

City of Flint
Receivership Transition Advisory Board Agenda
Wednesday - May 11, 2016
2:00 PM

Flint City Hall
Council Chamber – 3rd Floor
1101 S. Saginaw St.
Flint, Michigan 48502

I. CALL TO ORDER

- A. Roll Call
- B. Approval of Agenda
- C. Approval of RTAB Meeting Minutes
 - 1. April 13, 2016 (attachment #1)

II. UNFINISHED BUSINESS

NONE

III. NEW BUSINESS

- A. Mayor and Council President
- B. Approval of Resolutions & Ordinances for City Council Meetings
 - 1. Resolutions from the Special City Council meeting of April 4, 2016 (Resolution 073) (attachment #2)
 - 2. Resolutions from the Regular City Council meeting of April 11, 2016 (Resolutions 055, 103, 105) (attachment #3)
 - a. Resolution #106 (Change Spending Approval) (attachment #3a)
 - b. Council Motion (Establishing Council Advisory Task Force)
 - 3. Resolutions from the Regular City Council meeting of April 25, 2016 (Resolutions 046.2, 046.3, 099, 101, 102, 104, 108, 132, 133, 134, 135, 138) (attachment #4)
 - a. Resolution 136 (Health Benefits/Surviving Spouses/City of Flint Police Officers and Firefighters)
- C. Proposed Changes to EM Order #3 of 2015 (attachment #5)
- D. City Administrator Items
 - 1. Budget to Actual – March 2016 (attachment #6)

IV. PUBLIC COMMENT

V. ADJOURNMENT

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CITY OF FLINT
RECEIVERSHIP TRANSITION ADVISORY BOARD MEETING
WEDNESDAY, APRIL 13, 2016
2:00 P.M.

A meeting before the RTAB Board at
1101 S. Saginaw, 3rd Floor, Council Chambers,
Flint, Michigan, on Wednesday, April 13, 2016.

BOARD MEMBERS:

- Frederick Headen, Chairperson
- Michael Finney, Member
- Michael Townsend, Member
- Joel Ferguson, Member

ALSO PRESENT:

- R. Eric Cline (Department of Treasury)
- Mayor Karen Weaver (City of Flint)
- Sylvester Jones (City Administrator)
- Jody Lundquist (Finance Director)

MEMBERS OF THE PUBLIC ADDRESSING THE BOARD:

- Kerry Nelson (Council President)
- Vicki VanBuren (Council Vice President)
- Eric Mays (Councilman)
- Wantwaz Davis (Councilman)
- Chris Del Morone (Flint resident)
- AC Dumas (Flint resident)
- Tony Palladino (Flint resident)

REPORTED BY:

Quentina R. Snowden, (CSR-5519)
Certified Shorthand Reporter,
Notary Public

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I N D E X

PAGE

- I. CALL TO ORDER

 - A. Roll Call 03
 - B. Approval of Agenda 03
 - C. Approval of RTAB Meeting Minutes
 - 1. March 22, 2016 04
 - 2. March 31, 2016 04

- II. UNFINISHED BUSINESS:
 - (None.) 04
- III. NEW BUSINESS:
 - A. Mayor and Council President 04/07
 - B. Approval of Resolutions & Ordinances for City Council Meetings 09
 - 1. Resolutions from the Regular City Council meeting of March 14, 2016 (Resolution 19) 09
 - (Ordinance 55) 11
 - 2. Resolutions from the Regular City Council meeting of March 28, 2016 (Resolutions 45, 46, 55, 62, 63, 64, 65, 66, 67, 68, 69, 70) 13
 - C. City Administrator Items
 - 1. Budget-to-actual - March 2016 13
- IV. PUBLIC COMMENT 15
- V. ADJOURNMENT 37

1 Wednesday, April 13, 2016

2 Flint, Michigan

3 2:03 p.m.

4 CHAIRPERSON HEADEN: The meeting will
5 be in order, please.

6 Let the record reflect that all four
7 members of the Board are present, so we do have a
8 quorum.

9 The next item is Approval of the
10 Agenda. Are there any additions to the agenda,
11 gentlemen? If not, is there a motion that the
12 agenda will be approved?

13 MEMBER FERGUSON: Move.

14 CHAIRPERSON HEADEN: Is there support?

15 MEMBER FINNEY: Support.

16 CHAIRPERSON HEADEN: Without
17 objection, the agenda is approved.

18 The next item is the Approval of RTAB
19 Meeting Minutes, first of the special RTAB meeting
20 on March 22nd, which you have as attachment number
21 one.

22 Are there any corrections or additions
23 to those minutes?

24 MEMBER FINNEY: Mr. Chair, I move for
25 approval.

1 CHAIRPERSON HEADEN: Is there support?

2 MR. FERGUSON: Support.

3 CHAIRPERSON HEADEN: Those in favor
4 please say "aye."

5 (All ayes.)

6 CHAIRPERSON HEADEN: Opposed? Minutes
7 of March 22nd are approved. The next will be
8 minutes of the special meeting of March 31st. They
9 are attachment two. Are there corrections or
10 additions to those minutes? If not, I'll entertain
11 a motion they be approved.

12 MEMBER FERGUSON: So move.

13 MEMBER TOWNSEND: Support.

14 CHAIRPERSON HEADEN: Motion has been
15 made and seconded. Those in favor please say "aye."

16 (All ayes.)

17 CHAIRPERSON HEADEN: Opposed? The
18 minutes of the March 31st are approved.

19 There is, to my knowledge, no
20 Unfinished Business.

21 Next item New Business. Yes, Mr.
22 Jones?

23 MR. JONES: If it's okay I'd like to
24 address the RTAB.

25 CHAIRPERSON HEADEN: Certainly.

1 Certainly.

2 MR. JONES: Good afternoon, everyone.

3 MEMBER TOWNSEND: Good afternoon.

4 MR. JONES: Mr. President (sic), I'm
5 coming because I'm asking if you would allow
6 -- there will be a resolution that will come before
7 you today, and the resolution specifically speaks to
8 a spending limit that must go to the Council before
9 the Mayor can conduct business. I'm asking that you
10 would send that back to the Council so that the
11 Council and this administration can work together,
12 so that we can determine an amount that would not
13 tie the Mayor's hands, nor the City Administrator's
14 hands to conduct business.

15 Based on the level that it is at right
16 now, I would ask you to consider this --

17 CHAIRPERSON HEADEN: What's your
18 resolution, please?

19 MR. JONES: Resolution -- I don't -- I
20 think it states \$10,000 --

21 CHAIRPERSON HEADEN: Is there a
22 resolution number?

23 MR. MAYS: It's not on today.

24 MR. JONES: It's not on today? Okay.
25 Well, at some point that's going to come before you,

1 and what I want is for this administration to work
2 with the Council to make sure that we have a level
3 that, one, gives the Council back their authority,
4 but also does not tie this administration's hands so
5 that we cannot conduct the business of the City.

6 And so that's one of the things that
7 we hope that you would -- going forward, that we
8 would have more dialogue between this administration
9 and the Council, so that as things come before you,
10 they not only are in the best interest of the
11 Council, but also are in the best interest of this
12 administration going forward.

13 CHAIRPERSON HEADEN: Is there any
14 reason that we should anticipate that cooperation
15 would not occur before the resolution reached us?

16 MR. JONES: At this point, no. At
17 this point, you should not anticipate that we're not
18 doing that.

19 Going forward, it is my hope -- and
20 we're going to do everything in our power to make
21 sure that the dialogue, the lines of communication
22 are open. Right? And we would hope that the
23 Council would do the same. I've had a number of
24 conversations with Council President Nelson, and
25 we're talking about the need to create a culture

1 that is respectful of both the Council, as well as
2 the Mayor's office, but also move forward
3 resolutions that are in the best interest of both.

4 And so, as we aim for home rule, it's
5 important that we -- the things that we do really
6 are in the best interest of both the Council as well
7 as this administration.

8 CHAIRPERSON HEADEN: Thank you.

9 MR. JONES: Thank you.

10 CHAIRPERSON HEADEN: Council President
11 Nelson?

12 MR. NELSON: Good evening.

13 CHAIRPERSON HEADEN: Council
14 President.

15 MR. NELSON: Yes. How is everybody?
16 I heard the comment made by Chief Administrator, and
17 that is true, we have been in talks, and we do want
18 to make sure that things are transparent, but we
19 also, as the Council, wish to have our powers per
20 the Charter. We support the Mayor when she received
21 her power, and per the Charter. If there was no
22 emergency manager or no Natasha Henderson, anything
23 that was 10,000 or greater had to come to the
24 Council.

25 And so we simply saying that we want

1 to get back to home rule. We want to do that. But
2 we want to do the job that we were elected to do.
3 And so, therefore, since Ms. Henderson is gone, and
4 since we're trying to get to home rule, I'm willing
5 to work with administration, but we do need our
6 powers to be able to do our job that we're
7 elected to do. And if anyone feels that we should
8 not have our powers, then shame on them, because the
9 people that I talk to on a day-to-day basis wants
10 this Council to be able to function and be the check
11 and the balance. But we're willing to work with
12 administration, and be very transparent and very
13 open.

14 But it's time for us to get back to
15 home rule and it's time for us to have our powers as
16 per the Charter request. And that is the wish of
17 this Council, or most Council people, I would say
18 that we're ready to go back to home rule. Not
19 saying we're not going to work with administration.
20 We respect the Mayor as mayor. I think we've been
21 giving and working with the Mayor, every appointment
22 she sent up we've approved. And so we're working
23 with her. But we do want her office to work with
24 us. And it is time for this Council to regain the
25 powers and responsibility that is due to them.

1 Thank you.

2 CHAIRPERSON HEADEN: Thank you,
3 Council President.

4 Next item is the Approval of
5 Resolutions and Ordinances for City Council
6 meetings. We'll begin with Resolution 19. It's
7 attachment 3. It's from the regular City Council
8 meeting of March 14th. I believe all of the
9 resolutions from that City Council meeting have been
10 addressed by us here on the 22nd or 31st. We have
11 Resolution 19 is the only one remaining.

12 Is there a motion that Resolution 19
13 be approved?

14 MEMBER FERGUSON: So moved.

15 CHAIRPERSON HEADEN: Is there support?

16 MEMBER TOWNSEND: Support.

17 CHAIRPERSON HEADEN: Is there any
18 discussion regarding Resolution 19 from March 14,
19 2016?

20 MEMBER FINNEY: I have a question, Mr.
21 Chair, and maybe it's a question to the City
22 Administrator and to the Council President.

23 I'm curious, so as these resolutions
24 come forward, obviously they are from the Council,
25 but are they coming forward with the support of both

1 the Council and the administration; or -- on a -- my
2 expectation is that these have in fact been vetted
3 and there's no opposition from the administration.
4 I just want to confirm that.

5 MR. JONES: There's no opposition.

6 CHAIRPERSON HEADEN: Mr. Jones, do you
7 wish to speak to that? Council President Nelson?

8 MR. MAYS: When you approach, be
9 specific as to 19 what was it about.

10 MR. NELSON: To the RTAB, I think
11 that's the resolution about Mr. Branch.

12 CHAIRPERSON HEADEN: Yes, it is.

13 MR. NELSON: And -- and we -- it was
14 to our understanding that that did not have to come
15 to the Council for approval. The Mayor had to do
16 that within her own budget of bringing Mr. Branch
17 on. That was to our understanding.

18 So, we agreed that when we moved and
19 supported the Mayor on bringing him on board, to our
20 understanding we did not have to vote on that
21 resolution, because he was part of her staff. And
22 so we supported that. But we didn't -- no one
23 mentioned that we had to take a vote on that.

24 MEMBER FINNEY: Thank you.

25 CHAIRPERSON HEADEN: Any further

1 questions about the resolution? If not, those in
2 favor please say "aye."

3 (All ayes.)

4 CHAIRPERSON HEADEN: Opposed?

5 Resolution 19 is adopted.

6 Madam Mayor, did you have any items
7 that you wanted to bring to the attention of the
8 Board?

9 MAYOR WEAVER: I'm fine. I think my
10 City Administrator -- I'm sorry that I'm late.

11 CHAIRPERSON HEADEN: It's quite all
12 right.

13 Next item is the Resolutions and one
14 ordinance from the regular City Council meeting of
15 March 28th. Let's begin with item 55, which is an
16 ordinance. Is there a motion to approve ordinance
17 55?

18 MEMBER FERGUSON: So moved.

19 CHAIRPERSON HEADEN: Is there support?

20 MEMBER TOWNSEND: Support.

21 CHAIRPERSON HEADEN: Any discussion
22 regarding ordinance 55? If not, those in favor
23 please say "aye."

24 (All ayes.)

25 CHAIRPERSON HEADEN: Opposed?

1 Ordinance 55 is adopted.

2 That leaves Resolutions 45, 46, 62
3 through 69 and 70. They are attachment four. Any
4 questions regarding those resolutions? Is there a
5 motion those resolutions be approved?

6 MEMBER FERGUSON: So moved.

7 CHAIRPERSON HEADEN: Is there support?

8 MEMBER TOWNSEND: Support.

9 MEMBER FINNEY: Mr. Chair, I have a
10 question.

11 CHAIRPERSON HEADEN: Yes.

12 MEMBER FINNEY: The same question as
13 before. Again, given the requests and to ensure
14 that there is participation between Council and the
15 City Administration, I'm just curious if the
16 administration is supportive of all of the
17 resolutions that are a part of what we're
18 considering in this group?

19 CHAIRPERSON HEADEN: Mayor, Mr. Jones?

20 MR. JONES: We're not opposed to any
21 of them. No, we don't oppose any of them.

22 CHAIRPERSON HEADEN: You're not
23 opposed?

24 MR. JONES: No. No.

25 MEMBER FINNEY: Thank you.

1 CHAIRPERSON HEADEN: Questions on the
2 adoption of the motion? Those in favor please say
3 "aye."

4 (All ayes.)

5 CHAIRPERSON HEADEN: Opposed? Motion
6 is adopted.

7 Next item, City Administrator Items.
8 Mr. Jones?

9 MR. JONES: And I'm going to defer to
10 our finance director, Jody Lundquist.

11 CHAIRPERSON HEADEN: Ms. Lundquist.

12 MS. LUNDQUIST: Good afternoon.

13 Similar to each month that I come before you, the
14 RTAB reports have been submitted for your review. I
15 have before you both the revenue and expenditure
16 reports showing budget-to-actual activity through
17 February 29th, 2016, as well as the cash investment
18 accounts.

19 No extraordinary activity outside of
20 that which we have already reported. The trends
21 continue the same for the Water and Sewer Fund as we
22 continue to respond to the ongoing water crisis.
23 The budget so far through February 29th, expended
24 66.7 percent of the year, so we're -- as I said
25 before, we're looking down the furthest right-hand

1 column we are looking at percentage of activity
2 year-to-date, we would hope to see on the revenue
3 side that those numbers would exceed the 66.7
4 percent and expenditures would fall below. So that
5 would show that we're doing better on revenue than
6 we may have anticipated, and that we are performing
7 and managing costs below those that which have been
8 projected.

9 Revenues in the general fund obviously
10 based on the timing of collecting property taxes,
11 our front load, our revenues at the beginning of the
12 year showing substantially more activity through the
13 early months, July through September, than
14 throughout the rest of the year, as opposed to Water
15 and Sewer Funds which are billed on a monthly basis,
16 so revenue tends to be more consist than throughout
17 the year with the exception of summer months,
18 obviously it increases.

19 I have nothing further unless there
20 are any questions by the Board.

21 CHAIRPERSON HEADEN: Under the Water
22 Fund, there's an item that says gain on sale of
23 fixed assets. Could you explain what that is,
24 please.

25 MS. LUNDQUIST: So that would have

1 been the sale of equipment. If, for instance,
2 throughout the year we had sold trucks or other
3 heavy equipment that may be used by the Utility
4 Services Department, you might note -- sorry, let me
5 see where that -- year-to-date, I'll have to go
6 back, actually I do have that circled. This is in a
7 copy of my notes to find out if we have indeed sold
8 something at a loss. The Water and Sewer Funds, the
9 governmental funds are reported on an accrual basis,
10 we do report those gains and losses as such net
11 depreciation.

12 CHAIRPERSON HEADEN: Thank you.

13 MEMBER FINNEY: Just going forward,
14 could you include in your cover memo a summary of
15 any highlights from each one of the different budget
16 categories or funds, any highlights that you think
17 are significant that we should really pay attention
18 to?

19 MS. LUNDQUIST: Sure. Yes.
20 Absolutely. Thank you very much.

21 CHAIRPERSON HEADEN: Thank you.
22 Public Comment, Mr. Cline.

23 MR. CLINE: Yes. Good afternoon. We
24 have four individuals that signed up for public
25 comment. We'll begin with Eric Mays.

1 MR. MAYS: Good evening.

2 CHAIRPERSON HEADEN: Good afternoon,
3 Councilman.

4 MR. MAYS: I listened real close and I
5 attend these meetings. I guess April would have
6 been the year, I'm understanding, since the
7 emergency manager, whatever, might have left. It's
8 a year review I heard last meeting in April.

9 When you all came in, we had, I'm
10 going to call it a powwow with individuals. I know
11 I, as an individual, I was called in and I met with
12 you, Mr. Headen and some others. I would urge that
13 we do that process again prior to making a
14 recommendation. That's what I'm requesting at this
15 juncture, as we go through that year.

16 Also, the financial powers that was
17 referred to, that was put in place, I, too,
18 recommend that they go back to Finance Committee or
19 some committee, because they was done without the
20 input as far as from Councilman Mays from the
21 administration, I want to talk closer about that and
22 it wouldn't -- didn't show up on this meeting but it
23 was a resolution passed off the floor in the last
24 Council meeting.

25 And so I think we need some more

1 dialogue and your agenda gives us time to do that.
2 I hope that my colleagues take that posture. But as
3 you know, we operate of a body in most cases where
4 five votes rule, and so that's why I always, you
5 know, like to look at both sides. That's where I
6 can appreciate Mr. Finney, when you asked the
7 questions as to are our people communicating and
8 cooperating, because that has something, in my view,
9 how we deal with steering the ship in the future.

10 I know two Council people had met with
11 Mr. Bahr (ph). I guess Mr. Bahr or somebody is from
12 the Governor's office. And I wait for a report of
13 all of those communications. It was a letter sent
14 to the Governor asking him to -- Council people
15 could meet, in this case I think it was the
16 president and vice president, and I'm here to tell
17 you, when we have these type of meetings, I look
18 anxiously for my phone to ring as a Council person
19 and/or a report.

20 So that's why I'm asking that you meet
21 with us, because as we try to get this thing right
22 and get some information that you can digest, not
23 from Council leadership and majority, but from
24 Council minority as well.

25 And so, I would end by saying this:

1 It's a resolution, I don't know if it was in this
2 package, but it had to do with a \$21 million
3 investment of public hearing under the office of
4 rehabilitation, tax exemption certificate for the
5 Capitol Theatre. The resolution, I don't know if it
6 was in this package, had to do with a public
7 hearing. The majority voted not to hold a public
8 hearing, and the minority voted maybe to hold it,
9 but the minutes was changed in our last meeting,
10 because one Council person changed their vote after
11 the rotation, and made it four "no" and -- four
12 "yes" and five "no."

13 If the minutes is reflected right, and
14 you passed a resolution, it might be forthcoming
15 that now after the minutes is corrected, because we
16 got rules that talk about motion for
17 reconsideration, not changing your vote after the
18 rotation. I expect that that public hearing, if
19 nothing else happens, should happen to hold -- be
20 held on April 25th.

21 So I don't know if that is in here,
22 but if you approved that resolution, then I think in
23 reality, based upon correction of the minutes, that
24 will not be an issue.

25 So I still invite you as individuals

1 to sit in on the Council committee meeting or a
2 Council meeting as we hopefully have this powwow as
3 you get ready to make your recommendation. And I
4 thank you.

5 CHAIRPERSON HEADEN: Thank you.

6 MR. CLINE: Chris Del Morone.

7 MR. DEL MORONE: Thank you. My name
8 is Chris Del Morone and I live in Flint, Michigan.

9 You gentlemen are here because of the
10 financial status of the City, and I would think it
11 would be appropriate that whenever you meet, you
12 give the citizens, the City an update on that
13 status, whatever, we're losing money -- I hate
14 saying that -- making money. Because at some point
15 if the City is doing well, then you guys should step
16 away. But as residents, we don't know really the
17 status of the City right now. So I would think that
18 should be something that should be included in your
19 agenda every time you meet.

20 I heard mention of the Capitol Theatre
21 from the previous speaker, and you know, maybe,
22 maybe I say, tax breaks are good, but in the case of
23 the Capitol Theatre, I see no reason to do that.
24 Tax breaks might be good to pull businesses into our
25 community, but in the case of the Capitol Theatre,

1 the theatre, the building itself, is already here.
2 If we deny them a tax break, it's not like they're
3 going to move that building.

4 So at some point things need to stand
5 on their own, let me say, economics. And if it's
6 not good, then maybe it shouldn't happen. And if
7 it's good, then people should go ahead and without
8 the tax abatement. Again, there's a big difference
9 of giving, say, General Motors a tax break to bring
10 in a new facility, or any company, but in the case
11 of the Capitol Theatre, they're already here.
12 They're not going to go anywhere. That -- they're
13 not going to move that building to somewhere in the
14 outskirts of Genesee County or another community.
15 Thank you.

16 CHAIRPERSON HEADEN: Thank you.

17 MEMBER FINNEY: Mr. Chair, I just have
18 one comment, because both of the previous speakers
19 have raised concern related to the Capitol Theatre
20 projects. We had a Resolution number 47. That does
21 call for a public hearing, unless I'm
22 misunderstanding what we have in front of us.

23 CHAIRPERSON HEADEN: I believe
24 Resolution 47 was not on our list because that was
25 defeated. That's the item you and I discussed

1 before?

2 MR. CLINE: I believe so, yes.

3 CHAIRPERSON HEADEN: That appears in
4 two places in the minutes. But on page 5 of the
5 minutes, it was defeated by a vote of five to
6 four -- four to five. Four for "ayes" and five
7 "nos", and that's why it was not in our votes.

8 MEMBER FINNEY: Okay. Thank you.

9 MR. CLINE: All right. Next speaker
10 is AC Dumas.

11 MR. DUMAS: Good afternoon. My name
12 is AC Dumas, and I reside in the City of Flint. I
13 did speak with I think you gentlemen about a couple
14 things.

15 First item was that I think it's
16 important to have public input prior to you all
17 making decisions. Seems as though you making
18 decisions and public comments back and say "Hey, we
19 didn't like that", or maybe we can give you some
20 insight on the -- some decision you're making,
21 seeing we're not elected officials, the only dog we
22 have in this race is our welfare of the residents of
23 the City of Flint. Like I don't serve for the Mayor
24 or for the City Council.

25 So I would appreciate if perhaps we

1 can have -- speak on the agenda items first before
2 you vote and then you can have public comment again
3 afterwards. That's a suggestion.

4 But I do want to say that I invite you
5 also to come to the Council meeting. You know, the
6 Council -- I live in the Third Ward, Mr. Nelson's
7 Ward, and it's nonsense when you have to come to a
8 regular Council meeting and stay eight, nine hours,
9 getting out at 12 midnight, or 11:30, 11 p.m. All
10 this wrangling and, you know, it's just terrible.
11 Until the people, the citizens just get up and
12 leave. We can't given put in the public session
13 because, I mean, it's late. You know, some of
14 us -- some people have jobs. I -- fortunately I
15 don't have to go to work anymore. But we do have
16 other obligations.

17 So when I hear that, you know -- and
18 you can even hear the tone when the Council comes in
19 to speak before you, the leadership of the Council.
20 It's not as harmonious as you would say. And so, if
21 people want to -- "Let's go by the Charter", I would
22 ask that not only does the Council go by the
23 Charter, but also that the administration go by the
24 Charter. And I think the Charter is -- just needs a
25 little tweaking and -- and I can see now -- well,

1 I'm not going to say that -- but I ask you to
2 consider that, but don't -- just come in, sit in the
3 back. Maybe -- maybe they'll act better if you all
4 sit in the back and listen to this eight-hour
5 Council meetings that starts at 4:30. And Mr.
6 Townsend knows because he's experienced it before,
7 and the committee home rule, then it comes out here
8 so it's quarter to 12, midnight. Midnight. And
9 this is -- and people want their powers back. I
10 don't know. Maybe they should get some powers back,
11 but on the record I'm saying, I don't know. And I
12 do have an audience. I have a broadcast, a
13 well-listened to broadcast every Saturday morning,
14 well-listened to. And so, that's my outlet. That's
15 where I can say, but when you hear from the people,
16 it's not like roses, like what -- what they
17 projected it to be. Oh, it's just nice and sweet.
18 We need --" No. Uh-uh.

19 CHAIRPERSON HEADEN: Thank you.

20 MR. DAVIS: Thank you, RTAB and Board
21 for allowing us to speak today. But I want to make
22 a statement. I think under these critical and
23 crucial conditions that Flint is suffering from
24 right now --

25 CHAIRPERSON HEADEN: I'm sorry, would

1 you please state your name.

2 MR. DAVIS: Councilman Wantwaz Davis,
3 Flint City Council.

4 CHAIRPERSON HEADEN: Thank you.

5 MR. DAVIS: I think under these
6 crucial and critical times that we are suffering
7 from in the City of Flint, emotions begin to get
8 intense. It's kind of difficult to try to
9 distinguish irrational behavior from rational
10 behavior when you get so many people ill-affected by
11 this water condition that we suffer from.

12 So if the meetings go eight to nine
13 hours and we're doing business -- now, I don't think
14 it should go that long, don't get me wrong, I don't
15 think it should go that long, but when we got
16 conditions that are somewhat confusing to a lot of
17 people, there's a lot of information that's not
18 being disclosed to Council, so when people come up
19 and they got questions and we don't have answers,
20 it's kind of difficult for us to be able to expound
21 on situations that we're not a part of.

22 And if we're going to talk about the
23 Charter, which is taking us into home rule, and we
24 want to act according to this Charter, then we
25 should be in home rule. You can't act off the

1 Charter, in theory, and build a city, in actuality
2 and factuality. We're not acting in the Charter.

3 And so what I'm asking for you to take
4 a consideration -- you gave the Mayor back her
5 power. Then Council should be able to act
6 accordingly and act for the people that elected us.
7 Because if we can't act in the manner people expect
8 us to act in, then it makes us a substandard council
9 or legislative body. We have to be at a point where
10 people can be assured that their interests is taken
11 to Council, and Council can be able to deal with
12 that interest in the manner that the Charter allows
13 us to deal with it. Because if we can't deal with
14 it in that manner and assure people ease of mind,
15 then where are we at? And this is the problem that
16 we suffer from. People come up, they say you guys
17 have no power, but then they invert responsibility
18 on us, and that inversion of that responsibility is
19 null and void because we can't act on that.

20 And so I ask -- in my conclusion, as I
21 implore you to please consider giving the Council
22 some power back, if not all of it back, so that we
23 can make decisions that's beneficial to the people,
24 because people in the Fifth Ward elected me, people
25 in the Third Ward elected other people, and people

1 in those Wards should be able to get a good answer.
2 People in that Ward should feel assured that our
3 responsibilities is at the forefront, because I
4 would feel kind of bad if I have to come up here and
5 talk to somebody who really can't help me. It's
6 like talking to your assistant, and your assistant
7 can't help me unless you're there. But the
8 responsibility that I've read is that your assistant
9 can help me. That's not -- I don't think that's
10 fair in government that we can't do what people
11 elected us to do. This is one of the biggest
12 problems we have with the State. It's not that we
13 don't feel that the State should be a part of
14 something, but at least in this situation we suffer
15 from right here, the State should allow us to be a
16 part of what the people want us to be a part of, and
17 that's bringing some form of corrections to the
18 problems that we suffer from and have some precise
19 answers instead of just fumbling all over the place,
20 because that's where we're at right now. I have to
21 be honest. We're fumbling because nobody as a body
22 -- I can speak for myself -- is not getting any
23 information. So when I go to -- if you're going to
24 ask me questions that I should be able to answer, I
25 don't make up a fictitious response, I just tell

1 them I don't know. I don't know.

2 So, we want to be in the know. And
3 the only way we can be fully in the know, if we are
4 afforded the responsibilities that the Charter
5 afford us. And so I conclude imploring you to
6 please consider that. Thank you very much.

7 CHAIRPERSON HEADEN: Thank you,
8 Councilman. I can assure you that we will take your
9 comments and those of your colleagues into
10 consideration. We will not, at least officially, be
11 taking any position if there's a conflict between
12 Mayor and her administration and City Council. We
13 expect all of you, as elected officials, to work
14 those conflicts out on your own. I can assure you
15 though that we will treat both the administration
16 and Council with professionalism and respect, listen
17 to your points of view, and where we think
18 appropriate, try to assist all of the elected
19 officials and the staff in working toward full local
20 control. We certainly appreciate your comments, and
21 as I said, we'll take those into consideration.

22 MR. DAVIS: Thank you very much, sir.
23 Thank you very much.

24 CHAIRPERSON HEADEN: Anyone else?

25 MR. CLINE: Yes, one last speaker.

1 Tony Palladino.

2 MR. PALLADINO: Thanks, guys. Tony
3 Palladino, east side of Flint, still struggling.

4 Last time I was here, I was like, "Why
5 are you guys still here?" I'm still asking that.
6 Why are you guys still here? Madam Mayor, she's got
7 some backbone. Although we may not all agree how
8 things are happening and what's not happening, I
9 think you guys need to be let loose, you go on and
10 do whatever else. I want to ask -- I'm embarrassed
11 as a resident because, see, this whole situation
12 what you all are forgetting about, Mayor, I got to
13 say this, your City Council is not respected because
14 they're not a City Council. You understand what I'm
15 saying? If I had a substitute teacher, I would act
16 up. And that's exactly what they are. I can ask
17 Eric something, he'll give me an answer, this one is
18 going to disagree. We were here until 12:30. Could
19 you guys bring us in some water and sandwiches. I'm
20 telling you, this is ridiculous. We're already
21 fighting on the streets. We're coming in to be
22 heard. I'm not here for no job. Have I asked you
23 for a job? Understand what I'm saying. I'm a
24 resident who's been fighting on the street and so is
25 -- my neighborhood is forgotten. There's money

1 falling in here that's not reaching the people. And
2 they're forgiving 400,000 for taxes, they're
3 freezing taxes, and I'm being pushed out of here.
4 Everybody around me is dead. I'm trying to tell you
5 guys, I couldn't go into Eric without having seven
6 people jumping on what he responded to.

7 Have you guys seen any of these
8 Council meetings? By the time we get up to speed,
9 I'm ten times louder than this. My voice is sore.
10 My Mayor's already left. The administration has
11 already left. The people that we need to speak to
12 are gone. But the main thing is we're here as
13 residents and we have no voice. We have no voice.
14 If you're not a business, a corporation, a
15 federation or whatever, foundation, we're nothing.
16 We are nothing but simple backstabbing taxpayers,
17 and we can't even do that. And you're pushing water
18 down our throats. When you go see Snyder (sic), tell
19 him we don't need you guys no more. I appreciate
20 talking to you, but you know what? I'd rather talk
21 to my Council, to my Mayor, to her administration,
22 to Wantwaz, to even Vicki, because these are the
23 people that we see every day. Take a look at here.
24 We can hardly even fill a Council chamber. We can
25 hardly get the people here, but when we do, we got

1 to listen to eight hours of conflict. And yes, some
2 of it is us doing it, you know what I'm saying? I'm
3 embarrassed. The other day we had some people in
4 here, I couldn't believe this, I said "You guys,
5 what are you doing?" I want you guys to hear me. I
6 know I'm out of time, but here's the deal. I've got
7 to go home now and deal with this water issue. I
8 got bags of hair. And, man, this water is not good
9 enough to drink, I don't care who's telling you
10 that, please don't repeat that. This water is
11 nasty. This pipe needs to be done. Forget the --
12 you know all this. Bring the pipes in. Let her do
13 her job. Let her administration work. Let the
14 residents have somebody to go to, to feel that we're
15 going to get something done. You guys to me are
16 like the teacher, and our Council, our City is like
17 subs. You got to go. I appreciate you listening to
18 me though. And he's right, come on in and take a
19 seat, just slide in. It is so embarrassing. And
20 there's a lot of knowledge up there that teaches us
21 that, hey, this is how things should be, but why we
22 have got to go 20 steps? I'm embarrassed. Thank
23 you.

24 CHAIRPERSON HEADEN: Thank you.

25 MS. VANBUREN: Sir, may I approach?

1 CHAIRPERSON HEADEN: Councilwoman,
2 yes, please.

3 MS. VANBUREN: Thank you very much. I
4 wasn't planning on speaking, but I think I need to
5 share the information with you.

6 My name is Vicki VanBuren. I'm the
7 vice president of Council. Yes, it's true, we've
8 had some long meetings, and many of us stay until
9 the end to give opportunity for exchange and try to
10 have an understanding are we doing the job we need
11 to do.

12 Many want to speak, and we want to
13 give them that opportunity. We could have maybe up
14 to 30 some people and we don't turn any of them
15 away. Some of them can't stay as long, you know,
16 because it is a long meeting, but there's two times
17 during our Council meetings that they're given
18 opportunity to speak. One is regarding items on the
19 agenda, and then later toward the end it's open to
20 anything that they would have concerns of.

21 As our job, as Council, each of us
22 represent somewhere about maybe 11-, 12,000
23 residents, we are trying to do the best we can.
24 This is the first time since the Mayor has been
25 elected that we've been given an opening to possibly

1 act on our responsibilities, because before that,
2 when the emergency manager was here, there was no
3 authority. It was either their way or forget it,
4 you know.

5 So a lot of things that were acted on
6 we had very little input on, and it didn't matter
7 what we said. Now we have an opportunity to be more
8 active in what goes on. We are all concerned about
9 this City, especially as a life-long resident, or
10 those who have been involved or made a commitment to
11 stay. If this does not get under some type of way
12 that we can help to manage, have input, have some
13 responsibilities, we might as well be prepared to
14 turn the keys over to you in December. The way that
15 we are hearing the budget, the monies are not there,
16 then monies are going to be taken from the general
17 fund and the monies that are in the general fund
18 will affect people's jobs, it will be enough to take
19 care of another month, and we are done. And we
20 don't like to give up. The budget is crucial and
21 that's something that Council can play a part in.
22 And I know that kind of what your role is to keep us
23 on the right track but by the time you get some of
24 this information, we have no time to react, and we
25 can't go back and then solve issues. There's monies

1 coming into the City. We hear it all the time in
2 the media, through the -- even the citizens that
3 attend "Where's the money going? We want to know.
4 Is it really going in the direction that it should
5 to help our community?" But if we have no -- no way
6 to check or to gather that information, then it's
7 almost like why are you here? Maybe like they say
8 for you to watch Council, Channel 17 carries those
9 meetings on Comcast, and -- where you can see. And
10 yes, it's not easy to be here. You know, some of
11 them have other responsibilities. I know for myself
12 as being one of the older ones on the Council. I
13 suffer the next day because of the time, and I don't
14 like having to leave. I mean, I try to stick it out
15 to the end, you know, but you need to hear the
16 people and we need to do for the people. So I hope
17 somehow we'll be given the ability to do that,
18 otherwise, the State will have the City of Flint by
19 the end of the year. Thank you.

20 MR. PALLADINO: We don't want that.

21 CHAIRPERSON HEADEN: Thank you.

22 Further public comment?

23 MR. CLINE: No.

24 CHAIRPERSON HEADEN: We have a motion
25 to adjourn. Before I entertain a second, I just

1 want to make two comments. One is Councilman Mays
2 talked about the one-year RTAB review. I expect
3 staff will be starting that within perhaps the next
4 two months or so. And I expect as part of that
5 process, among others, that all nine Council members
6 will be interviewed to have an opportunity to
7 provide comments of the sort you're referring to.

8 As to Mr. Palladino's question about
9 why are we still here, my answer to your question is
10 because it's not yet time to leave. This City has
11 been under emergency management on two occasions
12 now, 2002 to 2004, and 2011, November 2011 until
13 this past April. I was involved in facilitating
14 both of those, and I don't want to be involved in a
15 third one. I don't expect the RTAB will be around
16 any longer than necessary, but that means also not
17 leaving prematurely. I want to make sure that when
18 we leave this time, that the City has all the tools
19 it needs to succeed on its own and that there's no
20 need, at least in the rest of my professional
21 career, for the State to intervene in the City's
22 business again, and so the elected officials can run
23 the City. And as soon as we make the collective
24 assessment that that time is appropriate, I can
25 assure you we will probably make a recommendation to

1 the Governor that the receivership should be
2 terminated because financial conditions are on a
3 solid footing and the City can proceed on its own.

4 So that's my response to your
5 question. But, feel free to continue to ask it at
6 each meeting.

7 MR. PALLADINO: I'm going to.

8 MEMBER FINNEY: Mr. Chair, I have a
9 couple thoughts I want to share as well.

10 First of all, I'm very encouraged by
11 the level of dialogue that at least we get from this
12 meeting from the various citizen that come, and
13 obviously there are faces that appear at every
14 single meeting, and within my tenure here on the
15 RTAB, which has been fairly brief, we've not had to
16 reject anything that has come from the City
17 administration or from the City Council as a
18 resolution. And that's very encouraging to me,
19 because as much as it may be challenging to stay up
20 late at night and to argue, you know, I only wish
21 that all families would argue as much because
22 there's a process that we normally go through and I
23 just think that given where the City has been, that
24 process is what we're going through right now of
25 figuring out how to work and how to work

1 effectively. And from my vantage point, as a member
2 of the RTAB, I actually see information coming
3 forward where there is clear support from both the
4 administration and the City Council, at least for
5 our consideration. Things that have not come to us
6 and that you're still debating, you know, that's
7 your purview to have at it and hopefully those
8 things get resolved so that when they come to us,
9 it's in a unified voice. And to me that's -- that's
10 why I would just encourage you to continue doing.
11 That is where -- the signal that it's time for the
12 RTAB to move on, and so that we can actually get,
13 you know, things done like budgets and other things
14 where everybody is on board and everybody had an
15 opportunity to participate.

16 And I think that's the process that
17 you're going through. It's very encouraging to me,
18 in spite of the fact that you think we should --
19 some of the folks think we should leave immediately,
20 others don't, and the fact that there are ongoing
21 issues, I'm encouraged that we're making very good
22 progress, all things considered.

23 CHAIRPERSON HEADEN: Motion is pending
24 to adjourn. Is there support?

25 MEMBER FERGUSON: Support.

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CHAIRPERSON HEADEN: I believe you
made the motion.

MEMBER FINNEY: Support.

CHAIRPERSON HEADEN: Without
objection, we're adjourned.

(Meeting adjourned at 2:50 p.m.)

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C E R T I F I C A T E

I, Quentina Rochelle Snowden, do hereby certify that I have recorded stenographically the proceedings had and public comment taken in the meeting, at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (38) pages, is a true and correct transcript of my said stenographic notes.

Dated: April 19, 2016



Quentina R. Snowden

Quentina R. Snowden, CSR-5519

Notary Public, Genesee County, Michigan

My commission expires: 1/4/2018



City of Flint, Michigan Summary Meeting Minutes For SPECIAL CITY COUNCIL

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

Kerry L. Nelson, President, Ward 3
Vicki VanBuren, Vice President, Ward 8

Eric Mays, Ward 1
Kate Fields, Ward 4
Herbert J. Winfrey, Ward 6

Jacqueline Poplar, Ward 2
Wantwaz D. Davis, Ward 5
Monica Galloway, Ward 7
Scott Kincaid, Ward 9

Inez M. Brown, City Clerk

Monday, April 4, 2016

5:13 PM

Council Chambers

Presentation of FY2016-2017 and FY2017-2018 Proposed Biennial City of Flint Budget

160073 Presentation/Fiscal Years 2016-2017 and 2017-2018 Biennial Proposed City of Flint Budget

Presentation to the Flint City Council, by Mayor Karen W. Weaver, of the Proposed FY16-17 and FY17-18 City of Flint Biennial Budget.

The vote was to receive the budget and place it on file.

A motion was made by Councilperson Kincaid, seconded by Vice President VanBuren, that this matter be Presented. The motion carried by the following vote:

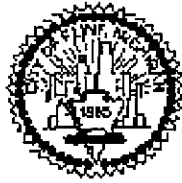
Presented

Aye: 7 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Davis

City of Flint, Michigan

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



Meeting Minutes 2 - Final

Monday, April 11, 2016

6:48 PM

RTAB SUMMARY

Council Chambers

CITY COUNCIL

*Kerry L. Nelson, President, Ward 3
Vicki VanBuren, Vice President, Ward 8*

Eric Mays, Ward 1

Kate Fields, Ward 4

Herbert J. Winfrey, Ward 6

Jacqueline Poplar, Ward 2

Wantwaz D. Davis, Ward 5

Monica Galloway, Ward 7

Scott Kincaid, Ward 9

Inez M . Brown, City Clerk

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, VanBuren and Councilperson Kincaid

Absent: Councilperson: Councilperson Galloway

PUBLIC HEARINGS

160055 Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons)

An ordinance to amend Chapter 18 (Taxation; Funds; Purchasing), Article I (In General), Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons), of the Code of the City of Flint by amending subsection (g), changing the name from Salem Housing Community Development Corporation to Metawaneenee Hills Limited Partnership.

HEARING HELD

Enactment No: 4076

APPOINTMENTS

None

APPOINTMENTS (May Be Referred from COTW)

160104 Appointment/City of Flint Hospital Building Authority/Ada C. Washington

Resolution approving the appointment of Ada C. Washington (1505 Arrow Lane, Apt. 302, Flint, Michigan, 48502) to the City of Flint Hospital Building Authority for a six-year term commencing April 1, 2016, and expiring March 31, 2022, as requested by the Hurley Medical Center Board of Managers and the City of Flint Hospital Building Authority. [NOTE: By way of background, Ms. Washington will replace Lewis Driskell, who is unable to continue serving on the Authority due to health reasons.]

Councilperson Poplar, seconded by Councilperson Kincaid, made a motion to adopt all three appointment resolutions (Nos. 160103, 160104 and 160105) as a Master Resolution under the Consent Agenda, with No. 160103 requested as a Separation.

Approved

Because he wanted to separate appointment resolution No. 160105, Councilperson Mays, seconded by Councilperson Kincaid, made a motion to consider all three appointments separately - without objection.

Substituted

160103 Reappointment/City of Flint Hospital Building Authority/Thomas S. James

Resolution approving the reappointment of Thomas S. James (12235 Worthington Court, Grand Blanc, Michigan, 48439) to the City of Flint Hospital Building Authority for a six-year term commencing April 1, 2013, and expiring May 31, 2019, as requested by the Hurley Medical Center Board of Managers and the City of Flint Hospital Building Authority.

Approved

Substituted

The motion was to POSTPONE to the next Committee-of-the-Whole meeting scheduled for Monday, April 25, 2016.

A motion was made by Vice President VanBuren, seconded by Councilperson Mays, that this matter be POSTPONED for April 25, 2016. The motion failed by the following vote:

Aye: 4 - Councilperson Mays, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

No: 4 - Councilperson Poplar, President Nelson, Councilperson Fields and Councilperson Davis

Absent: 1 - Councilperson Galloway

Substituted

A motion was made by Councilperson Kincaid, seconded by Councilperson Mays, that this matter be Approved. The motion failed by the following vote:

No: 8 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Galloway

160104

Appointment/City of Flint Hospital Building Authority/Ada C. Washington

Resolution approving the appointment of Ada C. Washington (1505 Arrow Lane, Apt. 302, Flint, Michigan, 48502) to the City of Flint Hospital Building Authority for a six-year term commencing April 1, 2016, and expiring March 31, 2022, as requested by the Hurley Medical Center Board of Managers and the City of Flint Hospital Building Authority. [NOTE: By way of background, Ms. Washington will replace Lewis Driskell, who is unable to continue serving on the Authority due to health reasons.]

The motion was to POSTPONE to the next Committee-of-the-Whole meeting scheduled for Monday, April 25, 2016.

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey, that this matter be POSTPONED for April 25, 2016. The motion carried by the following vote:

Aye: 5 - Councilperson Mays, Councilperson Fields, Councilperson Davis, Councilperson Winfrey and Vice President VanBuren

No: 3 - Councilperson Poplar, President Nelson and Councilperson Kincaid

Absent: 1 - Councilperson Galloway

ROLL CALL

Councilperson Davis left the Council Chambers for about 10 minutes at approximately 9:45 p.m.

Present: Councilperson: Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Winfrey, VanBuren and Councilperson Kincaid

Absent: Councilperson: Councilperson Davis and Councilperson Galloway

160105

Appointment/City of Flint Hospital Building Authority/Christopher Flores

Resolution approving the appointment of Christopher Flores (1502 Brookwood Drive, Flint, Michigan, 49503) to the City of Flint Hospital Building Authority for a six-year term commencing April 1, 2016, and expiring March 31, 2022, as requested by the Hurley Medical Center Board of Managers and the City of Flint Hospital Building Authority. [NOTE: By way of background, Mr. Flores will replace Williamson H. George, who is unable to continue serving on the Authority due to health reasons.]

The motion was to POSTPONE to the next Committee-of-the-Whole meeting scheduled for Monday, April 25, 2016.

A motion was made by Councilperson Mays, seconded by Councilperson Kincaid, that this matter be POSTPONED for April 25, 2016. The motion failed by the following vote:

Aye: 4 - Councilperson Mays, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

No: 3 - Councilperson Poplar, President Nelson and Councilperson Fields

Absent: 2 - Councilperson Davis and Councilperson Galloway

Substituted

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

Aye: 6 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

No: 1 - Councilperson Mays

Absent: 2 - Councilperson Davis and Councilperson Galloway

RESOLUTIONS

None

RESOLUTIONS (May Be Referred from COTW)

None

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, VanBuren and Councilperson Kincaid

Absent: Councilperson: Councilperson Galloway

ADD-ON RESOLUTION

160106 Change/Spending Approval

Resolution resolving that the Flint City Council authorizes and approves the following changes in spending: (1) Approval of \$10,000 to \$25,000 shall require the approval of the Flint City Council President and Vice President, and, (2) Any expenditure over \$25,000 shall require full Flint City Council approval.

A motion was made by Councilperson Kincaid, seconded by Vice President VanBuren, that this matter be Adopted. The motion carried by the following vote:

Aye: 7 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

No: 1 - Councilperson Mays

Absent: 1 - Councilperson Galloway

COUNCIL MOTION

Councilperson Kincaid, seconded by Councilperson VanBuren, made a motion to DO ALL THINGS NECESSARY to develop a Council Advisory Task Force. The motion passed by a vote of 7:0. (Councilperson Mays missed the vote because he was not in his seat when the vote was taken.)

ORDINANCES - First Reading

None

ORDINANCES - Second Reading

160055 Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons)

An ordinance to amend Chapter 18 (Taxation; Funds; Purchasing), Article I (In General), Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons), of the Code of the City of Flint by amending subsection (q), changing the name from Salem Housing Community Development Corporation to Metawaneenee Hills Limited Partnership.

Councilperson Mays missed the vote on Ordinance No. 160055 because he was not in his seat when the vote was taken.

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

Aye: 6 - Councilperson Poplar, President Nelson, Councilperson Fields,
Councilperson Winfrey, Vice President VanBuren and Councilperson
Kincaid

No: 1 - Councilperson Davis

Absent: 2 - Councilperson Mays and Councilperson Galloway

Enactment No: 4076

ADJOURNMENT

This City Council meeting was adjourned at 11:46 p.m.

OFFICE OF THE CITY COUNCIL



May 3, 2016

Fred Headen, Chair
Flint Receivership Transition Advisory Board
Michigan Department of Treasury
Lansing, Michigan 48922

Mr. Headen:

Please see the attached resolution authorizing a change in spending as adopted by the City Council on Monday, April 11, 2016. Also attached is a copy of City Ordinance No. 3865 concerning Purchases.

Finally, the City Council requests that any purchases below \$10,000 be detailed to the City Council in a monthly report distributed to its members, with the report to include pertinent purchasing information such as contractors/vendors, dates, dollar amounts, requesting departments, etc.

Sincerely,

Kerry L. Nelson, President
Flint City Council

Attachments

cc: Vicki VanBuren, Flint City Council Vice President
Councilman Scott Kincaid, Flint City Council Finance Chairperson
Harvey Hollins, Director, Governor's Office of Urban Initiatives
Stacie Clayton, Assistant Director, Governor's Office of Urban Initiatives
Wendy Lamphier, Executive Analyst & Assistant to F. Headen

MUNICIPAL CENTER

1101 S. SAGINAW STREET

FLINT, MICHIGAN 48502

(810) 766-7418

FAX (810) 766-7032

160106

RESOLUTION:

PRESENTED: April 11, 2016

ADOPTED: _____

RESOLUTION AUTHORIZING CHANGE IN SPENDING

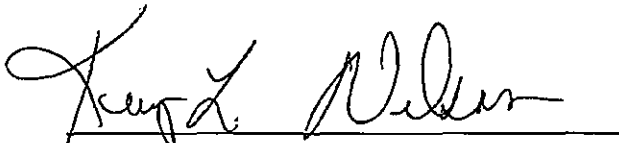
BY THE CITY COUNCIL:

Spending approval of \$10,000 to \$25,000 shall require the approval of the Flint City Council President and Vice President; and

Any expenditure over \$25,000 shall require full Flint City Council approval.

IT IS RESOLVED, that the Flint City Council authorizes and approves these proposed changes.

APPROVED BY CITY COUNCIL:



Kerry L. Nelson, City Council President

PRESENTED TO CITY
COUNCIL: 4/11/2016

ADOPTED BY CITY
COUNCIL: 4/11/2016

**RECEIVERSHIP TRANSITION
ADVISORY BOARD:**

ORDINANCE NO. 3865

An Ordinance to amend the City of Flint Code of Ordinances by amending Chapter 18, Taxation; Funds; Purchasing; Article IV, Purchases.

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

Sec. 1. That the Ordinances of the City of Flint shall be amended by amending Chapter 18, Taxation; Funds; Purchasing; Article IV, Purchases; by updating Sections 18-19 through 18-21.13; the renumbering of Section 18-21.14 to Section 18-21.20; and, the addition of new Sections 18-21.15 through 18-21.19, which shall read in its entirety as follows:

ARTICLE IV: PURCHASING

§ 18-18 SHORT TITLE.

This ordinance shall be known and may be cited as the "Purchasing Ordinance of the City of Flint."

§ 18-19 DEFINITIONS.

For the purposes of this article, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

AGENCY. Any department, office, multiple member body or other organization of City government and includes any elective officer, appointee or person acting or purporting to act in the exercise of official duties, but shall not include the Board of Hospital Managers.

CHIEF EXECUTIVE. The Mayor of the City of Flint.

CITY. The City of Flint, Michigan.

CITY COUNCIL. The Council of the City of Flint.

CONTRACTUAL SERVICES. All telephone, gas, water, electric light and power service; towel and cleaning service; insurance; leases for all grounds, buildings, office or other space required by the agencies, with the exception of property under the control of the Housing Commission, Department of Community Development or any independent multiple member board established in accordance with the provisions of the FLINT CITY Charter; and the rental, repair or maintenance of equipment, machinery and other City owned personal property. The term shall not include professional and other contractual services which THAT have been proven to be unique and not subject to competition.

DIRECTOR. The Director of Purchases and Supplies ~~PURCHASING DIRECTOR AND/OR PURCHASING MANAGER.~~

PROCUREMENT CARD.

SUPPLIES. All supplies, materials and equipment.

§ 18-20 ~~DIRECTOR OF PURCHASES AND SUPPLIES~~ PURCHASING DIRECTOR.

There is hereby created the position of ~~PURCHASING Director of Purchases and Supplies~~ who shall be a member of the Classified Service and shall be appointed by the Mayor ~~CITY ADMINISTRATOR~~ with the approval of the City Council. The ~~PURCHASING Director~~ shall perform all duties as provided herein ~~BY THIS ORDINANCE AND THE FLINT CITY CHARTER~~ under the direction of the Mayor ~~CITY ADMINISTRATOR~~ and shall perform ~~such~~ ALL other duties as may be prescribed by the Mayor ~~CITY ADMINISTRATOR~~.

~~§ 18 21 DIRECTOR TO HAVE SUPERVISION OF PURCHASE AND DISTRIBUTION OF SUPPLIES, MATERIALS AND EQUIPMENT.~~

~~The Director of Purchases and Supplies shall have general supervision of the purchase and distribution of all supplies, materials and equipment and shall perform all duties required by law and shall have the powers and duties prescribed by this article.~~

~~§ 18 21.1 ADDITIONAL DUTIES AND RESPONSIBILITIES OF DIRECTOR.~~

~~The Director shall have the power and it shall be his duty:~~

~~(a) Purchase or contract. To purchase or contract for all supplies and contractual services needed by any agency in accordance with purchasing procedures as prescribed by this article and such rules and regulations as the Director shall adopt for the internal management and operation of the office of Director of Purchases and Supplies and such other rules and regulations as shall be prescribed by the Mayor as the purchasing functions related to executive staff offices and departments.~~

~~(1) Exceptions prohibited. The authority of the Director to negotiate all purchases for all agencies shall not be abridged by excepting by rule any particular agency.~~

~~(2) Unauthorized purchases. Except as herein provided, it shall be unlawful for any agency to order the purchase of any supplies or make any contract within the purview of this article other than through the Director and any purchase ordered or contract made contrary to the provisions hereof shall not be approved and the City shall not be bound thereby.~~

~~(b) Other powers and duties. In addition to the purchasing authority conferred in~~

~~subsection (a) above and in addition to any other powers and duties conferred by this article, the Director shall:~~

~~(1) Minimum expenditure. Act to procure for the City the highest quality in supplies and contractual services at least expense to the City.~~

~~(2) Encourage competition. Discourage uniform bidding and endeavor to obtain as full and open competition as possible on all purchases and sales;~~

~~(3) Purchasing analysis. Keep informed of current developments in the field of purchasing, prices, market conditions and new products, and secure for the City the benefits of research done in the field of purchasing by other governmental jurisdictions, national technical societies, trade associations having national recognition, and by private businesses and organizations.~~

~~(4) Forms. Prescribe and maintain such forms as he shall find necessary to the operation of this article.~~

~~(5) Standard nomenclature. Prepare and adopt a standard purchasing nomenclature for agencies and suppliers.~~

~~(6) Vendor's catalog file. Prepare, adopt and maintain a vendor's catalog file.~~

~~(7) Bulk purchases. Exploit the possibilities of buying "in-bulk" so as to take full advantage of discounts.~~

~~(8) Tax exemptions. So as to procure for the City all tax exemptions to which it is entitled.~~

~~(9) Cooperation with Department of Finance. Cooperate with the Department of Finance so as to secure for~~

~~the City the maximum efficiency in budgeting and accounting to the extent required by the Director of Finance.~~

~~(10) *Disqualification of bidders.* Have the authority, with the approval of the Mayor to declare vendors who default on the quotations or contracts irresponsible bidders and to disqualify them from receiving any business from the City for a stated period of time. Any vendor who feels himself aggrieved by the decision may, within ten (10) days of notification of such determination, make objections thereto, in writing, to the City Clerk. Within fifteen (15) days of the receipt of said notification, the City Council shall, after public hearing, make a final determination as to the disqualification of the vendor, which determination shall be final.~~

~~§ 18-21.2 REQUISITION AND ESTIMATES.~~

~~(a) *Requisitions or estimates.* All agencies, either by or with the authorization of the head of the department under which the agency operates, shall file with the Director detailed requisitions or estimates of their requirements in supplies and contractual services in such manner, at such times, and for such future periods as may be required for budgeting and accounting purposes.~~

~~(b) *Unforeseen requirements.* An agency shall not be prevented from filing, in the same manner, with the Director at any time a requisition or estimate for any supplies and contractual services, the need for which was not foreseen when the detailed estimates were filed.~~

~~§ 18-21.3 ENCUMBRANCE OF FUNDS.~~

~~Except in cases of emergency, the Director shall not issue any order for delivery on a contract or open market purchase until the Chief Finance Officer shall have certified, after pre-audit, that there is to the credit of the agency concerned a sufficient unencumbered~~

~~appropriation balance, in excess of all unpaid obligations, to defray the amount of such order.~~

~~(a) Vendor information shall be furnished on a monthly basis to City Council.~~

~~The Director shall furnish to the Council by the fifteenth day of each month a list of all vendors, with or without a contract, to whom money was owed as of the last day of the preceding month. In addition to the name of each vendor the list shall contain each vendor's address, and, as of the last day of the preceding month, the total amount of money owed to each vendor, and how much of the amount owed each vendor has been due for more than 30 days and more than 60 days.~~

~~A violation of this ordinance is considered a misdemeanor, punishable by a \$500.00 fine, and/or 90 days in jail.~~

~~§ 18-21.4 COMPETITIVE BIDDING REQUIRED.~~

~~All purchases of supplies, contractual services, or sales of personal property which is unsuitable for continued use, except as specifically provided herein, shall be based wherever possible on competitive bids.~~

~~§ 18-21.5 FORMAL CONTRACT PROCEDURE.~~

~~All supplies and contractual services, except as otherwise provided herein, when the estimated cost thereof shall exceed \$3,000.00 shall be purchased by written contract or purchase order from the lowest responsible bidder, after due notice inviting proposals; and no purchase in excess of \$3,000.00 shall be made by the Director and/or Manager, except upon the approval of the City Council. In the event that purchases made without City Council approval from any one supplier exceed \$3,000.00 in any fiscal year, City Council shall be informed of such in writing by the Director of Purchases and/or Purchasing Manager. All sales of personal property with an estimated value in excess of \$3,000.00 shall be~~

~~sold by written contract or bill of sale to the highest responsible bidder, after due notice inviting proposals:~~

~~(a) Notice inviting bids:~~

~~(1) Electronic media and/or newspaper:~~

~~a. Notices inviting bids/proposals shall be published at least five (5) days preceding the last day set for the receipt of proposals on the City of Flint website, any electronic media service, or at least one newspaper of general circulation in the City, if funding is available.~~

~~b. Scope of notice. The electronic media and/or newspaper notice required herein shall include a general description of the articles to be purchased or sold, shall state where bid blanks and specifications may be secured, and the time and place for opening bids.~~

~~(2) Bidder's list. The Director and/or Manager shall also solicit sealed bids from all responsible prospective suppliers who have requested their names be added to a "bidders list," which the Director and/or Manager shall maintain by directing prospective suppliers to the available electronic media source or by sending them a copy of such newspaper notice or such other notice as will acquaint them with the proposed purchase or sale. In any case, invitations sent to the vendors on the bidders' list shall be limited to commodities that are similar in character and ordinarily handled by the trade group to which the invitations are sent.~~

~~(b) Bid deposits. When deemed necessary by the Director and/or Manager, bid deposits shall be prescribed in the public notice inviting bids.~~

~~Unsuccessful bidders shall be entitled to return of bid deposits upon award of the contract. A successful bidder shall forfeit any bid deposit required by the Director and/or Manager upon failure on his part to enter a contract within ten (10) days after the award.~~

~~(c) Bid opening procedure:~~

~~(1) Sealed. All bids and proposals shall be submitted via either the electronic media source or in a sealed envelope to the Director and/or Manager and shall be identified as such electronic means or on the face of the envelope.~~

~~(2) Opening. Bids shall be opened in public at the time and place stated in the public notices and shall be witnessed by the City Clerk's designee.~~

~~(3) Tabulation. A tabulation of all bids received shall be available for public inspection.~~

~~(d) Rejection of bids:~~

~~(1) The Director and/or Manager shall have the authority to reject any bids, or any part thereof, when the public interest shall be served thereby; provided, however, that in such event the public interest shall be clearly stated in the notice of rejection.~~

~~(2) Bidders in default to City. The Director and/or Manager shall not knowingly accept a bid from a contractor who is in default on the payment of taxes, licenses or other monies due the City. Contracts with bidders who are found to have been in default at the time of award of the contract shall be voidable.~~

~~(e) Award of contract:~~

~~(1) Authority of the Director and/or Manager. The Director and/or Manager shall have the authority to award~~

~~contracts within the purview of this article, subject to the approval of the City Council.~~

~~(2) *Lowest responsible bidder.* Contracts shall be awarded to the lowest responsible bidder. In determining the "lowest responsible bidder," in addition to price, the Director and/or Manager shall consider the following factors, among others:~~

~~a. The ability, capacity and skill of the bidder to perform the contract or provide the services required;~~

~~b. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;~~

~~c. The character, integrity, reputation, judgment, experience and efficiency of the bidder in business;~~

~~d. The quality of performance of previous contracts or services~~

~~e. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or services;~~

~~f. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the services;~~

~~g. The quality, availability and adaptability of the supplies, or contractual services, to the particular use required;~~

~~h. The ability of the bidder to provide future maintenance and~~

~~service for the use of the subject of the contract;~~

~~i. The number and scope of conditions attached to the bid;~~

~~j. Compliance with the City's affirmative action program;~~

~~k. Other factors involved. A contract may be awarded to a bidder based on factors other than the lowest bid, including but not limited to the bidder's competence, reliability and/or skills; provided that the Director and/or Manager submits a report detailing such factors to City Council subject to its approval.~~

~~(f) *Award to other than the low bidder.* From the bidders so determined to be responsible, the Director and/or Manager shall award the contract to the lowest such bidder; provided, that in determining the lowest bid, the Director and/or Manager shall consider the bona fide business location of the bidder. If the lowest responsible bidder is not located within the City limits of Flint, and the lowest bid of the responsible bidders located within the City limits of Flint does not exceed that of the lowest nonlocal bidder by more than seven percent (7%); then the Director and/or Manager may determine said lowest local bidder to be the lowest responsible bidder, and make the award to such local bidder accordingly, subject to the approval of the City Council. Additionally, if the lowest responsible bidder is not located within the limits of the City of Flint, and the lowest bid of the responsible bidder located within the County of Genesee does not exceed the bid of the lowest nonlocal bidder by more than three and one-half percent (3.5%), then the Director and/or Manager may determine said lowest Genesee County bidder to be the lowest responsible bidder, and make the award to such Genesee County bidder accordingly, subject to the approval of the City Council.~~

~~(g) Irresponsible bidder; statement required. When bidders are determined not to be responsible bidders and their bids would have been lower than the bid actually awarded, a full and complete statement of the reason for such determination shall be prepared by the Director and/or Manager and filed with the other papers relating to the transactions.~~

~~(h) Performance bonds. The Director and/or Manager shall, in his discretion, have the authority to require either a performance bond, cash deposit or surety, before entering a contract, in such amount as he shall find reasonably necessary to protect the best interests of the City.~~

~~(i) Unique services. Professional or personnel contractual services which have been proven to be unique and not subject to the requirements of the competitive bidding process in excess of \$2,000.00 cumulative for a fiscal year shall require City Council approval unless otherwise provided by the Charter or other law.~~

~~(j) Prohibition against subdivision. No contract or purchase order shall be subdivided to void the requirements of this section.~~

~~(k) Termination of contract. No contract or purchase which was made or awarded with the approval of the City Council may be terminated by the Director and/or Manager or any other member of the Executive Branch without first obtaining the approval of City Council for such termination.~~

~~§ 18-21.6 OPEN MARKET PROCEDURE.~~

~~All purchases of supplies, contractual services, or sales of personal property which is unsuitable for continued use, which has an estimated value of less than three thousand five hundred dollars (\$3,500.00), may be made in the open market, without proper advertisement and without observing the procedure prescribed in § 18-21.5 for the award of formal contracts.~~

~~(a) Minimum number of bids. All open market purchases shall, whenever feasible, be based on at least three (3) competitive bids, and shall be awarded to the lowest responsible bidder in accordance with the standards set forth in § 18-21.5(e)(2).~~

~~(b) Notice inviting bids. The Director shall solicit bids by:~~

- ~~(1) Direct mail request to prospective vendors; or~~
- ~~(2) By telephone; or~~
- ~~(3) By public notice posted on the bulletin boards of the City Hall.~~

~~(c) Recording. The Director shall keep a record of all open market orders and the bids submitted in competition thereon, and such records shall also be open to public inspection.~~

~~§ 18-21.7 PETTY EXPENDITURES REVOLVING FUND.~~

~~Petty cash funds may be established within any agency with the approval of the Director of Finance. From this fund shall be paid all purchases not in excess of \$100.00 each, made by the heads of agencies for incidentals, with the approval of the Director. The Director shall promulgate rules and regulations for use of the petty expenditures revolving fund.~~

~~§ 18-21.8 CENTRAL WAREHOUSING; STOREROOM'S REVOLVING FUND.~~

~~(a) Administration. The Director shall control and supervise storerooms and warehouses and shall administer the storeroom's revolving fund.~~

~~(b) Storeroom's revolving fund. There is hereby created a storeroom's revolving fund.~~

- ~~(1) Accounting procedure. Requisitions from supplies, in a storeroom or warehouse shall be credited by the Director to the storeroom's~~

~~revolving fund by a charge against the appropriation of the using agency.~~

~~(2) *Inventory.* The Director shall maintain a perpetual inventory record of all materials, supplies or equipment stored in storerooms and warehouses.~~

~~§ 18-21.9 PRICE AGREEMENT CONTRACT PROCEDURE.~~

~~The head of the agency shall have the authority to submit requisitions to the Director for supplies available under the terms of a price agreement.~~

~~§ 18-21.10 EMERGENCY PURCHASES.~~

~~(a) *Emergency defined.* For the purpose of this section only, an *EMERGENCY* constitutes a situation that threatens the public health, safety or welfare, and:~~

- ~~(1) Is unforeseeable;~~
- ~~(2) Calls for immediate action;~~
and
- ~~(3) Cannot be responded to using established procurement methods.~~

~~(b) *By Director and/or Manager.* In case of an emergency that requires the immediate purchase of supplies or contractual services, the Director and/or Manager shall be empowered to secure by open market procedure and at the lowest obtainable price, any supplies or contractual service:~~

- ~~(1) Without City Council approval for amounts not exceeding \$10,000.00 per vendor during a six (6) month period;~~
- ~~(2) With City Council approval for amounts exceeding \$10,000.00 per vendor during a six (6) month period.~~

~~(3) *Recorded explanation.* The Director and/or Manager shall immediately file a report explaining the circumstances of an emergency purchase with the City Clerk to be entered into the minutes of the City Council and remain open to public inspection.~~

~~(c) *By head of department.* In case of an emergency which may result in the loss of:~~

~~(1) *Life.* The head of any agency may purchase directly any supplies or services necessary under the circumstances then in existence; or~~

~~(2) *Property.* The head of any agency may purchase directly only those supplies or services not to exceed \$10,000.00 during a six (6) month period without the prior approval of City Council.~~

~~(d) *Violation.* Any person in violation of making an unauthorized expenditure as outlined in this section shall be guilty of a misdemeanor punishable by a \$500.00 fine and/or ninety (90) days in jail upon conviction of the Court.~~

~~§ 18-21.11 INSPECTION AND TESTING.~~

~~The Director may inspect, or supervise the inspection of all deliveries of supplies or contractual services to determine their conformance with the specifications set forth in the order or contract.~~

~~(a) *Inspection by agency.* The Director shall have the authority to authorize agencies having the staff and facilities for adequate inspection to inspect all deliveries made to such agencies under rules and regulations which the Director shall prescribe.~~

~~(b) *Tests.* The Director shall have the authority to require chemical and physical tests of samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the Director shall have the authority to make use~~

~~of laboratory facilities of any agency of the City government or of any outside laboratory.~~

~~§ 18-21.12 SURPLUS SUPPLIES.~~

~~All using agencies shall submit to the Director, at such times and in such form as he shall prescribe, an inventory of all supplies which are no longer used or which have become obsolete.~~

~~(a) Transfer. The Director shall have the authority to transfer surplus supplies to other agencies.~~

~~(b) Sale. The Director shall have the authority to sell all supplies which have become unsuitable for public use, or to exchange the same for, or trade in the same on, new supplies.~~

~~(1) Competitive bidding. Sales under this section shall be made to the highest responsible bidder and in conformance with §§ 18-21.5 or 18-21.6 hereof whichever is applicable.~~

~~§ 18-21.13 COOPERATIVE PURCHASING.~~

~~The Director shall have the authority to join with other units of government in cooperative purchasing plans when the best interests of the City would be served thereby.~~

§ 18-21 PURPOSE AND SCOPE.

THE VISION FOR THE CITY IS A WELL-MANAGED, FINANCIALLY STABLE, AND ACCOUNTABLE GOVERNMENT FOCUSED ON CREATING AND MAINTAINING A VIBRANT AND GROWING COMMUNITY THAT WILL ATTRACT AND RETAIN RESIDENTS, BUSINESSES, STUDENTS AND VISITORS AND IMPROVE QUALITY OF LIFE. THE CITY'S MISSION IS TO ASSURE THAT RESIDENTS, BUSINESSES, STUDENTS AND VISITORS RECEIVE MUNICIPAL SERVICES IN A CUSTOMER FRIENDLY

AND FINANCIALLY RESPONSIBLE MANNER.

STRUCTURING CITY OPERATIONS TO ACHIEVE THIS MISSION AND VISION HAVE REQUIRED THE ESTABLISHMENT OF LONG RANGE STRATEGIC PLANNING AND BUDGETING. EQUALLY IMPORTANT IS ESTABLISHING THE PRINCIPLES BY WHICH GOODS AND SERVICES WILL BE OBTAINED.

THE PROCESS OF OBTAINING GOODS AND SERVICES MUST BE CONSISTENT WITH THE STRATEGIC PLAN. THERE MUST BE PROPER OVERSIGHT AND TRANSPARENCY, WITH A GOAL OF OBTAINING THE GOODS AND SERVICES THAT BEST MEET THE NEEDS OF CITY DEPARTMENTS. THE PROCESS MUST ENSURE COMPETITIVE PROCUREMENT CONDUCTED IN AN ETHICAL AND TIMELY MANNER IN ORDER FOR THE CITY TO CARRY OUT ITS DUTIES. USE OF CITY RESOURCES FOR PERSONAL USE IS GROUNDS FOR TERMINATION OF EMPLOYMENT AND POSSIBLE CRIMINAL PROSECUTION.

PURCHASING GOODS AND SERVICES SUPPORTS THE BUSINESSES AND COMMUNITIES IN WHICH THE BUSINESSES RESIDE. ACCORDINGLY, WHEN FEASIBLE, IN TERMS OF QUALITY, COST, AND ACCESSIBILITY, THE CITY SHOULD MAKE GOOD FAITH EFFORTS TO PROCURE GOODS AND SERVICES FROM BUSINESSES WITH A PHYSICAL LOCATION WITHIN THE CITY LIMITS, AND IF NOT ABLE TO DO SO, TO MAKE SIMILAR EFFORTS WITH RESPECT TO BUSINESSES PHYSICALLY LOCATED IN GENESEE COUNTY AND/OR SURROUNDING COMMUNITIES.

§ 18-21.1 ASSIGNMENT OF RESPONSIBILITY.

THE FLINT CITY COUNCIL SHALL BE RESPONSIBLE FOR PERIODICALLY REVIEWING AND UPDATING THIS ORDINANCE, FOR MONITORING PURCHASING ACTIVITIES AS DESCRIBED WITHIN THIS ORDINANCE, AND APPROVING PURCHASES AS DESCRIBED WITHIN THIS ORDINANCE TO ASSURE THAT GOODS AND SERVICES OBTAINED BEST MEET THE NEEDS OF CITY DEPARTMENTS AND ARE OBTAINED IN A COMPETITIVE, TRANSPARENT, ETHICAL AND TIMELY MANNER THAT PERMITS THE CITY TO CARRY OUT ITS DUTIES.

THE MAYOR SHALL BE RESPONSIBLE FOR EXECUTIVE OVERSIGHT OF THE PURCHASING OF ALL GOODS AND SERVICES FOR THE CITY, FOR APPROVING PURCHASES AS PROVIDED IN THIS ORDINANCE, AND FOR ASSURING THAT CITY COUNCIL IS PROVIDED TIMELY INFORMATION TO ENABLE IT TO CARRY OUT ITS OVERSIGHT RESPONSIBILITIES.

THE CITY ADMINISTRATOR SHALL PROVIDE ADMINISTRATIVE OVERSIGHT OF THE PURCHASING FUNCTION, FOR APPROVING PURCHASES AS PROVIDED IN THIS ORDINANCE, AND FOR PROVIDING THE CITY COUNCIL TIMELY INFORMATION TO ENABLE IT TO CARRY OUT ITS OVERSIGHT RESPONSIBILITIES.

THE FINANCE DIRECTOR SHALL SUPERVISE THE ACTIVITIES OF THE PURCHASING DIRECTOR, AND SHALL WORK WITH THE PURCHASING DIRECTOR, DEPARTMENT HEADS AND OTHERS TO ASSURE THAT PROPER BUDGETARY AUTHORITY EXISTS FOR THE PURCHASE OF GOODS AND SERVICES.

THE PURCHASING DIRECTOR SHALL BE RESPONSIBLE FOR THE PROCUREMENT OF ALL GOODS AND SERVICES FOR THE CITY UNLESS OTHERWISE PROVIDED IN THIS ORDINANCE. THE PURCHASING DIRECTOR SHALL ASSURE THAT ALL GOODS AND SERVICES ARE OBTAINED IN A COMPETITIVE AND ETHICAL MANNER AND IN COMPLIANCE WITH THE PROCESSES ESTABLISHED IN THIS ORDINANCE. THE PURCHASING DIRECTOR SHALL ALSO APPROVE PURCHASES AS PROVIDED IN THIS ORDINANCE. THE PURCHASING DIRECTOR SHALL ALSO DEVELOP AND RECOMMEND TO THE MAYOR THE APPROPRIATE PROCESSES AND PROCEDURES TO MEET THE REQUIREMENTS OF THIS ARTICLE.

DEPARTMENT HEADS AND PERSONNEL DESIGNATED BY DEPARTMENT HEADS SHALL HAVE THE AUTHORITY TO OBTAIN GOODS AND SERVICES AS AUTHORIZED IN THIS ARTICLE. THE DESIGNATED PERSONNEL SHALL ALSO PROVIDE THE PURCHASING DIRECTOR WITH THE INFORMATION NEEDED TO ASSURE THAT THE GOODS AND SERVICES TO BE OBTAINED ARE IN THE BEST INTERESTS OF THE CITY.

ALL PERSONS WHO ARE AUTHORIZED TO PURCHASE GOODS AND SERVICES FOR THE CITY SHALL BE RESPONSIBLE FOR ASSURING THAT PURCHASES MADE IN THE BEST INTERESTS OF THE CITY, ARE OBTAINED ON A COMPETITIVE BASIS AS REQUIRED BY THIS ARTICLE, AND ARE DONE IN AN ETHICAL MANNER.

§ 18-21.2 DELEGATION OF AUTHORITY.

THERE MUST BE PROPER OVERSIGHT AND TRANSPARENCY WITH RESPECT TO THE PURCHASE OF

GOODS AND SERVICES, WITH A GOAL OF OBTAINING GOODS AND SERVICES THAT BEST MEET THE NEEDS OF CITY DEPARTMENTS. THE PROCESS MUST ENSURE COMPETITIVE PROCUREMENT CONDUCTED IN A TIMELY AND ETHICAL MANNER IN ORDER FOR THE CITY TO CARRY OUT ITS DUTIES. ALL PARTIES DELEGATED AUTHORITY WITH RESPECT TO ALL PURCHASES OF GOODS AND SERVICES ARE CHARGED WITH THE RESPONSIBILITY OF MAKING PURCHASES IN A COMPETITIVE AND ETHICAL MATTER, AND FOR ADHERING IN ALL RESPECTS TO THE CITY OF FLINT CODE OF CONDUCT POLICY.

THE AUTHORITY WITH RESPECT TO THE PURCHASE OF ALL GOODS AND SERVICES IS DELEGATED AS PROVIDED HEREIN:

DEPARTMENT HEADS AND EMPLOYEES SPECIFICALLY DESIGNATED BY DEPARTMENT HEADS, AND APPROVED BY THE PURCHASING DIRECTOR, SHALL BE ELIGIBLE TO BE ISSUED PROCUREMENT CARDS, AND ARE AUTHORIZED TO PURCHASE GOODS AND SERVICES FOR CITY PURPOSES, PROVIDED FUNDS ARE APPROPRIATELY BUDGETED AND THAT THE DEPARTMENT HEAD OR DESIGNATED EMPLOYEE FORMALLY AGREE TO ALL PROVISIONS REGARDING THE USE AND RECONCILEMENT OF THE CARDS, AS PRESCRIBED BY THE PURCHASING DIRECTOR. THE AMOUNT OF GOODS AND SERVICES PURCHASED IN ONE MONTH MAY NOT EXCEED \$10,000, UNLESS SPECIFIC AUTHORIZATION IS APPROVED BY THE FINANCE DIRECTOR, CITY ADMINISTRATOR, AND MAYOR UPON THE RECOMMENDATION OF THE PURCHASING DIRECTOR. THE PURCHASING DIRECTOR MAY SUSPEND

USE OF PROCUREMENT CARDS FOR FAILURE TO FOLLOW ESTABLISHED PROCESSES AND PROTOCOLS. USE OF PROCUREMENT CARDS FOR PERSONAL OR OTHER NON-CITY USE IS A VIOLATION OF THE CITY'S CODE OF CONDUCT POLICY AND MAY BE GROUNDS FOR TERMINATION AND POSSIBLE CRIMINAL PROSECUTION.

DEPARTMENT HEADS AND EMPLOYEES AUTHORIZED BY DEPARTMENT HEADS MAY REQUEST THE PURCHASE OF GOODS AND SERVICES BY FILING A PROPERLY COMPLETED REQUISITION WITH THE PURCHASING DIRECTOR. UPON RECEIPT OF THE REQUISITION, AND DOCUMENTATION THAT FUNDS HAVE BEEN PROPERLY BUDGETED, THE PURCHASING DIRECTOR SHALL CAUSE THE SOLICITATION OF REQUESTS FOR THE PURCHASE OF THE GOODS AND SERVICES TO BE MADE, FOLLOWING THE APPROPRIATE PROCESSES.

THE PURCHASING DIRECTOR SHALL ADHERE TO THE FORMAT OF THE SELECTED PROCESS AS DETAILED IN THE FOLLOWING SECTIONS:

§ 18-21.3 COMPETITIVE SEALED BIDDING.

(1) *CONDITIONS FOR USE.* ALL PROCUREMENT REQUESTS FOR THE CITY SHALL BE AWARDED BY THE USE OF COMPETITIVE SEALED BIDDING EXCEPT AS OTHERWISE PROVIDED IN SECTIONS 18-21.4 (COMPETITIVE SEALED PROPOSALS), 18-21.5 (QUALIFICATIONS BASED SELECTION), 18-21.6 (SMALL PURCHASES), 18-21.7 (PUBLIC ENTITY PROCUREMENTS), 18-21.8 (SOLE SOURCE PROCUREMENT), AND 18-21.9 (EMERGENCY PROCUREMENTS), OF THIS ARTICLE.

(2) *INVITATION FOR BIDS.* AN INVITATION FOR BIDS SHALL BE ISSUED AND SHALL INCLUDE SPECIFICATIONS AND ALL CONTRACTUAL TERMS AND CONDITIONS APPLICABLE TO THE PROCUREMENT.

(3) *PUBLIC NOTICE.* ADEQUATE PUBLIC NOTICE OF THE INVITATION FOR BIDS SHALL BE GIVEN NOT LESS THAN TEN (10) CALENDAR DAYS PRIOR TO THE DATE SET FORTH FOR THE OPENING OF BIDS. THE NOTICE MAY INCLUDE PUBLICATION ON THE CITY'S WEBSITE, ANY ELECTRONIC MEDIA SERVICE, OR NEWSPAPER OF GENERAL CIRCULATION WITHIN TEN (10) DAYS PRIOR TO BID OPENING. THE PUBLIC NOTICE SHALL STATE THE PLACE, DATE, AND TIME OF BID OPENING.

(4) *BID OPENING.* BIDS MAY BE OPENED PUBLICLY IN THE PRESENCE OF ONE OR MORE WITNESSES AT THE TIME AND PLACE DESIGNATED OR RECORDED AND PUBLISHED IN AN ELECTRONIC INVITATION FOR BIDS MANAGEMENT SYSTEM. THE AMOUNT OF EACH BID, AND ALL OTHER RELEVANT INFORMATION, AS THE PURCHASING DIRECTOR DEEMS APPROPRIATE, TOGETHER WITH THE NAME OF EACH BIDDER SHALL BE RECORDED. THE RECORD AND EACH BID SHALL BE OPEN TO THE PUBLIC.

(5) *BID ACCEPTANCE AND BID EVALUATION.* BIDS SHALL BE UNCONDITIONALLY ACCEPTED WITHOUT ALTERATION OR CORRECTION, EXCEPT AS AUTHORIZED HEREIN. BIDS SHALL BE EVALUATED BASED ON THE REQUIREMENTS SET FORTH IN THE INVITATION FOR BIDS, WHICH MAY INCLUDE CRITERIA TO DETERMINE ACCEPTABILITY SUCH AS INSPECTION,

TESTING, QUALITY, WORKMANSHIP, DELIVERY, AND SUITABILITY FOR A PARTICULAR PURPOSE. THOSE CRITERIA THAT WILL AFFECT THE BID PRICE AND BE CONSIDERED IN THE EVALUATION FOR AWARD SHALL BE OBJECTIVELY MEASURABLE, SUCH AS DISCOUNTS, TRANSPORTATION COSTS, AND TOTAL OR LIFE CYCLE COSTS. THE INVITATION FOR BIDS SHALL SET FORTH THE EVALUATION CRITERIA TO BE USED.

(6) *CORRECTION OR WITHDRAWAL OF BIDS; CANCELLATION OF AWARDS.* CORRECTIONS OR WITHDRAWAL OF INADVERTENTLY ERRONEOUS BIDS BEFORE OR AFTER BID OPENING, OR CANCELLATION OF AWARDS OR CONTRACTS BASED ON BID MISTAKES, MAY BE PERMITTED WHERE APPROPRIATE. MISTAKES DISCOVERED BEFORE BID OPENING MAY BE MODIFIED OR WITHDRAWN BY WRITTEN OR ELECTRONIC NOTICE RECEIVED IN THE OFFICE DESIGNATED IN THE INVITATION FOR BIDS PRIOR TO THE DEADLINE FOR SUBMISSION OF THE BID.

(7) *LOCAL PREFERENCE.* FROM THE BIDDERS DETERMINED TO BE RESPONSIBLE, THE PURCHASING DIRECTOR, IN CONSULTATION WITH THE DEPARTMENT HEAD REQUESTING THE GOODS OR SERVICES, SHALL DETERMINE THE RECOMMENDED BID AWARD. FROM AMONG THE RESPONSIBLE BIDDERS, THE RECOMMENDED AWARD SHALL BE TO THE LOWEST BIDDER; PROVIDED, THAT IN DETERMINING THE LOWEST BID, THE PURCHASING DIRECTOR SHALL CONSIDER THE BONA FIDE BUSINESS LOCATION OF THE BIDDER. IF THE LOWEST RESPONSIBLE BIDDER IS NOT LOCATED WITHIN THE CITY LIMITS, AND THE LOWEST BID OF THE RESPONSIBLE BIDDERS LOCATED

WITHIN THE CITY LIMITS DOES NOT EXCEED THAT OF THE LOWEST NON-LOCAL BIDDER BY MORE THAN SEVEN PERCENT (7%), THEN THE PURCHASING DIRECTOR SHALL BE ALLOWED TO REQUEST THE LOWEST LOCAL VENDOR MATCH THE PRICE OFFERED BY THE LOWEST NON-LOCAL VENDOR. ADDITIONALLY, IF THE LOWEST RESPONSIBLE BIDDER IS NOT LOCATED WITHIN THE CITY LIMITS, AND THE LOWEST BID OF THE RESPONSIBLE BIDDER LOCATED WITHIN GENESEE COUNTY DOES NOT EXCEED THE BID OF THE LOWEST NON-LOCAL BIDDER BY MORE THAN THREE AND ONE-HALF PERCENT (3.5%), THEN THE PURCHASING DIRECTOR SHALL BE ALLOWED TO REQUEST THE LOWEST LOCAL VENDOR MATCH THE PRICE OFFERED BY THE LOWEST NON-LOCAL VENDOR.

(8) *APPROVAL THRESHOLDS.* THE PURCHASING DIRECTOR, IN CONSULTATION WITH THE DEPARTMENT HEAD SHALL JOINTLY RECOMMEND THE AWARD OF A BID UNDER THIS SECTION. IF THE BID AWARD IS LESS THAN \$20,000, THE DECISION OF THE PURCHASING DIRECTOR SHALL BE FINAL. IF THE RECOMMENDED BID AWARD IS IN EXCESS OF \$20,000, IT SHALL ALSO BE APPROVED BY THE FINANCE DIRECTOR; IF IN EXCESS OF \$30,000, IT SHALL ALSO BE APPROVED BY THE CITY ADMINISTRATOR; AND, IF IN EXCESS OF \$50,000, IT SHALL ALSO BE APPROVED BY THE MAYOR. ANY RECOMMENDED BID AWARDS IN EXCESS OF \$75,000 SHALL ALSO BE APPROVED BY THE CITY COUNCIL.

(9) *ADJUSTMENTS TO NEGOTIATED AWARDS.* IN THE EVENT THE SUCCESSFUL BIDDER WAS FOR A PROJECT THAT EXCEEDS AVAILABLE FUNDS AS CERTIFIED BY THE FINANCE

DIRECTOR, THE PURCHASING DIRECTOR IS AUTHORIZED, WHEN TIME OR ECONOMIC CONSIDERATIONS PRECLUDE RE-SOLICITATION OF WORK OF A REDUCED SCOPE, TO NEGOTIATE AN ADJUSTMENT OF THE BID PRICE WITH THE LOWEST RESPONSIBLE BIDDER, IN ORDER TO BRING THE BID WITHIN THE AMOUNT OF AVAILABLE FUNDS. ANY NEGOTIATED ADJUSTMENT SHALL BE BASED ONLY UPON ELIMINATING INDEPENDENT DEDUCTIVE ITEMS SPECIFIED IN THE INVITATION FOR BIDS.

(10) *MULTI-STEP SEALED BIDDING.* WHEN IT IS CONSIDERED IMPRACTICAL TO INITIALLY PREPARE A PURCHASE DESCRIPTION TO SUPPORT AN AWARD BASED ON PRICE, AN INVITATION FOR QUALIFICATIONS MAY BE ISSUED REQUESTING THE SUBMISSION OF UN-PRICED OFFERS TO BE FOLLOWED BY AN INVITATION FOR BIDS LIMITED TO THOSE BIDDERS WHOSE OFFERS HAVE BEEN DETERMINED TO BE TECHNICALLY ACCEPTABLE UNDER THE CRITERIA SET FORTH IN THE FIRST SOLICITATION.

§ 18-21.4 COMPETITIVE SEALED PROPOSALS.

(1) *CONDITIONS FOR USE.* WHEN THE PURCHASING DIRECTOR DETERMINES THAT THE USE OF COMPETITIVE SEALED BIDDING IS EITHER NOT PRACTICABLE OR NOT ADVANTAGEOUS TO THE CITY, A CONTRACT FOR THE PURCHASE OF GOODS OR SERVICES MAY BE ENTERED INTO BY USE OF THE COMPETITIVE SEALED PROPOSALS METHOD.

(2) *REQUEST FOR PROPOSALS.* PROPOSALS SHALL BE SOLICITED THROUGH A WRITTEN AND

PUBLICALLY NOTICED REQUEST FOR PROPOSALS FORMAT.

(3) *PUBLIC NOTICE.* ADEQUATE PUBLIC NOTICE OF THE REQUEST FOR PROPOSALS SHALL BE GIVEN IN THE SAME MANNER AS PROVIDED IN SECTION 18-21.3(3) (COMPETITIVE SEALED BIDDING, PUBLIC NOTICE). THE PURCHASING DIRECTOR WILL DETERMINE THE AMOUNT OF TIME IN WHICH REQUESTS WILL BE SOLICITED.

(4) *RECEIPT OF PROPOSALS.* PROPOSALS SHALL BE PREPARED CONTAINING THE NAME OF EACH RESPONDENT, THE NUMBER OF MODIFICATIONS RECEIVED, IF ANY, AND A DESCRIPTION SUFFICIENT TO IDENTIFY THE ITEM OFFERED. THE PROPOSALS SHALL BE OPEN FOR PUBLIC INSPECTION ONLY AFTER BEING PUBLISHED.

(5) *DISCLOSURE OF RESPONDENTS, CONTENTS.* THE CONTENTS OF ANY PROPOSAL SHALL NOT BE DISCLOSED TO COMPETING RESPONDENTS UNTIL AFTER BEING PUBLISHED.

(6) *EVALUATION FACTORS.* THE REQUEST FOR PROPOSALS SHALL STATE THE RELATIVE IMPORTANCE OF PRICE AND OTHER EVALUATION FACTORS.

(7) *DISCUSSION WITH RESPONSIBLE RESPONDENTS AND REVISIONS TO PROPOSALS.* AS PROVIDED IN THE REQUEST FOR PROPOSALS, DISCUSSIONS MAY BE CONDUCTED WITH RESPONSIBLE RESPONDENTS WHO SUBMIT PROPOSALS DETERMINED TO BE REASONABLY SUSCEPTIBLE OF BEING SELECTED FOR AWARD FOR THE PURPOSE OF CLARIFICATION TO

ASSURE FULL UNDERSTANDING OF, AND CONFORMANCE TO, THE SOLICITATION REQUIREMENTS. RESPONDENTS WHO SUBMITTED PROPOSALS DETERMINED TO BE REASONABLY SUSCEPTIBLE OF BEING SELECTED FOR AWARD SHALL BE ACCORDED FAIR AND EQUAL TREATMENT WITH RESPECT TO ANY OPPORTUNITY FOR DISCUSSION AND REVISION OF PROPOSALS, AND REVISIONS MAY BE PERMITTED AFTER SUBMISSIONS AND PRIOR TO AWARD FOR THE PURPOSE OF OBTAINING BEST AND FINAL OFFERS.

(8) *LOCAL PREFERENCE.* UNLESS THE FUNDING SOURCE FOR THE CONTRACT PROHIBITS SUCH PREFERENCES, THE PREFERENCE FOR LOCAL VENDORS AS OUTLINED IN SECTION 18-21.3(7) SHALL BE CONSIDERED.

(9) *APPROVAL THRESHOLDS.* THE PURCHASING DIRECTOR, IN CONSULTATION WITH THE DEPARTMENT HEAD, SHALL EVALUATE THE PROPOSALS AND RECOMMEND AWARD OF THE CONTRACT UNDER THIS SECTION. IF THE RECOMMENDED AWARD IS FOR LESS THAN \$20,000, THE DECISION OF THE PURCHASING DIRECTOR SHALL BE FINAL. IF THE RECOMMENDED AWARD IS IN EXCESS OF \$20,000, IT SHALL ALSO BE APPROVED BY THE FINANCE DIRECTOR; IF IN EXCESS OF \$30,000, IT SHALL ALSO BE APPROVED BY THE CITY ADMINISTRATOR; AND, IF IN EXCESS OF \$50,000, IT SHALL ALSO BE APPROVED BY THE MAYOR. ANY RECOMMENDED AWARD IN EXCESS OF \$75,000 SHALL ALSO BE APPROVED BY THE CITY COUNCIL.

§ 18-21.5 QUALIFICATIONS BASED SELECTION.

(1) *CONDITIONS FOR USE.* THE PURCHASING DIRECTOR MAY DETERMINE, WHEN REQUISITIONS HAVE BEEN RECEIVED, THAT PRE-QUALIFYING VENDORS FOR CONSIDERATION IS IN THE BEST INTERESTS OF THE CITY.

(2) IN SUCH CASE, THE PURCHASING DIRECTOR, IN CONSULTATION WITH THE DEPARTMENT HEAD, SHALL DEVELOP A REQUEST FOR QUALIFICATIONS THAT WILL DEFINE THE REQUEST TO BE SOUGHT AND THE NECESSARY QUALIFICATIONS A QUALIFIED RESPONDING ENTITY MUST HAVE IN ORDER TO BE QUALIFIED TO RESPOND TO A PROPOSAL REQUEST.

(3) *PUBLIC NOTICE.* ADEQUATE PUBLIC NOTICE OF THE REQUEST FOR QUALIFICATIONS SHALL BE GIVEN IN THE SAME MANNER AS PROVIDED IN SECTION 18-21.3(3) (COMPETITIVE SEALED BIDDING, PUBLIC NOTICE).

(4) *RECEIPT OF QUALIFICATIONS.* A REGISTER OF QUALIFICATIONS SHALL BE PREPARED CONTAINING THE NAME AND QUALIFICATIONS OF EACH RESPONDENT. THE REGISTER OF QUALIFICATIONS SHALL BE OPEN FOR PUBLIC INSPECTION ONLY AFTER READ PUBLICLY.

(5) *EVALUATION OF SUBMISSIONS.* THE PURCHASING DIRECTOR, IN CONSULTATION WITH THE DEPARTMENT HEAD, SHALL EVALUATE THE QUALIFICATIONS OF THE RESPONDENT AND SHALL PREPARE A LIST OF RESPONDENTS DESIGNATED AS QUALIFIED. THE PURCHASING DIRECTOR SHALL ALSO PREPARE AND MAINTAIN A LIST OF RESPONDENTS NOT DESIGNATED AS PRE-QUALIFIED, IDENTIFYING THE

REASONS WHY THEY WERE NOT DESIGNATED AS PRE-QUALIFIED.

(6) THE PURCHASING DIRECTOR WILL CAUSE TO BE PREPARED A REQUEST FOR COMPETITIVE SEALED PROPOSALS AS PROVIDED IN SECTION 18-21.1, AND ISSUED TO THE QUALIFIED RESPONDENTS.

§ 18-21.6 SMALL PURCHASES.

AS PROVIDED IN THIS ARTICLE, DEPARTMENT HEADS AND SPECIFICALLY DESIGNATED EMPLOYEES MAY BE ISSUED PROCUREMENT CARDS AND MAY PURCHASE GOODS AND SERVICES NOT EXCEEDING \$10,000 PER MONTH. THE PURCHASES SHALL NOT BE ARTIFICIALLY DIVIDED SO AS TO CONSTITUTE A SMALL PURCHASE UNDER THIS SECTION.

FOR PURCHASES UNDER \$10,000 PER MONTH, INCLUDING PURCHASES UTILIZING PROCUREMENT CARDS, THE DEPARTMENT HEAD AND AUTHORIZED EMPLOYEE SHALL, TO THE EXTENT POSSIBLE AND PRACTICAL AND IN THE BEST INTERESTS OF THE CITY, SOLICIT COMPETITIVE QUOTATIONS TO PROVIDE THE GOODS OR SERVICES SOUGHT. WHEN POSSIBLE AND PRACTICAL, A MINIMUM OF THREE (3) WRITTEN QUOTATIONS AND COPIES OF ALL QUOTATIONS SHALL BE PROVIDED TO THE PURCHASING DIRECTOR FOR SMALL PURCHASE REQUESTS. IN THE ABSENCE OF SUFFICIENT WRITTEN QUOTATIONS, THE PURCHASING DIRECTOR MAY ELECT TO SOLICIT ADDITIONAL QUOTATIONS. THEY SHALL ALSO GIVE CONSIDERATION, WHERE POSSIBLE AND PRACTICAL, TO BUSINESSES WITH A PHYSICAL LOCATION WITHIN THE CITY, OR IF

NOT POSSIBLE, WITHIN GENESEE COUNTY.

AS DETERMINED BY THE PURCHASING DIRECTOR.

THE PURCHASING DIRECTOR MAY ASSESS THESE PURCHASES AS TO THE FEASIBILITY OF FUTURE FORMAL COMPETITIVE PROCESSES FOR THE GOODS AND SERVICES BEING PROCURED IN THIS MANNER.

§ 18-21.8 SOLE SOURCE PURCHASES.

A PURCHASE ORDER AGREEMENT OR FORMAL WRITTEN CONTRACT FOR THE PURCHASE OF GOODS AND SERVICES MAY BE AWARDED IN THE DISCRETION OF THE PURCHASING DIRECTOR, WITHOUT A FORMAL COMPETITIVE PROCESS WHEN, AFTER CONDUCTING A GOOD FAITH REVIEW OF AVAILABLE SOURCES AND EXISTING EQUIPMENT, THE PURCHASING DIRECTOR DETERMINES THAT:

§ 18-21.7 PUBLIC ENTITY PURCHASES.

THE PURCHASING DIRECTOR IS AUTHORIZED, IF DETERMINED TO BE IN THE BEST INTERESTS OF THE CITY, TO PURCHASE GOODS AND SERVICES FOR THE CITY, RELYING ON COMPETITIVE PROCESSES UNDERTAKEN BY OTHER PUBLIC ENTITIES, INCLUDING THE FEDERAL GOVERNMENT, THE STATE OF MICHIGAN, MUNICIPALITIES, SPECIAL PURPOSE DISTRICTS AND AUTHORITIES, AND SCHOOL DISTRICTS.

THE PURCHASING DIRECTOR MAY APPROVE OR RECOMMEND THE APPROVAL OF A CONTRACT WITH THE VENDOR WHO HAS A CONTRACT WITH ANOTHER PUBLIC ENTITY FOR GOODS OR SERVICES THAT THE CITY WOULD LIKE TO PURCHASE, IF AT A MINIMUM:

(1) THERE IS ONLY ONE SOURCE FOR THE REQUIRED SUPPLY, SERVICE, OR CONSTRUCTION ITEM; OR

(2) THE CHOSEN SOURCE IS THE BEST CHOICE IN THE INTERESTS OF EQUIPMENT STANDARDIZATION AND EFFICIENT OPERATIONS. THE PURCHASING DIRECTOR, IN CONSULTATION WITH THE DEPARTMENT HEAD, SHALL OBTAIN A FORMAL PROPOSAL FROM THE VENDOR SPECIFIC TO THE NEEDED GOODS AND SERVICES, AND SHALL MAKE ALL GOOD FAITH EFFORTS TO SECURE A PRICE THAT IS IN THE BEST INTERESTS OF THE CITY. THE REQUESTING DEPARTMENT SHALL PRODUCE A WRITTEN EVALUATION OF THE PROPOSED SOLE SOURCE PURCHASE, DETAILING THE RATIONALE FOR THE RECOMMENDATION.

(1) THE CONTRACT IS FOR THE SAME GOODS, SERVICES, OR CONSTRUCTION AND AT THE SAME PRICE, TERMS, AND CONDITIONS AS ARE IN THE CONTRACT WITH THE OTHER PUBLIC ENTITY; AND,

(2) THE CONTRACT BETWEEN THE PERSON AND THE OTHER PUBLIC ENTITY WAS AWARDED IN A MANNER CONSISTENT WITH PROCUREMENT BEST PRACTICES

(3) THE PURCHASE FOLLOWS THE REQUIREMENTS FOR APPROVAL THRESHOLDS

OF § 18-21.3 COMPETITIVE SEALED BIDDING - SECTION (8) AND § 18-21.4 COMPETITIVE SEALED PROPOSALS - SECTION (9).

§ 18-21.9 EMERGENCY PURCHASES.

NOTWITHSTANDING ANY OTHER PROVISION OF THESE REGULATIONS, THE PURCHASING DIRECTOR MAY MAKE OR AUTHORIZE OTHERS TO MAKE EMERGENCY PURCHASES OF SUPPLIES, SERVICES, OR CONSTRUCTION ITEMS WHEN THERE EXISTS A THREAT TO PUBLIC HEALTH, WELFARE, OR SAFETY; PROVIDED THAT THE EMERGENCY PROCUREMENTS SHALL BE MADE WITH SUCH COMPETITION AS IS PRACTICABLE UNDER THE CIRCUMSTANCES. THE REQUESTING DEPARTMENT SHALL PRODUCE A WRITTEN RATIONALE OF THE CIRCUMSTANCES SURROUNDING THE NEED FOR AN EMERGENCY PURCHASE, THE COST, AND ANY EFFORTS MADE TO SECURE COMPETITIVE PRICES.

IF THE AUTHORIZED PURCHASE IS FOR LESS THAN \$20,000, THE DECISION OF THE PURCHASING DIRECTOR SHALL BE FINAL, AND A NOTATION WILL BE MADE IN THE ELECTRONIC RECORD KEEPING FOR THE PURCHASE REQUEST. IF TIME PERMITS, THE PURCHASE SHOULD FOLLOW THE REQUIREMENTS FOR APPROVAL THRESHOLDS OF § 18-21.3 COMPETITIVE SEALED BIDDING - SECTION (8) AND § 18-21.4 COMPETITIVE SEALED PROPOSALS - SECTION (9).

§ 18-21.10 REPORTING AND ACCOUNTABILITY.

THE PURCHASING DIRECTOR, ON A MONTHLY BASIS, SHALL PREPARE A REPORT THAT PROVIDES TOTAL

EXPENDITURES WITH SPECIFIC VENDORS TO DATE THAT HAVE EXCEEDED A TOTAL OF \$10,000.00. THIS REPORT SHALL INCLUDE THE PURCHASE ORDER NUMBER, THE AMOUNT OF THE PURCHASE, THE DEPARTMENT REQUESTING THE GOODS AND SERVICES, AND A DESCRIPTION OF THE GOODS AND SERVICES.

THE REPORT SHALL BE MADE PUBLICALLY AVAILABLE VIA ELECTRONIC MEANS ON A MONTHLY BASIS. THE PURCHASING DIRECTOR SHALL BE AVAILABLE TO REVIEW THE REPORT AND PROVIDE ADDITIONAL INFORMATION AS MAY BE REQUESTED BY THE CITY COUNCIL, OR THEIR DESIGNATED COMMITTEE.

§ 18-21.11 CONTRACTS.

WHERE FINAL AGREEMENT FOR THE PURCHASE OF GOODS OR SERVICES REQUIRES A CONTRACT BINDING THE CITY, OTHER THAN THE ISSUANCE OF A PURCHASE ORDER OR USE OF A PROCUREMENT CARD, THE AGREEMENT MUST BE APPROVED BY THE CITY ATTORNEY BEFORE PRESENTING IT TO THE PERSON AUTHORIZED TO BIND THE CITY.

A MODIFICATION OF A CONTRACT MUST BE APPROVED IN THE SAME MANNER THAT THE CONTRACT WAS APPROVED. ALL CONTRACT MODIFICATIONS MUST BE IN WRITING AND APPROVED IN ADVANCE BY THE CITY ATTORNEY.

DEPARTMENT HEADS ARE RESPONSIBLE FOR MONITORING THE TERMS OF ANY AGREEMENT APPROVED FOR GOODS AND SERVICES FOR THEIR AREA OF RESPONSIBILITY. THE PURCHASING DIRECTOR AND DEPARTMENT HEADS SHALL ASSURE

THAT A CONTRACT ADMINISTRATION SYSTEM IS DESIGNED AND IMPLEMENTED TO ENSURE THAT A CONTRACTOR IS PERFORMING IN ACCORDANCE WITH THE SOLICITATION UNDER WHICH THE CONTRACT WAS AWARDED AND THE TERMS AND CONDITIONS OF THE CONTRACT, AND THAT THE DEPARTMENT IS IN COMPLIANCE WITH ALL REQUIREMENTS OF ANY APPLICABLE GRANTS.

§ 18-21.12 DUE DILIGENCE.

AS PART OF THE EVALUATION OF ANY VENDOR PROPOSING TO DO BUSINESS WITH THE CITY, THE PURCHASING DIRECTOR OR DESIGNEE MAY, AT REASONABLE TIMES, INSPECT THE PART OF THE PLANT, PLACE OF BUSINESS, OR WORKSITE OF A CONTRACTOR OR SUBCONTRACTOR AT ANY TIER THAT IS PERTINENT TO THE PERFORMANCE OF ANY CONTRACT AWARDED, OR TO BE AWARDED, BY THE CITY.

THE CITY MAY ALSO, AT REASONABLE TIMES AND PLACES, AUDIT THE BOOKS AND RECORDS OF ANY CONTRACTOR WHO HAS SUBMITTED COST OR PRICING DATA AS A PART OF ITS BID OR PROPOSAL, TO THE EXTENT THAT THE BOOKS, DOCUMENTS, PAPER, AND RECORDS ARE PERTINENT TO THE COST OR PRICING DATA FOR THREE (3) YEARS FROM THE DATE OF FINAL PAYMENT UNDER THE CONTRACT.

§ 18-21.13 REPORTING OF ANTICOMPETITIVE PRACTICES.

WHEN FOR ANY REASON COLLUSION OR OTHER ANTICOMPETITIVE PRACTICES ARE SUSPECTED AMONG ANY BIDDERS OR RESPONDENTS, A NOTICE OF THE

RELEVANT FACTS SHALL BE TRANSMITTED TO THE CITY ATTORNEY'S OFFICE.

§ 18-21.14 DEBARMENT OR SUSPENSION.

THE PURCHASING DIRECTOR, WITH THE CONSENT OF THE CITY ATTORNEY AND THE APPROVAL OF THE MAYOR AND CITY COUNCIL, IS AUTHORIZED TO DEBAR A PERSON FOR CAUSE FROM CONSIDERATION FOR AWARD OF CONTRACTS. THE DEBARMENT SHALL BE FOR A PERIOD OF NOT MORE THAN THREE (3) YEARS. AFTER CONSULTATION WITH THE CITY ATTORNEY, THE PURCHASING DIRECTOR IS AUTHORIZED TO SUSPEND A PERSON FROM CONSIDERATION FOR AWARD OF CONTRACTS IF THERE IS PROBABLE CAUSE TO BELIEVE THAT THE PERSON HAS ENGAGED IN ANY ACTIVITY THAT MIGHT LEAD TO DEBARMENT. THE SUSPENSION SHALL BE FOR A PERIOD NOT TO EXCEED THREE (3) YEARS. THE CAUSES FOR DEBARMENT INCLUDE:

(1) CONVICTION FOR COMMISSION OF A CRIMINAL OFFENSE AS AN INCIDENT TO OBTAINING OR ATTEMPTING TO OBTAIN A PUBLIC OR PRIVATE CONTRACT OR SUBCONTRACT, OR IN THE PERFORMANCE OF THE CONTRACT OR SUBCONTRACT;

(2) CONVICTION UNDER STATE OR FEDERAL STATUTES OF EMBEZZLEMENT, THEFT, FORGERY, BRIBERY, FALSIFICATION OR DESTRUCTION OF RECORDS, RECEIVING STOLEN PROPERTY, OR ANY OTHER OFFENSE INDICATING A LACK OF BUSINESS INTEGRITY OR BUSINESS HONESTY THAT

CURRENTLY, SERIOUSLY, AND DIRECTLY AFFECTS RESPONSIBILITY AS A CITY CONTRACTOR;

(3) CONVICTION UNDER STATE OR FEDERAL ANTITRUST STATUTES ARISING OUT OF THE SUBMISSION OF BIDS OR PROPOSALS;

(4) VIOLATION OF CONTRACT PROVISIONS, AS SET FORTH BELOW, OF A CHARACTER THAT IS REGARDED BY THE PURCHASING DIRECTOR TO BE SO SERIOUS AS TO JUSTIFY DEBARMENT ACTION:

(A) DELIBERATE FAILURE, WITHOUT GOOD CAUSE, TO PERFORM IN ACCORDANCE WITH THE SPECIFICATIONS OR WITHIN THE TIME LIMIT PROVIDED IN THE CONTRACT; OR

(B) A RECENT RECORD OF FAILURE TO PERFORM, OR OF UNSATISFACTORY PERFORMANCE, IN ACCORDANCE WITH THE TERMS OF ONE OR MORE CONTRACTS; PROVIDED THAT FAILURE TO PERFORM OR UNSATISFACTORY PERFORMANCE CAUSED BY ACTS BEYOND THE CONTROL OF THE CONTRACTOR SHALL NOT BE CONSIDERED TO BE A BASIS FOR DEBARMENT;

(5) ANY OTHER CAUSE THE PURCHASING DIRECTOR DETERMINES TO BE SO SERIOUS

AND COMPELLING AS TO AFFECT RESPONSIBILITY AS A CITY CONTRACTOR, INCLUDING DEBARMENT BY ANOTHER GOVERNMENTAL ENTITY FOR ANY CAUSE LISTED IN THESE REGULATIONS; AND

(6) FOR VIOLATION OF THE ETHICAL STANDARDS AS SET FORTH IN THE CITY OF FLINT CODE OF CONDUCT POLICY.

THE PURCHASING DIRECTOR SHALL ISSUE A WRITTEN DECISION TO DEBAR OR SUSPEND. THE DECISION SHALL STATE THE REASONS FOR THE ACTION TAKEN AND INFORM THE DEBARRED OR SUSPENDED PERSON INVOLVED OF THEIR RIGHTS CONCERNING JUDICIAL OR ADMINISTRATIVE REVIEW. ANY PERSON RECOMMENDED TO BE DEBARRED PURSUANT TO THIS SECTION SHALL BE GIVEN ADVANCE WRITTEN NOTICE AND SHALL BE AFFORDED THE RIGHT TO CONTEST THE RECOMMENDATION BEFORE THE CITY COUNCIL.

§ 18-21.15 BID PROTESTS.

(1) *RIGHT TO PROTEST.* ANY ACTUAL OR PROSPECTIVE BIDDER, RESPONDENT, OR CONTRACTOR WHO IS AGGRIEVED IN CONNECTION WITH THE SOLICITATION OR AWARD OF A PURCHASE ORDER AGREEMENT OR CONTRACT MAY PROTEST THE ACTION TO THE CITY.

(2) *PROCESS FOR FILING A PROTEST.* A PROTEST WITH RESPECT TO AN INVITATION FOR BIDS OR REQUEST FOR PROPOSALS MUST BE SUBMITTED IN WRITING TO THE PURCHASING DIRECTOR. THE PROTEST MUST BE ENTITLED "BID PROTEST" AND MUST CLEARLY

IDENTIFY THE SOLICITATION AND AWARD UNDER PROTEST, AND MUST STATE THE GROUNDS FOR THE PROTEST. THE PURCHASING DIRECTOR SHALL PROVIDE A COPY OF ANY TIMELY BID PROTEST TO THE MAYOR AND CITY COUNCIL WITHIN SEVEN (7) CALENDAR DAYS OF ITS SUBMISSION.

(3) *TIME LIMITS FOR FILING.* PROTESTS MUST BE RECEIVED BY THE PURCHASING DIRECTOR NO LATER THAN SEVEN (7) CALENDAR DAYS AFTER THE AGGRIEVED PERSON KNEW OR SHOULD HAVE KNOWN OF THE FACTS GIVING RISE TO THE PROTEST, AND IN NO EVENT LATER THAN FOURTEEN (14) CALENDAR DAYS AFTER AWARD OF THE PURCHASE ORDER AGREEMENT OR CONTRACT. FAILURE TO FILE A BID PROTEST WITHIN THESE TIME LIMITS CONSTITUTES A WAIVER OF THE PROTEST.

(4) *STAY OF PROCUREMENTS DURING PROTESTS.* IN THE EVENT A TIMELY PROTEST IS SUBMITTED TO THE PURCHASING DIRECTOR UNDER THIS SECTION, THE PURCHASING DIRECTOR SHALL NOT PROCEED FURTHER WITH THE SOLICITATION, AWARD, OR PERFORMANCE OF THE PURCHASE ORDER AGREEMENT OR CONTRACT UNTIL THE PROTEST IS SUSTAINED OR DISMISSED, OR THE CITY COUNCIL MAKES A DETERMINATION ON THE RECORD THAT THE AWARD OR PERFORMANCE OF A PURCHASE ORDER AGREEMENT OR CONTRACT WITHOUT DELAY IS NECESSARY TO PROTECT SUBSTANTIAL INTERESTS OF THE CITY; PROVIDED HOWEVER THAT IF THE POSTPONEMENT OF THE PURCHASE OF GOODS OR SERVICES IMPAIRS THE ABILITY OF THE CITY TO CARRY OUT ITS SERVICES, THE PURCHASING DIRECTOR, WITH THE APPROVAL OF

THE MAYOR, MAY TAKE NECESSARY STEPS TO OBTAIN THE MINIMUM AMOUNT OF GOODS AND SERVICES NECESSARY TO ENABLE CITY SERVICES TO CONTINUE.

(5) *DECISION BY THE PURCHASING DIRECTOR.* THE PURCHASING DIRECTOR SHALL ISSUE A WRITTEN DECISION SUSTAINING OR DENYING THE BID PROTEST WITHIN FIFTEEN (15) DAYS OF RECEIPT OF A WRITTEN AND TIMELY PROTEST. A COPY OF THE PURCHASING DIRECTOR'S DECISION MUST BE PROVIDED TO THE PROTESTING BIDDER OR PROPOSER, THE MAYOR, AND THE CITY COUNCIL.

(6) *APPEAL TO THE MAYOR.* A PROTESTING BIDDER OR PROPOSER MAY APPEAL THE PURCHASING DIRECTOR'S DECISION TO THE MAYOR BY FILING A WRITTEN APPEAL WITH THE MAYOR WITHIN SEVEN (7) DAYS OF THE DATE OF THE PURCHASING DIRECTOR'S DECISION. THE MAYOR SHALL CONDUCT THE INVESTIGATION AS DEEMED NECESSARY TO RESPOND TO THE APPEAL, AND SHALL PROVIDE HIS OR HER DECISION ON THE APPEAL WITHIN SEVEN (7) DAYS.

(7) *APPEAL TO CITY COUNCIL.* A PROTESTING BIDDER OR PROPOSER MAY APPEAL THE PURCHASING DIRECTOR'S DECISION TO THE CITY COUNCIL BY FILING A WRITTEN APPEAL WITH THE CITY CLERK WITHIN SEVEN (7) DAYS OF THE DATE OF THE MAYOR'S DECISION. THE PROTESTING BIDDER SHALL BE AFFORDED AN OPPORTUNITY AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING TO ADDRESS THE CITY COUNCIL AND STATE THE GROUNDS FOR THE APPEAL. NO LATER THAN THE NEXT REGULARLY SCHEDULED MEETING, CITY COUNCIL

SHALL MAKE ITS DECISION ON THE APPEAL.

§ 18-21.16 CONTRACT CLAIMS.

(1) *DECISION OF THE PURCHASING DIRECTOR.* ALL CLAIMS BY A CONTRACTOR AGAINST THE CITY RELATING TO A CONTRACT SHALL BE SUBMITTED IN WRITING TO THE PURCHASING DIRECTOR FOR A DECISION. THE SUBMISSION MUST IDENTIFY THE GROUNDS FOR THE CLAIM. THE CONTRACTOR MAY REQUEST A CONFERENCE WITH THE PURCHASING DIRECTOR ON THE CLAIM. CLAIMS INCLUDE, WITHOUT LIMITATION, DISPUTES ARISING UNDER A CONTRACT, AND THOSE BASED UPON BREACH OF CONTRACT, MISTAKE, MISREPRESENTATION, OR OTHER CAUSE FOR CONTRACT MODIFICATION OR RESCISSION.

(2) *NOTICE TO THE CONTRACTOR OF THE PURCHASING DIRECTOR'S DECISION.* THE DECISION OF THE PURCHASING DIRECTOR SHALL BE ISSUED IN WRITING WITHIN THIRTY (30) DAYS OF SUBMISSION, AND SHALL BE IMMEDIATELY MAILED OR OTHERWISE FURNISHED TO THE CONTRACTOR. THE DECISION SHALL STATE THE REASONS FOR THE DECISION REACHED, AND SHALL INFORM THE CONTRACTOR OF ITS APPEAL RIGHTS UNDER SUBSECTION (3) OF THIS SECTION. THE PURCHASING DIRECTOR SHALL CONSULT WITH THE CITY ATTORNEY PRIOR TO MAKING A DECISION DENYING THE CONTRACTOR'S CLAIM IN WHOLE OR IN PART.

(3) *FINALITY OF PURCHASING DIRECTOR DECISION; CONTRACTOR'S RIGHT TO APPEAL.* THE PURCHASING DIRECTOR DECISION SHALL BE FINAL AND CONCLUSIVE UNLESS, WITHIN

SEVEN (7) CALENDAR DAYS FROM THE DATE OF RECEIPT OF THE DECISION, THE CONTRACTOR MAILES OR OTHERWISE DELIVERS A WRITTEN APPEAL TO THE CITY ADMINISTRATOR.

(4) *APPEAL TO THE CITY ADMINISTRATOR.* A PROTESTING CONTRACTOR MAY APPEAL THE PURCHASING DIRECTOR'S DECISION TO THE CITY ADMINISTRATOR BY FILING A WRITTEN APPEAL WITH THE CITY ADMINISTRATOR WITHIN SEVEN (7) DAYS OF THE DATE OF THE PURCHASING DIRECTOR'S DECISION. THE CITY ADMINISTRATOR SHALL CONDUCT THE INVESTIGATION AS DEEMED NECESSARY TO RESPOND TO THE APPEAL, AND SHALL PROVIDE HIS DECISION ON THE APPEAL WITHIN SEVEN (7) DAYS.

§ 18-21.17 AUTHORITY OF THE PURCHASING DIRECTOR TO SETTLE BID PROTESTS AND CONTRACT CLAIMS.

THE PURCHASING DIRECTOR IS AUTHORIZED TO SETTLE ANY PROTEST REGARDING THE SOLICITATION OR AWARD OF A PURCHASE ORDER AGREEMENT OR CITY CONTRACT, OR ANY CLAIM ARISING OUT OF THE PERFORMANCE OF A PURCHASE ORDER AGREEMENT OR CITY CONTRACT, PRIOR TO THE COMMENCEMENT OF AN ACTION IN A COURT OF COMPETENT JURISDICTION.

§ 18-21.18 CANCELLATION OF SOLICITATIONS FOR THE PURCHASE OF GOODS AND SERVICES.

AT ANY TIME THE CITY DETERMINES THAT A SOLICITATION FOR GOODS OR SERVICES SHOULD BE CANCELLED BECAUSE IT IS NOT IN THE BEST INTERESTS OF THE CITY TO MAKE THE PROCUREMENT, THE

PURCHASING DIRECTOR SHALL IMMEDIATELY NOTIFY THE POTENTIAL VENDORS OF THE CITY'S DECISION. HOWEVER, THE CITY SHALL HAVE NO OBLIGATION OR RESPONSIBILITY FOR ANY COSTS OR INCONVENIENCES INCURRED BY ANY POTENTIAL VENDOR, UNLESS AN AWARD HAS BEEN FORMALLY MADE AND ACCEPTED BY ISSUANCE OF A PURCHASE ORDER OR SIGNING OF A CONTRACT.

§ 18-21.19 ETHICS IN PURCHASING.

THE PROCESS OF PURCHASING GOODS AND SERVICES IS DESIGNED TO ENSURE COMPETITIVE PROCUREMENT CONDUCTED IN AN ETHICAL AND TIMELY MANNER IN ORDER FOR THE CITY TO CARRY OUT ITS DUTIES.

ALL EMPLOYEES DELEGATED AUTHORITY WITH RESPECT TO ALL PURCHASES OF GOODS AND SERVICES ARE CHARGED WITH THE RESPONSIBILITY OF MAKING PURCHASES IN A COMPETITIVE AND ETHICAL MANNER, AND FOR ADHERING IN ALL RESPECTS TO THE CITY OF FLINT CODE OF CONDUCT POLICY. VIOLATION OF THE CITY OF FLINT CODE OF CONDUCT POLICY, INCLUDING THE USE OF CITY RESOURCES FOR PERSONAL USE OR GAIN IS GROUNDS FOR TERMINATION OF EMPLOYMENT AND POSSIBLE CRIMINAL PROSECUTION.

LIKEWISE, PERSONS OR ENTITIES PROPOSING TO, OR ENGAGED IN, THE PROVISION OF GOODS AND SERVICES TO THE CITY ARE CHARGED WITH THE RESPONSIBILITY OF PROPOSING AND PROVIDING GOODS AND SERVICES IN A COMPETITIVE AND ETHICAL MANNER.

WHILE A PROCUREMENT IS PENDING, BIDDERS AND PROPOSERS

SHALL NOT COMMUNICATE ABOUT THE SOLICITATION WITH ANY CITY EMPLOYEE, AGENT, OR ELECTED OFFICIAL, OTHER THAN THE PURCHASING DIRECTOR OR OTHER CITY PERSONNEL IDENTIFIED IN THE SOLICITATION.

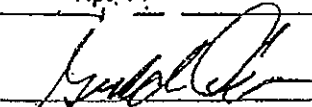
TO THE EXTENT THAT VIOLATIONS OF THE ETHICAL STANDARDS OF CONDUCT SET FORTH IN THIS ARTICLE CONSTITUTE VIOLATIONS OF THE MICHIGAN PENAL CODE, THEY SHALL BE PUNISHABLE AS PROVIDED THEREIN. THE PENALTIES SHALL BE IN ADDITION TO THE CIVIL SANCTIONS SET FORTH IN THIS ARTICLE. CRIMINAL, CIVIL, AND ADMINISTRATIVE SANCTIONS AGAINST EMPLOYEES OR NON-EMPLOYEES THAT ARE IN EXISTENCE ON THE EFFECTIVE DATE OF THIS ARTICLE SHALL NOT BE IMPAIRED.

IT SHALL BE UNETHICAL AND GROUNDS FOR DEBARMENT AND POTENTIAL CRIMINAL PROSECUTION FOR ANY PERSON TO OFFER, GIVE, OR AGREE TO GIVE TO ANY CITY EMPLOYEE A GRATUITY, AN OFFER OF EMPLOYMENT, OR ANYTHING ELSE OF VALUE IN CONNECTION WITH ANY DECISION TO APPROVE, DISAPPROVE, OR RECOMMEND THE AWARD OF A CONTRACT, OR IN CONNECTION WITH ANY DECISION WITH REGARD TO A BID PROTEST, OR WITH INTENT TO INFLUENCE THE CONTENT OF ANY SPECIFICATIONS OR PROCUREMENT STANDARDS, OR ADVICE, INVESTIGATION, AUDIT REPORT, OR ANY OTHER ADVISORY COMMUNICATION RELATED TO A PROCUREMENT OR CONTRACT UNDER THIS ARTICLE.

IT SHALL BE UNETHICAL AND A VIOLATION OF THE CITY OF FLINT CODE OF CONDUCT POLICY AND

**GROUNDS FOR POSSIBLE
 TERMINATION AND CRIMINAL
 PROSECUTION FOR ANY CITY
 EMPLOYEE TO SOLICIT, DEMAND,
 ACCEPT, OR AGREE TO ACCEPT FROM
 ANOTHER PERSON A GRATUITY, AN
 OFFER OF EMPLOYMENT, OR
 ANYTHING ELSE OF VALUE IN
 CONNECTION WITH ANY DECISION TO
 APPROVE, DISAPPROVE, OR
 RECOMMEND THE AWARD OF A
 CONTRACT, OR IN CONNECTION WITH
 ANY DECISION WITH REGARD TO A BID
 PROTEST, OR WITH INTENT TO
 INFLUENCE THE CONTENT OF ANY
 SPECIFICATIONS OR PROCUREMENT
 STANDARDS, OR ADVICE,
 INVESTIGATION, AUDIT REPORT, OR
 ANY OTHER ADVISORY
 COMMUNICATION RELATED TO A
 PROCUREMENT OR CONTRACT UNDER
 THIS ARTICLE.**

Adopted this 10th day of
April, 2015 A.D.


 Gerald Ambrose, Emergency Manager

APPROVED AS TO FORM:


 Peter M. Bade, City Attorney

IT SHALL BE UNETHICAL AND
 GROUNDS FOR DEBARMENT AND
 POTENTIAL CRIMINAL PROSECUTION
 FOR ANY PAYMENT, GRATUITY, OR
 OFFER OF EMPLOYMENT TO BE MADE
 BY OR ON BEHALF OF A
 SUBCONTRACTOR UNDER A CONTRACT
 TO THE PRIME CONTRACTOR OR
 HIGHER TIER SUBCONTRACTOR OR
 ANY PERSON ASSOCIATED
 THEREWITH, AS AN INDUCEMENT FOR
 THE AWARD OF A SUBCONTRACT OR
 ORDER.

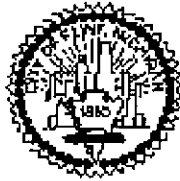
**§ 18-21.14 18-21.20 SALE OR LEASE OF
 CITY OWNED PROPERTY.**

No interest in real property of the City of
~~Flint~~ shall be disposed of, transferred, or
 otherwise alienated unless by ordinance or
 resolution of the City Council.

Sec. 2. This ordinance shall become
 effective the 1st day of
May, 2015.

City of Flint, Michigan

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



Meeting Minutes 2 - Final

Monday, April 25, 2016

6:47 PM

RTAB SUMMARY

Council Chambers

CITY COUNCIL

*Kerry L. Nelson, President, Ward 3
Vicki VanBuren, Vice President, Ward 8*

*Eric Mays, Ward 1
Kate Fields, Ward 4*

Herbert J. Winfrey, Ward 6

*Jacqueline Poplar, Ward 2
Wantwaz D. Davis, Ward 5*

Monica Galloway, Ward 7

Scott Kincaid, Ward 9

Inez M. Brown, City Clerk

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, VanBuren and Councilperson Kincaid

PUBLIC HEARINGS

160046.3 A Public Hearing to consider a Brownfield Redevelopment Plan for the Catholic Charities of Genesee and Shiawassee Counties' Center for Hope Project will be held Monday, April 25, 2016, at 6:00 p.m. in the City Council Chambers, 3rd Floor, City Hall, 1101 S. Saginaw Street, Flint.

HEARING HELD

RESOLUTIONS (May Be Referred from COTW)

160046.2 Amended Resolution/Approval/Brownfield Redevelopment Plan/Catholic Charities of Genesee and Shiawassee Counties/Center of Hope Project

Amended resolution resolving that, based on the following considerations: (a) the plan meets the requirement of Section 13 of the Brownfield Redevelopment Financing Act, Act 381 of 1996; (b) the proposed method of financing the costs of eligible activities is feasible and the Brownfield Redevelopment Authority has the ability to arrange the financing; (c) the costs of eligible activities proposed are reasonable and necessary to carry out the purposes of the Act; and (d) the amount of captured taxable value estimated to result from adoption of the plan is reasonable, AND, resolving that the Flint City Council of the City of Flint hereby approves the Brownfield Redevelopment Plan for the Center of Hope Project on the property legally described in the plan, as requested by the Community and Economic Development Division (CED). [NOTE: The project is located at 517 E. Fifth Avenue and 901 Chippewa.] [NOTE: Resolution amended to change resolved language from the "Brownfield Redevelopment Authority" to the "Flint City Council".]

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

Aye: 9 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

ROLL CALL

Councilperson Galloway left this City Council meeting at approximately 9:26 p.m., during the Public Comment portion of the agenda.

Present: Councilperson: Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, VanBuren and Councilperson Kincaid

Absent: Councilperson: Councilperson Galloway

APPOINTMENTS

None

APPOINTMENTS (May Be Referred from COTW)

160104 Appointment/City of Flint Hospital Building Authority/Ada C. Washington

Resolution approving the appointment of Ada C. Washington (1505 Arrow Lane, Apt. 302, Flint, Michigan, 48502) to the City of Flint Hospital Building Authority for a six-year term commencing April 1, 2016, and expiring March 31, 2022, as requested by the Hurley Medical Center Board of Managers and the City of Flint Hospital Building Authority. [NOTE: By way of background, Ms. Washington will replace Lewis Driskell, who is unable to continue serving on the Authority due to health reasons.]

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

Aye: 8 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Galloway

160132 Reappointment/Board of Hospital Managers/Marilyn Fuller

Resolution approving the reappointment of Marilyn Fuller (2620 Pewanaga Place, Flint, Michigan, 48507) to the [Hurley] Board of Hospital Managers for a five-year term commencing May 1, 2016, and expiring April 30, 2021, as requested by Mayor Karen W. Weaver.

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

Aye: 8 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Galloway

160133 Appointment/Board of Hospital Managers/Terry R. Bankert

Resolution approving the appointment of Terry R. Bankert, Attorney at Law (1000 Beach Street, Flint, Michigan, 48502) to the [Hurley] Board of Hospital Managers for a five-year term commencing May 1, 2016, and expiring April 30, 2021, as requested by Mayor Karen W. Weaver. [NOTE: By way of background, Mr. Bankert will replace Isiah Oliver, who resigned from the Board.]

A motion was made by Councilperson Mays, seconded by Councilperson Kincaid, that this matter be Approved. The motion failed by the following vote:

Aye: 3 - Councilperson Mays, Councilperson Winfrey and Vice President VanBuren

No: 5 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis and Councilperson Kincaid

Absent: 1 - Councilperson Galloway

160134 Appointment/Board of Hospital Managers/Nancy J. Hanflik

Resolution approving the appointment of Nancy J. Hanflik (1301 Woodlawn Park Drive, Flint, Michigan, 48503) to the [Hurley] Board of Hospital Managers for a five-year term commencing May 1, 2016, and expiring April 30, 2021, as requested by Mayor Karen W. Weaver. [NOTE: By way of background, Ms. Hanflik will replace Christopher Flores.]

A motion was made by Councilperson Mays, seconded by Councilperson Kincaid, that this matter be Approved. The motion failed by the following vote:

Aye: 2 - Councilperson Mays and Councilperson Davis

No: 6 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Galloway

RESOLUTIONS

None

RESOLUTIONS (May Be Referred from COTW) Continued

160099 CO#1/Contract/Rowe Engineering, Inc./Construction Engineering Services/Dupont Street Project

Resolution resolving that the Mayor and City Administrator are authorized to enter into change order #1 to the contract with Rowe Engineering, Inc. for construction engineering services for the Dupont Street Project, as requested by the Department of Public Works (DPW) - Transportation, in an amount NOT-TO-EXCEED \$13,348.00, and revised total of \$161,520.00 [Grants Street Projects Fund]. [Administration Submission No. CA1702016]

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

160101 Contract/LA Construction Corp./Dupont Street Rehabilitation

Resolution resolving that the Mayor and City Administrator are authorized to enter into a contract with LA Construction Corp. for Dupont Street rehabilitation, as requested by the Department of Public Works (DPW) and Utilities-Transportation, in the amount of \$1,862,440.06 [Major Street Fund; Other Grants Fund]. [Administration Submission No. CA1752016]

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

160102 CO#5/Contract/Rowe Engineering, Inc./Professional Engineering Services

Resolution resolving that the Mayor and City Administrator are authorized to enter into change order #5 to the contract with Rowe Engineering, Inc. for professional engineering services, as requested by the Department of Public Works (DPW), in an amount NOT-TO-EXCEED \$20,000.00, for a revised contract amount of \$367,360.00 [Major Street Fund]. [Administration Submission No. CA1762016]

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

160108 Transfer of Funds/Major Street Fund Balance/Major Street Professional Services/Dupont Street Rehabilitation Project

Resolution resolving that the appropriate city officials are authorized to do all things necessary to transfer an amount NOT-TO-EXCEED \$509,000.00, from the Major Street Fund Balance to Major Street Professional Services Acct. No. 202-441.702-801.000, to finance the Dupont Street Rehabilitation Project, as requested by the Department of Public Works (DPW) - Transportation Division. [Administration Submission No. CA1812016]

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

160135 Budget Amendment/Summer Youth Initiative Grant

Resolution resolving that the appropriate City Officials are authorized to process a budget amendment recognizing grant revenue and corresponding appropriation of funds for the Summer Youth Initiative Grant from the Flint & Genesee Chamber of Commerce under accounts beginning with 296-371.749 and grant code LCOC-16-SYI, in the amount of \$8,640.20. [NOTE: This grant is for the hiring of two teens, ages 18-19, for ten weeks from June 20, 2016 to August 26, 2016.]

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

160136 Health Benefits/Surviving Spouses/City of Flint Police Officers and Firefighters

Resolution resolving that, effective January 1, 2016, subject to the approval of the Receivership Transition Advisory Board [RTAB], the surviving spouse and eligible dependents of a sworn City of Flint Police Officer or Firefighter killed in the line of duty will be eligible to participate in the City of Flint healthcare plan at no cost, with funding made available and drawn from Fringe Benefit Fund 627 and remain subject to the eligibility requirements consistent with any active City employee and retiree.

SEPARATED FROM MASTER RESOLUTION

ADD-ON RESOLUTIONS

160138 Hearing Date/Obsolete Property Rehabilitation Application/Transfer of Exemption Certificate/Capitol Theatre Project

Resolution resolving that a public hearing to consider the transfer of an Obsolete Property exemption certificate, currently held by Jerusalem Capitol Theatre Building LLC for the Capitol Theatre project, to the new owner, Friends of the Capitol Theatre LLC, be held on the 9th of May, 2016, at 6:00 p.m. in the City Council Chambers of Flint City Hall, 1101 S. Saginaw Street, Flint, Michigan. The City Clerk shall cause the notice of such hearing to be published in an official paper of general circulation not less than ten (10) days prior to said hearing, AND, resolving that at said hearing the property owners and any other taxpayers or residents of the city of Flint may appear and be heard.

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

Passed The Consent Agenda

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

Aye: 8 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Galloway

SEPARATIONS

160136 Health Benefits/Surviving Spouses/City of Flint Police Officers and Firefighters

Resolution resolving that, effective January 1, 2016, subject to the approval of the Receivership Transition Advisory Board [RTAB], the surviving spouse and eligible dependents of a sworn City of Flint Police Officer or Firefighter killed in the line of duty will be eligible to participate in the City of Flint healthcare plan at no cost, with funding made available and drawn from Fringe Benefit Fund 627 and remain subject to the eligibility requirements consistent with any active City employee and retiree.

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

Aye: 6 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Vice President VanBuren and Councilperson Kincaid

No: 1 - Councilperson Winfrey

Abstain: 1 - Councilperson Mays

Absent: 1 - Councilperson Galloway

ADJOURNMENT

This City Council meeting was adjourned at 11:25 p.m.

OFFICE OF THE CITY COUNCIL

MEMORANDUM

TO: Mr. Harvey Hollins, Director
Governor's Office of Urban Initiatives

FROM: Kerry L. Nelson, President
Flint City Council

RE: Amendment to Emergency Manager Executive Order No. 3

DATE: April 28, 2016

This is in follow-up to my letter dated April 26, 2016, regarding Executive Orders No. 3 and 20. Please be advised that, as it relates to Executive Order No. 3 (as amended), you will find a copy of the same attached which includes our Designation of the proposed sections to be repealed. You will note for the proposed repealed sections the following symbol [*].

In any event, to facilitate your review of the sections proposed to be repealed, you will find outlined below a recap of said sections:

- [*] First paragraph at the bottom of Page 1 and top of Page 2;
- [*] Page 2 – Item 2;
- [*] Page 2 – Item 3;
- [*] Page 2 – d. under Item 4;
- [*] Page 2 – Item 5;
- [*] Page 2 – Item 6;
- [*] Page 2 – Item 7;
- [*] Page 2 – Item 9;
- [*] Page 3 – Item 10;
- [*] Page 3 – Item 11;
- [*] Page 3 – Item 12;
- [*] Page 3 – In Item 13, repeal section which reads as follows: ...WITH THE EXCEPTION OF THOSE CLOSED MEETINGS DEVOTED TO....;

MUNICIPAL CENTER

[*] Page 4 – In Item 21, repeal section which reads as follows: ...AND THE COMPLETE DECISION MAKING AUTHORITY OF BEHALF OF THE CITY...;

[*] Page 4 – Item 22;

[*] Page 4 – In Item 23, repeal section which reads as follows: ...FOR THE CITY BY SUPPORTING, IMPLEMENTING, AND MAINTAINING THE FINANCIAL AND OPERATING PLANS AND THE....;

[*] Page 4 – Item 25;

[*] Page 4 – Item 27;

[*] Page 4 – Item 28;

[*] Page 5 – Item 29;

[*] Page 5 – Item 30;

[*] Page 5 – Item 31; and

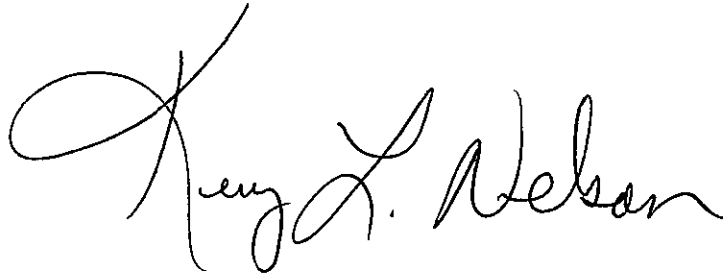
[*] Page 5 – Item 32.

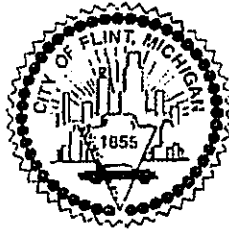
In closing, if you have any questions or concerns, please feel free to let me know.

Thank you.

Attachment

cc: Vicki VanBuren, Flint City Council Vice President
Councilman Scott Kincaid, Flint City Council Finance Chairperson
Stacie Clayton, Assistant Director, Governor's Office of Urban Initiatives
Richard Baird, Governor's Office, Transformation Manager
Fred Headen, Flint Receivership Transition Advisory Board

A handwritten signature in black ink, appearing to read "Keny L. Nelson". The signature is written in a cursive style with a large initial 'K'.



**EMERGENCY MANAGER
CITY OF FLINT
GENESEE COUNTY MICHIGAN**

ORDER No. 3

CITY ADMINISTRATOR

BY THE POWER AND AUTHORITY VESTED IN THE EMERGENCY MANAGER ("EMERGENCY MANAGER") FOR THE CITY OF FLINT, MICHIGAN ("CITY") PURSUANT TO MICHIGAN'S PUBLIC ACT 436 OF 2012, LOCAL FINANCIAL STABILITY AND CHOICE ACT, ("PA 436"); GERALD AMBROSE, THE EMERGENCY MANAGER, ISSUES THE FOLLOWING ORDER:

Pursuant to PA 436, the Emergency Manager has broad powers in receivership to rectify the financial emergency and to assure the fiscal accountability of the City and its capacity to provide or cause to be provided necessary services essential to the public health, safety and welfare; and

Pursuant to PA 436, the Emergency Manager acts in place of local officials, specifically the Mayor and City Council, unless the Emergency Manager delegates specific authority; and

Pursuant to PA 436, the Emergency Manager has broad power to manage the local government, and may issue orders to elected and appointed officials necessary to accomplish the purpose of the Act. An Order issued under PA 436 is binding on the person to whom it is issued; and

IT IS HEREBY ORDERED:

- [*] The City Administrator shall serve as the City's Chief Administrative Officer at the pleasure of the Mayor, City Council and Emergency Manager or Receivership Advisory Transition Board (hereinafter "Board"), in accordance with the provisions of her contract with the City of Flint

[*] dated February 23, 2015, and is charged with implementing executive and legislative directives and policies of the Mayor and City Council, subject to oversight of the Board, including strategic planning and budgeting, and with directing the management of day-to-day-administrative activities and appointed staff officials.

Consistent with the City Administrator Employment Agreement and Position Description, and subject to the approval and directives of the Board, the City Administrator shall have the following authority, duties and responsibilities notwithstanding any provision of the City Charter or Code of Ordinances:

1. Serve, advise and report to the Mayor with respect to the Mayor's executive functions, as set forth in Charter §4-101.
- [*] 2. Serve and advise the Council with respect to the Council's legislative functions, as set forth in Charter §3-101.
- [*] 3. Serve, advise and report to the Emergency Manager, as required by Public Act 436, so long as an Emergency Manager is in place.
4. Serve, advise and report to the Board, including:
 - a. Advise and report to the Board as required by Public Act 436;
 - b. Fully comply and assist the Board in meeting all duties assigned to it by the governor pursuant to MCL 141.1563(h);
 - c. Provide all budgetary information requested by the Board;
 - [*] d. Serve as the primary contact between the Board and the City, including any department heads, officers, attorneys, accountants, employees, and any other contractors or consultants hired by the City to assist the City Administrator or the City in the discharge of powers, duties, functions, and responsibilities;
 - e. Promptly and effectively communicate with the Board regarding any matter that may have a significant financial impact on the City.
- [*] 5. Direct City department heads in carrying out the daily activities of the City, in the assembly of financial and management information; and in the gathering and assembly of pertinent data and information and recommendations for the Mayor and City Council's consideration in making executive determinations and policy.
- [*] 6. Translate executive decisions and policies of the Mayor into administrative procedures for the cost effective and efficient operation of the City.
- [*] 7. Implement legislative action of the City Council.
8. Monitor and manage the administrative inter-activity of the City departments so the delivery of public services represents an efficient, effective, and coordinated effort.
- [*] 9. Interact with other governmental agencies as requested by the Mayor or City Council.

- [*] 10. Prepare and review correspondence, reports, speeches, resolutions, and other material for public relations purposes. Answers citizen and official inquiries regarding City policy matters.
- [*] 11. In consultation with the Mayor, direct the assembly of information and items for consideration by the Council, and provide them to the City Clerk for inclusion on the appropriate agendas.
- [*] 12. Regularly consult with the Mayor in the development of actions with respect to the Mayor's executive functions, and with matters relating to the daily administrative functions of the City, including the evaluation of the performance of department heads, and the resolution of customer service issues.
- 13. Except to the extent prohibited by or in material conflict with applicable laws and authorities, the City Administrator or designee shall attend all meetings of the City Council, both public and closed, [*], with the exception of those closed meetings devoted to the consideration of any action or lack of action on, or pursuant to, this Agreement, or any amendment thereto, or the City Administrator's evaluation. The City Administrator shall advise members, and make recommendations consistent with policy objectives, strategic planning and administrative activities. [*]
- 14. Attend public meetings and events; give presentations and information to the public regarding matters of City business.
- ~~15. Manage and oversee all department heads, division heads, managers and non-elected City employees. This shall include an annual written performance evaluation of all department heads, including those identified in paragraphs 15, 16 and 17.~~
- ~~16. Recommend, subject to the Mayor's approval, the following appointments:
 - a. Chief of Police;
 - b. Fire Chief;
 - c. Director of Finance;
 - d. Planning & Development Director;
 - e. Director of Department of Public Works;
 - f. Chief Legal Officer;
 - g. Chief Personnel Officer.~~
- 17. Recommend, subject to the Council's approval, the following appointments: City Clerk and City Auditor.
- 18. ~~With the exception of those positions set forth in paragraphs 16 and 17, appoint all department heads, division heads and management positions, including the City Treasurer, Purchasing Director and the City Assessor, subject to any collective bargaining agreement(s) that may be applicable.~~

AS AMENDED BY FLINT RTAB RESOLUTION NO. 2016-1 ADOPTED JANUARY 22, 2016

- ~~19. Ensure that all appointment processes, whether by the Mayor, Council or City Administrator, are open, competitive, and administered by the Human Resources Department or a qualified recruitment firm, with selection of the most qualified candidate to be based on defined education, experience, and professional standards appropriate to the position.~~
- ~~20. All appointments made pursuant to paragraphs 15, 16 and 17 shall serve at the pleasure of the City Administrator based on performance review.~~
21. Review current and potential litigation and labor disputes with the City Attorney and Mayor, and as needed the Board, and have complete decision making authority on behalf of the City, on all matters of litigation and labor disputes, including the ability to settle or initiate lawsuits and resolve labor disputes. The Mayor and City Council shall be consulted on such matters prior to implementation.[*]
- [*] 22. Negotiate all collective bargaining agreements on behalf of the City.
23. Work collaboratively with the City Council, the Mayor, other City or State officials and the Board to successfully transition to the termination of receivership. [*] for the City by supporting, implementing, and maintaining the financial and operating plans and the reforms instituted by the City's emergency managers, including but not limited to, the financial and operating plan for the city under Section II Act 436, and by providing appropriate training and explanation of City operations.[*]
24. Serve as an official City representative before the Board, State departments and agencies, and the Michigan Legislature, with assistance from the Finance Director and the Mayor.
- [*] 25. Be responsible for and vested with full authority necessary to effectively direct and supervise the day-to-day operations of the City by seeing that all laws and ordinances are faithfully executed, preparing the proposed annual budget as recommended by the Finance Director and any accounting firm retained by the City, and supervising the expenditures of all sums appropriated to and the attainment of all objectives established for departments of the executive branch of the City and working collaboratively with all officers and officials to effectively execute daily operations.
26. Ensure that a rolling six-year capital improvement plan is annually prepared in accordance with applicable law and the City's Code of Ordinances. Coordinate with the Mayor on the annual preparation of a rolling two-year budget
- [*] 27. Review, approve and co-sign with the Mayor all contracts on behalf of and entered into by the City and modify or terminate any current contract with the City.
- [*] 28. Approve all financial policies, City policies and procedures, job descriptions and personal policies for the City, after consultation with the Mayor and City Council.

- [*] 29. Designate check signers on all City bank accounts.
- [*] 30. Refer City Council communications to the appropriate City employee or investigate such matter(s) and inform the City Council of the results of such efforts. Provided, however, when responding to City Council referrals, the City Administrator shall have discretion to utilize the personnel and resources the City Administrator deems reasonable and so as to avoid unnecessary interruption of services or incurrence of unnecessary costs.
- [*] 31. Any investigation by the City Council, as contemplated by Charter §3-205 and §3-206, including the power to subpoena witnesses, shall be subject to the City Administrator's review and approval, so as to avoid unnecessary interruption of services or incurrence of unnecessary costs.
- [*] 32. In the event the Mayor or City Council fails to perform any duty or take any required action after having been afforded a reasonable opportunity to do so, the City Administrator may perform the duty or function of the Mayor or Council upon approval of the Board.
33. (1) NOTWITHSTANDING ANY PROVISION OF THIS ORDER TO THE CONTRARY, BUT SUBJECT TO ANY LIMITATIONS CONTAINED IN THE CITY'S CHARTER, THE MAYOR IS AUTHORIZED TO APPOINT A CITY ADMINISTRATOR AND THE HEAD OF EACH EXECUTIVE DEPARTMENT OF THE CITY GOVERNMENT (COLLECTIVELY THE "APPOINTED POSITIONS"), ALL OF WHICH APPOINTEES SHALL SERVE AT THE PLEASURE OF THE MAYOR.
- (2) WITHIN 30 CALENDAR DAYS OF A VACANCY OCCURRING IN AN APPOINTED POSITION, THE MAYOR SHALL SUBMIT IN WRITING TO THE BOARD FOR ITS REVIEW AND APPROVAL THE MINIMUM PROFESSIONAL OR OCCUPATIONAL QUALIFICATIONS TO BE UTILIZED BY THE MAYOR TO SELECT A SUITABLE INTERIM OR PERMANENT APPOINTEE FOR THE APPOINTED POSITION AND THE MINIMUM AND MAXIMUM SALARY RANGE FOR THE APPOINTED POSITION. APPROVAL BY THE BOARD OF MINIMUM PROFESSIONAL OR OCCUPATIONAL QUALIFICATIONS AND THE MINIMUM AND MAXIMUM SALARY RANGE SHALL BE CONDITIONS PRECEDENT TO THE EXERCISE OF THE MAYOR'S AUTHORITY TO SELECT AN INTERIM OR PERMANENT APPOINTEE FOR AN APPOINTED POSITION.

This Order may be amended, modified, repealed or terminated by any subsequent Order issued by the Emergency Manager.

Dated:

4/10/15

By:



Gerald Ambrose
Emergency Manager
City of Flint

xc: State of Michigan Department of Treasury
Mayor Dayne Walling
Flint City Council
Inez Brown, City Clerk

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Dr. Karen Weaver
Mayor

CITY OF FLINT, MICHIGAN
Department of Finance

Jody N. Lundquist
Chief Financial Officer

Dawn Steele
Deputy Finance Director

DATE: April 20, 2016

TO: Eric Cline, Department Manager
Michigan Department of Treasury
Local Government Financial Services Division
Fiscal Responsibility Section

FROM: Jody Lundquist, Chief Financial Officer

RE: Budget to Actual Revenue and Expenditure Report

Please find attached the Budget to Actual Revenue and Expenditure Report and Cash and Investment Summary for the period ending March 31, 2016 for your review and submission to the RTAB per Emergency Manager Order 20. Budget Amendments approved by RTAB on March 22 and April 13, 2016 will be reflected in reports for the period ending April 30, 2016.

As a reminder, YTD Balance reflects actual activity recorded as of April 16, 2016 for the period ending March 31, 2016. Available Balance is the difference between total budgeted amounts and actual activity shown in the YTD Balance column. Similarly, % BDGT Used represents the percentage of budget represented by the YTD Balances. Seventy-five percent (75%) of the City's fiscal year is now complete.

In general, the City would strive in its revenue collection efforts such that YTD activity is shown at a higher percentage than the percentage of the year that has passed. Similarly, the City would strive to monitor its cost activity such that the percentage of expenditures YTD are below 75%. Revenues in the City's various funds follow the income source. For instance, property tax revenue is levied July 1 each year and due and payable by September 15. For those funds that rely upon property tax revenue, the majority of income has been posted and appears in the

YTD balances. State revenue sharing payments to the General Fund and Major and Local Streets are posted on a bi-monthly and monthly basis, respectively, and lag based on the period distribution dates of the State. Other income, such as forfeitures, licenses and asset sales, is posted as the underlying event occurs.

A summary of major events by Fund is provided below:

GENERAL FUND – Activity year to date has occurred as anticipated with no major activity to note at this time.

MAJOR AND LOCAL STREETS FUNDS – Local streets received an additional one-time distribution from the State increasing the amount shown in YTD state revenues. A budget amendment reflecting this additional revenue and unallocated expenditures have been approved by Council and RTAB and will be reflected in the amended budget amounts shown on the April 30, 2016 report.

BUILDING INSPECTION FUND – Revenue activity is posted as services are rendered. For example, the City recently received a one-time payment of \$727,905 associated with a large new construction project.

WATER AND SEWER FUNDS – Budget amendments were proposed and approved after the City's first quarter in order to reflect the dramatic impact of the preliminary injunction order issued by Judge Hayman. The budget amendment reduced projected revenues to reflect a decrease in billed revenue and increase in uncollectible accounts. It also recognized the need to eliminate several major capital improvement projects and use of fund balance to stabilize operations for the remainder of the fiscal year. Activity continues as anticipated and is being monitored closely from both a budget and cash flow perspective.

Please let me know if any additional information is necessary or if you have any questions.

CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
FOR THE PERIOD ENDING MARCH 31, 2016

ACCOUNT DESCRIPTION	2014-15	YTD BALANCE 06/30/2015	2015-16	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
	AMENDED BUDGET		AMENDED BUDGET			
Fund 101 - General Fund						
Property Taxes	4,970,000	4,699,113	4,900,000	4,575,026	324,974	93.37
Special assessment taxes	16,656	20,973	17,000	8,383	8,617	49.31
Income taxes	13,131,100	14,314,826	13,766,000	9,853,776	3,912,224	71.58
Interest and dividend income	235,000	266,167	245,000	99,815	145,185	40.74
State revenues	17,834,960	17,861,513	18,168,013	10,025,131	8,142,882	55.18
Charges for service rendered	7,732,415	7,923,206	8,118,942	6,209,821	1,909,121	76.49
Other revenues	517,153	868,582	541,667	206,050	335,617	38.04
Drawings from fund balance	(1,000,000)	-	(1,000,000)	-	(1,000,000)	-
Due From Fund Balance			98,675		98,675	
Fines and forfeitures	1,612,245	1,562,201	1,805,731	643,217	1,162,514	35.62
License and Permits	1,200,300	1,144,949	1,225,000	571,796	653,204	46.68
Proceeds from sale of capital assets	500	500	-	-	-	-
Transfers in	4,577,998	4,577,998	3,777,998	2,833,499	944,499	75.00
Proceeds from loan	7,000,000	7,000,000	-	-	-	-
TOTAL REVENUES	57,828,326	60,240,028	51,664,025	35,026,514	16,637,511	67.80
General government	20,282,596	20,529,072	21,967,042	15,520,785	6,446,257	70.65
Legislative	439,775	415,037	667,602	456,935	210,667	68.44
Judicial	3,964,721	3,929,782	4,031,207	2,100,611	1,930,596	52.11
Police	13,132,962	12,961,412	16,043,558	10,455,720	5,587,838	65.17
Emergency dispatch	2,424,446	2,413,532	202,919	163,030	39,889	80.34
Fire	5,707,529	5,558,910	6,434,419	4,126,651	2,307,768	64.13
Community development	868,763	742,881	854,828	418,122	436,706	48.91
Facilities and Maintenance	1,453,321	1,332,445	1,462,452	859,883	602,569	58.80
Transfers out	99,140	149,206	-	-	-	-
TOTAL EXPENDITURES	48,373,253	48,032,276	51,664,027	34,101,737	17,562,290	66.01
NET OF REVENUES/EXPENDITURES	9,455,073	12,207,752	(2)	924,777	(924,779)	
BEG. FUND BALANCE	(8,961,424)	(8,961,424)	3,246,328	3,246,328		
FUND BALANCE ADJUSTMENTS						
CONTRIBUTION TO FUND BALANCE			1,000,000			
END FUND BALANCE	493,649	3,246,328	4,246,327	4,171,105		
FUND BALANCE AS % OF EXPENDITURES -	1%	7%	8%			
FUND BALANCE AS % OF EXPENDITURES -	15%	15%	15%			
DESIGNATED RESERVE PER POLICY (15%)	7,255,988	7,255,988	7,749,604			
VARIANCE ACTUAL TO POLICY	(6,762,339)	(4,009,660)	(3,503,277)			

**CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
FOR THE PERIOD ENDING MARCH 31, 2016**

ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 202 - Major Street Fund						
State revenues	7,381,806	7,624,369	6,930,520	4,230,774	2,699,746	61.05
Charges for service rendered	23,887	13,461	31,886	78,014	(46,128)	244.67
Other revenues	209,229	290,320	183,974	57,269	126,705	31.13
Drawings from fund balance	1,181,572	-	1,732,925	-	1,732,925	-
Interest and Dividend income	-	29,010	-	-	-	-
Federal revenues	87,680	87,680	-	-	-	-
TOTAL REVENUES	8,884,174	8,044,841	8,879,305	4,366,057	4,513,248	49.17
General government	1,442,892	1,444,565	1,638,378	1,229,762	408,616	75.06
Transportation	6,478,149	4,960,037	6,553,602	3,622,747	2,930,855	55.28
Debt services - interest	8,551	8,550	8,000	8,550	(550)	106.88
Debt services - principal	110,072	110,070	110,622	110,070	552	99.50
Transfers out	-	-	568,703	426,527	142,176	75.00
TOTAL EXPENDITURES	8,039,664	6,523,221	8,879,305	5,397,656	3,481,649	60.79
NET OF REVENUES/EXPENDITURES	844,510	1,521,619	-	(1,031,599)	1,031,599	
BEG. FUND BALANCE	4,926,787	4,926,787	6,448,406	6,448,406		
END FUND BALANCE	4,589,725	6,448,406	4,715,481	5,416,807		
FUND BALANCE AS % OF REVENUES - ACTI	60%	84%	66%			
FUND BALANCE AS % OF REVENUES - POLI	15%	15%	15%			
DESIGNATED RESERVE PER POLICY (15%)	1,155,390	1,155,390	1,071,957			
VARIANCE ACTUAL TO POLICY	3,434,335	5,293,016	3,643,524			

CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
FOR THE PERIOD ENDING MARCH 31, 2016

ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 203 - Local Street Fund						
State revenues	1,941,703	1,942,017	2,016,514	1,850,920	165,594	91.79
Other revenues	618,343	117,135	630,677	379,225	251,452	60.13
Interest and dividend income	-	5,993	-	-	-	-
Transfers in	-	-	568,703	426,527	142,176	75.00
Drawings from fund balance	288,513	-	421,863	-	421,863	-
TOTAL REVENUES	2,848,559	2,065,146	3,637,757	2,656,672	981,085	73.03
Fund 203 - Local Street Fund						
General government	314,770	314,770	402,087	301,566	100,521	75.00
Transportation	2,476,951	1,993,806	3,235,670	1,867,844	1,367,826	57.73
TOTAL EXPENDITURES	2,791,721	2,308,576	3,637,757	2,169,410	1,468,347	59.64
NET OF REVENUES/EXPENDITURES	56,838	(243,430)	-	487,262	(487,262)	
BEG. FUND BALANCE	1,610,712	1,610,712	1,367,282	1,367,282		
END FUND BALANCE	1,379,037	1,367,282	945,419	1,854,544		
FUND BALANCE AS % OF REVENUES - ACTI	54%	53%	29%			
FUND BALANCE AS % OF REVENUES - POLI	15%	15%	15%			
DESIGNATED RESERVE PER POLICY (15%)	384,007	384,007	482,384			
VARIANCE ACTUAL TO POLICY	995,030	983,275	463,035			

CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
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ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 205 - Public Safety						
Property Taxes	3,688,275	3,842,853	3,700,000	3,776,292	(76,292)	102.06
Interest and dividend income	-	30,798	-	-	-	-
Other revenues	-	5,462	-	-	-	-
Drawings from fund balance	4,690,318	-	2,481,948	-	2,481,948	-
TOTAL REVENUES	8,378,593	3,879,113	6,181,948	3,776,292	2,405,656	61.09
Police	2,705,773	2,684,119	1,902,722	1,510,788	391,934	79.40
Fire	3,675,510	3,633,122	4,279,226	3,216,850	1,062,376	75.17
TOTAL EXPENDITURES	6,381,283	6,317,241	6,181,948	4,727,638	1,454,310	76.47
NET OF REVENUES/EXPENDITURES	1,997,310	(2,438,128)	-	(951,346)	951,346	
BEG. FUND BALANCE	8,457,278	8,457,278	6,019,150	6,019,150		
END FUND BALANCE	5,764,270	6,019,150	3,537,202	5,067,803		
FUND BALANCE AS % OF REVENUES - ACTI	156%	163%	96%			
FUND BALANCE AS % OF REVENUES - POLI	10%	10%	10%			
DESIGNATED RESERVE PER POLICY (10%)	368,827	368,827	370,000			
VARIANCE ACTUAL TO POLICY	5,395,442	5,650,322	3,167,202			
Fund 207 - Police Fund						
Property Taxes	1,250,306	1,293,783	1,260,588	1,260,588	-	100.00
Interest and dividend income	-	445	-	-	-	-
Other revenues	93,180	1,740	-	-	-	-
Drawings from fund balance	42,502	-	4,262	-	4,262	-
TOTAL REVENUES	1,385,988	1,295,968	1,264,850	1,260,588	4,262	99.66
Fund 207 - Police Fund						
Police	1,358,912	1,311,361	1,264,850	835,597	864,883	66.06
TOTAL EXPENDITURES	1,358,912	1,311,361	1,264,850	835,597	429,253	66.06
NET OF REVENUES/EXPENDITURES	27,076	(15,392)	-	424,991	(424,991)	
BEG. FUND BALANCE	19,656	19,656	4,264	4,264		
END FUND BALANCE	4,230	4,264	2	429,255		
FUND BALANCE AS % OF REVENUES - ACTI	0%	0%	0%			
FUND BALANCE AS % OF REVENUES - POLI	10%	10%	10%			
DESIGNATED RESERVE PER POLICY (10%)	134,349	134,349	126,059			
VARIANCE ACTUAL TO POLICY	(130,118)	(130,085)	(126,057)			

CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
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ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 208 - Park/Recreation Fund						
Property Taxes	312,546	323,951	315,000	315,054	(54)	100.02
Interest and dividend income	-	718	-	-	-	-
Other revenues	4,930	16,954	4,825	1,130	3,695	23.42
Drawings from fund balance	97,000	-	81,229	-	81,229	-
Transfers in	99,413	99,140	-	-	-	-
TOTAL REVENUES	513,889	440,762	401,054	316,184	84,870	78.84
Fund 208 - Park/Recreation Fund						
Community development	513,889	459,475	401,054	208,263	269,695	51.93
TOTAL EXPENDITURES	513,889	459,475	401,054	208,263	192,791	51.93
NET OF REVENUES/EXPENDITURES	-	(18,712)	-	107,921	(107,921)	
BEG. FUND BALANCE	99,941	99,941	81,229	81,229		
END FUND BALANCE	2,941	81,229	(0)	189,150		
FUND BALANCE AS % OF REVENUES - ACTI	1%	19%	0%			
FUND BALANCE AS % OF REVENUES - POLI	10%	10%	10%			
DESIGNATED RESERVE PER POLICY (10%)	41,689	41,689	31,983			
VARIANCE ACTUAL TO POLICY	(38,748)	39,540	(31,983)			
Fund 219 - Street Light						
Special assessment taxes	2,738,986	2,415,368	2,718,986	2,616,226	102,760	96.22
Interest and dividend income	-	5,272	-	-	-	-
Drawings from fund balance	-	-	105,218	-	-	-
TOTAL REVENUES	2,738,986	2,420,640	2,824,204	2,616,226	207,977	92.64
Fund 219 - Street Light						
General government	91,210	91,210	128,895	96,671	32,224	75.00
Transportation	2,463,195	2,381,159	2,695,308	1,526,716	1,168,592	56.64
TOTAL EXPENDITURES	2,554,405	2,472,369	2,824,203	1,623,387	1,200,816	57.48
NET OF REVENUES/EXPENDITURES	184,581	(51,729)	1	992,839	(992,839)	
BEG. FUND BALANCE	709,204	709,204	657,475	657,475		
END FUND BALANCE	893,785	657,475	552,258	1,650,314		
FUND BALANCE AS % OF REVENUES - ACTI	33%	24%	20%			
FUND BALANCE AS % OF REVENUES - POLI	15%	15%	15%			
DESIGNATED RESERVE PER POLICY (15%)	410,848	410,848	407,848			
VARIANCE ACTUAL TO POLICY	482,937	246,627	144,410			

CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
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ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 226 - Rubbish Collection Fund						
Property Taxes	5,517,813	4,909,128	4,829,002	4,624,305	204,697	95.76
Charges for service rendered	11,093	10,877	-	11,575	(11,575)	-
Other revenues	-	6,958	-	-	-	-
Drawings from fund balance	-	-	1	-	1	-
License and Permits	1,660	1,840	500	1,500	(1,000)	300.00
TOTAL REVENUES	5,530,566	4,928,803	4,829,503	4,637,380	192,123	96.02
General government	173,143	182,710	250,958	188,219	62,739	75.00
Transportation	49,755	52,546	100,000	4,312	95,688	4.31
Public works	4,551,320	4,380,260	4,478,544	3,185,392	1,293,152	71.13
TOTAL EXPENDITURES	4,774,218	4,615,516	4,829,502	3,377,923	1,451,579	69.94
NET OF REVENUES/EXPENDITURES	756,348	313,287	1	1,259,457	(1,259,456)	
BEG. FUND BALANCE	277,049	277,049	590,336	590,336		
END FUND BALANCE	1,033,397	590,336	590,337	1,849,793		
FUND BALANCE AS % OF REVENUES - ACTI	19%	11%	12%			
FUND BALANCE AS % OF REVENUES - POLI	15%	15%	15%			
DESIGNATED RESERVE PER POLICY (15%)	829,585	829,585	724,425			
VARIANCE ACTUAL TO POLICY	203,812	(239,249)	(134,088)			
Fund 265 - Drug Law Enforcement Fund						
Charges for Services Rendered	6,000	4,110	-	-	-	-
Other revenues	16,500	3,818	-	5,305	(3,044)	-
Interest and dividend income	-	5,170	-	-	-	-
Drawings from fund balance	374,063	-	211,947	-	211,947	-
Fines and forfeitures	95,000	46,189	2,500	28,499	(25,999)	1,139.95
TOTAL REVENUES	491,563	59,287	214,447	33,804	180,643	15.76
Police	477,563	298,452	214,447	120,995	182,808	56.42
TOTAL EXPENDITURES	477,563	298,452	214,447	120,995	93,452	56.42
NET OF REVENUES/EXPENDITURES	14,000	(239,165)	-	(87,191)	87,191	
BEG. FUND BALANCE	768,972	768,972	529,807	529,807		
END FUND BALANCE	408,909	529,807	317,860	442,616		
FUND BALANCE AS % OF EXPENDITURES -	86%	178%	148%			
FUND BALANCE AS % OF EXPENDITURES -	100%	100%	100%			
DESIGNATED RESERVE PER POLICY (100%)	477,563	477,563	214,447			
VARIANCE ACTUAL TO POLICY	(68,654)	52,244	103,413			

**CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
FOR THE PERIOD ENDING MARCH 31, 2016**

ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 274 - HUD CDBG, ESG, & HOME GRANTS						
Transfer in from 296 fund	-	250,540	-	-	-	-
Drawings from Fund Balance	-	-	-	-	-	-
Federal revenues	11,834,239	4,148,623	13,139,463	1,785,137	11,354,326	13.59
TOTAL REVENUES	11,834,239	4,399,163	13,139,463	1,785,137	11,354,326	13.59
General government	215,350	165,972	143,906	25,065	118,841	17.42
Fire	14,766	11,847	2,919	-	2,919	-
Community development	812,485	204,349	8,945,506	1,827,387	7,118,119	20.43
Transportation	10,551,674	3,814,619	204,952	-	204,952	-
Facilities and Maintenance	204,964	-	35,000	-	35,000	-
Public works	-	-	30,000	16,467	13,533	54.89
Building inspections	35,000	-	614,045	545,592	68,453	88.85
TOTAL EXPENDITURES	11,834,239	4,196,787	9,976,328	2,414,511	7,561,817	24.20
NET OF REVENUES/EXPENDITURES	-	202,376	3,163,135	(629,374)	3,792,509	
Fund 296 - Other Grants Fund						
Federal revenues	2,227,809	784,366	2,931,727	450,893	2,480,834	15.38
State revenues	4,350,528	1,108,595	3,671,050	2,803,023	868,027	76.35
Other revenues	354	483	-	-	-	-
Local grants	1,082,063	663,225	923,099	793,958	129,141	86.01
Fines and forfeitures	4,214	4,214	-	-	-	-
Drawings from fund balance	-	-	(16,300)	-	(16,300)	-
Interest and dividend income	-	-	-	-	-	-
TOTAL REVENUES	7,664,968	2,560,883	7,509,576	4,047,874	3,461,702	53.90
Fund 296 - Other Grants Fund						
General government	19,662	7,506	12,192	-	12,192	-
Police	3,249,069	2,172,819	2,484,914	787,320	1,697,594	31.68
Community development	1,930,784	456,370	2,419,005	487,498	1,931,507	20.15
Facilities and Maintenance	773,310	165,748	710,972	303,867	407,105	42.74
Transportation	1,642,144	73,603	1,772,341	3,145	1,769,196	0.18
Public works	50,000	49,730	270	-	270	-
Utilities	-	332,919	2,000,000	845,910	1,154,090	42.30
TOTAL EXPENDITURES	7,664,968	3,258,696	9,399,694	2,427,740	6,971,954	25.83
NET OF REVENUES/EXPENDITURES	(0)	(697,813)	(1,890,118)	1,620,134	(3,510,252)	

CITY OF FLINT
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ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 402 - Public Improvement Fund						
Property Taxes	1,703,000	1,609,072	1,703,000	1,575,778	127,222	92.53
Other revenues	380,000	38,358	50,000	-	50,000	-
Interest and dividend income	-	7,613	-	-	-	-
Drawings from fund balance	767,957	-	1,325,694	-	1,325,694	-
TOTAL REVENUES	2,850,957	1,655,042	3,078,694	1,575,778	1,502,916	51.18
Facilities and Maintenance	721,900	688,774	700,000	-	700,000	-
Debt services - principal	1,526,953	1,526,953	600,000	210,000	-	35.00
Debt services - interest	195,000	200,000	552,481	284,923	267,558	51.57
Transfers out	407,104	400,191	726,213	545,215	180,998	75.08
TOTAL EXPENDITURES	2,850,957	2,815,918	2,578,694	1,040,138	1,538,556	161.65
NET OF REVENUES/EXPENDITURES	-	(1,160,875)	500,000	535,640	(35,640)	
BEG. FUND BALANCE	9,335,339	9,335,339	8,174,464	8,174,464		
END FUND BALANCE	9,335,339	8,174,464	8,674,464	8,710,104		
FUND BALANCE AS % OF EXPENDITURES -	N/A	N/A	N/A			
FUND BALANCE AS % OF EXPENDITURES -	N/A	N/A	N/A			
DESIGNATED RESERVE PER POLICY			2,928,267			
VARIANCE ACTUAL TO POLICY			5,746,197			
Fund 542 - Building Inspection Fund						
Charges for service rendered	50,579	45,592	-	38,023	(25,685)	-
Drawings from fund balance	236,763	-	341,717	-	341,717	-
Interest and dividend income	-	9,114	-	-	-	-
Fines and Forfeitures	1,350	1,160	-	1,295	(1,120)	-
License and Permits	2,561,814	2,608,591	1,625,000	2,314,070	860,016	142.40
TOTAL REVENUES	2,850,506	2,664,457	1,966,717	2,353,388	(386,671)	119.66
General government	504,425	504,209	619,180	464,146	361,279	74.96
Building inspections	1,361,108	1,069,570	1,347,536	871,642	890,121	64.68
TOTAL EXPENDITURES	1,865,533	1,573,779	1,966,716	1,335,788	630,928	67.92
NET OF REVENUES/EXPENDITURES	984,973	1,090,678	1	1,017,600	(1,017,599)	
BEG. FUND BALANCE	643,476	643,476	1,734,154	1,734,154		
END FUND BALANCE	1,391,686	1,734,154	1,392,438	2,751,754		
FUND BALANCE AS % OF REVENUES - ACTI	53%	66%	86%			
FUND BALANCE AS % OF REVENUES - POLI	15%	15%	15%			
DESIGNATED RESERVE PER POLICY (15%)	391,859	391,859	243,750			
VARIANCE ACTUAL TO POLICY	999,827	1,342,295	1,148,688			

CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
FOR THE PERIOD ENDING MARCH 31, 2016

ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 590 - Sewer Fund						
Interest and dividend income	-	147,488	-	-	-	-
Charges for service rendered	30,390,407	30,415,546	24,478,420	19,826,868	4,651,552	81.00
Other revenues	83,646	83,646	1,000	450	550	45.00
License and Permits	27,755	28,580	25,000	20,960	4,040	83.84
Drawings from fund balance	5,189,855	-	6,735,246	-	6,735,246	-
Transfers in	800,000	800,000	-	-	-	-
TOTAL REVENUES	36,491,663	31,475,259	31,239,666	19,848,278	11,391,388	63.54
General government	3,765,455	3,744,850	4,786,371	3,589,778	1,196,593	75.00
Debt services - interest	695	90	695	569	126	81.87
Debt services - principal	6,571	6,571	6,016	3,872	2,144	64.36
Transfers out	2,660,000	2,660,000	1,860,000	1,395,000	465,000	75.00
Public works	1,990,000	309,310	789,095	711,699	77,396	90.19
Utilities	22,971,502	19,055,265	23,797,489	14,804,146	8,993,343	62.21
TOTAL EXPENDITURES	31,394,224	25,776,087	31,239,666	20,505,064	10,734,602	65.64
NET OF REVENUES/EXPENDITURES	5,097,439	5,699,173	-	(656,786)	656,786	
BEG. UNRESTRICTED NET POSITION	12,790,945	12,790,945	(14,158,340)	(14,158,340)		
Adjustments		(32,648,458)				
ENDING UNRESTRICTED NET POSITION	12,698,530	(14,158,340)	(20,893,586)	(14,815,126)		
FUND BALANCE AS % OF EXPENDITURES -	40%	-45%	-67%			
FUND BALANCE AS % OF EXPENDITURES -	25%	25%	25%			
DESIGNATED RESERVE PER POLICY (25%)	7,848,556	7,848,556	7,809,917			
VARIANCE ACTUAL TO POLICY	4,849,974	(22,006,896)	(28,703,503)			

**CITY OF FLINT
BUDGET TO ACTUAL REVENUE AND EXPENDITURE REPORT
FOR THE PERIOD ENDING MARCH 31, 2016**

ACCOUNT DESCRIPTION	2014-15 AMENDED BUDGET	YTD BALANCE 06/30/2015	2015-16 AMENDED BUDGET	YTD BALANCE 3/31/2016	AVAILABLE BALANCE	% BDGT USED
Fund 591 - Water Fund						
Charges for service rendered	33,136,041	33,777,659	28,394,978	21,723,114	6,671,864	76.50
Other revenues	-	-	-	12,676	-	-
Interest and dividend income	-	100,232	-	-	-	-
State Revenues	-	-	6,000,000	8,000,000	-	133.33
Local Grant Revenue	-	-	4,000,000	2,000,000	-	50.00
Drawings from fund balance	4,865,245	-	9,287,125	-	-	-
License and Permits	35,000	31,151	-	-	-	-
Fines and forfeitures	-	-	-	970	-	-
Gain on sale of fixed assets	252,337	225,465	100,000	(82,974)	182,974	(82.97)
TOTAL REVENUES	38,288,623	34,134,507	47,782,103	31,653,786	16,128,317	66.25
General government	4,255,508	4,290,107	5,319,386	3,990,430	1,328,956	75.02
Transfers out	1,660,571	5,960,469	3,224,259	977,314	2,246,945	30.31
Public works	2,760,000	341,630	2,690,000	1,557,571	1,132,429	57.90
Utilities	26,810,605	16,143,856	36,548,458	17,258,923	19,289,535	47.22
TOTAL EXPENDITURES	35,486,684	26,736,062	47,782,103	23,784,238	23,997,865	49.78
NET OF REVENUES/EXPENDITURES	2,801,940	7,398,445	-	7,869,548	(7,869,548)	
BEG. UNRESTRICTED NET POSITION	760,745	760,745	(20,358,465)	(20,358,465)		
Adjustments		(28,517,655)				
ENDING UNRESTRICTED NET POSITION	(1,302,560)	(20,358,465)	(29,645,590)	(12,488,917)		
FUND BALANCE AS % OF EXPENDITURES -	-4%	-57%	-62%			
FUND BALANCE AS % OF EXPENDITURES -	25%	25%	25%			
DESIGNATED RESERVE PER POLICY (25%)	8,871,671	8,871,671	11,945,526			
VARIANCE ACTUAL TO POLICY	(10,174,231)	(29,230,136)	(41,591,115)			

**CITY OF FLINT
CASH AND INVESTMENT ACCOUNT SUMMARY
FOR THE PERIOD ENDING MARCH 31, 2016**

Fund Account	Description	Beginning Balance 07/01/2015	Ending Balance 03/31/2016
Fund 101 General Fund			
001.000	Commercial Pooled Cash Account	4,352,506.34	8,084,703.41
001.450	Citizens - P/R Direct Deposit - 906-9766	(46,552.16)	(49,450.04)
004.000	Imprest Cash	9,300.35	9,300.35
004.100	Imprest Cash - Register	5,325.00	5,325.00
	General Fund	4,320,579.53	8,049,878.72
Fund 202 Major Street Fund			
001.000	Commercial Pooled Cash Account	5,904,997.03	5,432,269.80
004.000	Imprest Cash	60.00	60.00
	Major Street Fund	5,905,057.03	5,432,329.80
Fund 203 Local Street Fund			
001.000	Commercial Pooled Cash Account	1,233,852.16	1,854,548.90
Fund 205 Public Safety			
001.000	Commercial Pooled Cash Account	6,270,450.02	4,555,417.16
Fund 207 Police Fund			
001.000	Commercial Pooled Cash Account	78,194.08	259,061.03
Fund 208 Park/Recreation Fund			
001.000	Commercial Pooled Cash Account	148,760.28	146,611.70
Fund 219 Street Light			
001.000	Commercial Pooled Cash Account	1,065,930.44	880,118.17
Fund 226 Rubbish Collection Fund			
001.000	Commercial Pooled Cash Account	1,416,353.73	471,049.97

ATTACHMENT #6

Fund Account	Description	Beginning Balance 07/01/2015	Ending Balance 03/31/2016
Fund 265 Drug Law Enforcement Fund			
001.000	Commercial Pooled Cash Account	1,110,427.81	1,021,574.99
Fund 274 HUD CDBG, ESG, & HOME GRANTS			
001.000	Commercial Pooled Cash Account	(633,882.14)	(1,144,094.24)
001.100	Bank - Urban Renewal - 230006018089	203,294.41	919.40
	HUD CDBG, ESG, & HOME GRANTS	(430,587.73)	(1,143,174.84)
Fund 296 Other Grants Fund			
001.000	Commercial Pooled Cash Account	1,222,011.93	1,100,907.05
Fund 402 Public Improvement Fund			
001.000	Commercial Pooled Cash Account	1,549,446.09	1,595,341.30
Fund 542 Building Inspection Fund			
001.000	Commercial Pooled Cash Account	1,842,679.01	2,753,024.07
004.000	Imprest Cash	50.00	50.00
	Building Inspection Fund	1,842,729.01	2,753,074.07
Fund 590 Sewer Fund			
001.000	Commercial Pooled Cash Account	30,071,313.26	16,471,627.24
003.000	Certificate Of Deposit	0.00	13,143,567.82
	Sewer Fund	30,071,313.26	29,615,195.06
Fund 591 Water Fund			
001.000	Commercial Pooled Cash Account	14,149,248.85	5,670,898.98
001.001	Cash Reserve	5,848,116.20	5,848,116.20
003.000	Certificate Of Deposit	0.00	8,337,358.36
	Water Fund	19,997,365.05	19,856,373.54
	TOTAL - ALL FUNDS	75,801,882.69	76,448,306.62