its services and promptly revise such rates and charges as necessary to comply with the foregoing requirement. The rates and charges for all services and facilities rendered by the System shall be reasonable and just, taking into consideration the costs and value of the System, the cost of maintaining, repairing, and operating the System, and the amounts necessary for the retirement of all Bonds and interest accruing on all Bonds, and there shall be charged such rates and charges as shall be adequate to meet the requirement of this and the preceding sections.

Section 26. No Free Service. No free service shall be furnished by the System to the City or to any individual, firm or corporation, public or private, or to any agency or instrumentality.

Section 27. Revenue Bonds. The City covenants and agrees, so long as any of the Bonds hereby authorized remain unpaid, as follows:

(a) It will punctually perform all duties with reference to the System and comply with applicable State laws and regulations and continually operate and maintain the System in good condition.

(b) It will not sell, lease, mortgage or in any manner dispose of the System, or any substantial part of it, until all Bonds payable from the revenues of the System shall have been paid in full or provision has been made for the payment of such Bonds.

(c) It will cause an annual review of rates and charges to be made and based thereon will adjust such rates and charges to provide the amounts required by this Resolution.

(d) It will maintain complete books and records relating to the operation of the System and its financial affairs, will cause such books and records to be audited annually at the end of each fiscal year and an audit report prepared, and will furnish a Bondholder a copy of such report upon written request.

(e) It will prepare, keep and file such records, statements and accounts as may be required by law and that, if required by law, it will file a report with the Michigan Department of Treasury, not later than one hundred and eighty (180) days after the close of the fiscal year, on forms prepared by the Department of Treasury, completely setting forth the financial operation for such fiscal year of the System in accordance with the accounting method of the municipality.

(f) It will maintain and carry insurance on all physical properties of the System, for the benefit of the Bondholders, of the kinds and in the amounts normally carried by municipalities engaged in the operation of similar systems. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed, and to the extent not so used, shall be used for the purpose of calling Bonds.

(g) It hereby pledges, from other funds of the City available for such purpose, such moneys as may be necessary on an annual basis to maintain the requirements of the following Section 28 for the issuance of additional bonds.

Section 28. Additional Bonds. Additional First Lien Bonds of equal standing and priority with any outstanding First Lien Bonds may be issued for repair, replacement, improvement or extension of the System, and to refund all or a portion of Bonds and paying the costs of issuing the Additional First Lien Bonds, but only if the average Adjusted Net Revenues for the last two completed operating years, or the Adjusted Net Revenues for the last completed operating year if the same shall be lower than the average, shall be equal to at least 100% of the average annual principal and interest thereafter maturing in any operating year on the then outstanding First Lien Bonds and the Additional First Lien Bonds then being issued. In addition, Additional First Lien Bonds of equal standing and priority with any outstanding First Lien Bonds may be issued to refund all or a portion of outstanding First Lien Bonds if the refunding would provide a net present value debt service savings to the City. If the Additional First Lien Bonds are to be issued in whole or in part for refunding outstanding Bonds, the annual principal and interest requirements shall be determined by deducting from the principal and interest requirements for each operating year the

annual principal and interest requirements of any Bonds to be refunded from the proceeds of the Additional First Lien Bonds. Junior Lien Bonds may be issued in the discretion of the City.

Any additional Bonds shall be subject to the various funds herein established, and all revenue from any such extension or replacement constructed by the proceeds of any additional Bonds shall be paid into the Receiving Fund.

Section 29. Defeasance. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of, premium, if any, and interest on any of the Bonds, shall be deposited in trust, this Resolution shall be defeased with respect to such Bonds (the "Defeased Bonds"), and the owners of the Defeased Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein. Defeased Bonds shall be treated as if they have been redeemed for all purposes under this Resolution.

Section 30. Fiscal Year of System. The fiscal year for operating the System shall coincide with the fiscal year of the City.

Section 31. Contract with the Bondholders. The provisions of this Resolution shall constitute a contract between the City and the Bondholders from time to time, and after the issuance of any of such Bonds, no change, variation or alteration of the provisions of this Resolution may be made that would lessen the security for the Bonds. The provisions of this Resolution shall be enforceable by appropriate proceedings taken by such Bondholder, either at law or in equity.

Section 32. Publication and Recordation. This Resolution shall be published pursuant to the requirements of Section 6 of Act 94.

Section 33. Severability; Section Headings. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such action, paragraph, clause or provision shall not affect any of the other provisions of this Resolution. The section headings in this Resolution are furnished for convenience of reference only and shall not be considered to a part of this Resolution.

Section 34. Repeal, Savings Clause. All Resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed to the extent of the conflict; provided, that the foregoing shall not operate to repeal any provision thereof, the repeal of which would impair the obligation on the Bonds.

Section 35. Effective Date. As provided in Act 94, this Resolution shall be approved on the date of first reading and this Resolution shall be effective immediately upon its adoption

Passed and adopted by the City of Flint, County of Genesee, State of Michigan, on _____,
202_.

[Remainder of page intentionally left blank]

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Flint, County of Genesee, State of Michigan, at a Regular Meeting held on _____, 202_, and that said meeting was conducted and public notice of said meeting was given pursuant to the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act No. 267.

I further certify that the following City Council members were present at said meeting: _____ and that the following City Council members were absent: _____.

I further certify that City Council member _____ moved adoption of said Resolution, and that the motion was supported by: _____. I further certify that the following City Council members voted for adoption of said resolution, _____ and that the following City Council members voted against adoption of said resolution. _____

Davina Donahue, Flint City Clerk.

EXHIBIT A

NOTICE TO TAXPAYERS AND ELECTORS OF THE CITY OF FLINT AND TO USERS OF THE CITY'S SEWAGE DISPOSAL SYSTEM OF INTENT TO ISSUE REVENUE BONDS AND THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Council of the City of Flint, County of Genesee, State of Michigan (the "City"), intends to issue and sell revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in one or more series in a total amount not to exceed _____ Dollars (\$ _____ .00), for the purpose of paying all or part of the cost to acquire, construct, furnish and equip improvements to the City's existing Sewage Disposal System, including waste water treatment plant improvements, force main and pump station rehabilitation, together with all related appurtenances and attachments thereto.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the City from the operations of the Sewage Disposal System (the "System"). The revenues will consist of rates and charges billed to the users of the System, a schedule of which is presently on file in the office of the City Clerk. The rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the System, to pay the principal of and interest on the bonds and to pay other obligations of the System.

BOND DETAILS

THE REVENUE BONDS will be payable in annual installments not to exceed thirty (30) in number and will bear interest at the rate or rates to be determined at public or private sale but in no event to exceed such rates as may be permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

IN THE EVENT THAT THE CITY DEEMS IT DESIRABLE TO SELL THE REVENUE BONDS TO THE MICHIGAN FINANCE AUTHORITY, THE CITY MAY BE REQUIRED TO PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The City may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to the City as provided by law, to the authority or a trustee, and such funds may be pledged for the payment of the revenue bonds.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

ADDITIONAL INFORMATION will be furnished at the office of the City Clerk upon request.

**City Clerk
City of Flint**

4879-4410-7837.6



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: 5/9/2024

BID/PROPOSAL# RFP 23000543

AGENDA ITEM TITLE: A RESOLUTION ENACTED UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SEWAGE DISPOSAL SYSTEM REVENUE BONDS FOR THE PURPOSES OF PAYING FOR IMPROVEMENTS TO THE SYSTEM, AND PAYING COSTS RELATING THERETO; AUTHORIZING DETERMINATION OF STANDING AND PRIORITY OF LIEN WITH RESPECT TO OUTSTANDING BONDS OF THE CITY; PROVIDING FOR RETIREMENT AND SECURITY OF THE BONDS HEREIN AUTHORIZED; ACCEPTING ONE OR MORE GRANTS AND AUTHORIZING SUCH AGREEMENTS AND ACTIONS RELATED TO SUCH ACCEPTANCE; AND PROVIDING FOR OTHER MATTERS RELATIVE THERETO.

PREPARED BY: Phillip Moore, Chief Financial Officer

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The Clean Water State Revolving Fund (CWSRF) project plan was approved, adopted, and designated authorized project representatives on June 24, 2019. The CWSRF loan description and details are organized into a comprehensive 20-year Project Plan, separated into multiple Phases. This project is the third and final loan from the Project Plan submitted to the CWSRF in 2019. This final phase focuses on the collection system and replacing the transformers throughout the system.

The projects financed in the first two phases are still in construction, with five of the six projects in the first phase completed and two of the four projects in the second phase completed. The remaining projects in the first two phases should be complete this year.

The authorization to issue bonds is a requirement of the CWSRF Loan application process. These projects have been deemed essential to the continued reliability, safety, and cost-effective operation of the wastewater system/sewage disposal system. The program offers a % forgiveness and/or grant with changing amounts from year to year.

Timelines for this project have been established by the Michigan Department of Treasury. The current phase is expected to cost \$66,980,000 to construct. Flint has qualified to receive an ARP grant totaling \$20,000,000. As a result, the CWSRF loan amount is expected to be approximately \$46,980,000 and will be financed with a 30-year CWSRF loan at 1.00 percent interest. This includes design, construction, contingencies, financial, administrative, legal, and engineering services. Project construction is anticipated to begin in October 2024 and be completed by the end of 2026.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

The City Council passed Resolution 190188.1 on June 24, 2019, approving the project plan referenced above. A public hearing notice was published on May 21, 2019, and the Project Plan was made available for public review on May 14, 2019. The estimated total cost of the Project, at that time, was \$114,585.100.

In 2020, the City issued its Sewage Disposal System Junior Lien Revenue Bonds, SRF Series 2020 (#5696-01) in the amount of \$35,360,000, for Phase 1 of the Project. In 2021, the City issued its Sewage Disposal System Junior Lien Revenue Bonds, SRF Series 2021 (#5709-01) in the amount of \$37,255,000, for phase 2 of the Project.

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

Necessary improvements to the City's wastewater and sewage disposal system

FINANCIAL IMPLICATIONS:

None. Bond payments will be made from net revenues from the sewage system.

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
		TBD		
FY24 GRAND TOTAL				

PRE-ENCUMBERED? YES NO REQUISITION NO:

ACCOUNTING APPROVAL: Philip Moore (May 15, 2024 08:58 EDT) **Date:** _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1 \$N/A

BUDGET YEAR 2 \$N/A

BUDGET YEAR 3 \$N/A

OTHER IMPLICATIONS (i.e., collective bargaining): None

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE:

Kenneth J Miller Jr

Kenneth J Miller Jr (May 14, 2024 15:15 EDT)

Kenneth Miller, DPW Administrator



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



PHILLIP D. ROOS
DIRECTOR

April 22, 2024

TO: All Interested Citizens, Organizations, and Government Agencies

SUBJECT: FINDING OF NO SIGNIFICANT IMPACT
City of Flint
Sanitary Sewer Improvements
Clean Water State Revolving Fund Project No. 5739-01

The purpose of this notice is to seek public input and comment on a preliminary decision by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) that an Environmental Impact Statement (EIS) is not required to implement recommendations discussed in the attached Environmental Assessment of a wastewater project plan submitted by the applicant mentioned above.

HOW WERE ENVIRONMENTAL ISSUES CONSIDERED?

Part 53, Clean Water Assistance, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, being Sections 324.5301 to 324.5316 of the Michigan Compiled Laws Annotated, requires EGLE to evaluate all environmental implications of a proposed wastewater project. EGLE has done this by incorporating a detailed analysis of the environmental effects of the proposed alternatives in its review and approval process. A project plan containing information on environmental impacts was prepared by the municipality and reviewed by the State. EGLE has prepared the attached Environmental Assessment and found that the proposed project does not require the preparation of an EIS.

WHY IS AN EIS NOT REQUIRED?

Our environmental review concluded that no significant environmental impacts would result from the proposed action. Any adverse impacts have either been eliminated by changes in the project plan or will be reduced by the implementation of the mitigative measures discussed in the attached Environmental Assessment.

HOW DO I GET MORE INFORMATION?

A map depicting the location of the proposed project is attached. This information is also available on our website at Michigan.gov/CWSRF under "Additional Links." The Environmental Assessment presents additional information on the project, alternatives that were considered, impacts of the proposed action, and the basis for our decision. Further information can be obtained by calling or writing one of the contact people listed below.

Finding of No Significant Impact
Page 2
April 22, 2024

HOW DO I SUBMIT COMMENTS?

Any comments supporting or disagreeing with this preliminary decision should be submitted to me at EGLE, Constitution Hall, P.O. Box 30457, Lansing, Michigan 48909-7957. We will not take any action on this project plan for 30 calendar days from the date of this notice in order to receive and consider any comments.

WHAT HAPPENS NEXT?

In the absence of substantive comments during this period, our preliminary decision will become final. The applicant will then be eligible to receive loan assistance from this Agency to construct the proposed project.

Any information you feel should be considered by EGLE should be brought to our attention. If you have any questions, please contact Ms. Valorie White, the project manager, at 517-599-5879; by email at WhiteV1@Michigan.gov; or you may contact me. Your interest in this process and the environment is appreciated.

Sincerely,

Dan Beauchamp

Dan Beauchamp, Section Manager
Water Infrastructure Funding and Financing Section
Finance Division
517-388-3380

Attachment

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
Clean Water State Revolving Fund (CWSRF)
Environmental Assessment
City of Flint, Genesee County
April 2024

PROJECT IDENTIFICATION

Applicant: City of Flint

Address: G-4652 Beecher Road
Flint, Michigan 48532

Authorized Representative: Ms. Jeanette Best, Water Pollution Control Manager

Project Number: 5739-01

PROJECT SUMMARY

The city of Flint (Flint) is located in Genesee County, approximately 66 miles northwest of the city of Detroit. Flint owns and operates a municipal wastewater system which treats wastewater from Flint residents and portions of Flint Township and Mt. Morris Township. Additionally, the Flint Water Pollution Control Facility (WPCF) accepts and treats wastewater from the Beecher Metropolitan Sewer District. According to the United States Census Bureau Flint has a population of 81,252 in 2020. Flint anticipates seeing a slight population decrease over the next twenty years.

Flint has applied for a 30-year low interest CWSRF loan administered by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) for force main rehabilitation, interceptor replacement, transformer replacements, and demolition of the Avon Pump Station (APS).

The estimated project cost is approximately \$66,980,000. The CWSRF in fiscal year 2024 is offering specialized funding for communities identified under state criteria as financially overburdened, which allows Flint to receive an American Rescue Plan (ARP) grant of \$20,000,000. As a result, the CWSRF loan amount is estimated to be \$46,980,000. The financial impact of this project to the average residential customer in Flint would be a rate increase of up to \$7.85 per month. Project construction is anticipated to begin in October 2024 and be completed by the end of 2026.

PROPOSED PROJECT

A. Project Need/Justification

In recent years, Flint has worked to make necessary improvements throughout their collection system, as well as at the WPCF. This project is the third and final loan from a project plan submitted to the CWSRF in 2019. This final project focuses on the collection system and replacing the transformers throughout the system. The previous projects financed in the first two loans are still in construction.

Two force mains currently transport all wastewater from the Third Avenue Pump Station (TAPS) three miles to the WPCF. These mains include a 50-inch diameter steel pipe, and a

72-inch diameter prestressed concrete cylinder pipe, constructed in 1927 and 1974 respectively. Both mains are in service but during wet weather neither force main would individually be able handle the required capacity to transport the flows of the system. Several years ago, a directional driller hit the 72-inch diameter force main, resulting in a large amount of untreated sewage being routed directly to the Flint River due to the inability to close the isolation valves. Due to the placement of mains, if they fail it will cause a sanitary sewer overflow (SSO) and have the potential for massive impact to the neighboring area, resulting in high property damage and environmental impacts.

In order to rehabilitate the TAPS force mains, flow must be diverted from TAPS into the Tunnel Interceptor/East Pump Station (EPS) system. This can be accomplished by creating a gravity feed interceptor at the point where the existing 60-inch diameter Tunnel Interceptor for EPS passes under the 54-inch diameter Upper Flint River Interceptor which lead to TAPS. If a controlled gravity interceptor was installed at this point, it would divert a significant amount of flow to EPS, allowing the TAPS force mains work to proceed, and eliminating the need for the APS.

Finally, as part of this project, Flint will be completing electrical work and replacing transformers at the WPCF and TAPS in order to provide consistent and sufficient electrical access to the system.

B. Alternatives Considered

No-action Alternative

The no-action alternative would result in the continued environmental threat posed by the potential failure of the aging TAPS force mains, necessitate the need to maintain the redundant APS, and continue operation with the risk of having old transformers. This alternative was not considered further.

Regional Alternative

Flint is already a regional system, and connection to another system, would not solve the collection issues. Therefore, this alternative was not considered further.

Optimization Alternative

Optimization of existing facilities without replacement of components and processes would not prevent SSOs, or failure as components beyond their useful life continue to age. Therefore, it was not considered further.

Replacement and Upgrades Alternatives

The only real alternative Flint has is to rehabilitate or replace the aging system components. This includes lining the TAPS force mains to reinforce them and extend their useful life. In order to conduct work on the TAPS force mains, flow needs to be diverted to other pump stations, and a new interceptor connection would allow an easy and clean way to do this. Any other alternative would involve massive disruption to both the collection system and the city, require installation of new pipes, and significant cost. Additionally, a gravity connection between the two existing interceptor mains allows for the demolition of the APS. Finally, the only option for the transformers is to replace them with new up-to-date versions.

Selected Alternative

Flint intends to proceed with the Replacement and Upgrades Alternative as it is the only viable option. TAPS force mains will be lined with either a Steel Liner or Fiber Reinforced Polymer pipe (See Figure 1). APS will be demolished, with a 54-inch diameter bypass sewer constructed in its place (See Figure 2). Flint intends to replace approximately 11 transformers located at the WCPF, Northwest Pump Station, EPS, and TAPS. This work would include installing concrete pads, ground mats, reworking of conduits and wires, as well as the transformers themselves.

The selected alternative is expected to cost \$66,980,000 to construct. Flint has qualified to receive an ARP grant totaling \$20,000,000 as they have been identified financially as a significantly overburdened community according to State criteria. As a result, the CWSRF loan amount is expected to be approximately \$46,980,000 and will be financed with a 30-year CWSRF loan at 1.00 percent interest. This includes design, construction, contingencies, financial, administrative, legal, and engineering services.

As a result of this total project, the average residential customer in Flint can expect a rate increase of approximately \$7.85 per month, at a loan amount of \$46,980,000. Project construction is anticipated to begin in October 2024 and be completed in end of 2026.

IMPACT OF PROJECT

A. Water Quality Impacts

The proposed project will work to prevent SSOs, extend the life of the force mains, allow for better control of flow through the system, and replace transformers beyond their useful life. This project will ensure that Flint is able to treat projected flows for the next twenty years.

B. Primary Impacts

Impacts of construction activities associated with the project are considered short-term disruptions that, for the most part, will not extend beyond the period of construction. Short-term adverse impacts associated with construction include noise, dust, exhaust fumes, removal of groundcover, and increased erosion potential.

Construction associated with the projects will occur at the WWTP site, APS, or at pits needed to directionally drill along the path of the TAPS force main. Construction contract provisions will be enforced for compliance with the Soil Erosion and Sedimentation Control Act to prevent damage to the surrounding areas from soil erosion, dust, and sedimentation. Flint is in the process of obtaining a Joint EGLE Part 303 and 301 permit to cover work in the floodplain and river crossing. Since the TAPS force main is intending to be lined, minimal impact is expected, but any that occur will be mitigated and remediated based on the permit.

This project is not expected to cause impacts on historical, archeological, religious, or culturally significant areas. Minimal to no tree removal is anticipated during this project, however, if necessary, no trees will be cut from April 1st through October 14th during the Indiana bat and Northern long eared bat roosting season.

C. Secondary Impacts

No significant secondary impacts are anticipated as a result of this project. The project was designed to address the need for sewage treatment, prevent SSOs, manage flow, and

provide service for years to come. Improvements to the system are associated with the need to address deficiencies, public health threats, and increase the reliability of the system.

PUBLIC PARTICIPATION

A formal public hearing on the project plan and proposed projects was held in person at the Flint City Hall on June 24, 2019, after notice was given in the *Flint Journal* newspaper on May 21, 2019. Presentations were made on the project plan, including alternatives considered, project impact, and estimated costs. Questions and comments were addressed at the public hearing. The City Council passed a resolution approving the project plan and agreeing to implement the selected alternatives on June 24, 2019, during a city council meeting after the close of the public hearing.

REASONS FOR CONCLUDING NO SIGNIFICANT IMPACTS

The proposed project will line critical force mains, remove a redundant pump station while connecting the system, replace components at the end of its useful life, and extend the life of the system. The water quality benefits anticipated from the project are expected to outweigh the short-term adverse impacts. Preventing SSOs and updating components will provide long-term beneficial impacts.

Questions regarding this Environmental Assessment should be directed to:

Ms. Valorie White, Project Manager
Water Infrastructure Funding and Financing Section
Finance Division
Michigan Department of Environment, Great Lakes, and Energy
P.O. Box 30457
Lansing, Michigan 48909-4957
Telephone: 517-284-5433
E-Mail: WhiteV1@Michigan.gov

Figure 1: Location of TAPS Force main proposed to be lined.



Figure 2: APS project location.



RESOLUTION NO.: 190188.1

PRESENTED: 6-24-19

ADOPTED: _____

**RESOLUTION AUTHORIZING THE PUBLICLY OWNED TREATMENT WORKS,
DPW - WATER POLLUTION CONTROL IMPROVEMENTS SRF PROJECT PLAN AND
LOAN PROGRAM APPLICATION**

BY THE MAYOR:

WHEREAS, The Administrative Rules of the Michigan Department of Environment, Great Lakes, and Energy, State Revolving Loan Fund (SRF), by the authority conferred on the director of the Department of Environment, Great Lakes, and Energy by section 5316 of Act No. 451 of the Public Acts of 1994, being §324.5301 of the Michigan Compiled Laws, provides that State Revolving Loan Fund applicant hold a public hearing on the proposed project not less than 30 days after advertising in a local newspaper of general circulation and at a time and place conducive to maximizing public input; and

WHEREAS, The Publicly Owned Treatment Works, DPW - Water Pollution Control Improvements Plan is a proposed State Revolving Fund project. The public hearing notice was published in the Flint Journal on May 21, 2019, allowing for a thirty-day public comment period and copies of the Project Plan was made available for public review on May 14, 2019; and

WHEREAS, The public hearing, in accordance with these rules, was held on June 24, 2019; and

WHEREAS, All public comments have been considered and addressed; and

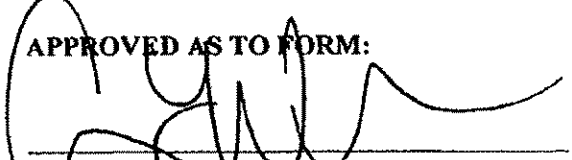
WHEREAS, The Project Plan improvements will create a safer and more reliable system that will continue to have positive effects on the water quality of the Flint River, reduce operating expenses, and provide a safer environment for the communities surrounding each of the facilities. The proposed project will also improve the wastewater treatment system to meet and maintain Michigan Department of Environment, Great Lakes, and Energy, EPA, and public health regulations by rehabilitating deteriorated force mains, improve sludge dewatering, disinfection processes, pumping station function, electrical switchgear, and biosolids processing; and

WHEREAS, Adoption of the Project Plan and approval of the loan program application does not obligate the City to accept any funding that may be approved through the application process, if approved by the State, it only allows the City to be a candidate for SRF loan consideration; and


WHEREAS, The Mayor, Dr. Karen W. Weaver, recommends applying for the Michigan Department of Environment, Great Lakes, and Energy State Revolving Loan Program.

THEREFORE BE IT RESOLVED, that the Flint City Council formally approve and adopt said Project Plan and Program Application for the Michigan Department of Environment, Great Lakes, and Energy State Revolving Loan.


BE IT FURTHER RESOLVED, that the Department of Public Works Director and Water Pollution Control Manager be designated as the authorized representatives for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan.

APPROVED AS TO FORM:


Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:


Tamar Lewis, Deputy Finance Director

FOR THE CITY OF FLINT:


Dr. Karen W. Weaver, Mayor

APPROVED BY CITY COUNCIL:

Herbert Winfrey, City Council President

RESOLUTION STAFF REVIEW

June 4, 2019

Agenda Item Title: Resolution Authorizing the Publicly Owned Treatment Works, DPW
- Water Pollution Control Improvements SRF Project Plan and Loan
Program Application

Prepared By: Krystal Wallace

Background/Summary of Proposed Action:

The DPW Publicly Owned Treatment Works, Water Pollution Control is requesting approval to submit a loan application for State Revolving Fund (SRF). This action will allow the City to meet the SRF Loan July 1, 2019 application deadline. This action does not obligate the City to accept any loan funds. The City must submit a complete application to be granted SRF Loan consideration. If the SRF Loan application is approved, then the State will provide the terms and conditions of the loan. Prior to acceptance of any SRF loan, an approved Resolution for SRF Loan acceptance will be obtained.

Financial Implications:

There are no additional funding requirements for this action.

Budgeted Expenditure? Yes No Please explain if no:

Account No.: N/A

Pre-encumbered? Yes No Requisition: N/A

Other Implications (i.e., collective bargaining): None.

Staff Recommendation: Approve

Staff Person: 
(Jeanette M. Best, WPC Manager)

Michigan Department of Environmental Quality
Rick Snyder, Governor
Dan Wyant, Director

<http://www.michigan.gov/deq>

Clean Water Revolving Funds SRF/SWQIF Project Plan Submittal Form

Name of the Project City of Flint Publicly Owned Treatment Works, DPW - Water Pollution Control Improvements	Applicant's Federal Employer Identification Number (EIN) 38-6004611
Legal Name of Applicant (The legal name of the applicant may be different than the name of the project. For example, a county may be the applicant for bonding purposes, while the project may be named for the particular village or township it serves.) City of Flint, A Municipal Corporation	Area Served by this Project Counties: Genesee Congressional Districts: 5
Address of Applicant (Street, PO Box, City, State & Zip) 1101 S. Saginaw Street, Flint, Michigan 48502	State Senate Districts: 27 State House Districts: 49
NPDES Permit Number (if permit holder) MI0022926	Associated SAW Grant Number (if applicable)
Brief Description of the SRF/SWQIF Project Publicly Owned Treatment Works Improvements	
Disadvantaged Community Determination <input checked="" type="checkbox"/> The applicant is requesting a disadvantaged community determination, and a completed <i>Disadvantaged Community Status Determination Worksheet</i> is attached	
Estimated Total Cost of the SRF/SWQIF Project \$114,565,100.00	SRF/SWQIF Construction Start Target Date September, 2020
Name and Title of Applicant's Authorized Representative JEANETTE BEST, WATER POLLUTION CONTROL MANAGER	
Address of Authorized Representative (if different from above) G-4652 Beecher Road, Flint, Michigan, 48532	Telephone 810-691-9811 E-Mail Address JBest@cityofflnt.com
Signature of Authorized Representative	Date
Joint Resolution(s) of Project Plan Adoption/Authorized Representative Designation is attached. check here <input checked="" type="checkbox"/>	

A final project plan, prepared and adopted in accordance with the Department's *Clean Water Revolving Funds (SRF and SWQIF) Project Plan Preparation Guidance*, must be submitted by July 1st in order for a proposed project to be considered for placement on a Project Priority List for the next fiscal year. Please send your final project plan with this form to

REVOLVING LOAN SECTION
OFFICE OF DRINKING WATER AND MUNICIPAL ASSISTANCE
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
PO BOX 30241
LANSING MI 48909 7741

Disadvantaged Community Status Determination Worksheet

The following data is required from each municipality in order to assess the disadvantaged community status. Please provide the necessary information and return to:

Robert Schneider
Revolving Loan Section
Office of Drinking Water and Municipal Assistance
P.O. Box 30241
Lansing, MI 48909-7741
Schneiderr@michigan.gov

If you have any questions please contact Robert Schneider at 517-388-6466

Please check the box this determination is for:

DWRF SRF

1. Total amount of anticipated debt for the proposed project, if applicable.

\$114,565,100.00

2. Annual payments on the existing debt for the system.

\$0.00

3. Total operation, maintenance and replacement expenses for the system on an annual basis.

\$9,029,811.63

4. Number of "residential equivalent users" in the system.

30,240

For determinations made using anticipated debt, a final determination will be made based upon the awarded loan amount.

Please contact Krystal Wallace at extension 3621 once signed or if there are any questions.

RESOLUTION REVIEW FORM

FROM: DPW - WATER POLLUTION CONTROL 19-8087
Department Law Office Log#

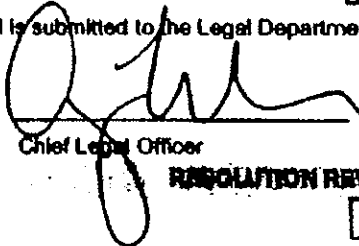
RESOLUTION NAME: Resolution to approve the SRF Project Plan and Loan Application Submittal

RESOLUTION REVIEW - LEGAL

Date In: 6-12-19 Date Out: 6-12-19

The attached RESOLUTION is submitted to the Legal Department for Approval as to **FORM ONLY**:

By: Angela Wheeler


Chief Legal Officer

RESOLUTION REVIEW - FINANCE

Date In: _____ Date Out: 6-18-19

The attached RESOLUTION is submitted to the Finance Department for Approval as to **FUNDING/FINANCE ONLY**:

By: Tamar Lewis


Deputy Financial Director

THIS RESOLUTION MAY NOW GO TO THE CITY ADMINISTRATION FOR SIGNATURE AND APPROVAL

240223



RESOLUTION NO.: _____

PRESENTED: JUN 05 2024

ADOPTED: _____

BY THE CITY ADMINISTRATOR:

Resolution of Support for Local Bridge Program Funding Applications submitted to the Michigan Department of Transportation and Ability to Fund the Five Percent (5%) Local Share of Construction Costs from Funding Available in the 202 Major Street Fund

The Michigan Department of Transportation allocates project funds to local governments to repair or rehabilitate bridges that are in pressing need of repair or new design to meet motorists' needs under the Local Bridge Program; and

The City of Flint will be submitting applications to MDOT which request that the following bridge projects be considered for funding under the Local Bridge Program: Western Road over the Kearsley Creek (2853) (Superstructure Replacement), Grand Traverse over the Flint River (2841), Sunset Drive over the Flint River (2832) (Superstructure Replacement), multiple preventative maintenance package on the following bridges: Saginaw St. over Thread Creek, Atherton Rd. over Carman Creek, Kearsley St. over Swartz Creek and Franklin Ave. over Gilkey Creek; and

In order for the aforementioned bridge projects to be eligible for funding under the local Bridge Program, the City of Flint must communicate our commitment to the proposed projects and ability to fund 5% local share of construction costs if the City is awarded funding for the projects under the Local Bridge Program; and

The Department of Transportation is requesting this resolution be adopted to confirm the City's commitment to the proposed bridge projects and ability to finance the 5% local share of construction costs from funding available in the 202 Major Street Fund if the City is awarded funding for the proposed bridge projects; and

IT IS RESOLVED, that this resolution is hereby adopted to confirm the City's commitment to the proposed bridge projects and the ability to finance the 5% local share of construction costs from funding available in the 202 Major Street Fund if the City is awarded funding for the proposed bridge projects.

For the City of Flint:

Clyde D. Edwards / A0186
Clyde D. Edwards / A0186 (May 17, 2024 12:07 EDT)
Clyde Edwards, City Administrator

For the City Council:

Approved as to Finance:

Phillip Moore
Phillip Moore (May 16, 2024 12:45 EDT)
Phillip Moore
Chief Financial Officer

Approved as to Form:

William Kim
William Kim (May 16, 2024 12:49 EDT)
William Kim
Chief Legal Officer



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: May 16, 2024

BID/PROPOSAL#

AGENDA ITEM TITLE: Resolution of support for Local Bridge Funding Applications submitted to the Michigan Department of Transportation and Ability to Fund the Five Percent (5%) Local Share of Construction Costs from Funding Available in the 202 Major Street Fund

PREPARED BY: Kathryn Neumann for Rodney McGaha, Director of Transportation

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Once a year the Michigan Department of Transportation allocates project funds to local governments to repair or rehabilitate bridges that are in pressing need of repair or new design. The City of Flint is submitting applications to replace and rehabilitate five bridges: Western Road over the Kearsley Creek (2853), Grand Traverse over the Flint River (2841), Sunset Drive over the Flint River (2832), Leith Street over W. Boulevard and the Flint River (2836), Beach/Garland Street over the Flint River (2843), and East Boulevard over the Kearsley Creek (2858) that meets the criteria.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

None

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

Existing bridges will be made safer.

FINANCIAL IMPLICATIONS:

If awarded bridge funds, the City of Flint must pay the 5% local share of construction costs. This funding will come from the 202 Major Street Fund. However, this resolution is only for the support of submitting applications.

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

PRE-ENCUMBERED? YES NO **REQUISITION NO:**

ACCOUNTING APPROVAL: Kathryn Neumann Kathryn Neumann (May 16, 2024 10:18 EDT) **Date:** _____



CITY OF FLINT STAFF REVIEW FORM

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: *(This will depend on the term of the bid proposal)*

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS *(i.e., collective bargaining)*:

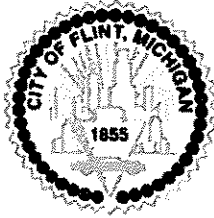
STAFF RECOMMENDATION: *(PLEASE SELECT)*: APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE: _____

Rodney McGaha
Rodney McGaha May 16, 2024 12:02 EDT

(Rodney McGaha, Director of Transportation)

240224



RESOLUTION NO.: _____

PRESENTED: JUN 05 2024

ADOPTED: _____

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO SHANNON CHEMICAL CORPORATION FOR PHOSPHORIC ACID 75%
FY24 CHANGE ORDER FOR WATER PLANT**

WHEREAS, the Division of Purchases & Supplies solicited bids for Phosphoric Acid 75% NSF Grade for the periods of FY22-FY23 on behalf of the Water Plant, Shannon Chemical Corporation, Malvern, PA was the responsive and awarded bidder for the two-year period, and a bid extension was granted through FY24. This essential water treatment chemical is utilized to create a protective coating on pipes to prevent contaminants such as lead from entering into the water supply as required by the EPA and EGLE.

WHEREAS, City Council adopted Resolution #230265 on August 14, 2023 approving the supply of Phosphoric Acid 75% for the Water Plant in a Purchase Order amount not to exceed \$140,000.00 for FY24.

WHEREAS, The Water Plant has requested additional funding for Phosphoric Acid 75% due to a larger quantity needed than anticipated for FY24 for invoices placed in the amount of \$18,481.91 and for supply on hand to last through the end of FY24 in the amount of \$42,000.00.

Funds are to come from the following account(s):

Account Number	Account Name/ Grant Code	Amount
591-545.200-753.000	Treatment Chemicals	\$60,481.91
	FY2024 TOTAL	\$ 60,481.91

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue additional Purchase Orders to Shannon Chemical Corporation for the supply of Phosphoric Acid 75% NSF grade for the Water Plant, in an additional amount not to exceed \$60,481.91, for an aggregate grand total not to exceed \$200,481.91 for FY24 (07/01/23-06/30/24).

APPROVED AS TO FORM:

William Kim
William Kim (May 23, 2024 11:43 EDT)
William Kim, City Attorney

APPROVED AS TO FINANCE:

Phillip Moore
Phillip Moore (May 23, 2024 11:44 EDT)
Phillip Moore, Chief Financial Officer

FOR THE CITY OF FLINT:

Clyde D. Edwards / A0197
CLYDE D EDWARDS / A0197 (May 23, 2024 11:44 EDT)
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

APPROVED AS TO PURCHASING:

Lauren Rowley
Lauren Rowley, Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: April 4, 2024

BID/PROPOSAL#

AGENDA ITEM TITLE: PHOSPHORIC ACID – EMERGENCY REQUISITION

PREPARED BY: Melanie Poisson for The Water Plant

VENDOR NAME: SHANNON CHEMICAL

BACKGROUND/SUMMARY OF PROPOSED ACTION:

PHOSPHORIC ACID is essential for water treatment to create a protective coating on pipes which can prevent contaminants such as lead from entering the water supply as well as to maintain all EPA and EGLE requirements. There is not enough funding in the FY24 purchase order to cover the final invoice of FY24 for this chemical. Therefore, an EMERGENCY REQUISITION is being made to satisfy this need. Please note, Shannon Chemical extended their pricing for the FY24 year. Please issue a change order for the budgeted amount of \$18,481.91 using funds from account 591-545.200-753.000.

FINANCIAL IMPLICATIONS: NONE

BUDGETED EXPENDITURE? YES [X] NO [] IF NO, PLEASE EXPLAIN:

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Row 1: DPW-WTP, Treatment Chemicals, 591-545.200-753.000, \$18,481.91. Row 2: TOTAL, \$18,481.91.

PRE-ENCUMBERED? YES [X] NO [] REQUISITION NO: 240008487

ACCOUNTING APPROVAL: Yolanda Gray (Yolanda Gray, DPW Accounting Supervisor) Date: 4-8-24

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [] NO [] (If yes, please indicate how many years for the contract) YEARS

DEPARTMENT HEAD SIGNATURE: Scott Dungee (Scott Dungee, Water Plant Supervisor) Date: 4-8-24

Melanie Poisson

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: July 31, 2023

BIO/PROPOSAL#

AGENDA ITEM TITLE: PHOSPHORIC ACID

PREPARED BY: Melanie Poisson for The Water Plant

VENDOR NAME: SHANNON CHEMICAL

BACKGROUND/SUMMARY OF PROPOSED ACTION:

PHOSPHORIC ACID 75% is essential for water treatment to create a protective coating on pipes which can prevent contaminants such as lead from entering the water supply as well as to maintain all EPA and EGLE requirements. One year extension of pricing has been granted

Please issue a purchase order for the FY2024 budgeted amount of \$140,000.00 using funds from account 591-545.200-753.000.

FINANCIAL IMPLICATIONS: NONE

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
DPW-WTP	Treatment Chemicals FY24	591-545 200-753 000		\$140,000.00
		FY24 GRAND TOTAL		\$140,000.00

PRE-ENCUMBERED? YES NO REQUISITION NO: 240007517

ACCOUNTING APPROVAL: Volanda Gray Date: 7/31/23
(Volanda Gray, DPW Accounting Supervisor)

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO
(If yes, please indicate how many years for the contract) YEARS

DEPARTMENT HEAD SIGNATURE: Scott Dungee Date: 7/31/23
(Scott Dungee, Water Plant Supervisor)



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: May 22, 2024

BID/PROPOSAL#

AGENDA ITEM TITLE: PHOSPHORIC ACID – EMERGENCY REQUISITION

PREPARED BY: Melanie Poisson for The Water Plant

VENDOR NAME: SHANNON CHEMICAL

BACKGROUND/SUMMARY OF PROPOSED ACTION:

PHOSPHORIC ACID is essential for water treatment to create a protective coating on pipes which can prevent contaminants such as lead from entering the water supply as well as to maintain all EPA and EGLE requirements. There is not enough funding in the FY24 purchase order to cover the purchase of this chemical. Therefore, an EMERGENCY REQUISITION is being made to satisfy this need. Please note, Shannon Chemical extended their pricing for the FY24 year.

Please issue an emergency purchase order for the budgeted amount of \$42,000.00 using funds from account 591-545.200-753.000.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE

RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

FY24 Annual PO for \$140,000. Change Order for \$18,481.91 to pay last invoice.

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

Continue to protect pipes from leaching lead which is vital to provide potable, safe water throughout the City of Flint.

FINANCIAL IMPLICATIONS:

None

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
DPW-WTP	Treatment Chemicals	591-545.200-753.000		\$42,000.00
TOTAL				\$42,000.00

PRE-ENCUMBERED? YES NO **REQUISITION NO:** 240008614

Melanie Poisson



RESOLUTION NO.: 230965
 PRESENTED: AUG - 9 2023
AUG 14 2023
 ADOPTED:

BY THE CITY ADMINISTRATOR

RESOLUTION TO SHANNON CHEMICAL CORPORATION FOR PHOSPHORIC ACID 75%

WHEREAS, The Division of Purchases & Supplies solicited bids for Phosphoric Acid 75% NSF Grade for the period of FY22-FY23 on behalf of the Water Plant Shannon Chemical Corporation, Malvern, PA was the responsive and awarded bidder for the two year period

WHEREAS, The Water Plant requested to extend the bid for FY24, agreed upon by Shannon Chemical Corporation, for the supply of this essential water treatment chemical which is utilized to create a protective coating on pipes to prevent contaminants such as lead from entering into the water supply as required by the EPA and EOLE

GL/ACCOUNT #	ACCOUNT NAME /GRANT CODE	AMOUNT REQUESTED
591-545.200-753.000	Treatment Chemicals	\$140,000.00
	FY2024 TOTAL:	\$140,000.00

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue a purchase order to Shannon Chemical Corporation for the supply of Phosphoric Acid 75% NSF grade, in an amount not to exceed \$140,000.00 for FY24 (07 01 23-06 30 24)

APPROVED AS TO FORM

William Kim, City Attorney

APPROVED AS TO FINANCE

Jane Mager, Acting Chief Financial Officer

FOR THE CITY OF FLINT:

CLYDE D EDWARDS

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:



CITY OF FLINT

ACCOUNTING APPROVAL:

Yolanda Gray

(Yolanda Gray, DPW Accounting Supervisor)

Date:

5-22-24

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

(If yes, please indicate how many years for the contract)

YEARS

DEPARTMENT HEAD SIGNATURE:

Scott Dungee

(Scott Dungee, Water Plant Supervisor)

Date:

5-22-24

240225



RESOLUTION NO.: _____

PRESENTED: JUN 05 2024

ADOPTED: _____

BY THE CITY ADMINISTRATOR:

RESOLUTION AUTHORIZING LIGHTHOUSE INSURANCE GROUP TO PROVIDE THE CITY OF FLINT WITH WORKERS' COMPENSATION EXCESS POLICY FOR THE PERIOD 7/1/24-7/1/25

WHEREAS, Lighthouse Insurance Group, the City's insurance broker, solicited proposals for Excess Worker's Compensation coverage. Lighthouse Insurance Group recommends the selection of Midwest Employers Insurance Company at the cost of \$136,978.00; and


WHEREAS, the Department of Finance recommends retaining Lighthouse Insurance Group to provide the City with excess workers' compensation insurance coverage through Midwest Employers Insurance Company. The policy will cover the period of 7/1/24 through 7/1/25 for a total cost of \$136,978.00. The policy maintains the same coverage as the prior year.


GL/Account #	Account Name	Amount Requested
677-267.651-955.000	Risk and Benefit – Insurance	\$136,978.00
	FY2025 Total:	\$136,978.00

IT IS RESOLVED, that the appropriate City officials are authorized to enter into a contract with Lighthouse Insurance Group to provide the City with excess workers' compensation insurance coverage through Midwest Employers Insurance Company at a premium cost amount not to exceed \$136,978.00 for the period beginning 7/1/24 to 7/1/25. Funding for these services will come from account 677-267.651-955.000.

APPROVED AS TO FORM:

APPROVED AS TO FINANCE:


William Kim (May 24, 2024 18:00 EDT)


Phillip Moore (May 24, 2024 11:34 EDT)

William Kim, City Attorney

Phillip Moore, Chief Financial Officer


CLYDE D EDWARDS / A0204

CLYDE D EDWARDS / A0204 (May 24, 2024 19:00 EDT)

Clyde Edwards, City Administrator

City Council



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: May 23, 2024

BID/PROPOSAL#

AGENDA ITEM TITLE: Excess Workers Compensation Insurance Proposal from Midwest Employers Insurance Company for the City of Flint for the period 7/1/24-7/1/25

PREPARED BY: V. Foster

VENDOR NAME: Lighthouse

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint's current Excess Workers Compensation insurance policy expires on June 30, 2024. The City is utilizing its insurance broker Lighthouse Group to bid and negotiate an excess workers' compensation policy for the period 7/1/24-7/1/25.

The City's current provider, Midwest Employers Insurance Company, submitted a quote for \$136,978.00. Of the markets approached, Midland, Safety National, Arch, and State National insurance companies all declined to quote due to their inability to compete with incumbent Safety National's pricing.

Based on the bid results, the Department of Finance requests Lighthouse Group provide the City with workers' compensation insurance coverage through Midwest Employers Insurance Company for \$136,978.00. The cost represents an increase of approximately 9% from the previous year.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

Midwest, through Lighthouse, is the current provider of work comp insurance coverage and is set to expire on 6/30/24. The premium for the current policy that is set to expire on 6/30/24 is \$124,997.00.

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

Work comp insurance coverage protects the City in the event serious injury to workers occur

FINANCIAL IMPLICATIONS

Failure to secure work comp insurance coverage would negatively expose the City to financial hardship. As outlined above, the new premium includes an approximate 9% increase. Coverage remains the same. Midwest was the sole bidder.



CITY OF FLINT STAFF REVIEW FORM

Dept.	Name of Account	Account Number	Grant Code	Amount
Self-Insurance Fund	Insurance	677-267.651-955.000	N A	136,978.00
FY24 GRAND TOTAL				\$136,978.00

PRE-ENCUMBERED? YES NO REQUISITION NO:

ACCOUNTING APPROVAL: V. Foster

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: *(This will depend on the term of the bid proposal)* N/A

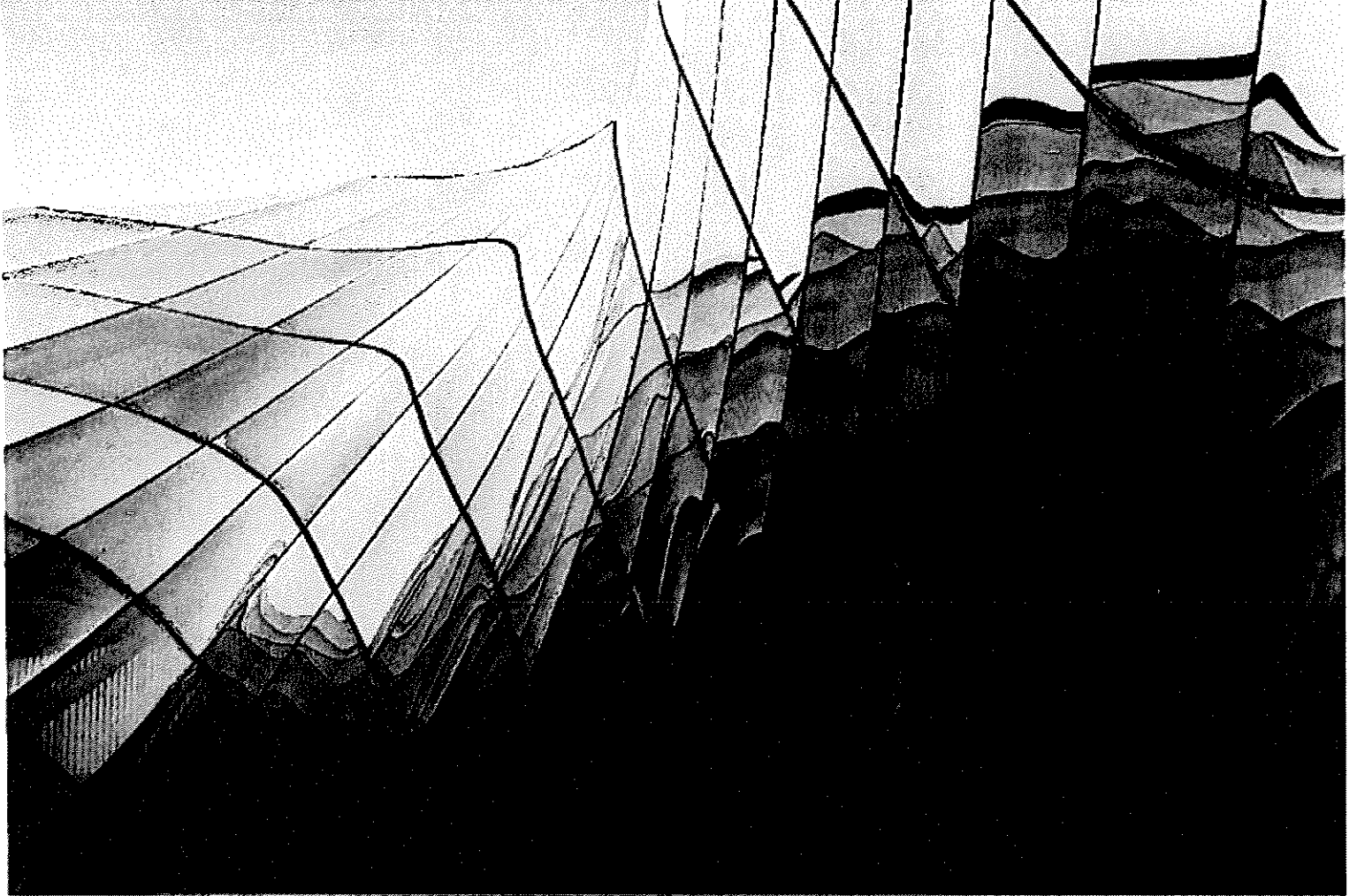
OTHER IMPLICATIONS *(i.e., collective bargaining)*:

STAFF RECOMMENDATION: *(PLEASE SELECT)*: APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE:



Paul Borle, Deputy Chief Financial Officer



Insurance Proposal Prepared For

City of Flint

Effective 7-1-2024 to 7-1-2025

Lighthouse, An Alera Group Company

Our mission at Lighthouse, an Alera Group Company is the profitable and ethical delivery of innovative insurance solutions for the protection of our clients.

We are well positioned to provide excellent service for all your business and personal insurance needs including:

- Commercial Insurance
- Personal Insurance
- Employee Benefits
- Individual Insurance/Medicare
- Financial Services

Along with these business units, Lighthouse provides seminars for clients and the public on relevant issues. These are done in conjunction with several insurance companies, with which we have solid, long-term relationships.

We have multiple locations throughout Michigan and sister agencies across the nation to serve your needs. Our investment in technology has allowed Lighthouse to provide exemplary response time, as well as comprehensive claims and risk management services.

We have active memberships with local chambers of commerce, various industry associations, and serve on advisory boards of several insurance companies. We also have many industry-specific programs tailored to give specialized coverages when they are needed.

Workers Compensation

Locations

Address	City	State	Zip
1101 S Saginaw St	Flint	MI	48502
210 E Fifth St	Flint	MI	48502
310 E 5 th St	Flint	MI	48502
1525 ML King Ave	Flint	MI	48502
3402 Western Rd	Flint	MI	48502
702 W 12 th St	Flint	MI	48503
716 W Pierson	Flint	MI	48503
3310 E Court St	Flint	MI	48503
202 E Atherton Rd	Flint	MI	48504
4500 N Dort Hwy	Flint	MI	48506
G-4652 Beecher Rd	Flint	MI	48507
4813 Clio Road	Flint	MI	48504

Part 1 Workers Compensation State Information

State

MI

Part 2 Employers Liability Information

Coverage	Limit
Each Accident	1,000,000
Disease-Policy Limit	1,000,000
Disease-Each Employee	1,000,000

This proposal is a summation of the limits, terms, coverages, and conditions all of which are superseded by the actual issued policy.

Rating Information

State	Class Code	Categories, Duties, Classifications	Renewal Exposure	Expiring Exposure
MI	5509	Street or Road Maintenance	1,587,297	1,125,339
MI	6306	Sewer Op or Drivers	1,052,856	844,004
MI	6319	Gas or Main Connections	1,507,303	1,125,339
MI	7520	Waterworks	1,102,045	1,969,341
MI	7539	Meter Readers	Electronic	490,485
MI	7704	Firefighters	4,041,620	4,275,874
MI	7720	Police Officers	6,303,727	6,752,028
MI	8392	Garage Employees	407,659	282,750
MI	8810	Clerical	8,232,918	7,900,141
MI	8820	Attorney	605,267	488,166
MI	9015	Janitorial/Maintenance	296,699	328,279
MI	9502	Street Cleaning	348,431	286,790
MI	9510	Municipal Employees	2,414,750	1,135,616
MI	7580	Sewage Disposal Plant Oper	2,303,980	1,129,298
MI	9101	Schools – All Others	0	0
Total Payroll			30,204,552	28,133,449

This proposal is a summation of the limits, terms, coverages, and conditions all of which are superseded by the actual issued policy

Premium Summary

City of Flint

Coverage	Carrier	Expiring Premium	Renewal Premium	Premium Difference
Excess Workers Compensation	Midwest Employers Casualty	\$124,997.00	\$136,978.00	\$11,981.00
	Total Program	\$124,997.00	\$136,978.00	\$11,981.00

All quoted premiums are annual estimates

Underwriting Notes

- Markets Approached
 - Midlands
 - Safety National
 - Arch
 - State National

Binding Conditions

- xx

Outstanding Items

- xx

This insurance proposal is based upon your insurance history and the information that you have provided. It is your responsibility to review each item to make sure that you have all the coverages that you need, and that the limits of liability are appropriate.

This proposal is a summation of the limits, terms coverages, and conditions all of which are superseded by the actual issued policy.

Agreement and Acceptance

The undersigned insured acknowledges that they have read and understood the Insurance Proposal as presented by Lighthouse Group, an Alera Group Agency LLC and authorizes them to bind coverage.
Effective Date: 7/1/2024

Policy Type: Excess Workers Compensation

PROPOSED COVERAGE HAS BEEN REJECTED/MODIFIED AS OUTLINED:

- 1.
- 2.
- 3.
- 4.

Named Insured: City of Flint

Title: _____

Signature: _____ Date: _____

RETURN TO THE ATTENTION OF: Cort Niemi
EMAIL: cniemi@lighthousegroup.com
MAIL: Lighthouse, an Alera Group Company
56 Grandville Ave, Ste 300
Grand Rapids, MI 49503

Loss Control Services

1. Risk Assessment and Hazard Identification

- Conduct workplace safety audits and risk assessments to identify potential hazards
- Advise on sustainable solutions and control measures
- Multi-level assessments: Facility wide (i.e. mock OSHA), equipment risk assessment, SOP/Task Hazard Analysis, etc.

2. Safety Training & Education

- Design and deliver customized safety training programs in a variety of formats (live instruction, remote instruction, self-paced e-Learning)
- Provide access to safety Learning Management System (LMS) for self-paced learning including pre-built training content.
- Train-the-Trainer programs to ensure organization can self-manage safety education.

3. Compliance and Regulatory Assistance

- Identify compliance gaps within operations (i.e. OSHA, DOT, etc)
- Identify opportunities for best-in-class solutions with industry and consensus safety standards (i.e. ANSI, NIOSH)
- Assist in compliant recordkeeping and documentation

4. Loss Control and Claims Management

- Analyze incident and insurance claim history to identify loss patterns
- Provide guidance on loss control strategies and claim submission process
- Advise on accident prevention measures to reduce the frequency and severity of claims
- Assist in the resolution of insurance claims and minimize financial loss

5. Safety Management System (SMS) Implementation and Support

- Guide in the development and implementation of sustainable safety management system
- Review existing safety procedures to identify compliance gaps and opportunities for improvement
- Participation in internal safety committees

Electronic Delivery Authorization

Your insurer may be required by law to obtain consent from insureds prior to engaging in any electronic delivery of insurance policies and/or other supporting documents in connection with the policy. You have the right to:

- Select electronic delivery;
- Reject electronic delivery;
- Withdraw your consent if you decide you no longer want to receive electronic delivery of your insurance policy and/or other supporting documents in connection with your insurance policy.

Election of electronic insurance policy delivery option

I select the option to receive the following documents in connection with my insurance policy electronically, for myself and all those covered under the policy. I acknowledge I may no longer receive paper copies of my insurance policy, unless I advise my insurer to continue to provide paper copies in addition to electronic copies.

- Insurance Policy
- Identification Card
- Notices of Cancellation
- Notices of Nonrenewal
- Other supporting documents in connection with my insurance policy

Rejection of electronic delivery option

I reject the option to receive my insurance policy and/or other supporting documents in connection with my insurance policy electronically, for myself and all those covered under the policy. I will continue to receive paper copies of such documents.

Withdrawal of consent of electronic delivery

I withdraw my previous consent of electronic delivery of my insurance policy and/or other supporting documents in connection with my insurance policy, for myself and all those covered under the policy. I elect to receive paper copies of such documents in the future.

Lighthouse Invoice Preference

Invoice made out to: _____

Invoice by:

Mail | Address: _____

Email | Email Address: _____

Electronic Delivery Disclosure

This proposal is a summation of the limits, terms, coverages, and conditions all of which are superseded by the actual issued policy.

The policyholder who elects to allow for insurance policy and/or other supporting documents in connection with the insurance policy to be sent to the electronic mail address provided should be diligent in updating the electronic mail address provided to the insurer in the event that the address should change.

Client and Lighthouse have caused this Agreement to be signed by authorized individuals.

Client

Name of recipient to receive policy documents via email Relationship to Insured

Applicant/Name Insured Signature Date

Email address of recipient

Commercial Coverage Options

In addition to the below coverage options, there may be more insurance products available for your consideration.

Property

We do not determine property values, as we do not have any specific expertise in making this evaluation. It is in your best interest to evaluate the amount of your contents to determine the appropriate limits. Additionally, it is in your best interest to seek a building valuation survey to determine the appropriate construction cost of any building coverage.

- Off Premises Power Failure
- Spoilage Coverage
- Business Income & Extra Expense
- Ordinance or Law
- Vacancy Permit
- Builders Risk
- Mfg Selling Price
- Property of Others
- Leased or Rented Property
- Peak Season Coverage
- Equipment Breakdown
- Earthquake
- Flood
- Dependent Property

General Liability

Higher limits may also be available for General Liability coverages.

- Employment Practices Liability
- Liquor Liability
- Employee Benefits Liability
- Product Recall Coverage
- Pollution Liability

Inland Marine

- Installation Floater
- Replacement Cost
- Miscellaneous Tools / Equipment
- Leased or Rented Equipment
- Sign Coverage
- Scheduled Equipment / Tools
- Valuable Papers / Accounts Receivable
- Bailee Liability
- Patterns, Dies, Molds

Crime

- Employee Dishonesty
- Forgery / Alterations
- Money & Securities

Business Auto

- Drive Other Car
- Hired & Non-Owned Auto Liability
- Hired Car Physical Damage

Miscellaneous

- Umbrella Liability / Higher Limits on Current Umbrella
- Professional Liability
- Data Breach / Cyber Liability
- Directors & Officers Coverage
- Fiduciary Liability
- Bonds
- Trade Credit Insurance

Cyber Liability Quiz

What is your Internet Privacy and/or Security Risk?

Take this quick quiz to determine your level of risk.

1. Are you involved in any of the following industries:
 - Education
 - Healthcare
 - Financial Services
 - Retail
2. Do you provide services to clients on your website?
3. Do you collect, receive, transmit or store personally identifiable information or personal health information? For example, Social Security numbers, driver's license numbers, email addresses, bank account numbers, credit/debit card numbers, etc.
4. Do you need to develop or update procedures to comply with privacy legislation? For Example, Health Insurance Portability and Accountability Act – HIPPA, The Gramm-Leach Bliley Act or other legislation with respect to the protection of other confidential information?
5. Do your employees use laptops, cell phones, smart phones, or tablets?
6. Do you store sensitive data on your network in the cloud or even in paper files?
7. Do you manage the content of your website and/or host the infrastructure yourself instead of using a third party?
8. Do you have a Written Information Security Plan?

Your Score:

2 or less answered yes:

Your risk is low. However, Cyber Liability coverage is worth considering.

3 to 4 answered yes:

Your risk is great and obtaining Cyber Liability should be a priority.

5 or more answered yes:

Your risk is significant! Without proper coverage afforded by Cyber Liability, the financial wellbeing of your company is at risk!



Lighthouse
ALERA GROUP COMPANY

Life Insurance Review and Audit Program

For individuals and families

- Life insurance
- Return of premium life insurance
- Annuities
- Disability income protection
- Long-term care
- Life insurance review and audit program
- Individual mortgage pay-off in event of death

For business owners

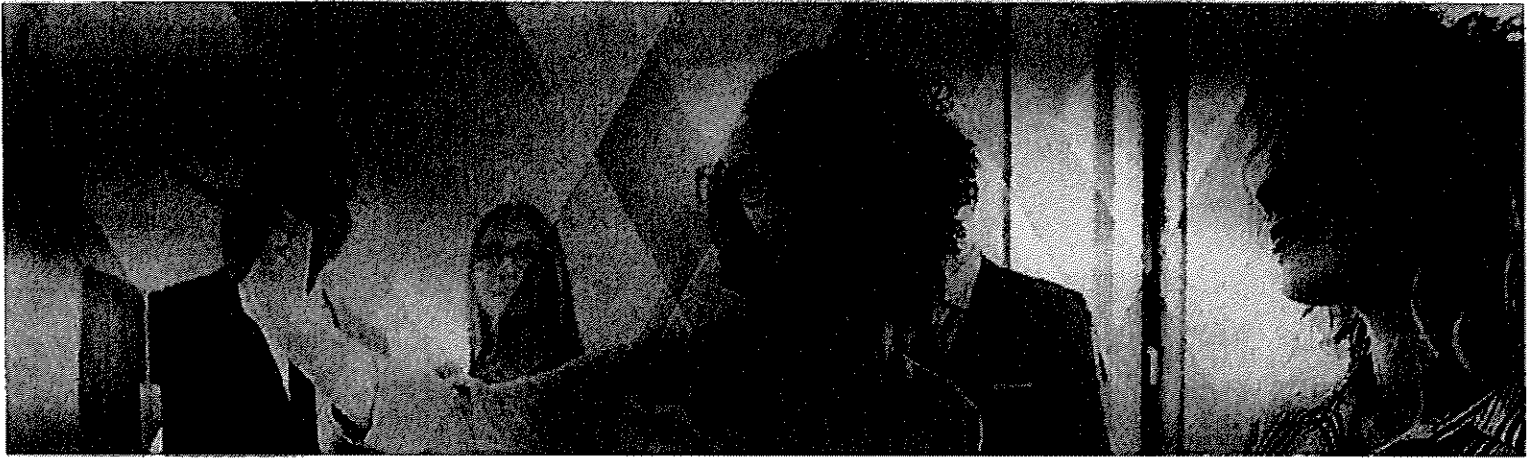
- Business continuation planning (life and disability insurance)
- Key person coverage (life and disability insurance)
- Debt coverage or life insurance required by bank
- Estate analysis – legacy trust
- Executive owner premier audit program
- Voluntary products

As a client of Lighthouse, an Alera Group Company, you are eligible to take advantage of our Life Insurance Review and Audit Program free of charge. An evaluation of your personal and business life insurance policies can provide the reassurance your plans are set to meet your needs when and how you expect them to.

Our seasoned Life Insurance and Executive Benefits team will provide an in-depth and objective review of the life insurance you have in place today. With direct access to more than 30 insurance carriers, we will propose only the best alternatives directly in line with your goals and budget. Life insurance coverage can change over time, therefore we recommend policies be reviewed every three years.

Since over 80% of life insurance policies don't live up to client expectations due to overpriced premiums, incorrect design, or early termination, this review is of tremendous value by providing peace of mind and protection for what matters most.

If you are interested in Lighthouse's life insurance services, contact your sales executive to get started.



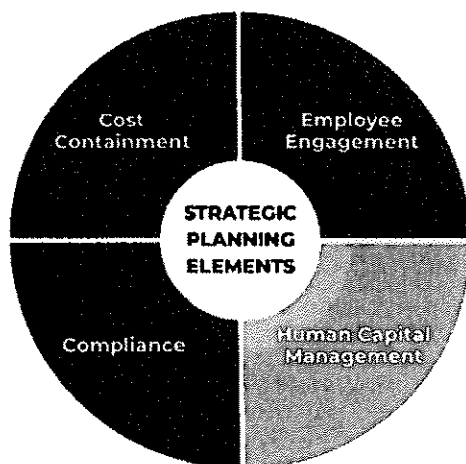
Strategic Employee Benefits Planning

INNOVATIVE STRATEGIES. ACTIONABLE POWERFUL RESULTS.

The key to a successful and sustainable employer-sponsored health plan is being proactive. An employer's value perception is maximized when employees receive benefits that meet their unique needs.

Our innovative approach to strategic benefits planning helps employers evaluate their current needs, explore new opportunities, and identify goals for the future – all while keeping their employees front and center. The end result of this process? A custom Playbook – a clear, multi-year strategic plan with actionable steps to take your benefits plan from where it is today to where it needs to be in the future.

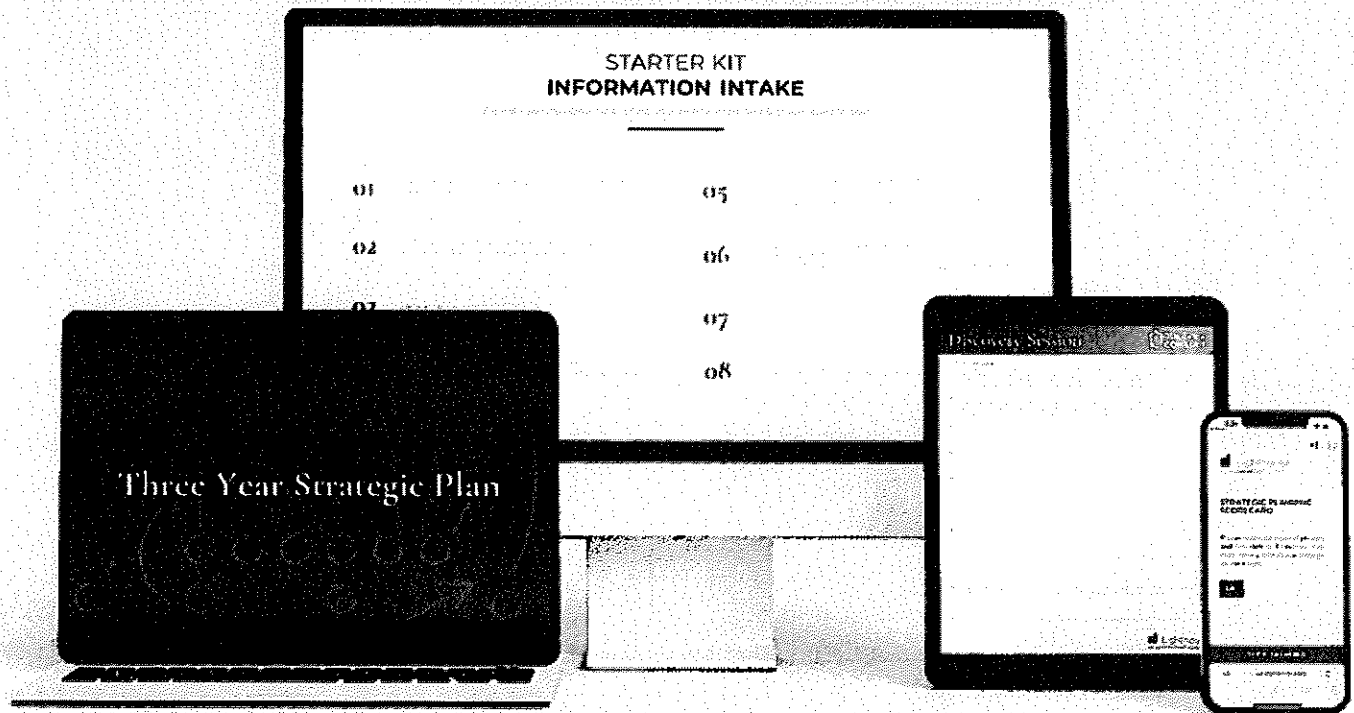
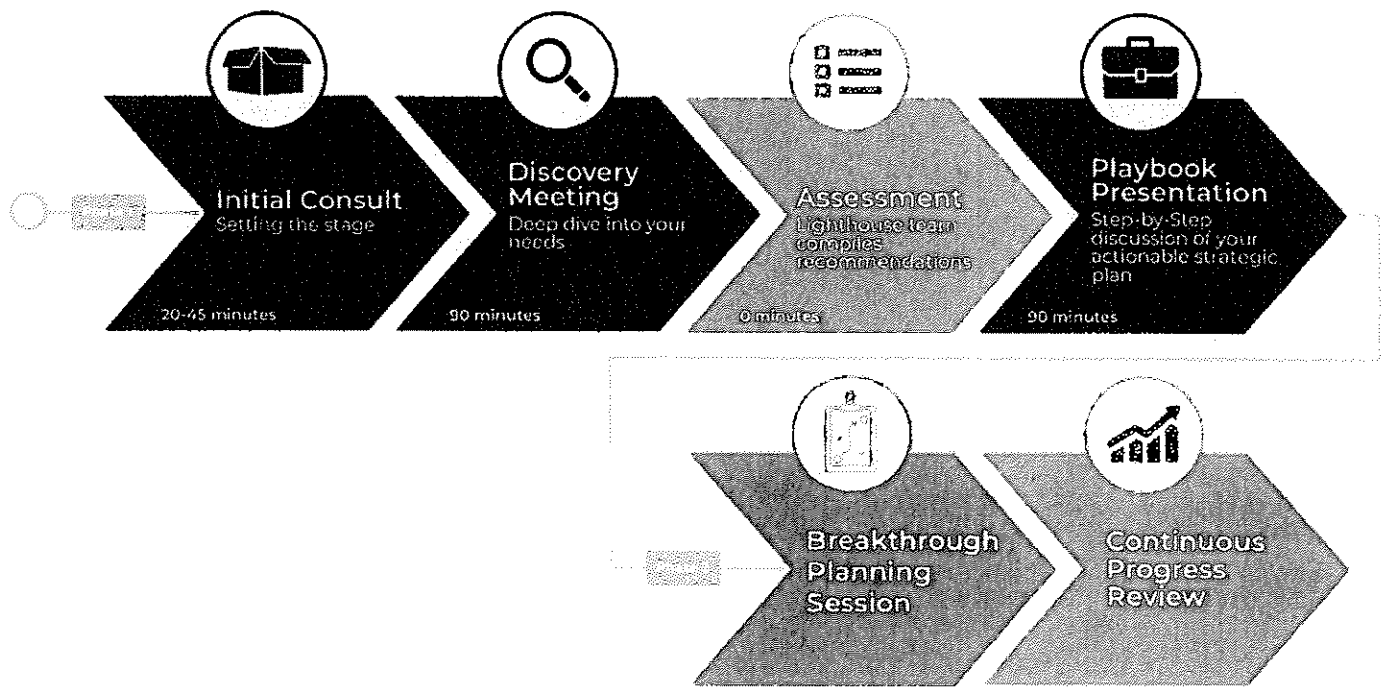
Moving forward, your Playbook will guide your organization's benefit decisions, ultimately resulting in a greater return on investment for every dollar spent on your employee benefit programs.



YOUR PLAYBOOK WILL HELP:

- Create a high-value perception of benefit programs
- Educate and engage employees in healthcare
- Improve administrative procedures
- Control costs through creative plan design
- Maintain organizational compliance

The Lighthouse Playbook process creates a roadmap to help achieve each client's perfect vision of their benefit programs and platform.



240226



RESOLUTION NO.: _____

PRESENTED: JUN 05 2024

ADOPTED: _____

RESOLUTION AUTHORIZING BUDGET AMENDMENT TO ALLOCATE REVENUE AND EXPENDITURES RELATED TO THE STATE OF MI PENSION PROTECTION GRANT

BY THE ADMINISTRATION:

WHEREAS, The Flint City Council adopted resolution 230161 on 5/22/23, authorizing the submission of a claim for the grant payment from the Protecting MI Pension Grant Program. Subsequently, the City of Flint was awarded \$172,463,377.98 under the grant program; and

WHEREAS, revenue and expenditures must be recognized to be consistent with the Uniform Budgeting and Accounting Act, MCL 141.421 *et seq*, and Section 7-105 of the Flint City Charter; and


On March 21, 2024, The State of Michigan published Letter 2024-01 instructing qualified award recipients and providing guidance for recording and reporting the State of MI Pension Protection Grant.

BE IT RESOLVED that the appropriate officials are hereby authorized to do all things necessary to amend the FY2024 budget to recognize revenue and expenditures as listed in Exhibit A for the amount of \$172,463,377.98 to recognize the State of MI Pension Protection Grant award.

APPROVED AS TO FORM:

APPROVED AS TO FINANCE:


William Kim (May 25, 2024 17:26 EDT)


Phillip Moore (May 24, 2024 11:35 EDT)

William Kim, City Attorney

Phillip Moore, Chief Financial Officer

FOR THE CITY OF FLINT:

APPROVED BY CITY COUNCIL:

CLYDE D EDWARDS / A0201
CLYDE D EDWARDS / A0201 (May 28, 2024 10:34 EDT)

Clyde Edwards, City Administrator



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: May 23, 2024

BID/PROPOSAL#

AGENDA ITEM TITLE: BUDGET AMENDMENT TO ALLOCATE REVENUE AND EXPENDITURES RELATED TO THE STATE OF MI PENSION PROTECTION GRANT

PREPARED BY: V. Foster

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The State of Michigan awarded the City of Flint a Michigan Pension Protection Grant for \$172,463,377.98. As a result, the FY2024 budget must be amended to recognize the grant and expenditures.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

RESO #230161 adopted by the City Council on 5/22/23 authorized filing an application for the grant.

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

FINANCIAL IMPLICATIONS

For compliance, the FY2024 budget must be amended to recognize grant revenue and expenditures.

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN: N/A

Dept.	Name of Account	Account Number	Grant Code	Amount
	SEE ATTACHED EXHIBIT A			
		FY24 GRAND TOTAL		

PRE-ENCUMBERED? YES NO **REQUISITION NO:**

ACCOUNTING APPROVAL:  **Date:** 5/23/24
Chay Linseman, Budget & Grants Administrator

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO



CITY OF FLINT STAFF REVIEW FORM

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: *(This will depend on the term of the bid proposal)* N/A

OTHER IMPLICATIONS *(i.e., collective bargaining)*:

STAFF RECOMMENDATION: *(PLEASE SELECT)*: APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE: *Paul Burke for Phillip Moore*
Phillip Moore, Chief Financial Officer

EXHIBIT A

Revenue: State Grant

<u>Fund</u>	<u>GL Number</u>	<u>Fund Name</u>	<u>State Grant</u>
101	101-000.000-569.000	General Fund	105,050,889.53
202	202-000.000-569.000	Major Street	5,111,426.60
203	203-000.000-569.000	Local Street	4,224,803.82
205	205-000.000-569.000	Public Safety	11,618,260.01
207	207-000.000-569.000	Police Fund	3,725,459.17
208	208-000.000-569.000	Parks/Recreation	246,214.63
219	219-000.000-569.000	Street Lighting	11,612.40
226	226-000.000-569.000	Rubbish Collection	213,691.98
249	249-000.000-569.000	Building Department	4,018,378.07
279	279-000.000-569.000	HUD CDBG ESG HOME	402,061.90
282	282-000.000-569.000	CARES ACT	24,987.09
296	296-000.000-569.000	Other Grants	2,877,849.00
496	496-000.000-569.000	Water Capital Improvement	112,011.76
590	590-000.000-569.000	Sewer	17,150,109.93
591	591-000.000-569.000	Water	13,489,430.09
627	627-000.000-569.000	Fringe Benefit	464,552.70
636	636-000.000-569.000	IT Services	1,858,210.82
661	661-000.000-569.000	Motor Pool	1,863,428.48
			<u>172,463,377.98</u>

EXHIBIT A

Expenditures: State Grant

Fund	GL NUMBER	DESCRIPTION	FY 2024 AMENDED BUDGET	Additional Contribution	Revised Budget
101	101-101.000-717.010	MERS DEFINED BENEFIT PENSION	164,641.00	931,714.24	1,096,355.24
101	101-171.000-717.010	MERS DEFINED BENEFIT PENSION	280,393.00	1,586,762.42	1,867,155.42
101	101-172.000-717.010	MERS DEFINED BENEFIT PENSION	162,128.00	917,493.01	1,079,621.01
101	101-173.000-717.010	MERS DEFINED BENEFIT PENSION			
101	101-191.100-717.010	MERS DEFINED BENEFIT PENSION	438,360.00	2,480,708.05	2,919,068.05
101	101-215.000-717.010	MERS DEFINED BENEFIT PENSION	82,090.00	464,552.71	546,642.71
101	101-215.200-717.010	MERS DEFINED BENEFIT PENSION	82,090.00	464,552.71	546,642.71
101	101-230.200-717.010	MERS DEFINED BENEFIT PENSION	174,441.00	987,173.08	1,161,614.08
101	101-233.000-717.010	MERS DEFINED BENEFIT PENSION	82,090.00	464,552.71	546,642.71
101	101-253.200-717.010	MERS DEFINED BENEFIT PENSION	73,881.00	418,097.43	491,978.43
101	101-253.202-717.010	MERS DEFINED BENEFIT PENSION	332,464.00	1,881,435.63	2,213,899.63
101	101-253.203-717.010	MERS DEFINED BENEFIT PENSION	332,464.00	1,881,435.63	2,213,899.63
101	101-253.204-717.010	MERS DEFINED BENEFIT PENSION	82,090.00	464,552.71	546,642.71
101	101-257.000-717.010	MERS DEFINED BENEFIT PENSION	369,405.00	2,090,487.17	2,459,892.17
101	101-262.000-717.010	MERS DEFINED BENEFIT PENSION	164,180.00	929,105.41	1,093,285.41
101	101-266.000-717.010	MERS DEFINED BENEFIT PENSION	410,450.00	2,322,763.53	2,733,213.53
101	101-268.000-717.010	MERS DEFINED BENEFIT PENSION	123,135.00	696,829.06	819,964.06
101	101-270.000-717.010	MERS DEFINED BENEFIT PENSION	287,315.00	1,625,934.47	1,913,249.47
101	101-303.200-717.010	MERS DEFINED BENEFIT PENSION	1,024,048.00	5,795,154.94	6,819,202.94
101	101-305.000-717.010	MERS DEFINED BENEFIT PENSION	440,730.00	2,494,120.04	2,934,850.04
101	101-305.200-717.010	MERS DEFINED BENEFIT PENSION	73,455.00	415,686.67	489,141.67
101	101-305.400-717.010	MERS DEFINED BENEFIT PENSION	734,550.00	4,156,866.73	4,891,416.73
101	101-310.200-717.010	MERS DEFINED BENEFIT PENSION	1,243,487.00	7,036,974.66	8,280,461.66
101	101-310.202-717.010	MERS DEFINED BENEFIT PENSION	367,275.00	2,078,433.36	2,445,708.36
101	101-310.205-717.010	MERS DEFINED BENEFIT PENSION	587,640.00	3,325,493.38	3,913,133.38
101	101-315.000-717.010	MERS DEFINED BENEFIT PENSION	4,747,937.00	26,868,887.55	31,616,824.55
101	101-337.000-717.010	MERS DEFINED BENEFIT PENSION	367,275.00	2,078,433.36	2,445,708.36
101	101-337.202-717.010	MERS DEFINED BENEFIT PENSION	73,455.00	415,686.67	489,141.67
101	101-339.201-717.010	MERS DEFINED BENEFIT PENSION	4,448,342.00	25,173,459.75	29,621,801.75
101	101-341.200-717.010	MERS DEFINED BENEFIT PENSION	146,910.00	831,373.35	978,283.35
101	101-701.000-717.010	MERS DEFINED BENEFIT PENSION	288,136.00	1,630,580.56	1,918,716.56
101	101-703.000-717.010	MERS DEFINED BENEFIT PENSION	50,075.00	283,377.72	333,452.72
101	101-732.000-717.010	MERS DEFINED BENEFIT PENSION	328,360.00	1,858,210.82	2,186,570.82
202	202-447.201-717.010	MERS DEFINED BENEFIT PENSION	227,081.00	1,285,066.30	1,512,147.30
202	202-449.200-717.010	MERS DEFINED BENEFIT PENSION	57,463.00	325,186.89	382,649.89
202	202-449.201-717.010	MERS DEFINED BENEFIT PENSION	281,158.00	1,591,091.60	1,872,249.60
202	202-449.203-717.010	MERS DEFINED BENEFIT PENSION	219,591.00	1,242,679.90	1,462,270.90
202	202-449.211-717.010	MERS DEFINED BENEFIT PENSION	44,054.00	249,304.48	293,358.48
202	202-450.100-717.010	MERS DEFINED BENEFIT PENSION	73,881.00	418,097.43	491,978.43
203	203-447.201-717.010	MERS DEFINED BENEFIT PENSION	94,403.00	534,232.78	628,635.78
203	203-449.200-717.010	MERS DEFINED BENEFIT PENSION	52,463.00	296,891.57	349,354.57
203	203-449.201-717.010	MERS DEFINED BENEFIT PENSION	272,949.00	1,544,636.33	1,817,585.33
203	203-449.203-717.010	MERS DEFINED BENEFIT PENSION	215,486.00	1,219,449.44	1,434,935.44

EXHIBIT A

Fund	GL NUMBER	DESCRIPTION	FY 2024 AMENDED BUDGET	Additional Contribution	Revised Budget
203	203-449.211-717.010	MERS DEFINED BENEFIT PENSION	49,254.00	278,731.62	327,985.62
203	203-450.100-717.010	MERS DEFINED BENEFIT PENSION	62,000.00	350,862.08	412,862.08
205	205-315.201-717.010	MERS DEFINED BENEFIT PENSION	877,756.00	4,967,278.90	5,845,034.90
205	205-339.201-717.010	MERS DEFINED BENEFIT PENSION	1,175,279.00	6,650,981.11	7,826,260.11
207	207-315.204-717.010	MERS DEFINED BENEFIT PENSION	658,317.00	3,725,459.17	4,383,776.17
208	208-752.102-717.010	MERS DEFINED BENEFIT PENSION	43,508.00	246,214.63	289,722.63
219	219-448.000-717.010	MERS DEFINED BENEFIT PENSION	2,052.00	11,612.40	13,664.40
226	226-528.201-717.010	MERS DEFINED BENEFIT PENSION	37,761.00	213,691.98	251,452.98
249	249-371.100-717.010	MERS DEFINED BENEFIT PENSION	710,078.00	4,018,378.07	4,728,456.07
279	279-733.000-717.010	MERS DEFINED BENEFIT PENSION	973.40	5,508.53	6,481.93
279	279-737.000-717.010	MERS DEFINED BENEFIT PENSION	10,000.00	56,590.66	66,590.66
279	279-737.140-717.010	MERS DEFINED BENEFIT PENSION	60,074.00	339,962.71	400,036.71
282	282-733.000-717.010	MERS DEFINED BENEFIT PENSION	4,171.70	23,607.92	27,779.62
282	282-737.000-717.010	MERS DEFINED BENEFIT PENSION	243.71	1,379.17	1,622.88
296	296-172.000-717.010	MERS DEFINED BENEFIT PENSION	757.26	4,285.38	5,042.64
296	296-301.732-717.010	MERS DEFINED BENEFIT PENSION	382,624.42	2,165,296.74	2,547,921.16
296	296-305.500-717.010	MERS DEFINED BENEFIT PENSION	59,240.91	335,248.20	394,489.11
296	296-704.801-717.010	MERS DEFINED BENEFIT PENSION	65,915.24	373,018.68	438,933.92
496	496-540.710-717.010	MERS DEFINED BENEFIT PENSION	19,793.33	112,011.76	131,805.09
590	590-536.101-717.010	MERS DEFINED BENEFIT PENSION	75,318.00	426,229.51	501,547.51
590	590-540.100-717.010	MERS DEFINED BENEFIT PENSION	184,702.00	1,045,240.76	1,229,942.76
590	590-540.207-717.010	MERS DEFINED BENEFIT PENSION	225,747.00	1,277,517.11	1,503,264.11
590	590-540.208-717.010	MERS DEFINED BENEFIT PENSION	944,034.00	5,342,350.45	6,286,384.45
590	590-550.100-717.010	MERS DEFINED BENEFIT PENSION	985,079.00	5,574,626.81	6,559,705.81
590	590-550.200-717.010	MERS DEFINED BENEFIT PENSION	41,045.00	232,276.35	273,321.35
590	590-550.202-717.010	MERS DEFINED BENEFIT PENSION	574,630.00	3,251,868.94	3,826,498.94
591	591-536.100-717.010	MERS DEFINED BENEFIT PENSION	85,168.00	481,971.31	567,139.31
591	591-536.206-717.010	MERS DEFINED BENEFIT PENSION	41,045.00	232,276.35	273,321.35
591	591-540.100-717.010	MERS DEFINED BENEFIT PENSION	143,657.00	812,964.41	956,621.41
591	591-540.200-717.010	MERS DEFINED BENEFIT PENSION	225,747.00	1,277,517.11	1,503,264.11
591	591-540.202-717.010	MERS DEFINED BENEFIT PENSION	1,067,169.00	6,039,179.51	7,106,348.51
591	591-545.200-717.010	MERS DEFINED BENEFIT PENSION	472,017.00	2,671,175.23	3,143,192.23
591	591-545.201-717.010	MERS DEFINED BENEFIT PENSION	348,882.00	1,974,346.17	2,323,228.17
627	627-000.001-717.010	MERS DEFINED BENEFIT PENSION	41,045.00	232,276.35	273,321.35
627	627-270.360-717.010	MERS DEFINED BENEFIT PENSION	41,045.00	232,276.35	273,321.35
636	636-228.000-717.010	MERS DEFINED BENEFIT PENSION	328,360.00	1,858,210.82	2,186,570.82
661	661-229.000-717.010	MERS DEFINED BENEFIT PENSION	<u>329,282.00</u>	<u>1,863,428.48</u>	<u>2,192,710.48</u>
			30,475,591.97	172,463,377.98	202,938,969.95

430101



RESOLUTION NO.: _____

PRESENTED: 5-22-2023

ADOPTED: MAY 22 2023

RESOLUTION AUTHORIZING THE MAYOR TO FILE A CLAIM FOR A GRANT PAYMENT FROM THE PROTECTING MI PENSION GRANT PROGRAM AND ACCEPTING ANY AWARD ARISING FROM THAT APPLICATION

Section 979a(1) of Public Act 166 of 2022 directs the Michigan department of treasury ("Treasury") to establish a municipal pension principal payment grant program to help underfunded municipal pension systems meeting certain qualifications; and

Pursuant to Article 5 part 1 Section 108(15) & Article 5 part 2 Section 979a(1) of Public Act 166 of 2022, the State of Michigan has earmarked seven hundred and fifty million dollars (\$750,000,000.00) for a grant fund to aid the retirement systems of municipalities considered underfunded according to Section 5 of the Protecting Local Government Retirement and Benefits Act, Public Act 202 of 2017, MCL 38.2805; and

Treasury established such a program under Section 979a of Public Act 166 of 2022, deemed the Protecting MI Pension Grant (any award amount thereunder, the "Grant"); and

The City of Flint's Municipal Employee Retirement System ("MERS") pension system ("System") is underfunded according to Section 5 of the Protecting Local Government Retirement and Benefits Act, Public Act 202 of 2017, MCL 38.2805; and

In order to apply for and receive the Grant, the City Council wishes to authorize the City and the System to make the commitments provided in Section 979a(2)(a)-(f) of Public Act 166 of 2022 and any other commitments required under Section 979a of Public Act 166 of 2022 or by Treasury for the receipt of the Grant; and

The Mayor of the City is the City's chief administrative officer, as the term is defined in Section 2b of the Uniform Budgeting and Accounting Act, Public Act 2 of 1968, as amended, MCL 141.422b; and

Pursuant to this Resolution, the City by and through the Mayor, or his designee, wishes to authorize the preparation, execution and submission of an application for the Grant, including any necessary supporting documents (collectively, the "Application"), as well as to authorize the preparation of any documentation in order to accept and receive the Grant; and

It is anticipated that, upon receipt and processing of the Application, Treasury will confirm the Grant in favor of the City, conditioned on the execution of a grant award agreement.

BE IT RESOLVED that the City authorizes the application for and acceptance of the terms of the Grant as stipulated by Treasury, and the City, by the Mayor, or his designee, as authorized

representatives, authorizes the negotiation and execution of any and all documents, including an affidavit, on behalf of the City or the System, relating to the Application.

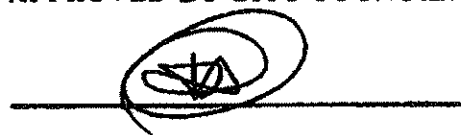
BE IT FURTHER RESOLVED that the appropriate City officials are authorized to negotiate and execute any documents needed to accept any grant award resulting from this Application and to accept any funds disbursed, to be allocated towards the City's municipal pension system

FOR THE CITY OF FLINT:



Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:



APPROVED AS TO FORM:



William Kim (May 19, 2023 09:39 EDT)

William Kim, City Attorney

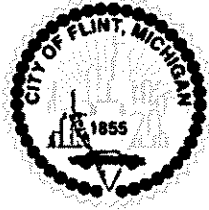
APPROVED AS TO FINANCE:



Jane Mager (May 19, 2023 09:43 EDT)

Jane Mager, acting Chief Financial Officer

240227



RESOLUTION NO.: _____

PRESENTED: JUN 05 2024

ADOPTED: _____

RESOLUTION APPROVING REALLOCATION OF ARPA FUNDS TO PROCEED WITH GRANTS FOR YOUTH JOB TRAINING FOR FAITH FOUNDATION RESOURCES

BY THE CITY ADMINISTRATION:

In 2022 and 2023, the City of Flint received funds pursuant to the American Rescue Plan Act of 2021 (ARPA), which could be used by the City for specific and defined purposes. In 2023, the City of Flint obligated all of the ARPA funding received, of which approximately \$40 million was obligated as "revenue replacement;"

City Administration recommends reallocating \$200,000 of ARPA funds, previously obligated for revenue replacement, to provide funding to Faith Foundation Resources to provide professional career and educational training skills to youth and young adults ages 16 to 21.

Reallocated funds will be moved from #101-287.000-963.000 as follows:

Account	Description	Amount
101-728.018-801.000	Faith Foundation Resources	\$200,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to Faith Foundation Resources in the amount of \$200,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations.


For the City:

For the City Council:

Sheldon A. Neeley, Mayor

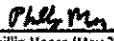
CLYDE D EDWARDS
CLYDE D EDWARDS (May 29, 2024 11:38 EDT)
Clyde D. Edwards, City Administrator

Approved as to Form:

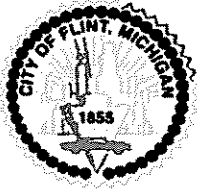

William Kim (May 28, 2024 14:12 EDT)

William Kim, City Attorney

Approved as to Finance:


Phillip Moore (May 28, 2024 14:34 EDT)

Phillip Moore, Chief Financial Officer



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: 4/10/24

BID/PROPOSAL# A0139

AGENDA ITEM TITLE: RESOLUTION APPROVING REALLOCATION OF ARPA FUNDS TO PROCEED WITH GRANTS FOR YOUTH JOB TRAINING FOR FAITH FOUNDATION RESOURCES

PREPARED BY: Latrese Brown - Community Liaison

VENDOR NAME: Faith Foundation Resources

BACKGROUND/SUMMARY OF PROPOSED ACTION:

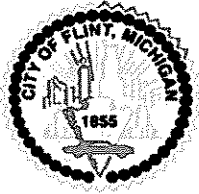
Faith Foundation Resources was established in 2003 by its Founder, Angela Lots, a person who recognized the need to have an organization that reached out to adults in need of job training, home ownership and credit education. Faith Foundation Resources is a 501(c)(3) not-for-profit, Faith-Based organization dedicated to providing, low income, marginalized, disenfranchised and at-risk individuals, the tools to get to the next stages in life. "Bridging the Gaps in Life One Mind at a Time".

In 2011 FFR founder recognized the need to service youth after her own teens began to look for after school employment. She taught them the importance of a firm hand shake, the tools of interviewing, how to make a good impression and how to be professional at all times. After successfully assisting her two sons obtain and maintain employment Angela, wanted to help other youth experience the same level of success.

Out of the desire to help youth "bridge the gaps in life" the Faith Foundation Resources Youth Programs were established. Our programs teaches professional communication skills, personal credit development, positive health training, nutrition, and job placement. FFR programs provides training and direction to youth while preparing them for future.

Faith Foundation Resources was selected for funding as a recommendation from the City of Flint Administration. This program would satisfy the Economic Development category in the subcategories of Youth Job Training.

With funding from the ARPA grant 150 youth of Flint will complete the HYPE Program and be placed with employment. The HYPE Program provides professional career and educational training skills to youth and young adults ages 16 to 21. These activities empower youth with the tools to become productive, responsible, self-determined members of society. The program's professional development team teaches HYPE courses over eight weeks. Courses focus on job readiness, learning the fundamentals of interpersonal skills, and financial literacy training, with a significant credit counseling component. Participants meet for 3 to 4 hours each week.



CITY OF FLINT STAFF REVIEW FORM

**PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE
RESOLUTION OR CONTRACT INFORMATION THAT APPLIES**

Faith Foundations Resources received funding from the Community Development Block Grants (CDBG) for five fiscal years.

**POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE
PARTNERSHIPS AND COLLABORATIONS:**

The HYPE Program has been successfully helping youth and young adults since 2011. Components that make this program unique and strong to Flint residents include:

- Wrap-around program that includes tracking participants for an entire year.
- Students are placed into jobs that provide year-round employment instead of seasonal work. The staff provides ongoing follow-up to ensure employment remains a positive fit for the participant and the employer partner.
- Financial literacy program not only teaches skills but helps students establish savings and/or checking accounts. This component introduces credit and explains how to develop positive credit profiles with high FICO scores.
- Each student leaves the program with a resume geared toward securing a first-time job.



CITY OF FLINT STAFF REVIEW FORM

FINANCIAL IMPLICATIONS:

In 2022 and 2023, the City of Flint received funds pursuant to the American Rescue Plan Act of 2021 (ARPA), which could be used by the City for specific and defined purposes. In 2023, the City of Flint obligated all of the ARPA funding received, of which approximately \$40 million was obligated as "revenue replacement;"

City Administration recommends reallocating \$200,000 of ARPA funds, previously obligated for revenue replacement, to provide funding to Faith Foundation Resources to provide professional career and educational training skills to youth and young adults ages 16 to 21.

After a thorough analysis from E&Y consulting team, the proposed program complies with relevant Treasury rules and aligns with the Flint ARPA Plan.

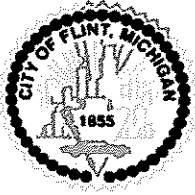
BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
Mayor's Office	Faith Foundations Resources	101-728.018-801.000	Youth Job Training	\$200,000
			FY24 GRAND TOTAL	\$200,000

PRE-ENCUMBERED? YES NO REQUISITION NO:

ACCOUNTING APPROVAL: Philip Moore (May 28, 2024 14:34 EDT) Date: 05/28/2024

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO



CITY OF FLINT STAFF REVIEW FORM

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: *(This will depend on the term of the bid proposal)*

BUDGET YEAR 1 \$200,000


BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS *(i.e., collective bargaining)*:

STAFF RECOMMENDATION: *(PLEASE SELECT)*: APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE: _____


Shelly Sparks Green May 28, 2024 19:28 EDT

(Shelly Sparks-Green, Chief Resilience Officer)

240228



RESOLUTION NO.: _____

PRESENTED: JUN 05 2024

ADOPTED: _____

RESOLUTION APPROVING CONSUMERS ENERGY EASEMENT FOR UNDERGROUND SERVICE FOR LAKE STATE RAILROAD COMPANY PEDESTAL ON RAILROAD TRACKS

Lake States Railroad Company has a powered signal on the railroad track near parcel ID number 41-21-326-063. Unfortunately, the current power line runs above ground and is frequently vandalized, so the signal loses power. Consumers is willing to run the power line underground to reduce the occurrences of vandalism and power disruption, however, the property between the railroad tracks and the power supply is owned by the City of Flint so that Consumers requires an easement to do so;

IT IS RESOLVED that the Flint City Council approves the Easement for running power underground to the Pedestal signal between the City of Flint and Consumers Energy Company.

For the City

For City Council

CLYDE D EDWARDS / A0198
CLYDE D EDWARDS / A0198 / May 23, 2024 14:18 EDT
Clyde Edwards, City Administrator

APPROVED AS TO FORM:

APPROVED AS TO FINANCE:

William Kim
William Kim / May 23, 2024 13:43 EDT
William Kim, City Attorney

Phillip Moore
Phillip Moore / May 23, 2024 13:11 EDT
Phillip Moore, Chief Financial Officer



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: May 23, 2024

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Resolution Approving Consumers Energy Easement for underground service Lake State Railroad Company Pedestal on Railroad Tracks line.

PREPARED BY: Joseph N. Kuptz, Chief Deputy City Attorney

VENDOR NAME:

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Lake State Rail Company has signals on the railroad line that require power. Unfortunately, the power line to the equipment runs above ground and vandals have been able to disrupt the power supply which has greatly hindered train movements in the area. Putting the power supply underground will help to minimize future attacks. Consumers Energy is willing to put the line underground, but the pathway to the signal crosses property owned by the City of Flint, parcel ID number 41-21-326-063, commonly known as 3200 Chambers St. Therefore, an easement is needed to run the power underground. The easement has been prepared by Consumers Energy and will not result in any cost to the City.

The easement was signed off on by the City engineer and there appear to be no barriers to running the underground line where it has been proposed by Consumers Energy.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

Allowing this easement would allow for more orderly movement of trains and would reduce the potential for vandalism in the area.



CITY OF FLINT STAFF REVIEW FORM

FINANCIAL IMPLICATIONS:

No financial impact on the City.

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
	N/a No financial implications			
FY24 GRAND TOTAL				

PRE-ENCUMBERED? YES NO REQUISITION NO: N/A.

ACCOUNTING APPROVAL: _____ **Date:** _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1 \$ N/A

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining):

STAFF RECOMMENDATION: (PLEASE SELECT): **APPROVED** **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE: _____

William Y. Kim, City Attorney

EASEMENT FOR ELECTRIC FACILITIES

SAP# 1068665198
Design# 11566975
Agreement# MIO0000075986

CITY OF FLINT, a Michigan municipal corporation, whose address is 1101 South Saginaw Street, Flint, Michigan 48502 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [*exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)*] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Flint, County of Genesee, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any pole structures, poles, or any combination of same, wires, cables, conduits, crossarms, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing electricity.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said lines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, or other vegetation located outside of the Easement Area which are of such a height or are of such a species whose mature height that in falling directly to the ground could come into contact with or land directly above Consumers' facilities.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Consumers Real Estate Department allowing said alteration.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This Easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: _____

Owner: CITY OF FLINT, a Michigan municipal corporation

Signature
By: Bennet Bush

Its: _____
Print title

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, _____
on _____ Date by Bennet Bush, _____ Title of the City of Flint, a Michigan
municipal corporation, on behalf of the corporation.

Notary Public
Print Name _____
_____ County, _____
Acting in _____ County
My Commission expires: _____

**PROPERTY OWNERS MAIL
SIGNED EASEMENT TO:**
Noel Blazen (FLI-058-18)
Consumers Energy Company
3201 E. Court Street
Flint, MI 48506

Prepared By:
Nicole Corts 01/25/2024, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

**REGISTER OF DEEDS OFFICE USE
ONLY**
Return recorded instrument to:
Carrie J. Main, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Land situated in the City of Flint, County of Genesee, State of Michigan:

Lots 37-56 inclusive, Chambers Parks, being in the Southwest 1/4 of Section 21, Town 7 North, Range 7 East, according to the recorded plat thereof, Genesee County Records.

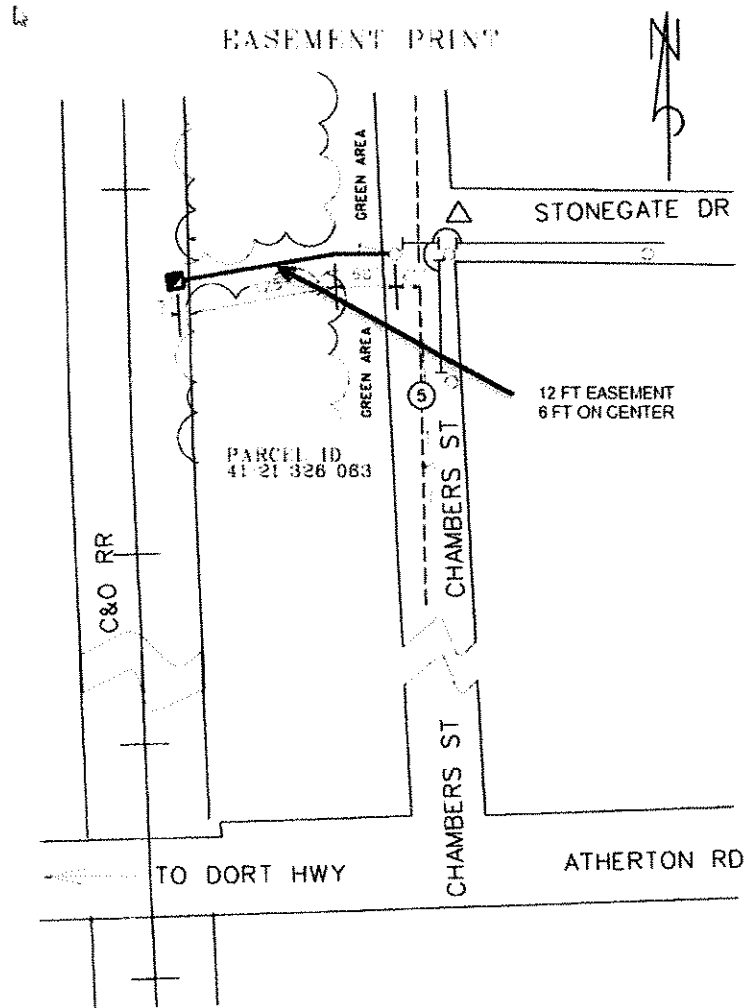
Also known as: Chambers Street, Flint, Michigan 48507

Parcel ID: 41-21-326-063

EXHIBIT B

Easement Area

A 12.00-foot-wide strip of land, being 6.00 feet on each side of the centerline of the line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.





CITY OF FLINT

240232

RESOLUTION NO.: _____

PRESENTED: 6-05-2024

ADOPTED: _____

**Resolution recommending Setting a Public Hearing regarding the Approval of the
RESOLUTION RECOMMENDING THE VACATION OF DEWEY STREET BETWEEN NORTH
SAGINAW STREET AND NORTH STREET**

BY THE CITY ADMINISTRATOR:

The City of Flint desires to provide due notice to all persons interested as to the time and place of a hearing in respect to the proposed action of this body to vacate Dewey Street between North Saginaw Street and North Street for the purpose of the Berston Fieldhouse Redevelopment Project.

Pursuant to the requirements of section 42-25 of the Flint City Code, a public hearing was held so that members of the Flint Planning Commission could meet and hear objections to the proposed vacation and discontinuance of the above described street, alley or public ground, and now the City Council will be holding an additional public hearing.

IT IS RESOLVED, that a public hearing to consider the vacation of Dewey Street between North Saginaw Street and North Street shall be held on the _____ day of _____, 2024 at 5:30 p.m., in the City Council Chambers, 3rd Floor, City Hall, 1101 S. Saginaw St., Flint, Michigan.

IT IS FURTHER RESOLVED, that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

APPROVED AS TO FORM:

APPROVED AS TO FINANCE

William Kim, City Attorney

Phillip Moore, Chief Financial Officer

ADMINISTRATION:

CITY COUNCIL:

Clyde Edwards, City Administrator

Flint City Council



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: June 4, 2024

AGENDA ITEM TITLE: Resolution recommending Setting a Public Hearing regarding the Approval of the RESOLUTION RECOMMENDING THE VACATION OF DEWEY STREET BETWEEN NORTH SAGINAW STREET AND NORTH STREET

PREPARED BY Emily Doerr Director, Department of Business and Community Services (formerly known as Planning and Development)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint seeks to vacate Dewey Street between N. Saginaw Street and North Street in support of the Berston redevelopment project. All affected properties are owned by the City of Flint. The Planning Commission (PC) made a Positive Recommendation for this street vacation at their 4/23/24 meeting which included a public hearing.

FINANCIAL IMPLICATIONS: n/a

BUDGETED EXPENDITURE? YES [] NO [X] IF NO, PLEASE EXPLAIN: n/a

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount

PRE-ENCUMBERED? YES [] NO [X] REQUISITION NO: []

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [] NO [X] (If yes, please indicate how many years for the contract) YEARS

OTHER IMPLICATIONS (i.e., collective bargaining): n/a

STAFF RECOMMENDATION: (PLEASE SELECT): [X] APPROVED [] NOT APPROVED

DEPARTMENT HEAD SIGNATURE: Emily Doerr, Director, Business and Community Services

240233

PRESENTED: 6-05-2024

ADOPTED: _____

RESOLUTION APPROVING ARPA FUNDING FOR THE FOR 3RD \$30,000 WARD ACCOUNT FOR THE FOLLOWING PROJECTS AS LISTED

In 2022 and 2023, the City of Flint received funds pursuant to the American Rescue Plan Act of 2021 (ARPA), which could be used by the City for specific and defined purposes. In 2023, the City of Flint obligated all of the ARPA funding received, of which approximately \$40 million was obligated as "revenue replacement" on December 20, 2023;

City Council recommends the following 3rd Ward funds for the following projects as listed:

Account Number	Account Name/Grant Code	Sub-category	Total Amount:
	4 Back Boards, Poles, Rims Replacement for Dewey Park	\$12,500.00	\$12,500.00
	Replacement of ½ Court to Full Court for Rolling Wood Park including Replacement of Poles, Rims, Back Boards Rims, and expansion of Asphalt Court	\$15,000.00	\$15,000.00
	The Oatmeal Clubs/Community Park Beautification Project/Good Church Fiduciary	\$1,000.00	\$1,000
	Rolling Wood Neighborhood Clean Up Material	\$500.00	\$500.00
			Total: \$29,000.00

240191

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 31, General Offenses.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 31, General Offenses, Article I, In General, by amending Section 31-10, Disorderly Conduct and Disorderly Persons, which shall read in its entirety as follows:

§31-10. DISORDERLY CONDUCT, ASSAULT AND BATTERY, AND DISORDERLY PERSONS.

(A) Disorderly Conduct. Any Person who does any of the following is guilty of a misdemeanor:

- (1) Engages in any fight in a public place, except when doing so in defense of self or another individual;
- (2) Remains in any public place after its regular closing hours after being told by an authorized person to leave;
- (3) Conducts himself in any public place, or joins with one or more persons in a public place, and he or she knows or should know that, singly or together with others with whom he or she has joined, is unreasonably obstructing the free and uninterrupted passage of the public along any street or sidewalk. This subsection shall not to be interpreted to conflict with the regulations of the National Labor Relations Board regarding picketing in labor disputes;
- (4) Persists in disturbing the public peace and quiet by loud or aggressive conduct, after having been clearly informed by Persons affected that he or she is in fact unreasonably causing a disturbance. Notice need not be given when such Persons affected reasonably believe that to do so would constitute a risk to their personal safety;
- (5) Persists in disturbing the peace and orderly conduct of any meeting of a public body or any meeting open to the general public by any conduct or communication that inflicts injury, tends to incite an immediate breach of peace, or prevents the peaceful and orderly conduct of the meeting after having been clearly informed that he or she is in fact unreasonably causing a disturbance;
- (6) Knowingly transports any Person, for consideration or the offer of consideration, to a place where prostitution, gambling, or illegal sale of alcoholic Liquor or a Controlled Substance is carried on, for the purpose of enabling the Person to be a customer in any of those activities;
- (7) Knowingly harasses any other Person. Harass is defined as (i) any repeated nonverbal conduct that is specifically intended to frighten, embarrass, or anger the Person or Persons who are the object of that conduct, (ii) the Person accused has reason to know his or her

actions will likely produce those reactions, or (iii) any repeated verbal communication that inflicts injury or incites an immediate breach of peace;

(8) Urinates or defecates on any public street or sidewalk, or on the floor of any building open to the public, or any other place in view of the public not specifically designated for that purpose;

(9) Throws any object from any moving vehicle, and he or she knows or should know that damage is likely to result to a person or property, directly or indirectly.

(10) Knowingly destroys, damages, or defaces, or removes any public property or other property not his or her own;

(11) Summons, without good reason, the Police department, Fire Department, any public or private ambulance, or any similar service, to go to any address where the service call is not needed;

(12) Intentionally makes or causes to be made any open exposure of the human male or female genitals, pubic area, buttocks, or female breast in any public place any building open to or frequented by the public, or any other place which is open to the public view;

(13) Makes, aids or assists in making any riot, disturbance, or improper diversion;

(14) Aids or assists in collecting a crowd for any unlawful purpose;

(15) Commits any breach of the peace; or

(16) Loiters, frequents, or remains on or in any public place or private property for the purpose of unlawfully using, possessing, offering sale, selling, furnishing, or dispensing any controlled substance or drug paraphernalia.

(B) Assault and Battery. Any person who:

(1) Assaults or assaults and batters an individual is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine or not more than \$500.00, or both.

(2) Assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(C) THREATS AGAINST LOCAL PUBLIC OFFICIALS: ANY PERSON WHO MAKES A THREAT TO KILL OR PHYSICALLY INJURE ANY PUBLIC OFFICIAL OR CAUSE PROPERTY DAMAGE TO PROPERTY OWNED BY A PUBLIC OFFICIAL IS GUILTY OF A MISDEMEANOR.

(D) As used in this section:

(1) *Controlled substance* shall have the same meaning as in §31-22.

(2) *Drug paraphernalia* shall have the same meaning as in §31-22.

(3) *Dating relationship* means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

(4) **LOCAL PUBLIC OFFICIAL MEANS AN ELECTED OR APPOINTED OFFICIAL OR EMPLOYEE OF A LOCAL UNIT OF GOVERNMENT.**

(5) **THREAT MEANS THE EXPRESSION OF AN INTENT TO COMMIT AN ACT OF UNLAWFUL VIOLENCE TO A PARTICULAR INDIVIDUAL, INDIVIDUALS, OR THEIR PROPERTY, WITHOUT REGARD AS TO WHETHER THE MAKER OF THE THREAT ACTUALLY INTENDS TO CARRY OUT THE THREAT.**

Sec. 2. This Ordinance shall become effective 30 days after enactment.

Adopted this ____ day of _____, 2024.

FOR THE CITY:

For the City Council

Sheldon A. Neeley, Mayor

APPROVED AS TO FORM:

240192

ORDINANCE NO. _____

An Ordinance to amend Chapter 46, Utilities, Article II, Water Supply and Sewage Disposal System, of the Flint City Code of Ordinances, by the addition of Division 5, Replacement of Lead Service Lines.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend Chapter 46, Utilities, Article II, Water Supply and Sewage Disposal System, by the addition of Division 5, Replacement of Lead Service Lines, which shall read in its entirety:

DIVISION 5: REPLACEMENT OF LEAD SERVICE LINES

§46-75. Purpose and Definitions.

- (a) Purpose. The purpose of this ordinance is to provide for the removal and replacement of all lead service lines in the City of Flint.
- (b) Definitions. As used in this ordinance the following words shall have the following meaning:
 - (1) *Service Line* shall mean the pipe or conduit located on a parcel of property which connects any building, dwelling or structure in the City of Flint to the City of Flint's public water distribution system.
 - (a) The *private side* of a service line shall mean that portion of the service line which extends from the building, dwelling or structure to the beginning of a public right of way.
 - (b) The *public side* of a service line shall mean that portion of the service line which extends on, under or through a public right of way.
 - (2) *Lead Service Line* shall mean a service line that is made of lead or galvanized steel.
 - (3) *Owner* shall mean any person or entity which holds legal or equitable title to any parcel of property in the City of Flint upon which a service line is located. The term *Owner* shall include the executor, trustee, guardian or receiver of an estate or trust which holds legal or equitable title to a parcel of property, including a mortgagee or vendee in possession.

§46-76. Lead Service Lines Declared a Public Nuisance, Replacement

- (a) The existence of a lead service line or lines in the City of Flint is declared a public nuisance and may be abated as provided by law.

- (b) The absence of City records indicating that the service line was inspected and/or replaced after 2015 at any given property shall create a rebuttable presumption that a lead service line exists at that property.
- (c) The owner of the property upon which the lead service line is located shall be responsible for determining how the lead service line will be replaced.
- (d) A lead service line may be replaced at no expense to the owner of the property under the Lead Service Line Replacement Program as described in §46-77 of this ordinance.
- (e) An owner who does not wish to participate in the Lead Service Line Replacement Program shall arrange to have a licensed plumber or other qualified service provider replace the lead service line within one year of the effective date of this ordinance.
- (f) The City of Flint shall not be required to reimburse an owner who does not wish to participate in the Lead Service Line Replacement Program for any cost or expense associated with replacing the lead service line.

§ 46-77. Lead Service Line Replacement Program

- (a) A Lead Service Line Replacement Program shall be managed by the City of Flint Department of Public Works.
- (b) The Lead Service Line Replacement Program shall replace any lead service line in the City of Flint, at no expense to the owner of the property, on a schedule to be determined by the City.
- (c) To participate in the Lead Service Line Replacement Program, an owner must:
 - (1) Register with the City of Flint Department of Public Works in a form acceptable to the Department of Public Works;
 - (2) Grant the agents, employees and/or contractors of the City of Flint, permission to enter the property upon which the lead service line is located or believed to be located, during any daylight hours, for the purpose of replacing the lead service line.
- (d) An owner who does not participate in the Lead Service Line Replacement Program shall provide the City of Flint Department of Public Works with the following documentation to prove the private side of a lead service line has been replaced:
 - (1) The name, address and telephone number of the licensed plumber or other qualified service provider that replaced the private side of the lead service line; and
 - (2) An invoice, receipt, or other documentation showing that the private side of the lead service line has been replaced, the prior service line composition, and on what date the replacement occurred.
- (e) The deadlines of this division may be extended by the City of Flint Department of Public Works for good cause.

§ 46-78. Violation and Remedies

- (a) An owner who fails to comply with the provisions of this ordinance, and/or who fails to cause or arrange for the removal of a lead service line from the owner's property, shall be responsible for a municipal civil infraction as provided under § 1-13 to § 1-20 of the Flint City Code of Ordinances.
- (b) The City attorney for the City of Flint may maintain any action to enforce the provisions of this ordinance.
- (c) Any person who violates the provisions of this ordinance shall also be liable for the costs of this action, including a reasonable attorneys' fee.

Sec. 2. This Ordinance shall become effective 30 days after enactment.

Adopted this ____ day of _____, 2024.

FOR THE CITY:

For the City Council

Sheldon A. Neeley, Mayor

APPROVED AS TO FORM:
