

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 27, 2010

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- ❑ CALL TO ORDER:
- ❑ PRAYER:
- ❑ PLEDGE OF ALLEGIANCE:
- ❑ ROLL CALL:
- ❑ HONORS AND AWARDS:
 - A. Retirement of Bob Kuhn.
- ❑ INTRODUCTIONS/PRESENTATION:
- ❑ CONSENT AGENDA:
 - A. Approval of Minutes. CITY CLERK
 - B. SECOND READING: Vacant Building Registration Ordinance Amendments. PLANNING & ECONOMIC DEVELOPMENT
 - C. SECOND READING: Amend Chapter 54, Article IV Offenses Involving Public Peace and Order. PUBLIC SAFETY
 - D. SECOND READING: Amendments to the Zoning Ordinance – On-site Sustainability and Conservation Efforts. PLANNING & ECONOMIC DEVELOPMENT
 - E. SECOND READING: Amendments to the Zoning Ordinance – Sporting Venues. PLANNING & ECONOMIC DEVELOPMENT
 - F. 2010 Water Treatment Chemical Bids. WATER FILTRATION
 - G. Acquisition of Property for a Right Turn Radius – Portion of 1813 S. Getty Street. PLANNING & ECONOMIC DEVELOPMENT
 - H. Machine Vending Contract for Pere Marquette Park. PUBLIC WORKS
 - I. Beverage Vending Contract for Parks/Marina Facilities. PUBLIC WORKS
 - J. Concession Contract for Pere Marquette Park. PUBLIC WORKS
 - K. Maintenance Agreement for Aamodt Park – Jackson Hill Neighborhood Association and City. PLANNING & ECONOMIC DEVELOPMENT
 - L. Deficit Elimination Plan for Home Rehabilitation Fund, Brownfield Redevelopment Authority Fund and Engineering Fund. FINANCE

- M. Reclassification of Maintenance Worker Position.** ENGINEERING
- N. Consideration of Bids for H-1660 White Street and Scott Street from Wood Street to Oak Avenue.** ENGINEERING
- O. City – MDOT Agreement for the Reconstruction of Getty Street from Apple to Marquette.** ENGINEERING
- P. Approval of Contractor for Rehabilitation of House at 134 Isabella.** COMMUNITY & NEIGHBORHOOD SERVICES
- Q. Approval of Contractor for Rehabilitation of House at 468 W. Forest.** COMMUNITY & NEIGHBORHOOD SERVICES
- R. Approval of Contractor for Rehabilitation of House at 1201 Ransom.** COMMUNITY & NEIGHBORHOOD SERVICES
- S. Approval of Contractor for Rehabilitation of House at 627 Apple.** COMMUNITY & NEIGHBORHOOD SERVICES
- T. Approval of Contractor for Rehabilitation of House at 1331 Amity.** COMMUNITY & NEIGHBORHOOD SERVICES
- U. Liquor License Request for Shoreline Inn, 750 Terrace Point.** CITY CLERK
- V. Amendments to the Zoning Ordinance – Assisted Living Facilities.** PLANNING & ECONOMIC DEVELOPMENT

☐ **PUBLIC HEARINGS:**

☐ **COMMUNICATIONS:**

☐ **CITY MANAGER'S REPORT:**

☐ **UNFINISHED BUSINESS:**

- A. Concurrence with the Housing Board of Appeals Notice and Order to Demolish 439 Houston Avenue.** PUBLIC SAFETY

☐ **NEW BUSINESS:**

- A. 2010 Budget Adjustments.** CITY MANAGER

☐ **ANY OTHER BUSINESS:**

☐ **PUBLIC PARTICIPATION:**

- **Reminder: Individuals who would like to address the City Commission shall do the following:**
- Fill out a request to speak form attached to the agenda or located in the back of the room.
- Submit the form to the City Clerk.
- Be recognized by the Chair.
- Step forward to the microphone.
- State name and address.
- Limit of 3 minutes to address the Commission.
- (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

☐ **CLOSED SESSION:**

☐ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE BECKER, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TDD: (231) 724-4172.

Date: April 27, 2010
To: Honorable Mayor and City Commissioners
From: Ann Marie Becker, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes for the April 12th Commission Worksession, and the April 13th Regular Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

City of Muskegon
City Commission Worksession
April 12, 2010
City Commission Chambers
5:30 PM

MINUTES

2010-29

Present: Commissioners Gawron, Carter, Wierengo, Shepherd, Spataro, and Wisneski.

Absent: Commissioner Warmington.

Transmittal of 2009 Comprehensive Annual Financial Report.

Eric VanDop of Brickley Delong presented a review of the 2009 Comprehensive Annual Financial Report.

2010 Budget Adjustments.

Proposed amendments to the 2010 budget were presented to the City Commission. The proposed changes will reduce the budget expenditures and put them more in line with anticipated revenues.

Tim Paul, Finance Director, gave a report stating that first quarter revenues are less than anticipated and some expenses are greater than anticipated.

Bryon Mazade, City Manager, has presented a memo recommending a \$700,000 reduction in expenses. He asked the City Commission's guidance in anticipating future reductions. It is recommended that the reduction in expenses begin by May 1.

This item will be reviewed by the entire body of the City Commission on Tuesday, April 27, 2010.

MMRMA Liability/Property Insurance Renewal.

Since 1986 the City has had liability coverage through MMRMA, an intergovernmental self-insurance pool representing more than 300 Michigan municipalities; in 1999 property coverage was added. Staff is recommending that the city's self-insured retention (SIR) be increased from the current \$100,000 level to \$150,000. The budgetary savings from doing this are approximately \$70,000. Since 1986, the City has had 11 claims with payouts (losses and expenses) over \$100,000. The City maintains a loss reserve at MMRMA to pay self-insured costs and this account presently has a \$500,000 balance.

Motion by Commissioner Carter, seconded by Commissioner Wisneski to adjust the City's liability coverage through MMRMA to increase the City's self-insured retention from the current \$100,000 to \$150,000.

ROLL CALL VOTE:

Ayes: Wierengo, Wisneski, Carter, Gawron, Shepherd, and Spataro.

Nays: None.

MOTION PASSES.

Vacant Building Ordinance.

This is a request to amend the Code of Ordinances Chapter 10, Section 107, Annual Registration of Vacant Buildings and Registration Fees, for the purposes of exempting seasonal residences and vacation homes from the fee requirements and occupancy notification requirements of this ordinance, removing the requirements to notarize the registration forms, clarify the language regarding the billing process and add a requirement that all fees owed the City must be paid in full before a waiver of registration fee can be considered.

This item will be considered by the City Commission at its April 13th City Commission meeting.

Any Other Business.

E-Billing

Tim Paul, Finance Director, indicated that staff may be recommend phasing out e-billing in the near future. The software has not been as successful as anticipated and there have been many glitches.

Community Development Block Grants

Vice Mayor Gawron lauded the CDC for their work and review of all grant applications for 2010.

Adjournment.

Motion by Commissioner Carter, seconded by Commissioner Shepherd to adjourn at 6:30 p.m.

MOTION PASSES

**Ann Marie Becker, MMC
City Clerk**

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 13, 2010

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, April 13, 2010.

Mayor Warmington opened the meeting with a prayer from Pastor Tim Cross from the Living Word Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Vice Mayor Stephen Gawron, Commissioners Sue Wierengo, Steve Wisneski, Chris Carter, and Lawrence Spataro, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

Absent: Mayor Stephen Warmington and Commissioner Clara Shepherd (excused).

2010-30 HONORS AND AWARDS:

A. Certificate of Appreciation – Markeia S. Hardy.

Public Safety Director Tony Kleibecker presented Markeia Hardy a Certificate of Appreciation for rescuing a two-year old boy.

B. Honorary Ambassador – Bob Fountain.

Vice Mayor Gawron presented Bob Fountain with the Honorary Ambassador award for volunteering at the Farmer's Market.

2010-31 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, March 23, 2010.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Vacant Building Registration Ordinance Amendments. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend the Code of Ordinances Chapter 10, Section 107, Annual Registration of Vacant Buildings and Registration Fees, for the purposes of exempting seasonal residences and vacation homes from the fee requirements and occupancy notification requirements of this ordinance, removing the requirement to notarize the registration forms, clarify the language regarding the billing process and add a requirement that all fees owed the City must be paid in full before a waiver of registration fee can be considered.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends amendment of Chapter 10, Section 107, Annual Registration of Vacant Buildings and Registration Fees for the purposes stated.

(REQUIRES SECOND READING)

C. Transmittal of 2009 Comprehensive Annual Financial Report. FINANCE

SUMMARY OF REQUEST: The City's 2009 *Comprehensive Annual Financial Report* (CAFR) has previously been distributed to City Commissioners. At this time the CAFR is being formally transmitted to the Commission in accordance with state law. The 2009 CAFR has been prepared in accordance with GASB accounting standards. The CAFR also includes the single-audit of federal grants received by the City.

FINANCIAL IMPACT: None. The CAFR report summarizes the City's financial activities for 2009 and includes the independent auditor's unqualified opinion on the City's financial statements.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Acceptance of the 2009 CAFR.

D. Contract for Mowing Services. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve a two-year contract with the Sheldon Park Neighborhood Improvement Association for the maintenance of two City-owned lots in the Sheldon Park neighborhood.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize execution of the contract. The responsibility for cleaning and mowing these lots would belong to the Association rather than the City and would extend through 2011. The City's estimated cost of \$1,000 to maintain the lots over this period would then be donated to the Association. The neighborhood has maintained the lots for several years under similar agreements and has done a great job.

F. West Michigan Underwater Preserve – Letter of Support. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To support the efforts of the West Michigan Underwater Preserve group to include the area extending from North of Holland, along the shores of Muskegon, to the lighthouse at Big Point Sable at Ludington State Park (where there are 13 known shipwrecks and other historic features), into the Michigan Underwater Preserve Council System. It is anticipated that this will not only preserve an important part of our nautical history, but it will also increase tourism to the area.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To support the West Michigan Underwater Preserve groups efforts to be included in the Michigan Underwater Preserve Council System and to authorize the Mayor to sign the letter of support.

G. Maintenance Agreement – Monet Garden. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The Lakeshore Garden Masters, a Garden Club, would like to continue maintaining the Monet Garden. The Garden Masters will provide the maintenance and planting of the Garden and the City will provide the water and electricity to the premises. Capital expenses (e.g., repair of the pond) will be administered by the City, with funds coming from the Monet Garden of Muskegon Fund of the Community Foundation for Muskegon County.

FINANCIAL IMPACT: Water and electrical costs for the Garden.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the “Maintenance Agreement” and authorize the Mayor and Clerk’s signature.

H. Amendments to the Zoning Ordinance – On-site Sustainability and Conservation Efforts. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend Section 2334 #5, Exempt Signs, to allow signage related to on-site sustainability and conservation efforts.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request to amend Section 2334 #5, Exempt Signs, to allow signage related to on-site sustainability and conservation efforts.

(REQUIRES SECOND READING)

I. Amendments to the Zoning Ordinance – Sporting Venues. PLANNING &

ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend Section 2334 #5, Exempt Signs, to allow sporting venues to display signage to those in attendance.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request to amend Section 2334 #5, Exempt Signs, to allow sporting venues to display signage to those in attendance.

(REQUIRES SECOND READING)

J. Submit for Grant Applications. ENGINEERING

SUMMARY OF REQUEST: Authorize staff to submit two TEDF-F grant applications and one Safety to MDOT for 2012 funding years to reconstruct Sherman between Lincoln & Estes: Hackley from Glade to Park and Latimer between Port City & Black Creek. The request will require a 20% local match which would be budgeted for in 2011 for the 2012 budget.

FINANCIAL IMPACT: Local share estimated at \$300,000 for all three projects plus engineering costs.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Authorize staff to submit the applications.

K. Designate Street Administrator. PUBLIC WORKS

SUMMARY OF REQUEST: Designate Mohammed Al-Shatel as the City's street administrator by adopting the resolution.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve the resolution and authorize the Clerk to sign.

L. Consideration of Bids for S-647 Fisherman's Village Lift Station Rehabilitation. ENGINEERING

SUMMARY OF REQUEST: Award the Fisherman's Village Lift Station Rehabilitation project to Jackson Merkey out of Muskegon, MI since they were the lowest responsible bidder with a total bid price of \$89,740.

FINANCIAL IMPACT: The construction cost of \$89,740.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Award the contract to Jackson Merkey.

M. Beach Leveling Bids. PUBLIC WORKS

SUMMARY OF REQUEST: Reject all bids for the sand leveling at Pere Marquette Park.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Reject all bids.

Motion by Commissioner Spataro, second by Commissioner Carter to approve the Consent Agenda absent item E.

ROLL VOTE: Ayes: Wisneski, Carter, Gawron, Spataro, and Wierengo

Nays: None

MOTION PASSES

2010-32 ITEM REMOVED FROM THE CONSENT AGENDA:

E. Amend Chapter 54, Article IV Offenses Involving Public Peace and Order. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety is requesting that the City Commission amend Chapter 54, Article IV Offenses Involving Public Peace and Order, of the Code of Ordinances of the City of Muskegon. This is being requested in order to update language in this ordinance.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the request.

Motion by Commissioner Wisneski, second by Commissioner Spataro to approve the amendment to Chapter 54, Article IV Offenses Involving Public Peace and Order.

ROLL VOTE: Ayes: Carter, Gawron, Spataro, Wierengo, and Wisneski

Nays: None

MOTION PASSES (REQUIRES SECOND READING)

2010-33 PUBLIC HEARING:

A. Approval of the 2010-2011 Action Plan. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the 2010-2011 Action Plan for the City of Muskegon Community Development Block Grant/HOME Partnership Program activity. If the Action Plan is approved, the Community and Neighborhood Services office will continue the comment period of the Action Plan as amended, if needed, until April 17, 2010.

On or after April 17, 2010, the Community and Neighborhood Services office will

deliver the Action Plan to the United States Department of Housing and Urban Development as required in order to request the Release of Funds for the 2010-2011 fiscal year. The final allocation amounts approved by the Action Plan will be amended to the document.

FINANCIAL IMPACT: Action Plan establishes the 2010-2011 Community Development Block Grant and HOME budgets.

BUDGET ACTION REQUIRED: None at this time, budget established by Action Plan.

STAFF RECOMMENDATION: To approve the Action Plan as is or as to be amended by the Commission's final decision.

The Public Hearing opened to hear and consider any comments from the public. Comments were heard from Dan Bonner, 1652 Nelson, Legal Aide; Tim Burgess, 6336 S. Walker, Fruitport, Neighborhood Investment Corp.; Charlotte Johnson, 219 Catherine, McLaughlin Neighborhood; Randy VanderWhite, 1132 Peck, Bethany Church; and Ed Garner, 37 E. Grand, President of Muskegon Area First.

Motion by Commissioner Spataro, second by Commissioner Carter to close the Public Hearing and adopt the recommendations from the Citizen's District Council in regards to the Community Development Block Grant funds and City Administration recommendations in regards to the HOME funds and approve the Action Plan.

ROLL VOTE: Ayes: Gawron, Spataro, Wierengo, Wisneski, and Carter

Nays: None

MOTION PASSES

2010-34 NEW BUSINESS:

A. Consumers Energy Rate Case – Municipal Coalition Participation.
PUBLIC WORKS/WATER FILTRATION

SUMMARY OF REQUEST: To authorize participation in the Consumers Energy Rate Case Municipal Coalition coordinated by the Michigan Municipal League.

FINANCIAL IMPACT: \$2,500 contribution.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends the Mayor and City Commission authorize staff to make the monetary contribution of \$2,500 to the municipal coalition for legal fees to address the electric rate increases proposed by Consumers Energy to the Public Service Commission.

Motion by Commissioner Carter, second by Commissioner Wierengo to approve the Consumers Energy Rate Case – Municipal Coalition Participation for \$2,500.

ROLL VOTE: Ayes: Spataro, Wierengo, Wisneski, Carter, and Gawron

Nays: None

MOTION PASSES

**B. Resolution Approving MDOT Grant Application. PLANNING &
ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: To approve the request to submit the grant application to the Michigan Department of Transportation for the Lakeside Business District enhancements. Improvements include traffic calming measures, beautification and signage. Commission approved the grant in 2008 and it was submitted to MDOT. However, staff did not hear back from MDOT in over a year and it was discovered that the application had been misplaced at MDOT. Staff has continued to work with MDOT on the application, and it was recommended that some of the items should be taken off since they would not be funded. The initial total project costs were \$179,564; but after revisions to the project, the new total project cost would be \$37,300.

FINANCIAL IMPACT: Improvements to the area could result in a more vibrant commercial district.

BUDGET ACTION REQUIRED: The grant requires a 20% match. The total project cost is estimated to be \$37,300, resulting in a \$7,460 match from the City, plus an estimated \$10,000 in engineering costs.

STAFF RECOMMENDATION: To approve the request and sign the resolution.

Motion by Commissioner Carter, second by Commissioner Wierengo to approve the grant resolution for the MDOT grant application contingent upon getting funds from outside sources for the grant match.

ROLL VOTE: Ayes: Spataro, Wierengo, Wisneski, Carter, and Gawron

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Various comments were heard.

ADJOURNMENT: The City Commission Meeting adjourned at 6:12 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk

Commission Meeting Date: April 13, 2010

Date: March 17, 2010
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Vacant Building Registration Ordinance Amendments

SUMMARY OF REQUEST:

Request to amend the Code of Ordinances Chapter 10, Section 107, Annual Registration of Vacant Buildings and Registration Fees, for the purposes of exempting seasonal residences and vacation homes from the fee requirements and occupancy notification requirements of this ordinance, removing the requirement to notarize the registration forms, clarify the language regarding the billing process and add a requirement that all fees owed the city must be paid in full before a waiver of registration fee can be considered.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends amendment of Chapter 10, Section 107, Annual Registration of Vacant Buildings and Registration Fees, for the purposes stated.

COMMITTEE RECOMMENDATION:

None

Memo

To: Honorable Mayor and City Commission

From: Mike Cameron, Code Coordinator

CC: Bryon Mazade, City Manager

Date: March 17, 2010

Re: Vacant Building Registration revisions

Attached you will find a number of suggested language changes to our Vacant Building Registration ordinance that will clarify portions of the ordinance and make compliance with our ordinance easier for property owners. The main scope of these proposed changes by staff is to exempt two new classifications of structures from our fee requirements, not require these two new classifications to notify us during periods of occupancy and drop the requirement to notarize registration forms prior to submittal. I have attached a copy of the ordinance with the proposed language changes.

The first suggested changes are to add a new Subsection (b) (1) (F) "Seasonal Residence" and add a new Subsection (b) (G) "Vacation Home". The purpose of the seasonal residence language proposed is to exempt from fee, residents that go to other states to temporarily reside. This type of resident is sometimes referred to as a snowbird. The addition of "Vacation Home" is for the purpose of exempting valid vacation homes in our community from the fee requirements of the ordinance. Both of these two additional types of occupancies would still be required to register as vacant so that we can better monitor these homes for some of the issues that they share with other vacant properties, but in these cases, by their very nature, the owner fully intends to return to the homes and occupy them. By requiring registration this would enable us to continue sharing information regarding these locations with other city departments such as Public Safety or DPW, so it could be used in case of an emergency, or a need to officially notify someone in control of the property as quickly as possible.

Staff is also proposing to drop the requirement in Section 2 "Applicability", which requires that the Vacant Building Registration form must be notarized. This has proven to be a hardship for many of our registrants and staff feels it is not necessary to the proper administration of the program. Also in this section and Section 3, staff would like to add the word "annually" to clarify that the fee is billed every year.

Also in Section 3 "Registration statement and fees; local agent." Staff is proposing that a seasonal residence or vacation home must provide alternate contact information of someone

located in this state. This person could be a relative, family friend or neighbor that the city could contact if there were an issue with the property. This is already a requirement for all out of state property owners but we wanted to clarify it to apply to these two new classifications. This is partially because these new classifications of owners may be unreachable due to travel, business or vacations. Additionally, by nature of the uses of these homes and the personal items left in the homes, they could be more susceptible to illegal activities, such as break-ins, than a completely empty building void of all possessions.

Staff is proposing changes to Section 5 “One time waiver of registration fee.” The proposed changes are so that a waiver could not be granted to a property owner that is not current with their other financial obligations to the city. We have had a number of waiver requests by property owners that owed taxes or other fees and staff had to grant the waivers under our existing language.

In Section 7 (c) “Duty to amend registration statement.” As mentioned earlier, staff is proposing that the two new classifications of structures would not be liable for fees imposed under this ordinance but would be required to register. Those proposed changes are codified in this section.

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. _____

An Ordinance amending Chapter 10, Section 107 of the Code of Ordinances concerning annual registration of vacant buildings and registration fees.

THE CITY OF MUSKEGON HEREBY ORDAINS:

Chapter 10, Section 107 of the Code of Ordinances shall be adopted to read as follows:

SECTION 10-107. ANNUAL REGISTRATION OF VACANT BUILDINGS AND REGISTRATION FEES

10-107. Annual registration of vacant buildings and registration fees.

(a) *Purpose.* The purpose of this section requiring the registration of all vacant buildings, including dwellings that are subject to chapter 10 as referenced below, and the payment of registration fees is to assist the city government, particularly the Department of Public Safety (DPS) and Planning Departments in protecting the public health, safety and welfare, to monitor the number of vacant buildings in the city, to assess the effects of the condition of those buildings on nearby businesses and the neighborhoods in which they are located, particularly in light of fire safety hazards and unlawful, temporary occupancy by transients, including illicit drug users and traffickers, and to require of the owners of such vacant buildings their registration and the payment of related fees, and to promote substantial efforts to rehabilitate such vacant buildings. The provisions of this section are applicable to the owners of such vacant buildings as set forth herein and are in addition to and not in lieu of any and all other applicable provisions of this chapter, the health and sanitation code, and any other applicable provisions of the Muskegon City Code.

(b) *Definitions and applicability; registration statement and fees.*

(1) *Definitions.* For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them as follows:

(A) *Boarded:* A building or structure subject to the provisions of this section shall be deemed to be "boarded" if in place of one or more exterior doors, other than a storm door, or of one or more windows, there is a sheet or sheets of plywood or similar material covering the space for such door or window.

(B) *Exterior maintenance and major systems:* The phrase "exterior maintenance and major systems" shall mean the safe and lawful maintenance of the facade, windows, doors, roof, and other parts of the exterior of the building and the maintenance of its major systems consisting of the roof, the electrical and plumbing systems, the water supply system, the sewer system, and the sidewalk, drive-way, if any, area of the lot, as applicable and as enforced by the DPS, particularly in connection with subsections 10-82 (inspection of unoccupied building) and 10-101 (abatement of dangerous buildings) of this section of this code.

(C) *Occupied:* Any building or structure shall be deemed to be occupied if one or more persons actually conducts a lawful business or resides in all or any part of the building as the licensed business-occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, nontransient basis, or any combination of the same. For purposes of this section, evidence offered to prove that a building is so occupied may include, but shall not be limited to, the regular receipt of delivery of regular mail through the U.S. Postal Service; proof of continual telephone, electric, gas, heating, water and sewer services; a valid city business license, or the most recent, federal, state, or city income tax statements indicating that the subject property is the official business or residence address of the person or business claiming occupancy; or proof of pre-rental inspection.

(D) *Open:* A building or structure subject to the provisions of this section shall be deemed to be "open" if any one or more exterior doors other than a storm door is broken, open and, or closed but, without a properly functioning lock to secure it, or if one or more windows is broken or not capable of being locked and secured from intrusion, or any combination of the same.

(E) *Owner:* An owner of the freehold of the premises or any lesser estate therein, a mortgagee, a vendee-in-possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation that is directly or indirectly in control of a building subject to the provisions of this section, and as set forth below.

(F) *Seasonal Residence:* A legal residential structure that has been used as a residence by the owner for a period of at least three consecutive months within the previous nine months and the same owner intends to resume residing at the property. A non-owner occupied home does not qualify as a Seasonal Residence.

(G) *Vacation Home:* A secondary legal residential dwelling used by the owner or one or more immediate member of the owner's family, such as a son or daughter, for a period less than three consecutive months

out of the previous nine months but still has verifiable occupancy periods spread throughout the year. If the home is rented or leased it does not qualify as a Vacation Home.

(H) *Vacant*: A building or structure shall be deemed to be vacant if no person or persons actually, currently conducts a lawfully licensed business, or lawfully resides or lives in any part of the building as the legal or equitable owner(s) or tenant-occupant(s), or owner-occupants, or tenant(s) on a permanent, nontransient basis, unless the structure is legally being used for storage purposes. Such storage use must be a legally allowed principal use of the zoning district where the structure is located and the use must be in compliance with all appropriate provisions of city ordinances, building and fire codes pertaining to the storage use.

(2) *Applicability*. The requirements of this section shall be applicable to each owner of any building that is not a dwelling that shall have been vacant for more than 90 consecutive days and to each owner of residential property consisting of one or more vacant dwellings that shall have been vacant for more than 90 consecutive days. Each such owner shall cause to be filed a registration statement, which shall include the street address and parcel number of each such vacant building, the names and addresses of all owners, as hereinafter described, and any other information deemed necessary by the city. The registration fee(s) as required by subsection (b)(3) of this section shall be billed annually by the city and shall be paid within 30 days of the invoice date. For purposes of this section, the following shall also be applicable:

Deleted: notarized

(A) If the owner is a corporation or a limited liability corporation, the registration statement shall provide the names and residence addresses of all officers, directors and/or members and shall be accompanied by a copy of the most recent annual tax report filed with the State of Michigan;

(B) If an estate, the name and business address of the executor of the estate;

(C) If a trust, the name and address of all trustees, grantors, and beneficiaries;

(D) If a partnership, the names and residence addresses of all partners with an interest of ten percent or greater;

(E) If any other form of unincorporated association, the names and residence addresses of all principals with an interest of ten percent or greater;

(F) If an individual person, the name and residence address of that individual person.

(3) *Registration statement and fees; local agent.* If none of the persons listed, as above, is shown at an address within the state or the home is a qualified vacation home or seasonal residence, the registration statement also shall provide the name and address of a person who resides within the state and who is authorized to accept service of process on behalf of the owners and who shall be designated as a responsible, local party or agent, both for purposes of notification in the event of an emergency affecting the public health, safety or welfare and for purposes of service of any and all notices or registration statements as herein authorized and in connection herewith. Registration shall be required for all vacant buildings, whether vacant and secure, vacant and open or vacant and boarded, and shall be required whenever any building has remained vacant for 90 consecutive days or more. In no instance shall the registration of a vacant building and the payment of registration fees be construed to exonerate the owner, agent or responsible party from responsibility for compliance with any other building code or housing code requirement. The owner of the vacant property, at the time of billing, shall be responsible for the payment of the non-refundable registration fee. Said fee shall be billed annually by the city and based on the duration of the vacancy as determined by the master fee resolution.

(4) *Appeal rights.* The owner shall have the right to appeal the imposition of the registration fees to a committee appointed by the city manager, upon filing an application in writing with the applicable \$50.00 non-refundable filing fee to the city manager's office no later than 30 calendar days after the date of the billing statement. On appeal, the owner shall bear the burden of providing satisfactory objective proof of occupancy.

(5) *One time waiver of registration fee.* A one-time waiver of the registration fee may be granted by the committee appointed by the city manager upon application of the owner, if all taxes & fees, such as, but not limited to, property taxes, mowing charges, past vacant building registration fees, landlord registrations, business registrations, utilities and any other applicable charges have been paid prior to application for the waiver. If the owner:

(i.) Demonstrate with satisfactory proof that he/she is in the process of demolition, rehabilitation, or other substantial repair of the vacant building; and

(ii.) Objectively demonstrates the anticipated length of time for the demolition, rehabilitation, or other substantial repair of the vacant building; or

(iii.) Provides satisfactory proof that he/she was actively attempting to sell or lease the property during the vacancy period.

(6) *Two-year waiver.*

(i) Upon application by the owner and satisfaction of subsection (b)(5) above, the committee appointed by the city manager may grant a two-year waiver of the registration fee if the owner meets the criteria for non-profit organizations as defined by section 501(c)(3) of the Internal Revenue Code or

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(ii) Upon application by the homeowner(s) who are temporarily residing in a medical care facility, or a legal representative of the homeowner(s), the committee may grant a renewable two-year waiver of the registration fee. To be eligible for a two-year waiver of fee, satisfactory proof that the structure will only be temporarily vacant and the property and structures must remain in good repair and free of any enforcement actions by city departments. Should the structure or property not be properly maintained, or be in violation of city code, the waiver may be revoked by the appeal committee.

(7) *Delinquent registration fees as a lien.* After the owner is given notice of the amount of the registration fee due, except for those owners that have properly perfected an appeal pursuant to subsection (b)(4) above, and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the city, and the city may commence a civil action to collect such the unpaid debt.

(c) *Duty to amend registration statement.* If the status of the registration information changes during the course of any calendar year, it is the responsibility of the owner, responsible party or agent for the same to contact the planning department within 30 days of the occurrence of such change and advise the department in writing of those changes. Except that valid seasonal residence or vacation home, as defined by the ordinance, are not required to notify the city of changes in occupancy status.

(d) *Exceptions.* The fees imposed by this section shall not apply to any legitimate vacation or seasonal residence, as defined by this ordinance, or any building owned by the United States, the state, the city, nor to any of their respective agencies or political subdivisions but registration of all structures outlined in this section is still required.

(e) *Violations; penalties.* The failure or refusal for any reason of any owner, or agent of an owner acting on behalf of the owner, to register a vacant building or to pay any fees required to be paid pursuant to the provisions of this section, within 30 days after they become due, shall constitute a violation punishable upon conviction thereof by a fine in the amount of not less than \$100.00 nor more than \$500.00 for each failure or refusal to register, or for each failure or refusal to pay a required vacant building fee, as

applicable. In such cases, whenever the minimum fine of \$100.00 is imposed, it shall not be subject to suspension or reduction for any reason.

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By _____

Ann Marie Becker
Clerk, City of Muskegon

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on April 13, 2010 the City Commission of the City of Muskegon adopted to amend the Code Of Ordinances Chapter 10, Section 107, Annual Registration Of Vacant Buildings And Registration Fees.

New sub-sections (b)(F) Seasonal Residence and sub-section (b)(G) Vacation Home are added; current sub-section (b)(F) Vacant is renamed to become new sub-section (b)(H) Vacant; amended sub-sections include (b)(2) Applicability, (b)(3) Registration statement and fees; local agent, sub-section (b)(5) One time waiver of registration fee, sub-section (c) Duty to amend registration statement, and subsection (d) Exceptions.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2010.

CITY OF MUSKEGON

By

Ann Marie Becker, MMC
City Clerk

City Commission Meeting
Tuesday April 13, 2010

TO: Honorable Mayor and City Commissioners

FROM: Anthony L. Kleibecker, Director of Public Safety

DATE: March 31, 2010

SUBJECT: Amend Chapter 54, Article IV Offenses Involving Public Peace and Order

Summary of Request:

The Director of Public Safety is requesting that the City Commission amend Chapter 54, Article IV Offenses Involving Public Peace and Order, of the Code of Ordinances of the City of Muskegon. This request is being in order to update language in this ordinance.

Financial Impact:

None

Budget Action Required:

None

Staff Recommendation:

Approval of the request.

**City of Muskegon
Muskegon County, Michigan
Ordinance Amendment No. _____**

THE CITY OF MUSKEGON HEREBY ORDAINS:

Chapter 54, Article IV Offenses Involving Public Peace and Order, of the Code of Ordinances of the City of Muskegon is amended as follows:

Sec. 54-94. Jostling; roughly crowding.

A person who is found jostling or roughly crowding people unnecessarily in a public place shall be guilty of a misdemeanor.

Jostling is defined as roughly pushing, shoving or jabbing another person.

Sec. 54-95. Fighting.

A person who engages in quarreling or fighting in a public place shall be guilty of a misdemeanor.

Quarreling is defined as verbally disputing in a heated or angry manner, or arguing or bickering in a contentious manner.

Fighting is defined as engaging in a physical altercation or struggle; physically opposing somebody in battle; struggling in hand to hand combat; coming to exchange blows; or otherwise scuffling or skirmishing physically with somebody.

Sec. 54-100. Obscene Conduct.

A person who engages in obscene conduct in a public place shall be guilty of a misdemeanor.

Obscene conduct is defined as conduct that is offensive to modesty or decency or is otherwise lewd or repulsive as judged by contemporary community standards.

The following section has been added:

Sec. 54-101. Disorderly Conduct.

A person who engages in disorderly conduct shall be guilty of a misdemeanor

A person commits disorderly conduct if he disturbs the peace or quiet of a neighborhood, family or person by:

1. Engaging in fighting, violent or seriously disruptive behavior; or
2. Making unreasonable noise; or
3. Using abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person; or
4. Making protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession; or
5. Refusing to obey a lawful order to disperse issued to maintain public safety in dangerous proximity to a fire, a hazard or any other emergency.

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By _____

Ann Marie Becker, MMC

City Clerk

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL PERSONS INTERESTED

Please take notice that on _____, 2010, the City Commission of the City of Muskegon adopted an amendment to Chapter 54, Article IV Offenses Involving Public Peace and Order, of the Code of Ordinances of the City of Muskegon.

Section 54-94, "Jostling; roughly crowding," was amended to define jostling as "roughly pushing, shoving or jabbing another person."

Section 54-95, Fighting, was amended to define "quarreling" as "verbally disputing in a heated or angry manner, or arguing or bickering in a contentious manner." In addition, "fighting" is defined as "engaging in a physical altercation or struggle; physically opposing somebody in battle; struggling in hand to hand combat; coming to exchange blows; or otherwise scuffling or skirmishing physically with somebody."

Section 54-100, Obscene Conduct, was amended to define "obscene conduct" as "conduct that is offensive to modesty or decency or is otherwise lewd or repulsive as judged by contemporary community standards."

The following section has been added:

Sec. 54-101. Disorderly Conduct.

A person who engages in disorderly conduct shall be guilty of a misdemeanor

A person commits disorderly conduct if he disturbs the peace or quiet of a neighborhood, family or person by:

1. Engaging in fighting, violent or seriously disruptive behavior; or
2. Making unreasonable noise; or
3. Using abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person; or
4. Making protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession; or
5. Refusing to obey a lawful order to disperse issued to maintain public safety in dangerous proximity to a fire, a hazard or any other emergency.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten (10) days from the date of this publication.

CITY OF MUSKEGON

Published: _____, 2010

By _____
Ann Marie Becker, MMC, Its Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the _____ day of _____, 2010, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2010

Ann Marie Becker, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Commission Meeting Date: April 13, 2010

Date: April 6, 2010
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Amendments to the Zoning Ordinance

SUMMARY OF REQUEST:

Request to amend Section 2334 #5, Exempt Signs, to allow signage related to on-site sustainability and conservation efforts.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the request to amend Section 2334 #5, Exempt Signs, to allow signage related to on-site sustainability and conservation efforts.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request at their 3/11 meeting.

Staff Report (EXCERPT)
CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

March 11, 2010

Hearing, Case No. 2010-07: Staff initiated request to amend Section 2334 #5, Exempt Signs, to allow signage related to on-site sustainability and conservation efforts.

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**:

Amendment to Section 2334 #5, Exempt Signs

Add #5.q

5.q Signs describing on-site sustainability efforts, no larger than four square feet in size.

DELIBERATION

I move that the amendment to Section 2334 #5, of the City of Muskegon Zoning Ordinance to add section 5.q, be recommended to the City Commission for (approval/denial).

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Section 2334 #5, Exempt Signs, to allow signage related to on-site sustainability and conservation efforts.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**:

Amendment to Section 2334 #5, Exempt Signs

Add #5.q

5.q Signs describing on-site sustainability efforts, no larger than four square feet in size.

This ordinance adopted:

Ayes: _____

Nayes: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Marie Becker, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 13th day of April, 2010, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2008, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2010.

Ann Marie Becker, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on April 13, 2010, the City Commission of the City of Muskegon adopted an ordinance to amend Section 2334 #5, Exempt Signs, to allow signage related to on-site sustainability and conservation efforts. Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2010.

CITY OF MUSKEGON

By _____
Ann Marie Becker, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354

Commission Meeting Date: April 13, 2010

Date: April 6, 2010
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Amendments to the Zoning Ordinance

SUMMARY OF REQUEST:

Request to amend Section 2334 #5, Exempt Signs, to allow sporting venues to display signage to those in attendance.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the request to amend Section 2334 #5, Exempt Signs, to allow sporting venues to display signage to those in attendance.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request at their 3/11 meeting.

Staff Report (EXCERPT)
CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

March 11, 2010

Hearing, Case No. 2010-06: Staff initiated request to amend Section 2334 #5, Exempt Signs, to allow sporting venues to display signage to those in attendance.

NEW LANGUAGE

Deletions are crossed-out and additions are in **bold**:

Amendment to Section 2334 #5, Exempt Signs

Add #5.p

5.p Signs located in a legally operating sports venue, either publicly or privately owned, shall be considered exempt signage, as long as the sign is erected for the sole purpose of its message being read only by the spectators attending the sporting event in the stadium, racetrack, or other type of sporting venue. All signs of sufficient height or size serving a dual purpose of being seen by the spectators of the event and displaying to those not attending the sporting event, will not be considered exempt signage. This type of signage may be used in addition to any other permitted signage allowed under this ordinance.

DELIBERATION

I move that the amendment to Section 2334 #5, of the City of Muskegon Zoning Ordinance to add section 5.p, be recommended to the City Commission for (approval/denial).

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Section 2334 #5, Exempt Signs, to allow sporting venues to display signage to those in attendance

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**:

Amendment to Section 2334 #5, Exempt Signs

Add #5.p

5.p Signs located in a legally operating sports venue, either publicly or privately owned, shall be considered exempt signage, as long as the sign is erected for the sole purpose of its message being read only by the spectators attending the sporting event in the stadium, racetrack, or other type of sporting venue. All signs of sufficient height or size serving a dual purpose of being seen by the spectators of the event and displaying to those not attending the sporting event, will not be considered exempt signage. This type of signage may be used in addition to any other permitted signage allowed under this ordinance.

This ordinance adopted:

Ayes: _____

Nayes: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Marie Becker, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 13th day of April, 2010, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2008, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2010.

Ann Marie Becker, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on April 13, 2010, the City Commission of the City of Muskegon adopted an ordinance to amend Section 2334 #5, Exempt Signs, to allow sporting venues to display signage to those in attendance. Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2010.

CITY OF MUSKEGON

By _____
Ann Marie Becker, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354

Date: April 27, 2010
To: Honorable Mayor and City Commission
From: Water Filtration Plant
RE: 2010 Water Treatment Chemical Bids

SUMMARY OF REQUEST:

Recommend endorsement of lowest responsible bidder to supply sodium hypochlorite for the water filtration plant and authorize staff to issue an annual purchase order to Alexander Chemical Corp.

FINANCIAL IMPACT:

Annual cost of \$44,132.00 (based on average annual water pumped to mains).

BUDGET ACTION REQUIRED:

None at this time. These chemicals are budgeted annually.

STAFF RECOMMENDATION:

Staff recommends the Mayor and City Commission endorse the low bid received and enter into contract with Alexander Chemical Corp. for sodium hypochlorite.

MEMORANDUM

4/19/10

TO: M. AL-SHATEL, DPW DIRECTOR
FROM: R. VENEKLASSEN, WATER FILTRATION
RE: SODIUM HYPOCHLORITE ANNUAL BID RESULTS

Sodium Hypochlorite, often referred to as bleach or hypo, is used as the disinfectant for the water treated at the Water Filtration Plant. This is a much safer form of chlorine than liquid/gaseous chlorine as its concentration is typically 15 to 17% strength. Although it is referred to as bleach, the concentration is three to four times the strength of household bleach.

We bid sodium hypochlorite annually with an option to extend the current pricing following verification of fair market value. The bidding process is performed by the City of Holland Board of Public Works on behalf of the West Michigan Cooperative Purchasing Group. This group consists of water and wastewater plants located in the following cities in West Michigan; City of Holland, City of Wyoming, City of Muskegon Heights, and the City of Muskegon. Soon the City of Grand Haven will be using bleach and it is anticipated the City of Grand Rapids will change to bleach in the future. Historically this group is able to garner more favorable pricing by representing a larger product need, or greater purchasing power.

Included are the bid results as received at the City of Holland. The bids received are very favorable as the cost per ton fell by 60% last year and has fallen by another 7% this year. The lowest responsible bidder for 2010 is Alexander Chemical Corp.

It is my recommendation that we endorse Alexander Chemical Corp. to supply sodium hypochlorite to the Water Filtration Plant for the coming year at a cost of \$129.80 per ton.

Veneklasen, Bob

From: Van De Wege, Jim [jvandewege@hollandbpw.com]
Sent: Tuesday, April 13, 2010 3:56 PM
To: Horn, Larry; Nuismer, David; carong@wyomingmi.gov; smithc@wyomingmi.gov; Veneklasen, Bob; dvandyke@cityofmuskegonheights.org; jvanderstel@grandhaven.org
Cc: Koster, Dave; VerHoef, David; Yost, Amy
Subject: RE: Annual LSH Bid
Attachments: Van De Wege, Jim.vcf; LSH - Alexander 2010.pdf

In the absence of any objections we will be selecting Alexander Chemical as our new Sodium Hypochlorite provider.

Thank you,

Jim

Jim Van De Wege
Holland Water Treatment Plant
(616) 355-1698
(616) 566-6055

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.

4/19/2010

Liquid Sodium Hypochlorite - April 2, 2010

Rowell Chemical

Alexander Chemical

KA Steel Chemicals

Cities of Holland, Wyoming, Muskegon,
Muskegon Heights and Grand Haven
1 Year:

Cost Per Ton:
Cost Per Gallon:

\$ \$

132.00
0.66

\$ \$

129.80
0.65

\$ \$

140.61
0.703

CHEMICAL PURCHASE
Liquid Sodium Hypochlorite
BID FORM

BID OPENING: Friday, April 2, 2010 @ 2:00 p.m. local time (Late bids will not be accepted.) Holland Board of Public Works, 625 Hastings Avenue, Holland, Michigan 49423
Attn: Amy Yost

Sealed bids are requested for a one-year term for providing liquid sodium hypochlorite on an "as needed" basis per the specifications contained herein. Quantities stated herein are approximate per year and shall not be considered as minimums or maximums.

ITEM	QUANTITY	DESCRIPTION
------	----------	-------------

Cities of Holland, Wyoming, Muskegon, Muskegon Heights & Grand Haven:	Delivered Cost
---	----------------

		Delivered Cost
1.	3,020 tons Liquid Sodium Hypochlorite,	\$129.80/ton (\$ 65/gallon)

Tank Truck

Specify common carrier or company owned truck ACC Truck

Specify Manufacturer Alexander Chemical Corp Product Name SHBULK

Any and all costs associated with providing the liquid sodium hypochlorite as specified are to be included in the above delivered cost.

BIDDERS ARE REQUIRED TO SUBMIT MATERIAL SAFETY DATA SHEETS AND ANSI/NSF CERTIFICATION WITH THEIR BID. FAILURE TO PROVIDE ALL INFORMATION REQUIRED HEREIN MAY RESULT IN THE BID BEING REJECTED AS NON-RESPONSIVE.

DELIVERY/COMPLETION TIME 2-5 days ARO F.O.B. Delivered, Freight included. CASH
DISCOUNTS will be allowed for prompt payment as follows: 0 % cash discount if paid within 30 days or less
from delivery and acceptance of goods or completion of service.

I hereby state that: 1) all of the information I have provided is true, accurate and complete, and 2) that I have authority to submit this bid, which will become a binding contract, if accepted by the Cities, 3) that I have not communicated with, nor accepted anything of value from an official or employees of the Cities that would tend to destroy or hinder free competition, and 4) that I have read, and understand and agree to be bound by all of the terms in this bid document.

~~Alexander~~ Chemical Corporation

Name of Company, Corporation, etc.
1901 Butterfield Road; Suite 120
Downers Grove IL 60515
Street Name & Number City/State/Zip

Date: 03/25/10 Phone: 630-955-6050

BIDDER SHALL SIGN HERE

By

Steven E. Bruzek

Name:

Vice President

Title:



QUESTIONNAIRE

List experience in the last three years with similar contracts:

Portage MI, Gross elb MI, Rockford MI, Lake Charter Twp MI.

List references from similar contracts:

COMPANY NAME	CONTACT PERSON	PHONE
A. <u>Mishawaka IN</u>	<u>James Crook</u>	<u>574-258-1652</u>
B. <u>East Lansing MI</u>	<u>Jeff Johnston</u>	<u>517-371-2240</u>
C. <u>Lake Charter Township</u>	<u>Jeff Burkhard</u>	<u>269-465-4160</u>

RESPONSE TIME:

Response time for normal deliveries shall be within 2-5 days.

Can deliveries be made within 24 hours if necessary? yes

List National Holidays Observed By Your Company:

A. New Year Day B. Memorial Day C. Fourth of July D. Labor Day
E. Thanksgiving F. Christmas G. Good Friday H. New Years Eve
I. Day After Christmas
J. Thanksgiving Eve

Specify the following contacts if awarded the contract:

Orders: Customer Service /Phone 800-348-8827
print or type

Administrative: Mark Przybylinski /Phone 219-877-8630 Cell
print or type

Bidder Alexander Chemical Corporation

**PRODUCT SPECIFICATION SHEET**

Sodium Hypochlorite Solution

Effective 10/17/2003

Revised: 7/15/2004

Chemical Properties:

Chemical formula: NaOCl

Molecular weight: 74.44

Appearance: Bright yellow to yellow-green liquid

Odor: Chlorine odor

pH: 12.5 - 13.5

Solution Strength	Available Chlorine by %Volume	Available Chlorine by % Weight	Specific Gravity @ 60°F
	15.0% – 16.0%	12.45% - 13.15%	1.206 – 1.218
Excess Alkalinity (Typical) *	NaOH%	NaOH Grams/Liter	
	0.3% - 0.5%	3.0gpl – 5.0gpl	

* Excess Alkalinity on finished product is customized to specific customer requirements.

Physical Properties:

Boiling Point, °F: > 212 @ 12.50 Weight % Available Chlorine

Freezing Point, °F: - 11 @ 12.50 % Weight % Available Chlorine

Solubility in Water: Complete

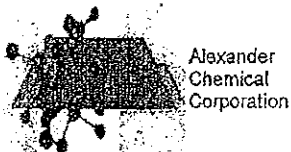
NSF International maximum use for 12.50 Weight% Available Chlorine: 84 milligrams per liter

Manufactured by:

Alexander Chemical Corporation
Kingsbury Industrial Park
Kingsbury, Indiana 46345
800/348-8827

Packaged by:

Alexander Chemical Corporation
6300 Trillium Trail
Mason, Michigan 48854
517/676-8884



Alexander
Chemical
Corporation

Customer Safety Training Seminar

Chlorine, Sulfur Dioxide and Sodium Hypochlorite

Our seminar is approximately 3-4 hours in length and is conducted by a Certified Hazardous Material Specialist. It's available **FREE** to current customers who purchase these products from Alexander Chemical. A "Safe Handling Booklet" and refreshments are provided. Seminars are held each year in the spring at multiple locations in Illinois, Indiana, and Michigan. Registration is required to ensure a spot and we notify all customers of the dates, times and locations well in advance. Non-current customers may also attend for a fee. Individual customer on site training is also available for larger groups for an additional fee.

The seminar agenda will include the following:

1. Review of mandatory training requirements.
2. Discussion of Chlorine, Sulfur Dioxide and Sodium Hypochlorite chemical and physical properties.
3. Personal Protective Equipment and response.
4. Leaks, exposure, and first aid.
5. Emergency equipment: Kit A & Kit B hands-on demonstrations.

Benefits

1. Certifies attendees on their annual OSHA Hazard Communication, DOT generalization and Awareness and Emergency Response refresher. These are all required training under the regulations and need to be complied with. These courses would cost at least \$300.00 per person.
2. Security requirements (cylinder and ton accountability) are discussed at these seminars that all need to be aware of.
3. The course also provides operators with a unique setting where they can discuss their regulatory programs and concerns with others in their industry.
4. Operators have an opportunity to meet with ACC Management and staff to directly discuss any concerns they might have.
5. OSHA audits are on a rise and out training seminars usually become the fall back for the customers to show they have been trained.

Our seminar provides **Continuing Education Credits** to anyone who attends the full session. A personalized Certificate of Completion is provided by Alexander Chemical at the end of each seminar.

Continuing Education Credit hours are as follows:

Illinois Water Operators = 4 credit hours
Illinois Waste Water Operators = Starting in 2010
Indiana Water Operators = 3.5 Technical credit hours
Indiana Waste Water Operators = 2 Technical Credit Hours and 1 General Hour
Michigan Water and Wastewater Operators = 0.3 credit hours
Wisconsin Water and Wastewater Operators = 3.5 Technical Credit hours
Iowa Water and Wastewater Operators = 0.35 credit hours (cost is \$10.00 per person-must be paid by operators).

CEC's are submitted directly by Alexander Chemical to the appropriate agency.

We look forward to servicing your chemical needs and seeing you at one of our next seminars. If you have any questions, or need any additional information regarding our seminar please contact your account manager or Dawn Drass at 800-445-9458.

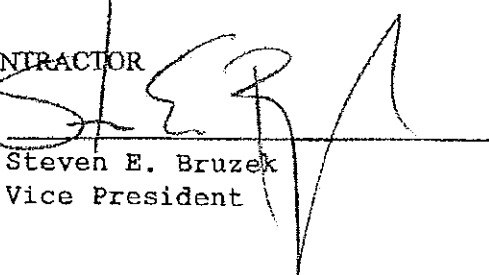


EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

Contractor hereby agrees to abide by the following requirements for affirmative action with respect to the work to be performed under this Contract.

1. Contractor shall not discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin or sex and will take affirmative action to prevent such discrimination. Such action shall include but not be limited to the following: employment, up-grading, demotion, transfer, recruitment advertising, layoff, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.
2. In soliciting or advertising for employees placed by or on behalf of Contractor, Contractor shall state that all qualified applicants will receive consideration for employment without regard to race, creed, color, national origin or sex. For this purpose it shall suffice to place the words "An Equal Opportunity Employer" in a predominant place at the office of said Contractor.
3. Contractor shall send notice of the City's policy regarding affirmative action to each labor union or representative of workers with which Contractor has any agreement, contract or other understanding.
4. Contractor shall furnish information and reports as requested by the City in accordance with this policy. Contractor shall provide access to employment books, records and accounts to any duly authorized representative of the City in order to allow such representative to ascertain whether or not this policy is being complied with by the Contractor.
5. Contractor shall post this policy on conspicuous places so as to be available to all employees and applicants for employment.
6. In the event the City determines that the Contractor has failed to abide by the terms stated in this section of the Contract, Contractor shall pay to City the amount of \$ ZERO per day as liquidated damages. The City may also, at its option, withhold payments until full compliance with the requirements of this section are complied with by the Contractor or may choose to terminate said Contract. The City may further choose to bar said Contractor from further contracts until such time as compliance with the requirements contained herein is achieved.

CONTRACTOR

By: 

Steven E. Bruzek
Vice President

Commission Meeting Date: April 27, 2010

Date: April 16, 2010
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department *CBC*
**RE: Acquisition of Property for a Right Turn Radius-
Portion of 1813 S. Getty Street**

SUMMARY OF REQUEST: In a previous action, City Commission authorized proceeding with eminent domain for this property, which is needed for street improvements. Staff has since been able to negotiate a purchase price with the owner, Samei Betak. The value of the property (per the County Equalization Department) is \$758.44. The agreed upon purchase price is \$3,000.00.

FINANCIAL IMPACT: The purchase price will be paid for from the Public Improvement Fund.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the attached Purchase Agreement and authorize the Mayor and Clerk to sign the Purchase Agreement and other documents necessary to purchase the property.

COMMITTEE RECOMMENDATION: None.

PURCHASE AGREEMENT

This Agreement made and entered into on this _____ day of _____, 2009, is intended to include all matters pertaining to the sale and purchase of certain real estate hereinafter described, which real estate Purchaser agreed to buy from Seller, and Seller agrees to sell to Purchaser, on the terms and conditions hereinafter set forth, as follows:

SELLER

Betak II Property, LLC,
a Michigan limited liability company
1813 S. Getty St.
Muskegon, MI 49442

PURCHASER

City of Muskegon,
a Michigan Municipal Corporation
933 Terrace Street
Muskegon, MI 49440

DESCRIPTION OF REAL ESTATE

See attached Exhibit A

OTHER PROPERTY

The sale of the above described real property is made together with all improvements, fixtures and appurtenances located thereon, as well as the personal property located thereon.

METHOD OF SALE

Sale shall be for cash with delivery of the usual warranty deed conveying marketable title subject, however, to existing easements, restrictions and rights-of-way of record, as well as applicable zoning ordinances, if any there be.

SALE PRICE

The agreed upon total purchase price is to be Three Thousand and no/100 Dollars (\$3,000.00).

Upon execution of the Agreement, the Purchaser shall pay to Seller an earnest money deposit of Five Hundred Dollars (\$500). Said deposit shall be credited against the purchase price or otherwise disbursed as set forth herein.

MISCELLANEOUS COSTS

Seller shall be responsible for any Michigan transfer tax in an amount required by law, if any. Purchaser shall be responsible for the cost of recording the document to be used in completion of this sale.

ACCEPTANCE OF PREMISES

Purchaser understands and acknowledges that he is purchasing the property in an "as is" condition and that the Seller makes no warranties as to the land and structure purchased or the condition thereof. Purchaser acknowledges that they have inspected the premises described herein and are satisfied with the physical condition of the structures.

POSSESSION

Purchaser shall be entitled to possession of the subject property beginning on the date of closing.

EVIDENCE OF TITLE

A commitment for and, in due course, a policy of title insurance in an amount for not less than the purchase price, bearing date later than the date hereof and guaranteeing the title in the condition required for the performance of this Agreement, will be purchased at the Buyer's expense.

TITLE OBJECTIONS

Objections to title of subject property by Purchaser must be made within fourteen (14) days from the date a commitment for title insurance has been delivered to Purchaser. In the event objection is made, Seller shall have 30 days from the date he is notified in writing of the objection either to remedy the defect or refund the deposit in full as a termination of this Agreement.

DATE OF CLOSING

In the event no objections to the title are made, closing shall take place within sixty (60) days of the date of this Agreement. If objections to the title are made, closing shall take place within sixty (60) days from the date Seller remedies the title or obtains a title insurance policy commitment in accord with a prior provision of this Agreement.

PLACE OF CLOSING

Closing shall take place at a place to be agreed upon by the parties.

PURCHASER'S DEFAULT

In the event of default by Purchaser hereunder, Seller may, at his option, elect to enforce the terms hereof or declare a forfeiture hereunder and retain the deposit as liquidated damages.

SELLER'S DEFAULT

In the event of default by Seller hereunder, Purchaser may, at his option, elect to enforce the terms hereof or demand and be entitled to an immediate refund of his entire deposit in full termination of this Agreement.

NOTICES

All notices, deliveries or tenders given or made in connection herewith shall be deemed completed and legally sufficient if mailed or delivered to the respective party for whom the same is intended at the address herein set forth.

SURVEY

Purchaser may at its expense have the properties surveyed to determine the total acreage involved and the existence of any encroachments.

MISCELLANEOUS

A. That pronouns and relative words herein used are written in the masculine and singular only. If more than one joins in the execution hereof as Seller or Purchaser, or either be of the feminine sex or a corporation, such words shall be read as if written in plural, feminine or neuter respectively. The covenants herein shall bind the heirs, personal representatives, administrators, executors, assigns and successors of the respective parties.

B. Purchaser may obtain a current inspection of dwellings for termites, carpenter ants and powder pest beetles by a licensed pest control company prior to closing. If live or dormant infestation of said insects is found, the Purchaser may eliminate pests or if structural damage caused by infestation is found and Purchaser is unwilling to repair said damage, Purchaser may, at his option, rescind this Agreement.

C. This Agreement constitutes the entire agreement between the parties and no prior representations or agreements, or written, shall be considered a part hereof, unless referenced or incorporated in this Agreement.

D. Time shall be deemed as the very essence of this Agreement.

E. The covenants herein shall bind and inure to the benefit of the parties hereto, their personal representatives, successors and assigns and shall survive the closing of the sale.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

EXECUTED IN THE PRESENCE OF:

M. Hamid Al-Shateel 4-15-10

EXECUTED IN THE PRESENCE OF:

SELLER: BETAK II PROPERTY, LLC

By M. Btk 4-15-10
Samei Btk, Member

PURCHASER: CITY OF MUSKEGON

By _____
Stephen J. Warmington, Mayor

By _____
Ann Marie Becker, Clerk

AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commission

FROM: Department of Public Works

DATE: April 20, 2010

SUBJECT: Machine Vending Contract for Pere Marquette Park

SUMMARY OF REQUEST:

To enter into 1-year contractual agreement with Spark Paul John (3070 Maple Grove Rd. Apt #350, Muskegon, MI), for a Knockout Vending Machine, to be located at Pere Marquette Park.

FINANCIAL IMPACT:

Contract revenue is unknown at this time.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve request.

COMMITTEE RECOMMENDATION:

The Leisure Services Board has previously approved the request to enter into contractual agreement with Spark Paul John for a Knockout Vending Machine at the April 19th meeting.

LEISURE SERVICES BOARD MEETING DATE - April 19, 2010

To: Leisure Services Board

Date: 4/12/10

From: DPW

RE: Vending Contract

DPW staff has received a proposal from Spark Paul John to enter into a contractual agreement with the City of Muskegon for one Knockout Vending Machine to be located at Pere Marquette Park.

Concession activities consisting of:

1. See attached detail sheet.

FINANCIAL IMPACT: Contract revenue is unknown at this time. However, typically Concessionaire/Vendors shall pay the City of Muskegon ten percent (10%) of gross receipts, for the duration of operation.

Staff is recommending that we enter into a 1-year contractual agreement for the year 2010.



Free Investors Kit! (1-877-562-8363)

Toll Free: 1-877-KO2-VEND

[Home](#) | [About](#) | [The Machine](#) | [The Opportunity](#) | [VIP Packages](#) | [FAQ](#) | [Downloads](#) | [Contact](#)

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THE MACHINE

Product Details

Knockout Vending is proud to bring to you the very best in bill operated boxing amusement machines, one of the easiest ways to make cash. Perfect for bars, night clubs, gyms, amusement centers, pool halls and wherever fun and energetic crowds gather. In high traffic locations, these machines are sure-fire moneymakers!



Knockout Vending Machine Features:

- Game measures the strength of one hit to the sturdy boxer training pad.
- Bill acceptor is an easy-to-use mechanism. Punches cost \$1.
- When placed in a high-traffic area, punching machine almost always gathers a crowd. Its bright attractive colors and lights catch attention immediately.
- Competitive scoring encourages more play and can help increase your revenue.
- Promotes health and fitness.
- Game is waterproof for indoor or outdoor use.
- A wide demo program includes music and lights to attract more guests.
- Scores are given based on strength and speed, encouraging replay.
- Bright LED lights use low voltage consumption and interactive MP3 stereo music excites users and promote use.
- High scores are saved, increasing competitive atmosphere.
- Difficulty level can be chosen.
- Voice advertisements can be programmed for when the game is in stand-by mode.
- USB connection.

Bill Acceptor

- Accepts \$1, \$5, \$10 and \$20 bills.
- Accept new currency.
- Quick validation time of 3 seconds or less.
- Both sides of bill are read with optic sensors for ultimate in security.
- No tools are required to reach bill path from the top hinged lid.
- Easy access dip switches.
- Ask about special order international models.
- 4-way bill insertion accepted.
- 90% or better bill acceptance rate.
- Recessed optic sensors are low maintenance.
- Great price and high quality.
- Easy insertion of bills with lighted bezel.
- Mounting plate, hardware, decals and power cord are all included.
- Installed at the factory for you!

AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commission

FROM: Department of Public Works

DATE: April 20, 2010

SUBJECT: Beverage Vending Contract for Parks/Marina Facilities

SUMMARY OF REQUEST:

To enter into 3-year contractual agreement with Dr. Pepper/Snapple to provide vending service throughout City Parks and Marina Facilities.

FINANCIAL IMPACT:

Contract revenue has averaged \$2,090 per year over the last 3-year contract.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve request.

COMMITTEE RECOMMENDATION:

The Leisure Services Board has previously approved the request to enter into contractual agreement with Dr. Pepper/Snapple at their April 19th meeting.

LEISURE SERVICES BOARD MEETING DATE - April 19, 2010

To: Leisure Services Board and Parks/Marina Staff
Date: 4/12/10
From: DPW
RE: Beverage Vending Contract for Parks/Marina Facilities

On Tuesday, March 23, 2010, two proposals were received for the request to supply beverage vending at various outdoor Parks and Marina facilities. Proposals that were solicited and received are as follows:

<u>Company</u>	<u>Address</u>	<u>Commission on Sales</u>
Coca Cola	1208 Butterworth, Grand Rapids, MI	32%
Pepsi	4900 Paul Court, Norton Shores, MI	No Bid
Dr. Pepper/Snapple	900 Brooks Avenue, Holland, MI	38.9%

(All percentages above are based on 20 oz product size and \$1.50 vend price, minus any applicable deposits). Other sale percentages could be higher or lower based upon product, size, and vending price.

Neither Coca Cola nor Dr. Pepper/Snapple offered any incentives in their submitted proposals.

The two proposals that were received are requesting a 3-year exclusive beverage vending agreement.

Staff is recommending that we award an exclusive 3-year contract to Dr. Pepper/Snapple for the years 2010, 2011, 2012.

AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commission

FROM: Department of Public Works

DATE: April 20, 2010

SUBJECT: Concession Contract for Pere Marquette Park

SUMMARY OF REQUEST:

Staff is asking permission to enter into 3-year contractual agreement with two additional 1 year options with Ken Huston of Amazing Gift Direct, LLC for operating a Concession (The Island Concession) at P.M. Park.

FINANCIAL IMPACT:

Contract revenue was \$2,118 for the 2009 operating season. Approximately \$325-\$1200 per year in revenue was received from previous vendor (Dan Etterman of Sandy Bottoms Concession) during the 2003-8 contracts.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve request.

COMMITTEE RECOMMENDATION:

The Leisure Services Board has approved of the intended contractual agreement on April 19th, 2010.

LEISURE SERVICES BOARD MEETING DATE - April 19, 2010

To: Leisure Services Board

Date: 4/12/10

From: DPW

RE: Concession Contract

DPW staff has received notice from the 2009 Pere Marquette Concessionaire (The Island) of his (Kenneth L. Huston of Amazing Gifts Direct LLC) intent to enter into a contractual agreement with the City of Muskegon for the continued operation of a Concession at PM Park.

Concession activities consisting of:

1. Retail sales of food items such as hot dog, pretzels, nachos, popcorn, ice cream, pop, and candy.
2. Retail sales of beach novelties i.e. beach toys, blankets, sunscreen, ect.
3. Rentals of beach items i.e. beach chairs, umbrellas, skim/boogie boards, sport tubes, kayaks, and the possibility of jet ski and motorized boats.

FINANCIAL IMPACT: Contract revenue was \$2118 for the 2009 operating season. Approximately \$325-\$1200 per year in revenue was received from previous vendor (Dan Etterman of Sandy Bottoms Concession) during the 2003-8 contract years.

Staff is recommending that we enter into a 3-year contractual agreement for the years 2010, 2011, 2012 with two additional 1-year options for 2013 and 2014 with Kenneth L. Huston II of Amazing Gifts Direct LLC.

Commission Meeting Date: April 27, 2010

Date: April 20, 2010
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department
**RE: Maintenance Agreement for Aamodt Park-
Jackson Hill Neighborhood Association & City**

SUMMARY OF REQUEST: An Achieve Grant has been received by the County of Muskegon for the Jackson Hill Neighborhood. The County has partnered with the City to oversee this grant. The Achieve group from Jackson Hill has chosen to use some of the funds for a community garden at Aamodt Park.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the Maintenance Agreement between the City of Muskegon and Jackson Hill Neighborhood Association and authorize the Mayor and Clerk to sign.

COMMITTEE RECOMMENDATION: None.

Development Permit Application

City of Muskegon

Staff: _____

Why do you need a Development Permit? We permit and look at fences so they don't create a nuisance or hazards for neighbors in traffic situations. We review sheds and smaller pools to prevent neighbor conflicts and fire hazards. Lot splits also require our review. Decks, porches and large pools require building permits for construction.

Why is there a fee for a Development Permit? The fee covers the City's costs for administration and also for site visits. The Zoning Inspector makes a site visit before the permit is given and again after the work is completed.

Date: 4/19/10 Permit Number: _____
(staff use)

Property Address: Aamodt Park Marquette/Wood St/Erickson

Owner: City of Muskegon Address: _____ Phone: _____

Contractor: _____ Address: _____ Phone: _____
(if using one)

Application for: ☐ Above-ground pool (5,000 gallon capacity or less & less than 24 inches in depth): Provide volume: _____
☐ Fence (6-foot and under) ☐ Shed (200 square feet & under - 1 or 2 family dwellings) ☐ Lot Split*
(120 square feet & under - all other)

Property is: ☐ Residential ☐ Commercial ☐ Industrial Property is zoned: _____

Describe work (include fence height or shed size, & type of material to be used) Community Garden

***Lot Split:** You must provide 2 copies of a survey showing the current dimensions of the lot & also the proposed split.

****Plot Plan Requirement:** You must provide a plot plan showing the location of property lines, structures, fencing, gates, driveways, pavement, etc. on the subject property. For your convenience, graph lines have been provided on the back of this application, or the plot plan can be attached to the application.

Notice: Separate permits are required for any building, plumbing, heating, ventilating, air conditioning, electrical, or mechanical permit work which do not meet the criteria for this application.

Starting date: 4/29/10 Proposed Completion Date: 4/30/10

Permit fee: \$30.00 Fee Paid: ☐ Yes ☐ No Date Paid: _____

I hereby attest that all information on this application is, to the best of my knowledge, true and accurate.

Signature of Applicant: _____ **Date:** _____

I hereby grant permission for City of Muskegon staff to enter the property described above for the purpose of gathering information related to this application. (Note to applicant: This is optional and will not affect any decision on your application)

Signature: Brian **Date:** 4/20/10

Do Not Write Below This Line

Inspector Comments: _____

Fire Dept. Approval for Comm./Inst. Fences _____
Date: _____ Initials: _____

This permit is valid for 1 year from date of issue.

Maintenance Agreement

This Agreement is made May 1, 2010 ("Effective Date"), by and between the **City of Muskegon** ("City"), of 933 Terrace Street, Muskegon, Michigan 49440, and **Jackson Hill Neighborhood Association**, _____ ("Neighborhood").

Background

- A. "City" is the owner of Aamodt Park ("Property").
- B. The parties wish to enter into an agreement regarding the installation and maintenance of a community garden located at the Property.
- C. "Neighborhood" has agreed to perform the installation and physical maintenance of the garden at the Property pursuant to the terms set forth in this maintenance agreement.

Therefore, the parties agree as follows:

1. **General Agreement.** Neighborhood agrees, at the sole cost of the Neighborhood, to perform the installation and physical maintenance of a community garden at the Property.
2. **Site Design.** Neighborhood shall submit a garden design for the Property, and receive design approval from the City, prior to installation. City agrees not to unreasonably withhold its approval of the garden design. Any necessary permits or variances (fencing, lighting, electrical, plumbing, etc.) are the responsibility of the Neighborhood and not the City and must be obtained prior to performing any work. The work shall be done in accordance with the City of Muskegon Zoning Ordinance, Section 2313: Community Gardens.
3. **Maintenance.** Neighborhood shall be responsible for the physical installation of the community garden and continuing maintenance of the Property, including i) mowing, trimming, fertilizing, weed control and any other routine maintenance of the grass, trees, shrubs and plantings at the Property, and ii) trash and litter removal from the Property.
4. **Term.** This maintenance agreement shall continue in effect until terminated by either party. Upon termination, Neighborhood waives any claim against City for installation or maintenance of any item on the Property and Neighborhood agrees to return the property to its former state as a park.
5. **Insurance.** Should the Neighborhood place any items (picnic tables, grills, etc.) that are to remain on the property for an extended period of time, the Neighborhood must purchase liability insurance and provide proof of the insurance to the City.
6. **Hold Harmless.** Neighborhood shall indemnify, defend and save City harmless from and against any and all claims, actions, damages, liability and expense in connection with the loss of life, personal injury or damage to property arising from any occurrence in or about the Property or from the occupancy or use by Neighborhood of the Property or any part thereof or resulting in whole or part from any act or omission of Neighborhood, its employees, invitees, licensees, contractors or agents. City shall not be liable for any injury to the person or property of Neighborhood or any other persons on the Property resulting from the criminal or negligent acts of third persons occurring on or nearby the Property.

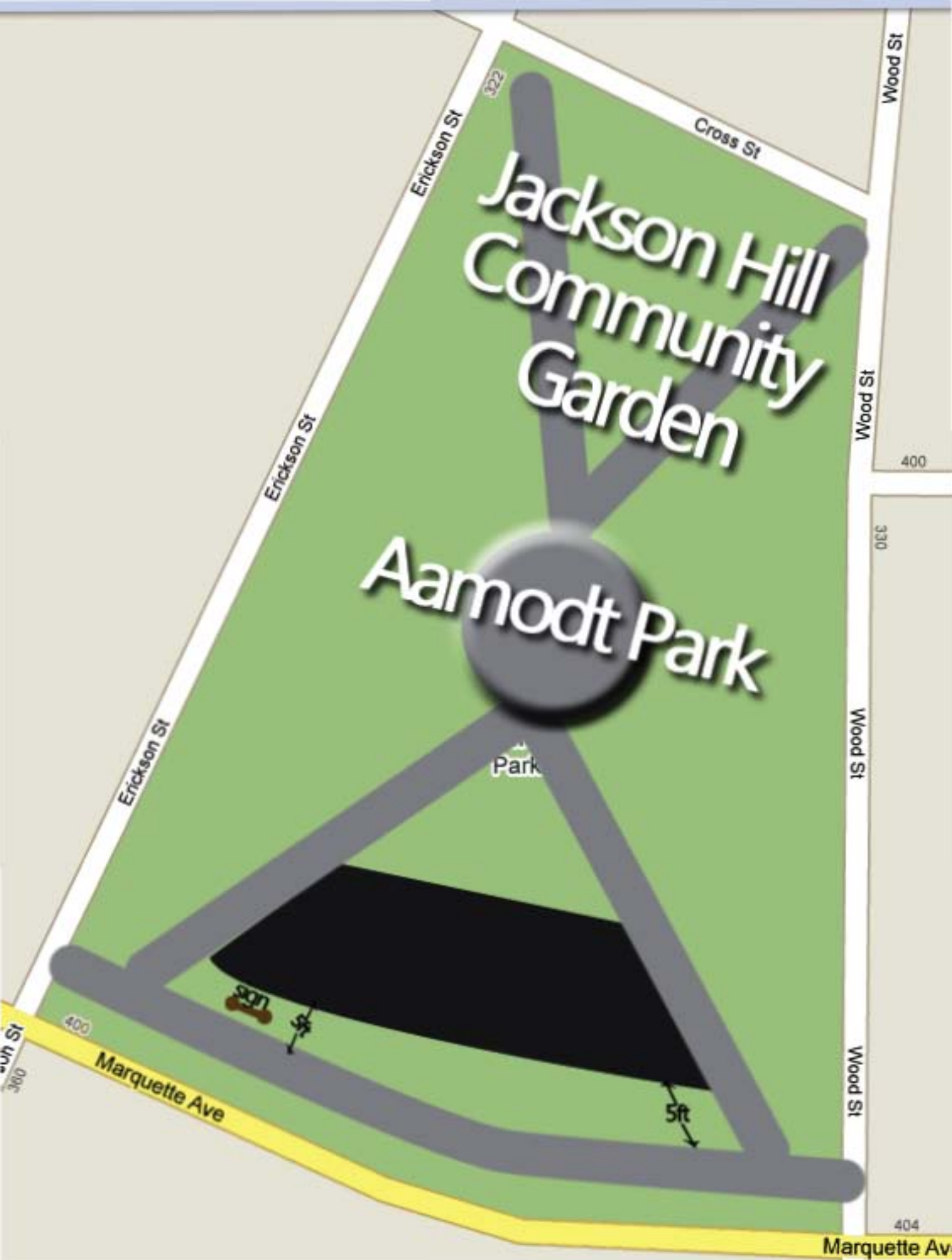
[Signatures appear on following page]

City of Muskegon, a municipal corporation

By: _____
Name: Stephen J. Warmington
Title: Mayor
Date: _____

By _____
Name: Ann Marie Becker, MMC
Title: Clerk
Date: _____

Name: Billie Jay Holmes President of Jackson
Hill Neighborhood Association
Date: 4-20-2010



Jackson Hill
Community
Garden

Aamodt Park

Park

sign

5ft

5ft

Wood St

Wood St

400

330

Wood St

Wood St

404

Marquette Av

Erickson St

Erickson St

Erickson St

Cross St

Marquette Ave

Wood St

360

400

Date: April 20, 2010

To: Honorable Mayor and City Commissioners

From: Assistant Finance Director

RE: Deficit Elimination Plan for Home Rehabilitation Fund,
Brownfield Redevelopment Authority Fund and Engineering
Fund

SUMMARY OF REQUEST: At December 31, 2009 the City of Muskegon Home Rehabilitation Fund had a deficit balance of \$316,838, the Brownfield Redevelopment Authority Fund had a deficit balance of \$10,214 and the Engineering Fund had a deficit balance of \$61,951. Act 275 of the Public Acts of 1980 requires that the City file a Deficit Elimination Plan with the Michigan Department of Treasury. Staff is requesting adoption of the Home Rehabilitation Fund, Brownfield Redevelopment Authority Fund and Engineering Funds Deficit Elimination Plan Resolutions.

FINANCIAL IMPACT: As presented by the Deficit Elimination Plan the Home Rehabilitation Fund, Brownfield Redevelopment Authority and Engineering funds will no longer have a deficit by December 31, 2010.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Adoption of the Deficit Elimination Plan Resolutions.

COMMITTEE RECOMMENATION:

DEFICIT ELIMINATION PLAN

City of Muskegon

State ID Number 61-2020

April 19, 2010

At December 31, 2009 the City of Muskegon Home Rehabilitation Fund had a deficit balance of \$316,838. This deficit was caused by a depressed home sales market and the inability to sell 7 homes that have been rehabilitated.

Lease with Option to Purchase

Currently the City of Muskegon has three of the homes rehabilitated in their Lease with Option to Purchase program:

867 Williams	\$69,800
435 Monroe	\$67,000
218 Catherine	\$57,500

Two of the participants, living at 867 Williams and 435 Monroe, are approaching their last year of eligibility for the program. The participants are required, by the guidelines of the program, to obtain a mortgage in the designated three-year period. Both the occupants of 435 Monroe and 837 Williams must have a mortgage by May 1, 2011. Our staff is currently working with the Michigan State Housing Development Authority, Neighborhood Investment Corporation and several other local lenders to hopefully assist the Lease with Option to Purchase participants with securing financing.

The other participant is nearing the completion of their first year. The CNS staff will be contacting the occupants of 218 Catherine about their current ability to qualify for mortgage financing.

The house at 451 Isabella has recently been added to our Lease with Option to Purchase program. It is hoped that we will find an interested party for either the Lease with Option to Purchase program or who is eligible for a mortgage at this time for this property.

Marketing

The CNS office is continuing to aggressively market the remaining properties in our inventory through several different mechanisms.

1. All the homes are marketed on the City's website, Craig's List and on the City's Facebook page.
2. Periodically all the homes are marketed in local publications that include the Muskegon Chronicle, Midwest Business Journal, Annual Parade of Homes, etc.

3. Several of our neighborhood associations have advertised the homes in their newsletters.
4. Periodically we have Open Houses for our properties, which we advertise through the City website, Muskegon Chronicle and several local radio stations.
5. We have had several conversations with local realtors concerning the availability of the properties.

It has been observed that we are receiving an increase in the number of inquiries about the homes. It is our goal to have 1581 Division, 214 Myrtle and 539 Orchard sold by September 2010.

The following table shows the budget for the Home Rehabilitation Fund.

	2008	2009	Budgeted 2010
Beginning Fund Balance January 1,	\$ (231,354)	\$ (316,838)	\$ (316,838)
Revenues			
Federal Grants	\$ 219,254	\$ 398,163	\$ 320,000
Other - proceeds from sale of assets	\$ 36,196	\$ 26,957	\$ 352,400
Total Revenue	\$ 255,450	\$ 425,120	\$ 672,400
Expenditures			
Capital Outlay	\$ 340,934	\$ 425,120	\$ 320,000
Ending Balance December 31,	\$ (316,838)	\$ (316,838)	\$ 35,562

**CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN**

RESOLUTION NO. _____

WHEREAS City of Muskegon's Home Rehabilitation Fund had a \$316,838 deficit fund balance on December 31, 2008; and

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury:

NOW THEREFORE, IT IS RESOLVED that the City Commission of the City of Muskegon adopts the following as the City of Muskegon's Home Rehabilitation Fund Deficit Elimination Plan:

	2008	2009	Budgeted 2010
Beginning Fund Balance January 1,	\$ (231,354)	\$ (316,838)	\$ (316,838)
Revenues			
Federal Grants	\$ 219,254	\$ 398,163	\$ 320,000
Other - proceeds from sale of assets	\$ 36,196	\$ 26,957	\$ 352,400
Total Revenue	\$ 255,450	\$ 425,120	\$ 672,400
Expenditures			
Capital Outlay	\$ 340,934	\$ 425,120	\$ 320,000
Ending Balance December 31,	\$ (316,838)	\$ (316,838)	\$ 35,562

Adopted this _____ day of April, 2010

By: _____
Stephen J. Warmington
Its Mayor

By: _____
Ann Marie Becker, MMC
Its Clerk

CERTIFICATION

This resolution was adopted at a regular meeting of the City commission, held on April 27, 2010. The meeting was properly held and noticed pursuant to Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1967.

CITY OF MUSKEGON

By: _____
Ann Marie Becker, MMC
City Clerk

DEFICIT ELIMINATION PLAN - Brownfield Redevelopment Authority
City of Muskegon
State ID Number 61-2020
April 19, 2010

At December 31, 2009 the City of Muskegon Brownfield Redevelopment Authority had a deficit balance of \$10,214. This fund/development authority was created in 2008. Start-up costs were incurred however no taxes were levied. It is expected going forward the City will only pay out the amount received as revenue to the fund. However in 2009 revenue received was less than originally projected due to the slower than projected progress of the renovation/construction. We are on target to eliminate the deficit in 2010.

The following table shows the 2010 budget for the Brownfield Redevelopment Authority

	2008	2009	Budgeted 2010
Beginning Fund Balance January 1	\$ -	\$ (17,863)	\$ (10,214)
Revenues			
Property Taxes	\$ -	\$ 9,951	\$ 21,847
Other	\$ -	\$ -	\$ -
Total Revenues	\$ -	\$ 9,951	\$ 21,847
Expenditures			
Operating Expenditures	\$ 17,863	\$ 2,302	\$ 11,000
Ending Balance December 31	\$ (17,863)	\$ (10,214)	\$ 633

**CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN**

RESOLUTION NO. _____

WHEREAS City of Muskegon's Brownfield Redevelopment Authority Fund had a \$10,214 deficit fund balance on December 31, 2009; and

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury:

NOW THEREFORE, IT IS RESOLVED that the City Commission of the City of Muskegon adopts the following as the City of Muskegon's Brownfield Redevelopment Authority Fund's Deficit Elimination Plan:

	2008	2009	Budgeted 2010
Beginning Fund Balance January 1	\$ -	\$ (17,863)	\$ (10,214)
Revenues			
Property Taxes	\$ -	\$ 9,951	\$ 21,847
Other	\$ -	\$ -	\$ -
Total Revenues	\$ -	\$ 9,951	\$ 21,847
Expenditures			
Operating Expenditures	\$ 17,863	\$ 2,302	\$ 11,000
Ending Balance December 31	\$ (17,863)	\$ (10,214)	\$ 633

Adopted this _____ day of April 2010.

By: _____
Stephen J. Warmington
Its Mayor

By: _____
Ann Marie Becker, MMC
Its Clerk

CERTIFICATION

This resolution was adopted at a regular meeting of the City commission, held on April 27, 2010. The meeting was properly held and noticed pursuant to Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1967.

CITY OF MUSKEGON

By: _____
Ann Marie Becker, MMC
City Clerk

DEFICIT ELIMINATION PLAN - Engineering Fund

City of Muskegon

State ID Number 61-2020

April 19, 2010

At December 31, 2009 the City of Muskegon Engineering Fund had a deficit balance of \$61,951. This deficit was caused by a couple one time occurrences during 2009. The department secretary was diagnosed with a serious illness which ended up being terminal and was off of work for the majority of the year. She had accrued a lot of sick time so for eight months she was paid **and** the fund paid for a secretary from a temporary agency. Additionally a previous employee was awarded his job back along with over a year's back pay by an arbitrator.

In 2010 expenditures will decrease without the one time occurrences from the previous year and with the secretary position being filled by a full time employee revenues will increase as that position's time can be charged out. In addition the multiplier the fund uses will increase from 2.5 to 2.9 helping generate increased revenues.

The following table shows the budget for the Engineering Fund.

	2009	Budgeted 2010
Beginning Fund Balance January 1,	\$ 101,694	\$ (61,951)
Revenues		
Charges for services	\$ 451,132	\$ 530,000
Other	\$ 24,524	\$ 30,000
Total Revenue	\$ 475,656	\$ 560,000
Expenditures		
Operations	\$ 639,301	\$ 495,895
Total Expenditures	\$ 639,301	\$ 495,895
Ending Balance December 31,	\$ (61,951)	\$ 2,154

**CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN**

RESOLUTION NO. _____

WHEREAS City of Muskegon's Engineering Fund had a \$61,951 deficit fund balance on December 31, 2009; and

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury:

NOW THEREFORE, IT IS RESOLVED that the City Commission of the City of Muskegon adopts the following as the City of Muskegon's Engineering Fund Deficit Elimination Plan:

	2009	Budgeted 2010
Beginning Fund Balance January 1,	\$ 101,694	\$ (61,951)
Revenues		
Charges for services	\$ 451,132	\$ 530,000
Other	\$ 24,524	\$ 30,000
Total Revenue	\$ 475,656	\$ 560,000
Expenditures		
Operations	\$ 639,301	\$ 495,895
Total Expenditures	\$ 639,301	\$ 495,895
Ending Balance December 31,	\$ (61,951)	\$ 2,154

Adopted this _____ day of April, 2010

By: _____
Stephen J. Warmington
Its Mayor

By: _____
Ann Marie Becker, MMC
Its Clerk

CERTIFICATION

This resolution was adopted at a regular meeting of the City commission, held on April 27, 2010. The meeting was properly held and noticed pursuant to Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1967.

CITY OF MUSKEGON

By: _____
Ann Marie Becker, MMC
City Clerk

Date: April 27, 2010

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Reclassification of Maintenance Worker Position

SUMMARY OF REQUEST:

Change the classification of the Maintenance Worker Position from Range XI to Range X. The reclassification is necessary to compensate for combining the duties' of the maintenance worker position with most of those in the Maintenance Supervisor position which is not being filled upon the retirement of the current supervisor. This proposal will result in a net annual SALARY saving of \$40,285.00 and if we were to consider the other benefits could be in excess of \$60,000.

FINANCIAL IMPACT:

The difference between the upper limits of the two ranges which is \$3,642.00 (based on the adopted 2009 salary schedule).

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve the reclassification of the maintenance Worker position from Range XI (11) to Range X (10).

COMMITTEE RECOMMENDATION:

Date: April 27, 2010
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids for:
H-1660 White St. and Scott St., from Wood St. to Oak Ave.

SUMMARY OF REQUEST:

Award the White Street/Scott Street project to McCormick Sand, Inc. out of Twin Lake since they were the lowest responsible bidder with a total bid price of \$195,446.15 (see attached bid tabulation).

FINANCIAL IMPACT:

The construction cost of \$195,446.15 plus engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Award the construction project to McCormick Sand, Inc.

COMMITTEE RECOMMENDATION:

H-1660 WHITE ST. & SCOTT ST., WOOD ST. TO OAK AVE.

BID TABULATION 04/13/10

		CONTRACTOR ADDRESS CITY/ST/ZIP		ENGINEER'S ESTIMATE		McCORMICK SAND INC. 5430 RUSSELL RD. TWIN LAKE, MI 49457		F & S COMPANIES 18573 NORTHLAND DR. BIG RAPIDS, MI 49307		DAN HOE EXCAVATING 13664 ROCKY'S RD HOLLAND, MI 49424		WADEL STABILIZATION, INC. 2500 N. OCEANA DR. HART, MI 49420		SCHIPPERS EXCAVATING 9829 LAKE MICHIGAN WEST OLIVE, MI 49460	
ITEM OF WORK	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	
1 Tree, Rem, 6 inch to 18 inch	Ea	2.0	\$ 250.00	500.00	\$ 300.00	600.00	\$ 483.00	966.00	\$ 250.00	500.00	\$ 450.00	900.00	\$ 250.00	500.00	
2 Dr Structure, Rem	Ea	4.0	\$ 300.00	1,200.00	\$ 150.00	600.00	\$ 564.00	2,256.00	\$ 150.00	600.00	\$ 350.00	1,400.00	\$ 200.00	800.00	
3 Pavt, Rem	Syd	189.0	\$ 5.00	945.00	\$ 3.00	567.00	\$ 5.00	945.00	\$ 5.00	945.00	\$ 8.00	1,512.00	\$ 4.75	897.75	
4 Sidewalk, Rem	Syd	293.0	\$ 5.00	1,465.00	\$ 4.00	1,172.00	\$ 5.00	1,465.00	\$ 5.00	1,465.00	\$ 5.00	1,465.00	\$ 6.00	1,758.00	
5 Conc. Drive Approach, Rem	Syd	2.0	\$ 5.00	10.00	\$ 5.00	10.00	\$ 50.00	100.00	\$ 130.00	260.00	\$ 100.00	200.00	\$ 20.00	40.00	
6 Traffic Control	LS	1.0	\$ 4,700.00	4,700.00	\$ 3,840.00	3,840.00	\$ 3,500.00	3,500.00	\$ 1,500.00	1,500.00	\$ 2,500.00	2,500.00	\$ 3,500.00	3,500.00	
7 Machine Grading	Sta	7.7	\$ 1,500.00	11,550.00	\$ 750.00	5,775.00	\$ 250.00	1,925.00	\$ 1,200.00	9,240.00	\$ 750.00	5,775.00	\$ 1,850.00	14,245.00	
8 Erosion Control, Inlet Protection, Fabric Drop	Ea	4.0	\$ 100.00	400.00	\$ 20.00	80.00	\$ 91.00	364.00	\$ 125.00	500.00	\$ 125.00	500.00	\$ 90.00	360.00	
9 Aggregate Base, 6 inch	Syd	2392.0	\$ 4.50	10,764.00	\$ 3.60	8,611.20	\$ 3.00	7,176.00	\$ 4.25	10,166.00	\$ 6.30	15,069.60	\$ 5.00	11,960.00	
10 Maintenance Gravel, LM	Cyd	50.0	\$ 25.00	1,250.00	\$ 15.00	750.00	\$ 14.00	700.00	\$ 4.50	225.00	\$ 10.00	500.00	\$ 4.00	200.00	
11 Sanitary Sewer, PVC SDR 35, 6 inch	Ft	811.0	\$ 25.00	20,275.00	\$ 17.00	13,787.00	\$ 16.00	12,976.00	\$ 2.00	1,622.00	\$ 20.00	16,220.00	\$ 16.00	12,976.00	
12 Sanitary Sewer, PVC SDR 35, 8 inch	Ft	1000.0	\$ 35.00	35,000.00	\$ 20.00	20,000.00	\$ 15.00	15,000.00	\$ 20.00	20,000.00	\$ 21.00	21,000.00	\$ 20.00	20,000.00	
13 Sewer, CL C76 V, 12 inch	Ft	444.0	\$ 35.00	15,540.00	\$ 24.00	10,656.00	\$ 26.00	11,544.00	\$ 26.00	11,544.00	\$ 22.80	10,123.20	\$ 24.00	10,656.00	
14 Sanitary Sewer Wye, PVC SDR 35, 8 inch X 6 inch	Ea	25.0	\$ 250.00	6,250.00	\$ 125.00	3,125.00	\$ 60.00	1,500.00	\$ 175.00	4,375.00	\$ 150.00	3,750.00	\$ 100.00	2,500.00	
15 Catch Basin Special Detail	Ea	3.0	\$ 1,300.00	3,900.00	\$ 979.00	2,937.00	\$ 1,450.00	4,350.00	\$ 1,400.00	4,200.00	\$ 1,250.00	3,750.00	\$ 900.00	2,700.00	
16 CB Casting East Jordan #7045 or Equal	Ea	3.0	\$ 650.00	1,950.00	\$ 538.00	1,614.00	\$ 600.00	1,800.00	\$ 500.00	1,500.00	\$ 670.00	2,010.00	\$ 475.00	1,425.00	
17 Dr Structure, Cover, Adjust	Ea	1.0	\$ 500.00	500.00	\$ 75.00	75.00	\$ 250.00	250.00	\$ 300.00	300.00	\$ 400.00	400.00	\$ 350.00	350.00	
18 Manhole Special Detail	Ea	4.0	\$ 1,500.00	6,000.00	\$ 1,105.00	4,420.00	\$ 1,115.00	4,460.00	\$ 1,500.00	6,000.00	\$ 1,350.00	5,400.00	\$ 1,100.00	4,400.00	
19 MH Casting East Jordan #1045 or Equal	Ea	5.0	\$ 450.00	2,250.00	\$ 646.00	3,230.00	\$ 613.00	3,065.00	\$ 400.00	2,000.00	\$ 550.00	2,750.00	\$ 385.00	1,925.00	
20 HMA, 3C	Ton	267.0	\$ 60.00	16,020.00	\$ 63.25	16,887.75	\$ 63.00	16,821.00	\$ 63.50	16,954.50	\$ 63.25	16,887.75	\$ 65.25	17,421.75	
21 HMA, 4C	Ton	267.0	\$ 60.00	16,020.00	\$ 67.00	17,889.00	\$ 63.00	16,821.00	\$ 67.00	17,889.00	\$ 67.00	17,889.00	\$ 69.00	18,423.00	
22 Driveway, Nonreinf Conc, 6 inch	Syd	296.0	\$ 25.00	7,400.00	\$ 22.50	6,660.00	\$ 32.00	9,472.00	\$ 32.00	9,472.00	\$ 26.10	7,725.60	\$ 26.00	7,696.00	
23 Concrete Curb and Gutter STD detail 1	Ft	1604.0	\$ 10.00	16,040.00	\$ 9.25	14,837.00	\$ 12.00	19,248.00	\$ 10.50	16,842.00	\$ 10.50	16,842.00	\$ 10.20	16,360.80	
24 Sidewalk, Conc, 4 inch	Sft	1709.0	\$ 2.50	4,272.50	\$ 2.00	3,418.00	\$ 3.00	5,127.00	\$ 3.50	5,981.50	\$ 2.35	4,016.15	\$ 2.75	4,699.75	
25 Sidewalk, Conc, 6 inch	Sft	243.0	\$ 3.00	729.00	\$ 2.70	656.10	\$ 3.00	729.00	\$ 4.50	1,093.50	\$ 3.00	729.00	\$ 3.10	753.30	
26 Sidewalk Ramp, ADA	Sft	789.0	\$ 6.00	4,734.00	\$ 5.50	4,339.50	\$ 9.00	7,101.00	\$ 9.00	7,101.00	\$ 5.50	4,339.50	\$ 9.00	7,101.00	
27 Guardrail, Type B	Ft	20.0	\$ 10.00	200.00	\$ 20.00	400.00	\$ 70.00	1,400.00	\$ 30.00	600.00	\$ 40.00	800.00	\$ 35.00	700.00	
28 Prepared Soil and Seed Class A	Syd	1968.0	\$ 3.00	5,904.00	\$ 3.40	6,691.20	\$ 2.00	3,936.00	\$ 3.10	6,100.80	\$ 2.55	5,018.40	\$ 2.20	4,329.60	
29 Water Service, 1 inch, Copper Type K	Ft	621.0	\$ 25.00	15,525.00	\$ 12.40	7,700.40	\$ 12.00	7,452.00	\$ 29.00	18,009.00	\$ 10.00	6,210.00	\$ 16.50	10,246.50	
30 Watermain, DI 8 inch, Tr Det. G, Modified	Ft	402.0	\$ 37.00	14,874.00	\$ 28.50	11,457.00	\$ 46.00	18,492.00	\$ 36.00	14,472.00	\$ 31.00	12,462.00	\$ 32.50	13,065.00	
31 Watermain, DI, 6 inch, Tr Det G, Modified	Ft	10.0	\$ 40.00	400.00	\$ 24.00	240.00	\$ 104.00	1,040.00	\$ 42.00	420.00	\$ 32.00	320.00	\$ 26.00	260.00	
32 Bend, 8 inch, 45 Degree, DI MJ	Ea	2.0	\$ 350.00	700.00	\$ 297.00	594.00	\$ 335.00	670.00	\$ 325.00	650.00	\$ 300.00	600.00	\$ 280.00	560.00	
33 Corporation Stop, 1 inch	Ea	19.0	\$ 250.00	4,750.00	\$ 280.00	5,320.00	\$ 200.00	3,800.00	\$ 85.00	1,615.00	\$ 350.00	6,650.00	\$ 170.00	3,230.00	
34 Curb Stop & Box, 1 inch	Ea	13.0	\$ 300.00	3,900.00	\$ 370.00	4,810.00	\$ 219.00	2,847.00	\$ 175.00	2,275.00	\$ 350.00	4,550.00	\$ 320.00	4,160.00	
35 Cut and Cap, 6 inch Watermain	Ea	1.0	\$ 500.00	500.00	\$ 258.00	258.00	\$ 633.00	633.00	\$ 500.00	500.00	\$ 500.00	500.00	\$ 260.00	260.00	
36 Gate Valve, 6 inch, with Box	Ea	1.0	\$ 800.00	800.00	\$ 808.00	808.00	\$ 850.00	850.00	\$ 750.00	750.00	\$ 1,200.00	1,200.00	\$ 760.00	760.00	
37 Hydrant, 6 inch, Standard	Ea	1.0	\$ 2,000.00	2,000.00	\$ 1,890.00	1,890.00	\$ 2,600.00	2,600.00	\$ 2,300.00	2,300.00	\$ 2,500.00	2,500.00	\$ 1,985.00	1,985.00	
38 Meter Pit Complete	Ea	6.0	\$ 800.00	4,800.00	\$ 740.00	4,440.00	\$ 1,784.00	10,704.00	\$ 1,000.00	6,000.00	\$ 950.00	5,700.00	\$ 750.00	4,500.00	
39 Reducer, 8 inch X 6 inch, DI MJ	Ea	1.0	\$ 350.00	350.00	\$ 269.00	269.00	\$ 300.00	300.00	\$ 300.00	300.00	\$ 275.00	275.00	\$ 270.00	270.00	
40 Sleeve, 6 inch, Long, DI MJ	Ea	1.0	\$ 350.00	350.00	\$ 908.00	908.00	\$ 300.00	300.00	\$ 350.00	350.00	\$ 950.00	950.00	\$ 1,050.00	1,050.00	
41 Tapping Sleeve and Valve, 16 inch x 8 inch, With Box	Ea	1.0	\$ 4,000.00	4,000.00	\$ 2,679.00	2,679.00	\$ 2,627.00	2,627.00	\$ 4,500.00	4,500.00	\$ 3,150.00	3,150.00	\$ 2,785.00	2,785.00	
42 Tee, 8 inch X 6 inch, DI MJ	Ea	1.0	\$ 350.00	350.00	\$ 445.00	445.00	\$ 400.00	400.00	\$ 500.00	500.00	\$ 450.00	450.00	\$ 445.00	445.00	
			TOTAL	\$ 249,067.50		\$ 195,446.15		\$ 207,712.00		\$ 211,617.30		\$ 214,989.20	calc error	\$ 212,254.45	

H-1660 WHITE ST. & SCOTT ST., WOOD ST. TO OAK AVE.

BID TABULATION 04/13/10

CONTRACTOR ADDRESS CITY/ST/ZIP			HALLACK CONTRACTING 4223 W. POLK RD. HART, MI 49420		MILBOCKER & SONS, INC. 1256 29TH ST ALLEGAN, MI 49010		MY CON INC 3801 PERRY ST. HUDSONVILLE, MI 49426		JACKSON MERKEY 555 E. WESTERN MUSKEGON, MI 49442		LEE'S TRENCHING SERVICE 1201 76TH ST. SW BYRON CENTER, MI 49315	
ITEM OF WORK	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1 Tree, Rem, 6 inch to 18 inch	Ea	2.0	\$ 350.00	700.00	\$ 300.00	600.00	\$ 300.00	600.00	\$ 300.00	600.00	\$ 500.00	1,000.00
2 Dr Structure, Rem	Ea	4.0	\$ 300.00	1,200.00	\$ 225.00	900.00	\$ 200.00	800.00	\$ 245.00	980.00	\$ 400.00	1,600.00
3 Pavt, Rem	Syd	189.0	\$ 4.50	850.50	\$ 6.00	1,134.00	\$ 7.00	1,323.00	\$ 11.00	2,079.00	\$ 5.00	945.00
4 Sidewalk, Rem	Syd	293.0	\$ 6.00	1,758.00	\$ 6.00	1,758.00	\$ 7.00	2,051.00	\$ 6.00	1,758.00	\$ 3.00	879.00
5 Conc. Drive Approach, Rem	Syd	2.0	\$ 10.00	20.00	\$ 24.00	48.00	\$ 50.00	100.00	\$ 23.00	46.00	\$ 100.00	200.00
6 Traffic Control	LS	1.0	\$ 3,500.00	3,500.00	\$ 18,154.00	18,154.00	\$ 3,300.00	3,300.00	\$ 2,000.00	2,000.00	\$ 2,900.00	2,900.00
7 Machine Grading	Sta	7.7	\$ 1,200.00	9,240.00	\$ 1,500.00	11,550.00	\$ 1,650.00	12,705.00	\$ 1,000.00	7,700.00	\$ 1,200.00	9,240.00
8 Erosion Control, Inlet Protection, Fabric Drop	Ea	4.0	\$ 100.00	400.00	\$ 97.00	388.00	\$ 75.00	300.00	\$ 100.00	400.00	\$ 150.00	600.00
9 Aggregate Base, 6 inch	Syd	2392.0	\$ 3.50	8,372.00	\$ 5.60	13,395.20	\$ 5.40	12,916.80	\$ 4.90	11,720.80	\$ 3.70	8,850.40
10 Maintenance Gravel, LM	Cyd	50.0	\$ 1.00	50.00	\$ 10.00	500.00	\$ 20.00	1,000.00	\$ 4.40	220.00	\$ 25.00	1,250.00
11 Sanitary Sewer, PVC SDR 35, 6 inch	Ft	811.0	\$ 23.00	18,653.00	\$ 27.00	21,897.00	\$ 21.70	17,598.70	\$ 29.00	23,519.00	\$ 31.05	25,181.55
12 Sanitary Sewer, PVC SDR 35, 8 inch	Ft	1000.0	\$ 23.00	23,000.00	\$ 20.00	20,000.00	\$ 29.10	29,100.00	\$ 25.50	25,500.00	\$ 38.00	38,000.00
13 Sewer, CL C76 V, 12 inch	Ft	444.0	\$ 25.00	11,100.00	\$ 22.00	9,768.00	\$ 27.00	11,988.00	\$ 34.00	15,096.00	\$ 44.50	19,758.00
14 Sanitary Sewer Wye, PVC SDR 35, 8 inch X 6 inch	Ea	25.0	\$ 130.00	3,250.00	\$ 110.00	2,750.00	\$ 150.00	3,750.00	\$ 175.00	4,375.00	\$ 245.50	6,137.50
15 Catch Basin Special Detail	Ea	3.0	\$ 1,500.00	4,500.00	\$ 1,100.00	3,300.00	\$ 750.00	2,250.00	\$ 1,000.00	3,000.00	\$ 680.00	2,040.00
16 CB Casting East Jordan #7045 or Equal	Ea	3.0	\$ 550.00	1,650.00	\$ 540.00	1,620.00	\$ 450.00	1,350.00	\$ 475.00	1,425.00	\$ 420.00	1,260.00
17 Dr Structure, Cover, Adjust	Ea	1.0	\$ 250.00	250.00	\$ 420.00	420.00	\$ 200.00	200.00	\$ 320.00	320.00	\$ 350.00	350.00
18 Manhole Special Detail	Ea	4.0	\$ 1,500.00	6,000.00	\$ 1,450.00	5,800.00	\$ 1,100.00	4,400.00	\$ 1,200.00	4,800.00	\$ 960.00	3,840.00
19 MH Casting East Jordan #1045 or Equal	Ea	5.0	\$ 425.00	2,125.00	\$ 690.00	3,450.00	\$ 355.00	1,775.00	\$ 350.00	1,750.00	\$ 420.00	2,100.00
20 HMA, 3C	Ton	267.0	\$ 63.25	16,887.75	\$ 63.25	16,887.75	\$ 64.25	17,154.75	\$ 63.25	16,887.75	\$ 66.50	17,755.50
21 HMA, 4C	Ton	267.0	\$ 67.00	17,889.00	\$ 67.00	17,889.00	\$ 68.00	18,156.00	\$ 67.00	17,889.00	\$ 70.35	18,783.45
22 Driveway, Nonreinf Conc, 6 inch	Syd	296.0	\$ 23.00	6,808.00	\$ 21.60	6,393.60	\$ 28.25	8,362.00	\$ 24.20	7,163.20	\$ 30.00	8,880.00
23 Concrete Curb and Gutter STD detail 1	Ft	1604.0	\$ 10.00	16,040.00	\$ 8.50	13,634.00	\$ 10.65	17,082.60	\$ 10.65	17,082.60	\$ 10.15	16,280.60
24 Sidewalk, Conc, 4 inch	Sft	1709.0	\$ 2.25	3,845.25	\$ 1.85	3,161.65	\$ 2.85	4,870.65	\$ 2.15	3,674.35	\$ 3.00	5,127.00
25 Sidewalk, Conc, 6 inch	Sft	243.0	\$ 2.80	680.40	\$ 2.50	607.50	\$ 3.55	862.65	\$ 2.85	692.55	\$ 3.75	911.25
26 Sidewalk Ramp, ADA	Sft	789.0	\$ 5.75	4,536.75	\$ 5.00	3,945.00	\$ 7.10	5,601.90	\$ 5.50	4,339.50	\$ 7.50	5,917.50
27 Guardrail, Type B	Ft	20.0	\$ 30.00	600.00	\$ 50.00	1,000.00	\$ 30.00	600.00	\$ 25.40	508.00	\$ 31.50	630.00
28 Prepared Soil and Seed Class A	Syd	1968.0	\$ 2.50	4,920.00	\$ 2.10	4,132.80	\$ 4.75	9,348.00	\$ 4.00	7,872.00	\$ 3.50	6,888.00
29 Water Service, 1 Inch, Copper Type K	Ft	621.0	\$ 23.00	14,283.00	\$ 15.00	9,315.00	\$ 25.00	15,525.00	\$ 23.00	14,283.00	\$ 15.70	9,749.70
30 Watermain, DI 8 inch, Tr Det G, Modified	Ft	402.0	\$ 39.00	15,678.00	\$ 38.00	15,276.00	\$ 38.00	15,276.00	\$ 47.00	18,894.00	\$ 31.00	12,462.00
31 Watermain, DI, 6 inch, Tr Det G, Modified	Ft	10.0	\$ 40.00	400.00	\$ 30.00	300.00	\$ 93.00	930.00	\$ 70.00	700.00	\$ 26.15	261.50
32 Bend, 8 inch, 45 Degree, DI MJ	Ea	2.0	\$ 250.00	500.00	\$ 270.00	540.00	\$ 250.00	500.00	\$ 345.00	690.00	\$ 355.00	710.00
33 Corporation Stop, 1 inch	Ea	19.0	\$ 140.00	2,660.00	\$ 350.00	6,650.00	\$ 115.00	2,185.00	\$ 190.00	3,610.00	\$ 180.00	3,420.00
34 Curb Stop & Box, 1 inch	Ea	13.0	\$ 170.00	2,210.00	\$ 420.00	5,460.00	\$ 200.00	2,600.00	\$ 285.00	3,705.00	\$ 405.00	5,265.00
35 Cut and Cap, 6 inch Watermain	Ea	1.0	\$ 250.00	250.00	\$ 95.00	95.00	\$ 250.00	250.00	\$ 700.00	700.00	\$ 155.00	155.00
36 Gate Valve, 6 inch, with Box	Ea	1.0	\$ 800.00	800.00	\$ 800.00	800.00	\$ 630.00	630.00	\$ 880.00	880.00	\$ 780.00	780.00
37 Hydrant, 6 inch, Standard	Ea	1.0	\$ 2,150.00	2,150.00	\$ 2,200.00	2,200.00	\$ 1,845.00	1,845.00	\$ 2,100.00	2,100.00	\$ 2,115.00	2,115.00
38 Meter Pit Complete	Ea	6.0	\$ 1,300.00	7,800.00	\$ 1,000.00	6,000.00	\$ 750.00	4,500.00	\$ 490.00	2,940.00	\$ 695.00	4,170.00
39 Reducer, 8 inch X 6 inch, DI MJ	Ea	1.0	\$ 200.00	200.00	\$ 250.00	250.00	\$ 220.00	220.00	\$ 280.00	280.00	\$ 275.00	275.00
40 Sleeve, 6 inch, Long, DI MJ	Ea	1.0	\$ 250.00	250.00	\$ 850.00	850.00	\$ 500.00	500.00	\$ 260.00	260.00	\$ 850.00	850.00
41 Tapping Sleeve and Valve, 16 inch x 8 inch, With Box	Ea	1.0	\$ 2,600.00	2,600.00	\$ 2,800.00	2,800.00	\$ 2,300.00	2,300.00	\$ 4,445.00	4,445.00	\$ 3,040.00	3,040.00
42 Tee, 8 inch X 6 inch, DI MJ	Ea	1.0	\$ 300.00	300.00	\$ 400.00	400.00	\$ 375.00	375.00	\$ 445.00	445.00	\$ 490.00	490.00
TOTAL				\$ 218,906.65		\$ 236,019.50		\$ 237,182.05		\$ 237,329.75		\$ 251,047.95

Date: April 27, 2010
To: Honorable Mayor and City Commissioners
From: Engineering
**RE: City – MDOT Agreement for the reconstruction of:
Getty Street from Apple to Marquette**

SUMMARY OF REQUEST:

To approve the attached contract with MDOT for the reconstruction of Getty Street Apple Ave. & Marquette, and approve the attached resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT:

MDOT's participation is limited to the federal funds of \$310,500. The estimated total construction cost is \$443,900.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

Approve the attached contract and resolution authorizing the mayor & clerk to sign both.

COMMITTEE RECOMMENDATION:

RESOLUTION_____

RESOLUTION FOR APPROVAL OF A CONTRACT AGREEMENT BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION AND THE CITY OF MUSKEGON FOR THE RECONSTRUCTION OF GETTY STREET BETWEEN APPLE AVE. & MARQUETTE AVE. TOGETHER WITH OTHER NECESSARY RELATED WORK ITEMS AND AUTHORIZATION FOR MAYOR STEPHEN J. WARMINGTON AND CITY CLERK, ANN BECKER, TO EXECUTE SAID CONTRACT

Moved by_____and supported by

Commissioner_____that the following Resolution be adopted:

WHEREAS, entry by the City of Muskegon into Contract no. **10-5305** between the Michigan Department of Transportation and the City of Muskegon for the **reconstruction of Getty Street between Apple & Marquette** within the City is in the best interests of the City of Muskegon.

RESOLVED, that entry by the City into Contract Agreement Number **10-5305** be and the same is hereby authorized and approved and the Mayor and Clerk are authorized to execute said contract for and on behalf of the City of Muskegon.

Adopted this_____day of_____, 2010.

BY

Stephen J. Warmington, Mayor

ATTEST

Ann Becker, City Clerk

CERTIFICATION

This resolution was adopted at a meeting of the City Commission, held on _____, **2010**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By_____
Ann Becker, City Clerk

STP

DAB

Control Section	STUL 61407
Job Number	104261
Project	STP 1061(321)
Federal Item No.	HH 6430
CFDA No.	20.205 (Highway Research Planning & Construction)
Contract No.	10-5305

PART I

THIS CONTRACT, consisting of PART I and PART II (Standard Agreement Provisions), is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF MUSKEGON, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in the City of Muskegon, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I", dated April 2, 2010, attached hereto and made a part hereof:

Reconstruction work along Getty Street from Highway M-46 (Apple Avenue) to Marquette Street; including hot mix asphalt paving, pavement removal, concrete curb and gutter, concrete sidewalk, sidewalk ramps, and pavement marking work; and all together with necessary related work.

WITNESSETH:

WHEREAS, pursuant to Federal law, monies have been provided for the performance of certain improvements on public roads; and

WHEREAS, the reference "FHWA" in PART I and PART II refers to the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the PROJECT, or portions of the PROJECT, at the request of the REQUESTING PARTY, are being programmed with the FHWA, for implementation with the use of Federal Funds under the following Federal program(s) or funding:

SURFACE TRANSPORTATION PROGRAM

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.

2. The term "PROJECT COST", as herein used, is hereby defined as the cost of the physical construction necessary for the completion of the PROJECT, including any other costs incurred by the DEPARTMENT as a result of this contract, except construction engineering and inspection.

No charges will be made by the DEPARTMENT to the PROJECT for any inspection work or construction engineering.

The costs incurred by the REQUESTING PARTY for preliminary engineering, construction engineering, construction materials testing, inspection, and right-of-way are excluded from the PROJECT COST as defined by this contract.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to administer on behalf of the REQUESTING PARTY all phases of the PROJECT, including advertising and awarding the construction contract for the PROJECT or portions of the PROJECT. Such administration shall be in accordance with PART II, Section II of this contract.

Any items of the PROJECT COST incurred by the DEPARTMENT may be charged to the PROJECT.

4. The REQUESTING PARTY, at no cost to the PROJECT or to the DEPARTMENT, shall:

- A. Design or cause to be designed the plans for the PROJECT.
- B. Appoint a project engineer who shall be in responsible charge of the PROJECT and ensure that the plans and specifications are followed.
- C. Perform or cause to be performed the construction engineering, construction materials testing, and inspection services necessary for the completion of the PROJECT.

The REQUESTING PARTY will furnish the DEPARTMENT proposed timing sequences for trunkline signals that, if any, are being made part of the improvement. No timing adjustments shall be made by the REQUESTING PARTY at any trunkline intersection, without prior issuances by the DEPARTMENT of Standard Traffic Signal Timing Permits.

5. The PROJECT COST shall be met in part by contributions by the Federal Government. Federal Surface Transportation Funds shall be applied to the eligible items of the PROJECT COST up to the lesser of: (1) \$310,500, or (2) an amount such that 81.85 percent, the

normal Federal participation ratio for such funds, is not exceeded at the time of the award of the construction contract. The balance of the PROJECT COST, after deduction of Federal Funds, shall be charged to and paid by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

Any items of PROJECT COST not reimbursed by Federal Funds shall be the sole responsibility of the REQUESTING PARTY.

6. No working capital deposit will be required for this PROJECT.

In order to fulfill the obligations assumed by the REQUESTING PARTY under the provisions of this contract, the REQUESTING PARTY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the REQUESTING PARTY will be based upon the REQUESTING PARTY'S share of the actual costs incurred less Federal Funds earned as the PROJECT progresses.

In the event of any discrepancies between PART I and PART II of this contract, the provisions of PART I shall prevail.

7. Upon completion of construction of the PROJECT, the REQUESTING PARTY will promptly cause to be enacted and enforced such ordinances or regulations as may be necessary to prohibit parking in the roadway right-of-way throughout the limits of the PROJECT.

8. The performance of the entire PROJECT under this contract, whether Federally funded or not, will be subject to the provisions and requirements of PART II that are applicable to a Federally funded project.

9. The REQUESTING PARTY certifies that a) it is a person under 1995 PA 71 and is not aware of and has no reason to believe that the property is a facility as defined in MSA 13A.20101(1)(l); b) the REQUESTING PARTY further certifies that it has completed the tasks required by MCL 324.20126 (3)(h); MSA 13A.20126(3)(h); c) it conducted a visual inspection of property within the existing right of way on which construction is to be performed to determine if any hazardous substances were present; and at sites on which historically were located businesses that involved hazardous substances, it performed a reasonable investigation to determine whether hazardous substances exist. This reasonable investigation should include, at a minimum, contact with local, state and federal environmental agencies to determine if the site has been identified as, or potentially as, a site containing hazardous substances; d) it did not cause or contribute to the release or threat of release of any hazardous substance found within the PROJECT limits.

The REQUESTING PARTY also certifies that, in addition to reporting the presence of any hazardous substances to the Department of Environmental Quality, it has advised the DEPARTMENT of the presence of any and all hazardous substances which the REQUESTING

PARTY found within the PROJECT limits, as a result of performing the investigation and visual inspection required herein. The REQUESTING PARTY also certifies that it has been unable to identify any entity who may be liable for the cost of remediation. As a result, the REQUESTING PARTY has included all estimated costs of remediation of such hazardous substances in its estimated cost of construction of the PROJECT.

10. If, subsequent to execution of this contract, previously unknown hazardous substances are discovered within the PROJECT limits, which require environmental remediation pursuant to either state or federal law, the REQUESTING PARTY, in addition to reporting that fact to the Department of Environmental Quality, shall immediately notify the DEPARTMENT, both orally and in writing of such discovery. The DEPARTMENT shall consult with the REQUESTING PARTY to determine if it is willing to pay for the cost of remediation and, with the FHWA, to determine the eligibility, for reimbursement, of the remediation costs. The REQUESTING PARTY shall be charged for and shall pay all costs associated with such remediation, including all delay costs of the contractor for the PROJECT, in the event that remediation and delay costs are not deemed eligible by the FHWA. If the REQUESTING PARTY refuses to participate in the cost of remediation, the DEPARTMENT shall terminate the PROJECT. The parties agree that any costs or damages that the DEPARTMENT incurs as a result of such termination shall be considered a PROJECT COST.

11. If federal and/or state funds administered by the DEPARTMENT are used to pay the cost of remediating any hazardous substances discovered after the execution of this contract and if there is a reasonable likelihood of recovery, the REQUESTING PARTY, in cooperation with the Department of Environmental Quality and the DEPARTMENT, shall make a diligent effort to recover such costs from all other possible entities. If recovery is made, the DEPARTMENT shall be reimbursed from such recovery for the proportionate share of the amount paid by the FHWA and/or the DEPARTMENT and the DEPARTMENT shall credit such sums to the appropriate funding source.

12. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the Federal Highway Administration pursuant to Title 23 of the United States Code.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT or its agents pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT or its agents shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT or its agents is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT or its agents does not relieve the REQUESTING PARTY and the local agencies, as applicable of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402, MSA 3.996(102).

When providing approvals, reviews and recommendations under this contract, the DEPARTMENT or its agents is performing a governmental function, as that term is defined in MCL 691.1401; MSA 3.996(101), which is incidental to the completion of the PROJECT.

13. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402; MSA 3.996(102). Exclusive jurisdiction of such highway for the purposes of MCL 691.1402; MSA 3.996(102) rests with the REQUESTING PARTY and other local agencies having respective jurisdiction.

14. The REQUESTING PARTY shall approve all of the plans and specifications to be used on the PROJECT and shall be deemed to have approved all changes to the plans and specifications when put into effect. It is agreed that ultimate responsibility and control over the PROJECT rests with the REQUESTING PARTY and local agencies, as applicable.

15. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this contract that apply to the reporting of costs incurred under the terms of this contract.

16. The parties shall promptly provide comprehensive assistance and cooperation in defending and resolving any claims brought against the DEPARTMENT by the contractor, vendors or suppliers as a result of the DEPARTMENT'S award of the construction contract for the PROJECT. Costs incurred by the DEPARTMENT in defending or resolving such claims shall be considered PROJECT COSTS.

17. The DEPARTMENT shall require the contractor who is awarded the contract for the construction of the PROJECT to provide insurance in the amounts specified and in accordance with the DEPARTMENT'S current Standard Specifications for Construction and to:

- A. Maintain bodily injury and property damage insurance for the duration of the PROJECT.
- B. Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the DEPARTMENT and its officials, agents and employees, the REQUESTING PARTY and any other county, county road commission, or municipality in whose jurisdiction the PROJECT is located, and their employees, for the duration of the PROJECT and to provide, upon request, copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume jurisdiction of the highway described as the PROJECT as a result of being named as an insured on the owner's protective liability insurance policy.

- C. Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current standard specifications for construction and to provide, upon request, copies of notices and reports prepared to those insured.

18. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolutions approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF MUSKEGON

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



April 2, 2010

EXHIBIT I

CONTROL SECTION	STUL 61407
JOB NUMBER	104261
PROJECT	STP 1061(321)

ESTIMATED COST

CONTRACTED WORK

Estimated Cost	\$443,900
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COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	\$443,900
Less Federal Funds*	<u>\$310,500</u>
BALANCE (REQUESTING PARTY'S SHARE)	\$133,400

*Federal Funds for the PROJECT are limited to an amount as described in Section 5.

NO DEPOSIT

DOT

TYPE B
BUREAU OF HIGHWAYS
03-15-93

PART II

STANDARD AGREEMENT PROVISIONS

SECTION I COMPLIANCE WITH REGULATIONS AND DIRECTIVES

SECTION II PROJECT ADMINISTRATION AND SUPERVISION

SECTION III ACCOUNTING AND BILLING

SECTION IV MAINTENANCE AND OPERATION

SECTION V SPECIAL PROGRAM AND PROJECT CONDITIONS

SECTION I

COMPLIANCE WITH REGULATIONS AND DIRECTIVES

- A. To qualify for eligible cost, all work shall be documented in accordance with the requirements and procedures of the DEPARTMENT.
- B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the following Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 and Title 49 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.
 - 1. Engineering
 - a. FAPG (6012.1): Preliminary Engineering
 - b. FAPG (23 CFR 172): Administration of Engineering and Design Related Service Contracts
 - c. FAPG (23 CFR 635A): Contract Procedures
 - d. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments--Allowable Costs
 - 2. Construction
 - a. FAPG (23 CFR 140E): Administrative Settlement Costs-Contract Claims
 - b. FAPG (23 CFR 140B): Construction Engineering Costs
 - c. FAPG (23 CFR 17): Recordkeeping and Retention Requirements for Federal-Aid Highway Records of State Highway Agencies
 - d. FAPG (23 CFR 635A): Contract Procedures
 - e. FAPG (23 CFR 635B): Force Account Construction
 - f. FAPG (23 CFR 645A): Utility Relocations, Adjustments and Reimbursement

- g. FAPG (23 CFR 645B): Accommodation of Utilities (PPM 30-4.1)
 - h. FAPG (23 CFR 655F): Traffic Control Devices on Federal-Aid and other Streets and Highways
 - i. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments—Allowable Costs
3. Modification Or Construction Of Railroad Facilities
- a. FAPG (23 CFR 140I): Reimbursement for Railroad Work
 - b. FAPG (23 CFR 646B): Railroad Highway Projects
- C. In conformance with FAPG (23 CFR 630C) Project Agreements, the political subdivisions party to this contract, on those Federally funded projects which exceed a total cost of \$100,000.00 stipulate the following with respect to their specific jurisdictions:
- 1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.
 - 2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.
 - 3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.
- D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.
- E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

SECTION II

PROJECT ADMINISTRATION AND SUPERVISION

- A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.
- B. The DEPARTMENT will advertise and award all contracted portions of the PROJECT work. Prior to advertising of the PROJECT for receipt of bids, the REQUESTING PARTY may delete any portion or all of the PROJECT work. After receipt of bids for the PROJECT, the REQUESTING PARTY shall have the right to reject the amount bid for the PROJECT prior to the award of the contract for the PROJECT only if such amount exceeds by twenty percent (20%) the final engineer's estimate therefor. If such rejection of the bids is not received in writing within two (2) weeks after letting, the DEPARTMENT will assume concurrence. The DEPARTMENT may, upon request, readvertise the PROJECT. Should the REQUESTING PARTY so request in writing within the aforesaid two (2) week period after letting, the PROJECT will be cancelled and the DEPARTMENT will refund the unused balance of the deposit less all costs incurred by the DEPARTMENT.
- C. The DEPARTMENT will perform such inspection services on PROJECT work performed by the REQUESTING PARTY with its own forces as is required to ensure compliance with the approved plans & specifications.
- D. On those projects funded with Federal monies, the DEPARTMENT shall as may be required secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.
- E. All work in connection with the PROJECT shall be performed in conformance with the Michigan Department of Transportation Standard Specifications for Construction, and the supplemental specifications, Special Provisions and plans pertaining to the PROJECT and all materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. No extra work shall be performed nor changes in plans and specifications made until said work or changes are approved by the project engineer and authorized by the DEPARTMENT.

- F. Should it be necessary or desirable that portions of the work covered by this contract be accomplished by a consulting firm, a railway company, or governmental agency, firm, person, or corporation, under a subcontract with the REQUESTING PARTY at PROJECT expense, such subcontracted arrangements will be covered by formal written agreement between the REQUESTING PARTY and that party.

This formal written agreement shall: include a reference to the specific prime contract to which it pertains; include provisions which clearly set forth the maximum reimbursable and the basis of payment; provide for the maintenance of accounting records in accordance with generally accepted accounting principles, which clearly document the actual cost of the services provided; provide that costs eligible for reimbursement shall be in accordance with clearly defined cost criteria such as 49 CFR Part 18, 48 CFR Part 31, 23 CFR Part 140, OMB Circular A-87, etc. as applicable; provide for access to the department or its representatives to inspect and audit all data and records related to the agreement for a minimum of three years after the department's final payment to the local unit.

All such agreements will be submitted for approval by the DEPARTMENT and, if applicable, by the FHWA prior to execution thereof, except for agreements for amounts less than \$100,000 for preliminary engineering and testing services executed under and in accordance with the provisions of the "Small Purchase Procedures" FAPG (23 CFR 172), which do not require prior approval of the DEPARTMENT or the FHWA.

Any such approval by the DEPARTMENT shall in no way be construed as a warranty of the subcontractor's qualifications, financial integrity, or ability to perform the work being subcontracted.

- G. The REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, shall make such arrangements with railway companies, utilities, etc., as may be necessary for the performance of work required for the PROJECT but for which Federal or other reimbursement will not be requested.
- H. The REQUESTING PARTY, at no cost to the PROJECT, or the DEPARTMENT, shall secure, as necessary, all agreements and approvals of the PROJECT with railway companies, the Railroad Safety & Tariffs Division of the DEPARTMENT and other concerned governmental agencies other than the FHWA, and will forward same to the DEPARTMENT for such reviews and approvals as may be required.
- I. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

- J. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.
- K. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.
- L. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.
- M. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 2001, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.
- N. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.
- O. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.
- P. In the event it is determined by the DEPARTMENT that there will be either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.
- Q. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

SECTION III

ACCOUNTING AND BILLING

A. Procedures for billing for work undertaken by the REQUESTING PARTY:

1. The REQUESTING PARTY shall establish and maintain accurate records, in accordance with generally accepted accounting principles, of all expenses incurred for which payment is sought or made under this contract, said records to be hereinafter referred to as the "RECORDS". Separate accounts shall be established and maintained for all costs incurred under this contract.

The REQUESTING PARTY shall maintain the RECORDS for at least three (3) years from the date of final payment of Federal Aid made by the DEPARTMENT under this contract. In the event of a dispute with regard to the allowable expenses or any other issue under this contract, the REQUESTING PARTY shall thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

The DEPARTMENT, or its representative, may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.

If any part of the work is subcontracted, the REQUESTING PARTY shall assure compliance with the above for all subcontracted work.

In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract, or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY, a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense and, (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate

arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, P.L. 98-502.

The REQUESTING PARTY shall adhere to the following requirements associated with audits of accounts and records:

- a. Agencies expending a total of \$500,000 or more in federal funds, from one or more funding sources in its fiscal year, shall comply with the requirements of the federal Office of Management and Budget (OMB) Circular A-133, as revised or amended.

The agency shall submit two copies of:

The Reporting Package
The Data Collection Form
The management letter to the agency, if one issued by the audit firm

The OMB Circular A-133 audit must be submitted to the address below in accordance with the time frame established in the circular, as revised or amended.

b. Agencies expending less than \$500,000 in federal funds must submit a letter to the Department advising that a circular audit was not required. The letter shall indicate the applicable fiscal year, the amount of federal funds spent, the name(s) of the Department federal programs, and the CFDA grant number(s). This information must also be submitted to the address below.

c. Address: Michigan Department of Transportation
Bureau of Highways Technical Services
425 W. Ottawa, P.O. Box 30050
Lansing, MI 48909

d. Agencies must also comply with applicable State laws and regulations relative to audit requirements.

e. Agencies shall not charge audit costs to Department's federal programs which are not in accordance with the OMB Circular A-133 requirements.

f. All agencies are subject to the federally required monitoring activities, which may include limited scope reviews and other on-site monitoring.

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.
3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FHPM Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than \$1,000.00 shall be submitted unless it is a final

or end of fiscal year billing. All billings shall be labeled either "Progress Bill Number _____", or "Final Billing".

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.
5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.
6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. Payment of Contracted and DEPARTMENT Costs:

1. As work on the PROJECT commences, the initial payments for contracted work and/or costs incurred by the DEPARTMENT will be made from the working capital deposit. Receipt of progress payments of Federal funds, and where applicable, State Critical Bridge funds, will be used to replenish the working capital deposit. The REQUESTING PARTY shall make prompt payments of its share of the contracted and/or DEPARTMENT incurred portion of the PROJECT COST upon receipt of progress billings from the DEPARTMENT. Progress billings will be based upon the REQUESTING PARTY'S share of the actual costs incurred as work on the PROJECT progresses and will be submitted, as required, until it is determined by the DEPARTMENT that there is sufficient available working capital to meet the remaining anticipated PROJECT COSTS. All progress payments will be made within thirty (30) days of receipt of billings. No monthly billing of a lesser amount than \$1,000.00 will be made unless it is a final or end of fiscal year billing. Should the DEPARTMENT determine that the available working capital exceeds the remaining anticipated PROJECT COSTS, the DEPARTMENT may reimburse the REQUESTING PARTY such excess. Upon completion of the PROJECT, payment of all PROJECT COSTS, receipt of all applicable monies from the FHWA, and completion of necessary audits, the REQUESTING PARTY will be reimbursed the balance of its deposit.

2. In the event that the bid, plus contingencies, for the contracted, and/or the DEPARTMENT incurred portion of the PROJECT work exceeds the estimated cost therefor as established by this contract, the REQUESTING PARTY may be advised and billed for the additional amount of its share.

C. General Conditions:

1. The DEPARTMENT, in accordance with its procedures in existence and covering the time period involved, shall make payment for interest earned on the balance of working capital deposits for all projects on account with the DEPARTMENT. The REQUESTING PARTY in accordance with DEPARTMENT procedures in existence and covering the time period involved, shall make payment for interest owed on any deficit balance of working capital deposits for all projects on account with the DEPARTMENT. This payment or billing is processed on an annual basis corresponding to the State of Michigan fiscal year. Upon receipt of billing for interest incurred, the REQUESTING PARTY promises and shall promptly pay the DEPARTMENT said amount.
2. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.
3. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

4. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT and upon completion of the PROJECT, payment of all items of PROJECT COST, receipt of all Federal Aid, if any, and completion of final audit by the DEPARTMENT and if applicable, by the FHWA, shall make final accounting to the REQUESTING PARTY. The final PROJECT accounting will not include interest earned or charged on working capital deposited for the PROJECT which will be accounted for separately at the close of the State of Michigan fiscal year and as set forth in Section C(1).
5. The costs of engineering and other services performed on those projects involving specific program funds and one hundred percent (100%) local funds will be apportioned to the respective portions of that project in the same ratio as the actual direct construction costs unless otherwise specified in PART I.

SECTION IV

MAINTENANCE AND OPERATION

A. Upon completion of construction of each part of the PROJECT, at no cost to the DEPARTMENT or the PROJECT, each of the parties hereto, within their respective jurisdictions, will make the following provisions for the maintenance and operation of the completed PROJECT:

1. All Projects:

Properly maintain and operate each part of the project, making ample provisions each year for the performance of such maintenance work as may be required, except as qualified in paragraph 2b of this section.

2. Projects Financed in Part with Federal Monies:

a. Sign and mark each part of the PROJECT, in accordance with the current Michigan Manual of Uniform Traffic control Devices, and will not install, or permit to be installed, any signs, signals or markings not in conformance with the standards approved by the FHWA, pursuant to 23 USC 109(d).

b. Remove, prior to completion of the PROJECT, all encroachments from the roadway right-of-way within the limits of each part of the PROJECT.

With respect to new or existing utility installations within the right-of-way of Federal Aid projects and pursuant to FAPG (23 CFR 645B): Occupancy of non-limited access right-of-way may be allowed based on consideration for traffic safety and necessary preservation of roadside space and aesthetic quality. Longitudinal occupancy of non-limited access right-of-way by private lines will require a finding of significant economic hardship, the unavailability of practicable alternatives or other extenuating circumstances.

c. Cause to be enacted, maintained and enforced, ordinances and regulations for proper traffic operations in accordance with the plans of the PROJECT.

d. Make no changes to ordinances or regulations enacted, or traffic controls installed in conjunction with the PROJECT work without prior review by the DEPARTMENT and approval of the FHWA, if required.

- B. On projects for the removal of roadside obstacles, the parties, upon completion of construction of each part of the PROJECT, at no cost to the PROJECT or the DEPARTMENT, will, within their respective jurisdictions, take such action as is necessary to assure that the roadway right-of-way, cleared as the PROJECT, will be maintained free of such obstacles.
- C. On projects for the construction of bikeways, the parties will enact no ordinances or regulations prohibiting the use of bicycles on the facility hereinbefore described as the PROJECT, and will amend any existing restrictive ordinances in this regard so as to allow use of this facility by bicycles. No motorized vehicles shall be permitted on such bikeways or walkways constructed as the PROJECT except those for maintenance purposes.
- D. Failure of the parties hereto to fulfill their respective responsibilities as outlined herein may disqualify that party from future Federal-aid participation in projects on roads or streets for which it has maintenance responsibility. Federal Aid may be withheld until such time as deficiencies in regulations have been corrected, and the improvements constructed as the PROJECT are brought to a satisfactory condition of maintenance.

SECTION V

SPECIAL PROGRAM AND PROJECT CONDITIONS

- A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that right-of-way.
- B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- C. On those projects funded with Federal monies, the REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, will provide such accident information as is available and such other information as may be required under the program in order to make the proper assessment of the safety benefits derived from the work performed as the PROJECT. The REQUESTING PARTY will cooperate with the DEPARTMENT in the development of reports and such analysis as may be required and will, when requested by the DEPARTMENT, forward to the DEPARTMENT, in such form as is necessary, the required information.
- D. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.
- E. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Act No. 453, Public Acts of 1976, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or as a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Further, in accordance with Act No. 220, Public Acts of 1976 as amended by Act No. 478, Public Acts of 1980 the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants shall be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to insure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this appendix.
6. The contractor will comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission which may be in effect prior to the taking of bids for any individual state project.
7. The contractor will furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission, said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor as well as the contractor himself, and said contractor will permit access to his books, records, and accounts by the Michigan Civil Rights Commission and/or its agent, for purposes of investigation to ascertain compliance with this contract and relevant with rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this agreement, the Civil Rights Commission may, as part of its order based upon such findings, certify said findings to the Administrative Board of the State of Michigan, which Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, and including the governing boards of institutions of higher education, until the contractor complies with said order of the Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Civil Rights Commission to participate in such proceedings.
9. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.

March, 1998

APPENDIX B

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 27, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or natural origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Michigan Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Michigan Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Michigan Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination, or suspension of the contract, in whole or in part.
6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs 1 through 6 of every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Michigan Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Michigan Department of Transportation to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

Assurance that Recipients and Contractors Must Make (Excerpts from US DOT Regulation 49 CFR 26.13)

- A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:**

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

- B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:**

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

Commission Meeting Date: April 27, 2010

Date: April 20, 2010

To: Honorable Mayor & City Commission

**From: Community and Neighborhood Services
Department**

**RE: Approval of Contractor for Rehabilitation of House
at 134 Isabella**

SUMMARY OF REQUEST: To approve the contract with Statewide Abatement, 1720 Creston, Muskegon, MI for the completion of the rehabilitation to be located at 134 Isabella within 90 days of signing the contract, for the bided amount of \$37,597. This property's rehabilitation is being financed with Neighborhood Stabilization funds from the Michigan State Housing Development Authority. After the total rehabilitation is completed the home will be marketed to any eligible owner occupied homebuyer with a household income less than 121 percent of the area median income.

The City received five (5) additional bids:

Grayspace Construction of 601 Amity, Muskegon, MI for \$65,509

Depender Construction of 4471 Tomkins Trail, Muskegon, MI for \$66,325

Tim Weberg of 6263 Dakson Rd., Twin Lake, MI for \$61,800

Murphy and Son of 84 N. Bock, Muskegon, MI for \$58,350

Mossy Oak of 3101 Hall Rd., Muskegon, MI for \$49,630

Specialty Builders of 4392 Hall Rd., Muskegon, MI for \$43,910

FINANCIAL IMPACT: The funding for the project will be taken from the money awarded to the City of Muskegon through the Neighborhood Stabilization Program

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve for the Community and Neighborhood Services office to develop a contract with Statewide Abatement and direct the Mayor and Clerk to sign the contract.

COMMITTEE RECOMMENDATION: None needed.

Commission Meeting Date: April 27, 2010

Date: April 20, 2010

To: Honorable Mayor & City Commission

**From: Community and Neighborhood Services
Department**

**RE: Approval of Contractor for Rehabilitation of House
at 468 W. Forest**

SUMMARY OF REQUEST: To approve the contract with Specialty Builders, 4392 Hall Rd., Muskegon, MI for the completion of the rehabilitation to be located at 468 W. Forest within 120 days of signing the contract, for the bided amount of \$63,760. This property's rehabilitation is being financed with Neighborhood Stabilization funds from the Michigan State Housing Development Authority. After the total rehabilitation is completed the home will be marketed to any eligible owner occupied homebuyer with a household income less than 121 percent of the area median income.

The City received five (5) additional bids:

Grayspace Construction of 601 Amity, Muskegon, MI for \$76,162

Mossy Oak of 3101 Hall Rd., Muskegon, MI for \$68,980

Tim Weberg of 6263 Dakson Rd., Twin Lake, MI for \$66,750

Murphy and Son of 84 N. Bock, Muskegon, MI for \$65,850

Statewide of 1720 Creston, Muskegon, MI for \$43,910

FINANCIAL IMPACT: The funding for the project will be taken from the money awarded to the City of Muskegon through the Neighborhood Stabilization Program

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve for the Community and Neighborhood Services office to develop a contract with Specialty Builders and direct the Mayor and Clerk to sign the contract.

COMMITTEE RECOMMENDATION: None needed.

Commission Meeting Date: April 27, 2010

Date: April 20, 2010

To: Honorable Mayor & City Commission

**From: Community and Neighborhood Services
Department**

**RE: Approval of Contractor Rehabilitation of House at
1201 Ransom.**

SUMMARY OF REQUEST: To approve the contract with Specialty Builders of 4392 Hall Rd., Muskegon, MI for the completion of the rehabilitation to be located at 1201 Ransom within 180 days of signing the contract, for their bided cost of \$77,135 (Seventy seven thousand one hundred thirty five dollars). This property's rehabilitation is being financed with Neighborhood Stabilization funds from the Michigan State Housing Development Authority. After the total rehabilitation is completed the home will be marketed to any eligible owner occupied homebuyer with a household income less than 121 percent of the area median income.

The City received four (4) additional bids:

Grayspace Construction of 601 Amity, Muskegon, MI for \$122,835

Mossy Oak Builders of 3101 Hall Rd., Muskegon, MI for \$96,860

Tim Weberg of 6263 Dakson Rd., Twin Lake, MI for \$82,150

Murphy and Son of 84 N. Bock, Muskegon, MI for \$78,700

FINANCIAL IMPACT: The funding for the project will be taken from the money awarded to the City of Muskegon through the Neighborhood Stabilization Program

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve for the Community and Neighborhood Services office to develop a contract with Specialty Builders and direct the Mayor and Clerk to sign the contract.

COMMITTEE RECOMMENDATION: None needed.

Commission Meeting Date: April 27, 2010

Date: April 20, 2010

To: Honorable Mayor & City Commission

**From: Community and Neighborhood Services
Department**

**RE: Approval of Contractor for Rehabilitation of House
at 627 Apple**

SUMMARY OF REQUEST: To approve the contract with Specialty Builders, 4392 Hall Rd., Muskegon, MI for the completion of the rehabilitation to be located at 627 Apple within 90 days of signing the contract, for the bided amount of \$46,800. This property's rehabilitation is being financed with Neighborhood Stabilization funds from the Michigan State Housing Development Authority. After the total rehabilitation is completed the home will be marketed to any eligible owner occupied homebuyer with a household income less than 121 percent of the area median income.

The City received five (5) additional bids:

Grayspace Construction of 601 Amity, Muskegon, MI for \$74,200

Depender Construction of 4471 Tomkins Trail, Muskegon, MI for \$59,603

Mossy Oak of 3101 Hall Rd., Muskegon, MI for \$57,940

Tim Weberg of 6263 Dakson Rd., Twin Lake, MI for \$52,200

Murphy and Son of 84 N. Bock, Muskegon, MI for \$49,300

FINANCIAL IMPACT: The funding for the project will be taken from the money awarded to the City of Muskegon through the Neighborhood Stabilization Program

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve for the Community and Neighborhood Services office to develop a contract with Specialty Builders and direct the Mayor and Clerk to sign the contract.

COMMITTEE RECOMMENDATION: None needed.

Commission Meeting Date: April 27, 2010

Date: April 20, 2010

To: Honorable Mayor & City Commission

**From: Community and Neighborhood Services
Department**

**RE: Approval of Contractor for Rehabilitation of House
at 1331 Amity**

SUMMARY OF REQUEST: To approve the contract with Mossy Oak Builders, 3101 Hall Rd., Muskegon, MI for the completion of the rehabilitation to be located at 1331 Amity within 120 days of signing the contract, for the agreed upon amount of \$63,635. This property's rehabilitation is being financed with Neighborhood Stabilization funds from the Michigan State Housing Development Authority. After the total rehabilitation is completed the home will be marketed to any eligible owner occupied homebuyer with a household income less than 121 percent of the area median income.

The City received six (6) additional bids:

Depender Construction of 4471 Tomkins Trail, Muskegon, MI for \$97,145

Grayspace Construction of 601 Amity, Muskegon, MI for \$79,974

Statewide Abatement of 1720 Creston, Muskegon, MI for \$74,184

Tim Weberg of 6263 Dakson Rd., Twin Lake, MI for \$74,000

Murphy and Son of 84 N. Bock, Muskegon, MI for \$70,500

Specialty Builders of 4392 Hall, Muskegon, MI for \$58,780

Obviously Specialty Builders was the lowest bidder on this project but they also were the lowest bidder on three other projects in this round of NSP projects. It was the opinion of both the CNS office as well as Specialty Builders that they did not have the capacity to complete four rehabilitation projects in a quality manner in the time frame that the CNS office is requesting.

FINANCIAL IMPACT: The funding for the project will be taken from the money awarded to the City of Muskegon through the Neighborhood Stabilization Program

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve for the Community and Neighborhood Services office to develop a contract with Mossy Oak Builders and direct the Mayor and Clerk to sign the contract.

COMMITTEE RECOMMENDATION: None needed.

Date: April 27, 2010
To: Honorable Mayor and City Commissioners
From: Ann Marie Becker, City Clerk
RE: Liquor License Request
Shoreline Inn
750 Terrace Point

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from Shoreline Inn, LLC for a new SDM License and a new Direct-Connection located at 750 Terrace Point.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.



Muskegon Police Department

Anthony L. Kleibecker
Director of Public Safety

980 Jefferson
Muskegon, Michigan
49443-0536

www.muskegonpolice.com

Phone: 231-724-6750
FAX: 231-722-5140

April 9, 2010

To: City Commission through the City Manager

From: *Anthony L. Kleibecker*
Anthony L. Kleibecker, Director of Public Safety

Re: Liquor License Investigation – 750 Terrace Point Drive
New B-Hotel and SDM License with Permits

The Muskegon Police Department has received a request from the Michigan Liquor Control Commission for an investigation from applicant Shoreline Inn, LLC.

Shoreline Inn, LLC. is requesting a New B-Hotel License to be issued under MCL 436.1521a(1)b, and a New SDM License, with Dance-Entertainment Permit, Outdoor Service (2 Areas), and Additional Bar Permit, for a total of (2) Bars, and Official Permit-Guest Registration, to be located at 750 Terrace Point, Muskegon, MI 49440.

Shoreline Inn, LLC. is comprised of Jonathan Rooks of 5349 Lake Harbor Rd, Norton Shores MI. 49441; his office is located in Grand Rapids Mi. Mr. Rooks is President of Parkland Properties of Michigan. He is also involved in another City of Muskegon redevelopment project.

A check of Muskegon Police Department records and criminal history showed no reason to deny this request.

ALK/kd



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

LOCAL GOVERNMENT 15-DAY NOTICE

[Authorized by R 436.1105 (2d) and (3)]

December 23, 2009

MUSKEGON CITY COUNCIL
ATTN: CLERK
933 TERRACE STREET
PO BOX 536
MUSKEGON, MI 49443-0536

Request ID #: 529807

The Michigan Liquor Control Commission has received an application from SHORELINE INN, LLC REQUESTS NEW SDM LICENSE; AND NEW DIRECT-CONNECTION LOCATED AT 750 TERRACE POINT, MUSKEGON, MI 49440, MUSKEGON COUNTY.

CONTACT:

JONATHAN L. ROOKS, 940 MONROE AVE NW, SUITE 155, GRAND RAPIDS, MI 49503, PHONE:
(616)450-4600

Specially Designated Merchant (SDM) licenses permit the sale of beer and wine for consumption off the premises only. Specially Designated Distributor (SDD) licenses permit the sale of alcoholic liquor, other than beer and wine under 21 per cent alcohol by volume, for consumption off the premises only.

For your information, part of the investigation of the application is conducted by the local law enforcement agency and investigative forms will be released to them either in person or by mail.

Although local governing body approval is not required by the Michigan Liquor Control Code, Rules and Related Laws for off-premise licenses, the local governing body, or its designee, may notify the Commission at the above address within 15 days of receipt of this letter if the applicant location will not be in compliance with all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, or if the applicant is considered ineligible due to other factors.

All conditions of non-compliance must be outlined in detail, indicating the applicable laws and ordinances. A copy of the law and/or ordinance may be submitted with the notification.

If you have any questions, contact the appropriate unit (On Premises, Off Premises or Manufacturers & Wholesalers) at (517) 322-1400.

smg

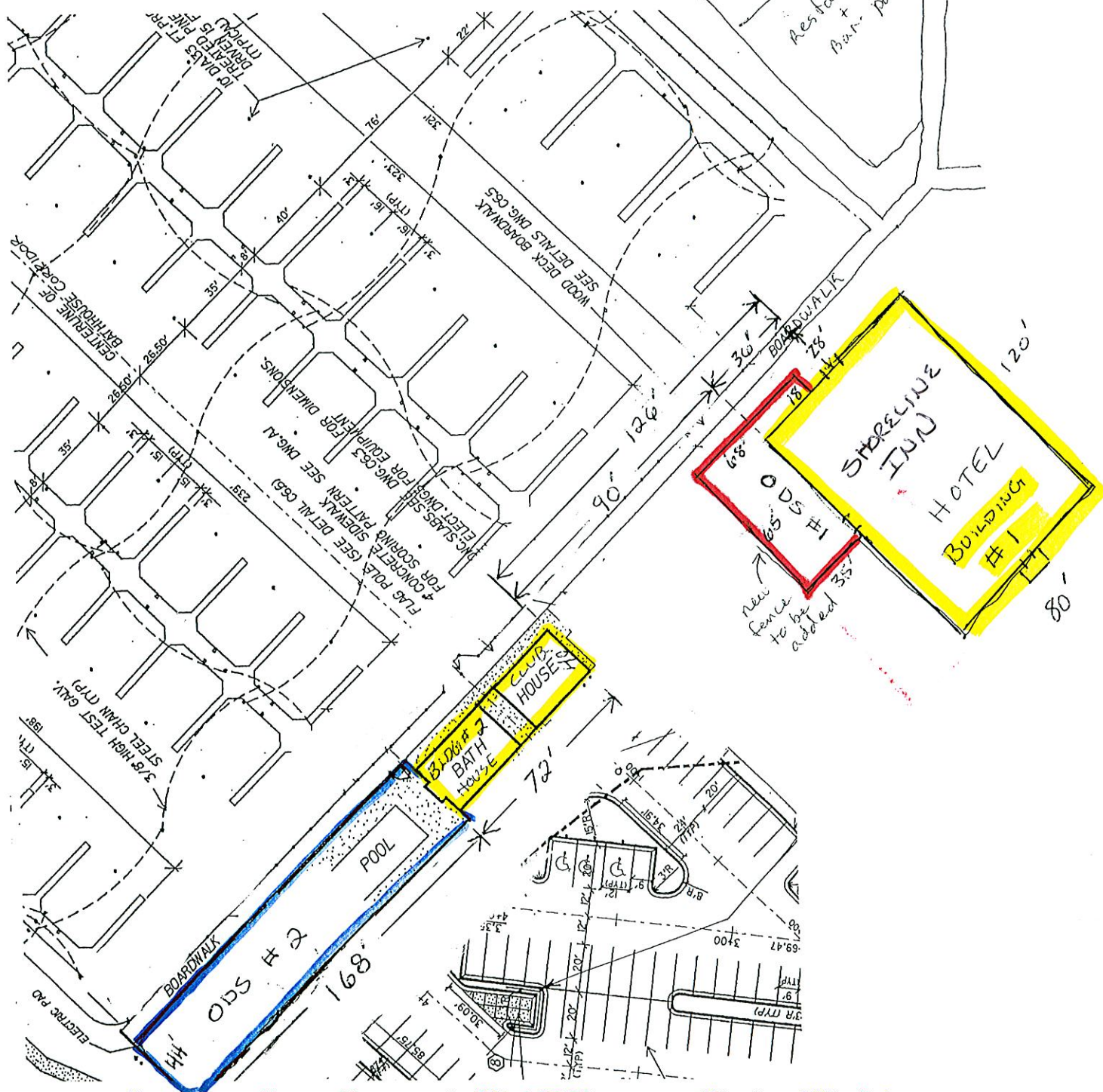


529718

529807

KURT - THEY PLAN TO
LICENSE THE HOTEL (BLDG #1)
AND THE OUTDOOR POOL BUILDING
(BLDG #2) AND 2 OUTDOOR SERVICE
AREAS AS HIGHLIGHTED BELOW.

TOM HEALY, MLCC



Commission Meeting Date: April 27, 2010

Date: April 20, 2010
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development *CBC*
RE: Amendments to the Zoning Ordinance

SUMMARY OF REQUEST:

Staff initiated request to amend Section 700, #9 of Article VII (RM-1, Low Density Multiple-Family Residential) to allow assisted living facilities as a principal use permitted in RM-1, Low Density Multiple-Family Residential Districts.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request at their 4/15 meeting.

Staff Report (EXCERPT)
CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

April 15, 2010

Hearing; Case 2010-11: Staff initiated request to amend Section 700, #9 of Article VII to allow assisted living facilities as a principal use permitted in RM-1, Low Density Multiple-Family Residential Districts.

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold:**

Amendment to Section 700, #9 of Article VII

New #9

9. Assisted Living Facility, under the following conditions:

- a. **There shall be no more than six (6) residents per building.**
- b. **The facility shall be at least one thousand five hundred (1,500) feet from any other similar facility.**

DELIBERATION

I move that the amendment to Section 700, #9 of Article VII, of the City of Muskegon Zoning Ordinance, be recommended to the City Commission for (approval/denial).

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Section 700, #9 of Article VII to allow assisted living facilities as a principal use permitted in RM-1, Low Density Multiple-Family Residential Districts.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE

Deletions are crossed-out and additions are in **bold**:

Amendment to Section 700, #9 of Article VII

New #9

9. Assisted Living Facility, under the following conditions:

- c. **There shall be no more than six (6) residents per building.**
- d. **The facility shall be at least one thousand five hundred (1,500) feet from any other similar facility.**

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Marie Becker, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 27th day of April, 2010, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2008, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2010.

Ann Marie Becker, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on April 27, 2010, the City Commission of the City of Muskegon adopted an ordinance to amend Section 700, #9 of Article VII to allow assisted living facilities as a principal use permitted in RM-1, Low Density Multiple Family Residential Districts. Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2010.

CITY OF MUSKEGON

By _____
Ann Marie Becker, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354

*Tabled from
3-23-10*

DATE: 03/12/2010
TO: Honorable Mayor and Commissioners
FROM: Anthony Kleibecker, Director of Public Safety
RE: Concurrence with the Housing Board of Appeals Notice and Order to Demolish. Dangerous Building Case #: EN090232

SUMMARY OF REQUEST: This is to request that the City Commission Concur with the findings of the Housing Board of Appeals that the structure located at **439 HOUSTON AVE Area 10** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days. It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

Case# & Project Address: # EN090232 - 439 HOUSTON AVE

Location and ownership: This structure is located on Houston between Seventh and Sixth Streets and is owned by SZCZESNY JAMIN P.

Staff Correspondence: A dangerous building inspection was conducted on 09/21/09. The Notice and Order to Repair was issued on 09/24/09. On 11/05/09 the HBA declared the structure substandard and dangerous.

Owner Contact: No one was present for the HBA meeting dated 11/05/09. No permits have been issued, no inspections scheduled and no owner contact.

Financial Impact: CDBG Funds

Budget action required: None

State Equalized value: \$30,300 (Entire property)

Estimated cost to repair: \$5,000 (Exterior only)

Staff Recommendation: To concur with the Housing Board of Appeals decision to demolish.

SUMMARY FOR: 439 HOUSTON AVE

This is a two story wood framed, single family dwelling. This structure is currently vacant and partially exposed to the weather. Permits were issued in 2006 to renovate this building, but were allowed to expire in 2007. Since that time it appears that the project has been abandoned. This building if allowed to remain in this condition will continue to deteriorate.

CITY OF MUSKEGON

933 Terrace St., P.O. Box 537, Muskegon, MI 49443 (231) 724-6715

DANGEROUS BUILDING INSPECTION REPORT

Monday, September 21, 2009

Enforcement # EN090232 **Property Address** 439 HOUSTON AVE
Parcel # 24-205-370-0002-00 **Owner** SZCZESNY JAMIN P

Inspector: Henry Faltinowski

Date completed: 09/21/2009

DEFICENCIES:

Uncorrected

1. Exterior of home has incomplete window installation exposed osb is deteriorated.
2. Large area of exterior siding has peeling paint.
3. Bilco door is full of debris; rotting wood.
4. Permits on home have expired.
5. Interior inspection by trade inspectors requested.

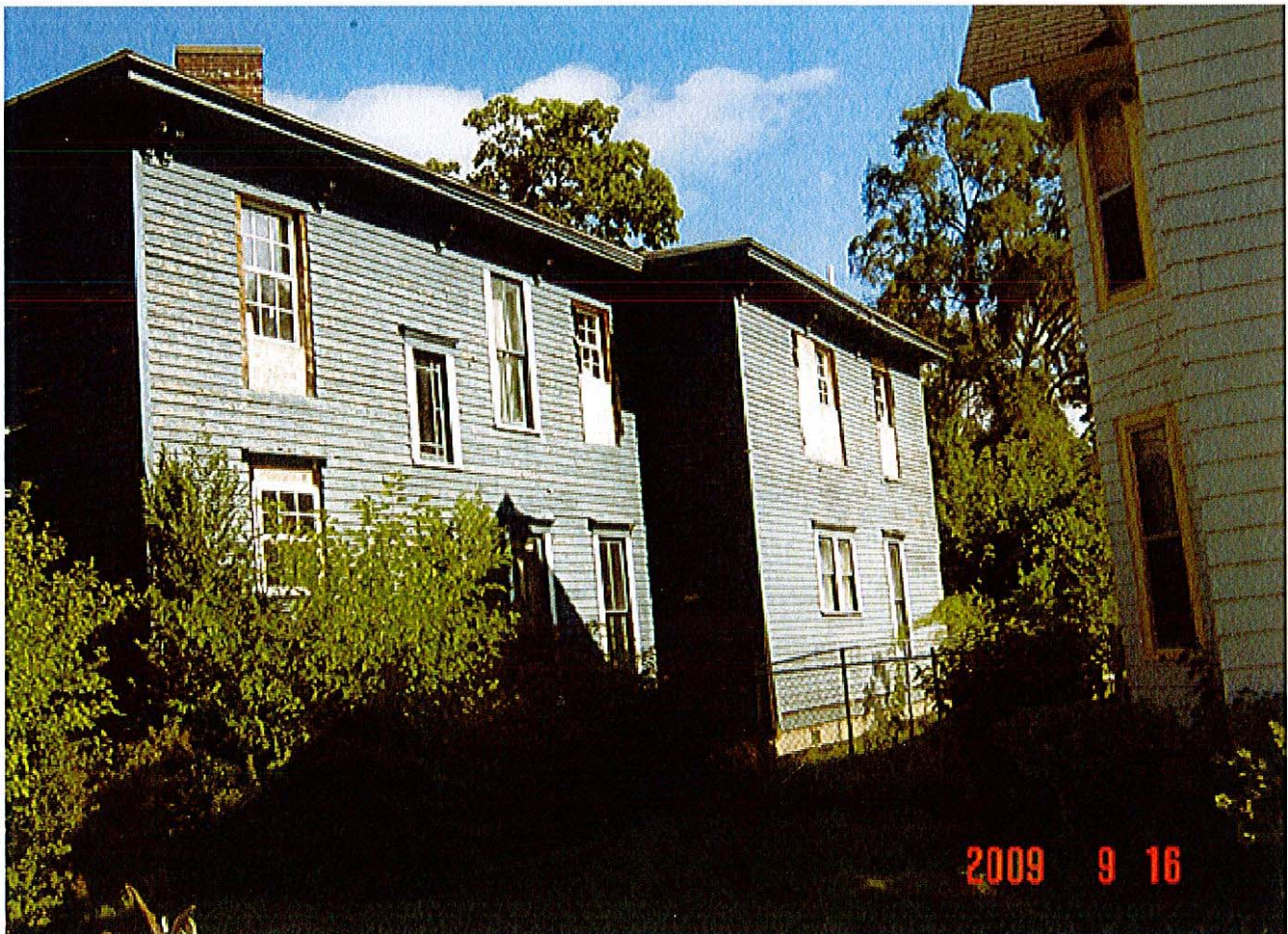
Request interior inspection by all trades, electrical, mechanical and plumbing. Please contact Inspection Services with any questions or to schedule an inspection at 933 Terrace St., Muskegon, MI 49440 (231) 724 6758.

Based upon my recent inspection of the above property I determined that the structure meets the definition of a Dangerous Building and/or Substandard Building as set forth in Section 10-61 of the Muskegon City Code.

Henry Faltinowski, Building Inspector

Date

P.B 439 Houston





439 Houston



AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: April 1, 2010

RE: 2010 Budget Adjustments

SUMMARY OF REQUEST:

To make changes to the 2010 budget based on the current economic conditions. The proposed changes will reduce the budget expenditures and put them more in line with anticipated revenues.

FINANCIAL IMPACT:

Over \$700,000 to the city's General Fund.

BUDGET ACTION REQUIRED:

Approve an amendment to the 2010 budget and authorize implementation of the changes.

STAFF RECOMMENDATION:

To approve the proposed adjustments.

COMMITTEE RECOMMENDATION:

None.

CITY OF MUSKEGON
GENERAL FUND

HISTORICAL SUMMARY

Year		Revenues & Transfers In		Expenditures & Transfers Out		Fund Balance at Year-End	
2000	\$	23,685,516	\$	22,232,657	\$	2,951,734	
2001		23,446,611		23,235,978		3,162,367	
2002		23,617,163		23,971,534		2,807,996	
2003		23,328,756		23,705,334		2,431,418	
2004		23,401,793		23,388,019		2,445,192	
2005		23,732,641		23,658,227		2,519,606	
2006		24,669,210		24,498,776		2,690,040	
2007		25,031,403		24,800,810		2,920,633	
2008		25,563,632		26,100,539		2,383,726	
2009		24,105,019		24,850,082		1,638,663	745,063

Fiscal 2010 Budget Summary

FUND BALANCE AT START OF YEAR **\$ 1,638,663**

MEANS OF FINANCING:

Taxes	14,514,016	61.3%
Licenses and Permits	1,009,500	4.3%
Federal Grants	75,000	0.3%
State Grants	28,000	0.1%
State Shared Revenue	3,727,627	15.7%
Other Charges	2,449,579	10.3%
Interest & Rentals	286,800	1.2%
Fines and Fees	537,000	2.3%
Other Revenue	453,500	1.9%
Other Financing Sources	<u>600,000</u>	<u>2.5%</u>
	23,681,022	100.0%

ESTIMATED REQUIREMENTS:

Customer Value Added Activities	17,518,140	74.5%
Business Value Added Activities	4,216,912	17.9%
Fixed Budget Items	<u>1,771,535</u>	<u>7.5%</u>
	23,506,587	100.0%

ESTIMATED FUND BALANCE AT END OF YEAR **\$ 1,813,098**

OPERATING DEFICIT (USE OF FUND BALANCE) **\$ 174,435**

City of Muskegon
Quarterly Budget Reforecast - General Fund

	Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Revised Estimate 2010	Change From 2009 Original
Available Fund Balance - BOY	\$ 2,690,039	\$ 2,920,633	\$ 2,383,726	\$ 2,047,903	\$ 1,638,663	\$ 1,638,663	\$ (409,240)
Taxes							
City income tax	\$ 7,618,461	\$ 7,694,780	\$ 6,482,290	\$ 6,200,000	\$ 1,527,674	\$ 6,200,000	\$ -
Property taxes - general	5,686,706	5,935,022	6,095,132	6,504,184	5,525,484	6,504,184	-
Property taxes - sanitation	1,658,845	1,731,623	1,787,193	1,530,760	1,275,354	1,530,760	-
Industrial facilities taxes	364,628	276,203	216,962	183,072	186,322	183,072	-
Payments in lieu of taxes	91,392	91,225	91,435	91,000	-	91,000	-
Delinquent chargeback collected	-	6	-	5,000	-	5,000	-
	\$ 15,420,032	\$ 15,728,859	\$ 14,673,012	\$ 14,514,016	\$ 8,514,834	\$ 14,514,016	\$ -
Licenses and permits							
Business licenses	\$ 32,025	\$ 32,314	\$ 31,573	\$ 32,500	\$ 2,129	\$ 32,500	\$ -
Liquor licenses	37,000	38,957	54,235	59,000	8,409	37,000	(22,000)
Temporary Liquor licenses	-	-	-	-	4,044	-	-
Cable TV franchise fees	296,701	304,812	321,852	310,000	-	310,000	-
Rental property registration	695	61,600	112,110	100,000	8,880	100,000	-
Property Maintenance Inspection Fees	81,640	-	-	-	-	-	-
Burial permits	117,703	86,515	105,616	110,000	19,446	110,000	-
Building permits	348,349	353,042	232,797	225,000	71,033	225,000	-
Electrical permits	106,607	98,914	73,940	85,000	20,527	85,000	-
Plumbing permits	34,540	41,711	28,966	35,000	10,531	35,000	-
Mechanical permits	56,016	68,002	45,452	50,000	15,265	50,000	-
Franchise fees	500	-	-	-	-	-	-
Cat licenses	3,740	3,315	2,390	-	-	-	-
Vacant building	-	-	23,750	25,000	14,050	25,000	-
Police gun registration	2	5	-	-	-	-	-
	\$ 1,115,518	\$ 1,089,187	\$ 1,032,681	\$ 1,031,500	\$ 174,314	\$ 1,009,500	\$ (22,000)
Federal grants							
Federal operational grant	\$ 84,162	\$ 40,622	\$ 64,613	\$ 40,000	\$ 41,642	\$ 75,000	\$ 35,000
Federal grant - energy project	-	-	-	-	-	-	-
	\$ 84,162	\$ 40,622	\$ 64,613	\$ 40,000	\$ 41,642	\$ 75,000	\$ 35,000
State grants							
Act 302 police training grant	\$ 18,373	\$ 17,702	\$ 16,363	\$ 18,000	\$ -	\$ 18,000	\$ -
State operational grant	-	10,000	-	10,000	-	10,000	-
	\$ 18,373	\$ 27,702	\$ 16,363	\$ 28,000	\$ -	\$ 28,000	\$ -
State shared revenue							
State sales tax - Constitutional	\$ 2,625,970	\$ 2,641,035	\$ 2,372,443	\$ 2,429,653	\$ -	\$ 2,323,733	\$ (105,920)
State sales tax - Statutory	1,849,492	1,846,663	1,469,479	1,641,740	-	1,403,894	(237,846)
	\$ 4,475,462	\$ 4,487,698	\$ 3,841,922	\$ 4,071,393	\$ -	\$ 3,727,627	\$ (343,766)

City of Muskegon
Quarterly Budget Reforecast - General Fund

	Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Revised Estimate 2010	Change From 2009 Original
Other charges for sales and services							
Tax administration fees	\$ 212,530	\$ 315,261	\$ 301,784	\$ 306,400	\$ -	\$ 306,400	\$ -
Utility administration fees	180,000	180,000	200,000	225,000	55,000	225,000	-
Reimbursement for elections	22,042	12,006	14,409	-	2	-	-
Reimbursement for school police officer	-	16,012	20,456	19,000	5,944	19,000	-
Indirect cost reimbursement	1,024,932	1,021,500	1,140,720	1,171,979	291,042	1,171,979	-
Site-plan review fee	5,870	4,245	3,400	4,000	300	4,000	-
Sale of cemetery lots	34,982	20,307	24,095	25,000	4,189	25,000	-
Sale of columbarium niches	3,200	927	800	2,400	-	2,400	-
Police miscellaneous	120,470	81,243	82,882	80,000	7,511	80,000	-
Police impound fees	43,234	39,375	43,629	40,000	9,950	40,000	-
Landlord's alert fee	220	290	175	300	80	300	-
Fire protection-state property	87,601	127,590	110,079	80,000	-	80,000	-
Zoning fees	10,362	8,360	5,697	8,000	1,470	8,000	-
Clerk fees	3,115	5,550	1,098	3,500	41	3,500	-
Clerk - passport fees	8,240	7,830	3,827	5,000	1,965	5,000	-
Tax abatement application fees	16,411	11,711	2,211	10,000	-	10,000	-
Lien Look-ups	-	-	-	-	7,395	-	-
Treasurer fees	61,277	43,279	61,033	60,000	2,378	60,000	-
False alarm fees	12,525	10,415	10,500	10,000	2,315	10,000	-
Miscellaneous cemetery income	20,536	19,282	18,108	22,000	1,599	22,000	-
Senior transit program fees	9,254	10,149	9,572	9,000	2,645	9,000	-
Fire miscellaneous	3,494	14,700	1,889	3,000	245	3,000	-
Sanitation stickers	84,735	81,702	83,254	80,000	17,256	80,000	-
Lot cleanup fees (trash)	70,987	63,733	42,244	70,000	10,847	70,000	-
Reimbursements for mowing and demolitions	55,484	85,905	59,447	70,000	-	70,000	-
Special events reimbursements	92,041	15,278	164,966	100,000	800	100,000	-
Recreation program fees	41,457	42,959	50,642	45,000	11,179	45,000	-
	\$ 2,224,999	\$ 2,239,609	\$ 2,456,917	\$ 2,449,579	\$ 434,153	\$ 2,449,579	\$ -
Interest and rental income							
Interest	\$ 456,224	\$ 374,525	\$ 47,180	\$ 50,000	\$ -	\$ 50,000	\$ -
Procurement Card Rebate	-	35,043	34,883	34,000	-	34,000	-
Fire Station Lease - Central Dispatch	6,180	45,450	44,166	42,000	8,599	42,000	-
Naval Museum Property Rental	-	-	4,958	15,000	-	15,000	-
Flea market	22,064	27,880	27,262	29,000	-	29,000	-
Farmers market	40,325	39,519	41,629	35,000	-	35,000	-
City right of way rental	4,400	6,800	6,881	6,800	4,800	6,800	-
Advertising revenue	-	123	250	-	-	-	-
Parking rentals	2,800	2,800	1,400	-	-	-	-
McGraft park rentals	42,114	39,043	61,585	45,000	4,662	45,000	-
Other park rentals	30,920	33,795	35,330	30,000	8,899	30,000	-
	\$ 605,027	\$ 604,978	\$ 305,524	\$ 286,800	\$ 26,960	\$ 286,800	\$ -

City of Muskegon
Quarterly Budget Reforecast - General Fund

	Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Revised Estimate 2010	Change From 2009 Original
Fines and fees							
Income tax - penalty and interest	\$ 240,315	\$ 284,629	\$ 219,490	\$ 225,000	\$ 59,471	\$ 225,000	\$ -
Late fees on current taxes	38,931	28,158	36,585	40,000	80	40,000	-
Interest on late invoices	2,151	1,774	1,717	2,000	-	2,000	-
Parking fines	113,354	90,360	111,022	100,000	27,639	100,000	-
Court fines	190,651	154,765	154,801	170,000	48,341	170,000	-
	\$ 585,402	\$ 559,686	\$ 523,615	\$ 537,000	\$ 135,531	\$ 537,000	\$ -
Other revenue							
Sale of land and assets	\$ -	\$ 14,488	\$ -	\$ 1,000	\$ 500	\$ 1,000	\$ -
Police sale and auction proceeds	-	277	503	-	-	-	-
CDBG program reimbursements	225,149	329,756	386,164	335,000	8,512	335,000	-
Sanitation reimbursements	-	-	-	-	-	43,000	43,000
Contributions	50,499	50,224	21,561	11,000	10,990	11,000	-
Contributions - Veteran's Park Maintenance	18,328	15,399	15,757	18,500	-	18,500	-
Fisherman's Landing Repayment	-	15,066	-	14,500	-	14,500	-
Darl & Kathleen Staley Trust	-	-	-	3,000	-	3,000	-
Muskegon County Community Foundation	3,000	37,543	7,920	1,500	-	1,500	-
Miscellaneous reimbursements	-	-	-	1,000	-	1,000	-
Miscellaneous and sundry	53,794	28,635	65,352	25,000	3,643	25,000	-
	\$ 350,770	\$ 491,388	\$ 497,257	\$ 410,500	\$ 23,645	\$ 453,500	\$ 43,000
Other financing sources							
Operating transfers in							
Cemetery Perpetual Care	\$ 80,185	\$ 57,631	\$ 55,024	\$ 50,000	\$ 2,187	\$ 50,000	\$ -
PIF (PY Fisherman's Landing Payments)	-	50,000	-	-	-	-	-
General Insurance Fund	-	136,272	77,744	-	-	-	-
LDFA Fund	-	-	347	-	-	-	-
Budget Stabilization Fund	-	-	500,000	500,000	-	500,000	-
State Grants Fund	11,473	-	-	-	-	-	-
TIFA Fund (Arena Operations)	60,000	50,000	60,000	50,000	12,500	50,000	-
	\$ 151,658	\$ 293,903	\$ 693,115	\$ 600,000	\$ 14,687	\$ 600,000	\$ -
Total general fund revenues and other sources							
	\$ 25,031,403	\$ 25,563,632	\$ 24,105,019	\$ 23,968,788	\$ 9,365,766	\$ 23,681,022	\$ (287,766)

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

		Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
I. Customer Value Added Activities									
40301 Police Department									
5100	Salaries & Benefits	\$ 7,141,759	\$ 7,633,448	\$ 7,703,295	\$ 7,411,021	\$ 1,654,080	22%	\$ 7,411,021	\$ -
5200	Operating Supplies	108,679	95,149	121,778	115,024	12,157	11%	115,024	-
5300	Contractual Services	942,510	1,025,211	978,073	901,000	217,015	25%	861,000	(40,000)
5400	Other Expenses	24,877	25,580	21,617	20,000	1,344	7%	20,000	-
5700	Capital Outlays	17,947	26,233	10,539	15,000	7,198	48%	15,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 8,235,772	\$ 8,805,621	\$ 8,835,302	\$ 8,462,045	\$ 1,891,794	22%	\$ 8,422,045	\$ (40,000)
		\$ 8,235,772	\$ 8,805,621	\$ 8,835,302	\$ 8,462,045	\$ 1,891,794	22%	\$ 8,422,045	\$ (40,000)
50336 Fire Department									
5100	Salaries & Benefits	\$ 3,285,855	\$ 3,406,826	\$ 3,463,760	\$ 3,278,088	\$ 773,930	24%	\$ 3,238,088	\$ (40,000)
5200	Operating Supplies	90,479	139,937	72,590	96,500	13,665	14%	96,500	-
5300	Contractual Services	216,418	225,014	192,142	175,000	30,359	17%	175,000	-
5400	Other Expenses	4,757	7,622	4,274	8,500	718	8%	8,500	-
5700	Capital Outlays	55,014	57,206	61,563	50,361	38,198	76%	50,361	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 3,652,523	\$ 3,836,605	\$ 3,794,329	\$ 3,608,449	\$ 856,870	24%	\$ 3,568,449	\$ (40,000)
50387 Fire Safety Inspections									
5100	Salaries & Benefits	\$ 830,275	\$ 890,135	\$ 783,088	\$ 617,136	\$ 144,727	23%	\$ 617,136	\$ -
5200	Operating Supplies	12,157	15,448	12,410	13,000	1,359	10%	13,000	-
5300	Contractual Services	107,713	107,928	131,033	114,949	21,400	19%	114,949	-
5400	Other Expenses	11,328	24,243	6,122	10,000	944	9%	10,000	-
5700	Capital Outlays	4,663	3,753	314	2,000	-	0%	2,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 966,136	\$ 1,041,507	\$ 932,967	\$ 757,085	\$ 168,430	22%	\$ 757,085	\$ -
		\$ 4,618,659	\$ 4,878,112	\$ 4,727,296	\$ 4,365,534	\$ 1,025,300	24%	\$ 4,325,534	\$ (40,000)
60523 General Sanitation									
5100	Salaries & Benefits	\$ 70,782	\$ 74,638	\$ 79,617	\$ -	\$ 7,852	N/A	\$ -	\$ -
5200	Operating Supplies	1,425	74	-	-	-	N/A	-	-
5300	Contractual Services	1,551,132	1,554,230	1,545,222	1,603,347	126,276	8%	1,603,347	-
5400	Other Expenses	-	10	60	-	-	N/A	-	-
5700	Capital Outlays	26,149	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 1,649,488	\$ 1,628,952	\$ 1,624,899	\$ 1,603,347	\$ 134,128	8%	\$ 1,603,347	\$ -
60528 Recycling									
5100	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -
5200	Operating Supplies	-	-	9	-	-	N/A	-	-
5300	Contractual Services	163,699	164,568	92,775	-	-	N/A	-	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 163,699	\$ 164,568	\$ 92,784	\$ -	\$ -	N/A	\$ -	\$ -

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

		Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
60550	Stormwater Management								
5100	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -
5200	Operating Supplies	-	327	-	-	-	N/A	-	-
5300	Contractual Services	16,991	17,427	16,991	17,786	4,000	22%	17,786	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 16,991	\$ 17,754	\$ 16,991	\$ 17,786	\$ 4,000	22%	\$ 17,786	\$ -
60448	Streetlighting								
5100	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -
5200	Operating Supplies	-	-	-	-	-	N/A	-	-
5300	Contractual Services	593,486	643,477	735,479	625,000	68,191	9%	750,000	125,000
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	10,000	-	N/A	-	(10,000)
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 593,486	\$ 643,477	\$ 735,479	\$ 635,000	\$ 68,191	9%	\$ 750,000	\$ 115,000
60707	Senior Citizen Transit								
5100	Salaries & Benefits	\$ 50,164	\$ 50,001	\$ 53,745	\$ 56,816	\$ 11,877	21%	\$ 56,816	\$ -
5200	Operating Supplies	-	-	-	-	-	N/A	-	-
5300	Contractual Services	9,660	9,620	9,158	11,287	2,400	21%	11,287	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 59,824	\$ 59,621	\$ 62,903	\$ 68,103	\$ 14,277	21%	\$ 68,103	\$ -
60446	Community Event Support								
5100	Salaries & Benefits	\$ 13,848	\$ 19,636	\$ 17,893	\$ 17,714	\$ 1,988	11%	\$ 17,714	\$ -
5200	Operating Supplies	1,069	1,130	1,083	1,100	190	17%	1,100	-
5300	Contractual Services	13,920	11,579	21,620	12,500	692	6%	12,500	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 28,837	\$ 32,345	\$ 40,596	\$ 31,314	\$ 2,870	9%	\$ 31,314	\$ -
70751	Parks Maintenance								
5100	Salaries & Benefits	\$ 389,710	\$ 423,774	\$ 398,357	\$ 429,254	\$ 84,145	22%	\$ 379,254	\$ (50,000)
5200	Operating Supplies	117,237	146,487	109,813	128,900	4,585	4%	128,900	-
5300	Contractual Services	822,713	871,920	734,209	745,867	95,236	16%	595,867	(150,000)
5400	Other Expenses	138	283	1,010	-	-	N/A	-	-
5700	Capital Outlays	11,027	12,575	21,043	11,000	-	0%	11,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 1,340,825	\$ 1,455,039	\$ 1,264,432	\$ 1,315,021	\$ 183,966	16%	\$ 1,115,021	\$ (200,000)

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

		Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
70757	Mc Graft Park Maintenance								
5100	Salaries & Benefits	\$ 4,928	\$ 5,770	\$ 7,073	\$ 6,441	\$ 2,735	42%	\$ 6,441	\$ -
5200	Operating Supplies	1,760	2,407	1,922	1,600	476	30%	1,600	-
5300	Contractual Services	39,688	49,956	56,527	45,905	3,467	8%	45,905	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 46,376	\$ 58,133	\$ 65,522	\$ 53,946	\$ 6,678	12%	\$ 53,946	\$ -
70276	Cemeteries Maintenance								
5100	Salaries & Benefits	\$ 187,185	\$ 204,063	\$ 194,944	\$ 178,208	\$ 45,660	26%	\$ 178,208	\$ -
5200	Operating Supplies	6,839	5,126	8,113	6,750	-	0%	6,750	-
5300	Contractual Services	340,379	279,623	270,468	260,736	29,016	14%	210,736	(50,000)
5400	Other Expenses	50	23	-	-	-	N/A	-	-
5700	Capital Outlays	11,522	9,515	8,827	10,500	-	0%	10,500	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 545,975	\$ 498,350	\$ 482,352	\$ 456,194	\$ 74,676	18%	\$ 406,194	\$ (50,000)
70585	Parking Operations								
5100	Salaries & Benefits	\$ 2,637	\$ 1,564	\$ 759	\$ 54	\$ 460	852%	\$ 54	\$ -
5200	Operating Supplies	-	109	-	-	-	N/A	-	-
5300	Contractual Services	3,968	3,758	4,357	3,000	694	23%	3,000	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 6,605	\$ 5,431	\$ 5,116	\$ 3,054	\$ 1,154	38%	\$ 3,054	\$ -
70357	Graffiti Removal								
5100	Salaries & Benefits	\$ -	\$ -	\$ 357	\$ -	\$ 139	N/A	\$ -	\$ -
5200	Operating Supplies	823	2,143	178	1,000	36	4%	1,000	-
5300	Contractual Services	2,390	1,797	-	3,861	-	0%	3,861	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 3,213	\$ 3,940	\$ 535	\$ 4,861	\$ 175	4%	\$ 4,861	\$ -
70863	Farmers' Market & Flea Market								
5100	Salaries & Benefits	\$ 17,993	\$ 17,337	\$ 19,680	\$ 22,047	\$ 21	0%	\$ 22,047	\$ -
5200	Operating Supplies	970	2,904	2,802	1,200	-	0%	1,200	-
5300	Contractual Services	24,615	23,569	26,923	25,600	1,301	5%	25,600	-
5400	Other Expenses	-	75	35	150	50	33%	150	-
5700	Capital Outlays	-	-	546	3,000	-	0%	3,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 43,578	\$ 43,885	\$ 49,986	\$ 51,997	\$ 1,372	3%	\$ 51,997	\$ -
		\$ 4,498,897	\$ 4,611,495	\$ 4,441,595	\$ 4,240,623	\$ 491,487	12%	\$ 4,105,623	\$ (135,000)

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

		Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
70775 General Recreation									
5100	Salaries & Benefits	\$ 88,539	\$ 126,835	\$ 132,485	\$ 131,728	\$ 29,267	30%	\$ 98,728	\$ (33,000)
5200	Operating Supplies	24,170	29,715	12,989	12,500	3,776	30%	12,500	-
5300	Contractual Services	150,924	153,665	177,912	104,527	10,593	14%	74,527	(30,000)
5400	Other Expenses	889	1,479	1,730	4,000	708	18%	4,000	-
5700	Capital Outlays	-	2,348	-	3,000	-	0%	3,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 264,522	\$ 314,042	\$ 325,116	\$ 255,755	\$ 44,344	23%	\$ 192,755	\$ (63,000)
80387 Environmental Services									
5100	Salaries & Benefits	\$ 123,848	\$ 132,228	\$ 138,594	\$ 149,049	\$ 30,695	21%	\$ 149,049	\$ -
5200	Operating Supplies	7,047	9,998	7,008	7,200	762	11%	7,200	-
5300	Contractual Services	199,019	260,853	157,577	156,610	3,608	2%	156,610	-
5400	Other Expenses	-	40	-	500	-	0%	500	-
5700	Capital Outlays	2,852	267	2,904	3,000	177	6%	3,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 332,766	\$ 403,386	\$ 306,083	\$ 316,359	\$ 35,242	11%	\$ 316,359	\$ -
		\$ 597,288	\$ 717,428	\$ 631,199	\$ 572,114	\$ 79,586	16%	\$ 509,114	\$ (63,000)
10875 Other - Contributions to Outside Agencies									
	Muskegon Area Transit (MATS)	\$ 80,163	\$ 80,164	\$ 80,164	\$ 80,164	\$ 60,932	76%	\$ 80,164	-
	Neighborhood Association Grants	22,000	19,252	20,966	21,000	-	0%	21,000	-
	Muskegon Area First	45,566	45,660	45,568	35,660	-	0%	35,660	-
	Veterans Memorial Day Costs	-	6,827	6,886	7,000	-	0%	7,000	-
	Great Lakes Water	-	-	-	-	-	N/A	-	-
	Mainstreet	-	-	10,000	5,000	-	0%	5,000	-
	Lakeside Business District	2,500	2,500	2,500	2,500	-	0%	2,500	-
	211 Service	2,500	2,500	2,500	2,500	-	0%	2,500	-
	Gypsy Moth Program	-	-	15,250	-	-	N/A	-	-
	MLK Diversity Program	-	1,000	1,000	1,000	-	0%	1,000	-
	Muskegon Area Labor Management (MALMC)	1,000	1,000	1,000	1,000	-	0%	1,000	-
	Muskegon County and Humane Society - Feral Cats	27,151	27,250	27,647	-	-	N/A	-	-
	Other	-	-	-	-	-	N/A	-	-
	Contributions To Outside Agencies	\$ 180,880	\$ 186,153	\$ 213,481	\$ 155,824	\$ 60,932	39%	\$ 155,824	\$ -
		\$ 180,880	\$ 186,153	\$ 213,481	\$ 155,824	\$ 60,932	39%	\$ 155,824	\$ -
Total Customer Value Added Activities		\$ 18,131,496	\$ 19,198,809	\$ 18,848,873	\$ 17,796,140	\$ 3,549,099	20%	\$ 17,518,140	\$ (278,000)
As a Percent of Total General Fund Expenditures		73.1%	73.6%	75.9%	74.4%	73.1%		74.5%	

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

		Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
II. Business Value Added Activities									
10101 City Commission									
5100	Salaries & Benefits	\$ 62,251	\$ 66,313	\$ 64,304	\$ 67,213	\$ 15,850	24%	\$ 67,213	\$ -
5200	Operating Supplies	11,824	15,037	15,483	12,500	67	1%	12,500	-
5300	Contractual Services	2,335	1,741	1,654	1,800	178	10%	1,800	-
5400	Other Expenses	3,064	2,604	1,785	3,500	460	13%	3,500	-
5700	Capital Outlays	988	1,082	1,200	1,200	300	25%	1,200	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 80,462	\$ 86,777	\$ 84,426	\$ 86,213	\$ 16,855	20%	\$ 86,213	\$ -
10102 City Promotions & Public Relations									
5100	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -
5200	Operating Supplies	985	455	594	200	69	35%	200	-
5300	Contractual Services	10,708	7,727	10,513	11,150	383	3%	11,150	-
5400	Other Expenses	2	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 11,695	\$ 8,182	\$ 11,107	\$ 11,350	\$ 452	4%	\$ 11,350	\$ -
10172 City Manager									
5100	Salaries & Benefits	\$ 208,363	\$ 221,512	\$ 257,523	\$ 252,364	\$ 66,154	26%	\$ 252,364	\$ -
5200	Operating Supplies	1,613	1,478	1,566	2,500	25	1%	2,500	-
5300	Contractual Services	2,446	1,463	6,304	7,500	1,664	22%	7,500	-
5400	Other Expenses	1,153	638	630	1,750	84	5%	1,750	-
5700	Capital Outlays	272	473	-	1,000	-	0%	1,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 213,847	\$ 225,564	\$ 266,023	\$ 265,114	\$ 67,927	26%	\$ 265,114	\$ -
10145 City Attorney									
5100	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -
5200	Operating Supplies	790	808	808	2,000	-	0%	2,000	-
5300	Contractual Services	439,644	479,745	348,078	350,508	74,679	23%	320,508	(30,000)
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 440,434	\$ 480,553	\$ 348,886	\$ 352,508	\$ 74,679	23%	\$ 322,508	\$ (30,000)
		\$ 746,438	\$ 801,076	\$ 710,442	\$ 715,185	\$ 159,913	23%	\$ 685,185	\$ (30,000)
20173 Administration									
5100	Salaries & Benefits	\$ 117,263	\$ 31,721	\$ -	\$ -	\$ -	N/A	\$ -	\$ -
5200	Operating Supplies	1,083	36	-	-	-	N/A	-	-
5300	Contractual Services	7,782	6,329	-	-	-	N/A	-	-
5400	Other Expenses	109	70	-	-	-	N/A	-	-
5700	Capital Outlays	206	516	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 126,443	\$ 38,672	\$ -	\$ -	\$ -	N/A	\$ -	\$ -

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

		Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
20228	Affirmative Action								
5100	Salaries & Benefits	\$ 68,661	\$ 75,308	\$ 78,069	\$ 78,451	\$ 17,349	22%	\$ 78,451	\$ -
5200	Operating Supplies	512	588	446	750	41	5%	750	-
5300	Contractual Services	1,533	1,705	1,279	2,027	106	5%	2,027	-
5400	Other Expenses	856	707	1,336	1,000	-	0%	1,000	-
5700	Capital Outlays	163	1,625	-	500	-	0%	500	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 71,725	\$ 79,933	\$ 81,130	\$ 82,728	\$ 17,496	21%	\$ 82,728	\$ -
20744	Julia Hackley Internships								
5100	Salaries & Benefits	\$ 5,374	\$ 7,988	\$ 2,797	\$ -	\$ -	N/A	\$ -	\$ -
5200	Operating Supplies	-	-	-	-	-	N/A	-	-
5300	Contractual Services	-	-	-	-	-	N/A	-	-
5400	Other Expenses	-	-	64	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 5,374	\$ 7,988	\$ 2,861	\$ -	\$ -	N/A	\$ -	\$ -
20215	City Clerk & Elections								
5100	Salaries & Benefits	\$ 241,725	\$ 272,252	\$ 234,233	\$ 254,721	\$ 45,538	18%	\$ 254,721	\$ -
5200	Operating Supplies	21,443	22,953	18,880	30,622	2,183	7%	30,622	-
5300	Contractual Services	11,670	19,741	21,333	15,750	4,696	30%	15,750	-
5400	Other Expenses	1,383	3,580	283	1,500	112	7%	1,500	-
5700	Capital Outlays	1,388	1,022	1,009	1,200	-	0%	1,200	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 277,609	\$ 319,548	\$ 275,738	\$ 303,793	\$ 52,529	17%	\$ 303,793	\$ -
20220	Civil Service								
5100	Salaries & Benefits	\$ 131,159	\$ 153,656	\$ 164,928	\$ 162,684	\$ 37,940	37%	\$ 102,684	\$ (60,000)
5200	Operating Supplies	5,621	5,554	7,461	5,900	498	8%	5,900	-
5300	Contractual Services	22,713	22,246	14,258	16,223	359	2%	16,223	-
5400	Other Expenses	3,651	4,029	3,457	4,000	50	1%	4,000	-
5700	Capital Outlays	617	888	-	1,000	549	55%	1,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 163,761	\$ 186,373	\$ 190,104	\$ 189,807	\$ 39,396	30%	\$ 129,807	\$ (60,000)
		\$ 644,912	\$ 632,514	\$ 549,833	\$ 576,328	\$ 109,421	21%	\$ 516,328	\$ (60,000)
30202	Finance Administration								
5100	Salaries & Benefits	\$ 331,273	\$ 352,627	\$ 359,141	\$ 361,519	\$ 80,735	26%	\$ 306,519	\$ (55,000)
5200	Operating Supplies	5,488	5,009	3,792	4,700	500	11%	4,700	-
5300	Contractual Services	78,509	83,921	88,098	66,275	31,151	47%	66,275	-
5400	Other Expenses	413	2,442	393	1,000	11	1%	1,000	-
5700	Capital Outlays	7,829	1,661	342	3,000	51	2%	3,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 423,512	\$ 445,660	\$ 451,766	\$ 436,494	\$ 112,448	29%	\$ 381,494	\$ (55,000)

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

		Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
30209	Assessing Services								
5100	Salaries & Benefits	\$ 6,703	\$ 6,345	\$ 6,044	\$ 6,365	\$ 2,423	38%	\$ 6,365	\$ -
5200	Operating Supplies	-	-	-	-	-	N/A	-	-
5300	Contractual Services	453,134	463,935	461,810	459,300	115,620	25%	459,300	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	-	-	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 459,837	\$ 470,280	\$ 467,854	\$ 465,665	\$ 118,043	25%	\$ 465,665	\$ -
30805	Arena Administration								
5100	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -
5200	Operating Supplies	-	-	-	-	-	N/A	-	-
5300	Contractual Services	267,883	239,815	252,540	235,000	70,000	30%	235,000	-
5400	Other Expenses	129	3	-	-	-	N/A	-	-
5700	Capital Outlays	1,422	1,784	1,722	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 269,434	\$ 241,602	\$ 254,262	\$ 235,000	\$ 70,000	30%	\$ 235,000	\$ -
30205	Income Tax Administration								
5100	Salaries & Benefits	\$ 287,511	\$ 306,084	\$ 324,128	\$ 333,331	\$ 77,246	23%	\$ 333,331	\$ -
5200	Operating Supplies	18,228	17,997	13,145	17,260	6,786	39%	17,260	-
5300	Contractual Services	66,375	77,878	67,536	66,636	17,391	26%	66,636	-
5400	Other Expenses	960	743	373	800	-	0%	800	-
5700	Capital Outlays	360	1,606	-	1,500	-	0%	1,500	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 373,434	\$ 404,308	\$ 405,182	\$ 419,527	\$ 101,423	24%	\$ 419,527	\$ -
30253	City Treasurer								
5100	Salaries & Benefits	\$ 245,360	\$ 279,040	\$ 310,062	\$ 312,773	\$ 73,094	23%	\$ 312,773	\$ -
5200	Operating Supplies	28,725	35,237	44,604	50,000	11,209	22%	50,000	-
5300	Contractual Services	66,420	72,557	91,798	85,000	18,890	22%	85,000	-
5400	Other Expenses	553	368	239	1,500	39	3%	1,500	-
5700	Capital Outlays	-	2,016	157	2,921	-	0%	2,921	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 341,058	\$ 389,218	\$ 446,860	\$ 452,194	\$ 103,232	23%	\$ 452,194	\$ -
30248	Information Systems Administration								
5100	Salaries & Benefits	\$ 250,554	\$ 269,070	\$ 283,469	\$ 282,869	\$ 71,499	25%	\$ 282,869	\$ -
5200	Operating Supplies	170	500	647	6,302	-	0%	6,302	-
5300	Contractual Services	50,392	54,730	54,143	67,093	30,668	46%	67,093	-
5400	Other Expenses	328	8,976	3,160	3,000	-	0%	3,000	-
5700	Capital Outlays	62,801	14,486	39,280	27,040	1,885	7%	27,040	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 364,245	\$ 347,762	\$ 380,699	\$ 386,304	\$ 104,052	27%	\$ 386,304	\$ -
		\$ 2,231,520	\$ 2,298,830	\$ 2,406,623	\$ 2,395,184	\$ 609,198	26%	\$ 2,340,184	\$ (55,000)

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

		Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
60265 City Hall Maintenance									
5100	Salaries & Benefits	\$ 67,232	\$ 73,368	\$ 74,228	\$ 69,971	\$ 17,790	30%	\$ 59,971	\$ (10,000)
5200	Operating Supplies	10,883	19,138	12,899	15,000	1,671	11%	15,000	-
5300	Contractual Services	177,747	187,421	199,731	226,115	21,428	9%	226,115	-
5400	Other Expenses	-	-	-	-	-	N/A	-	-
5700	Capital Outlays	719	4,532	-	-	-	N/A	-	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 256,581	\$ 284,459	\$ 286,858	\$ 311,086	\$ 40,889	14%	\$ 301,086	\$ (10,000)
		\$ 256,581	\$ 284,459	\$ 286,858	\$ 311,086	\$ 40,889	14%	\$ 301,086	\$ (10,000)
80400 Planning, Zoning and Economic Development									
5100	Salaries & Benefits	\$ 403,843	\$ 455,659	\$ 480,298	\$ 418,229	\$ 91,070	27%	\$ 343,229	\$ (75,000)
5200	Operating Supplies	4,821	6,062	3,931	4,600	365	8%	4,600	-
5300	Contractual Services	44,965	57,353	27,692	20,300	2,149	11%	20,300	-
5400	Other Expenses	3,391	2,767	1,891	4,000	87	2%	4,000	-
5700	Capital Outlays	5,093	2,086	-	2,000	-	0%	2,000	-
5900	Other Financing Uses	-	-	-	-	-	N/A	-	-
		\$ 462,113	\$ 523,927	\$ 513,812	\$ 449,129	\$ 93,671	25%	\$ 374,129	\$ (75,000)
		\$ 462,113	\$ 523,927	\$ 513,812	\$ 449,129	\$ 93,671	25%	\$ 374,129	\$ (75,000)
Total Business Value Added Activities As a Percent of Total General Fund Expenditures		\$ 4,341,564	\$ 4,540,806	\$ 4,467,568	\$ 4,446,912	\$ 1,013,092	24%	\$ 4,216,912	\$ (230,000)
		17.5%	17.4%	18.0%	18.6%	20.9%		17.9%	

Quarterly Budget Reforecast - General Fund
General Fund Expenditure Summary By Function

	Actual 2007	Actual 2008	Actual 2009	Original Budget Estimate 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original
III. Fixed Budget Items								
30999 Transfers To Other Funds								
Major Street Fund	\$ 200,000	\$ 200,000	\$ -	\$ -	\$ -	N/A	\$ -	\$ -
Local Street Fund	480,000	480,000	510,000	480,000	120,000	25%	480,000	-
Budget Stabilization Fund	250,000	250,000	-	-	-	N/A	-	-
Tax Appeal Reserve	-	-	-	158,502	-	0%	158,502	-
Public Improvement Fund (Fire Equipment Reserve)	150,000	150,000	-	-	-	N/A	-	-
State Grants Fund (Grant Matches)	154,880	-	-	-	-	N/A	-	-
Marina	40,000	40,000	-	-	-	N/A	-	-
Sidewalk	300,000	150,000	-	-	-	N/A	-	-
LDFA Debt Service Fund (Smartzone)	100,000	150,000	120,000	100,000	25,000	25%	100,000	-
General Insurance	28,046	28,046	28,046	28,046	7,012	25%	28,046	-
	\$ 1,702,926	\$ 1,448,046	\$ 658,046	\$ 766,548	\$ 152,012	20%	\$ 766,548	\$ -
30851 General Insurance	\$ 350,385	\$ 386,191	\$ 311,636	\$ 309,642	\$ -	0%	\$ 262,642	\$ (47,000)
30906 Debt Retirement	208,859	275,833	270,064	285,345	109,174	38%	285,345	-
10891 Contingency and Bad Debt Expense	-	76,100	126,656	300,000	-	0%	400,000	100,000
90000 Major Capital Improvements	65,580	174,754	167,239	20,000	34,084	60%	57,000	37,000
Total Fixed-Budget Items	\$ 2,327,750	\$ 2,360,924	\$ 1,533,641	\$ 1,681,535	\$ 295,270	17%	\$ 1,771,535	\$ 90,000
As a Percent of Total General Fund Expenditures	9.4%	9.0%	6.2%	7.0%	6.1%		7.5%	
Total General Fund	\$ 24,800,810	\$ 26,100,539	\$ 24,850,082	\$ 23,924,587	\$ 4,857,461	21%	\$ 23,506,587	\$ (418,000)
Recap: Total General Fund By Expenditure Object								
5100 Salaries & Benefits	\$ 14,634,795	\$ 15,557,198	\$ 15,632,871	\$ 14,898,046	\$ 3,384,264	23%	\$ 14,575,046	\$ (323,000)
5200 Operating Supplies	484,841	581,806	474,951	537,108	60,420	11%	537,108	-
5300 Contractual Services	7,434,746	7,830,946	7,449,006	7,203,118	1,064,542	15%	7,081,118	(122,000)
5400 Other Expenses	58,031	86,282	48,459	65,200	4,607	7%	65,200	-
5700 Capital Outlays	276,612	320,428	316,685	169,222	82,442	42%	196,222	27,000
5900 All Other Financing Uses	1,911,785	1,723,879	928,110	1,051,893	261,186	25%	1,051,893	-
Total General Fund	\$ 24,800,810	\$ 26,100,539	\$ 24,850,082	\$ 23,924,587	\$ 4,857,461	21%	\$ 23,506,587	\$ (418,000)

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
202 Major Streets and State Trunklines Fund									
Available Fund Balance - BOY	\$ 708,102	\$ 1,169,135	\$ 284,912	\$ 238,512	\$ 272,846		\$ 272,846	\$ 34,334	
Means of Financing									
Special assessments	\$ 272,291	\$ 248,582	\$ 233,007	\$ 200,000	\$ -		\$ 200,000	\$ -	
Federal & state grants	2,303,829	2,100,723	1,593,425	866,000	-		2,116,000	1,250,000	
State shared revenue	2,629,710	2,564,204	2,558,600	2,686,841	226,589		2,686,841	-	
Interest income	116,227	70,691	50,177	25,000	82		25,000	-	
Operating transfers in	200,000	200,000	200,000	-	-		-	-	LDFA II and Public Improvement Fund
Other	370,376	87,620	45,384	75,000	660		75,000	-	
	\$ 5,892,433	\$ 5,271,820	\$ 4,680,593	\$ 3,852,841	\$ 227,331		\$ 5,102,841	\$ 1,250,000	
60900 Operating Expenditures									
5100 Salaries & Benefits	\$ 663,738	\$ 742,133	\$ 629,511	\$ 837,116	\$ 147,895	18%	\$ 837,116	\$ -	
5200 Operating Supplies	284,582	208,422	225,883	235,600	86,163	37%	235,600	-	
5300 Contractual Services	1,093,974	1,184,346	946,059	1,111,369	241,191	22%	1,111,369	-	
5400 Other Expenses	1,803	8,339	3,354	1,000	274	27%	1,000	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	968,638	399,907	-	200,000	-	0%	200,000	-	
	\$ 3,012,735	\$ 2,543,147	\$ 1,804,807	\$ 2,385,085	\$ 475,523	20%	\$ 2,385,085	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	2,418,665	3,612,896	2,887,852	1,390,000	75,469	2%	3,058,000	1,668,000	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
	\$ 2,418,665	\$ 3,612,896	\$ 2,887,852	\$ 1,390,000	\$ 75,469	2%	\$ 3,058,000	\$ 1,668,000	
	\$ 5,431,400	\$ 6,156,043	\$ 4,692,659	\$ 3,775,085	\$ 550,992	10%	\$ 5,443,085		
Available Fund Balance - EOY	\$ 1,169,135	\$ 284,912	\$ 272,846	\$ 316,268	\$ (50,815)		\$ (67,398)	\$ (383,666)	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
203 Local Streets Fund									
Available Fund Balance - BOY	\$ 648,231	\$ 1,389,910	\$ 396,406	\$ 251,450	\$ 134,437		\$ 134,437	\$ (117,013)	
Means of Financing									
Special assessments	\$ 705,740	\$ 56,669	\$ 92,657	\$ 70,000	\$ -		\$ 70,000	\$ -	
Federal & state grants	240,000	934,909	215,000	130,000	-		130,000	-	
Metro act fees	140,010	142,692	145,169	145,000	-		145,000	-	
State shared revenue	658,387	635,728	619,263	619,181	48,077		619,181	-	
Interest income	243,947	43,178	20,955	10,000	245		10,000	-	
Operating transfers in	780,000	480,000	512,624	680,000	120,000		680,000	-	FROM GENERAL FUND & MAJOR
Other	15,747	25,878	2,667	15,000	-		15,000	-	
	\$ 2,783,831	\$ 2,319,054	\$ 1,608,335	\$ 1,669,181	\$ 168,322		\$ 1,669,181	\$ -	
60900 Operating Expenditures									
5100 Salaries & Benefits	\$ 607,155	\$ 642,207	\$ 661,735	\$ 488,179	\$ 155,056	32%	\$ 488,179	\$ -	
5200 Operating Supplies	110,130	235,172	135,883	118,000	1,104	1%	118,000	-	
5300 Contractual Services	863,047	905,676	773,321	900,000	191,834	21%	900,000	-	
5400 Other Expenses	384	499	242	100	53	53%	100	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ 1,580,716	\$ 1,783,554	\$ 1,571,181	\$ 1,506,279	\$ 348,047	23%	\$ 1,506,279	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	461,436	1,529,004	299,123	285,000	14,899	11%	130,000	(155,000)	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
	\$ 461,436	\$ 1,529,004	\$ 299,123	\$ 285,000	\$ 14,899	11%	\$ 130,000	\$ (155,000)	
	\$ 2,042,152	\$ 3,312,558	\$ 1,870,304	\$ 1,791,279	\$ 362,946	22%	\$ 1,636,279		
Available Fund Balance - EOY	\$ 1,389,910	\$ 396,406	\$ 134,437	\$ 129,352	\$ (60,187)		\$ 167,339	\$ 37,987	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
257 Budget Stabilization Fund									
Available Fund Balance - BOY	\$ 1,500,000	\$ 1,750,000	\$ 2,000,000	\$ 1,500,000	\$ 1,500,000		\$ 1,500,000	\$ -	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	-	-		-	-	
Interest income	-	-	-	-	-		-	-	
Operating transfers in - General Fund	250,000	250,000	-	-	-		-	-	
Operating transfers in - TIFA Fund	-	-	-	-	-		-	-	
Operating transfers in - Insurance Fund	-	-	-	-	-		-	-	
Other	-	-	-	-	-		-	-	
	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ -		\$ -	\$ -	
70805 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	500,000	500,000	-	0%	500,000	-	TRANSFER TO GENERAL FUND
	\$ -	\$ -	\$ 500,000	\$ 500,000	\$ -	0%	\$ 500,000	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ -	\$ -	\$ 500,000	\$ 500,000	\$ -	0%	\$ 500,000		
Available Fund Balance - EOY	\$ 1,750,000	\$ 2,000,000	\$ 1,500,000	\$ 1,000,000	\$ 1,500,000		\$ 1,000,000	\$ -	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
260 Farmers' Market Improvement Fund									
Available Fund Balance - BOY	\$ 25,465	\$ 26,755	\$ 17,565	\$ 17,765	\$ 17,725		\$ 17,725	\$ (40)	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	-	-		-	-	
Interest income	1,290	710	160	100	44		100	-	
Operating transfers in - General Fund	-	-	-	-	-		-	-	
Operating transfers in - TIFA Fund	-	-	-	-	-		-	-	
Operating transfers in - Insurance Fund	-	-	-	-	-		-	-	
Other	-	-	-	-	-		-	-	
	\$ 1,290	\$ 710	\$ 160	\$ 100	\$ 44		\$ 100	\$ -	
70805 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	-	9,900	-	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ -	\$ 9,900	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ -	\$ 9,900	\$ -	\$ -	\$ -	N/A	\$ -		
Available Fund Balance - EOY	\$ 26,755	\$ 17,565	\$ 17,725	\$ 17,865	\$ 17,769		\$ 17,825	\$ (40)	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
264 Criminal Forfeitures Fund									
Available Fund Balance - BOY	\$ 157,835	\$ 138,160	\$ 81,856	\$ 47,856	\$ 140,640		\$ 140,640	\$ 92,784	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	-	-		-	-	
Interest income	7,566	3,518	881	500	286		500	-	
Operating transfers in - General Fund	-	-	-	-	-		-	-	
Operating transfers in - TIFA Fund	-	-	-	-	-		-	-	
Operating transfers in - Insurance Fund	-	-	-	-	-		-	-	
Other	21,143	10,840	62,406	10,000	-		10,000	-	
	\$ 28,709	\$ 14,358	\$ 63,287	\$ 10,500	\$ 286		\$ 10,500	\$ -	
70805 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	949	-	-	45,000	-	0%	45,000	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	47,435	70,662	4,503	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ 48,384	\$ 70,662	\$ 4,503	\$ 45,000	\$ -	0%	\$ 45,000	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 48,384	\$ 70,662	\$ 4,503	\$ 45,000	\$ -	0%	\$ 45,000		
Available Fund Balance - EOY	\$ 138,160	\$ 81,856	\$ 140,640	\$ 13,356	\$ 140,926		\$ 106,140	\$ 92,784	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
285 Tree Replacement Fund									
Available Fund Balance - BOY	\$ 10,210	\$ 9,108	\$ 10,043	\$ 6,543	\$ 8,590		\$ 8,590	\$ 2,047	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	5,000	-	3,000	-		3,000	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	400	-		400	-	
Interest income	522	249	73	100	24		100	-	
Operating transfers in - General Fund	-	-	-	-	-		-	-	
Operating transfers in - TIFA Fund	-	-	-	-	-		-	-	
Operating transfers in - Insurance Fund	-	-	-	-	-		-	-	
Other	1,400	1,045	1,600	-	1,600		-	-	
	\$ 1,922	\$ 6,294	\$ 1,673	\$ 3,500	\$ 1,624		\$ 3,500	\$ -	
70805 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	3,024	5,359	3,126	3,900	200	5%	3,900	-	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ 3,024	\$ 5,359	\$ 3,126	\$ 3,900	\$ 200	5%	\$ 3,900	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 3,024	\$ 5,359	\$ 3,126	\$ 3,900	\$ 200	5%	\$ 3,900		
Available Fund Balance - EOY	\$ 9,108	\$ 10,043	\$ 8,590	\$ 6,143	\$ 10,014		\$ 8,190	\$ 2,047	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
295 Brownfield Redevelopment Authority (Betten Project)									
Available Fund Balance - BOY	\$ -	\$ -	\$ (17,862)	\$ (10,362)	\$ (10,214)		\$ (10,214)	\$ 148	
Means of Financing									
Property taxes	\$ -	\$ -	\$ 9,951	\$ 21,847	\$ 15,917		\$ 21,847	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	-	-		-	-	
Interest income	-	-	-	-	-		-	-	
Operating transfers in - General Fund	-	-	-	-	-		-	-	
Operating transfers in - TIFA Fund	-	-	-	-	-		-	-	
Operating transfers in - Insurance Fund	-	-	-	-	-		-	-	
Other	-	-	-	-	-		-	-	
	\$ -	\$ -	\$ 9,951	\$ 21,847	\$ 15,917		\$ 21,847	\$ -	
70805 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	-	17,862	2,303	11,000	-	0%	11,000	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ -	\$ 17,862	\$ 2,303	\$ 11,000	\$ -	0%	\$ 11,000	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ -	\$ 17,862	\$ 2,303	\$ 11,000	\$ -	0%	\$ 11,000		
Available Fund Balance - EOY									
	\$ -	\$ (17,862)	\$ (10,214)	\$ 485	\$ 5,703		\$ 633	\$ 148	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
290 Local Development Finance Authority III Fund - Edison Landing (Smartzone)									
Available Fund Balance - BOY	\$ 104,991	\$ 27,275	\$ 8,752	\$ 18,194	\$ 13,765		\$ 13,765	\$ (4,429)	
Means of Financing									
Property taxes	\$ 28,901	\$ 38,249	\$ 91,281	\$ 94,183	\$ 71,360		\$ 94,183	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	-	-		-	-	
Interest income	4,881	1,126	180	300	25		300	-	
Operating transfers in - General Fund	100,000	150,000	120,000	100,000	25,000		100,000	-	
Other	75,000	75,000	75,000	75,000	-		75,000	-	COMMUNITY FOUNDATION CONTRIBUTION
	\$ 208,782	\$ 264,375	\$ 286,461	\$ 269,483	\$ 96,385		\$ 269,483	\$ -	
70805 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	1,000	350	1,700	500	-	0%	500	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	285,498	282,548	279,748	276,847	-	0%	279,747	2,900	
	\$ 286,498	\$ 282,898	\$ 281,448	\$ 277,347	\$ -	0%	\$ 280,247	\$ 2,900	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 286,498	\$ 282,898	\$ 281,448	\$ 277,347	\$ -	0%	\$ 280,247		
Available Fund Balance - EOY	\$ 27,275	\$ 8,752	\$ 13,765	\$ 10,330	\$ 110,150		\$ 3,001	\$ (7,329)	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
305 Tax Increment Finance Authority Fund									
Available Fund Balance - BOY	\$ 8,758	\$ 6,352	\$ 13,983	\$ 20,862	\$ 21,789		\$ 21,789	\$ 927	
Means of Financing									
Property taxes	\$ 56,835	\$ 57,458	\$ 67,664	\$ 54,526	\$ 40,634		\$ 54,526	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	-	-		-	-	
Interest income	759	173	142	200	28		200	-	
Operating transfers in - General Fund	-	-	-	-	-		-	-	
Operating transfers in - TIFA Fund	-	-	-	-	-		-	-	
Operating transfers in - Insurance Fund	-	-	-	-	-		-	-	
Other	-	-	-	-	-		-	-	
	\$ 57,594	\$ 57,631	\$ 67,806	\$ 54,726	\$ 40,662		\$ 54,726	\$ -	
70805 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	60,000	50,000	60,000	50,000	12,500	25%	50,000	-	TO GENERAL FUND FOR ARENA
	\$ 60,000	\$ 50,000	\$ 60,000	\$ 50,000	\$ 12,500	25%	\$ 50,000	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 60,000	\$ 50,000	\$ 60,000	\$ 50,000	\$ 12,500	25%	\$ 50,000		
Available Fund Balance - EOY	\$ 6,352	\$ 13,983	\$ 21,789	\$ 25,588	\$ 49,951		\$ 26,515	\$ 927	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
394 Downtown Development Authority Fund									
Available Fund Balance - BOY	\$ (103,996)	\$ (58,608)	\$ 14,618	\$ 303,209	\$ 289,526		\$ 289,526	\$ (13,683)	
Means of Financing									
Property taxes	\$ 476,460	\$ 505,697	\$ 614,632	\$ 520,480	\$ 347,107		\$ 520,480	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State proposal A reimbursement revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	-	-		-	-	
Interest income	-	926	999	500	314		500	-	
Operating transfers in - General Fund	-	-	-	-	-		-	-	
Operating transfers in - PIF	-	100,000	-	-	-		-	-	
Operating transfers in - Insurance Fund	-	284,787	-	-	-		-	-	
Other	-	-	-	-	-		-	-	
	\$ 476,460	\$ 891,410	\$ 615,631	\$ 520,980	\$ 347,421		\$ 520,980	\$ -	
70805 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	83,330	10,250	-	-	-	0%	250	250	
5400 Other Expenses	-	468,641	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	347,742	339,293	340,723	340,964	-	0%	340,964	-	DEBT SERVICE
	\$ 431,072	\$ 818,184	\$ 340,723	\$ 340,964	\$ -	0%	\$ 341,214	\$ 250	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 431,072	\$ 818,184	\$ 340,723	\$ 340,964	\$ -	0%	\$ 341,214		
Available Fund Balance - EOY	\$ (58,608)	\$ 14,618	\$ 289,526	\$ 483,225	\$ 636,947		\$ 469,292	\$ (13,933)	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
408 Arena Improvement Fund									
Available Fund Balance - BOY	\$ 79,386	\$ 76,724	\$ 103,279	\$ 79,279	\$ 71,024		\$ 71,024	\$ (8,255)	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	37,363	35,309	37,686	35,000	18,639		35,000	-	
Interest income	3,603	2,457	734	600	225		600	-	
Operating transfers in	-	-	-	-	-		-	-	
Other	-	-	-	-	-		-	-	
	\$ 40,966	\$ 37,766	\$ 38,420	\$ 35,600	\$ 18,864		\$ 35,600	\$ -	
30906 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	0%	-	-	
5300 Contractual Services	43,628	11,211	70,675	25,000	5,374	N/A	25,000	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ 43,628	\$ 11,211	\$ 70,675	\$ 25,000	\$ 5,374	21%	\$ 25,000	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 43,628	\$ 11,211	\$ 70,675	\$ 25,000	\$ 5,374	21%	\$ 25,000		
Available Fund Balance - EOY	\$ 76,724	\$ 103,279	\$ 71,024	\$ 89,879	\$ 84,514		\$ 81,624	\$ (8,255)	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
403 Sidewalk Improvement Fund									
Available Fund Balance - BOY	\$ 902,104	\$ 1,017,584	\$ 989,494	\$ 880,809	\$ 819,083		\$ 819,083	\$ (61,726)	
Means of Financing									
Special assessments	\$ 142,505	\$ 120,301	\$ 109,431	\$ 75,000	\$ -		\$ 75,000	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	-	-	-	-	-		-	-	
Interest income	69,753	50,225	27,514	25,000	2,041		25,000	-	
Operating transfers in	300,000	150,000	-	-	-		-	-	
Other	-	-	-	-	-		-	-	
	\$ 512,258	\$ 320,526	\$ 136,945	\$ 100,000	\$ 2,041		\$ 100,000	\$ -	
30906 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	950	-	2,275	-	-	0%	3,000	3,000	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	3,381	-	-	-	N/A	-	-	
5900 Other Financing Uses	395,828	345,235	303,684	224,751	71,750	32%	224,751	-	DEBT SERVICE ON SIDEWALK ASSESSMENT BONDS
	\$ 396,778	\$ 348,616	\$ 305,959	\$ 224,751	\$ 71,750	32%	\$ 227,751	\$ 3,000	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	1,397	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ 1,397	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 396,778	\$ 348,616	\$ 307,356	\$ 224,751	\$ 71,750	32%	\$ 227,751		
Available Fund Balance - EOY	\$ 1,017,584	\$ 989,494	\$ 819,083	\$ 756,058	\$ 749,374		\$ 691,332	\$ (64,726)	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
404 Public Improvement Fund									
Available Fund Balance - BOY	\$ 4,842,311	\$ 2,151,037	\$ 1,985,126	\$ 1,050,045	\$ 1,319,726		\$ 1,319,726	\$ 269,681	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Property taxes	-	-	-	-	-		-	-	
Federal & state grants	-	-	-	-	-		-	-	
Charges for services	-	-	100,075	-	-		-	-	
Sales of Property	126,736	280,031	13,201	25,000	645		25,000	-	
Interest income	198,398	76,446	16,140	20,000	4,529		20,000	-	
Operating transfers in	154,047	150,000	14,216	-	-		-	-	
Other	40,592	80,087	486	-	-		5,000	5,000	
	\$ 519,773	\$ 586,564	\$ 144,118	\$ 45,000	\$ 5,174		\$ 50,000	\$ 5,000	
30936 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	-	-	-	5,000	-	0%	5,000	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	292,223	442,419	569,523	152,838	54,571	36%	152,838	-	DEBT SERVICE (ULA LOAN; FIRE TRUCK INSTALLMENT PURCHASE)
	\$ 292,223	\$ 442,419	\$ 569,523	\$ 157,838	\$ 54,571	35%	\$ 157,838	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	2,918,824	310,056	239,995	465,000	3,001	1%	515,000	50,000	
	\$ 2,918,824	\$ 310,056	\$ 239,995	\$ 465,000	\$ 3,001	1%	\$ 515,000	\$ 50,000	
	\$ 3,211,047	\$ 752,475	\$ 809,518	\$ 622,838	\$ 57,572	9%	\$ 672,838		
Available Fund Balance - EOY	\$ 2,151,037	\$ 1,985,126	\$ 1,319,726	\$ 472,207	\$ 1,267,328		\$ 696,888	\$ 224,681	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
482 State Grants Fund									
Available Fund Balance - BOY	\$ 77,048	\$ 150,102	\$ 649,547	\$ 104,447	\$ 599,175		\$ 599,175	\$ 494,728	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	386,535	28,888	175,689	1,221,000	307		1,654,000	433,000	
Sales of Property	-	-	-	-	-		-	-	
Interest income	-	-	-	-	-		-	-	
Operating transfers in	150,833	3,813	-	60,000	-		60,000	-	FROM PUBLIC IMPROVEMENT FUND FOR ENERGY GRANT MATCHES
Other	10,000	550,000	6,307	-	-		-	-	
	\$ 547,368	\$ 582,701	\$ 181,996	\$ 1,281,000	\$ 307		\$ 1,714,000	\$ 433,000	
30936 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	-	-	-	N/A	-	-	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	11,473	-	16,840	-	-	N/A	-	-	
	\$ 11,473	\$ -	\$ 16,840	\$ -	\$ -	N/A	\$ -	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	462,841	83,256	215,528	1,281,000	11,749	1%	1,681,000	400,000	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
	\$ 462,841	\$ 83,256	\$ 215,528	\$ 1,281,000	\$ 11,749	1%	\$ 1,681,000	\$ 400,000	
	\$ 474,314	\$ 83,256	\$ 232,368	\$ 1,281,000	\$ 11,749	1%	\$ 1,681,000		
Available Fund Balance - EOY	\$ 150,102	\$ 649,547	\$ 599,175	\$ 104,447	\$ 587,733		\$ 632,175	\$ 527,728	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
594 Marina & Launch Ramp Fund									
Available Cash Balance - BOY	\$ (39,617)	\$ 20,509	\$ 85,238	\$ 125,720	\$ 149,996		\$ 149,996	\$ 24,276	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	281,679	250,265	246,565	260,000	63,799		260,000	-	
Interest income	38	1,055	763	-	333		-	-	
Operating transfers in	40,000	40,000	-	-	-		-	-	
Other	-	-	669	-	-		-	-	
	\$ 321,717	\$ 291,320	\$ 247,997	\$ 260,000	\$ 64,132		\$ 260,000	\$ -	
70756 Operating Expenditures - Marina									
5100 Salaries & Benefits	\$ 121,489	\$ 96,295	\$ 80,164	\$ 83,011	\$ 5,893	7%	\$ 83,011	\$ -	
5200 Operating Supplies	10,338	12,791	5,992	11,000	1,556	14%	11,000	-	
5300 Contractual Services	130,462	94,291	80,619	99,011	14,372	15%	99,011	-	
5400 Other Expenses	510	315	-	-	-	N/A	-	-	
5700 Capital Outlays	1,641	2,995	12,217	1,500	-	0%	1,500	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
Other Cash Uses (e.g. Debt Principal)	(2,849)	8,637	(5,820)	-	-	N/A	-	-	
	\$ 261,591	\$ 215,324	\$ 173,172	\$ 194,522	\$ 21,821	11%	\$ 194,522	\$ -	
70759 Operating Expenditures - Ramps									
5100 Salaries & Benefits	\$ -	\$ 4,737	\$ 1,303	\$ 2,500	\$ 180	7%	\$ 2,500	\$ -	
5200 Operating Supplies	-	449	420	500	26	5%	500	-	
5300 Contractual Services	-	6,081	8,344	9,580	1,590	17%	9,580	-	
5400 Other Expenses	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
Other Cash Uses (e.g. Debt Principal)	-	-	-	-	-	N/A	-	-	
	\$ -	\$ 11,267	\$ 10,067	\$ 12,580	\$ 1,796	14%	\$ 12,580	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 261,591	\$ 226,591	\$ 183,239	\$ 207,102	\$ 23,617	11%	\$ 207,102		
Available Cash Balance - EOY	\$ 20,509	\$ 85,238	\$ 149,996	\$ 178,618	\$ 190,511		\$ 202,894	\$ 24,276	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
661 Equipment Fund									
Available Cash Balance - BOY	\$ 1,614,451	\$ 2,004,577	\$ 2,472,676	\$ 2,344,598	\$ 2,519,442		\$ 2,519,442	\$ 174,844	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	2,520,803	2,703,727	2,178,851	2,400,000	558,198		2,400,000	-	INTERDEPARTMENTAL CHARGES
Interest income	85,618	57,757	19,495	60,000	6,365		60,000	-	
Operating transfers in	-	-	-	-	-		-	-	
Other	80,000	110,608	151,690	100,000	28,608		100,000	-	
	\$ 2,686,421	\$ 2,872,092	\$ 2,350,036	\$ 2,560,000	\$ 593,171		\$ 2,560,000	\$ -	
60932 Operating Expenditures									
5100 Salaries & Benefits	\$ 515,579	\$ 561,112	\$ 591,154	\$ 472,576	\$ 105,442	22%	\$ 472,576	\$ -	
5200 Operating Supplies	844,914	1,016,218	746,316	805,000	91,860	11%	805,000	-	
5300 Contractual Services	494,272	468,258	474,054	755,658	161,659	21%	755,658	-	
5400 Other Expenses	1,351	2,210	1,013	1,000	-	0%	1,000	-	
5700 Capital Outlays	445,596	294,151	446,354	910,000	2,115	0%	910,000	-	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
Other Cash Uses (e.g. Debt Principal)	(5,417)	62,044	44,379	-	-	N/A	-	-	
	\$ 2,296,295	\$ 2,403,993	\$ 2,303,270	\$ 2,944,234	\$ 361,076	12%	\$ 2,944,234	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 2,296,295	\$ 2,403,993	\$ 2,303,270	\$ 2,944,234	\$ 361,076	12%	\$ 2,944,234		
Available Cash Balance - EOY	\$ 2,004,577	\$ 2,472,676	\$ 2,519,442	\$ 1,960,364	\$ 2,751,537		\$ 2,135,208	\$ 174,844	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
642 Public Service Building Fund									
Available Cash Balance - BOY	\$ 270,889	\$ 375,313	\$ 474,631	\$ 481,954	\$ 513,578		\$ 513,578	\$ 31,624	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	581,270	581,270	610,873	969,340	242,334		969,340	-	INTERDEPARTMENTAL CHARGES
Interest income	14,061	10,896	3,804	6,000	1,268		6,000	-	
Operating transfers in	-	-	-	-	-		-	-	
Other	100	7,316	-	-	-		-	-	
	\$ 595,431	\$ 599,482	\$ 614,677	\$ 975,340	\$ 243,602		\$ 975,340	\$ -	
60442 Operating Expenditures									
5100 Salaries & Benefits	\$ 214,017	\$ 222,113	\$ 266,246	\$ 622,841	\$ 173,420	28%	\$ 622,841	\$ -	
5200 Operating Supplies	18,609	31,194	28,229	30,000	3,383	11%	30,000	-	
5300 Contractual Services	241,077	240,602	243,486	293,500	42,698	15%	293,500	-	
5400 Other Expenses	2,056	(32)	8,200	500	879	176%	500	-	
5700 Capital Outlays	23,229	8,973	6,907	22,500	66	0%	22,500	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
Other Cash Uses and Adjustments (e.g. Debt Principal)	(7,981)	(2,686)	22,662	-	-	N/A	-	-	
	\$ 491,007	\$ 500,164	\$ 575,730	\$ 969,341	\$ 220,446	23%	\$ 969,341	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	75,000	-	0%	60,000	(15,000)	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ 75,000	\$ -	0%	\$ 60,000	\$ (15,000)	
	\$ 491,007	\$ 500,164	\$ 575,730	\$ 1,044,341	\$ 220,446	21%	\$ 1,029,341		
Available Cash Balance - EOY	\$ 375,313	\$ 474,631	\$ 513,578	\$ 412,953	\$ 536,734		\$ 459,577	\$ 46,624	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
643 Engineering Services Fund									
Available Cash Balance - BOY	\$ 149,528	\$ 96,427	\$ 132,074	\$ 2,574	\$ (48,336)		\$ (48,336)	\$ (50,910)	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	513,556	460,560	451,132	530,000	78,608		530,000	-	INTERDEPARTMENTAL CHARGES
Interest income	6,361	3,692	606	5,000	75		5,000	-	
Operating transfers in	-	-	-	-	-		-	-	
Other	-	-	23,312	25,000	26		25,000	-	
	\$ 519,917	\$ 464,252	\$ 475,050	\$ 560,000	\$ 78,709		\$ 560,000	\$ -	
60447 Operating Expenditures									
5100 Salaries & Benefits	\$ 321,641	\$ 332,078	\$ 450,038	\$ 353,194	\$ 69,401	20%	\$ 353,194	\$ -	
5200 Operating Supplies	16,894	17,223	8,918	15,000	2,667	18%	15,000	-	
5300 Contractual Services	126,832	137,047	135,994	145,000	30,804	21%	145,000	-	
5400 Other Expenses	532	1,122	286	2,500	1,985	79%	2,500	-	
5700 Capital Outlays	17,093	12,114	7,973	20,200	1,827	9%	20,200	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
Other Cash Uses and Adjustments (e.g. Debt Principal)	82,557	(74,863)	16,159	-	-	N/A	-	-	
	\$ 565,549	\$ 424,721	\$ 619,368	\$ 535,894	\$ 106,684	20%	\$ 535,894	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	7,469	3,884	36,092	25,000	-	0%	25,000	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
	\$ 7,469	\$ 3,884	\$ 36,092	\$ 25,000	\$ -	0%	\$ 25,000	\$ -	
	\$ 573,018	\$ 428,605	\$ 655,460	\$ 560,894	\$ 106,684	19%	\$ 560,894		
Available Cash Balance - EOY	\$ 96,427	\$ 132,074	\$ (48,336)	\$ 1,680	\$ (76,311)		\$ (49,230)	\$ (50,910)	

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
677 General Insurance Fund									
Available Cash Balance - BOY	\$ 841,326	\$ 1,206,249	\$ 1,236,014	\$ 1,279,363	\$ 1,339,236		\$ 1,339,236	\$ 59,873	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	-	-		-	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	4,551,973	4,346,235	4,260,731	2,977,543	721,098		2,977,543	-	INTERDEPARTMENTAL CHARGES
Interest income	39,250	30,784	5,257	10,000	1,986		10,000	-	
MERS Retireee Health Reimbursement	-	-	-	1,200,000	-		1,200,000	-	
Medicare Part D Rx Reimbursement	-	-	-	35,000	-		35,000	-	
Repayment of DDA Advance	-	-	-	-	-		-	-	
Operating transfers in	28,045	28,045	28,046	28,046	7,011		28,046	-	LOAN REPAYMENT - ARENA IMPROVEMENTS
Other	-	-	4,863	-	2,091		-	-	
	\$ 4,619,268	\$ 4,405,064	\$ 4,298,897	\$ 4,250,589	\$ 732,186		\$ 4,250,589	\$ 4,250,589	
30851 Operating Expenditures									
5100 Salaries & Benefits	\$ -	\$ 28,622	\$ 43,957	\$ 31,473	\$ -	0%	\$ 31,473	\$ -	
5200 Operating Supplies	-	67	1,154	-	-	N/A	-	-	
5300 Contractual Services	4,062,168	3,924,027	4,215,551	4,177,543	871,126	21%	4,177,543	-	
5400 Other Expenses	-	1,144	1,141	1,500	-	0%	1,500	-	
5700 Capital Outlays	250	380	1,915	2,000	-	0%	2,000	-	
5900 Other Financing Uses	31,189	421,059	77,744	-	-	N/A	-	-	TRANSFERS TO DDA & GENERAL FUND
Other Cash Uses and Adjustments (e.g. Debt Principal)	160,738	-	(145,787)	-	-	N/A	-	-	
	\$ 4,254,345	\$ 4,375,299	\$ 4,195,675	\$ 4,212,516	\$ 871,126	21%	\$ 4,212,516	\$ 4,212,516	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	-	-	-	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
	\$ 4,254,345	\$ 4,375,299	\$ 4,195,675	\$ 4,212,516	\$ 871,126	21%	\$ 4,212,516		
Available Cash Balance - EOY	\$ 1,206,249	\$ 1,236,014	\$ 1,339,236	\$ 1,317,436	\$ 1,200,296		\$ 1,377,309		

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
590 Sewer Fund									
Available Cash Balance - BOY	\$ 895,306	\$ 767,541	\$ (249,387)	\$ 411,030	\$ 521,480		\$ 521,480	\$ 110,450	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	100,000	-		100,000	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services	5,033,881	5,193,218	5,584,293	5,450,000	1,152,875		5,450,000	-	
Interest income	34,046	11,860	597	30,000	446		30,000	-	
Repayment of DDA advance	-	-	-	-	-		-	-	
Operating transfers in	-	-	-	-	-		-	-	
Other	145,213	173,630	481,114	80,000	8,356		80,000	-	
	\$ 5,213,140	\$ 5,378,708	\$ 6,066,004	\$ 5,660,000	\$ 1,161,677		\$ 5,660,000	\$ -	
30548 Operating Expenditures Administration									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	8	8	-	-	-	N/A	-	-	
5300 Contractual Services	296,385	330,080	363,113	377,850	77,696	21%	377,850	-	INSURANCE/INDIRECT COSTS/ADMINISTRATION FEE
5400 Other Expenses	(70)	2,214	5,087	-	-	N/A	-	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	25,221	12,550	-	-	-	N/A	-	-	
Other Cash Uses and Adjustments (e.g.)	598,586	799,246	-	-	-	N/A	-	-	
	\$ 920,130	\$ 1,144,098	\$ 368,200	\$ 377,850	\$ 77,696	21%	\$ 377,850	\$ -	
60559 Operating Expenditures Maintenance									
5100 Salaries & Benefits	\$ 881,660	\$ 900,396	\$ 728,753	\$ 656,012	\$ 116,829	18%	\$ 656,012	\$ -	
5200 Operating Supplies	57,366	43,413	37,583	183,950	936	1%	183,950	-	
5300 Contractual Services	3,192,714	3,698,604	3,863,907	3,442,960	596,194	17%	3,442,960	-	
5400 Other Expenses	222	1,112	-	1,000	600	60%	1,000	-	
5700 Capital Outlays	6,925	517	18,960	11,200	1,169	10%	11,200	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ 4,138,887	\$ 4,644,042	\$ 4,649,203	\$ 4,295,122	\$ 715,728	17%	\$ 4,295,122	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	281,888	607,496	277,734	445,000	4,291	1%	435,000	(10,000)	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
	\$ 281,888	\$ 607,496	\$ 277,734	\$ 445,000	\$ 4,291	1%	\$ 435,000	\$ (10,000)	
	\$ 5,340,905	\$ 6,395,636	\$ 5,295,137	\$ 5,117,972	\$ 797,715	16%	\$ 5,107,972		
Available Cash Balance - EOY	\$ 767,541	\$ (249,387)	\$ 521,480	\$ 953,058	\$ 885,442		\$ 1,073,508		

City of Muskegon

Quarterly Budget Reforecast - Other Funds

	Actual 2007	Actual 2008	Actual 2009	Original Budget 2010	Actual to Date 2010	Actual As % of Revised	Revised Estimate 2010	Change From 2010 Original	Comments
591 Water Fund									
Available Cash Balance - BOY	\$ 3,481,833	\$ 4,652,332	\$ 3,232,652	\$ 1,809,677	\$ 2,301,294		\$ 2,301,294	\$ 491,617	
Means of Financing									
Special assessments	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Federal & state grants	-	-	-	70,000	-		70,000	-	
State shared revenue	-	-	-	-	-		-	-	
Charges for services - City	3,866,032	3,478,847	2,967,961	3,900,000	473,188		3,900,000	-	
Charges for services - Wholesale	2,158,975	2,244,638	2,281,977	2,100,000	299,833		2,100,000	-	
Maintenance services - Township	249,752	169,165	162,300	100,000	34,665		100,000	-	
Interest income	136,511	96,075	22,483	60,000	6,974		60,000	-	
Lease of facilities	81,747	87,122	127,027	80,537	35,500		80,537	-	LEASE OF SPACE ON WATER TOWERS
Repayment of DDA advance	-	-	-	-	-		-	-	
Operating transfers in	-	-	-	-	-		-	-	
Other	212,720	246,691	327,378	-	40,413		-	-	
	\$ 6,705,737	\$ 6,322,538	\$ 5,889,126	\$ 6,310,537	\$ 890,573		\$ 6,310,537	\$ -	
30548 Operating Expenditures Administration									
5100 Salaries & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5200 Operating Supplies	-	-	4,155	-	-	N/A	-	-	
5300 Contractual Services	495,303	492,164	512,150	510,192	105,698	21%	510,192	-	INSURANCE/INDIRECT COSTS/ADMINISTRATION FEE
5400 Other Expenses	-	1,808	5,295	2,000	-	0%	2,000	-	
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
5900 Other Financing Uses	648,666	622,551	567,463	533,023	-	0%	533,023	-	INTEREST ON WATER BONDS
Other Cash Uses and Adjustments (e.g. Debt Principal)	819,125	1,706,765	1,110,000	1,150,000	-	0%	1,150,000	-	PRINCIPAL ON WATER BONDS
	\$ 1,963,094	\$ 2,823,288	\$ 2,199,063	\$ 2,195,215	\$ 105,698	5%	\$ 2,195,215	\$ -	
60559 Operating Expenditures Maintenance - City									
5100 Salaries & Benefits	\$ 838,538	\$ 789,743	\$ 972,743	\$ 801,874	\$ 177,888	22%	\$ 801,874	\$ -	
5200 Operating Supplies	208,682	293,935	1,361,098	244,000	3,941	2%	244,000	-	
5300 Contractual Services	409,756	377,064	368,258	382,217	57,873	15%	382,217	-	
5400 Other Expenses	29,998	34,634	35,364	28,230	16,374	58%	28,230	-	
5700 Capital Outlays	4,362	16,491	8,490	16,500	703	4%	16,500	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
	\$ 1,491,336	\$ 1,511,867	\$ 2,745,953	\$ 1,472,821	\$ 256,779	17%	\$ 1,472,821	\$ -	
60558 Operating Expenditures Filtration									
5100 Salaries & Benefits	\$ 596,606	\$ 608,545	\$ 601,170	\$ 670,154	\$ 131,158	20%	\$ 670,154	\$ -	
5200 Operating Supplies	184,826	219,890	238,676	248,900	38,727	16%	248,900	-	
5300 Contractual Services	537,439	517,062	490,099	570,450	63,615	11%	570,450	-	
5400 Other Expenses	1,619	1,968	1,384	2,600	750	29%	2,600	-	
5700 Capital Outlays	97,519	293,097	126,309	44,800	18,329	41%	44,800	-	
5900 Other Financing Uses	-	-	-	-	-	N/A	-	-	
Replacement Reserve - DWRF	-	-	-	290,000	-	0%	290,000	-	
	\$ 1,418,009	\$ 1,640,562	\$ 1,457,638	\$ 1,826,904	\$ 252,579	14%	\$ 1,826,904	\$ -	
90000 Project Expenditures									
5200 Operating Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	\$ -	
5300 Contractual Services	662,799	1,766,501	417,830	680,000	43,902	6%	680,000	-	SEE "BUDGETED CAPITAL IMPROVEMENTS" FOR DETAIL
5700 Capital Outlays	-	-	-	-	-	N/A	-	-	
	\$ 662,799	\$ 1,766,501	\$ 417,830	\$ 680,000	\$ 43,902	6%	\$ 680,000	\$ -	
	\$ 5,535,238	\$ 7,742,218	\$ 6,820,484	\$ 6,174,940	\$ 658,958	11%	\$ 6,174,940		
Available Cash Balance - EOY	\$ 4,652,332	\$ 3,232,652	\$ 2,301,294	\$ 1,945,274	\$ 2,532,909		\$ 2,436,891	\$ 491,617	

City of Muskegon								
Quarterly Budget Reforecast and 2010 Proposed Budget								
		Responsibility	Original Budget	Associated Grant	1st Quarter Budget Reforecast	2nd Quarter Budget Reforecast	3rd Quarter Budget Reforecast	Comments
2010 PROJECTS								
101	<u>General Fund</u>							
99120	Streetlight Removal, Terrace & Western	Al-Shatel	-	-	37,000			
99120	ADA Projects	Thompson	20,000	-	20,000			
			20,000	-	57,000			
202	<u>Major Streets</u>							
99127	Laketon, Barclay to Henry	Al-Shatel	590,000	494,000	700,000			STP Grant
	Laketon-Park to Peck	Al-Shatel	-	759,000	1,000,000			
	Laketon-Henry Intersection	Al-Shatel	-	216,000	280,000			
	Laketon Traffic Signals: Hoyt, Getty, Roberts	Al-Shatel	-	211,000	260,000			
	Business US 31 (South Branch River Bridge)	Al-Shatel	-	-	98,000			
	Lattimer/Port City, Blck Creek to Laketon	Al-Shatel	-	-	-			
99128	Getty Street, Apple to Marquette (STP)	Al-Shatel	450,000	311,000	450,000			STP Grant
90105	Traffic Signal replacement/Upgrade at Getty & Evanston	Al-Shatel	145,000	125,000	145,000			CMAQ Grant
90123	Walton, Pine to Terrace	Al-Shatel	145,000	-	-			
99130	Laketon, Peck to Wood	Al-Shatel	-	-	50,000			
98128	Park, Southern to Houston	Al-Shatel	-	-	25,000			
98132	Gett, Marquette to Access	Al-Shatel	-	-	50,000			
90124	Fourth Street, Houston to Muskegon	Al-Shatel	60,000	-	-			
			1,390,000	2,116,000	3,058,000			
203	<u>Local Streets</u>							
99136	White/Scott from Wood to Oak Street	Al-Shatel	130,000	130,000	130,000			New construction Replacing Gravel Road
99110	Bourdon, Lakeshore Dr. to Fair (Rec.)	Al-Shatel	155,000	-	-			Reconstruct
			285,000	130,000	130,000			
260	<u>Farmers' Market Improvement Fund</u>							
	Farmers market upgrades		-	-	-			Painting Stalls
404	<u>Public Improvement Fund</u>							
99111	Heritage Landing, Bike Path from YFCA to 7th street	Al-Shatel	50,000	-	50,000			
96051	Fire Truck	Kleibecker	465,000	-	465,000			Cost Partially Offset By 2008 Truck Sale Proceeds
			515,000	-	515,000			
482	<u>State Grants Fund</u>							
90101	EPA Site Assessment	Brubaker-Clarke	200,000	200,000	200,000			\$150,000 Local Match from Public Improvement Fund (2007)
99137	Energy Grant: Cooling/heating regulator at City Hall	Al-Shatel	231,000	181,000	231,000			Energy projects at Smith-Ryerson, McGraft, LC Walker, Streetlights
99137	Energy Grant: Cooling/heating regulator at City Hall	Al-Shatel	310,000	300,000	-			Energy projects at Smith-Ryerson, McGraft, LC Walker, Streetlights
	Smith-Ryerson	Al-Shatel	-	433,000	710,000			City Hall HVAC Improvements - 2-3 Year Payback

City of Muskegon								
Quarterly Budget Reforecast and 2010 Proposed Budget								
		Responsibility	Original Budget	Associated Grant	1st Quarter Budget Reforecast	2nd Quarter Budget Reforecast	3rd Quarter Budget Reforecast	Comments
2010 PROJECTS								
95010	CMI Brownfield	Brubaker-Clarke	250,000	250,000	250,000			No Match
99118	Musketawa Trail Connection	Al-Shatel	290,000	290,000	290,000			Phase IB (Keating to Black Creek)
			1,281,000	1,654,000	1,681,000			
590	<u>Sewer</u>							
99110	Bourdon, Lakeshore Dr. to Fair (Rec.)	Al-Shatel	10,000	-	-			
99114	Fisherman's Village Lift Station Rehab	Al-Shatel	65,000	-	65,000			
99127	Laketon, Barclay to Henry	Al-Shatel	20,000	-	20,000			
90107	Sewer Rehabilitation Project (sewer lining in Clay Hill area & various projects)	Al-Shatel	250,000	-	250,000			
99136	White/Scott from Wood to Oak Street	Al-Shatel	100,000	100,000	100,000			CNS grant
			445,000	100,000	435,000			
591	<u>Water</u>							
99117	1937 Headworks roof replacement	Al-Shatel	25,000	-	25,000			
99110	Bourdon, Lakeshore Dr. to Fair (Rec.)	Al-Shatel	70,000	-	-			
99116	Engineering & Design - Fluoride Storage and Pump Room	Al-Shatel	10,000	-	10,000			
90108	Inspections, plans, & specs. - 3 elev. tanks, Plant clearwell, and Harvey reser	Al-Shatel	35,000	-	35,000			
99127	Laketon, Barclay to Henry	Al-Shatel	30,000	-	30,000			
90109	MDS radio replacement upgrade	Al-Shatel	45,000	-	45,000			
99115	Perimeter fence replacement	Al-Shatel	85,000	-	85,000			
90113	Unisex locker/restroom (egr/design and const.)	Al-Shatel	50,000	-	50,000			
90110	Update Vulnerability Assessment & Emergency Response Plan	Al-Shatel	10,000	-	10,000			
90112	Water Main Replacement Project, various locations & 2" & 4" Mains replacem	Al-Shatel	250,000	-	250,000			
99130	Laketon, Peck to Wood	Al-Shatel	-	-	50,000			
99136	White/Scott from Wood to Oak Street	Al-Shatel	70,000	70,000	70,000			CNS grant
			680,000	70,000	660,000			
642	<u>PSB</u>							
90113	DPW's easterly parking lot, resurfacing	Al-Shatel	50,000	-	60,000			
90114	Salt shed, roof replacement	Al-Shatel	25,000	-	-			
			75,000	-	60,000			
643	<u>Engineering Services</u>							
99012	GIS Update and Maintenance	Al-Shatel	25,000	-	25,000			
661	<u>Equipment Fund</u>							
5720	Non-Vehicular Equipment:							
1	Sewer Truck	Kuhn	175,000	-	175,000			Replacing 1999 (50159 to be sold/trade-in)

City of Muskegon								
Quarterly Budget Reforecast and 2010 Proposed Budget								
		Responsibility	Original Budget	Associated Grant	1st Quarter Budget Reforecast	2nd Quarter Budget Reforecast	3rd Quarter Budget Reforecast	Comments
2010 PROJECTS								
1	Asphalt Hot Box	Kuhn	20,000	-	20,000			Replace 1999 Saw
1	Concrete Saw	Kuhn	25,000	-	25,000			
1	Loader	Kuhn	120,000	-	120,000			Replace 50164 2000 Cat Loader
2	Mowers	Kuhn	34,000	-	34,000			Replace 1995 Equipment
3	Turf Trucks	Kuhn	18,000	-	18,000			Replace 1996 Wagon
1	Misc.parks & cemetery equip	Kuhn	15,000	-	15,000			
5746	<i>Communications Equipment</i>							
1	Video system	Kuhn	8,000	-	8,000			Spare
5	Cruiser radios	Kuhn	10,000	-	10,000			For New Cruisers
6	In-car radios	Kuhn	15,000	-	15,000			For New Equipment
2	Light Bars	Kuhn	5,000	-	5,000			
5730	<i>Vehicles:</i>							
5	Police Patrol Cars	Kuhn	115,000	-	115,000			Replacing 2005 Cruisers
6	Small Pickup	Kuhn	80,000	-	80,000			Replacing 2002 Trucks (Inspection & DPW)
4	3/4 ton Pickup	Kuhn	100,000	-	100,000			2 - Carry Over From 2009 (Filtration, Water & Parks)
2	1 ton dump 140,141	Kuhn	70,000	-	70,000			Replacing 1997 Trucks (Highway)
1	Plow Truck	Kuhn	85,000	-	85,000			
1	Sedan	Kuhn	15,000	-	15,000			Replacing 1999 Malibu (P.D.)
			910,000	-	910,000			
			<u>\$ 5,626,000</u>	<u>\$ 4,110,000</u>	<u>\$ 7,721,000</u>			