

CITY COUNCIL

(1) ADOPTED MEETING
MINUTES

and

(2) APPROVED AGENDA
ITEMS

Regular City Council Meeting

Monday, Jan. 9, 2023

ADOPTED MEETING MINUTES

REGULAR CITY COUNCIL MEETING MONDAY, January 9, 2023

Presented: 10/23/2023
Adopted: 10/23/2023

Item No. 230379

230379



City of Flint, Michigan Meeting Minutes 2 - Draft CITY COUNCIL

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

Allie Herkenroder, President, Ward 7
Ladel Lewis, Vice President, Ward 2

Eric Mays, Ward 1
Judy Priestley, Ward 4
Tonya Burns, Ward 6

Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5
Dennis Pfeiffer, Ward 8
Eva L. Worthing, Ward 9

Davina Donahue, City Clerk

Monday, January 9, 2023

8:05 PM

Council Chambers

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Herkenroder and Councilperson Worthing

Absent: Councilperson: Councilperson Pfeiffer

PUBLIC HEARINGS

220519.6 Ordinance No. 220519

Public Hearing on Ordinance No. 220519, an ordinance to amend the Code of the City of Flint by amending Chapter 18, (Taxation; Funds; Purchasing); Article I, (In General); Section 18-4.1, (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons) shall be amended by adding subsection (SS). [NOTE: The PILOT is for HWD Harrison Inc. (503 South Saginaw Street) to own and operate a housing project identified as Harrison Mixed-Use. The annual service charge for the class of persons of low and moderate income shall be equal to ten (10) percent of the annual shelter rents, exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.]

HEARING HELD

APPOINTMENTS

220541 Appointment/Flint Housing Commission/Board of Commissioners/Nadine Roberts

Resolution resolving that the Flint City Council approves the appointment of Nadine Roberts (no address listed) to the Flint Housing Commission's Board of Commissioners to serve the remained of a five-year term, commencing immediately upon adoption of this resolution, and expiring November 30, 2026. [By way of background, Ms. Roberts is replacing San Juana Olivares, whose resignation created a vacant seat.]

A motion was made by Councilperson Murphy, seconded by Councilperson Burns, that this matter be Approved. The motion carried by the following vote:

Aye: 8 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing

Absent: 1 - Councilperson Pfeiffer

RESOLUTIONS

220494 Sale of City-Owned Land/ Blades Avenue/2130 Mayberry Avenue/Glenn's Happy Homes, LLC

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to enter into and complete the sale of properties commonly known as vacant lot on Blades Avenue, Flint, MI 48503, Parcel No. 41-20-131-012, and legally described as ELM PARK SUBDIVISION LOT 375, and vacant lot on 2130 Mayberry Avenue, Flint, MI 48503, Parcel No. 41-20-131-031, and legally described as ELM PARK SUBDIVISION LOT 391, for a total cost of \$1,002.00 and transfer the property to Glenn's Happy Homes, LLC in an AS IS condition by means of conveyance of a Quit Claim Deed. Revenue realized from the sale of this real property will be placed in Revenue Acct. No. 101-701.000-673.100, AND, resolving that the City Clerk shall, within thirty (30) days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer.

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

220530.1 Amendment/Public Hearing/Amendments/Rules Governing Meetings of the Flint City Council

Amended resolution resolving that the appropriate city officials are authorized to do all things necessary to conduct a public hearing on the attached proposed amendments to the Rules Governing Meetings of the Flint City Council, to be held at the regularly scheduled meeting of the Flint City Council at ____ p.m. _____, 2023 [in City Council Chambers, 1101 S. Saginaw Street, Flint.] [NOTE: Resolution amended to leave the time and date of the Public Hearing blank.]

SEPARATED FROM MASTER RESOLUTION

220537 Partial Settlement/Matthew Baker et al v City of Flint et al/Genesee County Circuit Court Case No. 19-1139438-CD

Resolution resolving that the Flint City Council approves settlement in the matter of Matthew Baker et al v City of Flint et al, Case No. 19-1139438-CD, in the amounts listed below, in satisfaction of any and all claims against the city and its officers arising out of said matter, with payment to be drawn from appropriated funds in Litigation & Suits Acct. No. 677-266.200-812.010. [The

settlement is broken down as follows: Lisa Gordon: \$12,500.00; Tracee Walker: \$45,000.00; Mary Buszek: \$175,000.00; Alfino Donastorg: \$80,000.00; and Donald Lewis: \$47,500.00 and 40 hours of Paid Time Off (PTO) restored to his PTO bank.] [NOTE: An Executive Session was held in this matter on December 7, 2022.]

SEPARATED FROM MASTER RESOLUTION

- 220538** Settlement/Megan Brewer and Travis Copeland v City of Flint et al/Eastern District of Michigan Case No. 20-cv-10315

Resolution resolving that the Flint City Council approves settlement in the matter of Megan Brewer and Travis Copeland v City of Flint et al, Eastern District of Michigan Case No. 20-cv-10315, in the amount of \$54,500.00, in satisfaction of any and all claims against the city and its officers arising out of said matter, with payment to be drawn from appropriated funds in Litigation & Suits Acct. No. 677-266.200-956.300. [NOTE: An Executive Session was held in this matter on December 7, 2022.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

- 220539** Amendment/Water Service Contract/City of Flint/Great Lakes Water Authority (GLWA)

Resolution resolving that the Flint City Council approves amending the amendment with the Great Lakes Water Authority (GLWA) to incorporate agreed-upon amendments.

SEPARATED FROM MASTER RESOLUTION

- 230000** Todd Wenzel Chevrolet/Fire Department Vehicles

Resolution resolving that the Division of Purchases & Supplies, upon City Council's approval, is hereby authorized to issue a purchase order to Todd Wenzel Chevrolet for the purchase of two (2) SSV's for use by the Fire Department, in an amount NOT-TO-EXCEED \$85,432.55 [Fleet/Central Garage Vehicles Fund Acct. No. 661-229.000-977.500.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

- 230001** Hastings Air Energy Control, Inc./Fire Station Vehicle Exhaust Elimination Systems

Resolution resolving that the Division of Purchases & Supplies, upon City Council's approval, is hereby authorized to issue a purchase order to Hastings Air Energy Control, Inc. for fire station exhaust systems, in an amount NOT-TO-EXCEED \$227,003.70 [FHUD-CDBGF21 Grant Fund Acct. No. 279-737.160-805.066.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

230002 EJ USA/Fire Hydrants, Grates, Manhole Covers

Resolution resolving that the Division of Purchases & Supplies, upon City Council's approval, is hereby authorized to issue a purchase order to EJ USA for supplies for Streets, in an amount NOT-TO-EXCEED \$25,000.00 [Major Street Fund Acct. No. 202-449.201-752.000.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

230003 Platinum Mechanical, Inc./WPC Digester Fabrication Project

Resolution resolving that the Division of Purchases & Supplies, upon City Council's approval, is hereby authorized to issue a purchase order to Platinum Mechanical, Inc. for the Water Pollution Control (WPC) Digester Fabrication Project, in an amount NOT-TO-EXCEED \$200,000.00 [Sewer Fund Acct. No. 590-550.300-976.000 = \$100,000.00 and Acct. No. 590-550.300-801.000 = \$100,000.00.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

230004 Macallister Machinery Co., Inc./WPC Telehandler

Resolution resolving that the Division of Purchases & Supplies, upon City Council's approval, is hereby authorized to issue a purchase order to Macallister Machinery Co., Inc. for a Water Pollution Control (WPC) Telehandler, in an amount NOT-TO-EXCEED \$191,300.00 [Sewer Fund Acct. No. 590-550.300-977.500.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

RESOLUTIONS (May Be Referred from Special Affairs)**230006 Settlement Agreement Enforcement/Concerned Pastors for Social Action, et al v City of Flint, et al/Eastern District of Michigan Case No. 16-10277**

Resolution resolving that the City Council approves authorizing the Department of Law to consent to entry of [Proposed] Order Granting in Part and Holding Open in Part Plaintiff's Fifth Motion to Enforce Settlement Agreement in the case of Concerned Pastors for Social Action, et al v City of Flint, et al/Eastern District of Michigan Case No. 16-10277. [NOTE: An Executive Session was held in this matter on January 4, 2023.]

SEPARATED FROM MASTER RESOLUTION

230007 Establishment of Guidelines/Hardship Exemptions From Property Taxes

Resolution resolving that to be eligible for consideration of a hardship exemption pursuant to MCL 211.7u in the City of Flint, a person must be the owner and must occupy the property as a principal residence, as defined, for

which the exemption is requested; file a complete application; prescribed by the state tax commission; submit copies of federal and state income tax returns for all persons that resided in the principal residence including property tax credit forms and/or Statement of Benefits paid from Michigan Department of Social Services or Social Security Administration; and meet City of Flint poverty income standards, AND, resolving that the applicant and ALL qualifying persons that resided in the home must have an annual adjusted income no more than 150% of the Federal Poverty Guidelines published in the prior calendar year, AND, resolving that the applicant's asset level, excluding the homestead, may not exceed \$15,000.00, regardless of income level, AND, resolving that a hardship exemption will be granted for one year at a time; AND, resolving that the Board of Review shall request identification of the applicant and/or proof of ownership of the principal residence under consideration for hardship exemption, AND, resolving that the Board of Review may request from the applicant any supporting documents which may be utilized in determining a hardship exemption request, AND, resolving that the completed hardship exemption application must be filed after January 1, but before the day prior to the last day of the Board of Review in the year for which exemption is sought, AND, resolving that the Board of Review shall administer an oath wherein the applicant testifies as to the accuracy of the information provided, AND, resolving that to conform with the provisions of Public Act 253 of 2020, this resolution is hereby given immediate effect.

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilperson Murphy, seconded by Councilperson Priestley, including all the preceding items marked as having been adopted on a Consent Agenda. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing

Absent: 2 - Councilperson Lewis and Councilperson Pfeiffer

SEPARATED FROM MASTER RESOLUTION

220530.1 Amendment/Public Hearing/Amendments/Rules Governing Meetings of the Flint City Council

Amended resolution resolving that the appropriate city officials are authorized to do all things necessary to conduct a public hearing on the attached proposed amendments to the Rules Governing Meetings of the Flint City Council, to be held at the regularly scheduled meeting of the Flint City Council at ____ p.m. _____, 2023 [in City Council Chambers, 1101 S. Saginaw Street, Flint.] [NOTE: Resolution amended to leave the time and date of the Public Hearing blank.]

A motion was made by Councilperson Worthing, seconded by Councilperson Priestley, that this matter be Adopted. The motion carried by the following vote:

Aye: 5 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder and Councilperson Worthing

No: 2 - Councilperson Winfrey-Carter and Councilperson Burns

Abstain: 1 - Councilperson Mays

Absent: 1 - Councilperson Pfeiffer

220537

Partial Settlement/Matthew Baker et al v City of Flint et al/Genesee County Circuit Court Case No. 19-1139438-CD

Resolution resolving that the Flint City Council approves settlement in the matter of Matthew Baker et al v City of Flint et al, Case No. 19-1139438-CD, in the amounts listed below, in satisfaction of any and all claims against the city and its officers arising out of said matter, with payment to be drawn from appropriated funds in Litigation & Suits Acct. No. 677-266.200-812.010. [The settlement is broken down as follows: Lisa Gordon: \$12,500.00; Tracee Walker: \$45,000.00; Mary Buszek: \$175,000.00; Alfino Donastorg: \$80,000.00; and Donald Lewis: \$47,500.00 and 40 hours of Paid Time Off (PTO) restored to his PTO bank.] [NOTE: An Executive Session was held in this matter on December 7, 2022.]

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey-Carter, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE. The motion failed by the following vote:

Aye: 3 - Councilperson Mays, Councilperson Winfrey-Carter and Councilperson Burns

No: 5 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder and Councilperson Worthing

Absent: 1 - Councilperson Pfeiffer

A motion was made by Councilperson Worthing, seconded by Councilperson Priestley, that this matter be Adopted. The motion carried by the following vote:

Aye: 5 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder and Councilperson Worthing

No: 2 - Councilperson Winfrey-Carter and Councilperson Burns

Abstain: 1 - Councilperson Mays

Absent: 1 - Councilperson Pfeiffer

ROLL CALL

Present: Councilperson: Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Herkenroder and Councilperson Worthing

Absent: Councilperson: Councilperson Mays and Councilperson Pfeiffer

220539

Amendment/Water Service Contract/City of Flint/Great Lakes Water Authority (GLWA)

Resolution resolving that the Flint City Council approves amending the amendment with the Great Lakes Water Authority (GLWA) to incorporate agreed-upon amendments.

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey-Carter, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE. The motion failed by the following vote:

Aye: 2 - Councilperson Winfrey-Carter and Councilperson Burns

No: 5 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder and Councilperson Worthing

Absent: 2 - Councilperson Mays and Councilperson Pfeiffer

A motion was made by Councilperson Priestley, seconded by Councilperson Murphy, that this matter be Adopted. The motion carried by the following vote:

Aye: 6 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing

No: 1 - Councilperson Winfrey-Carter

Absent: 2 - Councilperson Mays and Councilperson Pfeiffer

230006

Settlement Agreement Enforcement/Concerned Pastors for Social Action, et al v City of Flint, et al/Eastern District of Michigan Case No. 16-10277

Resolution resolving that the City Council approves authorizing the Department of Law to consent to entry of [Proposed] Order Granting in Part and Holding Open in Part Plaintiff's Fifth Motion to Enforce Settlement Agreement in the case of Concerned Pastors for Social Action, et al v City of Flint, et al/Eastern District of Michigan Case No. 16-10277. [NOTE: An Executive Session was held in this matter on January 4, 2023.]

A motion was made by Councilperson Priestley, seconded by Councilperson Worthing, that this matter be Adopted. The motion carried by the following vote:

Aye: 5 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder and Councilperson Worthing

No: 1 - Councilperson Burns

Abstain: 1 - Councilperson Winfrey-Carter

Absent: 2 - Councilperson Mays and Councilperson Pfeiffer

INTRODUCTION AND FIRST READING OF ORDINANCES

220546

Amendment/Ordinance/Chapter 35 (Personnel)/Section 35-112.04 (Adoption-Job Description & Qualifications)/City Administrator

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 35 (Personnel); Section 35-112.04 (Adoption - Job Description and Qualifications), City Administrator.

A motion was made by Councilperson Priestley, seconded by Councilperson Murphy, that this matter be **ACKNOWLEDGED FOR FIRST READING**. The motion carried by the following vote:

Aye: 4 - Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder and Councilperson Worthing

No: 3 - Councilperson Lewis, Councilperson Winfrey-Carter and Councilperson Burns

Absent: 2 - Councilperson Mays and Councilperson Pfeiffer

SECOND READING AND ADOPTION OF ORDINANCES

220519 Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons)

An ordinance to amend the Code of the City of Flint by amending Chapter 18, (Taxation; Funds; Purchasing); Article I, (In General); Section 18-4.1, (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons) shall be amended by adding subsection (SS). [NOTE: The PILOT is for HWD Harrison Inc. (503 South Saginaw Street) to own and operate a housing project identified as Harrison Mixed-Use. The annual service charge for the class of persons of low and moderate income shall be equal to ten (10) percent of the annual shelter rents, exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.]

A motion was made by Councilperson Priestley, seconded by Councilperson Murphy, that this matter be **PASSED**. The motion carried by the following vote:

Aye: 7 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing

Absent: 2 - Councilperson Mays and Councilperson Pfeiffer

ADJOURNMENT

Councilperson Priestley, seconded by Councilperson Lewis, made a Motion to Adjourn at 12:25 a.m. The motion passed by a vote of 7:0.

Attachment No. 2

APPROVED AGENDA ITEMS

REGULAR CITY COUNCIL MEETING
MONDAY, January 9, 2023

OFFICE OF THE CITY COUNCIL



MEMORANDUM

TO: Whom It May Concern
FROM: Davina Donahue – City Clerk
DATE: January 19, 2023
RE: CITY COUNCIL APPROVED RESOLUTIONS/ORDINANCES (January 9, 2023)

The attached copies of City Council APPROVED resolutions (listed below) are being distributed to you as a matter of record. If applicable, ordinances as approved by council are also detailed below.

Agenda items that were FAILED and/or DROPPED by council are noted here as well. Thank you.

RESOLUTIONS (as ADOPTED by City Council – January 9, 2023)

220494 220530.1 220537 2220538 220539 220541
230000 230001 230002 230003 230004 230006
230007

NOTE: Resolution No. 220530.1 amended to remove a set hearing date and add "blanks" for publication consideration.

ORDINANCES (as ADOPTED by City Council – January 9, 2023)

Ord No. 220519 - An ordinance to amend the Code of the City of Flint by amended Chapter 18, Taxation; Funds; Purchasing; Article I, In General; Section 18-4.1, Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons (HWD Harrison, Inc)

NOTE: Ordinance abstracts only outline what was approved by the City Council during this meeting, as every adopted ordinance is subject to veto by the Mayor.

MISC AGENDA ITEMS (as FAILED/DROPPED by City Council – January 9, 2023)

FAILED – Ord No. 220546, An amended ordinance to amend the Flint City Code of Ordinances by adopting Chapter 35 (Personnel), by adding Section 35-112.04, Job Description and Qualifications – City Administrator



RESOLUTION NO.: 220494
PRESENTED: NOV 28 2022
ADOPTED: JAN - 9 2023

RESOLUTION AUTHORIZING THE SALE OF CITY OWNED LAND TO GLENN'S HAPPY HOMES LLC

BY THE CITY ADMINISTRATOR:

The City of Flint has acquired title to certain real estate of vacant lots on Blades Ave., Parcel ID# 41-20-131-012, and Mayberry Ave., Parcel ID# 41-20-131-031. The property on Blades Ave. is an approximately 52' x 109' vacant lot in Ward 7. The lot is situated directly south of 2129 Blades Ave. The property on Mayberry Ave is an approximately 50' x 100' vacant lot in Ward 7. The lot is situated directly east of 2129 Blades Ave.

Glenn's Happy Homes LLC has agreed to purchase the property commonly known as vacant lot on Blades Ave., Flint, MI 48503, Parcel ID #41-20-131-012 and legally described as ELM PARK SUBDIVISION LOT 375.


Glenn's Happy Homes LLC has agreed to purchase the property commonly known as 2130 Mayberry Ave. Flint, MI 48503, Parcel ID #41-20-131-031 and legally described as ELM PARK SUBDIVISION LOT 391.

The city's interest in the aforementioned property will be conveyed by a Quit Claim Deed and sold in AS IS condition. Revenue realized from the sale of this real property will be placed in Revenue Account #101-371.209-673.100. Glenn's Happy Homes LLC shall pay the recording fees to register the conveyance documents at the Genesee County Register of Deeds.

IT IS RESOLVED, that the appropriate City Officials are authorized to do all things necessary to enter into and complete the sale of properties commonly known as vacant lot on Blades Ave. Flint Michigan 48503, Parcel ID #41-20-131-012 and legally described as ELM PARK SUBDIVISION LOT 375 and vacant lot on 2130 Mayberry Ave., Flint, Michigan, Parcel ID #41-20-131-031 and legally described as ELM PARK SUBDIVISION LOT 391 for a total cost of \$1002.00 and transfer the property to Glenn's Happy Homes LLC in an AS IS condition by means of conveyance of a Quit Claim Deed. Revenue realized from the sale of this real property will be placed in Revenue Account #101-701.000-673.100.

FURTHER RESOLVED, that the City Clerk shall, within thirty (30) days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer.

APPROVED AS TO FORM:


William Kim (Nov 15, 2022 14:34 EST)

William Kim
City Attorney

ADMINISTRATION:

CLYDE D EDWARDS
CLYDE D EDWARDS (Nov 17, 2022 11:39 EST)

Clyde Edwards
City Administration

APPROVED AS TO FINANCE


Robert J.F. Widigan (Nov 15, 2022 17:05 EST)

Robert Widigan
Chief Financial Officer

CITY COUNCIL:



JAN - 9 2023



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 10/27/2022

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: RESOLUTION RECOMMENDING DISPOSITION OF REAL PROPERTY OWNED BY THE CITY OF FLINT AS SIDE-LOT SALES.

PREPARED BY Suzanne Wilcox, Director of Planning and Development
(Please type Name, Department, Phone Number)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint has acquired title to certain real estate of vacant lots on Blades Ave, Parcel ID #41-20-131-012, and Mayberry Ave., Parcel ID #41-20-131-031. The property on Blades Ave. is an approximately 52' x 109' vacant lot in Ward 7. The lot is situated directly south of 2129 Blades Ave. The property on Mayberry Ave is an approximately 50' x 100' vacant lot in Ward 7. The lot is situated directly east of 2129 Blades Ave.

Glenns Happy Homes LLC owns the property at 2129 Blades Ave, which shares a 100% rear boundary with the subject property on Mayberry and a 100% side boundary line with the subject property on Blades Ave. Glenns Happy Homes LLC will purchase the subject properties as a side-lot in accordance with the City's side lot disposition procedures and apply for a lot combination with the City of Flint's Assessment's Division. Sale price is set at \$501 per property as stipulated in the City of Flint Master Fee Schedule and Side Lot Acquisition Procedures. This transfer does not convey a right to develop the property.

The City of Flint desires to reduce the number of properties that are not on the tax rolls, and/or not in productive use.

Glenns Happy Homes LLC has agreed to purchase the property commonly known as vacant lot on Blades Ave., Flint, MI 48503, Parcel ID #41-20-131-012, and vacant lot on Mayberry St., 2130 Mayberry Ave. Flint, MI 48503, Parcel ID #41-20-131-031, and legally described as ELM PARK SUBDIVISION LOT 375 and ELM PARK SUBDIVISION LOT 391, respectively. The city's interest in the aforementioned property will be conveyed by a Quit Claim Deed and sold in AS IS condition. Revenue realized from the sale of this real property will be placed in Revenue Account #101-701.000-673.100. Glenns Happy Homes LLC shall pay the recording fees to register the conveyance documents at the Genesee County Register of Deeds.

RESOLUTION NO.: 220530.1

PRESENTED: January 4, 2023

ADOPTED: JAN - 9 2023

**Resolution to Approve a Public Hearing About Amendments
to the Rules Governing Meetings of the Flint City Council**

By the Flint City Council:

Section 1-103(B) empowers the Flint City Council to determine its own rules of procedure; and

Section 1-801 *et seq* of the Flint City Charter requires before such rules may be adopted, a Public Hearing must be held, with notice – containing the title and an abstract of proposed rules – of that Public Hearing be given at least two weeks in advance; and

Attached to this resolution are proposed amendments to the Rules Governing Meetings of the Flint City Council, developed by successive ad-hoc rules committees.

IT IS RESOLVED, that the appropriate City officials are hereby authorized to do all things necessary to conduct a Public Hearing on the attached proposed amendments to the Rules Governing Meetings of the Flint City Council at 5:30 p.m. on February 13, 2023, in City Council Chambers, 1101 S. Saginaw Street, Flint.

APPROVED AS TO FORM:

APPROVED BY CITY COUNCIL:

William Kim, Chief Legal Officer



JAN - 9 2023

Proposed Council Rules Amendments - Clean

RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL

GENERAL

PREAMBLE

OPEN MEETINGS ACT (OMA)

FREEDOM OF INFORMATION ACT (FOIA)

RULE 1 PARLIAMENTARY AUTHORITY

RULE 2 SUSPENSION AND AMENDMENT OF RULES

ORGANIZATION #1

RULE 3 COUNCIL PRESIDENT; PRESIDING AT MEETINGS

RULE 4 APPOINTMENT OF COMMITTEES

ORGANIZATION #2

RULE 5 TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

RULE 6 AGENDA FOR REGULAR MEETINGS OF COUNCIL; AGENDAS FOR COMMITTEE MEETINGS

RULE 7 ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

ACTION BY COUNCIL

RULE 8 FORM OF ACTION AND ADOPTION OF A CONSENT AGENDA

RULE 9 VOTING; VOTING – ABSTAINING VOTES

RULE 10 INTRODUCTION AND ENACTMENT OF ORDINANCES

MOTIONS #1

RULE 11 CONSIDERATION OF MOTIONS

RULE 12 SUPPORT FOR MOTIONS

RULE 13 MOTION TO ADJOURN

RULE 14 MOTION TO RECESS

RULE 15 MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

- RULE 16 MOTION TO VOTE IMMEDIATELY (CALL THE QUESTION)
- RULE 17 MOTION TO LIMIT OR EXTEND DEBATE

MOTIONS #2

- RULE 18 MOTION TO POSTPONE DEFINITELY
- RULE 19 MOTION TO REFER (COMMIT)
- RULE 20 MOTION TO AMEND
- RULE 21 MOTION TO POSTPONE INDEFINITELY
- RULE 22 MOTION TO RECONSIDER
- RULE 23 MOTION TO RESCIND
- RULE 24 REQUEST TO WITHDRAW A MOTION

MOTIONS #3

- RULE 25 INCIDENTAL MOTIONS – POINT OF ORDER
- RULE 26 INCIDENTAL MOTIONS – REQUEST FOR INFORMATION

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

- RULE 27 MAINTENANCE OF ORDER AND DEBATE
- RULE 28 RIGHT TO SPEAK IN DEBATE
- RULE 29 PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

- RULE 30 GENERAL CONDUCT AND STANDARDS OF CONDUCT
- RULE 31 ETHICS
- RULE 32 DISCIPLINARY ACTIONS

REVIEW OF CITY COUNCIL RULES

- RULE 33 ANNUAL REVIEW OF CITY COUNCIL RULES

GENERAL

PREAMBLE

These are rules governing the orderly conduct of Flint City Council meetings in accordance with Robert's Rules of Order and certain laws.

OPEN MEETINGS ACT (OMA)

City Council meetings are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275.

FREEDOM OF INFORMATION ACT (FOIA)

All documents of the meetings of the Flint City Council (i.e. agendas, minutes, attachments, transcripts, recordings) are public documents subject to the FOIA, MCL 15.231 *et seq.*

PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically by Council Rules, State, or Local law, shall be governed by Robert's Rules of Order 12th Ed. If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- Rule 1.2 The President or Chair (Presiding Officer) shall decide all questions arising under these rules and general parliamentary practice, subject to appeal. The Chair shall first decide the question, and any member may "appeal from the decision." If the appeal is seconded, the Chair shall state their decision, that it has been appealed from, and then states the question as: "Shall the decision of the Chair be reversed?" The Chair can then state the reasons for their decision, after which it is open to debate. Beginning with the member who made the appeal and concluding with the Chair, each member may speak once regarding the appeal for three (3) minutes per Councilmember. Unless a majority of Councilmembers-elect vote to overturn the Chair's ruling, the Chair's ruling stands.
- Rule 1.3 City Council may appoint a person to serve as its Parliamentarian. At the request of any member of the City Council, the parliamentarian shall rule on questions of parliamentary procedure. If a Parliamentarian so rules, the Parliamentarian's ruling may be appealed. An appeal of a Parliamentarian's ruling must be seconded and is undebatable. Overturning a Parliamentarian's ruling requires a two-thirds vote of the Councilmembers-elect.

SUSPENSION AND AMENDMENT OF RULES

- Rule 2.1 Any individual rule may be suspended on the vote of two-thirds of the Councilmembers-elect, to allow for consideration of business that would not otherwise be allowed under the rules. A motion to suspend a rule is not debatable.
- Rule 2.2 The rules may be amended in accordance with Section 1-801 of the Flint City Charter.

ORGANIZATION #1

COUNCIL PRESIDENT; PRESIDING AT MEETINGS

- Rule 3.1 The Council shall have a President and a Vice-President, each chosen by a majority of the Councilmembers-elect for a term which shall end on the second Monday in November, or until a successor is elected.
- Rule 3.2 The President shall preside at the meetings of the Council and, in the absence of the President, the Vice-President shall preside. If both the President and Vice-President are absent, a Chairperson from a Council Committee shall preside in the following order: Finance, Governmental Operations, Legislative.

COMMITTEES

- Rule 4.1 The President, unless otherwise directed by the Council, shall appoint all committee chairs and vice-chairs for a one-year term which shall end on the second Monday in November or until a successor is appointed.
- Rule 4.2 The standing committees of the City Council are Finance, Governmental Operations, Legislative, and Special Affairs. The Council President may determine in which order they are addressed.
- Rule 4.3 Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.). Finance Committee shall meet at 5:00 pm on the Wednesdays a week before regular Council meetings. [Note - see Rule 6.8a]
- Rule 4.4 Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.). Legislative Committee shall meet after Finance Committee. [Note - see Rule 6.8b]
- Rule 4.5 Governmental Operations Committee - Business conducted consists of all matters relating to governmental function (e.g. multi-member bodies, policies and procedures, matters related to City government and City departments, etc.). Governmental Operations Committee shall meet after Legislative Committee. [Note - see Rule 6.8c]
- Rule 4.6 Special Affairs Committee - Reserved for any standing committee agenda item needing additional discussion or information, as well as for any emergency agenda submission. Special Affairs Committee shall meet at 4:30 p.m. right before regular Council meetings on the 2nd and 4th Mondays of the month. [Note - see Rule 6.8d]
- Rule 4.7 All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.
- Rule 4.8 The President, at their discretion, may create ad hoc committees and shall appoint these committees' chairs and members. The President shall determine the number of Councilmembers comprising these committees.

ORGANIZATION #2

TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

- Rule 5.1 All meetings of the City Council and all committees of the Council shall take place in the Council Chambers on the third floor of City Hall or at such other places as the Council may determine.
- Rule 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.
- Rule 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.
- Rule 5.4 In the event of a call for a special meeting or a change in the time or place of a meeting, the Clerk shall be notified and shall see that each Councilmember and the public are informed as is required by the Open Meetings Act.
- Rule 5.5 The Mayor shall be notified of all meetings of the City Council.
- Rule 5.6 Meetings of the City Council or its committees will occur between 8:00 AM and 10:00 PM, and meetings of the City Council or its subcommittees will adjourn at 10:00 PM, unless a two-thirds majority of the Councilmembers-elect suspend this rule.
- Rule 5.7 City Council may, by resolution, adjourn all meetings for a two-week period. A special, pro-forma meeting of the City Council shall be scheduled immediately preceding the other Council committee meeting in that month.

AGENDA FOR REGULAR MEETINGS OF COUNCIL

- Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President or any presiding Chair of any committee of the Council, or at the request of the Mayor or Clerk, prior to the start of the meeting. After roll call, the presiding officer shall ask for "any additions or changes to the agenda". Agenda changes or additions need to be approved by the presiding officer, and any unopposed agenda changes or additions may be adopted by consent.
- Rule 6.2 Any agenda matters that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by the appropriate documentation such as staff review reports, etc., and must be signed by the required signatories.
- Rule 6.3 The deadline for contacting City Council staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.
- Rule 6.4 The presiding officer shall choose a person to lead the Pledge of Allegiance.
- Rule 6.5 Opening Ceremonies will consist of Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence for deceased or ailing individuals. Spiritual leaders (of many faiths) may be invited and scheduled to offer a short prayer after the Pledge of Allegiance. The City Clerk will be responsible for making these arrangements.

AGENDAS FOR COMMITTEE MEETINGS

- Rule 6.8 Items denoted with ** will only appear on a committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda.
- Rule 6.8a Finance Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, **Closed Session [Executive Session], **Consent Agenda, **Presentation of Quarterly Financial Reports, Resolutions, **Special Orders/Discussion Items, Adjournment
- Rule 6.8b Legislative Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, **Consent Agenda, **Resolutions, Ordinances, **Special Orders/Discussion Items, Adjournment
- Rule 6.8c Governmental Operations Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, **Consent Agenda, **Licenses, Resolutions, Appointments, **Special Orders/Discussion Items, Adjournment
- Rule 6.8d Special Affairs Agenda - Roll Call, Request for Changes and/or Additions to Agenda, **Closed Session [Executive Session], **Consent Agenda, , Resolutions, Appointments, Ordinances, **Special Orders/Discussion Items, Adjournment
- Rule 6.9 Rules 6.1, 6.2, 6.3 and 6.4 concerning regular Council meetings also apply to Committee meetings. Section 31.12 of the Disorderly Persons Ordinance applies to all committee meetings.
- Rule 6.10 If multiple committee meetings are held on the same day, a consolidated public comment period may be held during the first scheduled committee meeting. If a committee meeting is held on the same day as a regular Council meeting, public comment can be deferred until the regular Council meeting.

ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

- Rule 7.1 The order of business at Regular Meetings of the City Council shall be as follows:
- I Call to Order, Roll Call and Opening Ceremonies
 - II Reading of Disorderly Persons Section
 - III Request for Changes and/or Additions to Agenda
 - IV Consent Agenda
 - V Presentation of Minutes
 - VII Public Hearings
 - VIII Public Speaking
 - IX Petitions and Unofficial Communications
 - X Official Communications – From Mayor and Other City Officials
 - XI Additional Communications
 - XII Appointments
 - XIII Resolutions
 - XIV Liquor Licenses
 - XV Other Licenses
 - XVI Introduction and First Reading of Ordinances
 - XVII Second Reading and Enactment of Ordinances

- XVIII Special Orders/Discussion Items
(Any Councilmember may request that a Special Order be placed on the agenda, but it must first be approved by the Council President, or the Committee Chair if raised during a Committee meeting.)
- XIX Final Council Comments
- XX Adjournment

ORGANIZATION #3

CLOSED SESSIONS

- Rule 7.2 Pursuant to the Open Meetings Act, the Flint City Council may meet in Closed Session for one or more of the following purposes:
- (1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.
 - (2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
 - (3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
 - (4) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.
 - (5) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.
 - (6) To consider material exempt from discussion or disclosure by state or federal statute.
- Rule 7.3 **GOING INTO CLOSED SESSION** – A 2/3 roll call vote of the Councilmembers-Elect is required to meet in closed session for purposes (3) through (6), as listed in Rule 7.2. A majority vote of the Councilmembers-Elect is sufficient for purposes (1) and (2), as listed in Rule 7.2. The roll call vote and the purpose or purposes for meeting in closed session shall be recorded in the minutes of the meeting at which the vote is taken.
- Rule 7.4 **LEAVING CLOSED SESSION** – The City Council may leave a closed session upon a majority vote of the Councilmembers-elect.
- Rule 7.5 **DECISIONS ON MATTERS DISCUSSED IN CLOSED SESSION TO BE MADE DURING OPEN SESSION** - All determinations, actions, votes, or dispositions of motions, proposals, recommendations, resolutions, orders, ordinances, bills, or

measures by which the City Council effectuate or formulates public policy must be made during an open session.

Rule 7.6 All matters discussed in closed session are privileged and not to be shared with any person outside of the closed session.

ACTION BY COUNCIL

FORM OF ACTION AND ADOPTION OF A CONSENT AGENDA

Rule 8.1 All official action of the Council as required by the City Charter shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made upon motion, including decisions on parliamentary procedure.

Rule 8.2 No motion may be debated by the Council until it has been stated by the presiding officer and it must be reduced to writing if requested by the presiding officer or any Councilmember. All resolutions and ordinances must be in writing.

Rule 8.3 The Presiding Officer or Chair may request the adoption of a "Consent Agenda" consisting of, as applicable, (a) approval of minutes listed on the agenda; (b) accepting and placing on file all communications listed on the agenda, (c) approving all appointments, resolutions, and licenses listed on the agenda; (d) approving ordinances for introduction and first reading or second reading and enactment, as listed on the agenda.

Rule 8.4 After a motion to adopt a Consent Agenda is made and seconded, the Presiding Officer or 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.

VOTING

Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote, unless there is unanimous consent of the members present. Any request for unanimous consent by the Chair shall include two calls for objections to the request for unanimous consent.

Rule 9.2 The determination of any question at a committee meeting shall be by voice vote unless a member objects, in which case a roll call vote shall be taken.

Rule 9.3 The voting on all roll calls shall be rotated so that the Councilmember representing the First Ward shall cast the first vote on the first roll call of any meeting, the Councilmember from the Second Ward shall cast the first vote on the second roll call at any meeting, and so on throughout the meeting so that the first vote on a roll call shall be solicited from the succeeding Councilmember. Following the first vote on any roll call, the remaining Councilmembers shall be called in consecutive order until all nine Councilmembers have been afforded an opportunity to vote on any question.

Rule 9.4 A Councilmember must be seated at their designated seating place to vote. Proxy votes are not allowed.

- Rule 9.5 INTERRUPTION OF VOTES – Interruptions during the taking of a vote are permitted only before any member has actually voted, unless, as sometimes occurs in ballot voting, other business is being transacted during voting or tabulating.
- Rule 9.6 RULE AGAINST EXPLANATION BY MEMBERS DURING VOTING - A member has no right to “explain his vote” during voting, which would be the same as debate at such a time.
- Rule 9.7 CHANGING ONE'S VOTE – A member has a right to change his vote up to the time the result is announced by the Chair. A request to change a vote after the Chair’s announcement requires the unanimous consent of the body, without debate, and may only be made immediately after the Chair’s announcement.
- Rule 9.8 ABSTAINING VOTES – To “abstain” means to not vote at all. Any explanation of an abstention may not exceed 10 seconds.
- Rule 9.9 ABSTAINING FROM VOTING ON A QUESTION OF DIRECT PERSONAL INTEREST – No member should vote on a question in which he/she has a direct personal or pecuniary interest not common to the other members of the organization. Voting on questions which affect oneself – the rule on abstaining from voting on a question of direct personal interest does not mean that a member should not vote for him/herself for an office or other position to which members generally are eligible, or should not vote when other members are included with him in a motion.

INTRODUCTION AND ENACTMENT OF ORDINANCES

(Any City Councilmember or the Mayor may introduce an Ordinance)

- Rule 10.1 Upon the introduction of any ordinance, the City Clerk shall proceed as directed in Section 3-301 *et seq* of the Flint City Charter.
- Rule 10.2 After a public hearing has been completed, any Councilmember may move to enact the ordinance.
- Rule 10.3 If the ordinance is amended to the extent that there has been inadequate notice to the public of the content of the ordinance, it shall not be enacted until the procedures of Section 3-301 *et seq* of the Flint City Charter are complied with.
- Rule 10.4 Every ordinance must state the date that it becomes effective. After the vote on the enactment of the ordinance, any Councilmember may move that it be given immediate effect upon publication, rather than the date stated. Any effective date earlier than thirty days after enactment requires a two-thirds vote of the Councilmembers-elect.
- Rule 10.5 Every ordinance shall be submitted to the Chief Legal Officer for review and approval as to form prior to enactment.

MOTIONS

CONSIDERATION OF MOTIONS

- Rule 11.1 When a question is under debate, the Chair will receive only the following motions:

Rule 13	to adjourn
Rule 14	to recess
Rule 15	to postpone temporarily (lay on the table)
Rule 16	to vote immediately (previous question)
Rule 17	to limit debate
Rule 18	to postpone definitely
Rule 19	to refer (commit)
Rule 20	to amend
Rule 21	to postpone indefinitely
Rule 22	to reconsider
Rule 23	to rescind
Rule 24	to withdraw a motion
Rule 25	point of order
Rule 26	request for information

Rule 11.2 If more than one of the above motions are made, they shall be considered in the order listed.

SUPPORT FOR MOTIONS

Rule 12.1 No motion may be considered or debated unless it has been seconded by at least one other Councilmember and has been properly stated by the Chair. The Chair does not have to recognize a member before that member may second a motion.

Rule 12.2 Nominations need not be seconded.

MOTIONS #1

MOTION TO ADJOURN

Rule 13.1 A motion to adjourn is always in order. If it is made during the count of a vote, it will not be considered until after the vote is announced.

Rule 13.2 A motion to adjourn is not debatable. However, the issue of the time to reconvene may be debated if it is introduced by the maker of the motion or by amendment.

Rule 13.3 The Chair may order adjournment, without objection.

MOTION TO RECESS

Rule 14.1 A motion to recess shall state the length of the recess and is not debatable

Rule 14.2 When a recess is taken while any question is pending, the consideration of the question shall be resumed upon the reassembling of the Council.

Rule 14.3 The Chair may order a recess without objection.

MOTION TO LAY ON THE TABLE

Rule 15.1 The Council may decide to postpone temporarily any matter pending before it. A decision to lay upon the table postpones the question involved, all pending amendments, and other adhering motions, until later in that meeting.

- Rule 15.2 If a decision is made to resume consideration of a matter or to take up from the table, it shall return in exactly the same form as when it was postponed temporarily. A motion to resume consideration must be made at the same meeting.
- Rule 15.3 If a motion to resume consideration fails or is not made, the pending matter shall be added to the next meeting agenda.
- Rule 15.4 A motion to postpone temporarily or to resume consideration is not debatable

MOTION TO VOTE IMMEDIATELY (CALL THE QUESTION)

- Rule 16.1 Any Councilmember may move to vote immediately. If the motion is supported, debate will cease immediately. A two-thirds vote of the Councilmembers-present (but no less than a majority of the Councilmembers-Elect) is required for the motion to carry.
- Rule 16.2 A motion to vote immediately is not debatable.

MOTION TO LIMIT OR EXTEND DEBATE

- Rule 17.1 The Council may decide, by majority vote, to limit or determine the time for discussion of a pending motion or to modify or remove limitations already imposed. This may include a limit of time for each Councilmember to speak to the issue.
- Rule 17.2 If each Councilmember has a limited time to speak, this time limit shall include any questions asked and/or answered at the Councilmembers request.
- Rule 17.3 A motion to limit or extend debate is not debatable.

MOTIONS #2

MOTION TO POSTPONE DEFINITELY

- Rule 18.1 The Council may decide to put off consideration of a pending main motion and to fix a definite date/time for its consideration.
- Rule 18.2 Debate on the motion to postpone definitely shall be limited to one round of discussion, 3 minutes per councilmember, and shall be limited to the reasons for the postponement and the date/time the main motion shall be taken up.

MOTION TO REFER (TO COMMITTEE)

- Rule 19.1 If a motion to refer a matter to a committee or other agency has been made, the Council shall proceed to decide the question of the referral.
- Rule 19.2 There shall be no further debate on the merits of the main motion or amendments to the main motion until the referral motion is decided.
- Rule 19.3 Debate on the motion to refer shall be limited to one round of discussion, 3 minutes per councilmember

MOTION TO AMEND

- Rule 20.1 A motion to amend must be germane to the main motion.
- Rule 20.2 An amendment may be amended but an amendment to an amendment may not be amended.

MOTION TO POSTPONE INDEFINITELY

- Rule 21.1 The Council may decide to prevent further discussion on a question by voting to postpone it indefinitely.
- Rule 21.2 A motion that has been postponed indefinitely cannot come up again at the same meeting. If it is reintroduced at a later meeting, it shall be treated as a new motion.
- Rule 21.3 Debate on the motion to postpone indefinitely shall be limited to one round of discussion, 3 minutes per councilmember.

MOTION TO RECONSIDER

- Rule 22.1 A motion to reconsider any decision of the City Council may be made by any Councilmember that voted in the affirmative on the motion in question.
- Rule 22.2 A motion to reconsider may be made at the same meeting or not later than the next succeeding regular meeting of the Council if notice has been given to the Council prior to the start of the meeting.
- Rule 22.3 No question may be reconsidered more than once.
- Rule 22.4 If a decision of the Council has gone into effect, the motion to reconsider shall not be in order.

MOTION TO RESCIND

- Rule 23.1 Action to rescind, repeal or annul a previous action may be by resolution unless the previous action is an ordinance. Action to repeal a published ordinance may only be by ordinance regardless of whether the ordinance has gone into effect.
- Rule 23.2 Notice of a motion to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which the motion is to be made. However, the Council may vote by two-thirds of Councilmembers-elect to waive the notice requirement.
- Rule 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

MOTIONS #3

REQUEST TO WITHDRAW A MOTION

- Rule 24.1 Any Councilmember may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. The Councilmember need not obtain concurrence of any other person.

- Rule 24.2 After the motion has been placed before the assembly, it may only be withdrawn by majority consent of all Councilmembers present. A request to withdraw is undebatable.
- Rule 24.3 No request to withdraw a motion may be made after the vote on the motion has commenced.

INCIDENTAL MOTIONS – POINT OF ORDER

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the presiding officer does not correct it, or when the presiding officer makes a breach of the rules.
- Rule 25.2 A point of order should not be used for minor infractions that do not affect the substantive rights of the City Council or its members.
- Rule 25.3 A point of order does not need a second, can interrupt a speaker, is not debatable, and is decided by the chair.
- Rule 25.4 A point of order cannot be ignored by the presiding officer. A ruling of “agreement – out of order” or “disagree – denied” must be given. All debate and/or talking shall cease immediately when a point of order is raised, so the presiding officer can rule.
- Rule 25.5 Any member has the right to appeal the presiding officer’s decision on a point of order as set forth in Rule 1.2. Another member must second the appeal, or the appeal fails. .

INCIDENTAL MOTIONS – REQUEST FOR INFORMATION

- Rule 26.1 A request for information requests information from the member holding the floor.
- Rule 26.2 Its purpose is to help the member making the request for information understand the process and the potential consequences of the next vote. A request for information that asks a question for which the requestor already knows the answer (i.e. an answer in the form of a question) is improper.
- Rule 26.3 A request for information cannot be ignored by the presiding officer, but the presiding officer – upon hearing the request – may decide whether the request is legitimate and can proceed, or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes. The Presiding Officer must rule with either “Proceed” or “Denied”.
- Rule 26.4 Using a request for information as an opportunity to gain the floor is not allowed. Multiple abuses of use of requests for information is cause for disciplinary action.

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

MAINTENANCE OF ORDER AND DEBATE

(The public and City Council are both subject to the disorderly persons ordinance section 31-11 and the general code of conduct. Additionally, the Chair or Presiding Officer has a responsibility and duty to enforce these rules and sanctions for the purpose of maintenance of order. Only the Chair or Presiding Officer may determine and rule on who/what is in or out of order.)

- Rule 27.1 When a member has been called to order, the Chair shall determine whether he or she is in order. Every question of order shall be decided by the Chair subject to an appeal.
- Rule 27.2 During any portion of any meeting, Councilmembers may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason.
- Rule 27.3 Only the presiding officer may call an individual up to the podium (and/or table) to speak or answer questions. Other Councilmembers would have to petition the presiding officer to make this request.
- Rule 27.4 Mobile devices shall be set to silent mode prior to any meeting being called to order.

RIGHT TO SPEAK IN DEBATE

- Rule 28.1 Every Councilmember and every person granted the privilege of speaking to the City Council, on any matter before the City Council, shall address all remarks to members of the Council and shall not speak until recognized.
- Rule 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the Councilmember who is first to speak.
- Rule 28.3 A Councilmember who desires to speak, on any matter before the City Council, must obtain the floor by being recognized by the presiding Chair. A Councilmember must be in their seat when requesting to be recognized. Unless otherwise specified by these rules each member has the right to speak up to twice on the same question on the same day, for 5 minutes during each round, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day or who has exhausted their allocated time has exhausted his/her right to debate on that question for that day. The Clerk shall utilize a timer and track members' time. There is no right to "sum up" or "conclude" after the expiration of a members' allotted time.
- Rule 28.4 Councilmembers may request, from the presiding Chair, the opportunity to ask questions of Administrative Staff, etc., during debate on any agenda item. Any such questions and responses shall be incorporated as part of the Councilmember's allotted time.

PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

- Rule 29.1 All meetings of the Council shall be open to the public in accordance with law.
- Rule 29.2 If a member of the public wishes to address the City Council, they may do so at the regular City Council meeting. He or she shall submit, prior to the start of the meeting, a statement in writing containing his or her name and address and the topic to be covered. A box will be placed at the entrance to the Council Chambers for the collection of the statements.
- Rule 29.3 Members of the public shall have no more than 3 minutes per speaker during public comment. Only one speaking opportunity per speaker. Numbered speaker slips will be provided prior to the start of a meeting to those wishing to speak during this portion of the agenda. No additional speakers or slips will be accepted after the meeting

begins. City Councilmembers may not speak as a member of the public at this time. Public speakers may not allocate or "donate" their allotted time to another person.

- Rule 29.4 If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the President at the opening of the hearing or at the conclusion of the remarks of the previous speaker.
- Rule 29.5 Members of the public shall have no more than 3 minutes to address the City Council during a public hearing.
- Rule 29.6 Councilmembers may not speak during public hearings nor may they respond to speakers.
- Rule 29.7 Any person speaking at a Council meeting may be called to order by the President or any Councilmember for failure to be germane, for vulgarity, or for speaking in excess of the allotted time.
- Rule 29.8 Any person who is called to order shall thereupon yield the floor until the President shall have determined whether he or she is in order. Every question of order shall be decided by the President subject to an appeal by any Councilmember to the Council. If a person so engaged in presentation shall be determined by the Council to be out of order, that person shall not be permitted to continue at the same meeting except on special leave of the Council.
- Rule 29.9 Councilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to 2 minutes and is subject to all rules. Final Council comments shall be limited to 2 minutes and are subject to all rules.

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

GENERAL CONDUCT AND STANDARDS OF CONDUCT

- Rule 30.1 Every Councilmember is subject to the established rules or general conduct and the standards of conduct as may be adopted by the City Council.

ETHICS

- Rule 31.1 Every Councilmember is subject to the established ethics rules of the City of Flint Charter and Ethics Ordinance.

DISCIPLINARY ACTIONS

- Rule 32.1 Every Councilmember is subject to the established rules and disciplinary actions for violations of rules and city ordinances.
- Rule 32.2 For any repeated violation of these rules, the Presiding Officer or Chair may order discipline up to and including removal from a meeting. Any discipline issued is subject to an appeal raised pursuant to Rule 1.2. If a Councilmember is removed from a meeting, they may not return to participate in any other committee or Council meetings held on the same day.

REVIEW OF CITY COUNCIL RULES

- Rule 33.1 Every December, the City Council shall place an item on the Special Affairs Committee agenda for a review of these rules.
- Rule 33.2 At his/her own discretion, the Council President may at any time appoint a committee and its members to review and offer revisions of City Council Rules.
- Rule 33.3 It is the responsibility and duty of the Council President, Vice President, and all the Committee Chairs to ensure that these rules are adhered to and to apply the recommended disciplinary actions if they are not. Failure to do so is itself a violation of the rules and can subject the violator to disciplinary actions.

RULES ORIGINALLY ADOPTED: MAY 10, 1976

1ST AMENDMENT ADOPTED: MAY 24, 2010

2ND AMENDMENT ADOPTED: APRIL 27, 2015

3RD AMENDMENT ADOPTED: JUNE 12, 2017

4TH AMENDMENT ADOPTED: _____

DRAFT

Proposed Council Rules Amendments - Redline

RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL

GENERAL

PREAMBLE

OPEN MEETINGS ACT (OMA)

FREEDOM OF INFORMATION ACT (FOIA)

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RULE 2 SUSPENSION AND AMENDMENT OF RULES

ORGANIZATION #1

RULE 3 COUNCIL PRESIDENT; PRESIDING AT MEETINGS

RULE 4 APPOINTMENT OF COMMITTEES

ORGANIZATION #2

RULE 5 TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

RULE 6 AGENDA FOR REGULAR MEETINGS OF COUNCIL; AGENDAS FOR COMMITTEE MEETINGS

RULE 7 ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

ACTION BY COUNCIL

RULE 8 ~~FORM OF ACTION; DIVISION OF QUESTION~~ FORM OF ACTION AND ADOPTION OF A CONSENT AGENDA

RULE 9 VOTING; VOTING – ABSTAINING VOTES

RULE 10 INTRODUCTION AND ENACTMENT OF ORDINANCES

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RULE 11 CONSIDERATION OF MOTIONS

RULE 12 SUPPORT FOR MOTIONS

RULE 13 MOTION TO ADJOURN

RULE 14 MOTION TO RECESS

RULE 15 MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

RULE 16 MOTION TO VOTE IMMEDIATELY (~~PREVIOUS QUESTION OR CALL THE QUESTION~~)

RULE 17 MOTION TO LIMIT OR EXTEND DEBATE

MOTIONS #2

RULE 18 MOTION TO POSTPONE DEFINITELY

RULE 19 MOTION TO REFER (COMMIT)

RULE 20 MOTION TO AMEND

RULE 21 MOTION TO POSTPONE INDEFINITELY

RULE 22 MOTION TO RECONSIDER

RULE 23 MOTION TO RESCIND

RULE 24 REQUEST TO WITHDRAW A MOTION

MOTIONS #3

RULE 25 INCIDENTAL MOTIONS – POINT OF ORDER

RULE 26 INCIDENTAL MOTIONS – ~~POINT OF REQUEST FOR INFORMATION~~

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

RULE 27 MAINTENANCE OF ORDER AND DEBATE

RULE 28 RIGHT TO SPEAK IN DEBATE

RULE 29 PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

RULE 30 GENERAL CONDUCT AND STANDARDS OF CONDUCT

RULE 31 ETHICS

RULE 32 DISCIPLINARY ACTIONS

REVIEW OF CITY COUNCIL RULES

RULE 33 ANNUAL REVIEW OF CITY COUNCIL RULES

GENERAL

PREAMBLE

These are rules governing the orderly conduct of Flint City Council meetings in accordance with Robert's Rules of Order and certain laws.

OPEN MEETINGS ACT (OMA)

City Council meetings are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275.

FREEDOM OF INFORMATION ACT (FOIA)

All documents of the meetings of the Flint City Council (i.e. agendas, minutes, attachments, transcripts, recordings) are public documents subject to the FOIA, MCL 15.231 *et seq.* unless subject to exemptions rule in FOIA.

PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically by Council Rules, State, or Local law, shall be governed by Robert's Rules of Order 12th Ed.— If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- Rule 1.2 The President or Chair (Presiding Officer) SHALL ~~(is required to)~~ shall decide all questions arising under these rules and general parliamentary practice, subject to appeal. ~~While on all questions of order, and of interpretation of the rules, and of priority of business, it is the DUTY of~~ The Chairman to shall first decide the question, and it is the privilege of any member to may "appeal from the decision." ~~If the appeal is seconded, the Chairman shall states his their decision, and that it has been appealed from, and then states the question thus as:~~ "Shall the decision of the Chair stand as the judgment of Council be reversed?" ~~The Chairman can then, without leaving the chair, state the reasons for his their decision, after which it is open to debate.~~ Beginning with the member who made the appeal and concluding with the Chair, each member may speak once regarding the appeal for three (3) minutes per Councilmember. Unless ~~The appeal shall be determined by a majority of the Councilpersons~~ Councilmembers-elect, ~~vote against to overturn the Chair's ruling, the Chair's ruling stands.~~
- Rule 1.3 City Council ~~can may~~ appoint a person of their to choosing to be the Parliamentary Authority serve as its Parliamentarian. At the request of any member of the City Council, the parliamentarian shall rule on questions of parliamentary procedure. If a Parliamentarian so rules, the Parliamentarian's ruling may be appealed. An appeal of a Parliamentarian's ruling must be seconded and is undebatable. Overturning a Parliamentarian's ruling requires a two-thirds vote of the Councilmembers-elect. ~~but any Councilmember may make reference to either City Council Rules, which take precedence over Robert's Rules, or reference to Robert's Rules when the issue is not covered in City Council Rules.~~

SUSPENSION AND AMENDMENT OF RULES

- Rule 2.1 Any individual ~~The rules~~ may be suspended on the vote of two-thirds of the Councilpersons ~~Councilmembers-elect,~~ to allow for consideration of business that

~~with the wisdom and discretion of the Council and the Mayor. Any amendment is~~
~~debatable.~~

Rule 2.2 The rules may be amended in accordance with Section 1-801 of the Flint City Charter.

ORGANIZATION #1

COUNCIL PRESIDENT; PRESIDING AT MEETINGS

Rule 3.1 The Council shall have a President and a Vice-President, each chosen by a majority of the ~~Council persons~~ Council members elect for a ~~one year~~ term which shall end on the second Monday in November, or until a successor is elected.

Rule 3.2 The President shall preside at the meetings of the Council and, in the absence of the President, the Vice-President shall preside. ~~— If both the President and Vice-President are absent, a Chairperson from a Council Committee shall preside in the following order: Finance, Governmental Operations, Legislative, Grants.~~

COMMITTEES

Rule 4.1 The President, unless otherwise directed by the Council, shall appoint all committee chairs and vice-chairs for a one-year term which shall end on the second Monday in November or until a successor is appointed.

Rule 4.2 The standing committees of the City Council are Finance, Governmental Operations, Legislative, ~~Grants,~~ and Special Affairs. ~~— The Council President may determine in which order they are addressed.~~

Rule 4.3 Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.). ~~— Finance Committee shall meet at 5:00 pm on the Wednesdays a week before regular Council meetings.~~ — [Note - see Rule 6.8A8a]

Rule 4.4 Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.). ~~— Legislative Committee shall meet after Finance Committee.~~ — [Note - see Rule 6.8B8b]

Rule 4.5 Governmental Operations Committee - Business conducted consists of all matters relating to governmental function (e.g. multi-member bodies, policies and procedures, matters related to City government and City departments, etc.). ~~— Governmental Operations Committee shall meet after Legislative Committee.~~ — [Note - see Rule 6.8C8c]

~~Rule 4.6 Grants Committee Business conducted consists of all matters relating to City grant programs and grant awards (e.g. applying for grants, accepting and monitoring of grants, federal and state grant monies, and local grant dollars, etc.). Grants Committee shall meet after Governmental Operations Committee. [Note - see Rule 6.8D]~~

Rule 4.67 Special Affairs Committee - Reserved for any standing committee agenda item needing additional discussion or information, as well as for any emergency agenda submission. ~~— Special Affairs Committee shall meet at 4:30 p.m. right before regular Council meetings on the 2nd and 4th Mondays of the month.~~ — [Note - see Rule 6.8E8d]

Rule 4.7~~8~~ All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.

Rule 4.8~~9~~ The President, at ~~his/her~~their own discretion, may create ad hoc committees and shall appoint these committees' chairs and members. ~~The President shall determine the number of Council member~~Councilmembers comprising these committees.

ORGANIZATION #2

TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

Rule 5.1 All meetings of the City Council and all committees of the Council shall take place in the Council Chambers on the third floor of City Hall or at such other places as the Council may determine.

Rule 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.

Rule 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.

Rule 5.4 In the event of a call for a special meeting or a change in the time or place of a meeting, the Clerk shall be notified and shall see that each ~~Councilperson~~Councilmember and the public are informed as is required by the Open Meetings Act.

Rule 5.5 The Mayor shall be notified of all meetings of the City Council.

~~Rule 5.6 Meetings of the City Council or its committees will occur between 8:00 AM and 10:00 PM, and meetings of the City Council or its subcommittees will adjourn at 10:00 PM, unless a two-thirds majority of the Councilmembers-elect suspend this rule.~~

~~Rule 5.7 City Council may, by resolution, adjourn all meetings for a two-week period. A special, pro-forma meeting of the City Council shall be scheduled immediately preceding the other Council committee meeting in that month.~~

AGENDA FOR REGULAR MEETINGS OF COUNCIL

Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President or any presiding Chair of any committee of the Council, or at the request of the Mayor or Clerk, prior to the start of the meeting. ~~After roll call, the presiding officer shall ask for "any additions or changes to the agenda".~~ Agenda changes or additions need to be approved by the presiding officer, and any unopposed agenda changes or additions may be adopted by consent.

Rule 6.2 Any agenda matters that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by the appropriate documentation such as staff review reports, etc., and must be signed by the required signatories.

Rule 6.3 The deadline for contacting City Council staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.

Rule 6.5~~4~~ The presiding officer shall choose a person to lead the Pledge of Allegiance.

Rule 6.56 Opening Ceremonies will consist of Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence for deceased or ailing individuals. Spiritual leaders (of many faiths) ~~will~~ may be invited and scheduled to offer a short prayer after the Pledge of Allegiance. The City Clerk will be responsible for making these arrangements.

AGENDAS FOR COMMITTEE MEETINGS

Rule 6.8 Items denoted with ** will only appear on a committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda.

Rule 6.8a Finance Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, ~~**Closed Session [Executive Session]~~, ~~**Special Order~~, ~~**Consent Agenda~~, ~~**Presentation of Quarterly Financial Reports~~, Resolutions, ~~**Special Orders/Discussion Items~~, ~~Outstanding Discussion Items~~, Adjournment

Rule 6.8b Legislative Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, ~~**Consent Agenda~~, **Resolutions, Ordinances, ~~**Special Orders/Discussion Items~~, ~~Outstanding Discussion Items~~, Adjournment

Rule 6.8c Governmental Operations Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, ~~**Consent Agenda~~, ~~**Special Order~~, **Licenses, Resolutions, Appointments, ~~**Special Orders/Discussion Items~~, ~~Outstanding Discussion Items~~, Adjournment

~~Rule 6.8d Grants Committee Agenda - Roll Call, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment~~

Rule 6.8de Special Affairs Agenda - Roll Call, Request for Changes and/or Additions to Agenda, ~~**Closed Session [Executive Session]~~, ~~**Consent Agenda~~, ~~**Special Order~~, Resolutions, Appointments, Ordinances, ~~**Special Orders/Discussion Items~~, ~~Additional Council Discussion~~, Adjournment

Rule 6.9 Rules 6.1, 6.2, 6.3 and 6.4 concerning regular Council meetings also apply here to Committee meetings. Section 31.12 of the Disorderly Persons Ordinance applies to all committee meetings.

Rule 6.10 If multiple committee meetings are held on the same day, a consolidated public comment period may be held during the first scheduled committee meeting. If a committee meeting is held on the same day as a regular Council meeting, public comment can be deferred until the regular Council meeting.

ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

Rule 7.1 The order of business at Regular Meetings of the City Council shall be as follows:

- I Call to Order, Roll Call and ~~o~~Opening ~~e~~Ceremonies
- II Reading of Disorderly Persons Section
- III Request for Changes and/or Additions to Agenda
(Council shall vote to adopt any amended agenda)

IV Consent Agenda

V Prsentation of Minutes

(Council shall vote to accept minutes.)

V Special Orders

(Any Councilperson/Councilmember may request that permission for a Special Order be placed on the agenda, but it must first be approved by both the Council President, and Committee Chair if raised during a Committee meeting.)

VII Public Hearings

VIII Public Speaking

(Three [3] minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of a meeting to those wishing to speak during this agenda item. No additional speakers or slips will be accepted after the meeting begins. Speakers may not allocate or "donate" their allotted time to another person. Council members may not speak during public speaking, nor may they make response comments to speakers. Council members may use their five [5] minutes for final comments to address any issues that have been addressed by public speakers.)

IXVIII Petitions and Unofficial Communications

IX Official Communications – From Mayor and Other City Officials

XI Additional Communications

XII Appointments

XIII Resolutions Licenses

XIVH Liquor Licenses Resolutions (A Council member who

desires to speak in debate must obtain the floor by being recognized by the presiding Chair. In the debate, each member has the right to speak twice [for a maximum of five (5) minutes] on the same question on the same day, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day has *exhausted his/her right to debate* that question for that day. A timer will be utilized. No "banking" of time or division of time for future use is allowed.

Council members may request to ask questions of Administrative staff, etc. During debate on any agenda item, Guest speaker time allowed shall be determined by the presiding Chair and is not considered to be part of the limited debate time allocated to council members.

XIV Liquor ~~Other~~ Licenses

XVI Introduction and First Reading of Ordinances

XVII Second Reading and Enactment of Ordinances

XVIII Additional ~~Special Orders~~ Discussion Items

(Any Councilmember may request that a Special Order be placed on the agenda, but it must first be approved by the Council President, or the Committee Chair if raised during a Committee meeting.)

ORGANIZATION #3

CLOSED SESSIONS

Rule 7.2 Pursuant to the Open Meetings Act, the Flint City Council may meet in Closed Session for one or more of the following purposes: ~~The Open Meetings Act provides exemptions to the rule that government body meetings must be open to the public.~~

~~Meeting in closed session—a public body may meet in a closed session only for one or more of the permitted purposes specified in Section 8 of the OMA.~~

~~The limited purposes include, among others:~~

- ~~(1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.~~
- ~~(2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.~~
- ~~(3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.~~
- ~~(4) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.~~
- ~~(5) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential.— However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.~~
- ~~(6) To consider material exempt from discussion or disclosure by state or federal statute.— But note—a board is not permitted to go into closed session to discuss an attorney's oral opinion, as opposed to a written legal memorandum.~~

~~7.3 ————— A closed session must be conducted during the course of an open meeting.~~

Section 2(e) of the OMA defines "closed session" as "a meeting or part of a meeting of a public body that is closed to the public." Section 9(1) of the OMA provides that the minutes of an open meeting must include "the purpose or purposes for which a closed session is held."

—Rule 7.43 ——— ~~GOING INTO CLOSED SESSION [EXECUTIVE SESSION]~~ – A 2/3 roll call vote of the Councilmembers-Elect is required to meet in closed session for purposes (3) through (6), as listed in Rule 7.2.– A majority vote of the Councilmembers-Elect is sufficient for purposes (1) and (2), as listed in Rule 7.2.– The roll call vote and the purpose or purposes for meeting in closed session shall be recorded in the minutes of the meeting at which the vote is taken.

~~SECTION~~

~~7(1) OF THE OMA SETS OUT THE PROCEDURE FOR CALLING A CLOSED SESSION. A 2/3 ROLL CALL VOTE OF MEMBERS ELECTED OR APPOINTED AND SERVING IS REQUIRED TO CALL A CLOSED SESSION, EXCEPT FOR THE CLOSED SESSIONS PERMITTED UNDER SECTION 8(A), (B), (C), (G), (I), AND (J). THE ROLL CALL VOTE AND THE PURPOSE OR PURPOSES FOR CALLING THE CLOSED SESSION SHALL BE ENTERED INTO THE MINUTES OF THE MEETING AT WHICH THE VOTE IS TAKEN. THUS, A PUBLIC BODY MAY GO INTO CLOSED SESSION ONLY UPON A MOTION DULY MADE, SECONDED, AND ADOPTED BY A 2/3 ROLL CALL VOTE OF THE~~

~~MEMBERS, APPOINTED AND SERVING DURING AN OPEN MEETING~~

~~FOR THE PURPOSE OF (1) CONSIDERING THE PURCHASE OR LEASE~~

~~OF REAL PROPERTY, (2) CONSULTING WITH THEIR ATTORNEY, (3)~~

~~CONSIDERING AN EMPLOYMENT APPLICATION, OR (4)~~

~~CONSIDERING MATERIAL EXEMPT FROM DISCLOSURE UNDER~~

~~STATE OR FEDERAL LAW. A MAJORITY VOTE IS SUFFICIENT FOR~~

~~GOING INTO CLOSED SESSION FOR THE OTHER OMA PERMITTED~~

~~PURPOSES.~~

Rule — 7.45 — ~~LEAVING A CLOSED SESSION [EXECUTIVE SESSION] —~~ The City Council may leave a closed session upon a majority vote of the Councilmembers-elect.
~~THE OMA IS~~

~~SILENT AS TO HOW TO LEAVE A CLOSED SESSION. SUGGESTED IS
FOR A MOTION TO BE MADE TO END THE CLOSED SESSION WITH
A MAJORITY VOTE NEEDED FOR APPROVAL. ADMITTEDLY, THIS
IS A DECISION MADE IN A CLOSED SESSION, BUT IT CERTAINLY
ISN'T A DECISION THAT "EFFECTUATES OR FORMULATES PUBLIC
POLICY." WHEN THE PUBLIC BODY HAS CONCLUDED ITS CLOSED
SESSION, THE OPEN MEETING MINUTES SHOULD STATE THE TIME
THE PUBLIC BODY RECONVENED IN OPEN SESSION AND, OF
COURSE, ANY VOTES ON MATTERS DISCUSSED IN THE CLOSED
SESSION MUST OCCUR IN AN OPEN MEETING.~~

Rule — 7.56 — ~~DECISIONS ON MATTERS DISCUSSED IN CLOSED SESSION TO BE
MADE DURING OPEN SESSION DECISIONS MUST BE MADE DURING AN
OPEN MEETING, NOT THE~~

~~CLOSED SESSION [EXECUTIVE SESSION] SECTION 3(2) OF THE
OMA REQUIRES THAT, "ALL DECISIONS OF A PUBLIC BODY
SHALL
BE MADE AT A MEETING OPEN TO THE PUBLIC." SECTION 2(D) OF
THE OMA DEFINES "DECISION" TO MEAN "A DETERMINATION,
ACTION, VOTE, OR DISPOSITION UPON A MOTION, PROPOSAL,
RECOMMENDATION, RESOLUTION, ORDER, ORDINANCE, BILL, OR
MEASURE ON WHICH A VOTE BY MEMBERS OF A PUBLIC BODY IS
REQUIRED AND BY WHICH A PUBLIC BODY EFFECTUATES OR
FORMULATES PUBLIC POLICY." All determinations, actions, votes, or
dispositions of motions, proposals, recommendations, resolutions, orders, ordinances,
bills, or measures by which the City Council effectuate or formulates public policy
must be made during an open session."~~

Rule —7.76 ———All matters discussed in closed session are privileged and not to be shared with any person outside of the closed session.ALL MATTERS DISCUSSED IN CLOSED SESSION [EXECUTIVE

—————SESSION] AND MATERIALS PROVIDED ARE PRIVILEGED

—————INFORMATION AND ARE NOT TO BE SHARED WITH ANY

—————PERSON(S) OUTSIDE OF THE SESSION.

ACTION BY COUNCIL

FORM OF FORM OF ACTION BY COUNCIL AND; ADOPTION OF A CONSENT AGENDA DIVISION OF QUESTION

(NOTE — THIS ACTION IS OFTEN UTILIZED BY COUNCIL FOR MASTER RESOLUTIONS AND SEPARATION OF SPECIFIC RESOLUTIONS)

Rule 8.1 All official action of the Council as required by the City Charter shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made upon motion, including decisions on parliamentary procedure.

Rule 8.2 No motion may be debated by the Council until it has been stated by the presiding officer and it must be reduced to writing if requested by the presiding officer or any Councilperson Councilmember. All resolutions and ordinances must be in writing.

Rule 8.3 The Presiding Officer or Chair may request the adoption of a "Consent Agenda" consisting of, as applicable, (a) approval of minutes listed on the agenda; (b) accepting and placing on file all communications listed on the agenda, (c) approving all appointments, resolutions, and licenses listed on the agenda; (d) approving ordinances for introduction and first reading or second reading and enactment, as listed on the agenda.

Rule 8.4 After a motion to adopt a Consent Agenda is made and seconded, the Presiding Officer or 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.

Rule 8.3 If a question before the Council is susceptible of division, it shall be divided on the demand of any Councilperson Councilmember.

VOTING

Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote, unless there is unanimous consent of the members present. Any request for unanimous consent by the Chair shall include two calls for objections to the request for unanimous consent.

Rule 9.2 The determination of any question at a committee meeting shall be by voice vote unless a member objects, in which case upon call of the Chair for a vote. ~~If there is an objection, a roll call vote shall be taken.~~

Rule 9.3 The voting on all roll calls shall be rotated so that the ~~Councilperson~~Councilmember representing the First Ward shall cast the first vote on the first roll call of any meeting, the ~~Councilperson~~Councilmember from the Second Ward shall cast the first vote on the second roll call at any meeting, and so on throughout the meeting so that the first vote on a roll call shall be solicited from the succeeding ~~Councilperson~~Councilmember.— Following the first vote on any roll call, the remaining ~~Councilperson~~Councilmembers shall be called in consecutive order until all nine ~~Councilperson~~Councilmembers have been afforded an opportunity to vote on any question.

Rule 9.4 A Councilmember must be seated at their designated seating place ~~in order to~~to vote. Proxy votes are not allowed.

Rule 9.5 INTERRUPTION OF VOTES – Interruptions during the taking of a vote are permitted only before any member has actually voted, unless, as sometimes occurs in ballot voting, other business is being transacted during voting or tabulating.

Rule 9.6 RULE AGAINST EXPLANATION BY MEMBERS DURING VOTING - A member has no right to “explain his vote” during voting, which would be the same as debate at such a time.

Rule 9.7 CHANGING ONE'S VOTE – A member has a right to change his vote up to the time the result is announced by the Chair.— A request to change a vote after the Chair's announcement requires After that s/he can make the change only by the unanimous consent of the assembly requested body and granted, without debate, and may only be made immediately after the Chair's announcement. ~~immediately following the chair's announcement of the result of the vote.~~

Rule 9.8 ABSTAINING VOTES – To “abstain” means to not vote at all. Any explanation of an abstention may not exceed 10 seconds.

Rule 9.9 ABSTAINING FROM VOTING ON A QUESTION OF DIRECT PERSONAL INTEREST – No member should vote on a question in which he/she has a direct personal or pecuniary interest not common to the other members of the organization. Voting on questions which affect oneself – the rule on abstaining from voting on a question of direct personal interest does not mean that a member should not vote for him/herself for an office or other position to which members generally are ~~eligible~~eligible, or should not vote when other members are included with him in a motion.

INTRODUCTION AND ENACTMENT OF ORDINANCES

~~(BOTH Any City Councilmember or the Mayor may introduce an Ordinance~~CITY COUNCIL AND THE LEGAL DEPARTMENT MAY INTRODUCE

~~AN ORDINANCE))~~

- Rule 10.1 Upon the introduction of any ordinance, the City Clerk shall proceed as directed in Section 3-30201 *et seq* of the Flint City Charter.
- Rule 10.2 After a public hearing has been completed, any ~~Councilperson~~Councilmember may move ~~the to enactment of the~~ ordinance.
- Rule 10.3 If the ordinance is amended to the extent that there has been inadequate notice to the public of the content of the ordinance, it shall not be enacted until the procedures of Section 3-301 et seq of the Flint City Charter ~~Section 3-302~~ are complied with.
- Rule 10.4 Every ordinance must state the date that it becomes effective.— After the vote on the enactment of the ordinance, any ~~Councilperson~~Councilmember may move that it be given immediate effect upon publication, rather than the date stated.— Any effective date earlier than thirty days after enactment requires a two-thirds vote of the ~~Councilperson~~Councilmembers-elect.
-
- Rule 10.5 Every ordinance shall be submitted to the Chief Legal Officer of the City (~~FOR CORRECT FORMAT. NOT CONTENT~~) for review and approval as to form prior to enactment.

MOTIONS

CONSIDERATION OF MOTIONS

- Rule 11.1 When a question is under debate, the Chair will receive only the following motions:

Rule 13	to adjourn
Rule 14	to recess
Rule 15	to postpone temporarily (lay on the table)
Rule 16	to vote immediately (previous question)
Rule 17	to limit debate
Rule 18	to postpone definitely
Rule 19	to refer (commit)
Rule 20	to amend
Rule 21	to postpone indefinitely
Rule 22	to reconsider
Rule 23	to rescind
Rule 24	to withdraw a motion
Rule 25	point of order
Rule 26	point of request for information

- Rule 11.2 If more than one of the above motions are made, they shall be considered in the order listed.

SUPPORT FOR MOTIONS

- Rule 12.1 No motion may be considered or debated unless it has ~~the support of~~ been seconded by at least one other ~~Councilperson~~Councilmember and has been properly stated by the Chair.— The Chair does not have to recognize a member before that member may second a motion.

Rule 12.2 Nominations need not be seconded.

MOTIONS #1

MOTION TO ADJOURN

Rule 13.1 A motion to adjourn is always in order. ~~If it is made during the count of a vote, it will not be considered until after the vote is announced.~~

Rule 13.2 A motion to adjourn ~~will be decided without debate~~ ~~is not debatable.~~ However, the issue of the time to reconvene ~~may be debated if it is introduced by the maker of the motion or by amendment.~~

~~Rule 13.3 The Chair may order adjournment, without objection.~~

MOTION TO RECESS

Rule 14.1 A motion to recess shall state the length of the recess and ~~shall be decided without debate~~ ~~is not debatable~~

Rule 14.2 When a recess is taken ~~during the pending of~~ ~~while any question is pending,~~ the consideration of the question shall be resumed upon the reassembling of the Council.

Rule 14.3 The Chair may order a recess without objection.

MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

Rule 15.1 The Council may decide to postpone temporarily any matter pending before it. ~~The motion may be referred to as a motion to lay on the table.~~

~~Rule 15.2 A decision to lay upon the table shall have the effect of postponing the question involved, all pending amendments, and other adhering motions, until later in that meeting.~~

Rule 15.23 If a decision is made to resume consideration of a matter or to take up from the table, it shall return in exactly the same form as when it was postponed temporarily. ~~A motion to resume consideration must be made at the same meeting.~~

~~Rule 15.3 If a motion to resume consideration fails or is not made, the pending matter shall be added to the next meeting agenda.~~

~~Rule 15.4 All matters postponed temporarily shall be considered at the meeting at which they were postponed. If the motion to take up from the table fails, the issue is considered to have failed.~~

Rule 15.54 A motion to postpone temporarily or to resume consideration shall be decided without debate. ~~is not debatable~~

MOTION TO VOTE IMMEDIATELY (PREVIOUS QUESTION OR CALL THE QUESTION)

Rule 16.1 Any ~~Councilperson~~Councilmember may move to vote immediately. ~~If the motion is supported, debate will cease immediately. A two-thirds vote of the Councilmembers present (but no less than a majority of the Councilmembers-Elect) is required for the motion to carry. Failure to cease talking shall result in disciplinary action. Violators shall be removed from the meeting.~~

Rule 16.2 ~~If the motion receives a majority of the votes of the Councilperson~~Councilmembers-elect, in accordance with Section 3-204(a) of the Charter, the Council shall vote on the pending question or questions in their regular order.

~~Rule 16.23~~ A motion to vote immediately is not debatable.

MOTION TO LIMIT OR EXTEND DEBATE

Rule 17.1 The Council may decide, by majority vote, to limit or determine the time ~~that will be devoted to~~for discussion of a pending motion or to modify or remove limitations already imposed ~~on its decision.~~ ~~This may include a limit of time for each councilperson~~Councilmember to speak to the issue. ~~Failure to cease talking when a time limit has been reached shall result in disciplinary action. Violators shall be removed from the meeting.~~

Rule 17.2 If each ~~councilperson~~Councilmember has a limited time to speak, this time limit shall include any questions asked and/or answered ~~per~~at the ~~councilperson~~Councilmembers request.

~~Rule 17.3~~ A motion to limit or extend debate is not debatable.

MOTIONS #2

MOTION TO POSTPONE DEFINITELY

Rule 18.1 The Council may decide to put off consideration of a pending main motion and to fix a definite date/time for its consideration.

Rule 18.2 ~~The~~Debate on the motion to postpone definitely shall be limited to one round of discussion, 3 minutes per councilmember, and shall be limited to the reasons for the postponement and the date/time the main motion shall be taken up.

MOTION TO REFER (TO COMMITTEE)

Rule 19.1 If a motion to refer a matter to a committee or other agency has been made, the Council shall proceed to decide the question of the referral.

Rule 19.2 There shall be no further debate on the merits of the main motion or amendments to the main motion until the referral motion is decided.

Rule 19.3 Debate on the motion to refer shall be limited to one round of discussion, 3 minutes per councilmember

MOTION TO AMEND

Rule 20.1 A motion to amend must be germane to the main motion.

Rule 20.2 An amendment may be amended but an amendment to an amendment may not be amended.

MOTION TO POSTPONE INDEFINITELY

Rule 21.1 The Council may decide to prevent ~~discussion or~~ further discussion on a question by voting to postpone it indefinitely.

Rule 21.2 A motion that has been postponed indefinitely cannot come up again at the same meeting. ~~If~~ it is reintroduced at a later meeting, it shall be treated as a new motion.

Rule 21.3 Debate on the motion to postpone indefinitely shall be limited to one round of discussion, 3 minutes per councilmember.

MOTION TO RECONSIDER

Rule 22.1 A motion to reconsider any decision of the City Council may be made by any ~~Councilperson~~ Councilmember that voted in the affirmative on the motion in question.

Rule 22.2 A motion to reconsider may be made at the same meeting or not later than the next succeeding regular meeting of the Council ~~provided that if~~ notice has been given to the Council prior to the start of the meeting.

Rule 22.3 No question may be reconsidered more than once.

Rule 22.4 If a decision of the Council has gone into effect, the motion to reconsider shall not be in order.

MOTION TO RESCIND

Rule 23.1 Action to rescind, repeal or annul a previous action may be by resolution unless the previous action is an ordinance. ~~Action to repeal a published ordinance may only be by ordinance regardless of whether the ordinance has gone into effect.~~

Rule 23.2 Notice of a motion to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which the motion is to be made. ~~However, the Council may vote by two-thirds of Councilmembers-elect to waive the notice requirement.~~

Rule 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

MOTIONS #3

REQUEST TO WITHDRAW A MOTION

- Rule 24.1 Any ~~Councilperson~~Councilmember may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. ~~_____~~ The ~~Councilperson~~Councilmember need not obtain concurrence of any other person.
- Rule 24.2 After the motion has been placed before the assembly, it may only be withdrawn by majority consent of all ~~Councilperson~~Councilmembers present. A request to withdraw is undebatable.
- Rule 24.3 No request to withdraw a motion may be made after the vote on the motion has commenced.

INCIDENTAL MOTIONS – POINT OF ORDER

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the presiding officer does not correct it, or when the presiding officer makes a breach of the rules.
- Rule 25.2 A point of order should not be used for minor infractions: that do not affect the substantive rights of the City Council; or its members.
- Rule 25.3 A point of order does not need a second, can interrupt a speaker, is not debatable, and is decided by the chair.
- Rule 25.4 A point of order cannot be ignored by the presiding officer. ~~– A ruling of “agreement – out of order” or “disagree – denied” must be given. – All debate and/or talking shall cease immediately when a point of order is raised, in order for so the presiding officer to can rule. – Failure to cease talking shall result in disciplinary action. – Violators shall be removed from the meeting~~
- Rule 25.5 Any ~~two~~ members have the right to appeal the presiding officer’s decision on a point of order as set forth in Rule 1.2. Another member must second the appeal, or the appeal fails. ~~– This requires one member making (or taking) the appeal and another seconding (or supporting) it. Lack of support means the motion fails. If the motion is supported, the Council body votes to decide the question, as set forth in Rule 1.2. – Members have no right to question the decision or ruling of the presiding officer unless they appeal from his/her decision.~~

INCIDENTAL MOTIONS – POINT-REQUEST FOR OF INFORMATION

- Rule 26.1 A ~~request point~~ for information of information generally applies to information desired ~~from~~ requests information from the ~~a speaker~~member holding the floor.
- Rule 26.2 Its purpose is to help ~~one~~ the member making the request for information understand the process and the potential consequences of the next voting. A request for information that asks a question for which the requestor already knows the answer (i.e. an answer in the form of a question) is improper.
- Rule 26.3 A request for information cannot be ignored by the presiding officer, but the presiding officer – upon hearing the request – may decide whether the request is legitimate and

can proceed, or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes.— The Presiding Officer must rule with either “Proceed” or “Denied”.

Rule 26.4 ~~A request for information point of information can be given made with a very short explanation but a~~ Using this tactic a request for information as an opportunity to gain the floor is not allowed.— Multiple abuses of use of ~~point requests for~~ information is cause for disciplinary action.

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

MAINTENANCE OF ORDER AND DEBATE

(The public and City Council are both subject to the disorderly ~~person~~ persons ordinance section 31-101 and the general code of conduct.— Additionally, the Chair or Presiding Officer has a responsibility and duty to enforce these rules and sanctions for the purpose of maintenance of order.— Only the Chair or Presiding Officer may determine and rule on who/what is in or out of order.— Violations of this rule shall result in removal from the meeting.)

Rule 27.21 When a member has been called to order, the Chair shall determine ~~whether or not~~ whether he or she is in order.— Every question of order shall be decided by the Chair subject to an appeal to the Council by any member.— If a member is called to order for words spoken, the exceptional words shall be immediately taken down in writing so that the presiding officer or Council may be better able to judge the matter.

Rule 27.32 During any portion of any meeting, ~~council member~~ Councilmembers may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason.— Any council member or audience member who engages in this behavior during a meeting shall be removed from the meeting.

Rule 27.43 Only the presiding officer may call an individual (or staff member, or department head, etc.) up to the podium (and/or table) to speak or answer questions.— Other ~~council member~~ Councilmembers would have to petition the presiding officer to make this request.

Rule 27.4 Mobile devices shall be set to silent mode prior to any meeting being called to order.

RIGHT TO SPEAK IN DEBATE

Rule 28.1 Every ~~Councilperson~~ Councilmember and every person granted the privilege of speaking to the City Council, on any matter before the City Council, shall address all remarks to members of the Council and shall not speak until recognized.

Rule 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the ~~Councilperson~~ Councilmember who is first to speak.

Rule 28.3 A Councilmember who desires to speak, on any matter before the City Council, must obtain the floor by being recognized by the presiding Chair.— A Councilmember must be in their seat when requesting to be recognized.— Unless otherwise specified by these rules each member has the right to speak up to twice on the same question on the same day, for 5 minutes during each round, but cannot make a second speech on the same

question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day or who has exhausted their allocated time has exhausted his/her right to debate on that question for that day.- The Clerk shall utilize a timer and track members' time. There is no right to "sum up" or "conclude" after the expiration of a members' allotted time.

Rule 28.4 Councilmembers may request, from the presiding Chair, the opportunity to ask questions of Administrative Staff, etc., during debate on any agenda item.- Any such questions and responses shall be incorporated as part of the Councilmember's allotted time.

PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

Rule 29.1 All meetings of the Council shall be open to the public in accordance with law.

Rule 29.2 If a member of the public wishes to address the City Council, they may do so at the regular City Council meeting. He or she shall submit, prior to the start of the meeting, a statement in writing containing his or her name and address and the topic to be covered.- A box will be placed at the entrance to the Council Chambers for the collection of the statements.

Rule 29.3 Members of the public shall have no more than 3 minutes per speaker during public comment.- Only one speaking opportunity per speaker.- Numbered speaker slips will be provided prior to the start of a meeting to those wishing to speak during this portion of the agenda.- No additional speakers or slips will be accepted after the meeting begins.- ~~City council member~~Councilmembers may not also address council ~~speak~~ as a member of the public at this time.- Public speakers may not allocate or "donate" their allotted time to another person.

Rule 29.4 If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the President at the opening of the hearing or at the conclusion of the remarks of the previous speaker.

Rule 29.5 Members of the public shall have no more than ~~10-3~~ minutes to address the City Council during a public hearing.

Rule 29.6 Councilmembers may not speak during public hearings nor may they make response comments-respond to speakers.

~~Rule 29.76-~~ Any person ~~while being heard~~speaking at a Council meeting may be called to order by the President or any ~~Councilperson~~Councilmember for failure to be germane, for vulgarity, ~~for personal attack of persons or institutions.~~ or for speaking in excess of the allotted time.

~~Rule 29.87-~~ Any person who is called to order shall thereupon yield the floor until the President shall have determined whether he or she is in order.- Every question of order shall be decided by the President subject to an appeal by any ~~Councilperson~~Councilmember to the Council.- If a person so engaged in presentation shall be determined by the Council to be out of order, that person shall not be permitted to continue at the same meeting except on special leave of the Council.

~~Rule 29.98— Councilperson~~Councilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to 2 minutes and is subject to all rules. Final Council comments shall be limited to 2 minutes and are subject to all rules. ~~not respond to any public speakers, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes and is subject to all rules of decorum and discipline. until Final Council Comments.~~

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

GENERAL CONDUCT AND STANDARDS OF CONDUCT

Rule 30.1 Every ~~councilperson~~Councilmember is subject to the established rules or general conduct and the standards of conduct as may be adopted by the City Council.

ETHICS

Rule 31.1 Every ~~councilperson~~Councilmember is subject to the established ethics rules of the City of Flint Charter and ~~and~~ Ethics Ordinance.

DISCIPLINARY ACTIONS

Rule 32.1 Every ~~councilperson~~Councilmember is subject to the established rules and disciplinary actions for violations of rules and city ordinances.

~~Rule 32.2~~ For any repeated violation of these rules, the Presiding Officer or Chair may order discipline up to and including removal from a meeting. Any discipline issued is subject to an appeal raised pursuant to Rule 1.2. If a Councilmember is removed from a meeting, they may not return to participate in any other committee or Council meetings held on the same day.

REVIEW OF CITY COUNCIL RULES

Rule 33.1 Every December, the City Council shall place an item on the Special Affairs Committee agenda for a review of these rules.

Rule 33.2 At his/her own discretion, the Council President may at any time appoint a committee and its members to review and offer revisions of City Council Rules.

~~Rule 33.3~~ The rules may be revised upon a 2/3 majority vote of City Council members, per the City Charter. All Council members are subsequently and immediately subject to the approved rules.

Rule 33.4~~3~~ It is the responsibility and duty of the Council President, Vice President, and all the Committee Chairs to ensure that these rules are adhered to and to apply the recommended disciplinary actions if they are not. ~~Failure to do so is itself a violation of the rules and~~ can ~~subjects~~ the violator to disciplinary actions.

RULES ORIGINALLY ADOPTED: - MAY 10, 1976

1ST AMENDMENT ADOPTED: - MAY 24, 2010

2ND AMENDMENT ADOPTED: APRIL 27, 2015

3RD AMENDMENT ADOPTED: JUNE 12, 2017

4TH AMENDMENT ADOPTED:

DRAFT



RESOLUTION NO.: 220537
PRESENTED: DEC 19 2022
ADOPTED: JAN - 9 2023

**RESOLUTION APPROVING PARTIAL SETTLEMENT OF
BAKER ET AL v CITY OF FLINT ET AL., 19-113438**

BY THE CITY ADMINISTRATOR:

Executive Session was held in this matter on December 7, 2022; and

Although the City of Flint admits no liability in the claims filed by Lisa Gordon, Tracee Walker, Mary Buszek, Alfino Donastorg, and Donald Lewis;

IT IS RESOLVED that the City Council approves settlement in the matter of *Matt Baker, et al, v City of Flint et al.*, GCCC Case No. 19-113438, in the amounts listed below, in satisfaction of any and all claims against the city and its officers arising out of said matter.

- Lisa Gordon: \$12,500.00
- Tracee Walker: \$45,000.00
- Mary Buszek: \$175,000.00
- Alfino Donastorg: \$80,000.00
- Donald Lewis: \$47,500.00 and 40 hours of PTO restored to his PTO bank

Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-812.010.

For the City

Clyde D. Edwards
Clyde D. Edwards (Dec 14, 2022 11:18 EST)

Clyde Edwards, City Administrator

For the City Council

JAN - 9 2023

APPROVED AS TO FORM:

William Kim
William Kim (Dec 17, 2022 15:09 EST)

William Kim, City Attorney

APPROVED AS TO FINANCE:

Robert J.F. Widigan
Robert J.F. Widigan (Dec 17, 2022 15:16 EST)

Robert J.F. Widigan, Chief Financial Officer



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 12/12/2022

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Resolution Approving Settlement of Megan Brewer and Travis Copeland v City of Flint et al.

PREPARED BY William Y. Kim, Department of Law (Please type name and Department)

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution approving settlement of Baker et al v City of Flint et al., GCCC Case No. 19-113438, and resolving the following claims: Lisa Gordon (\$12,500.00), Tracee Walker (\$45,000.00), Mary Buszek (\$175,000.00), Alfino Donastorg (\$80,000.00), Donald Lewis (\$47,500.00 and 40 hours of PTO restored to his PTO bank). City Council was briefed on this case during closed session on December 7, 2022.

FINANCIAL IMPLICATIONS: Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-812.010

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

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [] NO [X]

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

DEPARTMENT HEAD SIGNATURE: [Signature] (PLEASE TYPE NAME, TITLE)



RESOLUTION NO.: 220538
PRESENTED: DEC 19 2022
ADOPTED: JAN - 9 2023

**RESOLUTION APPROVING SETTLEMENT
OF MEGAN BREWER AND TRAVIS COPELAND v CITY OF FLINT ET AL.**

BY THE CITY ADMINISTRATOR:

Executive Session was held in this matter on December 7, 2022; and

Although the City of Flint admits no liability in the claims filed by Megan Brewer and Travis Copeland, the Department of Law recommends settling all claims against the City and its officers in this matter for \$54,500.00.

IT IS RESOLVED that the City Council approves settlement in the matter of *Megan Brewer and Travis Copeland v City of Flint et al.*, Eastern District of Michigan Case No. 20-cv-10315, in the amount of \$54,500, in satisfaction of any and all claims against the city and its officers arising out of said matter. Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300.

For the City

CLYDE D EDWARDS

CLYDE D EDWARDS (Dec 14, 2022 11:29 EST)

Clyde Edwards, City Administrator

For the City Council

JAN - 9 2023

APPROVED AS TO FORM:

William Kim (Dec 17, 2022 14:02 EST)

William Kim, City Attorney

APPROVED AS TO FINANCE:

Robert J.F. Widigan

Robert J.F. Widigan (Dec 17, 2022 15:16 EST)

Robert J.F. Widigan, Chief Financial Officer



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 12/9/2022

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Resolution Approving Settlement of Megan Brewer and Travis Copeland v City of Flint et al.

PREPARED BY William Y. Kim, Department of Law (Please type name and Department)

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution approving settlement of Megan Brewer and Travis Copeland v City of Flint et al., Eastern District of Michigan, Case No. 20-cv-1031, in the amount of \$54,500. City Council was briefed on this case during closed session on December 7, 2022.

FINANCIAL IMPLICATIONS: Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300

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

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [] NO [X]

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

DEPARTMENT HEAD SIGNATURE: [Signature] William Kim [Dec 12, 2022 14:02 EST]

(PLEASE TYPE NAME, TITLE)



RESOLUTION NO.: 220539
PRESENTED: DEC 19 2022
ADOPTED: JAN - 9 2023

**RESOLUTION APPROVING AMENDED AGREEMENT
WITH GREAT LAKES WATER AUTHORITY**

On December 1, 2017, the Great Lakes Water Authority (GLWA) and the City of Flint ("City") executed into a Water Service Contract ("Contract") reflecting the terms and conditions governing the delivery and purchase of potable water; and

Article 15 of that Contract permits the Parties to amend the Contract by mutual agreement; and

In 2018, GLWA devised a Contract Alignment Process ("CAP") that results in all contracts being reopened on a four-year schedule to place its customers on the same periodic review schedule and reduce, as much as practicable, volatility in pricing, to which the City agreed; and

The Parties have discussed and agreed on various amendments to the Contract pursuant to the 2022 Contract reopener.

IT IS RESOLVED that the City Council approves amending the agreement with the Great Lakes Water Authority to incorporate the agreed-upon amendments.

For the City

CLYDE D EDWARDS

CLYDE D EDWARDS (Dec 14, 2022 11:29 EST)

Clyde Edwards, City Administrator

For the City Council

[Signature]
JAN - 9 2023

APPROVED AS TO FORM:

[Signature]

William Kim (Dec 13, 2022 11:27 EST)

William Kim, City Attorney

APPROVED AS TO FINANCE:

Robert J.F. Widigan

Robert J.F. Widigan (Dec 13, 2022 14:50 EST)

Robert J.F. Widigan, Chief Financial Officer



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: December 12, 2022

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Amendment of Agreement With Great Lakes Water Authority

PREPARED BY: Yolanda Gray, Department of Public Works Accounting Supervisor

VENDOR NAME: Great Lakes Water Authority (GLWA)

BACKGROUND/SUMMARY OF PROPOSED ACTION:

On December 1, 2017 , the Great Lakes Water Authority (GLWA) and City of Flint(City) into a water service contract reflecting the terms and conditions governing the delivery and purchase of potable water. Article 15 of the contract permits the parties to amend the contract by mutual agreement. GLWA devised a contract alignment process (CAP) that results in all contracts being opened on a four (4) year schedule to place its customers on the same periodic review schedule and reduce, as much as practicable, volatility in pricing, to which the City agreed. Both parties have discussed and agreed on various amendments to the contract pursuant to the 2022 contract reopener.

FINANCIAL IMPLICATIONS:

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN: At this time there are no financial expenses to incur until the various amendments are discussed and agreed upon.

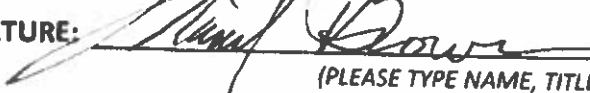
Dept.	Name of Account	Account Number	Grant Code	Amount
n/a	n/a	n/a	n/a	n/a
FY23 GRAND TOTAL				\$ n/a

PRE-ENCUMBERED? YES NO REQUISITION NO:

ACCOUNTING APPROVAL: _____ Date: _____

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

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE:  12/13/22
(PLEASE TYPE NAME, TITLE)

**AMENDMENT NO. 2 TO WATER SERVICE CONTRACT
BETWEEN
GREAT LAKES WATER AUTHORITY
AND
CITY OF FLINT**

This Amendment No. 2 ("Amendment") is made between the Great Lakes Water Authority, a municipal authority and public body corporate ("GLWA"), and the City of Flint, a municipal corporation ("Member Partner"). GLWA and Member Partner are collectively referred to as the "Parties".

RECITALS

- A. GLWA leases, operates, and maintains the public water supply system owned by the City of Detroit ("System"); and
- B. On December 1, 2017, the Parties entered into a Water Service Contract ("Contract") reflecting the terms and conditions governing the delivery and purchase of potable water, as subsequently amended and assigned; and
- C. GLWA has determined that its charge methodology renders irrelevant the "minimum take or pay" terms of Section 5.06 of the Contract; and
- D. Article 15 of the Contract permits the Parties to amend the Contract by mutual agreement; and
- E. In consideration of the mutual undertakings of the Parties and for the benefit of the public, it is the mutual desire of the Parties to enter into this Amendment to amend the Contract as set forth in detail in the following sections.

ACCORDINGLY, THE PARTIES AGREE AS FOLLOWS:

- 1. Section 5.06 of the Contract is deleted in its entirety.
- 2. Exhibit A of the Contract is amended by deleting in its entirety the existing Exhibit A and substituting the attached Exhibit A in its place.
- 3. Exhibit B of the Contract is amended by deleting in its entirety the existing Exhibit B and substituting the attached Exhibit B in its place.
- 4. Except for the provisions of the Contract specifically contained in this Amendment, all other terms, conditions, and covenants contained in the Contract shall remain in full force and effect and as set forth in the Contract.
- 5. This Amendment to the Contract shall be effective and binding upon the Parties when it is signed and acknowledged by the duly authorized representatives of both Parties and is approved by Member Partner's governing body and the GLWA Board of Directors.

Accordingly, GLWA and Member Partner, by and through their duly authorized officers and representatives, have executed this Amendment.

City of Flint:

By: _____
Sheldon Neeley
Mayor

APPROVED BY
FLINT CITY COUNCIL ON: January 9, 2023 
Date

APPROVED AS TO FORM BY
FLINT CITY ATTORNEY ON: _____
Signature/Date

Great Lakes Water Authority:

By: _____
Suzanne R. Coffey, P.E.
Chief Executive Officer

Dated: _____

APPROVED BY
GLWA BOARD OF DIRECTORS ON: _____
Date

APPROVED AS TO FORM BY
GLWA GENERAL COUNSEL ON: _____
Signature/Date

RESOLUTION NO.: 220541
PRESENTED: DEC 19 2022
ADOPTED: JAN - 9 2023

**RESOLUTION RECOMMENDING THE APPOINTMENT OF NADINE ROBERTS TO THE
FLINT HOUSING COMMISSION BOARD OF COMMISSIONERS**

BY THE MAYOR:

WHEREAS, The Flint Housing Commission is governed by a board of five (5) Commissioners; the term of appointment is five (5) years, pursuant to the by-laws of the Flint Housing Commission; and

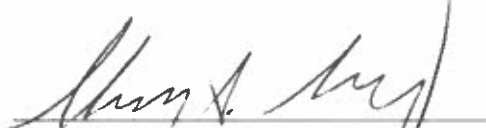
WHEREAS, Mayor Sheldon A. Neeley recommends the appointment of Nadine Roberts, to fill the vacant Commissioner seat, on the Flint Housing Commission Board of Commissioners, with such term to commence immediately, and expires November 30, 2026; and

THEREFORE, BE IT RESOLVED that the Flint City Council approves the appointment of Nadine Roberts to serve a five-year term on the Flint Housing Commission, commencing immediately, and expires November 30, 2026.

APPROVED AS TO FORM:

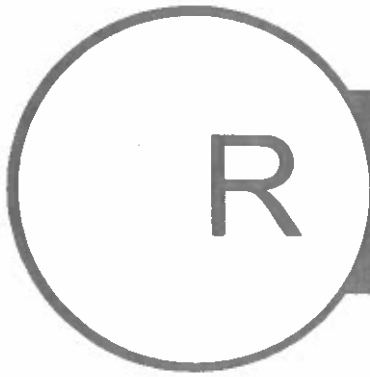

William Kim, Chief Legal Officer

FOR THE CITY OF FLINT:


Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:


JAN - 9 2023



NADINE ROBERTS

510 GRANDVILLE ST. FLINT, MI 48505
NROBERTS12@STAFLINT.COM

OBJECTIVE

Solutions orientated professional eager to get back in the workforce launching a successful career with an organization that will capitalize on my talents. In addition to offering professional growth in exchange for a solid work ethic, integrity and commitment to superior performance.

SKILLS

- Very well versed in:
- Project Management
 - Creative Writing & editing
 - High Caliber Research
 - Planning & Organizing
 - Effective Communication
 - Self-management
 - Teamwork & Building
 - Critical Thinking
 - Problem Solving
 - High-class Leadership

EXPERIENCE

CAREER TRANSITIONS MANAGER • JOB CORP • 2001 - 2003
Managing requests for career changes, discussing risks and facilitating and approving transition process with staff and students.

YOUTH PROJECTS • FLINT BD OF ED • 1990 – 2000
Held various jobs including Educator and working with Alternative Education. Developed numerous programs and workshops for youth.

SUB TEACHER • BEECHER SCHOOLS • 1986 – 1989
Group leader for the Connexion Program that prioritized relationship building and mentorship for support.

EDUCATION

- BACHELORS OF ART • 2003 • UNIVERSITY OF MI-FLINT
- MASTERS DEGREE(X2) • 2012• CENTRAL MICHIGAN UNIVERSITY
- LEADERSHIP FLINT GRADUATE • 1998
- GOLDEN APPLE AWARD • 1999 • 2000
- OUTSTANDING COMMUNITY SERVICE AWARD • 1997

VOLUNTEER EXPERIENCE OR LEADERSHIP

Volunteered at Boys and Girls Club of America, Flint Department of Human Services and helped with a plethora of community events. Currently serve on Genesee County Board dedicated to help with flint development and planning.



EMAIL



TELEPHONE



LINKEDIN URL



RESOLUTION NO.: 230000

PRESENTED: JAN - 4 2023

ADOPTED: JAN - 9 2023

BY THE CITY ADMINISTRATOR:

RESOLUTION TO TODD WENZEL CHEVROLET- FIRE DEPARTMENT VEHICLES

WHEREAS, The City of Flint Fleet Services Division is requesting the purchase of two (2) vehicles to be used by the City of Flint Fire Department/Battalion Chiefs. These vehicles will be replacing the single remaining Battalion vehicle that is in very poor condition and those that have already been disposed of.

WHEREAS, Todd Wenzel Chevrolet is a pre-qualified dealer holding a State of Michigan DTMB MiDeal Contract (#071B7700178) and has been responsive in providing the city a quote for these requested vehicles. The vehicles have a quoted cost of \$85,432.44.

Funding is to come from the following account(s):

Account Number	Account Name/ Grant Code	Amount
661-229.000-977.500	Vehicles	85,432.44
	FY2023 GRAND TOTAL	\$85,432.44

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue a Purchase Order to Todd Wenzel Chevrolet for the purchase of (2) SSV's for use by the Fire Department for an overall total not to exceed \$85,432.55 for FY23 (07/01/22-06/30/23).

APPROVED AS TO FORM:

William Kim
William Kim (Dec 20, 2022 14:36 EST)
William Kim, City Attorney

APPROVED AS TO FINANCE:

Robert J.F. Widigan
Robert J.F. Widigan (Dec 21, 2022 16:34 EST)
Robert J.F. Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:

Clyde Edwards
Clyde Edwards (Dec 22, 2022 10:13 EST)
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

[Signature]
JAN - 9 2023

APPROVED AS TO PURCHASING:

Lauren Rowley
Lauren Rowley, Purchasing Manager



CITY OF FLINT

STAFF REVIEW FORM

TODAY'S DATE: 12/14/2022

BID/PROPOSAL#

AGENDA ITEM TITLE: Purchase of Replacement Vehicles

PREPARED BY Aaron Cottrell, Fleet Services
(Please type name and Department)

VENDOR NAME: Todd Wenzel Chevrolet

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Fleet Services is requesting to purchase two vehicles through the MiDEAL Vehicle Purchasing Program for use by the City of Flint Fire Department / Battalion Chiefs.

These two vehicles will be replacing the single remaining Battalion vehicle that is in very poor condition and another that has already been disposed of. More replacement vehicles will be forthcoming to return the Battalions to a better operating capacity.

Todd Wenzel Chevrolet is a pre-qualified dealer evaluated by the State of Michigan Department of Technology, Management & Budget. This Todd Wenzel Chevy contract option was exercised and effective 10/14/2022 and expires 11/30/2023. This MiDEAL Vehicle Purchasing Program evaluates participating vendors based on experience, qualifications, service & delivery to ensure fair pricing and quality contracts.

FINANCIAL IMPLICATIONS: \$85,432.44

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
3331	Vehicles	661-229.000-977.500		\$85,432.44
		FY23 GRAND TOTAL		\$85,432.44

PRE-ENCUMBERED? YES NO **REQUISITION NO:** 230006559

ACCOUNTING APPROVAL: Christine Tagg
Christine Tagg (Dec 14, 2022 10:50 EST) **Date:** December 14, 2022



CITY OF FLINT

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

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 \$85,432.44

BUDGET YEAR 2 \$

BUDGET YEAR 3 \$

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

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

DEPARTMENT HEAD SIGNATURE: *Aaron Cottrell*
Aaron Cottrell (Dec 14, 2022 14:59 EST)

(Aaron R. Cottrell, Fleet Administrator)

DEPARTMENT HEAD MUST SIGN



Quote Summary Form

Finance Department - Division of Purchases & Supplies

Instructions: Use this form to summarize verbal or written quotes \$10,000 and under and to recommend a vendor for award. Purchaser must request a **minimum of three quotes**; if a vendor declines to quote, indicate so under "Total Quote Amount". **Check appropriate box below and complete form.**

**PURSUANT TO SECTION 18-21.6
SMALL PURCHASES
\$10,000 OR LESS**

- A minimum of three quotes - To the extent possible and practical
- Sole Source (Please Explain Below & Indicate Name of Sole Source)
- Cooperative Bid (MiDeal, Sourcewell and Other...) Indicate Vendor's Name - Detailed Explanation Below
- Other (Please Explain Below - Detailed Explanation)

PLEASE ATTACH THIS FORM TO YOUR REQUISITION AND/OR FORWARD TO PURCHASING AT LROWLEY@CITYOFFLINT.COM

Requestor Name Aaron Cottrell	Department/Division Fleet Services	Requisition Number 230006559
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#	Date	Vendor Name	Contact Person	Phone and/or Email	Total Quote Amount, Incl. Freight /Shipping
1	11/8/22	Berger Chevrolet – Grand Rapids	Bob Evans	(616) 575-9629 bevans@bergerchevy.com	n/a (nonresponsive)
2	12/12/22	Todd Wenzel Chevrolet – Hudsonville	Albert Li	(734) 721-1144 aclixx@hotmail.com	\$85,432.44 FOB Flint, MI
3	12/6/22	LaFontaine Automotive Group - Highland	Kimberly Martin	(248) 714-1071 kmartin@lafontaine.com	Pricing unavailable but expected to be fairly similar.

DETAILED EXPLANATION:

The MiDEAL Vehicle Purchasing Program evaluates vendors based on experience, qualifications, service & delivery, and price to ensure quality contracts. As recommended by MiDEAL, all pre-qualified dealers are subject to a second-tier competitive bid process to reflect manufacturers supply chain issues. Quotes were requested from the listed dealers; Berger has failed to respond at any point, Todd Wenzel has been able to source (2) SSV's, and LaFontaine has (4) SSV's secured for the City but does not yet have final pricing. Fleet intends to purchase all six of these available vehicles for use by the Fire Dept.

Requestor Signature: <i>Aaron R. Cottrell</i>	Digitally signed by Aaron R. Cottrell Date: 2022.12.14 09:58:51 -05'00'	Date: 12/14/22
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Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

City of Flint

Prepared For: Aaron Cottrell

(810) 766-7499 x 2811

acottrell@cityofflint.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial

TODD WENZEL CHEVROLET

3156 Highland Dr, PO Box 310

Hudsonville, MI 49426

State of Michigan MiDeal Contract # 071B7700178

MiDeal Spec # 1011-POL

City of Flint Pricing

(MiDeal Pricing)

2023 Chevrolet Tahoe 4wd SSV Utility

7500# GVWR

MSRP \$ 53,721.00

4wd 5W4 Pkg

2023 Chevrolet Tahoe 4wd SSV Utility \$ 41,358.22

Option:

BBX – Extend GM B2B Warranty to 60mo/60k mi + \$ 1,358.00
(From Standard 36mo/36k mi)

Prices Quoted are for a MiDeal Dealer Stock Incoming Factory Order.

(2) Units Available; Availability Subject to Prior Sale.

FOB Flint, MI



Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (Complete)

Selected Model and Options

MODEL

CODE	MODEL
CK10706	2023 Chevrolet Tahoe 4WD 4dr Commercial

COLORS

CODE	DESCRIPTION
01U	Special Paint

OPTIONS

CODE	DESCRIPTION
ZW7	Suspension Package, Premium Smooth Ride
FE9	Emissions, Federal requirements
L84	Engine, 5.3L EcoTec3 V8
MHU	Transmission, 10-speed automatic
C6H	GVWR, 7500 lbs (3402 kg)
GU5	Rear axle, 3.23 ratio
1FL	Commercial Preferred Equipment Group
RD4	Wheels, 20" x 9" (50.8 cm x 22.9 cm) painted aluminum with machine face and Argent Metallic pockets
QAE	Tires, 275/60R20SL all-terrain, blackwall
AZ3	Seats, front 40/20/40 split-bench
H1T	Jet Black, Cloth seat trim
IOR	Audio system, Chevrolet Infotainment 3 system, 8" diagonal color touchscreen
5W4	Identifier for Special Service vehicle
PQA	1FL Safety Package
AMF	Remote Keyless Entry Package
K6K	Battery, auxiliary, 760 cold-cranking amps with 70 amp hour rating
K3W	Battery, 850 cold-cranking amps with 95 amp hour rating
KX4	Alternator, 250 amps
V76	Recovery hooks, 2 front, frame-mounted, Black
RC1	Skid plate, front
—	Capless Fuel Fill

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Data Version: 18169 Data Updated: Dec 11, 2022 6:38:00 PM PST



Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (Complete)

OPTIONS

CODE	DESCRIPTION
RM7	Wheel, full-size spare 17" x 8" (43.2 cm x 20.3 cm) steel
WJA	Fascia, front high-approach angle
V53	Luggage rack side rails, delete
___	Exterior ornamentation delete
ATD	Seat delete, third row passenger
VZ2	Speedometer calibration
___	Instrumentation, analog
AX2	Key, unique
BTV	Remote start
___	Theft-deterrent system, vehicle, PASS-Key III
___	Power supply, 50-amp, power supply, auxiliary battery
___	Power supply, 100-amp, auxiliary battery, rear electrical center
___	Power supply, 120-amp, (4) 30-amp circuit, Primary battery
UHY	Automatic Emergency Braking
___	Seat belts, 3-point, all seating positions
UE4	Following Distance Indicator
UKJ	Front Pedestrian Braking
UHX	Lane Keep Assist
UEU	Forward Collision Alert
VXT	Incomplete vehicle
___	Protected idle
BCV	Lock control, driver side auto door lock disable
6J3	Wiring, grille lamps and siren speakers
6J4	Wiring, horn and siren circuit
6J7	Flasher system, headlamp and taillamp, DRL compatible with control wire
TGK	Special Paint, one color
01U	Special Paint
5T4	Special paint, Victory Red WA 9260
5J3	Calibration, Surveillance Mode interior lighting

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Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (Complete)

OPTIONS

CODE	DESCRIPTION
5J9	Calibration, taillamp flasher, Red/White
5LO	Calibration, taillamp flasher, Red/Red
7X3	Spotlamp, left-hand
BCN	Retail Locking Calibration
T66	Wiring provision, for outside mirrors and cargo side mirrors
UT7	Ground wires, blunt cut cargo area and blunt cut console area
VPV	Ship Thru, Produced in Arlington Assembly and shipped to Kerr Industries and onto Arlington Assembly

Options Total

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Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (Complete)

Standard Equipment

Mechanical

Engine, 5.3L EcoTec3 V8 with Dynamic Fuel Management, Direct Injection and Variable Valve Timing, includes aluminum block construction (355 hp [265 kW] @ 5600 rpm, 383 lb-ft of torque [518 Nm] @ 4100 rpm) (STD)

Transmission, 10-speed automatic electronically controlled with overdrive, includes Traction Select System including tow/haul (STD)

Rear axle, 3.23 ratio

Suspension Package, Premium Smooth Ride (STD)

GVWR, 7500 lbs (3402 kg) (4WD models only) (STD)

Keyless start, push button

Automatic Stop/Start

Engine control, stop/start system disable button, non-latching

Engine air filtration monitor

Fuel, gasoline, E15

Transfer case, active, single-speed, electronic Autotrac does not include neutral. Cannot be dinghy towed (4WD models only. Deleted when (NHT) Max Trailering Package is ordered)

Differential, mechanical limited-slip

4-wheel drive

Air filter, heavy-duty

Cooling, external engine oil cooler, heavy-duty air-to-oil integral to driver side of radiator

Cooling, auxiliary transmission oil cooler, heavy-duty air-to-oil

Battery, 730 cold-cranking amps with 80 amp hour rating

Alternator, 220 amps

Trailering equipment includes trailering hitch platform, 7-wire harness with independent fused trailering circuits mated to a 7-way connector and 2" trailering receiver

Trailer sway control

Hitch Guidance


Suspension, front coil-over-shock with stabilizer bar

Suspension, rear multi-link with coil springs

Steering, power

Brakes, 4-wheel antilock, 4-wheel disc with DURALIFE rotors

Exhaust, single system, single-outlet

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Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (✔ Complete)

Mechanical

Mechanical Jack with tools

Exterior

Wheels, 18" x 8.5" (45.7 cm x 21.6 cm) Bright Silver painted aluminum (STD)

Tires, 265/65R18SL all-season, blackwall (Standard with (PZX) 18" Bright Silver painted aluminum wheels only) (STD)

Wheel, full-size spare, 17" (43.2 cm)

Tire, spare P265/70R17 all-season, blackwall

Tire carrier, lockable outside spare, winch-type mounted under frame at rear

Active aero shutters, upper

Fascia, front

Luggage rack side rails, roof-mounted, Black

Assist steps, Black with chrome accent strip

Headlamps, LED

Lamps, stop and tail, LED

Mirrors, outside heated power-adjustable, manual-folding, body-color

Mirror caps, body-color

Glass, deep-tinted (all windows, except light-tinted glass on windshield and driver- and front passenger-side glass)

Glass, acoustic, laminated

Glass, windshield shade band

Windshield, solar absorbing

Wipers, front intermittent, Rainsense

Wiper, rear intermittent with washer

Door handles, body-color


Liftgate, rear manual

Entertainment

Audio system, Chevrolet Infotainment 3 system, 8" diagonal color touchscreen AM/FM stereo. Additional features for compatible phones include: Bluetooth audio streaming for 2 active devices, voice command pass-through to phone, Apple CarPlay and Android Auto capable. (STD)

Audio system feature, 6-speaker system

SiriusXM Radio delete

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Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (Complete)

Entertainment

Infotainment display, 8" diagonal touchscreen

Bluetooth for phone personal cell phone connectivity to vehicle audio system

Wireless Apple CarPlay/Wireless Android Auto

Wi-Fi Hotspot capable (Standard with (UE1) OnStar only. Terms and limitations apply. See onstar.com or dealer for details.)

Interior

Seats, front 40/20/40 split-bench (Not available with (D07) center floor console and (USR) USB data ports) (STD)

Seat trim, cloth

Seat adjusters, 8-way power includes 6-way power front passenger seat with 2-way power lumbar

Seat adjusters, 10-way power includes 8-way power driver seat with 2-way power lumbar

Seats, second row 60/40 split-folding bench, manual

Seats, third row 60/40 split-folding bench, manual (Not available with (9C1) Police Vehicle or (5W4) Special Service Vehicle)

Floor covering, Black rubberized vinyl (Deleted when (B30) floor covering is ordered)

Electronic Precision Shift

Steering column lock, electrical (Standard on models built after July 18, 2022)

Steering column, manual tilt and telescopic

Steering wheel, urethane

Steering wheel controls, mounted audio, Driver Information Center, cruise control and Forward Collision Alert following gap button (if equipped) (left backside Seek/Scan steering wheel radio buttons are inoperable, these 2 buttons can be repurposed for aftermarket emergency equipment)

Driver Information Center, 4.2" diagonal color display includes driver personalization

Rear Seat Reminder


Door locks, power programmable with lockout protection and delayed locking (When ordered with (9C1) Police Vehicle or (5W4) Special Service Vehicle, Auto Lockout is disabled on driver door.)

Keyless Open includes extended range Remote Keyless Entry

Cruise control, electronic with set and resume speed

Theft-deterrent system, content, electrical, unauthorized entry

USB data ports, 2, one type-A and one type-C, located within center console

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Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (Complete)

Interior

USB charging-only ports, 4, (2) located on rear of center console and (2) in 3rd row (1 left and 1 right side below quarter glass side window) (When ordered with (9C1) Police Vehicle or (5W4) Special Service Vehicle, (2) type-C ports are moved to the rear of center seat base and (2) type-C are moved to the cargo area. Deleted when (A50) front bucket seats are ordered)

Window, power with driver Express-Up/Down

Window, power with front passenger Express-Up/Down

Windows, power with rear Express-Down

Air conditioning, tri-zone automatic climate control with individual climate settings for driver, right front passenger and rear seat occupants

Air conditioning, rear

Defogger, rear-window electric

Power outlets, 2, 120-volt, located on the rear of the center seat and rear cargo area

Power outlet, front auxiliary, 12-volt, located in the center stack of instrument panel

Mirror, inside rearview manual day/night

Visors, driver and front passenger illuminated vanity mirrors, sliding

Assist handles, overhead, driver and front passenger, located in headliner

Assist handles, front passenger A-pillar and second row outboard B-pillar (Deleted when SEO (7X2) left- and right-hand spotlamps or SEO (7X3) left-hand spotlamp are ordered)

Lighting, interior with dome light, driver- and passenger-side door switch with delayed entry feature, cargo lights, door handle or Remote Keyless Entry-activated illuminated entry and map lights in front and second seat positions. On Police/Special Service vehicles, the control switch is located in the roof console in lieu of the driver - and passenger-side door switch with delayed entry feature

Cargo management system

Chevrolet Connected Access capable (Subject to terms. See onstar.com or dealer for details)

Safety-Mechanical

Automatic Emergency Braking

Hill Start Assist

StabiliTrak, stability control system with brake assist, includes traction control

Safety-Exterior

Daytime Running Lamps, reduced intensity low beam

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Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (Complete)

Safety-Interior

Teen Driver a configurable feature that lets you activate customizable vehicle settings associated with a key fob, to help encourage safe driving behavior. It can limit certain available vehicle features, and it prevents certain safety systems from being turned off. An in-vehicle report card gives you information on driving habits and helps you to continue to coach your new driver.

Airbags, Frontal airbags for driver and front outboard passenger, Seat-mounted side-impact airbags for driver and front outboard passenger, Head-curtain airbags for all rows in outboard seating positions (Deleted when (A50) front bucket seats are ordered. Always use seat belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

Front outboard Passenger Sensing System for frontal outboard passenger airbag (Always use seat belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

OnStar and Chevrolet connected services capable (Terms and limitations apply. See onstar.com or dealer for details.)

Front and Rear Park Assist

Following Distance Indicator

HD Rear Vision Camera

Front Pedestrian Braking

Lane Keep Assist with Lane Departure Warning

Forward Collision Alert

Buckle to Drive prevents vehicle from being shifted out of Park until driver seat belt is fastened, times out after 20 seconds and encourages seat belt use, can be turned on and off in Settings or Teen Driver menu (When ordered with (9C1) Police Vehicle or (5W4) Special Service Vehicle, defaulted off. Feature can be turned on in the Infotainment menu.)


Door locks, rear child security, manual

LATCH system (Lower Anchors and Tethers for Children), for child restraint seats lower anchors and top tethers located in all second-row seating positions (Deleted when (ATZ) second row seat delete is ordered.)

Tire Pressure Monitoring System auto learn, includes Tire Fill Alert (does not apply to spare tire)

Warning tones headlamp on, driver and right-front passenger seat belt unfasten and turn signal on

3 Years of Remote Access. The Remote Access Plan gives you simplified remote control of your properly equipped vehicle and unlocks a variety of great features in your myChevrolet mobile app. See dealer for details. (Deleted when (UDA) vehicle deactivated communication system is ordered. Remote Access Plan does not include emergency or security services. See onstar.com for details and limitations. Available on select Apple and Android devices. Service availability, features and functionality vary by vehicle, device, and the plan you are enrolled in. Terms apply. Device data connection required.)

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Todd Wenzel Buick-GMC and Chevrolet

Albert Li | (734) 713-1065 | ali@toddwenzel.com

Vehicle: [Fleet] 2023 Chevrolet Tahoe (CK10706) 4WD 4dr Commercial (Complete)

WARRANTY

Warranty Note: <<< Preliminary 2023 Warranty >>>
 Basic Years: 3
 Basic Miles/km: 36,000
 Drivetrain Years: 5
 Drivetrain Miles/km: 60,000
 Drivetrain Note: Qualified Fleet Purchases: 5 Years/100,000 Miles
 Corrosion Years (Rust-Through): 6
 Corrosion Years: 3
 Corrosion Miles/km (Rust-Through): 100,000
 Corrosion Miles/km: 36,000
 Roadside Assistance Years: 5
 Roadside Assistance Miles/km: 60,000
 Roadside Assistance Note: Qualified Fleet Purchases: 5 Years/100,000 Miles
 Maintenance Note: 1 Year/1 Visit

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RESOLUTION NO.: 230001

PRESENTED: JAN - 4 2023

ADOPTED: JAN - 9 2023

BY THE CITY ADMINISTRATOR:

RESOLUTION TO HASTINGS AIR ENERGY CONTROL, INC FOR FIRE STATION VEHICLE EXHAUST ELIMINATION SYSTEMS

WHEREAS, The Division of Purchases and Supplies solicited proposals for The City of Flint Fire Department for the Fire Stations to have vehicle exhaust elimination systems installed. The systems will provide complete evacuation of all vehicle emissions from fire apparatus vehicles from start up to exit of the stations.

WHEREAS, upon careful consideration of the (2) proposals received, the Fire Department is requesting the project be awarded to Hastings Air Energy Control, Inc., New Berlin, WI, the most qualified bidder meeting the needs of the city's Fire Department as well as the requirements of MIOSHA, and the National Fire Protection Agencies.

Funding is to come from the following account(s):

Account Number	Account Name/ Grant Code	Amount
279-737.160-805.066	Fire Stations/Equipment (FHUD-CDBG21)	\$227,003.70
	FY2023 GRAND TOTAL	\$227,003.70

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue a Purchase Order to Hastings Air Energy Control, Inc. for the fire station exhaust systems in an amount not to exceed \$227,003.70 for FY23 (07/01/22-06/30/23).

APPROVED AS TO FORM:


William Kim (Dec 20, 2022 14:56 EST)

William Kim, City Attorney

APPROVED AS TO FINANCE:


Robert J.F. Widigan (Dec 21, 2022 16:34 EST)

Robert J.F Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:


CLYDE D EDWARDS (Dec 22, 2022 10:13 EST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:


JAN - 9 2023

APPROVED AS TO PURCHASING:



Lauren Rowley, Purchasing Manager



CITY OF FLINT

STAFF REVIEW FORM

TODAY'S DATE: 12 / 7 / 2022

BID/PROPOSAL#

AGENDA ITEM TITLE: Vehicle Exhaust Ventilation Systems for Flint Fire Department

PREPARED BY **Jasmine Green**/ Fire Administration
(Please type name and Department)

VENDOR NAME: Hastings Air Energy Control, Inc.

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The administration has been awarded CDBG Grant Funding of \$227,003.00 for the vehicle exhaust ventilations in all five (5) Stations and (13) Vehicle Connections, this option maximizes current and all future additions to the fleet utilizing the best available product with the lowest overall cost of ownership. The cost of this system will be \$225,112.00

- Fire Station #1: Four (4) Total vehicle connections- Back-in operation
- Fire Station #3: Three (3) Total vehicle connections- Back-in operation
- Fire Station #5: Two (2) Total vehicle connections- (1) Drive Through door-to-door & 1 back-in
- Fire Station #8: Two (2) Total vehicle connections- Back-in operation
- Fire Station #8: Two (2) Total vehicle connections - (2) Drive Through door-to-door rails

Purchasing bid out the required exhaust system needing in stations # 1, 3, 5, 6 and 8. Chief Wiggins has determined that the award should go to Hastings Air Energy Control, Inc. as the most qualified bidder.

FINANCIAL IMPLICATIONS:

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
Fire	Facility Improvement	279-737.160-805.066	FHUD-CDBG21	\$227,003.70
23		FY22 GRAND TOTAL		

PRE-ENCUMBERED? YES NO REQUISITION NO:

ACCOUNTING APPROVAL: _____ Date: _____



CITY OF FLINT

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

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:


(PLEASE TYPE NAME, TITLE)

DEPARTMENT HEAD MUST SIGN



City of Flint

Department of Finance Division of Purchases & Supplies

Sheldon A. Neeley

December 8, 2022

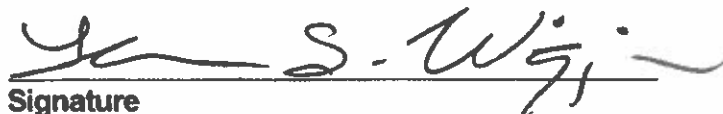
TO: Lauren Rowley, Purchasing Manager

FROM: Theron Wiggins,
Interim Fire Chief

SUBJECT: BID AWARD- Fire Department Vehicle Exhaust Systems
Proposal #22-525

The Department of Purchases and Supplies solicited proposals for Fire vehicle Exhaust Systems required at the City of Flint Fire Stations as an OSHA regulation/requirement. (2) Sealed proposals were received.

Upon careful review and consideration of these proposals, I, Chief Wiggins, recommend the contract be awarded to the lowest qualified bidder, Hastings Air Energy Control, Inc., New Berlin, Wisconsin as they provided the proposal that best suits the City of Flint Fire Department to comply with the MIOSHA requirements.



Signature

Today's Date: 12-8-22



SEALED PROPOSALS RECEIVED IN THE DIVISION OF PURCHASES & SUPPLIES
P22-525 – Four (4) Vehicle Exhaust Ventilation Systems
 Approximate Annual Quantities – Not Guaranteed
 Furnish as requested for the years 2022-2023

Bidder# 1: MagneGrip
 Cincinnati, OH

Description: Station 1	Pricing
Option #1A – 2 Bay System	\$35,712.00
Option #1B – 3 Bay System	\$42,325.00
Option #1C – 4 Bay System	\$48,144.00
Option #2A – 2 Bay System	\$37,406.00
Option #2B – 3 Bay System	\$45,214.00
Option #2C – 4 Bay System	

Description: Station 3	Pricing
Option #1A – 2 Bay System	\$35,672.00
Option #1B – 3 Bay System	\$42,335.00
Option #2A – 2 Bay System	\$38,594.00
Option #2B – 3 Bay System	\$45,009.00

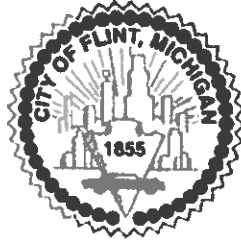
Description: Station 5	Pricing
Option #1A – 1 Bay System	\$29,710.00
Option #1B – 2 Bay System	\$36,413.00
Option #2A – 1 Bay System	\$30,439.00
Option #2B – 2 Bay System	\$38,297.00
Option #3A – 1 Bay System	\$34,651.00
Option 3B – 2 Bay System	\$44,656.00
Option #3C – 2 Bay System w/ 3 rd drop	\$46,756.00

Description: Station 6	Pricing
Option #1A – 1 Bay System	\$29,079.00
Option #1B – 2 Bay System	\$34,848.00
Option #2A – 1 Bay System	\$29,806.00
Option #2B – 2 Bay System	\$37,033.00

Description: Station 8	Pricing

A SPECIAL NOTE FROM THE PURCHASING DIVISION

Bid results posted are before evaluation team review and award recommendation.



Option #1A – 1 Bay System	\$30,093.00
Option #1B – 2 Bay System	\$36,947.00
Option #2A – 1 Bay System	\$30,926.00
Option #2B – 2 Bay System	\$38,784.00
Option #3A – 1 Bay System	\$35,138.00
Option #3B – 2 Bay System	\$43,816.00

Bidder# 2: Hastings Air Energy Control, Inc
New Berlin, WI.

Description: Station 1	Pricing
Total Base Bid Price – 2 Vehicle Connections	\$37,814.00
Optional Pricing to Base Bid: Add (2) vehicle connection/drops for (4) total connections	\$17,099.00 addl.
Total Base Price and Option #1	\$54,913.00

Description: Station 3	Pricing
Total Base Bid Price – 2 Vehicle Connections	\$37,643.00
Optional Pricing to Base Bid: Add (1) vehicle connection/drops for (3) total connections	\$7,701.00 addl.
Total Base Price and Option #1	\$45,344.00

Description: Station 5	Pricing
Total Base Bid Price – 1 Vehicle Connection	\$29,141.00
Optional Pricing to Base Bid: Add (1) vehicle connection/drops and (2) 70ft Drive Through Rails	\$13,827.00 addl.
Total Base Price and Option #1	\$42,968.00

Description: Station 6	Pricing
Total Alternate Bid Price – 3 Vehicle Connections	\$45,927.00

A SPECIAL NOTE FROM THE PURCHASING DIVISION

Bid results posted are before evaluation team review and award recommendation.



TOTAL	Pricing
Total Base Bid Price	\$133,832.00
Total Base Bid Price and Optional Bid	\$225,122.00

A SPECIAL NOTE FROM THE PURCHASING DIVISION

Bid results posted are before evaluation team review and award recommendation.



RESOLUTION NO.: 230002

PRESENTED: JAN - 4 2023

ADOPTED: JAN - 9 2023

Proposal #22000549

BY THE CITY ADMINISTRATOR:

RESOLUTION TO EJ USA, INC. FOR FIRE HYDRANTS, GRATES AND MANHOLE COVERS

WHEREAS, The Division of Purchases & Supplies solicited proposals for hydrants, grates and manhole covers for a (2) year period on behalf of the Water Service Center. The WSC recommended that the bid be awarded to EJ USA, Inc. for FY2022 and FY2023 for the purchase of fire hydrants, grates and manhole covers, and Resolution #220318 was adopted by City Council on August 8, 2022 authorizing a \$130,000.00 Purchase Order for WSC for FY23.

WHEREAS, Hydrant riser rings, manhole covers and valve boxes are used during street paving and are needed by the Streets Division. They must be compatible with the covers used by Water Service Center, therefore, the Streets Division is requesting to piggyback off of WSC's EJ USA Inc. bid for an F23 purchase order in the amount of \$25,000.00.

Funding is to come from the following account(s):

Account Number	Account Name/ Grant Code	Amount
202-449.201-752.000	Equipment	\$25,000.00
	FY2023 GRAND TOTAL	\$25,000.00

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue a Purchase Order to EJ USA for supplies for the Streets Division for FY23 (07/01/22-06/30/23) in an amount not to exceed \$25,000.00, and an overall FY23 Grand Total amount not to exceed \$155,000.00.

APPROVED AS TO FORM:


William Kim (Dec 21, 2022 10:36 EST)

William Kim, City Attorney

APPROVED AS TO FINANCE:


Robert J.F. Widigan (Dec 21, 2022 16:33 EST)

Robert J.F Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:


CLYDE D EDWARDS (Dec 22, 2022 10:13 EST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:



JAN - 9 2023

APPROVED AS TO PURCHASING:



Lauren Rowley, Purchasing Manager



CITY OF FLINT

STAFF REVIEW FORM

TODAY'S DATE: December 20, 2022

BID/PROPOSAL# 22-549

AGENDA ITEM TITLE: Hydrants, manhole covers, risers and valve box covers

PREPARED BY Kathryn Neumann for Rodney McGaha, Director of Transportation

VENDOR NAME: EJ USA

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Street Maintenance is requesting the purchase of hydrants, hydrant riser rings, manhole covers and valve boxes which are used during the paving season. When paving, the asphalt or concrete material lifts the street by two to three inches. Riser rings lift manhole covers, catch basins and various pipes in the road and brings the street flush with them so when a vehicle drives over those areas it is a smooth ride.

FINANCIAL IMPLICATIONS: There is money in the account listed below.

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

Table with 4 columns: Dept., Name of Account, Account Number, Amount. Row 1: 202, Major Street Fund, 449.201-752.000, \$25,000.00

PRE-ENCUMBERED? YES [X] NO [] REQUISITION NO: 230005661

ACCOUNTING APPROVAL: Kathryn Neumann Date: _____

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): None

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

DEPARTMENT HEAD SIGNATURE: Rodney McGaha Rodney McGaha (Dec 20 2:22:14 32 EST) Rodney McGaha, Director of Transportation



SEALED PROPOSALS RECEIVED IN THE DIVISION OF PURCHASES & SUPPLIES
For Hydrants, Grates and Manhole Covers – (2) Years
PROPOSAL# 22000549
 Approximate Annual Quantities – Not Guaranteed
 Furnish as requested for the period 7/1/21 – 6/30/23

Vendor	Description	Total Year 1 - FY22	Total Year 2 - FY23
Core & Main, LP Canton, MI	Grates & Manhole Covers	\$2,430.57	\$2,430.57
	Hydrants	\$3,420.27	\$3,420.27
EJ USA, Inc. East Jordan, MI	Grates & Manhole Covers	\$2,347.06	\$2,402.95
	Hydrants	\$3,293.68	\$3,642.89

A SPECIAL NOTE FROM THE PURCHASING DIVISION

Bid results posted are before evaluation team review and award recommendation.



RESOLUTION NO.: 220318
 PRESENTED: AUG - 3 2022
 ADOPTED: AUG - 8 2022

PROPOSAL# 22000549

BY THE CITY ADMINISTRATOR:

RESOLUTION TO EJ USA, INC. FOR FIRE HYDRANTS, GRATES, AND MANHOLE COVERS

WHEREAS, The Division of Purchases & Supplies solicited proposals for hydrants, grates and manhole covers for (2) Years on behalf of the Water Service Center. The WSC recommended that the bid be issued to EJ USA, Inc. for FY2022 and FY2023 for the purchase of fire hydrants, grates, and manhole covers.

WHEREAS, The Water Service Center (WSC) is requesting a purchase order be issued to EJ USA for year two (2) of the two (2) year bid for these supplies for FY2023.

The funds will come from the following account(s):

Account Number	Account Name	Amount
591-540.202-752.000	Supplies	\$97,500.00
590-540.208-752.000	Supplies	\$32,500.00
	FY2023 GRAND TOTAL	\$130,000.00

IT IS RESOLVED, that the Division of Purchases and Supplies is hereby authorized to issue a Purchase Order to EJ USA, Inc. for FY23 (07/01/22-06/30/23) in an amount not-to-exceed \$130,000.00 to provide fire hydrants, grates and manholes covers to the City of Flint's Water Service Center.

APPROVED AS TO FORM:

Joanne Gurley
 Joanne Gurley, City Attorney

APPROVED AS TO FINANCE:

Robert J.F. Widigan
 Robert J.F. Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:

CLYDE D EDWARDS
 Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

APPROVED BY
 CITY COUNCIL
 AUG - 8 2022

APPROVED AS TO PURCHASING:

Lauren Rowley
 Lauren Rowley, Purchasing Manager



RESOLUTION NO.: 230003

PRESENTED: JAN - 4 2023

ADOPTED: JAN - 9 2023

Proposal #23000514

BY THE CITY ADMINISTRATOR:

RESOLUTION TO PLATINUM MECHANICAL INC. FOR WPC DIGESTER FABRICATION PROJECT

WHEREAS, The Division of Purchases and Supplies solicited proposals for the Water Pollution Control Facility's Digester Fabrication Project. WPC uses anaerobic digestion for the processing of wastewater and a qualified mechanical contractor is needed to fabricate piping to convey sludge to the digester complex to enable plant operations more reliability and flexibility.

WHEREAS, Platinum Mechanical, Inc., Flint, Michigan, was the sole qualified bidder for this project. The Department of Public Works, Water Pollution Control Facility, is requesting a purchase order in the amount of \$200,000.00 for FY2023 for the award of Digester Fabrication Project.

Funding is to come from the following account(s):

Account Number	Account Name/ Grant Code	Amount
590-550.300-976.000	Building Additions & Improvements	\$100,000.00
590-550.300-801.000	Professional Services	\$100,000.00
FY2023 GRAND TOTAL		\$200,000.00

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue a Purchase Order to Platinum Mechanical, Inc. for the WPC Digester Fabrication Project in amount not-to-exceed \$200,000.00 for FY23 (07/01/22-06/30/23).


APPROVED AS TO FORM:


William Kim (Dec 20, 2022 12:34 EST)
William Kim, City Attorney


APPROVED AS TO FINANCE:


Robert J.F. Widigan (Dec 21, 2022 16:35 EST)
Robert J.F Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:


CLYDE D EDWARDS (Dec 22, 2022 10:14 EST)
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:


JAN - 9 2023

APPROVED AS TO PURCHASING:


Lauren Rowley, Purchasing Manager



CITY OF FLINT

STAFF REVIEW FORM

TODAY'S DATE: 12/15/2022

BID/PROPOSAL#: Proposal 23000514

AGENDA ITEM TITLE: Digester Piping Fabrication Project

PREPARED BY: John Florshinger, Utilities Maintenance & SCADA Supervisor

VENDOR NAME: Platinum Mechanical, Inc.

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint WPC uses anaerobic digestion (AD) for the processing of wastewater. The main process occurs within the digesters located in the AD complex. In 2010, major renovations that provided additions to the AD complex were completed. The AD complex has two-(2) digesters, commonly known as the South and North digesters, and a single Sludge Storage Tank with the capacity of 1.1 million gallons.

As part of this project the City is seeking qualified mechanical contractors to fabricate piping to convey sludge to the digester complex. This project will encompass new more reliable pumping while giving plant operations more reliability and flexibility.

I recommend that the sole qualified bidder, Platinum Mechanical, Inc., be awarded the bid in the amount of \$200,000.00 for Digester Piping Fabrication Project.

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. Rows include DPW-WPC Building Additions & Improvements, DPW-WPC Professional Services, and a total row for FY 2023 GRAND TOTAL.

PRE-ENCUMBERED? YES [X] NO [] REQUISITION NO: 230006469

ACCOUNTING APPROVAL: [Signature] Date: 12/15/2022

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [] NO [X]

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

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

AUTHORIZED SIGNATURE: [Signature] (Jeanette M. Best, WPC Manager)



SEALED PROPOSALS RECEIVED IN THE DIVISION OF PURCHASES & SUPPLIES
For Digester Piping Fabrication Project
P23-514

Approximate Annual Quantities – Not Guaranteed
Furnish as requested for the period 7/1/22 – 6/30/23

Bidder #1: Platinum Mechanical
Flint, MI

Description	Cost
Grand Total	\$191,967.00
Add per valve to furnish 4" plug valve	\$1,150.00 each
Add per valve to furnish 6" plug valve	\$670.00 each

A SPECIAL NOTE FROM THE PURCHASING DIVISION

Bid results posted are before evaluation team review and award recommendation.

Platinum Mechanical, Inc.

December 15, 2022

Mr. John Florshinger

Reference: City of Flint WWTP
Proposal # 23000514
Digester Piping Fabrication Project
Platinum Mechanical, Inc. Quote # 22-125

We are pleased to submit our pricing and scope to provide piping, labor, and equipment to furnish and install fabricated piping. Installing as shown on drawings.

Work Included

- Addendums No. 1, No.2, and No. 3
- Furnish labor to weld 304 SS Sch 10 piping and flanges per drawings
- Furnish and install welding as require for new 304 SS Sch 10 piping
- Install owner furnished pumps, meters and plug valves
- Furnish and install one new concrete pad for pumps
- Furnish and install testing on new piping
- Perform pipe demolition as called out on Drawing 4 of 8
- Unclog (8) eight existing rotamix nozzles
- Furnish and install 4" and 6" OLW check valves

Work Not Included

- Overtime
- Furnishing pumps
- Furnishing Vaughn chopper pump or motor
- Meters and density meters
- Actuated plug valves or manual plug valves
- Electrical work
- Painting
- Pipe insulation

Total: \$ 191,967.00

Add per valve to furnish 4" plug valve \$1,150.00 each
Add per valve to furnish 6" plug valve \$670.00 each
(Based on Milliken)

Thank you for the opportunity to quote this project. Should you require additional information please do not hesitate to contact me at your convenience.

Respectfully Submitted,



Robert E. Hicks
Vice President



RESOLUTION NO.: 230004

PRESENTED: JAN - 4 2023

ADOPTED: JAN - 9 2023

BY THE CITY ADMINISTRATOR:

RESOLUTION TO MACALLISTER MACHINERY CO., INC. FOR WPC TELEHANDLER

WHEREAS, The DPW Department, Water Pollution Control Facility, uses a telehandler for moving grit dumpsters, offloading shipments and small projects at its facilities. The current telehandler that WPC maintains is in need of a replacement.

WHEREAS, Water Pollution Control is requesting the authorization to purchase a CAT TL943 diesel telehandler that will allow WPC to perform needed tasks. Macallister Machinery Co., Inc. can provide this telehandler to the city, as we can utilize the vendor's MiDeal Contract (#071B7700084) through the State of Michigan's DTMB.

Funding is to come from the following account(s):

Account Number	Account Name/ Grant Code	Amount
590-550.300-977.500	Vehicle	\$191,300.00
	FY2023 GRAND TOTAL	\$191,300.00

IT IS RESOLVED, that the Division of Purchases & Supplies is hereby authorized to issue a Purchase Orders to Macallister Machinery Co., Inc. for a WPC telehandler in an amount not to exceed \$191,300.00 for FY23 (07/01/22-06/30/23).

APPROVED AS TO FORM:


William Kim (Dec 20, 2022 12:34 EST)

William Kim, City Attorney

APPROVED AS TO FINANCE:


Robert J.F. Widigan (Dec 21, 2022 16:35 EST)


Robert J.F Widigan, Chief Financial Officer

FOR THE CITY OF FLINT:

CLYDE D EDWARDS
CLYDE D EDWARDS (Dec 22, 2022 10:13 EST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:


JAN - 9 2023

APPROVED AS TO PURCHASING:



Lauren Rowley, Purchasing Manager



CITY OF FLINT

STAFF REVIEW FORM

TODAY'S DATE: 12/14/2022
BID/PROPOSAL: MI Deal Approved Vendor, Quotation attached
ITEM TITLE: CAT TL943 Telehandler
PREPARED BY: John Florshinger, DPW-Water Pollution Control
VENDOR NAME: Macallister Machinery Co., Inc.

BACKGROUND/SUMMARY OF PROPOSED ACTION:

WPC utilizes an old Genie 5519 telehandler for moving grit dumpsters, offloading shipments and small projects at its facilities. The current telehandler is old, too small, and in need of replacement with a right sized piece of equipment. WPC is requesting a Cat TL943 diesel telehandler. This telehandler will still allow WPC to perform the small projects and address safety concerns of the existing telehandler while saving the City money.
Issuance of a purchase order to the approved MI-Deal vendor, Macallister Machinery Co., Inc. in the budgeted amount of \$191,300.00 is requested.

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-WPC, Vehicle, 590-550.300-977.500, \$191,300.00. Row 2: FY2023 GRAND TOTAL, \$191,300.00.

PRE-ENCUMBERED? YES [X] NO [] REQUISITION NO: 230006564

ACCOUNTING APPROVAL: [Signature] Date: 12/14/2022

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [] NO [X]

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

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

DEPARTMENT HEAD SIGNATURE: [Signature] (Jeanette Best, WPC Manager)



STATE OF MICHIGAN
CENTRAL PROCUREMENT SERVICES
 Department of Technology, Management, and Budget
 320 S. WALNUT ST., LANSING, MICHIGAN 48933
 P.O. BOX 30026 LANSING, MICHIGAN 48909

CONTRACT CHANGE NOTICE

Change Notice Number **8**

to

Contract Number **071B7700084**

CONTRACTOR	MACALLISTER MACHINERY CO INC
	24800 Novi Road
	Novi, MI 48375
	Tony Marulli
	586-382-7555
	tony.marulli@michigancat.com
	CV0015948

STATE	Program Manager	Scott Poyer	SW
		517-284-6448	
		poyers@Michigan.gov	
	Contract Administrator	Yvon Dufour	DTMB
	(517) 249-0455		
	dufoury@michigan.gov		

CONTRACT SUMMARY

CONSTRUCTION EQUIPMENT PURCHASE & RENTAL

INITIAL EFFECTIVE DATE	INITIAL EXPIRATION DATE	INITIAL AVAILABLE OPTIONS	EXPIRATION DATE BEFORE
January 13, 2017	January 12, 2021	2 - 1 Year	January 12, 2023

PAYMENT TERMS	DELIVERY TIMEFRAME

ALTERNATE PAYMENT OPTIONS			EXTENDED PURCHASING	
<input type="checkbox"/> P-Card	<input type="checkbox"/> PRC	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

MINIMUM DELIVERY REQUIREMENTS

--

DESCRIPTION OF CHANGE NOTICE

OPTION	LENGTH OF OPTION	EXTENSION	LENGTH OF EXTENSION	REVISED EXP. DATE
<input type="checkbox"/>		<input checked="" type="checkbox"/>	One year	January 12, 2024

CURRENT VALUE	VALUE OF CHANGE NOTICE	ESTIMATED AGGREGATE CONTRACT VALUE
\$14,000,000.00	\$3,000,000.00	\$17,000,000.00

DESCRIPTION

Effective 10/11/2022, this contract is extended 12 months; and is increased by \$3,000,000. The revised contract expiration date is 1/12/2024. All other terms, conditions, specifications, and pricing remain the same. Per DTMB request, DTMB Procurement approval, and State Administrative Board approval on 10/11/2022.

EQUIPMENT SALES AND SECURITY AGREEMENT

Equipment Sales and Security Agreement between MacAllister Rentals ("Seller") and

DATE: 12/12/22 CUST #: 8006124 SSN or FED ID #: SALESMAN: Ray Webber
 BUYER'S NAME: John Florshinger COMPANY: City of Flint
 ADDRESS 1: PO Box 246 ADDRESS 2: G.4652 Beecher Rd. Flint - Waste Water COUNTY:
 CITY: Flint STATE: MI ZIP: 48501 PHONE: 810-766-7281 FAX:
 SALES CONTACT: SUPPORT CONTACT: POINT OF POSSESSION:

QTY	UNIT #	MAKE, MODEL, DESCRIPTION	SERIAL NUMBER	CASH PRICE
1	TBD	CAT TL943	TBD	\$191,300.00
		Full cab with heat and AC, Back up camera, Amber strobe light, Back up alarm, 48" carriage, 48" standard pallet forks		
		**MI Deal - 071B7700084		
		**Lead time is first half of 2024		
		**Price and lead time subject to change		
FINANCIAL ARRANGEMENTS:				
				TOTAL CASH PRICE \$191,300.00

BUYER WARRANTS THE FOLLOWING TRADE-INS AND ALL ADDITIONAL SECURITY ARE FREE & CLEAR OF ALL LIENS AND ENCUMBRANCES

YEAR	MFR	MODEL	SERIAL NUMBER	TRADE ALLOWANCE

- I. Total Trade Allowance
- II. Less Amount Owed To:
- III. Net Trade Allowance (I-II)
- IV. Other (Specify)
- V. Trade Down Payment (Transfer \$ to item 3 at right)

1. CASH DOWN PAYMENT	
2. RENT APPLIED	
3. TRADE DOWN PAYMENT (item V at left)	
4. TOTAL DOWN PAYMENT	
5. UNPAID CASH PRICE	
6. STATE SALES TAX @	
7. CASH DUE ON DELIVERY (5+6)	\$191,300.00

FINANCING: This sale is contingent on Buyer's ability to qualify for and obtain financing for payment terms of "Lease" or "Installment Sale Contract" as described above within 45 days execution from date of this agreement, which Buyer agrees to apply for immediately and accept promptly, including providing current financial statements or other financial or operational information required to obtain financing. In the event financing is not obtained, Buyer shall be charged rental on a monthly basis at Seller's current published rental rate effective from date of receipt of equipment by Buyer and Buyer agrees to pay such charges within 30 days from date of invoice.
DEMOS: Demos are limited to 2 days unless otherwise specified in writing. After 2 days, Buyer will be charged rental on a monthly basis at Seller's current published rental rate and Buyer agrees to pay such charges within 30 days from date of invoice.

WARRANTY: BUYER BUYS THE EQUIPMENT WITH THE FOLLOWING WARRANTY

- AS IS, WHERE IS SPECIAL-Attached STANDARD EXTENDED PT EXTENDED PT + H PREMIER

BUYER ACKNOWLEDGES AND AGREES THAT EACH UNIT OF EQUIPMENT (a) IS THE SIZE, DESIGN AND MODEL SELECTED BY BUYER, (b) SUITABLE FOR BUYER'S INTENDED PURPOSES AND (c) CONTAINS ALL SAFETY FEATURES DEEMED NECESSARY BY BUYER. BUYER ACKNOWLEDGES THAT SELLER IS NOT THE MANUFACTURER OF THE EQUIPMENT AND DOES NOT MAKE AND IS NOT AUTHORIZED TO GIVE ANY OTHER WARRANTY. THE WARRANTY PROVIDED ABOVE IS THE SOLE WARRANTY, IS EXPRESSLY IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, OR THE CONDITION, QUALITY, DESCRIPTION OF DURABILITY OF THE EQUIPMENT. SELLER ASSIGNS TO BUYER, TO THE EXTENT ASSIGNABLE, ANY WARRANTIES OF THE EQUIPMENT BY ITS MANUFACTURER, PROVIDED THAT ANY ACTION TAKEN BY BUYER BY REASON THEREOF SHALL BE AT THE EXPENSE OF BUYER. IN THE EVENT THAT SELLER HAS ASSUMED ANY RESPONSIBILITIES WHATSOEVER, SELLER'S SOLE OBLIGATION AND BUYER'S SOLE REMEDY FOR BREACH OF SUCH WARRANTY, IS SELLER'S PROVIDING OF PARTS AND SERVICE THE SELLER DETERMINES ARE REQUIRED FOR PERFORMANCE OF THE WARRANTY.

SELLER'S ACCEPTANCE: This Equipment Sales and Security Agreement shall be effective only upon acceptance by an Officer of Seller, which shall be signified by Seller's Officer's execution hereof. Buyer has read and agrees to all of the terms and conditions and the "Additional Terms" on the reverse side of this Equipment Sales and Security Agreement by signing of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Equipment Sales and Security Agreement this _____ day of _____, 2022.
 If Buyer is a corporation, this individual signing this Agreement on its behalf warrants that it is authorized by authority of its Board of Directors.

Accepted By _____ Date _____ Accepted By _____ Date _____
Authorized Signature
 Title _____ Signed **X**
 Prepared By _____ Title (Officer, Partner, Owner, Member) _____

Buyer Rev. 4/28/08

230006



RESOLUTION NO.: _____

PRESENTED: 1-09-2023

ADOPTED: JAN - 9 2023

RESOLUTION AUTHORIZING DEPARTMENT OF LAW TO CONSENT TO ENTRY OF [PROPOSED] ORDER GRANTING IN PART AND HOLDING OPEN IN PART PLAINTIFF'S FIFTH MOTION TO ENFORCE SETTLEMENT AGREEMENT IN *CONCERNED PASTORS FOR SOCIAL ACTION ET AL., v CITY OF FLINT, ET AL.*

BY THE CITY ADMINISTRATOR:

Executive Session was held in this matter on January 4, 2023; and

The Department of Law recommends that the City enter into the [Proposed] Order Granting in Part and Holding Open in Part Plaintiff's Fifth Motion to Enforce Settlement Agreement.

IT IS RESOLVED that the City Council approves authorizing the Department of Law to consent to entry of [Proposed] Order Granting in Part and Holding Open in Part Plaintiff's Fifth Motion to Enforce Settlement Agreement in the case of *Concerned Pastors for Social Action, et al. v City of Flint, et al.*, United States District Court, Eastern District of Michigan, Case No. 16-10277.

For the City

CLYDE D EDWARDS
CLYDE D EDWARDS (Jan 6, 2023 11:45 EST)

Clyde Edwards, City Administrator

For the City Council

[Signature]
JAN - 9 2023

APPROVED AS TO FORM:

[Signature]
William Kim (Jan 6, 2023 10:59 EST)

William Kim, City Attorney



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 01/05/2023

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: *Concerned Pastors for Social Action, et al. v City of Flint, et al.*, re: Resolution Authorizing Department of Law to Consent to Entry of [Proposed] Order Granting in Part and Holding Open in Part Plaintiff's Fifth Motion to Enforce Settlement Agreement

PREPARED BY: Joseph N. Kuptz, Assistant City Attorney, Department of Law

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution authorizing Department of Law to consent to entry of [Proposed] Order Granting in Part and Holding Open in Part Plaintiff's Fifth Motion to Enforce Settlement Agreement in the case of *Concerned Pastors for Social Action, et al. v City of Flint, et al.*, United States District Court, Eastern District of Michigan, Case No. 16-10277.

City Council was brief on this case during closed session on January 4, 2023.

FINANCIAL IMPLICATIONS: None.

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

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

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

DEPARTMENT HEAD SIGNATURE: 
William Kim (Jan 6, 2023 10:59 EST)

William Y. Kim, City Attorney

230007

RESOLUTION NO.: _____
PRESENTED: 1-09-2023
ADOPTED: JAN - 9 2023

**RESOLUTION ESTABLISHING GUIDELINES FOR GRANTING OF HARDSHIP
EXEMPTIONS FROM PROPERTY TAXES PURSUANT TO MCL 211.7u**

WHEREAS, P.A. 390 of 1994, which amended Section 7u of Act 206 of the Public Acts of 1893, as amended by Act 253 of the Public Acts of 2020, being section 211.7u of the Michigan Compiled Laws, requires the governing body of the assessing unit to determine and make available to the public the policy and guidelines for granting of poverty exemptions under MCL 211.7u;

THEREFORE, BE IT RESOLVED, That to be eligible for consideration of a hardship exemption pursuant to MCL 211.7u in the City of Flint, a person must be the owner and must occupy the property as a principal residence, as defined, for which the exemption is requested; file a complete application, prescribed by the state tax commission; submit copies of federal and state income tax returns for ALL persons that resided in the principal residence including property tax credit forms and/or Statement of Benefits paid from Michigan Department of Social Services or Social Security Administration; and meet City of Flint poverty income standards;

BE IT FURTHER RESOLVED, That the applicant and ALL qualifying persons that resided in the home must have an annual adjusted income no more than 150% of the Federal Poverty Guidelines published in the prior calendar year;

BE IT FURTHER RESOLVED, That the applicant's asset level, excluding the homestead, may not exceed \$15,000; regardless of income level.

BE IT FURTHER RESOLVED, That a hardship exemption will be granted for only one year at a time;

BE IT FURTHER RESOLVED, That the board of review shall request identification of the applicant and/or proof of ownership of the principal residence under consideration for hardship exemption;

BE IT FURTHER RESOLVED, That the board of review may request from the applicant any supporting documents which may be utilized in determining a hardship exemption request;

BE IT FURTHER RESOLVED, That the completed hardship exemption application must be filed after January 1, but before the day prior to the last day of the board of review in the year for which exemption is sought;

BE IT FURTHER RESOLVED, That the board of review shall administer an oath wherein the applicant testifies as to the accuracy of the information provided;

BE IT FINALLY RESOLVED, That to conform with the provisions of P.A. 253 of 2020, this resolution is hereby given immediate effect.

BE IT RESOLVED,

APPROVED AS TO FORM:


William Kim (Nov 29, 2022 17:34 EST)

William Kim, City Attorney

Sheldon Neely, Mayor

APPROVED AS TO FINANCE:


Robert J.F. Widigan (Nov 29, 2022 16:52 EST)

Robert Widigan, Chief Financial Officer

CITY COUNCIL:



JAN - 9 2023



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 11/28/2022

BID/PROPOSAL# NA

AGENDA ITEM TITLE: Poverty Exemption

PREPARED BY Stacey Kaake
(Please type name and Department)

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

There hasn't been any law changes to the Poverty Exemption. The only change for 2023, and forward, is to remove the requirement that they may not own any other homes. This was a recommended by the State.

FINANCIAL IMPLICATIONS: This is a tool for the Board of Review that gives guidance when considering qualifications for a hardship exemption from property taxes for residents who own and occupy their home. This exemption does not apply to commercial or industrial properties.

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

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Includes a row for FY22/23 GRAND TOTAL.

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

ACCOUNTING APPROVAL Jane Mager (Nov 29, 2022 09:03 EST) Date: 11/29/2022



CITY OF FLINT

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

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): X **APPROVED** **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE: Robert J.F. Widigan
Robert J.F. Widigan (Nov 29, 2022 16:52 EST)
(PLEASE TYPE NAME, TITLE)

2023 HARDSHIP EXEMPTION APPLICATION INSTRUCTIONS
THIS APPLICATION SHOULD BE RETURNED TO:

City of Flint, Assessment Division. 1101 S Saginaw St, Flint MI 48502

City of Flint

To be considered for a hardship exemption, **the following steps must be followed:**

1. The Petitioner must complete this application in full, including signatures on the last page. Return the application and required income documents to the Assessing Department.
2. Per City of Flint Resolution, **you must attach signed copies of the following for all persons living in the household:**

- ___ 2022 FEDERAL INCOME TAX RETURN (1040) **OR**
- ___ 2022 W 2's & 1099's. **OR**
- ___ 2022 MICHIGAN INCOME TAX RETURN (MI-1040) **OR**
- ___ 2022 SOCIAL SECURITY BENEFIT STATEMENT (SSA-1099)
- ___ 2022 HOMESTEAD PROPERTY TAX CREDIT FORM (MI-1040CR)
- ___ YEAR END STATEMENTS FOR ASSET INFORMATION (*SEE LIST ON PG 5 OF 8*)
- ___ IF YOU'RE CLAIMING NO INCOME, YOU MUST SUBMIT A DETAILED & NOTARIZED LETTER EXPLAINING HOW EXPENSES ARE BEING MET.
- ___ IF BILLS ARE PAID BY FRIEND/FAMILY MEMBER OR YOU RECEIVED MONEY FROM A FRIEND OR FAMILY MEMBER, YOU MUST PROVIDE A SIGNED AND NOTARIZED LETTER FROM THAT PERSON(S) STATING HOW MUCH FINANCIAL SUPPORT THEY GIVE

3. Produce a valid driver's license or other form of picture identification;
4. Be able to produce a deed, land contract, or other evidence of ownership of the property for which the exemption is being requested, **if not in Assessor's records;**
5. Meet the federal poverty income guidelines for the household (see page 2), which are updated annually in the federal register by the United States Department of Health and Human Services; and
6. Meet the claimant and total household **asset levels** set by the Flint City Council.

If your application does not include copies of the above documents, it will be considered incomplete and therefore ineligible for a Hardship Exemption.

Hardship Exemption as defined by the Michigan Compiled Laws is as follows:

Section 211.7u: The principal residence of person who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under this act. This section does not apply to the property of a corporation.

Please be aware that as an applicant for Hardship Exemption, you must also comply with the following sections of the Michigan Compiled Laws:

Section 211.116 Perjury: Any person who, under any of the proceedings required or permitted by this act, shall willfully swear falsely, will be guilty of perjury and subject to its penalties.

If received timely, your application will be presented at the next scheduled Board of Review. The Board of Review schedule for 2023 is as follows:

March: Begins on Monday, March 13, 2023
 July: Tuesday, July 18, 2023
 December: Tuesday, December 12, 2023

If you have any questions, feel free to contact the Assessment Department at 810-766-7255

**INCOME & ASSET GUIDELINES
 FOR HARDSHIP EXEMPTIONS**

If your income exceeds the amounts shown or your assets exceed \$15,000 you are **NOT** eligible for a Hardship Exemption.

The applicant **shall not** be eligible for consideration if their total household income exceeds 150% of the Federal Poverty Guidelines.

For 2023, the limits are:

Family Unit:	Federal Poverty Guidelines For 2023:	Adjusted Annual Household Income Can Not Exceed:
Family unit of 1 member	\$13,590	\$20,385
Family unit of 2 members	\$18,310	\$27,465
Family unit of 3 members	\$23,030	\$34,545
Family unit of 4 members	\$27,750	\$41,625
Family unit of 5 members	\$32,470	\$48,705
Family unit of 6 members	\$37,190	\$55,785
Family unit of 7 members	\$41,910	\$62,865
Family unit of 8 members	\$46,630	\$69,945
Each family member greater than 8 years of age	\$4,720	\$7,080

When determining any poverty exemption, all assets of the family unit, as well as all available sources of income or funds shall be considered.

Asset Eligibility

Applicants can have **no more than \$15,000 in assets** to be eligible for consideration and no more cash than an amount equal to one month's gross household income. Assets do not include the principal residence or one (1) automobile. Assets do include: stocks, bonds, mutual funds, insurance policies, coin collections, boats, ORVs, motorcycles, recreational vehicles, second homes or sellable property, retirement accounts, jewelry, etc.

**GUIDELINES BY WHICH
HARDSHIP EXEMPTIONS ARE DETERMINED**

1. Completed application form and all required documents and attachments **MUST** be filed with the City Assessor's Office no later than:

March 10, 2023 for action by the March Board of Review; or

July 14, 2023 for action by the July Board of Review; or

December 08, 2023 for action by the December Board of Review.

Sign the form when you return it to the City Assessor's Office

NOTE: The filing of a claim constitutes an appearance before the Board of Review. Also, the dates for filing will be updated annually in accordance with the State of Michigan Property Tax Calendar.

2. The Board of Review determines if Income Standards have been met.

3. The Board of Review determines if Asset limits have been met.
 - a. Cash assets to the total household may not exceed an amount equal to one month's gross household income. Cash assets are defined as cash, money held in checking or savings accounts, money markets and other financial institution accounts, and/or instruments or securities which can be readily converted to cash.

 - b. Non-cash assets to the total household may not exceed \$15,000. Non-cash assets are defined as those which are not considered to be cash assets, as defined above. The following assets are excluded from this limit:
 1. Applicant's principal residence
 2. Applicant's household personal property
 3. Assets not accessible by the applicant, co-owner or any member of the applicant's household.
 4. All applicants, if approved by the Board of Review, shall have their current year taxable value reduced by 50%. ***This does not include any special assessments that are assessed to the property (Light Fee, Garbage, etc).***
 5. The Board of Review will consider all revenue and non-revenue producing assets of the owner and all members of the household. Any attempt to hide and/or shift assets to another person, business or corporation shall be grounds for denial.

4. Applications must be filed **every year**. If granted, **the exemption is for current year only**.
5. All applications will be reviewed by the Board of Review. The Board may ask applicants, or their authorized agents, to be physically present to answer questions. Teleconferencing for the purpose of asking questions of the applicant is allowable if the applicant is not able to attend.
6. Applicants, or their authorized agents, may have to answer questions regarding such subjects as financial affairs, health and/or the status of people living in the principal residence at a meeting that is open to the public.
7. All applications will be evaluated based on data and statements given to the Board by the applicant. The Board can also use information gathered from any other source.
8. The Board of Review shall follow the policy and guidelines established herein when granting or denying an exemption.
9. Applicants may be subject to investigation of their entire financial and property records by the City. This would be done to verify information given or statements made to the Board of Review or assessor in regards to the poverty tax claim.
10. Household income limits are adjusted each year to comply with the Federal Poverty Guidelines.
11. Applicants will be sent a written notice of the Board of Review's final decision. An applicant may appeal the Board of Review's decision to the Michigan Tax Tribunal. An assessor may also appeal the Board of Review's decision. Appeals must be filed with the Michigan Tax Tribunal by the following dates:

July 31st for a decision made by the March Board of Review or
35 days from the decision of the July or December Board of Review

THE GENERAL PROPERTY TAX ACT (EXCERPT)

Act 206 of 1893

211.7u Principal residence of persons in poverty; exemption from taxation; applicability of section to property of corporation; eligibility for exemption; application; policy and guidelines to be used by local assessing unit; duties of board of review; exemption by resolution and without application for certain tax years; appeal of property assessment; audit program; "principal residence" defined.

Sec. 7u. (1) The principal residence of a person who, in the judgment of the supervisor and board of review, by reason of poverty, is unable to contribute toward the public charges is eligible for exemption in whole or in part from the collection of taxes under this act. This section does not apply to the property of a corporation.

(2) To be eligible for exemption under this section, a person shall, subject to subsections (6) and (8), do all of the following on an annual basis:

(a) Own and occupy as a principal residence the property for which an exemption is requested. The person shall affirm this ownership and occupancy status in writing by filing a form prescribed by the state tax commission with the local assessing unit.

(b) File a claim with the board of review on a form prescribed by the state tax commission and provided by the local assessing unit, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year. If a person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year, an affidavit in a form prescribed by the state tax commission may be accepted in place of the federal or state income tax return. The filing of a claim under this subsection constitutes an appearance before the board of review for the purpose of preserving the claimant's right to appeal the decision of the board of review regarding the claim.

(c) Produce a valid driver license or other form of identification if requested by the supervisor or board of review.

(d) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the supervisor or board of review.

(e) Meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

(3) The application for an exemption under this section must be filed after January 1 but before the day prior to the last day of the board of review.

(4) The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines used for the granting of exemptions under this section. If the local assessing unit maintains a website, the local assessing unit shall make the policy and guidelines, and the form described in subsection (2)(b), available to the public on the website. The guidelines must include, but are not limited to, the specific income and asset levels of the claimant and total household income and assets.

(5) The board of review shall follow the policy and guidelines of the local assessing unit in granting or denying an exemption under this section. If a person claiming an exemption under this section is qualified under the eligibility requirements in subsection (2), the board of review shall grant the exemption in whole or in part, as follows:

(a) A full exemption equal to a 100% reduction in taxable value for the tax year in which the exemption is granted.

(b) A partial exemption equal to 1 of the following:

(i) A 50% or 25% reduction in taxable value for the tax year in which the exemption is granted.

(ii) As approved by the state tax commission, any other percentage reduction in taxable value for the tax year in which the exemption is granted, applied in a form and manner prescribed by the state tax commission.

(6) Notwithstanding any provision of this section to the contrary, a local assessing unit may permit by resolution a principal residence exempt from the collection of taxes under this section in tax year 2019 or 2020, or both, to remain exempt under this section in tax years 2021, 2022, and 2023 without subsequent reapplication for the exemption, provided there has not been a change in ownership or occupancy status of the person eligible for exemption under subsection (2), and may permit a principal residence exempt for the first time from the collection of taxes under this section in tax year 2021, 2022, or 2023 to remain exempt under this section for up to 3 additional years after its initial year of exempt status without subsequent reapplication for the exemption, provided there has not been a change in ownership or occupancy status of the person eligible for exemption under subsection (2), if the person who establishes initial eligibility under subsection (2) receives a fixed income solely from public assistance that is not subject to significant annual increases beyond the rate of inflation, such as federal Supplemental Security Income or Social Security disability or retirement benefits. Both of the following apply to a person who obtains an extended exemption under this subsection:

(a) The person shall file with the local assessing unit, in a form and manner prescribed by the state tax commission, an affidavit rescinding the exemption as extended under this subsection within 45 days after either of the following, if applicable:

(i) The person ceases to own or occupy the principal residence for which the exemption was extended.

(ii) The person experiences a change in household assets or income that defeats eligibility for the exemption under subsection (2).

(b) If the person fails to file a rescission as required under subdivision (a) and the property is later determined to be ineligible for the exemption under this section, the person is subject to repayment of any additional taxes with interest as described in this subdivision. Upon discovery that the property is no longer eligible for the exemption under this section, the assessor shall remove the exemption of that property and, if the tax roll is in the local tax collecting unit's possession, amend the tax roll to reflect the removal of the exemption, and the local treasurer shall, within 30 days of the date of the discovery, issue a corrected tax bill for any additional taxes with interest at the rate of 1% per month or fraction of a month computed from the date the taxes were last payable without interest. If the tax roll is in the county treasurer's possession, the tax roll must be amended to reflect the removal of the exemption and the county treasurer shall, within 30 days of the date of the removal, prepare and submit a supplemental tax bill for any additional taxes, together with interest at the rate of 1% per month or fraction of a month computed from the date the taxes were last payable without interest. Interest on any tax set forth in a corrected or supplemental tax bill again begins to accrue 60 days after the date the corrected or supplemental tax bill is issued at the rate of 1% per month or fraction of a month. Taxes levied in a corrected or supplemental tax bill must be returned as delinquent on the March 1 in the year immediately succeeding the year in which the corrected or supplemental tax bill is issued.

(7) A person who files a claim under this section is not prohibited from also appealing the assessment on the property for which that claim is made before the board of review in the same year.

(8) Notwithstanding any provision of this section to the contrary, if the assessor determines that a principal residence of a person by reason of poverty is still eligible for this exemption and the property was exempt from the collection of taxes under this section in tax year 2019 or 2020, or both, the property shall remain exempt from the collection of taxes under this section through tax year 2021 if, on or before February 15, 2021, the governing body of the local assessing unit in which the principal residence is located adopts a resolution that continues the exemption through tax year 2021 for all principal residences within the local assessing unit that were exempt from the collection of taxes under this section in tax year 2019 or 2020, or both. The local assessing unit may require the owner of a principal residence exempt from the collection of

taxes under this subsection to affirm ownership, poverty, and occupancy status in writing by filing with the local assessing unit the form prescribed by the state tax commission under subsection (2)(a).

(9) A local assessing unit that adopts a resolution under subsection (6) or (8) must develop and implement an audit program that includes, but is not limited to, the audit of all information filed under subsection (2). If property is determined to be ineligible for exemption as a result of an audit, the person who filed for the exemption under subsection (2) is subject to repayment of additional taxes including interest to be paid as provided in subsection (6)(b). The state tax commission shall issue a bulletin providing further guidance to local assessing units on the development and implementation of an audit program under this subsection.

(10) As used in this section, "principal residence" means principal residence or qualified agricultural property as those terms are defined in section 7dd.

Signature: 
Stacey Kaake | Nov 28, 2022 16:43 EST

Email: skaake@cityofflint.com

220519

ORDINANCE NO. _____

An ordinance to amend the Code of the City of Flint by amending Chapter 18, Taxation; Funds; Purchasing; Article I, In General; Section 18-4.1, Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons.

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

Sec. 1. That the provisions of Chapter 18, Taxation; Funds; Purchasing; Article I, In General; Section 18-4.1, Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons, shall be amended by adding subsection (GG), which shall read in its entirety as follows:

(GG) THE CITY ACKNOWLEDGES THAT HWD HARRISON, INC. 503 S. SAGINAW ST., FLINT, MI 48502 SUITE #1500 (THE "OWNER") HAS OFFERED, SUBJECT TO RECEIPT OF A NEW MARKET TAX CREDIT ALLOCATION AND/OR ALLOCATION OF LOW INCOME HOUSING TAX CREDITS FROM THE MICHIGAN STATE HOUSING AND DEVELOPMENT AUTHORITY ("MSHDA"), TO OWN AND OPERATE A HOUSING PROJECT IDENTIFIED AS "HARRISON MIXED-USE" (THE "PROJECT") ON CERTAIN PROPERTY LOCATED IN THE CITY TO SERVE PERSONS AND FAMILIES OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF AD VALOREM TAXES.

THE CITY ACKNOWLEDGES THAT THE SPONSOR SHALL BE AFFORDED TAX BENEFITS OF PAYING A SERVICE CHARGE

IN LIEU OF AD VALOREM TAXES (BUT NOT IN LIEU OF PAYMENT OF SPECIAL ASSESSMENTS INCLUDING, BUT NOT LIMITED TO, THE STREET LIGHTING SPECIAL ASSESSMENT). THE CITY FURTHER ACKNOWLEDGES THAT THE SPONSOR FITS WITHIN THE CLASS AS DESCRIBED IN §18-4.3 BELOW. THE ANNUAL SERVICE CHARGE FOR THE CLASS OF PERSONS OF LOW AND MODERATE INCOME SHALL BE EQUAL TO TEN PERCENT (10%) OF THE ANNUAL SHELTER RENTS, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS, INCLUDING THE PORTION OF RENT PAYABLE UNDER ANY GOVERNMENTAL SUBSIDY. NOTWITHSTANDING THE FOREGOING, THE ANNUAL SERVICE CHARGE SHALL NOT EXCEED AD VALOREM PROPERTY TAXES THAT WOULD BE ASSESSED OR PAID ABSENT THIS TAX EXEMPTION.

Sec. 2. This ordinance shall become effective immediately upon publication.

Adopted this _____ day of _____, 2022 A.D.

Sheldon A. Neeley, Mayor

APPROVED AS TO FORM:



William Kim, Chief Legal Officer

ORDINANCE REVIEW FORM

FROM: Planning and Development
Department

ORDINANCE NAME: (FF) PILOT ORDINANCE RESOLUTION TO GRANT A TEN (10%) PAYMENT IN LIEU OF TAXES (PILOT) TO PROJECT KNOWN AS HARRISON MIXED-USE, WHICH IS A MIXED INCOME DEVELOPMENT OF THE EXISTING YMCA SITE, 50 RESIDENTIAL UNITS AND FIRST FLOOR RETAIL SPACE.

1. ORDINANCE REVIEW - DEPARTMENT DIRECTOR

The attached ORDINANCE is approved by the Director of the affected Department. By signing, the Director approves this ordinance to be processed for signatures and fully executed.

By: Director Suzanne Wilcox DATE: 11/14/22
Suzanne Wilcox, Director, P&D

2. ORDINANCE REVIEW-FINANCE DEPARTMENT

The attached ORDINANCE is submitted to the Finance Department for approval. By signing, the Finance Department approves this ordinance to be processed for signatures and fully executed.

By: Robert J.F. Widigan DATE: 11/15/2022
Robert J.F. Widigan | Nov 15, 2022 10:11 EST
Robert J.F. Widigan, Chief Financial Officer

3. ORDINANCE REVIEW - CITY ADMINISTRATOR

The attached ORDINANCE is submitted to the City Administrator for approval. By signing, the City Administrator approves this ordinance to be processed for signatures and fully executed.

By: _____ DATE: _____
Clyde Edwards, City Administrator

Hshay LLC, 719 Harrison St

1) Current taxable generated: \$12,082 Pilot is based on 10%
2) PILOT estimation \$48,000 DIFFERENCE BETWEEN PILOT AND AD VALOREM TAXES: \$32,808 per year

Based on the Schedule of Rents provided by Uptown Reinvestment Corporation, at 100% occupancy, the total annual rent potential for the 50 units, leased commercial space and parking is \$80,808.

3) Estimated project ad valorem taxable value:

	Studio	One Bedroom	Two Bedroom	Additional Income
Market Rent	\$625	\$725	\$1,000	
Number of Units	4	31	15	
	\$2,500	\$22,475	\$15,000	\$11,900

Monthly Income \$51,875
Yearly Income \$622,500
Vacancy/Loss (10%) (\$62,250)
Potential Gross Income \$560,250
Expenses (\$252,113)
Net Operating Income \$308,138
Cap Rate of 13% \$2,370,288
SEV/TV 1,185,144
Potential Taxes \$80,808

**PAYMENT IN LIEU OF TAXES
(PILOT)
APPLICATION**



CITY OF FLINT

1101 S SAGINAW ST.
FLINT, MI 48502
TEL: 810-766-7436

PURPOSE

To administer the City of Flint Code of Ordinances 18-4.1 to 18-4.8, establishing a class of housing developments pursuant to the State Housing Development Authority Act of 1966, known as Act 436 of the Acts of 1966, being MCLA §§ 125.1401 et seq. , as amended, which are exempt from property taxes, paying instead a service charge to be paid in lieu of taxes (PILOT) by any or all classes of housing exempt from taxation under this Act at any amount it chooses, but not to exceed the taxes that would be paid for if not for this Act.

The City acknowledges that serving persons of low income is a public necessity, and as such the City of Flint will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose. The applicant for a PILOT is affirming that the economic feasibility of this housing development is reliant on this requested tax exemption.

Furthermore, in considering this application for PILOT, the evaluators of such request shall consider that the community shall be developed in a manner consistent with the adopted Master Plan and Consolidated Action Plan. Evaluation of the application should take into consideration maintaining the overall goals and objectives set forth in these plans.

ELIGIBILITY

- 1) Applicant must be a nonprofit housing corporation, consumer housing cooperative, limited dividend housing corporation, mobile home park cooperative or mobile home park association, and must be financed with a federally-aided or Michigan State Housing Development Authority (MSHDA) aided mortgage or advance or grant from MSHDA.
- 2) PILOT has been requested during the planning stage of the project; any development project under construction at the time of application is not eligible to apply for, or to receive, a PILOT.
- 3) The applicant must own the property or have an option or other right to purchase the property under consideration and provide in application.
- 4) Housing development must contain a minimum of 51% affordable units.
- 5) Project includes a Low Income Housing Tax Credit (LIHTC) allocation.
- 6) The property is not designated as a Brownfield or 5/50 property or has contacted City to discuss.
- 7) All parcels that are separate have been combined through proper City channels.

PROCESS

1) Mandatory Pre-Application Conference: This will be a meeting of all applicable City Departments to include:

- City Administrator
- City Planner
- City Engineer
- City Treasurer
- City Assessor
- Chief Building Official
- Community and Economic Development Staff
- Representatives of applicant development team

This meeting will serve to familiarize all parties with the scope of the project and any issues that may exist. The applicant will also be familiarized with the PILOT process and policies.

2) Submission of Application: Application form must be complete and packet of required supporting documentation assembled based upon requirements set forth in the application. Any additional concerns or items that were discussed in the Pre-Application Conference should also be addressed. Application forms are available on both the City of Flint website and in the Department of Community and Economic Development.

One original and one electronic copy shall be submitted no later than seven (7) weeks before the Regular City Council meeting, which are typically held on the 2nd and 4th Mondays of each month.

3) Internal (Administrative) Review: An internal review will occur, resulting in either Administrative approval within three (3) weeks or return to the applicant for corrections.

Applications will be scored on a scoring matrix as attached in this application.

Administrative approval will move the application forward to an ordinance amendment that will be placed on the Government Operation Committee meeting agenda.

4) Council Committee Review: Meetings are held the Wednesday prior to the Regular City Council meeting. The developer is required to be in attendance at this meeting to answer any questions the committee may have.

5) Review by City Council: Once committee approval is obtained, the ordinance amendment will proceed to the following Regular City Council Meeting (the Monday following committee). The developer is required to be in attendance at this meeting.

6) Approval: If the PILOT application is approved by resolution of the City Council, a certified copy of the resolution and a copy of the minutes will be provided to the applicant. Additionally, digital copies will be provided to all applicable City Departments.

****Note: All applicants are required to file their MSHDA Affidavit with the City Assessor by November 1 of the year before the PILOT is to take effect.***

APPLICATION REQUIREMENTS

1) Completed Application Form

2) Narrative:

a. Background information:

- i. Development experience of team**
- ii. Describe the corporate partnership structure**

b. Describe the proposed Project (include the following sections):

- i. Intended usage/target market**
- ii. Economic impact**
- iii. Environmental impact (to include any mitigation actions taken)**
- iv. Impact on City infrastructure (transportation and utilities)**
- v. Impact on City services (police, fire, EMS, code enforcement)**
- vi. Square footage of the building and land to be renovated**
- vii. Architectural renderings to include the number and type of units**
- viii. Any other information to fully explain the project**

c. Describe the marketing of the project, clearly identifying the intended market. If the project is speculative, how long is full occupancy expected to take and who will be the property manager?

d. Briefly describe the ownership and tax information for this project:

- i. State the location of the proposed project to include street address, parcel ID, and the legal description.**
- ii. Name of the property owner at the time of application.**
- iii. If the applicant is not the current owner of record, attach a valid option to purchase.**
- iv. Describe any and all financing, options, and liens on the property**
- v. State the current assessed value of the property.**
- vi. Are any assessments currently under appeal? If yes, describe.**

e. Provide a detailed development pro forma outlining proposed hard, soft and financing costs associated with the development. Pro forma must also identify all sources of financing and terms, including Applicant equity, construction, and permanent financing, as well as any government assistance. Proposals must contain detailed cost breakdowns.

f. Provide a detailed operating pro forma. This must include all anticipated major revenues and expenses for the full term of the requested PILOT.

g. Provide a detailed schedule of rents and income limits of lessees

- h. Provide housing market data to show demand.**
- i. State a proposed timeline for the Project to include:**
 - i. Closing of the loan or contributing financing**
 - ii. First expenditure of funds with regards to the project**
 - iii. Anticipated date construction will begin**
 - iv. Anticipated date of completion**
- j. Describe any potential conflicts of interest the applicant or any guarantor may have with any City Personnel or City Council members.**
- k. To receive application bonus points, address the following:**
 - i. Mixed use (PILOT ONLY applies to housing- not commercial SF)**
 - ii. Energy efficiency and green practices**
 - iii. Neighborhood and block club outreach (Full list of outreach done)**
 - iv. External amenities (walk score, proximity to transit, jobs, etc)**
- l. Include a copy of the completed MSHDA application for Low Income Housing Tax Credits (LIHTC) within thirty (30) days of submittal to MSHDA.**

**(APPLICATION FORM ON NEXT PAGE- ATTACH APPLICATION FORM TO
THE REQUIRED NARRATIVES AND SUPPORTING DOCUMENTS)**



PAYMENT IN LIEU OF TAXES (PILOT) APPLICATION
CITY OF FLINT

APPLICANT INFORMATION

ENTITY NAME	HWD Harrison, Inc.
REPRESENTATIVES NAME	Stephanie Fenton, Tim Herman
ADDRESS	503 S. Saginaw St, Flint, MI 48502 St #1500
TELEPHONE NUMBER	(810) 238-5555
E-MAIL ADDRESS	s.fenton@uptownflint.org

GUARANTORS INFORMATION

ENTITY NAME	Uptown Reinvestment Corporation
ENTITY PRINCIPAL	Tim Herman
ADDRESS	503 S. Saginaw St, Flint, MI 48502 St #1500
TELEPHONE NUMBER	(810) 238-5555
E-MAIL ADDRESS	therman@flintandgenesee.org

ENTITY NAME	
ENTITY PRINCIPAL	
ADDRESS	
TELEPHONE NUMBER	
E-MAIL ADDRESS	

PROJECT INFORMATION

PROJECT NAME	Harrison Mixed - Use
ADDRESS OF PROJECT	719 Harrison St, Flint, MI 48502
PARCEL ID	41-18-135-023
LEGAL DESCRIPTION	Lots 1, 2, 5 and 7, excepting there from the Westerly 76 feet; also Lots 3, 4, and 6; also Lot 8, excepting the Southerly 14 feet, all in Block 9, Village of Flint River, according to the plat thereof as recorded in Plat 6, Page 2, Genesee County Records

DEVELOPMENT TEAM

APPLICANT PRIMARY POINT OF CONTACT	Stephanie Fenton, Optima Reinvestment Corporation
ARCHITECTURAL FIRM	Integrated Architecture
CONSTRUCTION PROJECT MANAGER	David Lurvey, Lurvey Construction
GENERAL CONTRACTOR FOR PROJECT	

Applicant is to attach items a-l as required in the narrative portion of the application.

- a. Background information
- b. Project description
- c. Project marketing/target market
- d. Ownership description/tax information
- e. Detailed development pro forma
- f. Operating pro forma
- g. Schedule of rents/income levels
- h. Housing market data supporting demand
- i. Proposed project timeline
- j. Conflicts of interest
- k. Application bonus point items
- l. MSHDA application for LIHTC credits

a. Background information

i. Development experience of team.

Uptown Reinvestment Corporation (URC) has over 20-years of experience serving as a developer of new and rehabilitated buildings exclusively in the city of Flint. URC often develops properties where they will retain ownership, such as the Flint Farmers Market, MSU Building, and the Hilton Garden Inn. However, URC also brings development capacity to the community by bringing together complex financing sources (NMTC's, MSF/CRP, Historic Tax Credits, and LIHTC) for other nonprofits in the community like the Flint Cultural Center Corporation (Capitol Theatre), Mott Community College (Culinary School) and Genesee Health System (Children's Health Facility). In these later instances, URC takes no long-term ownership position in these projects, but provides development services.

Tim Herman has led URC for the last 20-years as President. The core development team has been in place with Stephanie Fenton as CFO/COO, Joe Martin as Development Director since 2016. URC recently brought on Moses Timlin to provide additional capacity as a Development Coordinator. Please see below for a resume of applicable projects.

The corporate structure of the project entails Uptown Reinvestment Corporation forming a new single-purpose limited liability company for the sole purpose of owning the building. The new entity name as proposed is HWD Harrison, Inc. and has the following ownership details 65% owned by URC; 30% owned by Michigan Strategic Fund (MSF); and 5% owned by the YMCA of Greater Flint. URC will be the managing member of HWD Harrison, Inc. The individual ownership percentages may fluctuate slightly within HWD Harrison, Inc., but will not alter the overall structure.

Uptown Reinvestment Corporation

(810) 238-5555

503 Saginaw St#1500, Flint, Michigan

uptownreinvestment.org

Mission Statement: Unite all downtown Flint interests, including government, education, business, and charitable institutions into a broad-based coalition.

Organizational Highlights: \$128.3 million in assets Owner/Manager of 157 units Created 1.1M SF
\$243.6 million invested 18 redevelopment projects 100% occupancy

Key Staff:

Tim Herman, President, 2007 – Present

Stephanie Fenton, Chief Financial Officer, 2016 – Present

Joseph Martin, Development Director, 2016 - Present

Moses Timlin, Development Coordinator, 2022 - Present

EXPERIENCE:

Hilton Garden Inn

November 2020

110 W. Kearsley St, Flint, MI 48502

- Invested **\$38.8 million** into the redevelopment of a vacant bank into a 101-guest room hotel, full-service restaurant, seasonal rooftop bar, and ground floor commercial space.

Marketplace Apartments

December 2019

310 E. Third St, Flint, MI 48502

- A **\$19.5 million** 92-unit mixed-income apartment and townhouse complex in downtown Flint.

Perry Building

March 2019

600 S. Saginaw St, Flint, MI 48502

- Redeveloped a blighted 9,000-square foot building into six commercial retail units with a credit union as an anchor tenant.

Mott Culinary School

June 2017

550 S. Saginaw St, Flint, MI 48502

- A fully renovated, 36,000-square foot, state-of-the-art culinary institute for Mott Community College's expansion to downtown Flint. The total development costs equaled **\$12.7 million**.

Capitol Theater

December 2017

140 E 2nd St, Flint, MI 48502

- Recipient of the 2019 Governor's Historic Preservation Award for the **\$36 million** historic rehabilitation of a 90,000-square foot theater with ten commercial storefronts and offices.



Hurley Children's Pediatric Center

August 2016

300 E. 1st St, Flint, MI 48502

- A 10,300-square foot children center providing family-centered care in downtown Flint.

Flint Health & Wellness District

December 2014

200 – 300 E. First St, Flint, MI 48502

- A *\$32 million* adaptive reuse of the former Flint Journal building into a 173,000-square foot Wellness District featuring commercial, residential, and institutional spaces.

Rowe Building

October 2009

540 S. Saginaw St, Flint, MI 48502

- A *\$22.7 million* newly constructed 83,000-square foot, office and residential mixed-use building.

Riverfront Residence Hall

September 2009

1 Riverfront Plaza, Flint, MI 48502

- A 340,000-square foot University of Michigan-Flint housing facility, a *\$30 million* transformation of a former 16-story landmark hotel.

Wade Trim Redevelopment

November 2008

533 - 565 S. Saginaw St, Flint, MI 48502

- The reconstruction of 42,000-square feet encompassing office, retail, and residential spaces in downtown Flint's main street.

b. Project description

i. Intended usage/target market

The Harrison Street mixed-use building will be a combination of a new YMCA, mixed-income housing, and ground floor retail and office. On the Harrison Street frontage of the building, the project will feature approximately 7,945 square feet (SF) of fully built-out office space for a Flint-based nonprofit on the first floor. It will also include a small lobby and leasing area for the 50 units of housing. The apartment units were designed as attainable units to provide affordability to the downtown market. 41 of the 50 units will be available to those with incomes at or below 80% of Genesee County's Area Median Income (AMI). The affordability allows the units to be available to a broad range of service workers and early career professionals, i.e., nurses, firefighters, police. Of those 42 affordable units, four (4) will be specifically set aside for those with incomes at 50% AMI and below. The housing will be located on floors 2-5 with a mixture of studios, 1-BR, and 2-BR units. Floors 2 and 5 of the building will have 12-units, while floors 3 and 4 will have 13-units each.

The building will also operate as a full-service YMCA, which will be built-out including all loose and fixed-equipment. For the YMCA portion of the building this includes on Floor 1 the following at a total 29,000 SF: six-lane competitive lap pool, family splash pad, and spa; men, women, and universal locker rooms; lobby with gathering space for family and senior socialization, community and afterschool rooms, and branch offices. The YMCA will also sublease to Hurley Medical Center 2,120 SF of space that will be white-boxed waiting for the tenant improvement when the building is complete. The second floor will total 27,266 SF in YMCA space and will include a full-length basketball court, 3 exercise studios, a running/walking track, and cardio/weight equipment.

ii. Economic impact

The overall economic impact of the project is significant. The YMCA of Greater Flint currently has over 1300 downtown members and a 2021 study suggested that a new YMCA facility could grow that membership by approximately 1000, for a total of *2300 memberships*. These memberships are "Y speak" for households, which could be a single-person or a multi-person household. These members will frequent Flint-based business establishments, bringing in additional revenue for these small business owners that have struggled to regain foot traffic post-covid. Without the new YMCA facility, it is likely that the downtown location will be lost and there will be no presence of the YMCA in the city of Flint.

Affordable and quality housing is also key to bring forward the city of Flint as an attractive location for businesses to locate. The lack of affordable housing is both a national and statewide issue but is felt acutely in places like Flint. URC believes that the city of Flint has a great value proposition for individuals and families when looking for places to live. New housing that URC can deliver is of equal or better quality to many units in the surrounding communities, and in many instances is significantly less to rent.

Lastly, the project is expected to deliver 177 construction jobs based on a construction contract of \$33.5 million. This includes a local builder/general contractor, trades, and vendors.

iii. Environmental impact

The project conducted a Phase I Environmental Site Assessment on March 20, 2022, for the entire parcel. Based on a review of the prior environmental testing during the Phase I, the environmental consultant advised a baseline environmental assessment (BEA) be prepared for the project based on its past use as a gas station with underground gasoline storage tanks. It is anticipated that the project will be required to take any soils that are removed from the site to a regulated landfill, but otherwise if the soil remains undisturbed and capped no significant environmental issues are expected.

iv. Impact on City infrastructure

The project is currently going through preliminary site plan review with the City of Flint, Planning and Zoning Department. The project will ensure that all surface infrastructure, curbing, and sidewalks meet current zoning requirements. The project will also require new connections to city sewer and water.

Please see attached, "Attachment_harrison mixed-use_preliminary_Site_Plan", for the preliminary site plan.

v. Impact on City services

The YMCA portion of the building is being relocated from an existing downtown location and will have little to no net impact on city services. The project will result in the addition of 50 apartment units downtown. The apartment units are providing no special programs that would require more intensive government services, including police or fire.

vi. Square footage of the building and land to be renovated

The total building square footage will be 110,405. The land size is 2.74 acres.

vii. Architectural renderings to include the number and type of units

Please see attached, "Attachment_harrison mixed-use_Schematic_Design" for schematic designs.

viii. Any other information

Our development team, architect, and builder are working closely with the City of Flint, Building, Safety, & Inspection to ensure a sustainable, environmentally friendly mixed-use building is constructed.

c. Project marketing/target market

Unit Style	Size	Market Rate Rent (# of units)	80% AMI Rent (# of units)	50% AMI Rent (# of units)
Studio	484 sf	\$605 (2)*	\$605 (1)	\$412 (1)
1-bedroom	576 sf	\$720 (20)*	\$720 (10)	\$430 (1)
2-bedroom/1bath	720 sf	\$972 (1)	\$911 (3)	\$467 (1)
2-bedroom/2 bath	888 sf	\$1,199 (8)	\$911 (1)	\$467 (1)
Total Units		31	15	4

***Market Rate** Studio and 1-bedroom units naturally occur at 80% AMI, will not be income verified.

80% AMI Require income verification.

50% AMI Require income verification.

The project will be marketed as attainable housing, which within our definition is considered available to those making 80% of the Genesee County AMI. The project will feature a mixture of 31 market rate units and 19-income restricted units (see table above). Within the market rate units, naturally occurring attainable housing exists at 80% AMI for studio and 1-bedroom units. These units are generally available for those within the service industry, or young professionals, for example starting salaries for police, fire, nurses, and teachers.

On the affordability side, 15-units will be set aside, and income verified for those at 80% AMI, and 4-units at 50% AMI.

d. Ownership description/tax information

The property will be owned by a new Michigan limited liability company named HWD Harrison, Inc. and is anticipated to have following ownership details 65% owned by URC (managing member); 30% owned by Michigan Strategic Fund (MSF); and 5% owned by the YMCA of Greater Flint. The building will have a long-term lease to the YMCA of Greater Flint, making their portion of the building tax exempt as is their current facility. The project is also in discussion with a ground floor nonprofit office user.

e. Detailed development pro forma

Please see attached, "Attachment_harrison_mixed_use_Development_Pro_Forma" for detailed development pro forma.

f. Operating pro forma

Please see attached, "Attachment_harrison_mixed_use_Operating_Pro_Forma" for operating pro forma.

g. Schedule of rents/income levels

Unit Style	Size	Market Rate Rent (# of units)	80% AMI Rent (# of units)	50% AMI Rent (# of units)
Studio	484 sf	\$605 (2)*	\$605 (1)	\$412 (1)
1-bedroom	576 sf	\$720 (20)*	\$720 (10)	\$430 (1)
2-bedroom/1 bath	720 sf	\$972 (1)	\$911 (3)	\$467 (1)
2-bedroom/2 bath	888 sf	\$1,199 (8)	\$911 (1)	\$467 (1)
Total Units		31	15	4

***Market Rate** Studio and 1-bedroom units naturally occur at 80% AMI, will not be income verified.

80% AMI Require income verification.

50% AMI Require income verification.

h. Housing market data supporting demand (*As of June, 2022)

Marketplace Apartments:

- 92 total units- 45 market rate units are 100% full. 42 of the 47 affordable units at 60% AMI are occupied.
- One-bedroom/one bath (\$800-\$850 per/month)
- Two-bedroom/one bath (\$975 per/month)
- Two-bedroom/two bath (\$1,075 -\$1,125 per/month)

MSU Lofts

- 16 total units – all market rate at \$1.10SF plus 1 parking space at \$60.00/month
- 4 studios – (\$696-\$968 per/month)
- 14 one-bedrooms – (\$1085-\$1626 per/month)
- 14 Occupied, 2 pending applications

First Street

- 16 total units – 16 total units – all market rate at \$1.10SF plus 1 parking space at \$60.00/month
- 8 one-bedrooms – (\$929-\$1102 per/month)
- 8 two-bedrooms – (\$1098-\$1659 per/month)
- 15 occupied, 1 pending move-in on 8/1/2022

Berridge

- 21 total units – 10 market rate units at \$1.20/SF; 11 affordable units (60% AMI Home)
- 4 one-bedrooms - (affordable units are \$538 per/month; market rate units are \$822-\$1040 per/month)
- 15 two-bedrooms - (affordable units are \$673 & \$688 per/month; market rate units are \$1117-1597 per/month)
- 2 three-bedrooms – (\$876 per/month, both are affordable units)
- 20 Occupied – 1 pending application (market rate)

i. Proposed project timeline

City Approvals (Planning, Zoning, PILOT) – August through November 2022

MEDC Approval – October 2022

Financial Closing – December 2022

Construction Commencement – December 2022

Construction Completion – Summer 2024

j. Conflicts of interest

No identified sources of conflict.

k. Application bonus point items

- This project will include a mixed-use component of 50 housing units, with 41 units affordable to households with incomes at 80% AMI or less.
- Not applicable to this project.
- The DDA Downtown Flint Game Plan builds on several community engagement opportunities and input sessions held in service of a variety of planning efforts dating back to 2003, such as the Imagine Flint Master Plan. With additional input provided by downtown stakeholders, such as downtown business owners, government, other nonprofit agencies, and residents, the Downtown Flint Gameplan offers a variety of recommendations and solutions to make downtown more accessible and vibrant to all residents and visitors. Land Use recommendations point to the development of a new YMCA to provide recreation and entertainment programming. In terms of housing, the plan indicates that new housing options and increasing the number of residents is critical to continuing the momentum of downtown and will attract additional retail, improve perceptions of public safety, and to create an overall vibrant experience. To reach this ideal scenario, roughly 1,200 units of new construction is recommended to bring the downtown population up to
- This site contains a walk score of 90, a transit score of 53, and a bikeable score of 62¹. The project is positioned in such a way to connect this development with not only access to public transit, but also the highly successful Flint Farmer's Market. The development will be integrated into the Flint Health and Wellness District,

¹ 719 harrison street. Walk Score. (n.d.). Retrieved July 26, 2022, from <https://www.walkscore.com/score/719-harrison-st-flint-mi-48502>

including the expanded Michigan State University College of Human Medicine's public health program and Ascension's PACE program. This continues with the master plan for the eastern half of downtown to create development around Flint's institutional healthcare anchors.

The site is also within a few blocks of the Capitol Theatre which has been newly renovated and seeing much success, the downtown retail corridor on Saginaw Street, and the University of Michigan-Flint campus. In addition, the location is just a short walk away from many new eateries and places of entertainment. From the new-age Italian restaurant, Sauce, situated below the recently finished Hilton Garden Inn, a secretive speakeasy hidden within the popular Mexican eatery XOLO, and the always changing menu at Mott Culinary Institute's Applewood at Second and Saginaw, there are endless dining options in the immediate area. For those interested in more recreational activities there's the lively Buckham Alley which regular hosts varies types of festivals throughout the year, the exciting Flint City Bucks soccer games held at Atwood Stadium, and access to leisurely watersports on the Flint River through Kayak Flint a few blocks away in Carriage Town. The downtown area is increasing their public amenities, free annual programming, and sense of place in Flint.

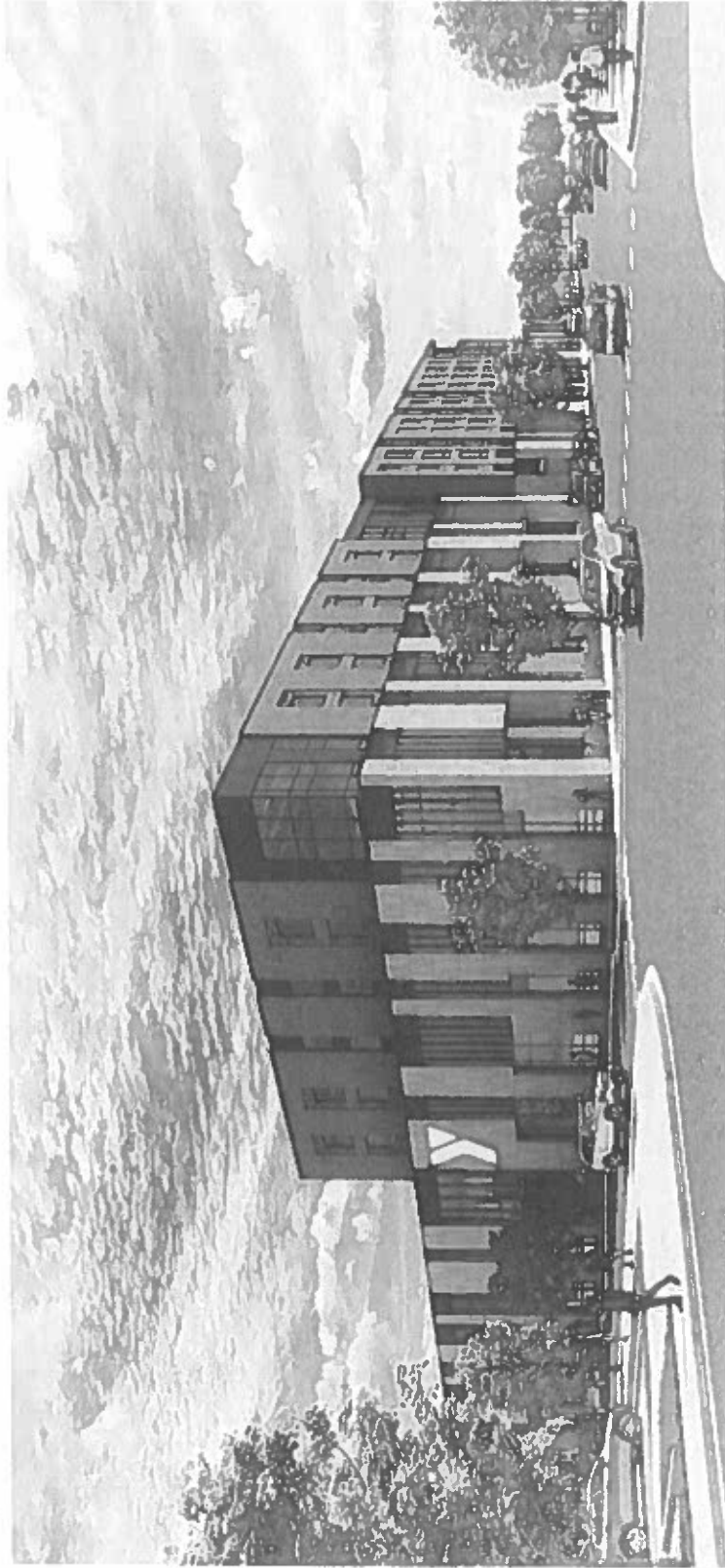
I. MSHDA application for LIHTC credits

Not applicable. The project is not seeking LIHTC form MSHDA.

HARRISON MIXED-USE YMCA OF GREATER FLINT

Harrison Street, Flint, MI 48502

PRELIMINARY SITE PLAN REVIEW | 15 JULY 2022 | IA PROJECT NO. 20190112



CLIENT:
Uptown Reinvestment Corporation
505 S. Saginaw Street
Suite 1500
Flint, MI 48502
810.228.5555

YMCA of Greater Flint
411 E. 3rd Street
Flint, MI 48503
810.227.9127

ARCHITECT:
Integrated Architecture
800 Ottawa Avenue NW
Grand Rapids, MI 49503
616.574.0270

LANDSCAPE ARCHITECT:
Integrated Architecture
800 Ottawa Avenue NW
Grand Rapids, MI 49503
616.574.0270

STRUCTURAL ENGINEER:
Robert Quares Associates
Consulting Structural Engineers
10000 E. Grand River Ave.
4400 Grandville, MI 49104
734.781.8710

CIVIL ENGINEER:
Wicks, Firm
5555 S. Saginaw Street
Suite 701
Flint, MI 48502
810.470.0015

MEP ENGINEERS:
8284 Brown Center Ave SW
Suite 100
Warren, MI 48091
616.358.5400

AQUATICS DESIGN:
881 Robertson Pool Design Bldg
P.O. Box 5247
913 Whittaker Drive
Northville, MI 48167
248.348.4940



DEVELOPMENT BUDGET

Development Name: First YMCA Living
 City/Township/Village: First
 County: Genesee
 Construction Type:

Fill in all blue shaded input cells

This worksheet is utilized to input the total Sources & Uses for the project from acquisition to construction completion. In addition, the maximum amount of MCRP Incentive the project is eligible for is calculated.

TOTAL DEVELOPMENT COSTS	Amount	% of IDC
Acquisition		
Land	\$1	0.00%
Building(s)		0.00%
Other:		0.00%
Subtotal Acquisition	\$1	0.00%

Hard Costs	New Construction	Artisan/Nonnew Construction	Amount	% of IDC	MCRP	
					Amount	Eligible Uses
Public Infrastructure (roads, sidewalks, utilities, sewerage, etc.)				0.00%	\$0	\$0
Site Improvements (walls, drives, landscaping, fencing, signs, and drainage)			\$65,000	0.19%	\$0	\$65,000
Demolition (Include Lead & Asbestos Abatement)				0.00%	\$0	\$0
Other Environmental Mitigation				0.00%	\$0	\$0
Earth Work				0.00%	\$0	\$0
Site Utilities			\$524,869	1.31%	\$0	\$524,869
Other:				0.00%	\$0	\$0
Structures	\$28,145,004	\$0	\$28,145,004	71.06%	\$0	\$28,145,004
Parking Structures			\$0	0.00%	\$0	\$0
Building Concrete/Masonry	\$4,100,000		\$4,100,000	10.34%	\$0	\$4,100,000
Carpentry	\$2,165,520		\$2,165,520	5.51%	\$0	\$2,165,520
Roofing/Steel/Sheet/Insulation/Cladding	\$3,820,401		\$3,820,401	9.74%	\$0	\$3,820,401
Doors/Windows/Glass	\$320,773		\$320,773	0.81%	\$0	\$320,773
Drywall/Finishwork	\$1,973,505		\$1,973,505	5.00%	\$0	\$1,973,505
Flooring	\$1,100,112		\$1,100,112	2.79%	\$0	\$1,100,112
Cabinets/Countertops/Apliances	\$415,600		\$415,600	1.05%	\$0	\$415,600
Painting/Decorating	\$441,212		\$441,212	1.11%	\$0	\$441,212
Plumbing/Electrical/Elevator Protection	\$4,914,579		\$4,914,579	12.41%	\$0	\$4,914,579
HVAC	\$3,275,000		\$3,275,000	8.37%	\$0	\$3,275,000
Accessory Buildings/Garages			\$0	0.00%	\$0	\$0
Elevators/Escalator Equipment	\$262,812		\$262,812	0.68%	\$0	\$262,812
Tenant Upgrades			\$0	0.00%	\$0	\$0
Other: Dumpster Feeding, Structural Steel, Pool	\$5,275,120		\$5,275,120	13.30%	\$0	\$5,275,120
Builder Overhead/Profit/General Requirements	\$2,652,352	\$0	\$2,652,352	6.79%	\$0	\$2,652,352
Permit/Trap Fees/Bond/Cost Certificate	\$600,905	\$0	\$600,905	1.52%	\$0	\$600,905
Construction Contingency	\$1,511,540	\$0	\$1,511,540	3.87%	\$0	\$1,511,540
Other: Value Engineering	\$0	\$0	\$0	0.00%	\$0	\$0
Subtotal Hard Costs			\$31,498,749	84.57%		
Other Eligible Costs						
Machinery & Equipment			\$750,000	1.89%	\$0	\$750,000
Furniture & Fixtures			\$250,000	0.63%	\$0	\$250,000
Architectural & Engineering			\$1,555,000	3.93%	\$0	\$1,555,000
Environmental Studies/Soil Testing			\$20,000	0.05%	\$0	\$20,000
Survey			\$10,000	0.03%	\$0	\$10,000
Other: Owner Contingency (Hard/Soft)			\$1,874,917	4.73%	\$0	\$1,874,917
Subtotal Eligible Soft Costs			\$4,759,917	10.76%		
Total Eligible Costs			\$36,258,666	95.33%		

8.00% of Hard Costs

4.73% of Hard Costs

Total Eligible	\$36,258,666	\$7,361,787	20%
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Other Ineligible Soft Costs	Amount	% of IDC
Other Professional Fees	\$365,000	0.93%
Loan Fees	\$42,500	0.11%
Construction Interest	\$0	0.00%
Construction Eaves		0.00%
Construction Insurance		0.00%
MEDC Fees	\$75,517	0.19%
Tale Work	\$15,000	0.04%
Rent Up Reserve	\$126,583	0.32%
Replacement Reserve	\$25,000	0.06%
Operating Reserve	\$111,799	0.28%
Other: Construction Period Interest	\$237,500	0.60%
Other: MDC 7-Year Expense Reserves	\$452,000	1.14%
Other: OMAC Interest Reserve	\$174,300	0.44%
Other Ineligible Soft Costs - Related Party and Consulting Fees	\$158,000	0.38%
Developer Fee		0.00%
Project Management Fees		0.00%
Construction Management Fees (Related Party)		0.00%
Consulting Fees		0.00%
Other Related Party Fees		0.00%
Other: Tax and Insurance Escrow	\$75,000	0.19%
Subtotal Ineligible Soft Costs	\$1,856,149	5%
TOTAL DEVELOPMENT COSTS	\$38,000,000	100.00%

TOTAL DEVELOPMENT SOURCES	Amount	% of IDC
Senior Debt	\$1,750,000	4.6%
xxx	\$0	0.00%
xxx	\$0	0.00%
xxx	\$0	0.00%
xxx	\$0	0.00%
xxx	\$0	0.00%
xxx	\$0	0.00%
xxx	\$0	0.00%
MSF/MCAP Conventional Loan	\$0	0.00%
Subordinate Debt/Grants		
MEDC Grant		0.00%
Other: MSP Equity	\$2,000,000	5.26%
Other: ARPA	\$500,000	1.32%
Other: Contribution of Existing YMCA Sale Proceeds	\$2,000,000	5.26%
Deferred Fees/Cash Equity		
Deferred Developer Fees		0.00%
Other Deferred Related Party Fees		0.00%
Deferred Consulting Fees		0.00%
Cash Equity Owner		0.00%
Land/Building Contribution Owner		0.00%
MSF/MCAP Equity Investment		0.00%
Other:		
Philanthropy - YMCA Capital Campaign	\$22,218,836	58.19%
MMTC - Net @ Loan Proceeds	\$4,140,000	10.89%
TOTAL DEVELOPMENT SOURCES	\$39,608,836	100.00%

Construction Financing	
Construction Loan	\$0
Interest Rate	

Sources & Uses	
Total Development Costs	\$38,000,000
Total Development Sources	\$39,608,836
Surplus/(Gap)	(\$1,600,000)

Other Calculations		Construct	Develop
Revol S.F.	Cost/S.F.	Cost/S.F.	Cost/S.F.
Residential & Comm. Common Spaces	0		
Common Space Other			
Total S.F. Building w/o Parking	95,971	\$149.05	\$412.72
		Construct	Construct
Parking	@ Spaces	Cost/Space	Cost/S.F.
	50	\$0.00	\$0.00
			% IDC
Cash Equity		\$0	0.00%
Land/Building Contribution		\$0	0.00%
Owner Contribution		\$0	0.00%
Cash IRR		0.00%	
Avg. Annual Cash on Cash Return		0.00%	
Owner Equity IRR		0.00%	
Avg. Annual Return on Owner Equity		0.00%	

CONSTRUCTION SUMMARY		
Public Infrastructure	\$0	0.00%
Site Improvements	\$65,000	0.17%
Earth Work	\$0	0.00%
Site Utilities - Construction	\$524,869	1.31%
Structures - Construction	\$28,145,004	71.06%
Machinery & Equipment - Construction	\$750,000	1.89%
Furniture & Fixtures - Construction	\$250,000	0.63%
Other Soft Costs	\$1,759,917	4.57%
Grand Total	\$31,498,749	84.57%
Total Project Development	\$38,000,000	100.00%

STABILIZED OPERATING STATEMENT

FIR in all blue shaded input cells

Development Name: Flint YMCA Living
 City/Township/Village: Flint
 County: Genesee
 Construction Type:

This worksheet is utilized to proforma out the stabilized operations of the project utilizing the projected initial rental rates, the stabilized vacancy rates, and the anticipated full operating expenses of the project.

DEVELOPMENT INCOME

	% Gross	% FF
Annual TIF Reimbursements	0.0%	0.0%
Other Recurring Revenue	0.0%	0.0%
Annual Gross Residential Rental Income	\$481,025	77.1%
Annual Gross Commercial Rental Income	\$127,793	20.5%
Annual Gross Hospitality Room & Related Income	\$0	0.0%
Annual Gross Hospitality Other Income	\$0	0.0%
Annual Gross Parking Income	\$15,000	2.4%
Annual Other Income	\$0	0.0%
Gross Income	\$623,817	100.0%
Vacancy Loss (Residential, Commercial, Hospitality)	(\$24,051)	-3.9%
Net Income Potential	\$599,766	96.1%

DEVELOPMENT OPERATING EXPENSES

	% Gross	% FF	Inflation Factor
Administrative Expenses	\$60,000	9.6%	10.0%
Management Fees	\$12,500	2.0%	2.1%
Office Payroll	\$35,000	5.6%	5.8%
Payroll Taxes	inc. above	#VALUE!	#VALUE!
Benefits/Worker's Comp.	inc. above	#VALUE!	#VALUE!
Advertising/Marketing	\$5,000	0.8%	0.8%
Legal/Accounting	\$5,000	0.8%	0.8%
General Office	\$2,500	0.4%	0.4%
Other:		0.0%	0.0%
Other:		0.0%	0.0%
Utilities	\$14,000	2.2%	3.0%
Electricity	\$6,000	1.0%	1.0%
Fuel	\$6,000	1.0%	1.0%
Water & Sewer	\$2,000	0.3%	0.3%
Maintenance/Non-Capitalized Repairs	\$104,500	16.8%	17.4%
Maintenance/Janitorial Payroll	\$30,000	4.8%	5.0%
Janitorial Supplies	\$6,000	1.0%	1.0%
Extermination	\$6,000	1.0%	1.0%
Rubbish Removal	\$3,000	0.5%	0.5%
Snow Removal	\$12,000	1.9%	2.0%
Lawn/Tree Maintenance	\$2,500	0.4%	0.4%
Parking Lot Repairs	\$1,500	0.2%	0.3%
Painting/Decorations/Cleaning	\$12,000	1.9%	2.0%
Heating & Air Repairs	\$7,500	1.2%	1.3%
Plumbing/Electrical Repairs	\$7,500	1.2%	1.3%
Elevator Maintenance	\$7,500	1.2%	1.3%
Vehicle/Equipment Maintenance		0.0%	0.0%
Security	\$6,000	1.0%	1.0%
Other window cleaning	\$3,000	0.5%	0.5%
Other		0.0%	0.0%
Real Estate Taxes	\$171,429	27.5%	28.6%
Tax Abatement (-)	\$123,326	19.8%	20.6%
Property & Liability Insurance	\$22,500	3.6%	3.8%
Reserve Requirements		0.0%	0.0%
Other		0.0%	0.0%
Other		0.0%	0.0%
Other		0.0%	0.0%
Other		0.0%	0.0%
Total Expenses	\$249,102	39.9%	41.5%
Cash Flow Available for Debt Service / NOI	\$350,664	56.2%	58.5%

Amortizing Loans

Loan	Term	Amount	% Gross	% FF
Loan 1 DS	1001	\$271,511	43.5%	45.3%
Loan 2 DS	1001	\$0	0.0%	0.0%
Loan 3 DS	1001	\$0	0.0%	0.0%
Loan 4 DS	1001	\$0	0.0%	0.0%
Int. Loan 5 DS	1001	\$0	0.0%	0.0%
Other Oblig. 1	1001		0.0%	0.0%
Other Oblig. 2	1001		0.0%	0.0%

MCRP Loan Debt Service

	\$0	0.0%	0.0%
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Debt Service Coverage Ratio

1.29

Required
 OSCR

LOAN TERMS	Loan Amount	Term	Amort	Interest	Ref. Rate
		Max	Max	Rate	Rate
LOAN	\$3,750,000	84	480	6.75%	3.50%
LOAN		60	240	4.00%	6.00%
LOAN		60	240	4.00%	6.00%
LOAN		60	240	4.00%	6.00%
LOAN		60		4.00%	6.00%
LOAN				4.00%	8.75%
LOAN				4.00%	8.75%
	Override				
	\$0	(if requesting a grant input \$0)			
MSP/MCRP Loan	\$0	60	240	1.00%	3.00%