



# City of Flint, Michigan

Third Floor, City Hall  
1101 S. Saginaw Street  
Flint, Michigan 48502  
[www.cityofflint.com](http://www.cityofflint.com)

**Meeting Agenda – FINAL**  
**Wednesday, November 6, 2024**  
**5:00 PM**

## City Council Chambers

### GOVERNMENTAL OPERATIONS COMMITTEE

VACANT, Chairperson

- |                              |                         |
|------------------------------|-------------------------|
| Leon El-Alamin, Ward 1       | Ladel Lewis, Ward 2     |
| VACANT, Ward 3               | Judy Priestley, Ward 4  |
| Jerri Winfrey-Carter, Ward 5 | Tonya Burns, Ward 6     |
| Candice Mushatt, Ward 7      | Dennis Pfeiffer, Ward 8 |
| Jonathan Jarrett, Ward 9     |                         |

Davina Donahue, City Clerk

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**ROLL CALL**

**REQUEST FOR AGENDA CHANGES/ADDITIONS**

**PUBLIC COMMENT**

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

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

**COUNCIL RESPONSE**

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

**CONSENT AGENDA**

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

**RESOLUTIONS**

**240455-T** Adopt/Comprehensive Plan Update MOU/City of Flint Planning Commission

Resolution resolving that the appropriate City officials are authorized to do all things necessary to enact the Memorandum of Understanding that is being recommended by the Planning Commission from their August 13<sup>th</sup>, 2024 meeting.

**240495-T** Support MDOT's Submission/Transportation Alternatives Program (TAP) /Second Street Pedestrian Bridge and Path along Chavez

Resolution resolving that the City of Flint authorizes support for MDOT's TAP grant application for the Second Street pedestrian bridge and the pedestrian path along Chavez, designates Rod McGaha, Transportation Director, to represent and coordinate with MDOT for the grant award, and commits to managing snow and debris removal in collaboration with the DDA for the projects. AND, further resolving that this resolution attests the City's support for MDOT's TAP

grant application for the Second Street pedestrian bridge and the pedestrian path along Chavez.

## **APPOINTMENTS**

**240424-T** Appointment/Water System Advisory Council/Dr. Richard Sadler

Resolution resolving that the Flint City Council approves the appointment of Dr. Richard Sadler (Maxine Street, Flint) to the Water System Advisory Council, as recommended by Mayor Sheldon Neeley.

**240425-T** Appointment/Water System Advisory Council/Carroll Kinkade

Resolution resolving that the Flint City Council approves the appointment of Carroll Kinkade to the Water System Advisory Council, as recommended by Mayor Sheldon Neeley.

**240485-T** Mayoral Appointment/City Attorney/JoAnne Gurley

Resolution resolving that the Flint City Council approves the appointment of JoAnne Gurley as the Flint City Attorney, and the Terms of Appointment, as recommended by Mayor Sheldon Neeley.

## **ADJOURNMENT**



240455-T

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 10-9-2024

ADOPTED: \_\_\_\_\_

**RESOLUTION FOR FLINT CITY COUNCIL TO ADOPT COMPREHENSIVE PLAN UPDATE MOU WITH CITY OF FLINT PLANNING COMMISSION**

The Imagine Flint Comprehensive Plan ("the Plan"), adopted on October 28, 2013, was reviewed by the Planning Commission per the Michigan Planning Enabling Act, being P.A. 33 of 2008, as amended, M.C.L. 125.3801 *et seq.*, and the determination was made that an update was needed at the February 13<sup>th</sup>, 2024 regular meeting. Part of the creation of the plan included a Memorandum of Understanding (MOU) between the City of Flint, City of Flint Planning Commission, and City Council for City of Flint, signed March 28, 2011, to define roles and responsibilities between the partnering entities. Now the Administration would like to enact an updated MOU to define the roles of the Planning Commission, Steering Committee, Department of Business and Community Services, City Administration, and the City Council in the Plan update process.

**IT IS RESOLVED** that the appropriate City officials are authorized to do all things necessary to enact the Memorandum of Understanding that is being recommended by the Planning Commission from their August 13<sup>th</sup>, 2024 meeting.

**For the City:**

**For the City Council:**

CLYDE D EDWARDS / A0311  
CLYDE D EDWARDS / A0311 (Oct 1, 2024 16:24 EDT)  
Clyde D. Edwards, City Administrator

\_\_\_\_\_

**Approved as to Form:**

**Approved as to Finance:**

JK  
Joseph Kuptz (Oct 1, 2024 13:31 EDT)  
Joseph Kuptz, Acting City Attorney

Phillip Moore  
Phillip Moore (Oct 1, 2024 10:17 EDT)  
Phillip Moore, Chief Financial Officer

**RESOLUTION STAFF REVIEW**

**TODAY'S DATE:** September 25, 2024

**BID/PROPOSAL#** N/A

**AGENDA ITEM TITLE: RESOLUTION FOR FLINT CITY COUNCIL TO ADOPT COMPREHENSIVE PLAN UPDATE MOU WITH CITY OF FLINT PLANNING COMMISSION**

**PREPARED BY:** Emily Doerr

**VENDOR NAME:** N/A

**Section I: BACKGROUND/SUMMARY OF PROPOSED ACTION:**

The Imagine Flint Comprehensive Plan ("the Plan") was reviewed by the Planning Commission per the Michigan Planning Enabling Act, being P.A. 33 of 2008, as amended, M.C.L. 125.3801 *et seq.*, and the determination was made that an update was needed at the February 13<sup>th</sup>, 2024 regular meeting. A Memorandum of Understanding ("MoU") was drafted to define the roles of the Planning Commission, Steering Committee, Department of Business and Community Services, City Administration, and the City Council in the Plan update process. The Planning Commission reviewed the attached MOU and approved it with amendment at the August 13<sup>th</sup>, 2024 regular meeting.

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

MOU between City of Flint, City of Flint Planning Commission, and City Council for City of Flint Master Plan signed 3/28/2011 (enclosed)

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

The Plan update process is focused on resident engagement and there are multiple references to "the Steering Committee" in the MOU which will be a group of stakeholders up to 21 people – 90% of whom must be city residents – who will provide additional time for review and recommendations for updating on top of the hundreds, if not thousands of residents who will be engaged through the 18-month process that will include no less than 50 community meetings.

**Section IV: FINANCIAL IMPLICATIONS:**

Having an updated Comprehensive Plan will allow the City of Flint to apply for more grant funding.

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

Dept.	Name of Account	Account Number	Grant Code	Amount
		<b>FY24 GRAND TOTAL</b>		

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

ACCOUNTING APPROVAL: Carissa Dotson Date: 09/27/2024  
Carissa Dotson (Sep 27, 2024 14:37 EDT)

WILL YOUR DEPARTMENT NEED A CONTRACT? YES  NO

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

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

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

STAFF RECOMMENDATION: *(PLEASE SELECT)*:

APPROVED  NOT APPROVED

DEPARTMENT HEAD SIGNATURE:

Emily Doerr  
Emily Doerr (Sep 27, 2024 13:52 EDT)

*Emily Doerr, Director, Dept of Business and Community Services*

## MEMORANDUM OF UNDERSTANDING

### CITY OF FLINT COMPREHENSIVE PLAN

This Memorandum Of Understanding – City of Flint Comprehensive Plan (“Memorandum”) is executed to be effective as of this \_\_\_\_\_ day of \_\_\_\_\_ 2024, by and between the administration of the City of Flint, a Michigan municipal corporation (“Administration”), City of Flint Planning Commission (“PC”) and the City Council of the City of Flint (“Council”); the Administration, the PC and the Council are individually a “Branch” and collectively the “Branches”.

The following is a recital of certain facts which underlie this Memorandum:

- A. The Branches wish to work together to develop an update to the “Comprehensive Plan” pursuant to the Michigan Planning Enabling Act, being P.A. 33 of 2008, as amended, M.C.L. 125.3801 *et seq.* (the “Act”); and
- B. The Comprehensive Plan shall fulfill the role required by section 4-503 of the Charter of the City of Flint (the “Charter”); and
- C. Each Branch understands that the Act contains procedures and requirements in order to adopt a statutorily valid comprehensive plan; and
- D. The Branches wish to document their preliminary understandings and intent by this Memorandum; and
- E. While each Branch understands that this Memorandum is not a binding contract, each Branch intends to proceed through the procedures contained in this Memorandum.

NOW, THEREFORE, in consideration of the mutual promises contained herein, it is agreed as follows:

1. Introduction and Intent. This Memorandum is intended to be a non-binding expression of the present intent of the Branches to research, prepare, adopt and implement an updated “Comprehensive Plan” pursuant to the Act (the “Plan”). Each Branch understands that additional documents will be negotiated and adopted by each of the Branches before the full Plan is approved and binding, and that the Act requires specific roles from each Branch. While this Memorandum is not a binding contract, each Branch intends to act in accordance with the terms contained in this Memorandum.
2. The Plan. The Plan refers to a plan adopted or amended under the Act, and used to satisfy the requirement of section 203(1) of the Michigan Zoning Enabling Act, being P.A. 110 of 2006, as amended, M.C.L. 125.3101 *et seq.* Also referred to as the “Comprehensive Plan”, “Imagine Flint Comprehensive Plan”, and previously referred to as the “Imagine Flint Master Plan”.
3. Branch Roles. The Branches will share the Plan tasks, pursuant to Michigan law, in the following areas:

a. Administration.

The role of the Administration in connection with the development of the Plan will include the following:

i. Mayor.

The Mayor of the City shall do the following:

1. The Mayor will appoint, pursuant to section 4-202 of the Charter, a "Director of Business and Community Services".
2. The Mayor will appoint, pursuant to Article 6, Section 6-302 of the Flint Code of Ordinances, any vacancies for permanent positions of the Planning Commission.
3. The Mayor will appoint members to the Steering Committee per the selection process noted in subsection (c).

ii. City Administrator.

The City Administrator shall do the following:

1. The City Administrator or his or her designee shall engage in discussions with all other City departments and commissions regarding positioning, leveraging, and coordinating City resources as part of the comprehensive planning and development process in connection with the development and adoption of the Plan.

iii. Department of Business and Community Services ("DBCS").

The role of the Department of Business and Community Services ("DBCS") in connection with the development of the comprehensive plan will be the following:

1. The DBCS Director shall communicate to and coordinate with the Mayor, Administration, and the City Council regarding positioning/leveraging current City resources as part of the comprehensive planning and development process, including internal coordination of resources and projects utilizing community and economic development funding.
2. The DCBS Director shall be the liaison for the City Administration and all City departments, agencies, committees, and commissions in preparation of proposals relative to the comprehensive planning process.
3. The DBCS Director shall oversee functions relating to developmental matters as defined in the Charter, section 4-502 ("Development Matters"), so far as such functions relate to the comprehensive planning process.



4. The DCBS Director shall receive all reports concerning Development Matters and other information which they request. The DCBS Director shall, with the head of any agency involved, evaluate all reports and information in light of the policies, programs, and priorities of the Mayor and Plan.
5. The DCBS Director will coordinate with the Planning Administrator in the administration of any grants awarded to the City in connection with the comprehensive planning process and management of the comprehensive planning process.
6. The DBCS shall prepare procurement resolutions, including those for the hiring of professional consultants. Each such resolution shall require legal review as to form and financial review as to budget.
7. The DBCS will coordinate comprehensive planning consultants and/or partners in consultation with the Planning Commission and manage the professional consultants to assist the City in the comprehensive planning process.

b. Planning Commission ("PC").

The role of the PC in connection with the development of the Plan will include the following:

- i. Pursuant to the procedure contained in the Act, make and approve the Plan as a guide for development within the City of Flint.
- ii. Provide policy direction and input regarding matters such as goals and objectives, and concepts for funding proposals.
- iii. Ensure that guiding principles identified in the initial steps of the planning process are adhered to throughout the comprehensive planning process.
- iv. Steer and guide the comprehensive planning process, subject to the authority reserved and vested in the Administration as described above and the Council below.
- v. Form advisory groups which may involve additional people and partners to address specific components such as parks, public works, transportation, etc.
- vi. Communicate at least monthly with the DBCS Director, Planning Administrator, and Steering Committee about the comprehensive planning process.
- vii. Participate in and sponsor comprehensive planning workshops.
- viii. Hold public hearings for community input in accordance with the procedure contained in the Act.
- ix. Approve the final Plan in accordance with the Act and the Charter.

c. Steering Committee.

The role of the Steering Committee in connection with the development of the Plan will include the following:

- i. In matters concerning the comprehensive planning process, the Steering Committee will be led by no less than four (4) and no more than six (6) co-chairs consisting of community leaders who are residents of the City of Flint.
  1. The Steering Committee will consist of no more than 21 members that includes representatives of community residents, the business community, neighborhood organizations, faith-based organizations, comprehensive plan partners, other local stakeholders, at least one member of the Flint City Council and at least one member of the Flint Planning Commission. A minimum of 90% of members shall reside in the City of Flint. Additional advisory groups may be formed involving additional people and partners to address specific components such as parks, public works, transportation, etc.
  2. The Planning Commission may set criteria or guidelines for selecting Steering Committee members and co-chairs by majority vote of the PC membership.
  3. Two (2) co-chairs will be selected from the Planning Commission by majority vote of the Commission membership.
  4. Four (4) co-chairs and the remaining Steering Committee members will be selected by a panel of the PC co-chairs, the City Council President, and the Mayor.
  5. The Steering Committee will not be a board assigned with decision-making authority over the Plan. Its role will be to help channel community resources towards the comprehensive planning effort and ensure the broadest feasible community ownership of the comprehensive planning process.

d. Flint City Council ("Council").

The role of the Council in connection with the development of the Plan will include the following:

- i. Adopt a resolution allowing for the right of the Council to approve or reject the Plan, pursuant to section 43 of the Act.
- ii. Participate in the procurement process by adopting procurement resolutions, including those for the hiring of professional consultants.
- iii. Participate in comprehensive planning workshops.
- iv. Receive quarterly updates on the planning process from a designated co-chair of the Steering Committee, the Planning Commission Chairperson, or the DCBS or their designee, and provide input regarding goals and objectives.

- v. Review, approve or reject (but not amend) the final Plan in accordance with the Act, including the following provisions of Section 43 of the Act:

*“(3) Approval of the proposed comprehensive plan by the planning commission under subsection (2) is the final step for adoption of the comprehensive plan, unless the legislative body by resolution has asserted the right to approve or reject the comprehensive plan. In that case, after approval of the proposed comprehensive plan by the planning commission, the legislative body shall approve or reject the proposed comprehensive plan...”*

*“(4) If the legislative body rejects the proposed comprehensive plan, the legislative body shall submit to the planning commission a statement of its objections to the proposed comprehensive plan. The planning commission shall consider the legislative body's objections and revise the proposed comprehensive plan so as to address those objections. The procedures provided in subsections (1) to (3) and this subsection shall be repeated until the legislative body approves the proposed comprehensive plan.”*

#### 4. Miscellaneous.

- a. Further Assurances. Each party to this Memorandum shall act in good faith to give effect to the intent of this Memorandum and agrees to execute and deliver such other documents and to take such other action as may be necessary or convenient to consummate the purpose and subject matter of this Memorandum.
- b. Counterparts. It is understood and agreed that this Memorandum may be executed in several counterparts, each of which, for all purposes, shall be deemed to constitute an original and all of which counterparts, when taken together, shall be deemed to constitute one and the same agreement, even though all of the parties hereto may not have executed the same counterpart.
- c. Governing Law. This Memorandum is executed in and shall be governed by, and construed under, the internal laws of the State of Michigan, without regard to conflicts of laws principles.

*(the remainder of this page is intentionally blank)*

IN WITNESS WHEREOF, the parties have executed this Memorandum to be effective as of the date listed above.

**WITNESS:**

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\_\_\_\_\_

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
  
\_\_\_\_\_

**ADMINISTRATION:**

Administration for the City of Flint, a Michigan municipal corporation

\_\_\_\_\_  
By:  
Its:

**PLANNING COMMISSION:**

City of Flint Planning Commission

\_\_\_\_\_  
By:  
Its:

**CITY COUNCIL:**

City Council for the City of Flint

\_\_\_\_\_  
By:  
Its:

## MEMORANDUM OF UNDERSTANDING

### CITY OF FLINT MASTER PLAN

This Memorandum Of Understanding – City of Flint Master Plan (“Memorandum”) is executed to be effective as of this 28th day of March 2011, by and between the administration of the City of Flint, a Michigan municipal corporation (“Administration”), City of Flint Planning Commission (“PC”) and the City Council of the City of Flint (“Council”); the Administration, the PC and the Council are individually a “Branch” and collectively the “Branches”.

The following is a recital of certain facts which underlie this Memorandum:

- A. The Branches wish to work together to develop a “Master Plan” pursuant to 2008 PA 33, being MCL 125.3801 et seq. (the “Act”); and
- B. The Master Plan shall fulfill the role of the “Comprehensive Plan” required by section 4-504 of the Charter of the City of Flint (the “Charter”); and
- C. Each Branch understands that the Act contains procedures and requirements in order to adopt a statutorily valid master plan; and
- D. The Branches wish to document their preliminary understandings and intent by this Memorandum; and
- E. While each Branch understands that this Memorandum is not a binding contract, each Branch intends to proceed through the procedures contained in this Memorandum.

NOW, THEREFORE, in consideration of the mutual promises contained herein, it is agreed as follows:

1. Introduction and Intent. This Memorandum is intended to be a non-binding expression of the present intent of the Branches to research, prepare, adopt and implement a “Master Plan” pursuant to the Act (the “Plan”). Each Branch understands that additional documents will be negotiated and adopted by each of the Branches before the full Plan is approved and binding, and that the Act requires specific roles from each Branch. While this Memorandum is not a binding contract, each Branch intends to act in accordance with the terms contained in this Memorandum.
2. The Plan. The Plan refers to a plan adopted or amended under the Act, and used to satisfy the requirement of section 203(1) of the Michigan Zoning Enabling Act, 2006 PA 110, MCL 25.3203.
3. Branch Roles. The Branches will share the Plan tasks, pursuant to Michigan law, in the following areas:
  - a. Administration. The role of the Administration in connection with the development of the Plan will include the following:
    - i. Mayor. The Mayor of the City shall do the following:

1. The Mayor will appoint, pursuant to section 4-202 of the Charter, a "Chief Planning Officer" as contemplated by section 4-501 of the Charter.
- ii. City Administrator. The City Administrator shall do the following:
  1. The City Administrator or his or her designee shall engage in discussions with all other City departments and commissions regarding positioning, leveraging and coordinating City resources as part of the master planning and development process in connection with the development and adoption of the Plan.
- iii. Department of Community and Economic Development ("DCED"). The role of the Department of Community and Economic Development ("DCED") in connection with the development of the master plan will be the following:
  1. The DCED Director shall communicate to and coordinate with the Chief Planning Officer, Administration and the City Council regarding positioning/leveraging current City resources as part of the master planning and development process, including internal coordination of resources and projects utilizing community and economic development funding.
  2. The DCED shall prepare procurement resolutions, including those for the hiring of professional consultants. Each such resolution shall require legal review as to form and financial review as to budget.
  3. The DCED will select master planning consultants in consultation with the Planning Commission and manage the professional consultants to assist the City in the master planning process.
- iv. Chief Planning Officer. The Chief Planning Officer shall do the following:
  1. The Chief Planning Officer shall report to the DCED Director, the City Administrator, and the Mayor.
  2. The Chief Planning Officer shall oversee functions relating to development matters as defined in the Charter, section 4-502 ("Development Matters"), so far as such functions relate to the master planning process.
  3. The Chief Planning Officer shall be the liaison for the City Administration and all City departments, agencies, committees and commissions (including the PC and the Master Planning Steering Committee) in preparation of proposals relative to the master planning process.

4. The Chief Planning Officer shall obtain all information and conduct all studies required by the Mayor and the heads of agencies in the preparation of proposals relative to Development Matters.
5. The Chief Planning Officer shall receive all reports concerning Development Matters and other information which it requests. The Chief Planning Officer shall, with the head of any agency involved, evaluate all reports and information in light of the policies, programs, and priorities of the Mayor and Plan.
6. The Chief Planning Officer will coordinate with the Planning Administrator in the administration of any grants awarded to the City in connection with the master planning process ("Grants") and management of the master planning process.

b. Planning Commission ("PC"). The role of the PC in connection with the development of the Plan will include the following:

- i. Pursuant to the procedure contained in the Act, as summarized on the attached Exhibit 2, make and approve the Plan as a guide for development within the City of Flint.
- ii. Provide policy direction and input regarding matters such as goals and objectives, concepts for funding proposals, desired qualities for Chief Planning Officer candidates, and criteria for selecting master planning consultants.
- iii. Ensure that guiding principles identified in the initial steps of the planning process are adhered to throughout the Master Planning initiative.
- iv. Steer and guide the master planning process, subject to the authority reserved and vested in the Administration as described above and the Council below.

~~The Master Planning Steering Committee shall have no more than 24 members that includes representatives of community residents, the business community, neighborhood organizations, faith-based organizations, master plan partners, other local stakeholders, at least one member of the Flint City Council and at least two members of the Flint Planning Commission. Additional advisory groups may be formed involving additional people and partners to address specific components such as parks, public works, transportation, etc.~~

1. ~~The Master Planning Steering Committee will be led with 2 co-chairs consisting of 1 member of the Planning Commission and 1 community leader.~~
2. ~~The members of the Master Planning Steering Committee will be selected by a four person panel consisting of the 2 co-chairs, a member of the City Council, and the Mayor.~~
3. ~~The Master Planning Steering Committee will not be a board assigned with decision making authority, nor will it be a public~~

body. Its role will be to help channel community resources towards the master planning effort and ensure the broadest feasible community ownership of the master planning process.

4. The Master Planning Steering Committee will reflect the social makeup of the City of Flint in its membership (including by race, gender, age, geography, etc.) At least 75% of the Master Plan Steering Committee must be people who reside in the City of Flint. Each ward of the City shall have at least one resident of that ward who is a member of the Master Plan Steering Committee.
  - vi. Communicate at least monthly with the Chief Planning Officer, Planning Administrator, and Steering Committee about the master planning process.
  - vii. Participate in and sponsor master planning workshops.
  - viii. Hold public hearings for community input in accordance with the procedure contained in the Act.
  - ix. Approve the final Plan in accordance with the Act and the Charter.
- c. Flint City Council ("Council"). The role of the Council in connection with the development of the Plan will include the following:
- i. Adopt a resolution allowing for the right of the Council to approve or reject the Plan, pursuant to section 43 of the Act.
  - ii. Participate in the procurement process by adopting procurement resolutions, including those for the hiring of professional consultants.
  - iii. Participate in master planning workshops.
  - iv. Receive monthly updates on the planning process and provide input regarding goals and objectives.
  - v. Review, approve or reject (but not amend) the final Plan in accordance with the Act, including the following provisions of section 43 of the Act:

*"(3) Approval of the proposed master plan by the planning commission under subsection (2) is the final step for adoption of the master plan, unless the legislative body by resolution has asserted the right to approve or reject the master plan. In that case, after approval of the proposed master plan by the planning commission, the legislative body shall approve or reject the proposed master plan..."*

*(4) If the legislative body rejects the proposed master plan, the legislative body shall submit to the planning commission a statement of its objections to the proposed master plan. The planning commission shall consider the legislative body's objections and revise the proposed master plan so as to address those objections. The procedures provided in subsections (1) to*



*(3) and this subsection shall be repeated until the legislative body approves the proposed master plan."*

4. Work Plan. Attached as Exhibit 1 is a "Work Plan" describing the sequence of tasks and events necessary to research, prepare, adopt and implement the Plan.
5. Master Plan Flow Chart. Attached as Exhibit 2 is a "Master Plan Development and Adoption Process" describing the sequence of legal steps necessary to adopt the Plan.
6. Miscellaneous.
  - a. Further Assurances. Each party to this Memorandum shall act in good faith to give effect to the intent of this Memorandum and agrees to execute and deliver such other documents and to take such other action as may be necessary or convenient to consummate the purpose and subject matter of this Memorandum.
  - b. Counterparts. It is understood and agreed that this Memorandum may be executed in several counterparts, each of which, for all purposes, shall be deemed to constitute an original and all of which counterparts, when taken together, shall be deemed to constitute one and the same agreement, even though all of the parties hereto may not have executed the same counterpart.
  - c. Governing Law. This Memorandum is executed in and shall be governed by, and construed under, the internal laws of the State of Michigan, without regard to conflicts of laws principles.

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IN WITNESS WHEREOF, the parties have executed this Memorandum to be effective as of the date listed above.

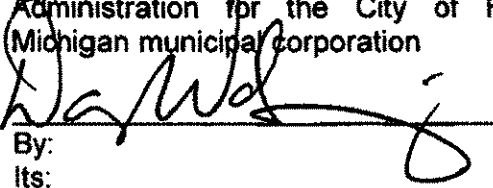
**WITNESS:**

  
Maxine Murray

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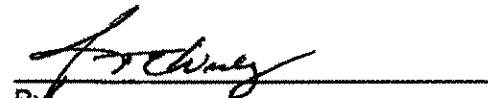
**ADMINISTRATION:**

Administration for the City of Flint, a Michigan municipal corporation

  
By:  
Its:

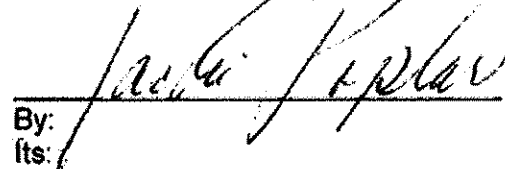
**PLANNING COMMISSION:**

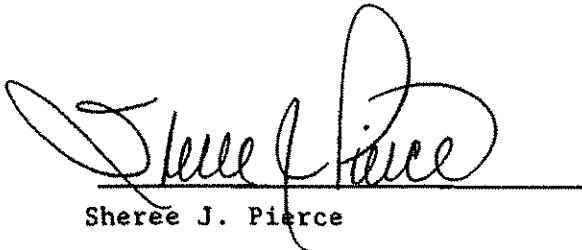
City of Flint Planning Commission

  
By:  
Its:

**CITY COUNCIL:**

City Council for the City of Flint

  
By:  
Its:

  
Sheree J. Pierce

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Davina Donahue

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**Master Planning Roles and Responsibilities  
Adapted from City of Flint Master Plan MOU, approved March 28, 2011**

Administration	Planning Commission	City Council	Steering Committee
<p><i>Mayor</i></p> <p>Appoints Chief Planning Officer (CPO)</p>	<p>Makes and approves plan as a guide for development within the City of Flint</p>	<p>Adopts a resolution allowing for the right of the Council to approve or reject the Plan</p>	<p>The Committee will be co-chaired by a member of the Planning Commission and a community leader.</p>
<p><i>City Administrator</i></p> <p>Positions, leverages, and coordinates City resources</p>	<p>Provides policy direction and input regarding goals and objectives of planning process, concepts for funding proposals, desired qualities for Chief Planning Officer (CPO), and criteria for selecting master planning consultants</p>	<p>Participates in the procurement process by adopting procurement resolutions, including those for the hiring of professional consultants</p> <p>Participates in master planning workshops</p>	<p>The members of the Master Planning Steering Committee will be selected by a four-person panel consisting of the 2 co-chairs, a member of the City Council, and the Mayor</p>
<p><i>Department of Community and Economic Development (DCED)</i></p> <p>DCED Director communicates to and coordinates with CPO, Administration, and City Council regarding positioning/leveraging City resources</p> <p>Prepares RFQs/RFP(s) for consultant(s)</p> <p>In consultation with Planning Commission, selects and manages consultants</p>	<p>Ensures that guiding principles identified in the initial steps of the planning process are adhered to throughout the Master Planning initiative</p> <p>Steers and guides the master planning process, subject to the authority reserved and vested in the Administration and Council</p> <p>Convenes Steering Committee [Selects commissioner to co-chair the committee]</p> <p>Communicates at least monthly with the CPO, Planning Administrator, and Steering Committee about the master planning process.</p> <p>Sponsors and participates in master planning workshops</p> <p>Holds public hearings for community input on Plan</p> <p>Approves final Master Plan</p>	<p>Receives monthly updates on the planning process and provides input regarding goals and objectives</p> <p>Reviews, approves or rejects (but does not amend) the final Plan</p> <p>[Council is empowered to submit statement of objections to Commission; Commission shall revise plan to address objections; process is repeated until Council approves proposed plan.]</p>	<p>The Committee will be comprised of up to 21 members and shall include representatives of:</p> <ul style="list-style-type: none"> <li>-community residents</li> <li>-the business community</li> <li>-neighborhood organizations</li> <li>-faith-based organizations</li> <li>-master plan partners</li> <li>-other local stakeholders</li> <li>-at least one member of the Flint city Council</li> <li>- at least two members of the Flint Planning Commission.</li> </ul> <p>Additional advisory groups may be formed, involving additional people and partners, to address specific elements of the Plan</p>
<p><i>Chief Planning Officer (CPO)</i></p> <p>Reports to DCED Director, City Administrator, and Mayor</p> <p>Oversees functions related to development matters, so far as functions relate to the master planning process</p> <p>Acts as liaison to all City agencies regarding preparation of proposals for planning process</p> <p>Obtains information and conducts studies as required by Mayor and heads of agencies</p> <p>Upon request, receives reports concerning development matters. In conjunction with pertinent agency head(s), evaluates reports in light of policies, programs, and priorities of the Mayor and Plan</p> <p>In coordination with Planning Administrator, administers grants awarded to City in connection with master planning process</p>			<p>The Steering Committee "will not be a board assigned with decision making power, nor will it be a public body. Its role will be to help channel community resources towards the master planning effort and ensure the broadest feasible community ownership of the master planning process."</p> <p>The steering Committee "will reflect the social makeup of the City of Flint in its membership (including by race, gender, age, geography, etc.). At least 75% of the advisory group must be people who reside in the City of Flint. Each ward of the City shall have at least one resident of that ward who is a member of the Master Plan Steering Committee."</p>

MASTER PLAN FC SUSTAINABLE FLINT  
DRAFT WORK PLAN

	Approx. Time (quarters)
<p><b>Phase 1</b> Assemble team</p> <p>Hire or designate a "Chief Planning Officer" Select Steering Committee</p> <p>Hire professional consultants</p> <p>Collect and identify current and critical data.</p> <p>Collect and review institutional and neighborhood planning documents.</p> <p>Analyze data and review opportunities for integrated planning efforts. Create maps from the analyzed data and planning documents that depict the current picture of the existing conditions and identify trends to use in decision making. Review of innovative planning and development strategies.</p>	<p>one - two</p>
<p>Data collection and Analysis Review current plan documents Review innovative Planning Principles</p>	
<p><b>Phase 2</b> Develop Planning Framework and Guiding Principles Community and Stakeholder Engagement</p> <p>Develop planning training curriculum and organize educational sessions on plan development and implementation for residents, city administrators, city officials, and stakeholders. Conduct Community Vision Sessions that develop consensus around a set of guiding Principles and city-wide Strategic Planning Framework for future planning.</p>	<p>three - six</p>
<p>Develop Planning Toolbox</p> <p>Develop a "Planning Toolbox" that will define a methodology for identifying different types of planning areas within the City. It will also serve as a set of best planning practices, policies and priorities specific to each type of planning area for neighborhood and community groups to use to complete small area land use plans.</p>	
<p><b>Phase 3</b> Develop Master Plan Adoption of Master Plan</p> <p>Develop sub area plans. Develop Draft Master Plan for a sustainable Flint. Complete statutory procedures, including all public hearings, required for adoption of Master Plan.</p>	<p>seven - ten</p>
<p><b>Phase 4</b> Implementation of Master Plan</p> <p>Amend existing City Zoning Ordinances to reflect Master Plan principles, goals, and objectives. Write and adopt capital improvements plan. Develop GIS mapping and statistical data base system for access to comprehensive information on each parcel located in the City for planning and development purposes. Develop community educational materials regarding the Master Plan, related plans and tools. Corridor Plan(s)</p>	<p>ten - twelve</p>
	<p>total: 12 calendar quarters</p>

# MASTER PLAN DEVELOPMENT AND ADOPTION PROCESS

City of Flint decides to update the City Master Plan



The City of Flint's Planning Commission sends a "Notice of Intent to Plan" explaining that they intend to prepare a master plan and request the recipient's cooperation and comment:

- The Planning Commission of each contiguous municipality or the legislative body if there is no Planning Commission. (Flint Twp., Mt. Morris Twp., Genesee Twp., City of Burton, Mundy Twp.)
- The County Planning Commission of the county the municipality is located in (Genesee County Metropolitan Planning Commission). The notice to the County will include a statement that a notice to other required municipalities has been sent and a list of those it was sent to.
- Each public utility and railroad company and any government entity that registers its name with the municipality.
- The Genesee County Road Commission and MDOT if the plan will include a master street plan.

The notice may include a statement that further notice shall be via e-mail unless there is a request for a paper copy sent by first-class mail delivery.



Flint Planning Commission Prepares Draft Master Plan



Flint Planning Commission submits a draft master plan to the Flint City Council for review and comment. Flint City Council approves distribution of the draft master plan. Flint Planning Commission sends a copy of the draft Master Plan and an explanation of where to send any comments (which may include of notice of public hearing) to everyone required to be sent the initial notice at the beginning of the planning process. The notice must be sent at least 63 days prior to the Flint Planning Commission's public hearing for a new or updated master plan. The statements are advisory only.



At least 15 days prior to the public hearing the Flint Planning Commission publishes a notice of the public hearing in a local newspaper. A notice of the public hearing shall be sent to each entity that was sent the initial notice at the beginning of the planning process.



The Flint Planning Commission holds the public hearing. It may vote to adopt the master plan at that meeting or at a subsequent meeting. Approval requires a 2/3 vote of the members of the Planning Commission. Adoption is by resolution.



If the Flint City Council has not passed a resolution asserting its right to final approval, the action of the Planning Commission is final



If the Flint City Council has passed a resolution asserting its right to final approval, the Flint Planning Commission forwards a copy of the plan as approved by them to Flint City Council for approval.



The Flint City Council may vote to approve or reject the plan, but may not change it. If they approve the plan, it is adopted. If they reject the plan, it is sent back to the Flint Planning Commission with an explanation of their objections. The Flint Planning Commission shall revise the plan to address the objections and may then vote to approve the plan again and send it back to the Flint City Council.



The Flint Planning Commission sends a copy of the adopted Master Plan to everyone required to be sent the initial notice at the beginning of the planning process.

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ment. The Ombudsman is not eligible to hold any City office for two (2) years after leaving the position.

**3-514 REMEDIES CUMULATIVE**

The remedies of this Chapter are additional to those provided under any other law

**3-515 SALARY AND OTHER COMPENSATION**

The salary and other compensation of the Ombudsman is equal to that of the City Clerk

**3-516 STAFF**

The Ombudsman shall be granted a budget adequate to allow such staff as is reasonable and proper for the performance of the duties of said office. All staff members shall be appointed by and serve at the pleasure of the Ombudsman

**3-517 REFERENDUM**

The question of whether the office of Ombudsman shall be retained shall be submitted to the voters of the City of Flint at the general election of November, 1980. If the question fails, the office will terminate on the first day of the following January.

**4-101 MAYOR**

The Mayor is the chief executive officer of the City and shall have such powers and duties as are granted by state law or this Charter

**4-102 TERM OF OFFICE**

The Mayor shall serve for a period of four (4) years commencing at 12 o'clock noon on the Monday following the regular Mayoral general election

**4-103 OBLIGATION OF LEADERSHIP**

The Mayor shall take care that the laws be enforced and shall recommend to the City Council from time to time proposals for dealing with the problems of the City. At least once a year, the Mayor shall present a State of the City Address to the City Council and to the public-at-large.

**4-201 CITY ADMINISTRATOR**

- A. The Mayor, with the approval of the City Council, shall appoint a City Administrator who shall be the chief administrative officer of the City.
- B. The City Administrator shall serve at the pleasure of the Mayor.

**4-202 EXECUTIVE STAFF**

- A. The Mayor shall, in accordance with law, appoint the principal officials responsible for budget, personnel, planning, legal counsel, and administrative services; they shall serve at the pleasure of the Mayor.
- B. Other principal staff officials and their responsibilities may be created by the City by law
- C. There shall be no more than ten (10) principal staff officials serving at the pleasure of the Mayor

a position in the Classified Service, and if such person is an elected or appointed officer or employee of the City he or she shall forfeit the office or position.

#### **4-401 APPOINTMENT OF CITY TREASURER AND CITY ASSESSOR**

- A. The Mayor shall appoint a City Treasurer and a City Assessor. They shall perform the duties required by law or assigned to them by the Mayor or any person designated by the Mayor.
- B. They shall not serve at the pleasure of the Mayor, but shall be subject to removal in the manner provided by law or this Charter.

#### **4-501 DUTIES AND RESPONSIBILITIES OF THE CHIEF PLANNING OFFICER**

- A. The chief planning officer shall obtain all information and conduct all studies required by the Mayor and the heads of agencies in the preparation of proposals relative to development matters.
- B. The chief planning officer shall have continuing liaison with all agencies of the executive branch, and may assign any relevant study to any agency. Any agency, with the knowledge and consent of the chief planning officer, may undertake the study of any development matter within the scope of its duties.
- C. The chief planning officer shall receive all reports concerning development matters and other information which it requests. The chief planning officer shall, with the head of any agency involved, evaluate all reports and information in light of the policies, programs and priorities of the Mayor and the master plan.

#### **4-502 DEVELOPMENT MATTERS**

The term "development matters" as used in this Charter includes:

- A. The Master plan for social, economic and physical development and conservation;
- B. The annual capital agenda and capital budget;
- C. Any development or renewal project on or affecting public real property or public interests in real property, or requiring public assistance;
- D. Proposed ordinances for the regulation of development or conservation;
- E. Proposals for the demolition, disposition or relinquishment of, or encroachments upon, public real property or public interests in real property;
- F. Any other items added by ordinance.

#### **4-503 PURPOSE OF THE PLAN**

"Plan" or "master plan" has the same meaning as "comprehensive plan." The plan shall be a set of guidelines to assist the Mayor and others in evaluating and implementing specific proposals for the total development of the City and its residents.

#### **4-504 COMPREHENSIVE PLAN**

The Mayor shall propose and the City Council, after review by the Planning Commission, shall approve, with the modifications the Council deems necessary, a comprehensive plan of policies for the social, economic and physical development and conservation of the City.

240495-T



RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 11-6-24

ADOPTED: \_\_\_\_\_

**Resolution of Support for MDOT's Submission of the Transportation Alternatives Program (TAP) Project Proposal for the Second Street Pedestrian Bridge and Path along Chavez**

BY THE CITY ADMINISTRATOR:

The City of Flint acknowledges the proposed pedestrian structure at Second Street and the path along Chavez, which will provide a critical connection for bicycles and pedestrians across I-475.

The Michigan Department of Transportation (MDOT) Bay Region Office has committed to sponsoring the project through the Transportation Alternatives Program (TAP) on behalf of the I-475 MDOT Project, including providing the necessary matching funds. MDOT will own and maintain the bridge structure in perpetuity, while the City of Flint will coordinate with the Downtown Development Authority (DDA) to oversee routine maintenance.

MDOT Bay Region Office will manage all costs of project construction, including aspects related to engineering, permits, administration, potential cost overruns, and any non-participating costs. Once the pedestrian bridge is completed, it will be entered into the MDOT bridge inventory, with MDOT responsible for inspections and structural repairs. Certain surface maintenance, such as sweeping and debris removal will remain the responsibility of the City of Flint.

**IT IS RESOLVED**, The City of Flint authorizes support for MDOT's TAP grant application for the Second Street pedestrian bridge and the pedestrian path along Chavez, designates Rod McGaha, Transportation Director, to represent and coordinate with MDOT for the grant award, and commits to managing snow and debris removal in collaboration with the DDA for these projects.

**IT IS FURTHER RESOLVED**, That this resolution attests the City's support for MDOT's TAP grant application for the Second Street pedestrian bridge and the pedestrian path along Chavez.

APPROVED AS TO FINANCE:

Phillip Moore  
Phillip Moore (Oct 31, 2024 08:31 EDT)  
Phillip Moore, Chief Financial Officer  
Chief Financial Officer

APPROVED AS TO FORM:

Joseph Kuptz  
Joseph Kuptz (Oct 31, 2024 11:09 EDT)  
Joseph Kuptz  
Chief Legal Officer

CLYDE D EDWARDS / A0333  
CLYDE D EDWARDS / A0333 (Oct 31, 2024 12:14 EDT)  
Clyde Edwards, City Administrator

CITY COUNCIL:

\_\_\_\_\_



CITY OF FLINT



# STAFF REVIEW FORM

Revised October 9, 2024

**TODAY'S DATE:** *October 16th, 2024*

**BID/PROPOSAL#**

**AGENDA ITEM TITLE:** Resolution of Support for MDOT's Submission of the TAP Project Proposal for the Second Street Pedestrian Bridge and Path along Chavez

**PREPARED BY:** Jo Janiski, Transportation Accounting Coordinator

**VENDOR NAME:** Michigan Department of Transportation (MDOT)

**Section I: BACKGROUND/SUMMARY OF PROPOSED ACTION:**

The City of Flint is proposing a resolution of support for the Michigan Department of Transportation (MDOT) Bay Region Office's submission of a Transportation Alternatives Program (TAP) project proposal. This project includes the construction of a pedestrian bridge at Second Street and an accompanying path along Chavez. The bridge and path will provide a critical connection for bicycles and pedestrians to safely cross I-475, enhancing accessibility and connectivity within the community. MDOT will sponsor the project, covering all necessary engineering, permits, administration, and maintenance of the bridge structure in perpetuity. The City of Flint will coordinate with the Downtown Development Authority (DDA) to manage routine maintenance tasks such as snow and debris removal.

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

Fiscal Year	Account	FY GL Allocation	FY PO Amount	FY Expensed	Resolution

CITY OF FLINT



# STAFF REVIEW FORM

Revised October 9, 2024

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

The proposed pedestrian bridge and path will greatly enhance the safety and connectivity of the City of Flint’s infrastructure for pedestrians and cyclists, providing a safe crossing over I-475. This project aligns with the City’s goals for improved transportation alternatives and supports active transportation. The collaboration with MDOT ensures long-term maintenance and safety oversight, while the City’s partnership with the Downtown Development Authority (DDA) will enable effective coordination of routine surface maintenance.

**Section IV: FINANCIAL IMPLICATIONS:**

**IF ARPA related Expenditure:**

Has this request been reviewed by E&Y Firm: YES  NO  IF NO, PLEASE EXPLAIN:

There are no financial obligations related to the construction of this project. This resolution solely expresses support for the TAP Grant application for the Second Street pedestrian bridge and the accompanying pedestrian path along Chavez.

**BUDGETED EXPENDITURE? YES  NO  IF NO, PLEASE EXPLAIN:**

Dept.	Name of Account	Account Number	Grant Code	Amount
<b>FY25 GRAND TOTAL</b>				

**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)**

CITY OF FLINT



# STAFF REVIEW FORM

Revised October 9, 2024

BUDGET YEAR 1 \$

BUDGET YEAR 2

BUDGET YEAR 3

**OTHER IMPLICATIONS (i.e., collective bargaining):** There are no financial obligations related to the construction of this project.

PRE-ENCUMBERED? YES  NO  REQUISITION NO:

ACCOUNTING APPROVAL: Jo Janiski Date: 10/29/2024  
Jo Janiski (Oct 29, 2024 09:44 EDT)

WILL YOUR DEPARTMENT NEED A CONTRACT? YES  NO

**Section V: RESOLUTION DEFENSE TEAM:**

(Places of the names of those who can defend this resolution at City Council)

	NAME	PHONE NUMBER
1	Rod McGaha	810-691-3106
2	Jo Janiski	810-210-9889
3	Jay Reithel (MDOT Employee)	989-573-1433

STAFF RECOMMENDATION: (PLEASE SELECT):  APPROVED  NOT APPROVED

DEPARTMENT HEAD SIGNATURE: Rodney McGaha  
Rodney McGaha (Oct 29, 2024 11:15 EDT)  
(Name, Title)



240424-T

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 9-18-2024

ADOPTED: \_\_\_\_\_

**RESOLUTION FOR THE APPOINTMENT DR. RICHARD SADLER TO THE WATER SYSTEM ADVISORY COUNCIL**

**BY THE MAYOR:**

**WHEREAS**, pursuant to the State of Michigan's administrative rules section 325.10410(7), water supplies serving a population of 50,000 or more, and consecutive systems serving a population of 50,000 or more, shall create a water system advisory council;

**WHEREAS**, the council shall consist of at least five members, appointed by the community supply;

**WHEREAS**, the purpose of this council is to improve transparency in the City of Flint community by developing materials and advising the water system on public awareness and education efforts.


**WHEREAS**, to be eligible for appointment to the council, an individual shall have a demonstrated interest in or knowledge about lead in drinking water and its effects;

**WHEREAS**, the council will develop plans for continuing public awareness about lead in drinking water, even when the action level is not exceeded; review public awareness campaign materials provided by the statewide drinking water advisory council to ensure the needs and interest of the community, considering the economic and cultural diversity of its residents, are addressed; advise and consult with the water supply on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded; advise and consult with the water supply on efforts to replace private lead service lines at locations where the owner declined service line replacement; assist in promoting transparency of all data and documents related to lead in drinking water within the water supply service area

**WHEREAS**, Mayor Neeley desires to appoint Dr. Richard Sadler to the Water System Advisory Council (See Attached CV).

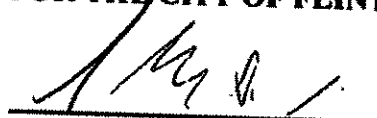
**NOW THEREFORE BE IT RESOLVED**, that Mayor Neeley hereby appoints Dr. Richard Sadler, who resides at Maxine St., Flint, MI 48503, to serve on the Water System Advisory Council.

**APPROVED AS TO FORM:**

  
William Kim (Aut 5, 2024 12:33 EDT)

**William Kim, City Attorney**

**FOR THE CITY OF FLINT:**

  
\_\_\_\_\_

**Sheldon A. Neeley, Mayor**

**APPROVED BY CITY COUNCIL:**

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## CITY OF FLINT

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### RESOLUTION STAFF REVIEW FORM

**TODAY'S DATE:** 7/5/24

**BID/PROPOSAL#**

**AGENDA ITEM TITLE:** RESOLUTION TO APPOINT MEMBERS TO THE WATER SYSTEM ADVISORY COUNCIL

**PREPARED BY:** Faith Groesbeck, Public Health Manager \_\_\_\_\_

**VENDOR NAME:** N/A

**BACKGROUND/SUMMARY OF PROPOSED ACTION:**

In July 2018, the State of Michigan's Department of Environment, Great Lakes and Energy (EGLE) established the Lead and Copper Rule (LCR) under the Michigan Safe Water Drinking Act 399.

The purpose of the LCR is to minimize lead and copper in drinking water and indicates that a Water System Advisory Council (WSAC) is to be established on behalf of cities with 50,000 or more people served by its municipal water system. The WSAC is responsible for assisting with public awareness to create transparency and consumer confidence through statewide efforts of public education and action steps to ensure water quality through water sampling, water treatment and lead service line replacement. A Council shall consist of a least five members appointed by the community supply. To be eligible for appointment to Council, an individual must have a demonstrated interest in or knowledge about lead in drinking water and its effects. At least one member must be a local resident who does not formally represent the interest of any incorporated organization.

In 2023, the WSAC members and chair expressed a desire to increase membership in order to increase the chance of reaching quorum at meetings. This led to discussions with the members, the Chair, the Mayor and the Public Health Manager about the best way to ensure equal opportunities for participation that reflect the diversity of the City of Flint. Future efforts will include efforts to actively recruit young adult members. The WSAC will be hosted by the City's OPH, who will organize and oversee at least one annual meeting, according to the Open Meetings Act 267. Meeting will inform and include the public on the City's lead and copper status, progress and next steps.



**CITY OF FLINT**

The designated appointee lives and works within the City of Flint community and has expressed interest and a commitment to the work of the WSAC. Appointee's CV is attached.

It is the desire of the City to submit the approval of appointing members to complete the Water System Advisory Council, to Flint City Council. If approved, the City of Flint will, be in compliance with the Lead and Copper Rule required by the State of Michigan; create transparency with Flint residents; avoid any monetary penalties associated with the non-compliance of establishing the Water System Advisory Council.

**FINANCIAL IMPLICATIONS:** There is no budget required to establish or sustain the Water System Advisory Council.

**BUDGETED EXPENDITURE? YES NO X IF NO, PLEASE EXPLAIN:**

Dept.	Name of Account	Account Number	Grant Code	Amount
Public Health	Water System Advisory Council	N/A	N/A	\$0
		<b>FY22/23 GRAND TOTAL</b>		<b>\$0</b>

**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 \$0**



## CITY OF FLINT

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**BUDGET YEAR 2 \$0**

**BUDGET YEAR 3 \$0**

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

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

**DEPARTMENT HEAD SIGNATURE: Faith Groesbeck, Public Health Manager**

  
Faith Groesbeck (Jul 5, 2024 12:34 EDT)

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**BIOGRAPHICAL SKETCH**

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NAME: Sadler, Richard Casey

POSITION TITLE: Associate Professor of Public Health and Family Medicine

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**EDUCATION/TRAINING**

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INSTITUTION AND LOCATION	DEGREE	Completion Date	FIELD OF STUDY
University of Michigan-Flint, Flint, MI, USA	BSc	12/2007	Environmental Science & Planning
University of Western Ontario, London, ON, Canada	PhD	04/2013	Geography
University of Western Ontario, London, ON, Canada	Postdoctoral	02/2015	Geography
Johns Hopkins University, Baltimore, MD, USA	MPH	05/2020	Public Health

**A. Personal Statement**

I am presently a tenured Associate Professor cross-appointed in the Departments of Public Health and Family Medicine at Michigan State University's site in Flint, Michigan. A major focus of my work is to conduct community-engaged public health research with community and academic partners to derive and implement effective interventions to improve health outcomes. Given my extensive training in urban/health geography and geographic information systems (GIS)—as well as my more recent training in public health—I bring a unique set of tools to bear on the inherently spatial problems and solutions associated with inequalities in health behaviors and health risks that drive exposure to violence, drug & alcohol use, and mental health by way of disparities in the landscapes created by disinvestment and discrimination. Throughout my career, the most fundamental concern of my work has been to build on the methods for and theory behind research that considers neighborhood effects on health. This has included methodological work to improve the techniques used in GIS as well as policy work to lend evidence for the improvement of municipal land use plans. This focus on environmental correlates and methodological issues within GIS means I am well-equipped to align my research with a range of health outcomes. As I have shifted my work from food environments to deleterious environments like those caused by structural racism, I have innovatively adapted the tools I was already using to new content areas. I have taken this approach as I have made forays into collaborative work with psychologists, whose interests in the built environment stem from a similar motivation: that 'you are where you live'. My academic and experiential training in qualitative methods and cultural competence have positioned me effectively for linking GIS with community-based and policy-oriented public health research. Because of these experiences—in particular, via community-engaged work to address local food system issues—I am well-positioned to participate in public health research from methodological, experiential, conceptual, and theoretical perspectives. Importantly, in my role as a faculty member at MSU with a 70% research appointment, I am guaranteed protected time to undertake such work.

Ongoing and recently completed projects that I would like to highlight include:

U54 MD011227

Sadler (PI)

7/2016-2/2023

*The Flint Center for Health Equity Solutions*

SM063521 (SAMHSA)

Sadler (PI of Evaluation)

10/2020-9/2026

*Flint ReCAST*

R21 AA026674

Sadler (PI)

3/2019-2/2022

*The Legacy Effects of Discriminatory Housing Policies on Community Availability of Alcohol*

## **B. Positions, Scientific Appointments, and Honors**

### **Positions and Employment**

2023-present Associate Chair for Research, Department of Family Medicine, Michigan State University  
2021-present Associate Professor, Departments of Public Health/Family Medicine, Michigan State University, Flint, MI  
2015-2021 Assistant Professor, Division of Public Health/Department of Family Medicine, Michigan State University, Flint, MI  
2014-2015 Assistant Professor, Department of Geography, UWO, London, ON, Canada  
2013-2015 Post-Doctoral Fellow, HEAL, Department of Geography, UWO, London, ON, Canada  
2008-2013 Graduate Research Associate, Human Environments Analysis Lab (HEAL), Department of Geography, University of Western Ontario (UWO), London, ON, Canada

### **Other Experience and Professional Memberships**

2020- Member, Society for Prevention Research  
2017- Co-Director, Healthy Flint Research Coordinating Center (HFRCC)  
2015- Member, American Public Health Association  
2010- Member, Association of American Geographers (AAG)  
2015-2016 Food Access/Grocery Store Committee, Office of Dan Kildee, US House of Representatives  
2008-2013 Member, Canadian Association of Geographers

### **Honors**

2021 Early Career Research Excellence Award, MSU Division of Public Health  
2021 Investigator Research Award, MSU/FlintMed Community Research Forum  
2018 Bloomberg Fellow, Johns Hopkins Bloomberg School of Public Health  
2018 Early Career Research Award, HFRCC Research Symposium  
2017 Participant, Health Disparities Research Institute, National Institute on Minority Health & Health Disparities  
2016 Best Paper of the Year, AJPH Editor's Choice Awards  
2016 Inaugural Ut Prosim Scholar Award, Virginia Tech University  
2012-2013 Ontario Graduate Scholarship  
2008-2013 Western Graduate Research Scholarship (inclusive)  
2010, 2011 E.G. Pleva Teaching Assistant Award  
2010 Awarded Distinction on PhD Comprehensive Examination  
2009 ESRI Canada Ltd. Graduate Student Award  
2009 PhD Student Presentation Award, East Lakes Division Conference of the AAG  
2009 Master's Student Presentation Award, International Medical Geography Symposium

## **C. Contributions to Science**

1. Most fundamentally, my contribution to science can be found in the work I have conducted around improving geospatial methods used for assessing the influence of neighborhood environments on health behaviors and outcomes, including with respect to the construction of residential histories and activity spaces. My work on food deserts highlighted common errors in GIS-based assessments and the implications of exposure to unhealthy environments [1a]. In another subject area, a key illustration of methodological innovation is my novel use of ordinary kriging geostatistical analysis to predict locations of elevated blood lead levels [1b], seminal work which has been of enduring value to knowledge on the Flint Water Crisis. I have likewise published work on housing discrimination and disinvestment that advances methodological bounds in GIS and provides important context for future health disparities work [1c]. Lastly, my continued work with Lafreniere's lab has led to methodological innovation in day-time specific exposures of schoolchildren. These papers (and more below) demonstrate my proficiency in applying GIS to new topics outside my original area of expertise. They are also timely and of immense importance, because an understanding of spatial

dynamics is necessary to deploying neighborhood-specific and environmental design interventions to improve health outcomes.

- a. **Sadler, R.C., Clark, A.F., Wilk, P., O'Connor, C., & Gilliland, J.A., 2016.** Using GPS and activity tracking to reveal the influence of adolescents' food environment exposure on junk food purchasing. *Canadian Journal of Public Health, 107*, 14-20.
  - b. **Hanna-Attisha, M., LaChance, J., Sadler, R.C., and Schnepf, A., 2016.** Elevated Blood Lead Levels in Children Associated with the Flint Drinking Water Crisis: Application of Spatial Analysis to Determine Risk and Prioritize Public Health Response. *American Journal of Public Health, 106(2)*, 283-290.
  - c. **Sadler, R. C., & Lafreniere, D. J. (2017).** Racist housing practices as a precursor to uneven neighborhood change in a post-industrial city. *Housing Studies, 32(2)*, 186-208.
  - d. **Lafreniere, D., Stone, T., Hildebrandt, R., Sadler, R.C., Madison, M., Trepal, D., ... & Juip, J. (2021).** Schools as Vectors of Infectious Disease Transmission during the 1918 Influenza Pandemic. *Cartographica: The International Journal for Geographic Information and Geovisualization, 56(1)*, 51-63.
2. An emerging theme in my work has been an emphasis on community-engaged research, the roots of which stem from my earliest research linking local and institutional stakeholder perceptions of environmental management to geospatial metrics [2a]. This contribution is reflected in subsequent participant observation and grounded theory approaches to community work with citizens involved in local food systems and health-promoting environments [2b-2d]. Ongoing work using public participatory GIS further signifies my desire to integrate community knowledge in decision-making around the promotion of healthy environments [2d]. Beyond the direct contribution to science, my existing work with community groups in built environment & health research translates into more rapid and more effective contributions to science in the future.
- a. **Chow, T.E., and Sadler, R.C., (2010).** The Consensus of Local Stakeholders and Outside Experts in Suitability Modeling for Future Camp Development. *Landscape and Urban Planning, 94(1)*, 9-19.
  - b. **Sadler, R.C., (2016).** Integrating Expert Knowledge in a GIS to Optimize Siting Decisions for Healthy Food Retail Interventions. *International Journal of Health Geographics, 15(19)*.
  - c. **Sadler, R.C., Hippensteel, C., Nelson, V., Greene-Moton, E., and Furr-Holden, D. (2018).** Community-Engaged Development of a GIS-Based Healthfulness Index to Shape Health Equity Solutions. *Social Science and Medicine, 227*, 63-75.
  - d. **Sadler, R.C., Sanders-Jackson, A. N., Introne, J., & Adams, R. (2019).** A method for assessing links between objectively measured food store scores and store & neighborhood favorability. *International Journal of Health Geographics, 18(1)*, 1-12.
3. Increasingly, my research has moved away from singular built environment disparities (e.g. access to healthy food) and into issues of structural racism in the built environment (StRaSE), issues which transcend time and space and have complex, long-term impacts on behavior and health. Following up on work with Lafreniere above [1d], I have explored how structurally racist housing practices like redlining, blockbusting, and gentrification are correlated to food access [3a] and alcohol outlet density [3b] in our study cities of Baltimore (MD) and Flint (MI). We subsequently used these methods to understand gaps in internalizing symptoms among youth in Baltimore [3c] and in educational & health outcomes among youth in Pittsburgh [3d]. In these papers, we found that blockbusted neighborhoods (and neighborhoods that experienced urban renewal) tended to be worse off than redlined neighborhoods, making the case for our initial work into the notion that redlining alone is not a sufficient proxy for StRaSE. It is from these inquiries that I have built a strong vein of my current argument: that structural racism in multiple forms and across the lifecourse must be understood via in-depth investigations of health status change over time.
- a. **Sadler, R.C., Bilal, U., & Furr-Holden, C. D. (2021).** Linking historical discriminatory housing patterns to the contemporary food environment in Baltimore. *Spatial and Spatio-Temporal Epidemiology, 36*, 100387.
  - b. **Sadler, R. C., Wojciechowski, T. W., Trangenstein, P., Harris, A., Buchalski, Z., & Furr-Holden, D. (2023).** Linking Historical Discriminatory Housing Patterns to the Contemporary Alcohol Environment. *Applied Spatial Analysis and Policy, 16(2)*, 561-581.

- c. **Sadler, R.C., Felton, J., Rabinowitz, J., Powell, T., Latimore, A., and Tandon, D., accepted.** Inequitable Housing Practices and Youth Internalizing Symptoms: Mediation via Perceptions of Neighborhood Cohesion. *Urban Planning*, 7(4).
  - d. **Blatt, L. R., Sadler, R. C., Jones, E. J., Miller, P., Hunter-Rue, D. S., & Votruba-Drzal, E. (2024).** Historical Structural Racism in the Built Environment and Contemporary Children's Opportunities. *Pediatrics*, e2023063230.
4. More broadly, I have recently used my research as a platform for urban policy change toward equitable development to reduce health disparities. The built form of American cities predisposes minority and low-income populations to health degrading activities such as unhealthy food consumption, lack of exercise, alcohol outlet exposure, and exposure to environmental contaminants. My work has shown how racism and discrimination in housing [1d] and its effects in promoting political fragmentation [4a] have created a disproportionate burden for minority populations, particularly in the Rust Belt. Follow-up work has used the neighborhood definitions I previously created to determine the relative health-promoting qualities of urban neighborhoods to advocate for targeted investments in the built environment [2d]. This paper in particular is foundational to my work, as it creates a framework for understanding neighborhood-level disparities in access to health promoting and exposure to health degrading environments. I have also more recently written on the environmental justice implications of urban renewal in the wake of the water crisis [4b], and on the links between segregation, fragmentation, and inequality on the one hand and regional economic distress on the other [4c].
- a. **Sadler, R.C., and Highsmith, A.R., 2016.** Rethinking Tiebout: The Contribution of Political Fragmentation and Racial/Economic Segregation to the Flint Water Crisis. *Environmental Justice*, 9(5), 143-151.
  - b. **Sadler, R. C., Furr-Holden, D., Greene-Moton, E., Larkin, B., Timlin, M., Walling, D., & Wyatt, T. (2021).** Right sizing Flint's infrastructure in the wake of the Flint water crisis would constitute an additional environmental injustice. *Journal of the American Planning Association*, 87(3), 424-432.
  - c. **Sadler, R.C., Walling, D., Buchalski, Z., and Harris, A., 2020.** Are Metropolitan Areas Primed for Success? A Prosperity Risk Index for Evaluating Economic Development Patterns. *Urban Planning*, 5(3), 323-337.

Throughout my work, a recurring theme is an integrated knowledge translation and exchange approach which emphasizes the need to connect community and science, and which is based on team science and multi-disciplinary collaborations. Because of the underdeveloped nature of built environment & health research and the gap in translating such work into social policy, considerable work remains on devising policies to create healthier cities. My work consistently features advances in methodological, theoretical, and policy-based approaches to this subject.

**Complete List of Published Work in My Bibliography on NCBI:**  
<https://www.ncbi.nlm.nih.gov/myncbi/1pitpwcU-11kK/bibliography/public/>



240425-T

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 9-18-2024

ADOPTED: \_\_\_\_\_

**RESOLUTION FOR THE APPOINTMENT CARROLL KINKADE TO THE WATER SYSTEM ADVISORY COUNCIL**

**BY THE MAYOR:**

**WHEREAS**, pursuant to the State of Michigan’s administrative rules section 325.10410(7), water supplies serving a population of 50,000 or more, and consecutive systems serving a population of 50,000 or more, shall create a water system advisory council;

**WHEREAS**, the council shall consist of at least five members, appointed by the community supply;

**WHEREAS**, the purpose of this council is to improve transparency in the City of Flint community by developing materials and advising the water system on public awareness and education efforts.

**WHEREAS**, to be eligible for appointment to the council, an individual shall have a demonstrated interest in or knowledge about lead in drinking water and its effects;

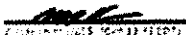
**WHEREAS**, the council will develop plans for continuing public awareness about lead in drinking water, even when the action level is not exceeded; review public awareness campaign materials provided by the statewide drinking water advisory council to ensure the needs and interest of the community, considering the economic and cultural diversity of its residents, are addressed; advise and consult with the water supply on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded; advise and consult with the water supply on efforts to replace private lead service lines at locations where the owner declined service line replacement; assist in promoting transparency of all data and documents related to lead in drinking water within the water supply service area

**WHEREAS**, Mayor Neeley desires to appoint Carroll Kinkade to the Water System Advisory Council (See Attached Resume).

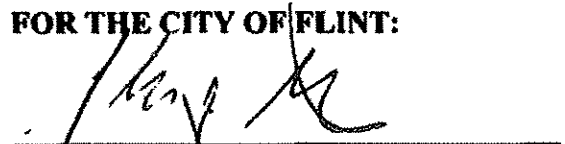
**NOW THEREFORE BE IT RESOLVED**, that Mayor Neeley hereby appoints Carroll Kinkade, who resides at Stockton St., Flint, MI, 48503, to serve on the Water System Advisory Council.

**APPROVED AS TO FORM:**

**FOR THE CITY OF FLINT:**

  
\_\_\_\_\_  
2024 SEP 18 10:41 AM EDT

**William Kim, City Attorney**

  
\_\_\_\_\_

**Sheldon A. Neeley, Mayor**

**APPROVED BY CITY COUNCIL:**

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## CITY OF FLINT

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### RESOLUTION STAFF REVIEW FORM

**TODAY'S DATE:** 7/5/24

**BID/PROPOSAL#**

**AGENDA ITEM TITLE:** RESOLUTION TO APPOINT MEMBERS TO THE WATER SYSTEM ADVISORY COUNCIL

**PREPARED BY:** Faith Groesbeck, Public Health Manager \_\_\_\_\_

**VENDOR NAME:** N/A

**BACKGROUND/SUMMARY OF PROPOSED ACTION:**

In July 2018, the State of Michigan's Department of Environment, Great Lakes and Energy (EGLE) established the Lead and Copper Rule (LCR) under the Michigan Safe Water Drinking Act 399.

The purpose of the LCR is to minimize lead and copper in drinking water and indicates that a Water System Advisory Council (WSAC) is to be established on behalf of cities with 50,000 or more people served by its municipal water system. The WSAC is responsible for assisting with public awareness to create transparency and consumer confidence through statewide efforts of public education and action steps to ensure water quality through water sampling, water treatment and lead service line replacement. A Council shall consist of a least five members appointed by the community supply. To be eligible for appointment to Council, an individual must have a demonstrated interest in or knowledge about lead in drinking water and its effects. At least one member must be a local resident who does not formally represent the interest of any incorporated organization.

In 2023, the WSAC members and chair expressed a desire to increase membership in order to increase the chance of reaching quorum at meetings. This led to discussions with the members, the Chair, the Mayor and the Public Health Manager about the best way to ensure equal opportunities for participation that reflect the diversity of the City of Flint. Future efforts will include efforts to actively recruit young adult members. The WSAC will be hosted by the City's OPH, who will organize and oversee at least one annual meeting, according to the Open Meetings Act 267. Meeting will inform and include the public on the City's lead and copper status, progress and next steps.



# CITY OF FLINT

The designated appointee lives within the City of Flint and has expressed interest and a commitment to the work of the WSAC. Appointee's resume is attached.

It is the desire of the City to submit the approval of appointing members to complete the Water System Advisory Council, to Flint City Council. If approved, the City of Flint will, be in compliance with the Lead and Copper Rule required by the State of Michigan; create transparency with Flint residents; avoid any monetary penalties associated with the non-compliance of establishing the Water System Advisory Council.

**FINANCIAL IMPLICATIONS:** There is no budget required to establish or sustain the Water System Advisory Council.

**BUDGETED EXPENDITURE? YES NO X IF NO, PLEASE EXPLAIN:**

Dept.	Name of Account	Account Number	Grant Code	Amount
Public Health	Water System Advisory Council	N/A	N/A	\$0
		<b>FY22/23 GRAND TOTAL</b>		<b>\$0</b>

**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 \$0**





## CITY OF FLINT

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**BUDGET YEAR 2 \$0**

**BUDGET YEAR 3 \$0**

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

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

**DEPARTMENT HEAD SIGNATURE: Faith Groesbeck, Public Health Manager**

  
Faith Groesbeck (Jul 5, 2024 12:34 EDT)

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Carroll Kinkade  
Stockton Street  
Flint, Michigan 48503  
PH: XXX-XXX-XXXX  
carrollkinkade@yahoo.com

## **Education**

Seminole High School, Seminole, Florida  
Gogebic Community College, Ironwood, Michigan  
Northwestern School of Business, Bay City, Michigan  
St. Petersburg Junior College, St. Petersburg, Florida  
Institute for the Humanities, St. Petersburg, Florida  
Mott Community College, Flint, Michigan

## **Employment**

2006 to present VSAartsjam Flint, Flint, MI - Asst. Coordinator, coordinate art programs for Northern HS, Northwestern HS, Southwestern Annex/McKinley Middle School, Southwestern HS, Red Ink Studio, Greater Flint Arts Council facilitating artists in after school art programs

2006 - 2007 VSAartsjam Flint, Flint, MI - Artist/Instructor, Native American Arts

2002 - 2006 Kens Drywall, Inc., Flint, Michigan, Office Manager  
Bookkeeping, Inventory maintenance and ordering, Sales

1989 - 2002 Kens Building Supply, Flint, Michigan, Office Manager,  
Bookkeeping, Inventory maintenance and ordering, Sales

1978 - 1989 Pinellas County Government

1985 - 1989 Refuse to Power Plant, Data processing

1980 - 1985 Clerk of the Court, Collect Misdemeanor fines,  
Data processing, Maintain Traffic Trial Files,  
Instrument filing, Passport Applications, Marriage Applications and Perform Marriages, Probate intake and process Letters of Administration

## **Interests**

2006 to present L.O.V.E Theatre Group, Director of Outreach, offering art to bridge cultures: geographical, gender, age, physicality

Community Service Teaching Native American Art - Arenac County Historical Society, Sisters of the Blessed Sacrament, Tawas, MI, Emergency Shelter for Women, Flint, Michigan



RESOLUTION NO.: 240485-7  
PRESENTED: 10-23-2024  
ADOPTED: \_\_\_\_\_

**RESOLUTION TO  
APPROVE APPOINTMENT OF CITY ATTORNEY**

**BY THE MAYOR:**

A vacancy in the position of City Attorney was created by the resignation of the former City Attorney effective July 26, 2024, and Mayor Sheldon Neeley has nominated JoAnne Gurley to serve as the City Attorney for the City of Flint pursuant to Section 4-603 of the City Charter.

**WHEREAS**, JoAnne Gurley, a qualified applicant for the position of City Attorney, has agreed to accept the nomination for the position upon terms set forth in the attached Terms of Appointment, and commence employment on November 25, 2024, if the appointment is approved by the Flint City Council.

**WHEREAS**, Mayor Sheldon Neeley has approved the attached Terms of Appointment for JoAnne Gurley to serve as City Attorney for the City of Flint, and requests that the same be approved by the Flint City Council pursuant to Section 4-603 of the City Charter.

**THEREFORE, BE IT RESOLVED** that the Flint City Council **APPROVES** the appointment of JoAnne Gurley as the Flint City Attorney, and the Terms of Appointment attached hereto.

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Joseph Kuptz, Acting City Attorney

**APPROVED AS TO FINANCE:**

\_\_\_\_\_  
Phillip Moore, Chief Financial Officer

**FOR THE CITY OF FLINT:**

\_\_\_\_\_  
Clyde Edwards, City Administrator

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
City Council President

## TERMS OF APPOINTMENT

### City Attorney

On this \_\_\_\_\_ day of October 2024 the Mayor of the City of Flint, Michigan, hereby appoints JoAnne Gurley as City Attorney pending her permanent appointment to the position of City Attorney as provided in Flint City Charter Sec. 4-603.

### RECITALS

A. A vacancy in the position of City of Flint was created by the resignation of the former City Attorney effective July 26, 2024.

B. The Mayor of the City of Flint desires to recommend that the Flint City Council appoint JoAnne Gurley to serve as the Flint City Attorney pursuant to Sec. 4-603 of the Flint City Charter.

C. JoAnne Gurley has accepted the appointment to the position of City Attorney. The parties agree to the following Terms of Appointment.

1. Term of Appointment. The appointment of JoAnne Gurley as City Attorney shall be effective November 25, 2024, and shall continue until terminated as provided in these Terms of Appointment. 2. Scope of Services. Under the Mayor's general supervision, the City Attorney shall perform the duties of City Attorney as provided in Flint City Charter Secs. 4-601- 4-604 . She shall remain in good standing with the State Bar of Michigan and the Genesee County Bar Association. She may represent other clients in her individual capacity, separate and apart from the City, so long as she maintains separate malpractice insurance, does not perform this work during her hours or employment with the City of Flint, and there is no conflict of interest between the City of Flint and any new private client she represents following this appointment. She shall be subject to the work rules and policies established by the City of Flint and its Department of Law.

3. Compensation. The City Attorney shall be paid a salary based on an annual compensation rate of One Hundred Thirty-Eight Thousand Five Hundred Thirty Dollars and Nineteen Cents (\$138,530.19), payable in regular timely installments, in the same manner as other 2 employees of the City of Flint are paid. Such wages shall be paid from account 101-266.100- 702.000.

4. Benefits. The City Attorney shall be provided with the following benefits:

a. Fringe benefits equal to those now or later provided for an exempt employee allocated above Level 23, including, but not limited to, health care coverage, dental insurance, life insurance, and paid time off; but expressly excluding membership in the City of Flint Retirement System and the Civil Service System.

b. The City Attorney may participate in the City of Flint Hybrid Pension Plan as provided to other appointed officials of the City of Flint, which may change from time to time. The City Attorney shall be 100% vested at all times with respect to her own contributions to the City of Flint Hybrid Pension Plan.

For the purposes of providing the above compensation and fringe benefits to the City Attorney, the City of Flint shall place the City Attorney on the City's regular payroll so that all of said compensation and fringe benefits shall be provided in the same manner as other employees of the City of Flint.

The City Attorney may, once per fiscal year, request that up to 120 hours of her accrued paid time off be paid out in a lump sum, subject to the availability of funds.

5. Membership Dues. The City of Flint shall pay the City Attorney's annual membership dues in the State Bar of Michigan and the Genesee County Bar Association.

6. Indemnification and Insurance. The City of Flint shall indemnify and provide appropriate insurance coverage for the City Attorney for any attorney fees, reasonable costs, and damage awards incurred by the City Attorney due to any malpractice action brought against her by any person as a result of her performance of duties pursuant to her appointment. To the full extent permitted by law, the City of Flint shall defend, pay on behalf of, indemnify, and hold harmless the City Attorney against all claims, demands, suits, or losses (including, but not limited to, civil rights actions) and provide for all associated costs, and for any damages which may be recoverable from the City Attorney, by reason of any injuries or damages, including losses that may arise as a result of her acts, omissions, faults or negligence in connection with the performance of her duties and responsibilities under these Terms of Appointment and the Flint City Charter. The City of Flint shall provide appropriate insurance coverage for the City Attorney; provided, however, that the full indemnification of the City Attorney, as described here, shall not be in any way limited by the insurance coverage provided by the City of Flint.

7. Termination. These Terms of Appointment may be terminated with or without cause, in the Mayor's sole discretion in accordance with the Flint City Charter Sec. 4-603.3. The City Attorney may terminate these Terms of Appointment by providing thirty (30) days advance written notice to the Mayor, or as otherwise agreed upon by the parties.

8. Arbitration. The Mayor and the City Attorney agree that any and all disputes, controversies, or claims arising out of or in connection with or relating to these Terms of Appointment or any breach or alleged breach, and any claim that the Mayor or the City of Flint violated any state or federal statute (including discrimination/civil rights claims), Michigan common law doctrine, or committed any tort with respect to the City Attorney in relationship to their employment shall, upon the request of either party involved, be

submitted to and settled through final and binding arbitration in the State of Michigan in accordance with the Uniform Arbitration Act, MCL 691.1681, et seq., and the provisions contained in these Terms of Appointment.

a. Notice. Notice of the demand for arbitration shall be filed, in writing, with the other party to this Agreement, and submitted by personal delivery or certified mail to the other party at the office of the Mayor, or the residence of the City Attorney. Such notice must describe the nature of the controversy, and the remedy sought. The demand for arbitration shall be made within a reasonable time after the claim, dispute, or other matter in question arose where the party asserting the claim should reasonably have been aware of the same, but in no event later than the applicable statute of limitations.

b. Representation and Proceedings. The parties agree that the arbitration hearing will be conducted in accordance with the rules established by the arbitrator. Each party may elect to be represented by an attorney or other representative of their choice and at its expense, may arrange for and pay the cost of a court reporter to provide a stenographic record of proceedings. Each party shall have the right to pre-hearing discovery in the time and manner provided by the then applicable Federal Rules of Civil Procedure, unless otherwise mutually agreed to by the parties. Each party shall also have the right to subpoena witnesses and documents for the arbitration hearing. At least thirty (30) days before the hearing, the parties must exchange lists of witnesses, including any experts, and copies of all exhibits intended to be used at the hearing. Either party, upon request at the close of the hearing, will be allowed to file a post-hearing brief, with the filing date being set by the arbitrator.

c. Arbitrator. The arbitration shall take place before a neutral arbitrator who is licensed to practice law in the State of Michigan, and shall take place in or near Flint, Michigan. If the parties are unable to mutually select an arbitrator one shall be appointed by the Genesee County Circuit Court. The arbitrator shall have no power to add to, subtract from, or alter the terms of the Terms of Appointment, and shall render a written decision within three (3) months from the completion of the hearing or the submission of post-hearing briefs, whichever is later, or another time as mutually agreed to by the parties, setting forth findings and conclusions only as to the claims or disputes at issue.

d. Fees and damages. This arbitration procedure does not waive or limit, in any way, any statutory damages to which a party claims entitlement. The City Attorney shall pay that portion of the arbitrator's fee which is equal to the fee required to file a civil complaint in federal court. The City of Flint will pay the remaining portion of the arbitrator's fee. Each party shall pay for and bear the costs of its own experts, evidence, and counsel's fees.

If any party prevails on a statutory claim, which entitles the prevailing party to attorneys' fees, the arbitrator may award reasonable fees to the prevailing party in accordance with such statute.

e. Award. The arbitrator's award will be final and conclusive upon the parties and may only be challenged or appealed in accordance with the provisions of the Uniform Arbitration Act, MCL 691.1681, et seq.

A party may move a court of competent jurisdiction to enter an order confirming the arbitrator's award.

9. Whole Agreement. Any modifications to these Terms of Appointment must be in writing signed by both parties.

Dated this \_\_\_\_\_ day of October, 2024.

APPOINTEE:

As to Finance:

\_\_\_\_\_

\_\_\_\_\_

JoAnne Gurley

FOR THE CITY:

\_\_\_\_\_

Sheldon A. Neeley, Mayor

## JoAnne Gurley, Esq.

[mcjgi@aol.com](mailto:mcjgi@aol.com)

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**CAREER OBJECTIVE:** A qualified, legal professional with a wealth of local government experience, is seeking a senior-level attorney position within a municipality or other governing entity that welcomes driven, efficient, and hard-working individuals with strong advocacy, writing and research skills

**PROFILE SUMMARY:** My public law career includes extensive knowledge of municipal law, employment law, zoning and land use, American Rescue Plan Act (ARPA) funding rules, arbitration regulations, complex contract review; Freedom of Information Act (FOIA) and Open Meetings Act application proficiency, rights-of-way issues; state and federal telecommunications rules and regulations; franchise contract renewal procedures; acquisition of Public Education and Government (PEG) fees, management of franchise contracts, small cell tower rules and regulations, informal and formal cable complaint processes, ordinance violation procedures.

In private practice, I have represented clients in resolving wrongful terminations, contractual disputes, landlord-tenant matters, real estate purchases and closings, negotiating and drafting legal documents and in criminal matters. Successfully worked with prosecutors to limit criminal penalties for my clients;

Ability to work diligently and compassionately with clients to secure the best legal results. Capable of working independently and/or in a team environment.

**EDUCATION: State Bar of Michigan Admittance, (2012)**

**Juris Doctorate**, University of Detroit Mercy School of Law  
(2005)

**Bachelor of General Studies**, University of Michigan-Ann Arbor  
(1989)

**Diversity, Equity and Inclusion Certification**, Northwestern University-Evanston, IL (2021)

**COURT ADMITTANCE: United States Supreme Court  
Eastern District of Michigan  
State of Michigan**

**PROFESSIONAL AFFILIATIONS:**

- State Bar of Michigan
- Genesee County Bar Association Member

**KNOWLEDGE BASE:**

Municipal law and governance  
Employment Law  
American Rescue Plan Act Funding Rules  
Michigan Home Rules Cities Act  
Franchise Agreement Renewal process  
Rights-of-ways issues  
Small Cell Tower legislation  
Pipeline Safety issues



Open Meetings Act  
Freedom of Information Act  
Cable Communications Policy Act of 1984, 1994  
Trained on municipal ordinance violation procedures  
Federal Communications Commission-franchise & Public Education and  
Government (PEG) rulings  
Insurance Law  
School Mock Trial facilitator (OCBA)

**Private practice**

- Civil/Criminal law experience
- Drafting pleadings, motions and briefs
- Civil/Criminal trial experience
- Conducting depositions
- Successful negotiating experience

**Seminars/Continuing Education** (Institute for Continuing Education & State Bar of Michigan courses)

- Litigation/Trial practice workshops
- Labor & Employment law seminars
- Business Law
- Criminal Law
- Election Law
- Deposition Training
- Professional Development

**WORK HISTORY:**

**City Attorney, City of Pontiac**-(November 2023-present)

- Serve as Chief Legal counsel to the Mayor, Deputy Mayor, City Council, and department heads
- Ensure compliance with city ordinances, policies, and procedures
- Recommend and develop cohesive standard operating policies and procedures for internal efficiency
- Update Executive leadership and City Council on legal changes on local, state, and federal laws
- Serve as an Election Commissioner for the City
- Draft grant agreements for various American Rescue Plan Act (ARPA) funding projects as well as monitor compliance with terms and conditions
- Analyze and interpret Charter provisions, local ordinances, state, and federal law
- Review all resolutions and supporting contracts for weekly City Council meetings
- Draft legal opinions, city ordinances, resolutions, and contracts
- Assign cases to outside counsel, manage their workflow, evaluate legal product for thoroughness and review invoices for accuracy
- Review and edit complex contracts for multi-million-dollar road projects, new development, and redevelopment
- Develop pretrial and litigation strategy for cases in which the City is a defendant
- Oversee prosecution of local ordinance violations and misdemeanor
- Perform legal research using Westlaw and Lexis
- Manage and monitor law department budget for fiscal control
- Engage in discovery, motion practice and witness preparation •Perform staff trainings on evolving local, state, and federal law
- Oversees maintenance of proper legal records and executed contracts
- Establish and maintain effective working relationships with subordinates, other City employees, public officials, and the general public

**Chief Deputy City Attorney, City of Flint (Feb. 2022-November 2023)**

- Perform professional legal work on behalf of the City, its department heads, elected officials, and its employees
- Provide legal advice and guidance to the Human Resources, Planning & Development, Planning Commission, Zoning Board of Appeals, Historic District Commission and Facilities
- Assist the City Attorney in managing and leading the Law Department and serves as the City Attorney in the absence of or during the disability of the City Attorney
- Represent the City in arbitration proceedings
- Draft leases and purchase agreements
- Conduct criminal, civil, and administrative litigation, on behalf of the City and its officials/employees, before local, state, and federal courts/agencies, including engaging in discovery, motion practice, trial, and appeals
- Manage outside counsel on assigned city cases pertaining to strategy and review billing statements
- Reviews and authorizes or denies criminal complaints and warrants (including on periodic weekends)
- Engages in settlement negotiations with parties involved in litigation matters
- Appear in circuit and district court on behalf of the City of Flint in civil and criminal matters
- Reviews and drafts contracts, ordinances, resolutions, and other legal documents
- Provides legal advice and training to City officials and employees
- Review, investigate, and process Freedom of Information Act requests, damage claims, and internal complaints
- Establish and maintain effective working relationships with court personnel, other City officials and employees, opposing counsel, and the general public
- Assists with management and leadership of the law department and its attorney & non-attorney staff

**Assistant City Attorney, City of Flint, (Dec. 2020-Feb. 2022)**

- Appear before state and federal agencies and courts to represent the interests of the City, its departments, agencies, officials, and employees.
- Prosecute criminal misdemeanors and civil infractions to include determining whether to authorize a warrant, accept plea-bargains, reduce charges, or take a case to trial
- Serve as on-call attorney for the Flint Police Department on weekends to determine whether or not a complaint and warrant should be authorized
- Conduct all stages of criminal, civil, and administrative litigation, including but not limited to case review, discovery, motion practice, trial, and appeals
- Work with, interprets, analyze, and respond to requests for information under the Freedom of Information Act and the Open Meetings Act
- Prepare drafts, analyzes, reviews and issues opinions concerning legal documents including contracts, agreements ordinances, court documents, resolutions, complaints, summons, and leases and engages in negotiations regarding the same
- Evaluate, assess, and investigate internal complaints of employees based upon violation of City policies
- Attend Planning Commission, Zoning Board of Appeals and Historic District Commission meetings and provide legal advice
- Research and provide legal advice to City officials, employees, and departments
- Drafts and reviews legal opinions of the City Attorney
- Draft notices, resolutions, and ordinances
- Provide in-house training pertaining to laws, policies, and procedures
- Maintain records and prepares reports and correspondence related to legal work

**Cable Analyst/Writer, City of Southfield** (Sep. 2006-Dec. 2020)

- Manage city franchise agreements with Comcast & AT&T
- Serve as Southfield's voting board member for the "Michigan Coalition for Protecting Our Public Rights Of Ways" (**PROTEC**) organization which advocates regionally for municipalities to maintain control of its rights of way
- Review, research, interpret and analyze federal and state laws affecting cable franchise agreements and rights of way matters
- Supervise and collaborate with in-state and out of state legal counsel on franchise agreement issues
- Provide requested legal support to City Attorney's office on cable-related matters
- Handle internal and external inquiries regarding the franchise agreements
- Advise management on cable-related issues
- Monitor usage of Public, Education and Government (PEG) fees for compliance with state and federal law (PEG fees are the sole funding source for the cable operation)
- Assist residents with resolving cable complaints through informal mediation and/or providing information on the formal Michigan Public Service Commission process
- Act as liaison among city departments, the municipal channel and cable companies to solve billing and service issues or to facilitate the completion of various projects
- Generate program schedule
- Contribute articles to city publications
- Update cable station website

**Writer/Project Coordinator, City of Southfield** (2000-2006)

- Translate complex information into compelling scripts for municipal cable channel in a time-sensitive manner
- Conceptualize, research, and write scripts featuring city departments and community events
- Developed promotional ideas, events, and programming for municipal channel
- Produce and write stories for monthly cable newsletter and other city publications
- Design materials to increase viewership and station awareness
- Update the station's website

**Television/Radio Producer** (1990-2000)

I have worked in major market television stations such as Channel 4 (WDIV), Channel 7 (WXYZ) and Channel 50 (WKBD) as well as in mid-market tv stations such as WJRT in Flint, WNWO in Toledo and WWMT in Kalamazoo. I also worked for two Ann Arbor radio stations. While many of my duties were similar, I wanted to provide some highlights of my first career as a news producer before I transitioned to local government. My responsibilities included:

- Hired as an Executive Producer to develop a new 6pm newscast (WNWO)
- Hired to create a new 5pm newscast (WJRT)
- Created Producer Training program (WDIV)
- Decided newscast content for morning, noon, and evening news programs
- Generated story ideas for newscasts
- Directed reporters on story elements
- Wrote stories and teases for live and taped news coverage
- Produced special coverage and breaking news content
- Assigned stories to reporters/writers
- Assisted in developing graphics to complement story content
- Field produced stories
- Field reporter covering Ann Arbor and Ypsilanti Council Meetings (WPZA)
- Made beat calls to police agencies to discover potential stories