



AGENDA
Committee on Ways and Means
Wednesday, November 16, 2016 @ 8:15 a.m.
10th Floor Conference Room, City Hall
UPDATED 11/15/2016

Councilmember Judi Brown Clarke, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member

- 1. Call to Order**
- 2. Roll Call**
- 3. Minutes**

- October 19, 2016
- November 1, 2016

4. Public Comment on Agenda Items

5. Discussion/Action:

- A.) Tie Bar Memo Update (City Attorney)
- B.) Discussion - Lansing Housing Commission (Tony Baltimore)
 - a. Financial Statements
 - b. Lansing Housing Commission Recovery Agreement with HUD and the City of Lansing

6. Other

7. Adjourn



DATE Nov 16, 2014

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MINUTES

**Committee on Ways and Means
Wednesday, October 19, 2016 @ 8:15 a.m.
10th Floor Conference Room, City Hall**

CALL TO ORDER

The meeting was called to order at 8:15 a.m.

ROLL CALL

Councilmember Judi Brown Clarke, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Billie O'Berry, Assistant City Attorney- arrived at 8:30 a.m.
Kathy Miles
Jayme King, Lansing Save
Denise Estee
Barb Kimmel, Planning Neighborhood & Development
Amber Paxton, Office of Financial Empowerment
Catrina Urista, Human Resources Community Service
Lynne Meade, UAW

Minutes

Action on the minutes will be taken at the next meeting.

Public Comment on Agenda Items

No Public Comment at this time.

Discussion/Action:

RESOLUTION – Grant Application; 2016-2017 MSHDA Emergency Solutions Grant (ESG) Renewal

Ms. Urista apologized for Dr. Jackson Johnson absence, and spoke on her behalf. HRCS has obtained participation in the grant via MSHDA and has stepped in as the fiduciary help with the continuum of care. HRCS took over last year, and now is the managing factor. This pays for seven (7) shelters or a portion of which are determined by the COC. Currently the Veterans of America is the housing resource that gets the funds providing direct service to participants, and prevents them from losing housing. This grant is awarded annually; at it is an increase the

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previous year at \$364,897.00. The City receives a portion for administrating and will run the HMIS which is the management of the information system.

Council Member Houghton asked what "Agency TBD" was for. Ms. Urista stated that HRCS is partnering with Pathways of DHS. The tri-county is getting over \$100,000 to do outreach, so MSHDA asked them to take a portion of \$14,000 to strengthen the grant, so they will be using it towards direct assistance. The Committee asked if for the \$100,000 they will be using that \$14,000 in a tri-county effort, and also even though it is noted as sup portative services, they are for housing. Ms. Urista confirmed on both.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE GRANT RESOLUTION FOR 2016/2017 MSHDA EMERGENCY SOLUTIONS GRANT (ESG). MOTION CARRIED 3-0.

RESOLUTION – Grant Application; 2015 HUD NOFA Continuum of Care (CoC) Grant Renewal

Ms. Urista noted this grant application was a renewal grant they have received over 20 years, which started as 6-7 grants and is not up to 14. This grant pays for housing, so id deals directly with housing people and services.

MOTION BY COUNIL MEMBER HOUGHTON TO APPROVE THE GRANT FOR 2015 HUD NOFA CONTINUUM OF CARE (COC) GRANT RENEWAL. MOTION CARRIED 3-0.

Council Member Wood pointed to three (3) grants with the LHC and asked Ms. Urista about those due to the recent issues and audit with the LHC. Ms. Urista spoke confidently on her audit of the grants and her goal to protect the City.

RESOLUTION – Grant Acceptance; National League of Cities/MetLife Foundation Grant, Financial Inclusion Systems and City Leadership (FISCL)

Ms. Paxton informed the Committee that the grant application included a mandatory visit to Chicago with the Mayor to be considered for acceptance. The City was one (1) of eight (8) chosen. As a systems building project, *Lansing Safe* is a child savings account program combined with counseling. The financial advisory company Piper and Gold will work with the them for 6 months to help them invest. The grant will cover \$7,000 for AmeriCorp (Brittany Perry), and \$14,000 for the Piper and Gold 6 months assistance. The remaining will go towards parent focus groups. Ms. Paxton did assure the Committee that National League of Cities did pay for the transportation to Chicago. Council Member Wood asked why Council was just being informed of the grant since it was awarded in June. Ms. Paxton and Ms. Bennett acknowledged there were some confusions in their departments and they missed passed Council agendas. Council Member Wood asked Ms. Paxton why they were using Pipe and Gold in this school program when the LSD already has a PR company they could have used. Ms. Paxton acknowledged they were not aware that the LSD has a firm and would inquire and add them to her list for the future.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE GRANT FOR THE NATIONAL LEAGUE OF CITIES/METLIFE FOUNDATION GRANT, FINANCIAL INCLUSION SYSTEMS AND CITY LEADERSHIP (FISCL). MOTION CARRIED 3-0.

Council Member Houghton stepped away from the meeting at 8:41 a.m.

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RESOLUTION – Grant Acceptance; Pre-Disaster Mitigation Competitive;

Council Member Wood asked Ms. Kimmel for the list of blight eliminated homes she mentioned at the last meeting.

Ms. Kimmel stated the City applied for and did receive Emergency Management funding for two (2) FEMA grants to acquire properties in the flood plan.

Council Member Brown Clarke asked about the time frame. Ms. Kimmel acknowledged that there were issues with the Phase 3 budget and they would not accept Phase 4 until Phase 3 was rectified, and an owner of a lot in Phase 3 would not sell until a home in Phase 4 he owned was sold.

Council Member Houghton returned to the meeting at 8:44 a.m.

Council Member Wood asked if a request was needed for the carry forward to complete Phase 3, and Ms. Kimmel stated the time frame ends April 2017. The Committee asked if there are reports that they have to do, how many houses were taken down in Phase 3, and the plans for the vacant land. Ms. Kimmel stated they do submit quarterly reports, there were 19 homes removed with Phase 3 and they acquired 2 more under that phase, and they do have situations where some people want to participate and some don't want to leave. Eventually they hope to get everyone out of the flood plan. Ms. Kimmel stated that currently Public Service is maintaining the areas, and the long term plans would depend on what the community wants. Council Member Wood asked Ms. Kimmel if she knew how many areas had been turned into urban gardens. Ms. Kimmel did not have the exact number but could confirm that not all of them had.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE GRANT FOR THE PRE-DISASTER MITIGATION. MOTION CARRIED 3-0.

Presentation – Financial Empowerment (Amber Paxton)

Ms. Paxton provided the Committee with an update on the Office of Financial Empowerment and the programs they are working on. The Office was started in January, 2013 with one program, and now they have three. Those three programs consist of Lansing Safe, Empowerment Center, and then Bank on. The Center has helped with \$6.1 million non-mortgage debt, with a \$532 savings increase. As of June 30, 2016, they have held 8,788 financial counseling sessions to 3,000 clients. There was one other Financial Empowerment Centers in the Nation and the City was modeled after them, now there are 13 in the country. The FEC currently has two (2) counselors, and is working on getting four (4), they are also looking to partner with LCC. Council Member Wood recommended they reach out to the Michigan Realtors Association. Council Member Brown Clarke stated she would invite Ms. Paxton to a future Committee of the Whole meeting to provide the overview to all of Council.

Ms. King, representing the Lansing Safe program, outlined the child savings account program. This is an automatic enrollment in the Lansing School District starting at Kindergarten. Currently they are in their third year, and take in 1,500 per year, and at the end of school year 2015/2016 they had 946 students. With this current year they are in 13 buildings through the metro Lansing area. At the end of 2015/2016 school year there were 84 students who also contributed privately on their own. MSUFCU is the financial partner, and Cornerstone helps with the program. At the September 2016 back to school fundraiser they raised \$1,665 through 37 new contributions, and with the online they match up to \$500, so the program will received

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up to \$3,000 from this campaign. These funds will be used with the marketing group to see if the matching funds are being used in a good way.

Council Member Brown Clarke asked if they are seeing an interest with participation by the older kids. Ms. King acknowledged they do get asked all the time from the parents on getting their older kids enrolled, and they refer them to the MSUFCU and their saver accounts.

Ms. King continued with her details stating that Lansing Safe also partners with Identify Base Modification and U of M, where they have found that you have three times more of a chance to attend college if you have savings account of at least \$500 earmarked for education. Council Member Brown Clarke asked if they are addressing the potential of parents using their kids credit and helping those adults now who have bad credit because of their parents. Ms. Paxton said they cannot repair, and because they are minors they cannot help the kids until they are 18.

Council Member Wood asked if Bingham and Wainwright were working with the banks. Ms. King said that MSUFCU is the only bank allowed into the schools at this time. The program is also looking at doing 4th grade through 6th grade in school branches. If the students leave the LSD the account stays open, and they can continue to contribute on their own, but there will be no matching funds.

Council Member Houghton asked if they were working with Lansing Promise. Ms. King confirmed they are working together, and they are also in discussions with Capital Network.

Council Member Houghton stepped away at 9:16 a.m.

Ms. Paxton assured the Committee that the program is offering the participant's financial counseling, and if successful those institutions will give them a second chance if they have a history of bounced checks, or overdrafts. After 6 months with a \$5 fee, they will get back in. Since July 2016, the program has helped with the opening of 32 accounts, 159 participants, and held 109 financial counseling sessions. The 109 sessions are not mandated so this means all went willingly. Ms. Paxton did acknowledge a recent a parolee that is working in the program, but they have no access to the personal information, is just in the role of the outreach positions.

Council Member Houghton returned to the meeting at 9:22 p.m.

Presentation - Employee Exit Process for Retirees (HR & Retirement)

Council Member Brown Clarke opened the item by stating the Committee invited the HR Director and the Retiree Representative to provide them with an understanding of what the process it looks like now, what the retirees going thru the exit process see, what are they given, and any other documents. Council Member Wood asked where the HR representative was. Council Staff confirmed both Ms. Riley was invited and Ms. Williams. Ms. Thelen from HR was supposed to be present. Ms. Bennett stated that retirement falls under her Finance Department therefore she would be presenting on the process for the retirees. Ms. Bennett then also confirmed that when an employee begins the process of thinking of retiring they speak to Ms. Williams so she can start the estimate process, then they will meet with her a few times more before they leave. In those meetings they receive paperwork on what the defined benefit is which also outlines and explains the multiplier. Ms. Williams will also go over the paperwork, timeline and the options. When they get to the formal paperwork, Ms. Williams has the estimates in paper form and they take those with them. Ms. Bennett stated that paperwork includes the options on retirement, pension, collection and benefits. The office will also offer references to financial advisors and tax consultants. Included in the paperwork the retirees are given an application, frequently asked questions, information on life insurance, health care,

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open enrollment, Medicare coordination and social security pension. Ms. Bennett assured the Committee that the employees then sign off that they have the documents.

Ms. Bennett did clarify that all the documents also refer the employee to their appropriate bargaining agreement.

Council Member Brown Clarke inquired to the status of the current signed contracts on the website. Ms. Bennett stated they are on the City internal website. Council Member Brown Clarke asked if the retirees can access the contracts once they leave to see if their options, coverage and agencies change. Ms. Bennett stated they are not on the website but the retirees can contact the HR Department for questions and copies. Council Member Wood pointed out that the CBA is not current for some units on the intranet, and asked that it be researched for accuracy and up to date information. Council Member Brown Clarke asked if when the retirees are notified of open enrollment if they also tell them of any contract changes that would affect them since they are tied to the contract of active employees. Ms. Bennett admitted didn't know the language of the letter. She did add it does lay out the options, but she was not aware if it provides any explanation on changes in coverage, cost or carriers. Ms. Bennett stated she would find out those answers.

Ms. Estee admitted she had gone on line to research contracts and there were no current ones there, and she wanted the Committee to know her open enrollment letter is generic.

Council Member Wood asked for a list of all contracts Council has approved, and ones that have been signed.

Council Member Brown Clarke asked Ms. O'Berry to provide a legal opinion on when the contract comes to Council should it be in final form with no typo's or pending issues, and that if anything gets changed after Council ratifies it should it come back to Council. Ms. O'Berry stated her first response would be yes, it would need to be an amendment. Ms. Bennett stated that Council sees a tentative agreement, then the language is worked out. If they delay, they run into issues with retro-active pay. She stated that some of the language is not substantive. Council Member Wood recalled a time when after Council ratified a contract, within 30 days the employees had it. Now it appears to be years.

Council Member Brown Clarke added to Ms. O'Berry list for opinion if once Council approves it can the language be changed because it would change the meaning, therefore her choice would be that Council never see it to vote the language is final. Is it the legal opinion that it can follow that process, or does it need to be done then 30 days later it is final. The legal opinion should be done on what is the process and protocol on the problematic language, and does it need to be highlighted so Council is made aware. The 30 day process should be reviewed and if that 30 days is not met what is the default and liability. The City Attorney opinion should address what it looks like post ratification and the liability.

Council Member Wood again asked for an updated list on the current contracts. She also asked Council Member Brown Clarke to invite the presidents from each union to an upcoming meeting.

Ms. Bennett stated there is a mutual concern with the process and HR and the City Attorney office is working on a process to mitigate this.

Council Member Brown Clarke finalized by stating the ratified copy should be the final version.

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Ms. Estee asked it be noted that she had sent a letter to Ms. Riley in HR and never received a response. She also acknowledged that she had contacted HR two weeks ago about over charging on health insurance, which she did not get a reply either. This information she stated was also sent to the Committee on Ways and Means. Lastly Ms. Estee provided the Committee with documents she was given by Ms. Meade who had to leave this meeting. Ms. Estee stated Ms. Meade had informed her the documents were dropped off anonymously at the Union Hall.

Discussion - Lansing Housing Commission Financial Statements

Lansing Housing Commission Recovery Agreement with HUD and the City of Lansing

Council Staff acknowledged an invitation to Mr. Baltimore and Ms. Baines-Lake. Council staff was asked to contact them again for the next meeting.

ADJOURN

Adjourn at 10:50 a.m.

Submitted by,

Sherrie Boak, Recording Secretary Lansing City Council

Approved by the Committee on_____

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MINUTES

**Committee on Ways and Means
Tuesday, November 1, 2016 @ 8:15 a.m.
10th Floor Conference Room, City Hall**

CALL TO ORDER

The meeting was called to order at 8:15 a.m.

ROLL CALL

Councilmember Judi Brown Clarke, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member-arrived at 8:24 a.m.

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Angie Bennett, Finance Director
Denis Prisk, LPD
Eric Brewer, Council Internal Auditor
Anethia Brewer, District Court Administrator
Danielle Strouse, District Court

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM OCTOBER 5, 2016 AS PRESENTED. MOTION CARRIED 2-0.

Public Comment on Agenda Items

No Public Comment.

Discussion/Action:

RESOLUTION – Grant Appropriation; FY2017 Sobriety Court Grant

Ms. Brewer briefly outlined the program which is in its 16th year, and 1 of 5 amongst the District Courts in the County, and one in a few Michigan. The program takes 3rd offense drunk driving offenses into the program if they meeting the criteria, and go through the provisions and oversight.

Ms. Strouse distributed a brochure on the program and highlighted some aspects of the program. The program consists of phases with phase 1-4 in the first year, and phase 5 in the 2nd year of the two (2) year program. The program has recently expanded to include Felony OWI offenses in program. Ms. Strouse then highlighted the financial aspect of the grant. The

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revenue had not changed from the previous year, still at \$45,997.65. Ms. Strouse then broke down that amount into \$26,100 for temporary help and \$1,996.65 fringe benefits for the person that backs-up the court and probation officer. The amount for Contractual services of \$16,790.00 covers treatment and testing. Everyone starts with extensive outpatient services, there is \$400 for testing, and in Phase 1 there are 16 weeks, and one breathalyzer per day. Phase 1 also includes a weekly drug test. The supply item addresses just \$226 to supplement what the Court already contributes. Lastly the training item of \$885 addresses a Michigan Association of Treatment Core Professionals conference for the judge and probation. Lastly Ms. Strouse outlined the history of the program and the number of participants and graduates. The program started in 2005, since that time there have been 163 cases, 25 are currently active, there are 97 graduates, with the next potential graduation set for December 8th, 2016. Out of the 97 graduates there are 84 successful completions.

Council Member Brown Clarke asked what the second year, Phase 5 consists of. Ms. Strouse stated that requires probation visits once a-month, if they have "Interlock" they still have daily breathalyzer testing. If there is no "Interlock" they have random weekly and monthly testing, and they all meet with a judge every 8 weeks. Council Member Brown Clarke asked if they have leverage over the family environment. Ms. Strouse confirmed they do not, but they do provide them with a health living plan, require them to inform them of people they may be around that might cause them to have a problem with sobriety, and any health issues they ignored with the addiction. After a year they are asked what they have done to change that environment. If their behavior has not changed, then they have to leave the program.

Ms. Brewer informed the Committee of the success rate of 85% amongst the Courts in Ingham County.

Council Member Wood asked if they had statistics on repeat participants of those involved and those moved away. Ms. Strouse acknowledged they do follow up annually with the State data base, and that rate of repeat is 10.34%.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE GRANT APPROPRIATION FOR THE FY2017 SOBRIETY COURT GRANT. MOTION CARRIED 3-0.

RESOLUTION- Grant Appropriation; FY2017 VOCA/CARE Grant

Mr. Prisk outlined the grant which was in its' 21st year. The grant is a service, risk assessment, education program for victims and addresses safety, advocacy needs and visits to residences and hospitals. The program runs under 3 staff and up to 42 volunteers. The fund amount is at \$190,000 with \$155,000 funds received in the grant. There are 35 hours of volunteer sessions per year, and every volunteer has 60 hours of probation. The grant cycle is 10/1/2016 – 9/30-2017 and is now run by the newly hired program director Kathleen Miller. Lastly, Mr. Prisk acknowledged that in the past that was a cash portion for the City %, but this time there is no funds out of pocket on the City side.

Council Member Houghton asked if criminal back ground checks are performed on the volunteers. Mr. Prisk was not aware of those checks, but would confirm and let the Committee know. If they are not being performed Mr. Prisk will also find out why not.

Council Member Brown Clarke asked if there is travel expenses for the volunteers, but Mr. Prisk assured them the travel expense are only paid for the full time employees.

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Council Member Brown Clarke asked if they capture any trend data. Mr. Prisk stated it was not required for the grantor, but they do report general hours, volunteer hours, and informal reporting.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE GRANT APPROPRIATION FOR THE FY 2017 VOCA/CARE GRANT. MOTION CARRIED 3-0.

LEGAL OPINION – UNION CONTRACTS

Mr. Smiertka outlined his understanding of the request to Law that with the process of union contracts vested in the Mayor's office, and designee to negotiate. There is collective bargaining, and an agreement is ratified by Council. In the process, there are temporary agreements that have concepts and the principals that have been agreed upon between the union and the City. Council gets the tentative agreement, and then the tentative agreement ends up being formalized and finalized. Council Member Brown Clarke asked what the time frame on all that should be. Mr. Smiertka stated could not give a specific time, but reiterated that once Council approves the tentative agreement, then sometime after that the City and union will work out the language. At some point the union takes the same thing Council has seen and ratifies it. Ms. Bennett corrected it and stated that upon tentative agreement, the union 1st ratifies, and then the summary goes to Council to ratify. Mr. Smiertka acknowledged that where things fall off is if there is a dispute over the CBA.

Council Member Brown Clarke asked Mr. Smiertka for clarification on the Council role and what the expectations are. Currently Council approves the tentative agreement, which has been ratified by the union, and Council assumes and feels lead to believe that the union thinks it is in final form also.

Ms. Bennett outlined her understanding that after the tentative agreement is adopted by the union, then it goes to Council, then after Council ratifies it, the two parties discuss the final language, and that language effectuates the principals in the agreement. If there were to be some different than the understanding, then it will go back to Council. Council Member Brown Clarke asked Mr. Smiertka why Council would get it if the Union's legal advisors had not seen it yet. Once the Union ratifies it their legal advisors should review it before it goes to Council. Currently there is an assumption that the Union signed off, their legal signed off, and Council was the last stop. Ms. Bennett stated her belief that after Council approval it is just the final language that is being done. Mr. Smiertka answered that Council is looking at it as a contract, however what is happening and he was not able to confirm how long it had been going on, Administration is sending a temporary agreement to Council and Union, and working out the final document out later and that could cause problems. Council Member Brown Clarke added that when Council approves what is in front of them the resolution says "final" however it is tentative with no end date on the "final".

Committee asked Mr. Smiertka why Council is reviewing and approving what appears to be tentative and then never seeing the final, and having no role in negotiation on the final. Mr. Smiertka stated in the past when we was a former employee there was a designated person at the table the whole time from legal. Ms. Bennett stated they are working with HR to re-institute that practice make sure a City attorney is at the table from the beginning. Council Member Brown Clarke stated there should not be a gap if negotiations are still continuing, and the existing CBA should continue until it has been replaced. Ms. Bennett stated that under PA 54 they cannot do retro-active pay increases. Council Member Brown Clarke noted that the Union representatives have to address that.

Council Member Wood recapped her experience in the past with contracts, and the Council got bullet points of the changes, but they had already worked out all the language, and language

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changes were part of the list. Within 30 days after written contract, then it came back to Council for ratification.

Council Member Brown Clarke acknowledged that she did not feel comfortable voting on something in the “perception” it is in the final form.

Council Member Wood asked of the contracts that Council has approved, how many have been signed. Mr. Smiertka admitted he too had asked for that information from HR and had not gotten an answer, and was working on figuring out why some aren’t signed yet.

The Committee had Council Staff pull up the City INTRANET and reviewed the contracts on record that stating the last dates on them. FOP Non-Supervisory expired June 30, 2015; FOP Supervisory expired July 15, 2015; Fire expired June 30, 2016; UAW expired September 30, 2013; Teamsters 214 will expire December 31, 2018; and Teamsters 243 expired January 31, 2016.

Council Member Houghton asked why the most recent ones were not in the program, and Ms. Bennett stated they were still negotiating.

Council Member Brown Clarke stated that Council needs to be better, not better than the worst. The employees should be able to go into their contracts, even if they are retired, and see where the status is, if extended, if ratified or if tentative. Council is aware they do not negotiate however they do need to manage the role they do have.

Mr. Brewer outlined his experience in the State of Tennessee, outlined a time line tracking system that logged begin date and end date, so if no end date with procurement, there was also language to extend contract a contract for final language.

Mr. Smiertka outlined his legal principles that the Mayor handles the negotiations, and then HR directs the document to Council to ratify before it becomes effective. Council can state they want only the final form and want to see a summary. In practicality, with negotiations, the tentative agreement could come to Council and if Council desires, the can approve the final contract.

The Committee agreed that if they accept a tentative agreement that has been ratified they will now need to ask for time line on when Council will see the final. The timeline allotted can be 60 days, and that would be for the final and up on the Intranet.

Council Member Wood asked Ms. Bennett if there were any contracts planned to be addressed before the end of the year, and Ms. Bennett stated there is the potential.

ADJOURN

Adjourn at 9:23 a.m.

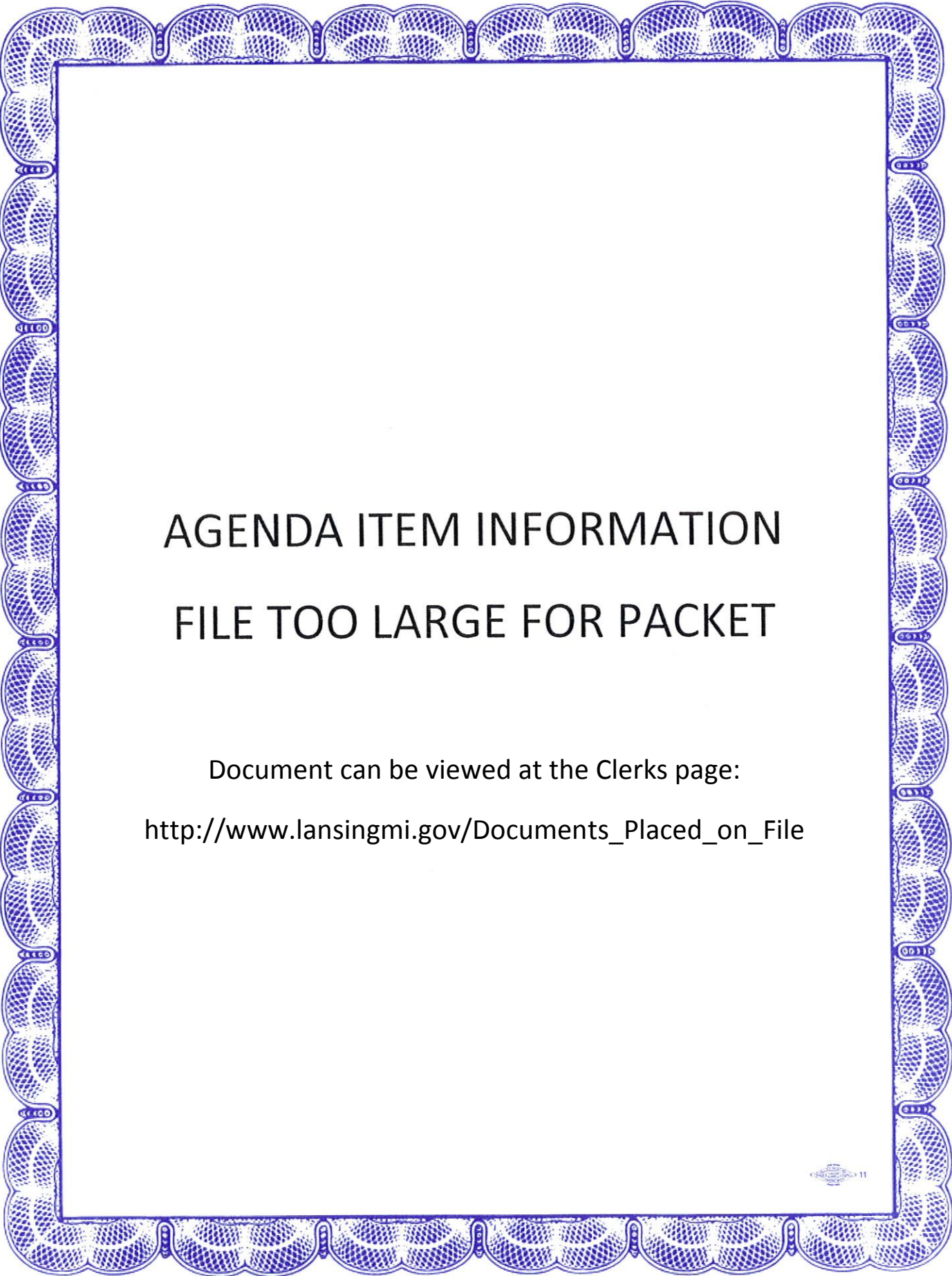
Submitted by,

Sherrie Boak, Recording Secretary Lansing City Council

Approved by the Committee on _____

AGENDA ITEM

INFORMATION
NOT AVAILABLE
AT THE TIME
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AGENDA ITEM INFORMATION

FILE TOO LARGE FOR PACKET

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