

MANISTEE CITY COUNCIL

MEETING AGENDA

TUESDAY, JANUARY 21, 2014 – 7:00 P.M. – COUNCIL CHAMBERS

I. Call to Order.

- a.) PLEDGE OF ALLEGIANCE.
- b.) ROLL CALL.

II. Public Hearings.

III. Citizen Comments on Agenda Related Items.

IV. Consent Agenda. All agenda items marked with an asterisk (*) are on the consent agenda and considered by the City Manager to be routine matters. Prior to approval of the Consent Agenda, any member of Council may have an item from the Consent Agenda removed and taken up during the regular portion of the meeting. Consent agenda items include:

- V. Approval of Minutes.
- VI. a.) Approval of Payroll.
b.) Monthly Bills.
- XI. b.) Notification Regarding Next Work Session.
c.) Consideration of Annual Events for the Manistee Non-Motorized Transportation Committee.

At this time Council could take action to approve the Consent Agenda as presented.

***V. Approval of Minutes.** Approval of the minutes of the January 7, 2014 regular meeting and the January 14, 2014 work session as attached.

VI. Financial Report.

*a.) APPROVAL OF PAYROLL.

*b.) MONTHLY BILLS.

VII. Unfinished Business.

VIII. New Business.

a.) CONSIDERATION OF WATER AND SEWER UTILITY RATE STUDY CONSULTANT AGREEMENT WITH BURTON & ASSOCIATES.

On December 12, 2013 the City solicited proposals to provide to the City of Manistee a Water and Sewer Utility Rate Study. Bids were due on January 8, 2014; with four bids being received. Staff has reviewed the four bids and interviewed the two low bidders to ascertain which firm was best suited to perform the study at the most economical rate. Based upon a review of the requests for proposals, internal discussion, reference checks, and telephone interviews with the two lowest bidders; staff recommends Burton & Associates. The City Attorney has prepared and approves the consultant agreement.

At this time Council could take action to enter into an agreement with Burton & Associates to perform the Water and Sewer Rate Study for a total cost of \$21,939 and authorize the Mayor and City Clerk to execute the agreement.

b.) CONSIDERATION OF ADOPTING A TITLE VI NON-DISCRIMINATION PLAN AND NAME THE TITLE VI COORDINATOR.

Title VI of the Civil Rights Act of 1964 and related statutes provide that no person in the United States shall on the grounds of race, color, or national origin, sex, age, disability, or socio-economic status, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance.

The Civil Rights Restoration Act of 1987 amended Title VI to require compliance by all federal-aid recipients and sub-recipients (schools, colleges, government entities, or private employers) whether their programs are federally funded or not.

Also, related to Title VI are Executive Order 12898 Limited English Proficiency (LEP) and Executive Order 13166 Environmental Justice (EJ) which were enacted to ensure non-discrimination against low-income populations, minority populations, and persons who have limited ability to speak, write, or understand English.

Compliance with federal and state civil rights regulation is mandatory and the Michigan Department of Transportation (MDOT) has the responsibility to ensure that every sub-recipient has a Title VI Plan and LEP Plan on file. Failure to comply with this requirement may result in our being placed in deficiency status, which may jeopardize any pending or future federal funding.

The proposed Title VI Non-Discrimination Plan designates City Clerk Michelle Wright as the Title VI Coordinator. The draft document has also received approval from the staff at MDOT and now requires City Council approval. The final document is due back to the State by February 3, 2014.

At this time Council could take action to adopt the Title VI Non-Discrimination Plan; designate City Clerk Michelle Wright as the Title VI Coordinator; and authorize the Mayor and City Clerk to sign the document.

c.) CONSIDERATION OF NON-MOTORIZED TRANSPORTATION COMMITTEE BYLAWS.

On January 9, 2014 the City of Manistee Non-Motorized Transportation Committee amended their bylaws. The Non-Motorized Transportation Committee amended Section 2 Purpose, Section 3 Officers, and changed “Commission” to Committee as needed in the document.

At this time Council could take action to adopt bylaws for the Non-Motorized Transportation Committee and authorize the Mayor to execute the document.

d.) CONSIDERATION OF APPLICATIONS TO BOARDS AND COMMISSIONS.

The City Clerk has taken action to advertise vacancies on the Board of Review, Downtown Development Authority, Historic District Commission, Non-Motorized Transportation Committee, Parks and Beautification Commission, Planning Commission, Tree Commission, and the Zoning Board of Appeals.

All appointments by the Mayor are subject to the Council’s approval, unless otherwise specified by statute or ordinance. Nominations for Council appointments do not require a second. After a member of Council nominates an individual for appointment, Council shall vote on the nomination. A majority vote in favor of placement of the nominee is required for appointment.

The following applications have been received:

BOARD OF REVIEW. *Alternate Member* – One unexpired term ending 12/31/14. Applicants shall be taxpaying electors of the City who are owners of property

assessed for taxes in the City and, at the time of their appointment, are neither elected nor appointed officials of the City; Council appointment.

Erin Pontiac, 1003 Engelman Street

DOWNTOWN DEVELOPMENT AUTHORITY. One vacancy for an *At Large Member*, unexpired term ending 06/30/15; Mayoral appointment.

Brandon Ball, 345 Fifth Street

HISTORIC DISTRICT COMMISSION. Three vacancies, one unexpired term ending 02/28/15 and two three-year terms ending 02/28/17; Council appointment.

Mary E. Russell, 272 Lighthouse Circle*

NON-MOTORIZED TRANSPORTATION COMMITTEE. Two unexpired terms ending 03/31/14 and 03/31/15; Mayoral appointment.

None

PARKS AND BEAUTIFICATION COMMISSION. Two unexpired terms ending 06/30/14 and 06/30/16; Mayoral appointment.

None

PLANNING COMMISSION. One unexpired term ending 10/31/16; Mayoral appointment.

None

TREE COMMISSION. One vacancy, three-year term ending 12/31/16; Mayoral appointment.

None

ZONING BOARD OF APPEALS. *Alternate Member*, one unexpired term ending 05/31/15; Mayoral appointment.

None

*Incumbent

At this time the Mayor and Council could take action to make appointments as noted above.

IX. Notices, Communications, Announcements.

a.) A REPORT FROM THE MANISTEE BLACKER AIRPORT.

A regular part of each Council meeting is a report from a cooperating agency, organization or department.

At this time Mr. Barry Lind will report on the activities of the Manistee Blacker Airport and respond to any questions the Council may have regarding their activities. No action is required on this item.

*b.) NOTIFICATION REGARDING NEXT WORK SESSIONS.

A special Council work session has been scheduled for Tuesday, January 21, 2014 at 5:30 p.m. to continue discussions on the 2014 update to the Strategic Plan.

A Council work session has been scheduled for Tuesday, February 4, 2014 at 7 p.m. A discussion will be conducted on the Clerk/Treasurer White Paper, project updates; and such business as may come before the Council. No action is required on this item.

*c.) CONSIDERATION OF ANNUAL EVENTS FOR THE NON-MOTORIZED TRANSPORTATION COMMITTEE.

The Manistee Non-Motorized Transportation Committee holds two community events each year. In May the Healthy Active Manistee (H.A.M. it Up!) community event and then in September the Labor Day Bridge Walk is held. The Committee is requesting City Council's approval and endorsement for the Fifth Annual Healthy Active Manistee (H.A.M. it Up!) to be held May 17-23, 2014 and the Third Annual Labor Day Bridge Walk on Monday, September 1, 2014. The routes for both events will be finalized and submitted to Chief Bachman for approval as the events draw near. These events promote healthy activities for people of all abilities to enjoy.

At this time Council could take action to endorse the Fifth Annual Healthy Active Manistee (H.A.M. it Up!) community event on May 17-23, 2014 and the Third Annual Labor Day Bridge Walk on September 1, 2014.

X. Concerns and Comments.

- a.) CITIZEN COMMENT. This is an opportunity for citizens to comment on municipal services, activities or areas of City involvement. Citizens in attendance shall be recognized by the Mayor for comments (limited to five minutes). Letters submitted to Council will not be publicly read.

- b.) OFFICIALS AND STAFF.

- c.) COUNCILMEMBERS.

XI. Adjourn.

MDD:cl

COUNCIL AGENDA ATTACHMENTS:

Council Meeting Minutes – January 7, 2014
Council Work Session Minutes – January 14, 2014
2013-12-11 Monthly Bills
2013-12-23 Monthly Bills
2013-12-27 Monthly Bills
Utility Rate Study - Memo & Bids
Utility Rate Study - City Request for Proposals
Utility Rate Study - Consultant Agreement
Utility Rate Study - Burton & Associates Proposal
Title VI Non-Discrimination Plan
Non-Motorized Transportation Committee Bylaws
Board and Commission Applications
Non-Motorized Transportation Committee Events Request

PROCEEDINGS OF THE MANISTEE CITY COUNCIL – January 7, 2014

A regular meeting of the Manistee City Council was called to order by her honor, Mayor Colleen Kenny on Tuesday, January 7, 2014 at 7:00 p.m. in the City Hall Council Chambers, 70 Maple Street, followed by the Pledge of Allegiance.

PRESENT: Colleen Kenny, Edward Cote, Robert Hornkohl, Robert Goodspeed, Catherine Zaring, Mark Wittlieff, and Eric Gustad.

ALSO PRESENT: City Manager – Mitch Deisch, City Attorney – George Saylor, City Clerk – Michelle Wright, and DPW Director – Jeff Mikula.

CITIZEN COMMENTS ON AGENDA RELATED ITEMS.

None received.

CONSENT AGENDA.

- Minutes - December 17, 2013 - Regular Meeting
- Payroll - Dec. 23, 2013 - Jan. 5, 2014 - \$ 118,513.78
- Cash Balances Report - November 2013
- Notification Regarding Next Work Session – January 14, 2014
A discussion will be conducted on Peninsula District Zoning & Use, City Council Strategic Plan, Project Updates; and such business as may come before the Council.
- Consideration of Downtown Development Authority Membership.
City Council appointed Rachel Estabrook to the Downtown Development Authority (DDA) as an at large member in October 2013 for a term ending 06/30/17. Since her appointment she has moved her residence to the downtown district. The DDA currently has a vacancy for a resident member and has requested that Council formally change Ms. Estabrook's designation to the resident member position, keeping her term the same. Applications can then be advertised and received for the open at large position.

MOTION by Hornkohl, second by Cote to approve the Consent Agenda as presented.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, Wittlieff, and Gustad

NAYS: None

CONSIDERATION OF A UTILITY SERVICE CONTRACT WITH MEIJER REALTY CO. AND GOOD WILL CO., INC.

A contract between the City of Manistee, Meijer Realty Co. and Good Will Co., Inc. has been negotiated to provide water and sewer utilities to the proposed new store at the corner of M-55 and US-31 in Manistee Township. The contract includes connection fees, establishes utility rates, and a 17 year payment schedule. City Attorney George Saylor and City Utility Attorney Scott Smith have reviewed and approved this contract.

MOTION by Hornkohl, second by Zaring to approve a Utility Service Contract with Meijer Realty Co. and Good Will Co., Inc.; and authorize the Mayor and City Clerk to execute the contract. Brief discussion followed.

With a roll call vote this motion passed unanimously.

AYES: Kenny, Cote, Hornkohl, Goodspeed, Zaring, Wittlieff, and Gustad

NAYS: None

A REPORT FROM THE RAMSDELL GOVERNING AUTHORITY.

Mr. Mike Terry reported on the activities of the Ramsdell Governing Authority and responded to questions the Council had regarding their activities.

CITIZEN COMMENT.

Ross Spencer – 328 Eighth Street commented on the minutes from the December 3, 2013 Council meeting.

OFFICIALS AND STAFF.

Deisch stated that items to be discussed at the January 14, 2014 work session will include the Strategic Plan and the Peninsula District Zoning & Use.

COUNCILMEMBERS.

Hornkohl thanked the Street Department on the wonderful job they have done the last 3-4 days.

Wittlieff thanked everyone involved in the Meijer project.

Gustad also appreciated the work done by the Street Department and for the updates received on the crew scheduling.

Kenny thanked those in attendance this evening, braving the weather.

ADJOURN.

MOTION to adjourn was made by Goodspeed, second by Hornkohl. Meeting adjourned at 7:40 p.m.

Michelle Wright MMC / CPFA, MiCPT
City Clerk/Deputy Treasurer

DRAFT

**MANISTEE CITY COUNCIL
WORK SESSION
MINUTES OF JANUARY 14, 2014**

The Manistee City Council met in a work session on Tuesday, January 14, 2014 at 7 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan 49660.

MEMBERS PRESENT: Colleen Kenny, Eric Gustad, Bob Hornkohl, Catherine Zaring, Ed Cote, Robert Goodspeed, Mark Wittlieff

MEMBERS ABSENT: None

OTHERS PRESENT: Department Directors, AES Officials, Media and Public

Discussion on Peninsula District Zoning and Use. City Manager Mitch Deisch and Planning and Zoning Administrator Denise Blakeslee made a presentation to Council regarding Peninsula District zoning and use; and the recent request by Mr. Ed Seng to rezone. Multiple questions were asked by Council and were answered by staff, Mr. Ed Seng and members of the audience.

The majority of Council wanted to proactively search for other industrial sites for this business venture before they amended the development agreement and zoning districts.

Discussion on City Council Strategic Plan. Kathy Morin and Tim Ervin from the Alliance for Economic Success facilitated a discussion on Council Strategic Plan 2014 update. The purpose of this discussion was to identify modifications needed to the City's strategic plan to respond to current and evolving needs of the City.

Council reviewed accomplishments/challenges/opportunities, vision statement, and the mission statement. Due to time constraints Council will continue their Strategic Plan discussion at 5:30 p.m. on Tuesday, January 21, 2014.

Adjourned at 9 p.m.

Respectfully submitted,



Mitchell D. Deisch, City Manager

MDD:cl

INVOICE APPROVAL LIST BY FUND REPORT

12/11/13

Date: 12/11/2013

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Invoice Date	Amount
Fund: 101 GENERAL FUND							
Dept: 100 GENERAL							
101-100-801.000	Professional Ser						
	ABILITA	131115	Telecommunications Analysis	39140	11/21/2013	11/21/2013	679.60
	I.T. RIGHT INC	20136072	Service Contract - Semi-Annual	39172	12/01/2013	12/01/2013	7,000.00
							7,679.60
101-100-855.000	Utilities - Cell Ph						
	AT&T MOBILITY	837869502X10282013	Monthly Service	39147	11/27/2013	10/28/2013	1,496.48
	AT&T MOBILITY	837869502X11282013	Monthly Service	39147	12/28/2013	11/28/2013	1,455.44
							2,951.92
101-100-859.000	Utilities - Data\In						
	CHARTER COMMUNICATIONS	209 0088022 - Dec 13	Monthly Service - City Hall	39153	11/22/2013	11/22/2013	224.99
	CHARTER COMMUNICATIONS	209 0076258 - Dec 13	Monthly Service - City Hall	39153	11/22/2013	11/22/2013	6.16
							231.15
101-100-925.001	Electric - Street L						
	CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	519.15
	CONSUMERS ENERGY		Electric Usage	39158	12/25/2013	11/30/2013	10,841.52
							11,360.67
101-100-940.000	Rent						
	CITY OF MANISTEE TAX ACC	2013 WINTER	Taxes - Briny Parking Lot	1039145	12/01/2013	12/01/2013	670.90
							670.90
101-100-989.000	Computer Hardw						
	I.T. RIGHT INC	20135739	Max Desktop, Max Server	39172	10/09/2013	10/09/2013	1,424.00
	I.T. RIGHT INC	20136110	SPC Smart-UPS	39172	12/09/2013	12/09/2013	1,116.72
							2,540.72
101-100-999.000	Transfers Out						
	CITY OF MANISTEE COMMOI		Ramsdell Theatre Oper.Transfer	1039143	12/01/2013	12/01/2013	3,916.67
							3,916.67
Total Dept. GENERAL:							29,351.63
Dept: 101 LEGISLATIVE							
101-101-728.000	SUPPLIES - Ope						
	LITTLE RIVER CASINO RESC	2013	Best Little Office Party (62)	39176	12/10/2013	12/10/2013	1,856.90
	MANISTEE CHAMBER OF CC	24463	Annual Meeting & Awards Dinner	39178	11/21/2013	11/21/2013	90.00
	OLESON'S FOOD STORES	djg	Gift Certificates	39193	12/23/2013	11/23/2013	560.00
							2,506.90
Total Dept. LEGISLATIVE:							2,506.90
Dept: 172 MANAGER							
101-172-712.012	Costs - HRA Pay						
	CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	6.95
							6.95
101-172-728.000	SUPPLIES - Ope						
	MANISTEE CHAMBER OF CC	24463	Annual Meeting & Awards Dinner	39178	11/21/2013	11/21/2013	45.00
							45.00
101-172-831.000	Contractual Repa						
	KOPY SALES INC.	90127	Cost Per Copy - Manager	1039152	12/13/2013	12/03/2013	52.44
							52.44
101-172-957.000	Motor Pool						
	CITY OF MANISTEE COMMOI		Equipment Rental - Motor Pool	1039143	12/01/2013	12/01/2013	750.00
							750.00

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Invoice Date	Amount
101-172-985.000	Lease Purchase US BANK EQUIPMENT FINAN	241467174	Kyocera Copier Lease - Manager	39204	11/21/2013	11/21/2013	184.95
							184.95
							Total Dept. MANAGER: 1,039.34
Dept: 215 CLERK							
101-215-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	6.95
							6.95
101-215-728.000	SUPPLIES - Ope CIC BENEFIT CONSULTING C JACKPINE BUSINESS CENTE	8574 364123-0	HRA/Flex Admin - Dec 2013 Planner, Calendar, Highlighter	39154 39175	01/06/2014 12/26/2013	12/07/2013 11/26/2013	5.25 15.99
							21.24
101-215-740.000	Election Expense MICHIGAN ELECTION RESOU	31898	QVF Voter ID Cards	39186	12/19/2013	11/19/2013	68.65
							68.65
101-215-801.000	Professional Ser CIC BENEFIT CONSULTING C	Dec 2013	COBRA Administration	39154	01/02/2014	12/03/2013	42.75
							42.75
101-215-831.000	Contractual Repa KOPY SALES INC.	90125	Cost Per Copy - Finance/Clerk	1039152	12/13/2013	12/03/2013	15.41
							15.41
101-215-870.000	Memberships & I MICHIGAN ASSOC. OF MUNI MICHIGAN MUNICIPAL TREA:	2014	Membership Renewal 2014 Membership - Wright	39185 39187	12/01/2013 12/31/2013	12/01/2013 12/01/2013	100.00 50.00
							150.00
101-215-900.000	Printing & Publis MANISTEE COUNTY REGIST PRINTING SYSTEMS, INC.		Record Development Agreement W2, 1099 Misc, W3, 1096	39139 39197	01/01/2014 12/31/2013	12/02/2013 12/01/2013	44.00 268.02
							312.02
							Total Dept. CLERK: 617.02
Dept: 253 FINANCE / TREASURE							
101-253-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	6.95
							6.95
101-253-728.000	SUPPLIES - Ope CIC BENEFIT CONSULTING C JACKPINE BUSINESS CENTE	8574 364123-0	HRA/Flex Admin - Dec 2013 Planner, Calendar, Highlighter	39154 39175	01/06/2014 12/26/2013	12/07/2013 11/26/2013	10.50 36.96
							47.46
101-253-870.000	Memberships & I MICHIGAN MUNICIPAL TREA: MICHIGAN MUNICIPAL TREA:		2014 Membership - Pefley 2014 Membership - Bradford	39187 39187	12/31/2013 12/31/2013	12/01/2013 12/01/2013	50.00 50.00
							100.00
							Total Dept. FINANCE / TREASURER: 154.41
Dept: 257 ASSESSOR							
101-257-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	6.95
							6.95
101-257-728.000	SUPPLIES - Ope CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	5.25

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Invoice Date	Amount
							5.25
							Total Dept. ASSESSOR: 12.20
Dept: 265 MUNICIPAL BUILDING:							
101-265-728.000	SUPPLIES - Ope PURE WATER WORKS INC	246971	Purified Water	39198	12/27/2013	11/27/2013	28.00
							28.00
101-265-831.000	Contractual Repa TOP LINE ELECTRIC LLC	4826	IT Antenna - City Hall	1039156	12/03/2013	12/03/2013	625.41
							625.41
101-265-850.000	Phone AT&T	2013 - 231R01300612	Monthly Service	39146	12/31/2013	12/01/2013	147.20
	CENTURYLINK BUSINESS SE	1282367833	Monthly Service	39152	12/23/2013	11/23/2013	0.84
	POWERNET GLOBAL COMM	30726330	Monthly Service	39196	12/22/2013	12/02/2013	117.62
							265.66
101-265-920.000	Gas DTE ENERGY		Gas Usage - 70 Maple St	39162	01/04/2014	12/05/2013	539.24
							539.24
101-265-920.336	Gas - Fire Dept DTE ENERGY		Gas Usage - 281 First St	39162	01/04/2014	12/05/2013	438.89
							438.89
101-265-920.441	Gas - DPW DTE ENERGY		Gas Usage - 280 Washington St	39162	12/27/2013	11/27/2013	2,237.96
							2,237.96
101-265-922.000	Water CITY OF MANISTEE WATER		Water Usage	1039147	11/27/2013	11/27/2013	233.13
							233.13
101-265-922.336	Water - Fire CITY OF MANISTEE WATER		Water Usage	1039147	11/27/2013	11/27/2013	77.66
							77.66
101-265-922.441	Water - DPW CITY OF MANISTEE WATER		Water Usage	1039147	11/27/2013	11/27/2013	118.88
							118.88
101-265-922.446	Water - Bridge CITY OF MANISTEE WATER		Water Usage	1039147	11/27/2013	11/27/2013	43.82
							43.82
101-265-925.000	Electric CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	1,567.37
	CONSUMERS ENERGY		Electric Usage	39158	12/25/2013	11/30/2013	36.14
							1,603.51
101-265-925.336	Electric - Fire CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	369.33
							369.33
101-265-925.441	Electric - DPW CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	1,175.34
							1,175.34
101-265-925.446	Electric - Bridge CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	306.50
							306.50

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Total Dept. MUNICIPAL BUILDINGS:							8,063.33
Dept: 266 ATTORNEY							
101-266-802.000	Professional Ser MIKA MEYERS BECKETT & Jc	575485	Profession Services	1039154	11/20/2013	11/20/2013	4,547.18
							4,547.18
101-266-803.000	Prof Serv - Atty (MIKA MEYERS BECKETT & Jc	575484	General Labor	1039154	11/20/2013	11/20/2013	175.00
							175.00
Total Dept. ATTORNEY:							4,722.18
Dept: 290 BOARDS & COMMISSI							
101-290-887.000	Planning Commi PIONEER GROUP/THE//	#41100167 - 11/30/13	Advertisements	39195	12/20/2013	11/30/2013	91.40
							91.40
101-290-889.000	Zoning Board of, SCHINDLBECK/CRAIG//		Reimburse - MSU Citizen Plan.	39199	12/09/2013	12/09/2013	15.00
							15.00
tal Dept. BOARDS & COMMISSIONS:							106.40
Dept: 301 POLICE							
101-301-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	62.55
							62.55
101-301-715.000	Uniform & Cleani MANISTEE CLEANING SOLU' ON DUTY GEAR LLC	Nov 13 10912	Uniform Cleaning Pant, Shirt - Shands	39179 39194	12/03/2013 12/27/2013	12/03/2013 11/27/2013	122.60 163.91
							286.51
101-301-728.000	SUPPLIES - Ope CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	5.25
	JACKPINE BUSINESS CENTE	363861-0	Colored Paper, Staple Remover	39175	12/21/2013	11/21/2013	29.87
	JACKPINE BUSINESS CENTE	363755-0	9x12 Booklet Env	39175	12/25/2013	11/25/2013	50.95
	JACKPINE BUSINESS CENTE	33269	Parking Tickets	39175	12/26/2013	11/26/2013	348.00
	JACKPINE BUSINESS CENTE	364513-0	HP 56A/HP 57A, Batteries	39175	01/03/2014	12/04/2013	101.24
	OLESON'S FOOD STORES	#0814 - 12/06/13	Sugar, Salt/Pepper, Coffee,	39193	01/05/2014	12/06/2013	28.72
							564.03
101-301-770.000	Vehicle Gas BLARNEY CASTLE FLEET PR	BC177 - 12/06/13	Fuel Usage	39149	12/20/2013	12/06/2013	975.40
							975.40
101-301-831.000	Contractual Repa KOPY SALES INC.	90119	Cost Per Copy - Police	1039152	12/13/2013	12/03/2013	24.09
							24.09
101-301-870.000	Memberships & I MICHIGAN STATE FIREMEN'S	2014 - #1068	Membership - S. Schmeling	39188	11/30/2013	11/30/2013	30.00
							30.00
101-301-930.000	Repairs & Mainte AUTO VALUE \ BTB PARTS S' MANISTEE TIRE SERVICE WAHR HARDWARE, INC.	256-834928 19776 D4233	Oil Filter Tires - Change/Balance/Seal Rapid Links	39148 39183 1039157	12/18/2013 12/11/2013 01/04/2014	11/18/2013 11/11/2013 12/05/2013	9.56 711.72 1.59
							722.87
101-301-957.000	Motor Pool CITY OF MANISTEE COMMOI		Equipment Rental - Motor Pool	1039143	12/01/2013	12/01/2013	2,583.33

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Invoice Date	Amount
							2,583.33
							Total Dept. POLICE: 5,248.78
Dept: 336 FIRE							
101-336-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	55.60
							55.60
101-336-715.000	Uniform & Cleani SNYDER SHOE CORP	15246	Boots - C. Jeffries	39200	11/30/2013	10/31/2013	136.00
	SPORTS INK SCREEN PRINT	3788	Fire Dept T-Shirts	39201	11/02/2013	11/02/2013	247.82
							383.82
101-336-728.000	SUPPLIES - Ope CHARTER COMMUNICATIONS	209 0073420	Monthly Service - Fire Dept	39153	11/08/2013	11/08/2013	81.49
	CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	15.75
	CIRCLE K SERVICE CORP	63793	Pump Test, Ground Ladder Test	39155	09/10/2013	09/10/2013	367.16
	FASTENAL COMPANY	MIMAN101668	Batteries	39163	12/15/2013	11/15/2013	13.12
	HAZARD CONTROL TECHNC	7584	Fire Suppression Agent	39168	12/22/2013	11/22/2013	1,165.73
	JACKPINE BUSINESS CENTE	364146-0	32GB Flash Drive	39175	12/26/2013	11/26/2013	28.99
	WAHR HARDWARE, INC.	D2495	Freight - Fire	1039157	11/29/2013	10/30/2013	9.51
	WAHR HARDWARE, INC.	D3895	Freight - Fire	1039157	12/27/2013	11/27/2013	9.56
	WEST SHORE MEDICAL CEN	FAE83493 / M000158635	Lab/Immunology - Peddie, J.	39207	11/07/2013	10/08/2013	29.81
	WEST SHORE MEDICAL CEN		Immunizations - Dominick, D	39207	11/14/2013	10/15/2013	231.01
							1,952.13
101-336-732.000	SUPPLIES - Mec MOORE MEDICAL CORP.	82297487	Clipboard Mit Hldr, Versalon	39190	12/12/2013	11/12/2013	663.94
	MOORE MEDICAL CORP.	82309969	Contour POC Tst Strip, Tri Bnd	39190	12/27/2013	11/27/2013	307.14
							971.08
101-336-770.000	Vehicle Gas BLARNEY CASTLE FLEET PR	BC177 - 12/06/13	Fuel Usage	39149	12/20/2013	12/06/2013	464.85
							464.85
101-336-801.000	Professional Ser ACCUMED BILLING INC	November 2013	AccuMed Fee	39142	12/02/2013	12/02/2013	942.33
	D-N-R CONSULTANTS LLC		AFG Grant Application	39160	12/09/2013	12/09/2013	500.00
							1,442.33
101-336-831.000	Contractual Repa KOPY SALES INC.	90121	Cost Per Copy - Fire	1039152	12/13/2013	12/03/2013	11.82
							11.82
101-336-870.000	Memberships & [MICHIGAN STATE FIREMEN'S	2014 - MFIRS 51-05	Department Membership	39188	10/30/2013	10/30/2013	75.00
							75.00
101-336-900.000	Printing & Publis JACKPINE BUSINESS CENTE	33243	Rescue Run Reports	39175	12/20/2013	11/20/2013	94.62
							94.62
101-336-930.000	Repairs & Mainte ACE HARDWARE & HOME CI	118903	LP Fuel Liquid Gal	39143	12/30/2013	11/30/2013	18.87
	AUTO VALUE \ BTB PARTS S	256-835079	H2O Wax & Grease	39148	12/20/2013	11/20/2013	8.19
	AUTO VALUE \ BTB PARTS S	256-835573	Contour 22	39148	12/26/2013	11/26/2013	29.98
	BOB'S ROOFING COMPANY I	58254	Fire Dept - Repair Leaks	39151	11/21/2013	11/21/2013	129.69
	MANISTEE TIRE SERVICE	20370	Firestone Tires - Installation	39183	12/29/2013	11/29/2013	730.00
	MANISTEE WELDING & PIPIN	42019	Computer Stand for Ambulance	39184	12/19/2013	11/19/2013	100.15
	WAHR HARDWARE, INC.	C2613	Snap, Swvl Trgr	1039157	11/22/2013	10/23/2013	7.34
							1,024.22

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101-336-957.000	Motor Pool CITY OF MANISTEE COMMOI		Equipment Rental - Motor Pool	1039143	12/01/2013	12/01/2013	2,250.00
							2,250.00
101-336-985.000	Lease Purchase BLI RENTALS LLC	5	Fire Dept Garage Rental	39150	12/15/2013	12/01/2013	198.74
							198.74
						Total Dept. FIRE:	8,924.21
Dept: 441 PUBLIC WORKS							
101-441-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	69.50
							69.50
101-441-715.000	Uniform & Cleani MODEL COVERALL SERVICE SNYDER SHOE CORP	0394333 15247	Uniform Cleaning - DPW Safety Boots - Helminski	1039155 39200	12/25/2013 11/30/2013	11/25/2013 10/31/2013	29.26 140.00
							169.26
101-441-728.000	SUPPLIES - Ope CIC BENEFIT CONSULTING C FASTENAL COMPANY FASTENAL COMPANY	8574 MIMAN101787 MIMAN101843	HRA/Flex Admin - Dec 2013 Safety Glasses Gen Purpose Glove, Mech Glove	39154 39163 39163	01/06/2014 12/22/2013 12/26/2013	12/07/2013 11/22/2013 11/26/2013	10.50 12.89 25.40
							48.79
101-441-770.000	Vehicle Gas BLARNEY CASTLE FLEET PR BLARNEY CASTLE FLEET PR	BC177 - 12/06/13 BC177 - 12/06/13	Fuel Usage Fuel Usage	39149 39149	12/20/2013 12/20/2013	12/06/2013 12/06/2013	3,664.90 118.14
							3,783.04
101-441-831.000	Contractual Repa TOP LINE ELECTRIC LLC TOP LINE ELECTRIC LLC	4753 4794	River/US 31 Streetlight Ballas DPW - Replace Bathroom Fan	1039156 1039156	11/06/2013 11/15/2013	11/06/2013 11/15/2013	158.26 464.47
							622.73
101-441-860.000	Travel & Training MICHIGAN TECHNOLOGICAL	INV-12308	Advanced Roadsoft Training	39189	12/02/2013	12/02/2013	40.00
							40.00
101-441-900.000	Printing & Publis PIONEER GROUP/THE//	#41100167 - 11/30/13	Advertisements	39195	12/20/2013	11/30/2013	263.20
							263.20
101-441-930.000	Repairs & Mainte AUTO VALUE \ BTB PARTS S AUTO VALUE \ BTB PARTS S AUTO VALUE \ BTB PARTS S FASTENAL COMPANY GRAINGER	256-835285 256-835562 256-835576 MIMAN101309 9297020340	Wiper Blade LED Aux Turn 3/8 Dr Skt Hex Screws/Nuts, Washers IR Term	39148 39148 39148 39163 39166	12/22/2013 12/26/2013 12/26/2013 12/30/2013 12/15/2013	11/22/2013 11/26/2013 11/26/2013 11/30/2013 11/15/2013	10.98 46.29 10.69 186.53 132.85
							387.34
101-441-955.000	Christmas Decor FASTENAL COMPANY WAHR HARDWARE, INC. WAHR HARDWARE, INC. WAHR HARDWARE, INC.	MIMAN101783 D3623 D3632 D3729	Cable Ties Gloves, Cords Const Adh Cords	39163 1039157 1039157 1039157	12/22/2013 12/22/2013 12/22/2013 12/25/2013	11/22/2013 11/22/2013 11/22/2013 11/25/2013	10.98 20.13 5.21 11.84
							48.16
101-441-957.000	Motor Pool CITY OF MANISTEE COMMOI		Equipment Rental - Motor Pool	1039143	12/01/2013	12/01/2013	6,000.00
							6,000.00

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Total Dept. PUBLIC WORKS:							11,432.02
Dept: 748 COMMUNITY DEVELOPMENT							
101-748-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	13.90
							13.90
101-748-728.000	SUPPLIES - Ope CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	5.25
	JACKPINE BUSINESS CENTE	364516-0	Pen, Staples, Battery, Sharpie	39175	01/04/2014	12/05/2013	37.85
	JACKPINE BUSINESS CENTE	364516-1	Toner Cartridges	39175	01/04/2014	12/05/2013	463.29
							506.39
101-748-831.000	Contractual Repa KOPY SALES INC.	90118	Cost Per Copy - Comm Dev	1039152	12/13/2013	12/03/2013	13.30
							13.30
COMMUNITY DEVELOPMENT OFFICE:							533.59
Dept: 751 PARKS & RECREATION							
101-751-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	13.90
							13.90
101-751-770.000	Vehicle Gas BLARNEY CASTLE FLEET PR	BC177 - 12/06/13	Fuel Usage	39149	12/20/2013	12/06/2013	143.33
							143.33
101-751-920.000	Gas DTE ENERGY		Gas Usage - 580 Maple St	39162	01/02/2014	12/03/2013	106.77
							106.77
101-751-922.000	Water CITY OF MANISTEE WATER		Water Usage	1039147	11/27/2013	11/27/2013	17.00
							17.00
101-751-925.000	Electric CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	1,380.34
	CONSUMERS ENERGY		Electric Usage	39158	12/25/2013	11/30/2013	158.26
							1,538.60
101-751-957.000	Motor Pool CITY OF MANISTEE COMM		Equipment Rental - Motor Pool	1039143	12/01/2013	12/01/2013	3,000.00
							3,000.00
Total Dept. PARKS & RECREATION:							4,819.60
Total Fund GENERAL FUND:							77,531.61
Fund: 202 MAJOR STREET FUND							
Dept: 000							
202-000-936.000	Preservation Stre CITY OF MANISTEE GENERA		Major & Local Street Reimburse	1039144	12/01/2013	12/01/2013	9,083.34
							9,083.34
202-000-938.000	Winter Maintena CITY OF MANISTEE GENERA		Major & Local Street Reimburse	1039144	12/01/2013	12/01/2013	8,083.33
	MANISTEE COUNTY ROAD	1883	Delivered Winter Sand	39180	11/23/2013	10/24/2013	2,883.16
	NORTH AMERICAN SALT COI	71051759	Bulk Highway Coarse	39192	12/08/2013	11/08/2013	14,003.24
							24,969.73
Total Dept. 000:							34,053.07

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nd MAJOR STREET FUND:							34,053.07
Fund: 203 LOCAL STREET FUND							
Dept: 000							
203-000-936.000	Preservation Stre CITY OF MANISTEE GENERA		Major & Local Street Reimburse	1039144	12/01/2013	12/01/2013	3,916.67
							3,916.67
203-000-938.000	Winter Maintena CITY OF MANISTEE GENERA		Major & Local Street Reimburse	1039144	12/01/2013	12/01/2013	2,833.33
	MANISTEE COUNTY ROAD	1883	Delivered Winter Sand	39180	11/23/2013	10/24/2013	2,883.15
	NORTH AMERICAN SALT COI	71051759	Bulk Highway Coarse	39192	12/08/2013	11/08/2013	14,003.23
							19,719.71
Total Dept. 000:							23,636.38
nd LOCAL STREET FUND:							23,636.38
Fund: 226 CITY REFUSE FUND							
Dept: 000							
226-000-826.000	Refuse Contract ALLIED WASTE SERVICES #:	0239-001885023	Residential, Yard Waste, Bulky	39145	11/30/2013	10/31/2013	27,349.81
							27,349.81
226-000-827.000	Municipal Refuse ALLIED WASTE SERVICES #:	0239-001880547	Parks, DPW, Fire	39145	11/30/2013	10/31/2013	993.47
	ALLIED WASTE SERVICES #:	0239-001885023	Residential, Yard Waste, Bulky	39145	11/30/2013	10/31/2013	1,200.00
	HURON TACKLE CO.	180491	2013 Fish Waste Removal	39171	11/13/2013	11/13/2013	5,600.00
							7,793.47
226-000-829.001	Yard Waste Cont ALLIED WASTE SERVICES #:	0239-001885023	Residential, Yard Waste, Bulky	39145	11/30/2013	10/31/2013	3,755.00
							3,755.00
226-000-829.002	Yard Waste City CITY OF MANISTEE GENERA		Reimburse for Yard Waste	1039144	12/01/2013	12/01/2013	1,750.00
							1,750.00
Total Dept. 000:							40,648.28
und CITY REFUSE FUND:							40,648.28
Fund: 275 GRANT MANAGEMEN							
Dept: 901 LOCAL REVENUE SHA							
275-901-965.059	2013 Cycle 1 Ce TOP LINE ELECTRIC LLC	4825	Manistee Housing Security	1039156	12/02/2013	12/02/2013	2,699.03
							2,699.03
LOCAL REVENUE SHARING GRANTS:							2,699.03
NT MANAGEMENT FUND:							2,699.03
Fund: 290 PEG COMMISSION							
Dept: 000							
290-000-728.000	SUPPLIES - Ope BROWN/KEITH R/PHD	Nov 13	Reimburse - Canon Camcorder	1039141	11/30/2013	11/30/2013	100.19
							100.19
290-000-801.000	Professional Ser BROWN/KEITH R/PHD		MPA Operations - Dec 2013	1039141	12/01/2013	12/01/2013	3,250.00

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							3,250.00
290-000-930.000	Repairs & Mainte BROWN/KEITH R/PHD	Nov 13	Reimburse - Canon Camcorder	1039141	11/30/2013	11/30/2013	232.78
							232.78
							Total Dept. 000: 3,582.97
							Fund PEG COMMISSION: 3,582.97
Fund: 296 RAMSDELL THEATRE							
Dept: 000							
296-000-712.012	Costs - HRA Pay CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	6.95
							6.95
296-000-728.000	SUPPLIES - Ope COMMUNICRAFT LTD	28245	Shipping - WWTP & Ramsdell	39156	11/23/2013	11/13/2013	36.62
	JACKPINE BUSINESS CENTE	364429-0	6' MMHDMI Cable High Sp	39175	01/02/2014	12/03/2013	9.99
	WELCH/LORI//	13 FESTIVAL OF TREES - #1	Ramsdell - Cleaning	39205	12/05/2013	12/05/2013	20.00
	WELCH/LORI//	2013 FESTIVAL OF TREES #2	Ramsdell - Cleaning	39205	12/06/2013	12/06/2013	50.00
	WELCH/LORI//	2013 FESTIVAL OF TREES #3	Ramsdell - Site Manager	39205	12/07/2013	12/07/2013	32.50
							149.11
296-000-752.000	Ramsdell - Movie METROPOLITAN OPERA ASS	HD11415	Tosca Encore	1039153	12/03/2013	12/03/2013	50.00
							50.00
296-000-753.000	Ramsdell - Perfo FUNNY BUSINESS AGENCY I	Contract ID #83877 - 01	Ramsdell Theatre Performance -	39164	12/09/2013	12/09/2013	250.00
							250.00
296-000-801.000	Professional Ser JURCEVIC/SHELLY ANNETTE	Nov 2013	Ramsdell - Lessons	1039150	12/03/2013	12/03/2013	450.00
							450.00
296-000-831.000	Contractual Repa CUSTOM SHEET METAL & HF	0000061419	Ramsdell - Boiler 1 Alarm Flam	39159	12/25/2013	11/25/2013	191.35
							191.35
296-000-892.500	Marketing JACKPINE BUSINESS CENTE	33303	Wren Posters	39175	01/02/2014	12/03/2013	30.00
	PIONEER GROUP/THE//	#41100167 - 11/30/13	Advertisements	39195	12/20/2013	11/30/2013	50.00
	PIONEER GROUP/THE//	#41100167 - 11/30/13	Advertisements	39195	12/20/2013	11/30/2013	50.00
	TRAVERSE MAGAZINE	2013-68380	Advertisement - MyNorth Newslt	39203	01/01/2014	12/02/2013	25.00
							155.00
296-000-922.000	Water CITY OF MANISTEE WATER		Water Usage	1039147	11/27/2013	11/27/2013	27.11
							27.11
296-000-925.000	Electric CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	923.34
							923.34
296-000-930.000	Repairs & Mainte ACE HARDWARE & HOME CI	118792	Primer, Paint	39143	12/26/2013	11/26/2013	46.98
							46.98
296-000-970.000	Capital Outlay JACKPINE BUSINESS CENTE	364254-0	Guest Chair, Table, Panel, Set	39175	12/29/2013	11/29/2013	2,734.50
							2,734.50

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Total Dept. 000:							4,984.34
nd RAMSDELL THEATRE:							4,984.34
Fund: 430 CAPITAL IMPROVEME							
Dept: 000							
430-000-970.000	Capital Outlay						
	HELMINSKI/JOSEPH A.A.//	#12-0624 - #1	Fire Station Door Replacement	39169	12/26/2013	11/26/2013	20,948.00
							20,948.00
Total Dept. 000:							20,948.00
AL IMPROVEMENT FUND:							20,948.00
Fund: 508 BOAT RAMP FUND							
Dept: 000							
508-000-925.000	Electric						
	CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	108.37
	CONSUMERS ENERGY		Electric Usage	39158	12/25/2013	11/30/2013	69.86
							178.23
Total Dept. 000:							178.23
Fund BOAT RAMP FUND:							178.23
Fund: 573 WATER & SEWER UTIL							
Dept: 541 ADMINISTRATION							
573-541-712.012	Costs - HRA Pay						
	CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	13.90
							13.90
573-541-728.000	SUPPLIES - Ope						
	CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	5.25
							5.25
573-541-820.000	Administration						
	CITY OF MANISTEE GENERA		Administration - Water	1039144	12/01/2013	12/01/2013	19,741.67
							19,741.67
Total Dept. ADMINISTRATION:							19,760.82
Dept: 542 WATER OPERATION							
573-542-712.012	Costs - HRA Pay						
	CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	13.90
							13.90
573-542-728.000	SUPPLIES - Ope						
	WAHR HARDWARE, INC.	D3742	Jersey Glove	1039157	12/25/2013	11/25/2013	3.17
							3.17
573-542-770.000	Vehicle Gas						
	BLARNEY CASTLE FLEET PR	BC177 - 12/06/13	Fuel Usage	39149	12/20/2013	12/06/2013	375.68
							375.68
573-542-831.000	Contractual Repa						
	WINDEMULLER ELECTRIC, II	149816	Well 10 - Reset Faulted PLC	39208	12/19/2013	11/19/2013	225.00
							225.00
573-542-925.000	Electric						
	CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	508.33
							508.33

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573-542-930.000	Repairs & Mainte						
	EJ USA, INC	3671678	EJ 6RW12 MJ VLV OR	1039148	12/21/2013	11/21/2013	931.80
	INTERSTATE BILLING SERVI	T32022	Cable, S/H	39173	12/08/2013	11/08/2013	70.59
	WAHR HARDWARE, INC.	C5230	Red Heat Lamp Bulb	1039157	12/25/2013	11/25/2013	12.86
							1,015.25
573-542-957.000	Motor Pool						
	CITY OF MANISTEE COMMOI		Equipment Rental - Motor Pool	1039143	12/01/2013	12/01/2013	2,916.67
							2,916.67
							Total Dept. WATER OPERATION: 5,058.00
Dept: 543 SEWER - WWTP							
573-543-712.012	Costs - HRA Pay						
	CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	20.85
							20.85
573-543-715.000	Uniform & Cleani						
	MODEL COVERALL SERVICE	0392650	Uniform Cleaning - WWTP	1039155	12/18/2013	11/18/2013	38.36
	MODEL COVERALL SERVICE	0394330	Uniform Cleaning - WWTP	1039155	12/25/2013	11/25/2013	38.36
							76.72
573-543-728.000	SUPPLIES - Ope						
	ABSOLUTE SAFETY, INC.	WWTPP	Drug Testing - WWTP	39141	12/06/2013	11/06/2013	300.00
	COMMUNICRAFT LTD	28243	Shipping - WWTP	39156	11/18/2013	11/08/2013	42.88
	COMMUNICRAFT LTD	28245	Shipping - WWTP & Ramsdell	39156	11/23/2013	11/13/2013	42.88
	FASTENAL COMPANY	MIMAN101597	Nitrile Gloves, BI Coated Glov	39163	12/13/2013	11/13/2013	63.87
	FASTENAL COMPANY	MIMAN101752	Mech Glove	39163	12/20/2013	11/20/2013	14.78
	MODEL COVERALL SERVICE	0392650	Uniform Cleaning - WWTP	1039155	12/18/2013	11/18/2013	31.37
							495.78
573-543-770.000	Vehicle Gas						
	BLARNEY CASTLE FLEET PR	BC177 - 12/06/13	Fuel Usage	39149	12/20/2013	12/06/2013	179.42
							179.42
573-543-801.000	Professional Ser						
	FISHBECK, THOMPSON, CAF	295257	Update WWTP O&M Manual	1039149	12/04/2013	11/04/2013	3,017.00
							3,017.00
573-543-824.000	Lab Testing						
	HILL/DOUGLAS F//	507	Microscopic Examination	39170	10/07/2013	10/07/2013	100.00
	KAR LABORATORIES, INC.	139334	Mercury Analysis	1039151	12/22/2013	11/22/2013	225.00
							325.00
573-543-831.000	Contractual Repa						
	ALLIED MECHANICAL SERVI	112517	Misc Service Repair - Circuit	39144	11/18/2013	11/18/2013	317.97
	SYNAGRO CENTRAL LLC	20-115043	Pump/Transp/App of Materials	39202	11/27/2013	10/28/2013	24,462.00
	TOP LINE ELECTRIC LLC	4758	Renaissance Park Lift Station	1039156	11/06/2013	11/06/2013	619.58
							25,399.55
573-543-870.000	Memberships & [
	MWEA	8574	Membership - J. Szpliet	39191	09/17/2013	09/17/2013	60.00
							60.00
573-543-925.000	Electric						
	CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	1,461.68
							1,461.68
573-543-930.000	Repairs & Mainte						
	ACE HARDWARE & HOME CI	118671	20" Plastic Edge, 24" Pusher	39143	12/22/2013	11/22/2013	63.97

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	AUTO VALUE \ BTB PARTS S	256-834892	Adapter	39148	12/18/2013	11/18/2013	17.09
	AUTO VALUE \ BTB PARTS S	256-834879	Adapter	39148	12/18/2013	11/18/2013	15.39
	AUTO VALUE \ BTB PARTS S	256-835483	Air Filter	39148	12/25/2013	11/25/2013	13.47
	AUTO VALUE \ BTB PARTS S	256-835455	Quick Lift Flu	39148	12/25/2013	11/25/2013	22.77
	FASTENAL COMPANY	MIMAN101527	Hacksaw Blade, Recip Saw Blade	39163	12/07/2013	11/07/2013	41.63
	J.O. GALLOUP COMPANY	S102107949.001	PVC Sch 80 Soc Bushing, Tee	39174	12/08/2013	11/08/2013	12.05
	J.O. GALLOUP COMPANY	S102147778.001	Galv Nip	39174	12/21/2013	11/21/2013	1.54
	J.O. GALLOUP COMPANY	S102145957.001	Galv Union, Nip, Elbow	39174	12/21/2013	11/21/2013	20.72
							208.63
573-543-957.000	Motor Pool						
	CITY OF MANISTEE COMMOI		Equipment Rental - Motor Pool	1039143	12/01/2013	12/01/2013	2,916.67
							2,916.67
573-543-970.000	Capital Outlay						
	WINDEMULLER ELECTRIC, II	149546	8th & Vine Lift Station Pump	39208	11/30/2013	10/31/2013	32,177.52
							32,177.52
							Total Dept. SEWER - WWTP: 66,338.82
Dept: 544 SEWER COLLECTION							
573-544-712.012	Costs - HRA Pay						
	CIC BENEFIT CONSULTING C	8574	HRA/Flex Admin - Dec 2013	39154	01/06/2014	12/07/2013	13.90
							13.90
573-544-715.000	Uniform & Cleani						
	MODEL COVERALL SERVICE	0394331	Uniform Cleaning - Str Sewers	1039155	12/25/2013	11/25/2013	18.40
							18.40
573-544-957.000	Motor Pool						
	CITY OF MANISTEE COMMOI		Equipment Rental - Motor Pool	1039143	12/01/2013	12/01/2013	2,916.67
							2,916.67
							rt. SEWER COLLECTION (STREETS): 2,948.97
							WATER & SEWER UTILITY: 94,106.61
Fund: 594 MARINA FUND							
Dept: 000							
594-000-728.000	SUPPLIES - Ope						
	CHARTER COMMUNICATIONS	209 0099730 - Dec 13	Monthly Service - Marina	39153	11/18/2013	11/18/2013	63.63
							63.63
594-000-801.000	Professional Ser						
	ABONMARCHE CONSULTAN	108031	Marina Dredge Permit Appl	1039140	12/27/2013	11/27/2013	1,020.00
							1,020.00
594-000-922.000	Water						
	CITY OF MANISTEE WATER		Water Usage	1039147	11/27/2013	11/27/2013	229.76
							229.76
594-000-925.000	Electric						
	CONSUMERS ENERGY		Electric Usage	39157	12/20/2013	11/25/2013	1,118.27
							1,118.27
							Total Dept. 000: 2,431.66
							Total Fund MARINA FUND: 2,431.66

Fund: 661 MOTOR POOL FUND

Dept: 000

661-000-974.002	FIRE - Rescue A						
	GRAFIX SHOPPE	89683	Custom Reflective Graphic Kit	39165	11/07/2013	10/08/2013	1,939.03

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	GRAND TRAVERSE MOBILE	39772	Install MDT & Mount Antenna	39167	12/20/2013	11/20/2013	539.72
							2,478.75
						Total Dept. 000:	2,478.75
						und MOTOR POOL FUND:	2,478.75
Fund: 703 CURRENT TAX COLLE							
Dept: 000							
703-000-215.000	Due DDA DOWNTOWN DEVELOPMEN		Summer Tax Distribution	39161	01/09/2014	12/10/2013	1,034.49
							1,034.49
703-000-221.000	Due City CITY OF MANISTEE		Summer Tax Distribution - Ops	1039142	12/10/2013	12/10/2013	27,349.98
	CITY OF MANISTEE		Aztec Producing - STaxDistrOps	1039142	12/11/2013	12/11/2013	5,469.93
							32,819.91
703-000-221.001	Due Refuse CITY OF MANISTEE COMMOI		Summer Tax Distribution - Refu	1039143	12/10/2013	12/10/2013	1,847.57
	CITY OF MANISTEE COMMOI		Aztec Producing - STaxDistr Rf	1039143	12/11/2013	12/11/2013	415.27
							2,262.84
703-000-221.002	Due City Admin CITY OF MANISTEE		Summer Tax Distribution - Adm	1039142	12/10/2013	12/10/2013	582.12
	CITY OF MANISTEE		Aztec Producing - WTaxDistrAdm	1039142	12/11/2013	12/11/2013	74.17
	CITY OF MANISTEE		Aztec Producing - STaxDistrAdm	1039142	12/11/2013	12/11/2013	77.52
							733.81
703-000-221.003	Due City Pen\Int CITY OF MANISTEE		Summer Tax Distribution - Pena	1039142	12/10/2013	12/10/2013	2,300.16
							2,300.16
703-000-221.004	Due Water Delin CITY OF MANISTEE WATER		Summer Tax Distribution - Dfq	1039146	12/10/2013	12/10/2013	414.68
							414.68
703-000-221.005	Due Refuse Delir CITY OF MANISTEE COMMOI		Summer Tax Distribution -DfqRf	1039143	12/10/2013	12/10/2013	36.48
							36.48
703-000-221.006	Due General Deli CITY OF MANISTEE		Summer Tax Distribution - Junk	1039142	12/10/2013	12/10/2013	171.43
							171.43
703-000-222.000	Due County MANISTEE COUNTY TREASL		Summer Tax Distribution - Ops	39181	12/10/2013	12/10/2013	8,972.95
	MANISTEE COUNTY TREASL		Aztec Producing - WTax Distrib	39181	12/11/2013	12/11/2013	918.80
	MANISTEE COUNTY TREASL		Aztec Producing - STax Distrib	39181	12/11/2013	12/11/2013	1,742.54
							11,634.29
703-000-225.002	Due MAPS Ops MANISTEE AREA PUBLIC SCI		Aztec Producing - WTaxDistr	39177	01/10/2014	12/11/2013	5,742.90
							5,742.90
703-000-225.003	Due MAPS Bond MANISTEE AREA PUBLIC SCI		Aztec Producing - WTaxDistr	39177	01/10/2014	12/11/2013	759.39
							759.39
703-000-228.000	Due State of Micl MANISTEE COUNTY TREASL		Summer Tax Distribution - SET	39181	12/10/2013	12/10/2013	10,353.82
	MANISTEE COUNTY TREASL		Aztec Producing - STax Distrib	39181	12/11/2013	12/11/2013	1,914.30
							12,268.12

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703-000-234.000	Due to Intermedi:						
	MANISTEE INTERMEDIATE S		Summer Tax Distribution	39182	01/09/2014	12/10/2013	3,940.02
	MANISTEE INTERMEDIATE S		Aztec Producing - STaxDistrib	39182	01/10/2014	12/11/2013	676.30
							4,616.32
703-000-235.000	Due Community						
	WEST SHORE COMMUNITY (		Summer Tax Distribution	39206	01/09/2014	12/10/2013	5,293.51
	WEST SHORE COMMUNITY (		Aztec Producing - STax Distrib	39206	01/10/2014	12/11/2013	986.17
							6,279.68
						Total Dept. 000:	81,074.50
						RENT TAX COLLECTION:	81,074.50
						Grand Total:	388,353.43

Recap by Fund

Fund #	Fund Name	Amount To Pay	Amount To Relieve
101	GENERAL FUND	77,531.61	0.00
202	MAJOR STREET FUND	34,053.07	0.00
203	LOCAL STREET FUND	23,636.38	0.00
226	CITY REFUSE FUND	40,648.28	0.00
275	GRANT MANAGEMENT FUND	2,699.03	0.00
290	PEG COMMISSION	3,582.97	0.00
296	RAMSDELL THEATRE	4,984.34	0.00
430	CAPITAL IMPROVEMENT FUND	20,948.00	0.00
508	BOAT RAMP FUND	178.23	0.00
573	WATER & SEWER UTILITY	94,106.61	0.00
594	MARINA FUND	2,431.66	0.00
661	MOTOR POOL FUND	2,478.75	0.00
703	CURRENT TAX COLLECTION	81,074.50	0.00
	Grand Total:	388,353.43	0.00

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Fund: 101 GENERAL FUND							
Dept: 172 MANAGER							
101-172-728.000	SUPPLIES - Ope						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	-109.65
							-109.65
							Total Dept. MANAGER: -109.65
Dept: 253 FINANCE / TREASURE							
101-253-728.000	SUPPLIES - Ope						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	24.00
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	52.99
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	29.99
							106.98
							Total Dept. FINANCE / TREASURER: 106.98
Dept: 257 ASSESSOR							
101-257-728.000	SUPPLIES - Ope						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	19.86
							19.86
							Total Dept. ASSESSOR: 19.86
Dept: 301 POLICE							
101-301-728.000	SUPPLIES - Ope						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	80.93
							80.93
							Total Dept. POLICE: 80.93
Dept: 336 FIRE							
101-336-728.000	SUPPLIES - Ope						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	155.00
							155.00
101-336-732.000	SUPPLIES - Mec						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	350.97
							350.97
							Total Dept. FIRE: 505.97
Dept: 441 PUBLIC WORKS							
101-441-715.000	Uniform & Cleani						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	157.49
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	416.94
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	230.98
							805.41
101-441-728.000	SUPPLIES - Ope						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	11.54
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	13.13
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	132.46
							157.13
101-441-860.000	Travel & Training						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	148.74
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	42.47
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	148.74
							339.95
101-441-930.000	Repairs & Mainte						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	11.91

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							<u>11.91</u>
							Total Dept. PUBLIC WORKS: 1,314.40
							tal Fund GENERAL FUND: 1,918.49
Fund: 296 RAMSDELL THEATRE							
Dept: 000							
296-000-801.000	Professional Ser						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	16.80
							<u>16.80</u>
							Total Dept. 000: 16.80
							nd RAMSDELL THEATRE: 16.80
Fund: 573 WATER & SEWER UTIL							
Dept: 542 WATER OPERATION							
573-542-860.000	Travel & Training						
	PNC BANK	Nov 2013	Credit Card Charges	20131223	12/24/2013	12/01/2013	162.74
							<u>162.74</u>
							Total Dept. WATER OPERATION: 162.74
							WATER & SEWER UTILITY: 162.74
							<u>Grand Total: 2,098.03</u>

Recap by Fund

Fund #	Fund Name	Amount To Pay	Amount To Relieve
101	GENERAL FUND	1,918.49	0.00
296	RAMSDELL THEATRE	16.80	0.00
573	WATER & SEWER UTILITY	162.74	0.00
	Grand Total:	<u>2,098.03</u>	<u>0.00</u>

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Invoice Date	Amount
Fund: 101 GENERAL FUND							
Dept: 100 GENERAL							
101-100-801.000	Professional Ser EFTAXIADIS CONSULTING IN	CMBRA-1311	Env Consulting - Joslin Cove,	1039211	01/12/2014	12/13/2013	255.00
							255.00
101-100-901.000	Postage EASYPERMIT POSTAGE	000-9090-0723-7170 - Dec 13	Postage	39219	12/08/2013	12/08/2013	3,152.76
							3,152.76
Total Dept. GENERAL:							3,407.76
Dept: 172 MANAGER							
101-172-728.000	SUPPLIES - Ope OLESON'S FOOD STORES	#5718 - 12/18/13	Chips, Storage Bags, Cutlery,	39234	01/17/2014	12/18/2013	24.37
	WEST SHORE COMMUNITY C	10454	Support Staff Structure -	39249	01/10/2014	12/11/2013	50.00
							74.37
Total Dept. MANAGER:							74.37
Dept: 215 CLERK							
101-215-728.000	SUPPLIES - Ope OLESON'S FOOD STORES	#3776 - 12/13/13	Poinsettia, Wreath	39234	01/12/2014	12/13/2013	21.47
							21.47
101-215-900.000	Printing & Publis JACKPINE BUSINESS CENTE	33356	Letterhead	39226	01/10/2014	12/11/2013	174.84
							174.84
101-215-985.000	Lease Purchase PITNEY BOWES	4488375-DC13	Mailing System Rental	39238	01/12/2014	12/13/2013	735.00
							735.00
Total Dept. CLERK:							931.31
Dept: 253 FINANCE / TREASURE							
101-253-728.000	SUPPLIES - Ope JACKPINE BUSINESS CENTE	364687-0	Batteries	39226	01/09/2014	12/10/2013	49.99
	JACKPINE BUSINESS CENTE	364900-1	Pens	39226	01/10/2004	12/11/2003	11.19
	JACKPINE BUSINESS CENTE	364900-0	Add Roll, Pens	39226	01/10/2014	12/11/2013	12.54
	OLESON'S FOOD STORES	#3776 - 12/13/13	Poinsettia, Wreath	39234	01/12/2014	12/13/2013	21.48
							95.20
101-253-735.000	Periodicals & Pul WALL STREET JOURNAL	2014	Subscription Renewal	39247	01/22/2014	12/23/2013	536.80
							536.80
Total Dept. FINANCE / TREASURER:							632.00
Dept: 257 ASSESSOR							
101-257-728.000	SUPPLIES - Ope ACCO BRANDS DIRECT	DT61636532	Day-Timer Planner Refill	39211	12/17/2013	12/17/2013	31.98
	JACKPINE BUSINESS CENTE	364559-0	HP 950XL Black, Note Book	39226	01/04/2014	12/05/2013	65.65
							97.63
101-257-735.000	Periodicals & Pul MICHIGAN ASSESSORS ASS	2014	Membership Renewal - Beardslee	39230	12/17/2013	12/17/2013	75.00
							75.00
101-257-870.000	Memberships & [INTERNATIONAL ASSOCIATI STATE OF MICHIGAN	14-00011770	Membership - J. Beardslee	39224	12/01/2013	12/01/2013	175.00
		2014	Assessor Certification Renewal	39242	12/17/2013	12/17/2013	175.00

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							350.00
Total Dept. ASSESSOR:							522.63
Dept: 265 MUNICIPAL BUILDINGS:							
101-265-728.000	SUPPLIES - Ope						
	FASTENAL COMPANY	MIMAN102042	Road Runner Ice Melt	39220	01/08/2014	12/09/2013	92.50
	FASTENAL COMPANY	MIMAN102113	Hand Towels	39220	01/11/2014	12/12/2013	46.59
	FASTENAL COMPANY	MIMAN102168	Road Runner Ice Melt	39220	01/15/2014	12/16/2013	138.74
	GRAND RENTAL STATION	1-528536	Snowthrower, Single Stage	39223	01/12/2014	12/13/2013	449.00
	JACKPINE BUSINESS CENTE	364685-0	.7mm Airpress Refill	39226	01/10/2014	12/11/2013	5.25
	PURE WATER WORKS INC	247644	Purified Water	39239	01/16/2014	12/17/2013	20.00
	TOP LINE ELECTRIC LLC	4755	Replace Ballast, Supply Lights	1039222	11/06/2013	11/06/2013	69.43
	TOP LINE ELECTRIC LLC	4836	24 Fluorescent Lamps / Stock	1039222	12/03/2013	12/03/2013	120.49
	WAHR HARDWARE, INC.	D4061	Bronze Wool, Cord	1039223	01/02/2014	12/03/2013	7.92
							949.92
101-265-831.000	Contractual Repa						
	TOP LINE ELECTRIC LLC	4755	Replace Ballast, Supply Lights	1039222	11/06/2013	11/06/2013	55.50
	TOP LINE ELECTRIC LLC	4762	Replace Ballast - Police Dept	1039222	11/06/2013	11/06/2013	107.97
							163.47
101-265-850.000	Phone						
	AT&T	2013 - 231723180312	Monthly Service	39214	01/12/2014	12/13/2013	188.12
	AT&T	2013 - 231723351912	Monthly Service	39214	01/12/2014	12/13/2013	28.58
	AT&T	2013 - 231723595512	Monthly Service	39214	01/12/2014	12/13/2013	188.45
	AT&T	2013 - 231398067912	Monthly Service	39214	01/12/2014	12/13/2013	168.83
	AT&T		Monthly Service	39214	01/22/2014	12/23/2013	23.30
							597.28
101-265-920.446	Gas - Bridge						
	DTE ENERGY		Gas Usage - 51 Maple St	39218	01/08/2014	12/09/2013	191.56
							191.56
Total Dept. MUNICIPAL BUILDINGS:							1,902.23
Dept: 266 ATTORNEY							
101-266-802.000	Professional Ser						
	MIKA MEYERS BECKETT & J	576198	Professional Services	1039216	12/17/2013	12/17/2013	4,050.00
							4,050.00
Total Dept. ATTORNEY:							4,050.00
Dept: 285 CITY ENGINEER							
101-285-801.000	Professional Ser						
	ABONMARCHE CONSULTAN	107748	Engineer of Record - M7-0664	1039210	11/22/2013	10/23/2013	1,500.00
							1,500.00
Total Dept. CITY ENGINEER:							1,500.00
Dept: 301 POLICE							
101-301-715.000	Uniform & Cleani						
	SNYDER SHOE CORP	98257	Shoes - T. Bruce	39240	11/30/2013	10/31/2013	150.00
	SNYDER SHOE CORP	15401	Shoes - J. Glass	39240	12/27/2013	11/27/2013	150.00
							300.00
101-301-728.000	SUPPLIES - Ope						
	FIRSTMERIT BANK N.A.	5974	Copies / Ciccellis	39221	01/08/2014	12/09/2013	4.50
	JACKPINE BUSINESS CENTE	365051-0	Single Sheet Papers	39226	01/11/2014	12/12/2013	1.00
							5.50
101-301-900.000	Printing & Publis						
	PIONEER GROUP/THE//	#42102299 - 12/31/13	Advertisement - Police	39237	01/20/2014	12/31/2013	25.00

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							25.00
101-301-930.000	Repairs & Mainte WAHR HARDWARE, INC.	D1926	Dremel Wire Brush	1039223	11/17/2013	10/18/2013	3.41
							3.41
							Total Dept. POLICE: 333.91
Dept: 336 FIRE							
101-336-728.000	SUPPLIES - Ope FASTENAL COMPANY	MIMAN102186	Truck Wash, Can Liner, Wypall,	39220	01/15/2014	12/16/2013	317.35
	OLESON'S FOOD STORES	#3198 - 12/11/13	Kitty Litter	39234	01/10/2014	12/11/2013	11.37
	OLESON'S FOOD STORES	#2235 - 12/11/13	Softsoap	39234	01/10/2014	12/11/2013	7.16
	OLESON'S FOOD STORES	#3836 - 12/17/13	Creamer, Coffee, Antibiotic,	39234	01/16/2014	12/17/2013	43.14
							379.02
101-336-732.000	SUPPLIES - Mec MOORE MEDICAL CORP.	82310216 I	Sodium Chloride	39233	01/01/2014	12/02/2013	84.00
							84.00
101-336-874.000	Retire. Costs - Bl JANOWIAK/DANIEL J// MODJESKI/MARK A// SCRIMGER/SID// SMITH/TIMM H// TABACZKA/JERRY J//		In Lieu of Blue Cross Insuranc In Lieu of Blue Cross Insuranc	39227 39232 1039220 1039221 39243	12/25/2013 12/25/2013 12/25/2013 12/25/2013 12/25/2013	12/25/2013 12/25/2013 12/25/2013 12/25/2013 12/25/2013	250.00 250.00 250.00 250.00 250.00
							1,250.00
101-336-930.000	Repairs & Mainte AUTO VALUE \ BTB PARTS S WAHR HARDWARE, INC. WAHR HARDWARE, INC. WAHR HARDWARE, INC. WAHR HARDWARE, INC. WEST SHORE FIRE, INC.	256-837136 C6311 C6599 C6992 D4814 6949	Weatherhead GFCl 15A Wh. Ltd, 10W Dlight Chain Bolts Glue, Wood Filler, Chisel, Cane Bolt Vlv Cartirdge Sun Cbca-Lhn	39215 1039223 1039223 1039223 1039223 39250	01/13/2014 01/08/2014 01/11/2014 01/16/2014 01/17/2014 01/16/2014	12/14/2013 12/09/2013 12/12/2013 12/17/2013 12/18/2013 12/17/2013	0.18 22.21 33.64 17.92 19.06 204.99
							298.00
							Total Dept. FIRE: 2,011.02
Dept: 441 PUBLIC WORKS							
101-441-715.000	Uniform & Cleani MODEL COVERALL SERVICE	0397664	Uniform Cleaning - DPW	1039217	01/08/2014	12/09/2013	29.26
							29.26
101-441-728.000	SUPPLIES - Ope FASTENAL COMPANY STATE OF MICHIGAN	MIMAN102060 2014 MiDEAL-281	Mech Glove 2014 MiDEAL	39220 39241	01/08/2014 01/11/2014	12/09/2013 12/12/2013	29.55 180.00
							209.55
101-441-870.000	Memberships & [ARBOR DAY FOUNDATION	2014	Membership #865-714-1452	39213	12/23/2013	12/23/2013	15.00
							15.00
101-441-930.000	Repairs & Mainte AB SPRING SERVICE, INC. AUTO VALUE \ BTB PARTS S AUTO VALUE \ BTB PARTS S AUTO VALUE \ BTB PARTS S AUTO VALUE \ BTB PARTS S FREDRICKSON SUPPLY LLC GRAND RENTAL STATION HARBOR STEEL & SUPPLY C	A233380007 256-835830 256-836051 256-836656 256-836663 9463 1-528441 04185633	Springs, Threaded Rod / U-Bolt Oil, Flex Funnel, Dorman, Drai Reel, Hyd Fitting, Milton Gage Jack Pack, Barrel Pump West. Guide (PR) Tracks for Cat 247B Chainsaw Sharp Off 1-1/2 Rd C1018 Cr S/C	39210 39215 39215 39215 39215 39222 39223 1039212	01/03/2014 12/29/2013 01/01/2014 01/08/2014 01/08/2014 12/27/2013 01/05/2014 01/05/2014	12/04/2013 11/29/2013 12/02/2013 12/09/2013 12/09/2013 11/27/2013 12/06/2013 12/06/2013	1,729.16 74.62 49.94 158.78 13.39 2,883.14 12.00 30.00

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Invoice Date	Amount
	INTERSTATE BILLING SERVI	T30736	Edges, Plow Nut, Plow Bolt	39225	11/21/2013	10/22/2013	705.54
	INTERSTATE BILLING SERVI	T30737	Edges, Plow Bolt, Plow Nut	39225	11/21/2013	10/22/2013	705.54
	WAHR HARDWARE, INC.	C5933	Pwfr Ext Adhesive	1039223	01/04/2014	12/05/2013	5.39
	WAHR HARDWARE, INC.	C6365	Bulbs	1039223	01/08/2014	12/09/2013	5.56
							6,373.06
101-441-955.000	Christmas Decor						
	MILLER/PHIL OR LYNN//	782593	16" Wreath	39231	12/05/2013	12/05/2013	20.00
							20.00
101-441-985.000	Lease Purchase						
	US BANK EQUIPMENT FINAN	243216231	Kyocera Copier - DPW	39245	12/17/2013	12/17/2013	125.90
							125.90
							Total Dept. PUBLIC WORKS: 6,772.77
							tal Fund GENERAL FUND: 22,138.00
Fund: 243 BROWNFIELD REDEV/							
Dept: 000							
243-000-801.000	Professional Ser						
	EFTAXIADIS CONSULTING IN	CMBRA-1311	Env Consulting - Joslin Cove,	1039211	01/12/2014	12/13/2013	170.00
	EFTAXIADIS CONSULTING IN	CMBRA-1311	Env Consulting - Joslin Cove,	1039211	01/12/2014	12/13/2013	233.75
							403.75
							Total Dept. 000: 403.75
							EDEVELOPMENT AUTHO: 403.75
Fund: 251 EPA GRANT - PETROL							
Dept: 000							
251-000-810.000	Prof Services - E						
	EFTAXIADIS CONSULTING IN	CMBRA-1311P	Env Consulting - USEPA Pet	1039211	01/12/2014	12/13/2013	425.00
							425.00
							Total Dept. 000: 425.00
							'A GRANT - PETROLEUM: 425.00
Fund: 252 EPA GRANT - HAZARD							
Dept: 000							
252-000-810.000	Prof Services - E						
	EFTAXIADIS CONSULTING IN	CMBRA-1311H	Env Consulting - USEPA Haz	1039211	01/12/2014	12/13/2013	3,145.00
							3,145.00
							Total Dept. 000: 3,145.00
							'A GRANT - HAZARDOUS: 3,145.00
Fund: 275 GRANT MANAGEMEN							
Dept: 901 LOCAL REVENUE SHA							
275-901-965.061	2013 Cycle 1 Tee						
	PERSONAL PLUMBING INC	131206-2	Teen Center - Labor, Demo Bath	39236	12/06/2013	12/06/2013	377.19
							377.19
							OCAL REVENUE SHARING GRANTS: 377.19
							NT MANAGEMENT FUND: 377.19
Fund: 296 RAMSDELL THEATRE							
Dept: 000							

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Invoice Date	Amount
296-000-728.000	SUPPLIES - Ope						
	ACE HARDWARE & HOME CI	119080	Tiedown	39212	01/05/2014	12/06/2013	9.99
	JACKPINE BUSINESS CENTE	364687-0	Batteries	39226	01/09/2014	12/10/2013	69.99
	WAHR HARDWARE, INC.	C1246	Bolts	1039223	11/04/2013	10/05/2013	1.52
	WAHR HARDWARE, INC.	D1887	Soft Cleanser Cream	1039223	11/17/2013	10/18/2013	3.29
	WAHR HARDWARE, INC.	D2194	Keys	1039223	11/23/2013	10/24/2013	4.38
	WAHR HARDWARE, INC.	C2806	Wastepaper Bags	1039223	11/24/2013	10/25/2013	4.29
	WAHR HARDWARE, INC.	C3732	AAA Alk Batteries, One Wrp	1039223	12/07/2013	11/07/2013	17.51
	WAHR HARDWARE, INC.	C3942	4' Fluor Tube	1039223	12/09/2013	11/09/2013	6.56
	WAHR HARDWARE, INC.	C4244	Wastepaper Bags	1039223	12/12/2013	11/12/2013	43.09
	WAHR HARDWARE, INC.	D4516	Blk Gffr Tape	1039223	01/10/2014	12/11/2013	359.88
	WELCH/LORII	2013 FESTIVAL OF TREES #4	Ramsdell - Site Manager	39248	12/08/2013	12/08/2013	40.00
							560.50
296-000-752.000	Ramsdell - Movie						
	METROPOLITAN OPERA ASS	HD11335	Ramsdell - Tosca	1039215	11/25/2013	11/25/2013	334.00
	METROPOLITAN OPERA ASS	HD11600	Ramsdell - Falstaff	1039215	12/17/2013	12/17/2013	221.50
							555.50
296-000-753.000	Ramsdell - Perfo						
	PERKINS/JIM//	FINVARRAS WREN - 2013	Ramsdell Performance	39209	12/17/2013	12/17/2013	400.00
	PERKINS/JIM//	FINVARRAS WREN - 2013 #2	Ramsdell Performance 70/30 spl	39235	12/21/2013	12/21/2013	24.50
	REIMER/EMMET L//	FINVARRAS WREN	Ramsdell - Light Tech	1039219	12/21/2013	12/21/2013	75.00
	WOLKOW/ALEXANDER//	FINVARRAS WREN	Ramsdell - Sound Tech	39251	12/21/2013	12/21/2013	75.00
							574.50
296-000-831.000	Contractual Repa						
	CUSTOM SHEET METAL & HE	0000015117	Ramsdell - Thermostat Reset	39217	12/30/2013	11/30/2013	299.00
	CUSTOM SHEET METAL & HE	0000061475	Ramsdell - Ballroom Heat	39217	01/01/2014	12/02/2013	219.00
	CUSTOM SHEET METAL & HE	0000061580	Ramsdell - Install Boards	39217	01/11/2014	12/12/2013	505.40
	CUSTOM SHEET METAL & HE	0000061588	Ramsdell - No Heat in Exec.	39217	01/11/2014	12/12/2013	210.25
	NORTHERN FIRE & SAFETY	0134787-IN	Monitoring - Annual Renewal	1039218	12/01/2013	12/01/2013	300.00
	TRANE U.S. INC.	32828229	Ramsdell - Condenser Coil	39244	12/27/2013	12/27/2013	4,247.00
							5,780.65
296-000-850.000	Phone						
	AT&T	2013 - 231398075412	Monthly Service	39214	01/12/2014	12/13/2013	66.39
							66.39
296-000-920.000	Gas						
	DTE ENERGY		Gas Usage - 101 Maple St	39218	01/05/2014	12/06/2013	1,288.35
							1,288.35
296-000-930.000	Repairs & Mainte						
	ACE HARDWARE & HOME CI	772902	Entry Knob, Shims, Varn, Frog	39212	01/18/2014	12/19/2013	37.95
	LINKE LUMBER COMPANY	10182453	Oak Colonial Casing & Stop	39229	01/07/2014	12/17/2013	27.75
	LINKE LUMBER COMPANY	10182490	White Pine, Oak	39229	01/09/2014	12/19/2013	77.06
							142.76
							Total Dept. 000: 8,968.65
							nd RAMSDELL THEATRE: 8,968.65
Fund: 508 BOAT RAMP FUND							
Dept: 000							
508-000-850.000	Phone						
	AT&T	2013 - 231398258512	Monthly Service	39214	01/12/2014	12/13/2013	30.32
							30.32
							Total Dept. 000: 30.32

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Fund BOAT RAMP FUND:							30.32
Fund: 573 WATER & SEWER UTIL							
Dept: 541 ADMINISTRATION							
573-541-728.000	SUPPLIES - Ope						
	JACKPINE BUSINESS CENTE	364765-0	Adhes Notes, Pad, Post-It Flag	39226	01/08/2014	12/09/2013	37.56
							37.56
573-541-831.000	Contractual Repa						
	KOPY SALES INC.	90120	Cost Per Copy - Garage	1039214	12/13/2013	12/03/2013	30.53
							30.53
573-541-850.000	Phone						
	AT&T	2013 - 231723149712	Monthly Service	39214	01/12/2014	12/13/2013	859.39
	AT&T	2013 - 231723149612	Monthly Service	39214	01/12/2014	12/13/2013	179.60
	AT&T	2013 - 231398303112	Monthly Service	39214	01/12/2014	12/13/2013	179.60
							1,218.59
Total Dept. ADMINISTRATION:							1,286.68
Dept: 542 WATER OPERATION							
573-542-728.000	SUPPLIES - Ope						
	WAHR HARDWARE, INC.	C2439	Lrg Hook/Loop A/P Glove	1039223	11/20/2013	10/21/2013	17.88
	WAHR HARDWARE, INC.	C5873	Brown Jersey Glove	1039223	01/03/2014	12/04/2013	6.34
							24.22
573-542-745.000	Chemicals						
	HAVILAND PRODUCTS COMI	90736 #2	Container Deposit	1039213	10/28/2013	09/28/2013	250.00
	HAVILAND PRODUCTS COMI	90735 #2	Container Deposit	1039213	10/28/2013	09/28/2013	800.00
							1,050.00
573-542-824.000	Lab Testing						
	KENT COUNTY HEALTH DEP.	EH113013-3921	Water Samples	39228	01/01/2014	12/02/2013	356.00
							356.00
573-542-925.000	Electric						
	CONSUMERS ENERGY		Monthly Service	39216	01/04/2014	12/10/2013	5,957.26
							5,957.26
Total Dept. WATER OPERATION:							7,387.48
Dept: 543 SEWER - WWTP							
573-543-920.000	Gas						
	DTE ENERGY		Gas Usage - 15 9th Street	39218	01/10/2014	12/11/2013	1,852.47
							1,852.47
573-543-925.000	Electric						
	CONSUMERS ENERGY		Monthly Service	39216	01/04/2014	12/10/2013	8,941.19
							8,941.19
573-543-930.000	Repairs & Mainte						
	ACE HARDWARE & HOME CI	118982	300W Bulb	39212	01/03/2014	12/04/2013	14.98
	USA BLUE BOOK	208807	Opti-Pro Polymer Dispasant	39246	12/22/2013	11/22/2013	174.07
	USA BLUE BOOK	222915	Injection Valve VTC3	39246	01/12/2014	12/13/2013	317.80
	USA BLUE BOOK	223332	Incjection Valve / Split Order	39246	01/12/2014	12/13/2013	60.04
							566.89
Total Dept. SEWER - WWTP:							11,360.55
Dept: 544 SEWER COLLECTION							
573-544-715.000	Uniform & Cleani						
	MODEL COVERALL SERVICE	0397662	Uniform Cleaning - Str Sewers	1039217	01/08/2014	12/09/2013	18.40

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Invoice Date	Amount
							18.40
							18.40
							20,053.11
Fund: 594 MARINA FUND							
Dept: 000							
594-000-831.000	Contractual Repa						
	PERSONAL PLUMBING INC	131206-1	Marina - Labor, Service Toilet	39236	12/06/2013	12/06/2013	278.58
	TOP LINE ELECTRIC LLC	4871	Marina Bathroom & Storage Room	1039222	12/12/2013	12/12/2013	349.11
							627.69
594-000-920.000	Gas						
	DTE ENERGY		Gas Usage - 480 River St	39218	01/04/2014	12/05/2013	127.32
							127.32
							Total Dept. 000: 755.01
							Total Fund MARINA FUND: 755.01
							Grand Total: 56,296.03

Recap by Fund

Fund #	Fund Name	Amount To Pay	Amount To Relieve
101	GENERAL FUND	22,138.00	0.00
243	BROWNFIELD REDEVELOPMENT AUTH	403.75	0.00
251	EPA GRANT - PETROLEUM	425.00	0.00
252	EPA GRANT - HAZARDOUS	3,145.00	0.00
275	GRANT MANAGEMENT FUND	377.19	0.00
296	RAMSDELL THEATRE	8,968.65	0.00
508	BOAT RAMP FUND	30.32	0.00
573	WATER & SEWER UTILITY	20,053.11	0.00
594	MARINA FUND	755.01	0.00
	Grand Total:	56,296.03	0.00

MEMO TO: Mayor Colleen Kenny
Members of City Council

FROM: Mitch Deisch, City Manager

DATE: January 14, 2014

SUBJECT: City of Manistee Utility Rate Study



City Manager's Office
231-398-2801

The City of Manistee sought proposals from qualified and experienced consultants to perform a water and sanitary sewer utility rate study for users inside the City limits and outside the City limits. The work will (i) determine the costs of serving users of various user classes within the City and various classes of users within differing service areas outside the City, (ii) recommend a rate structure to equitably distribute those costs, (iii) recommend the rates to be applied to the structure; and (iv) provide a methodology for the City to annually employ to determine what annual adjustments should be made to the rates. It is assumed the rate structure will utilize either the utility or cash needs approaches recognized by the American Water Works Association.

Requests for Proposals for a Water and Sewer Utility Rate Study were solicited on December 12, 2013. Bids were due on January 8, 2014. Four bids were received:

Raftelis	\$42,160
Burton & Associates	\$21,939
UFS	\$23,900
Tetra-Tech	\$44,087

Each proposal indicated that it would take approximately twelve weeks to complete. Considering the bids Finance Director Edward Bradford and City Manager Mitchell Deisch conducted phone interviews with the two low bidders, Burton & Associates and UFS.

Based upon the phone interviews it became clear that both firms had the capability of completing the Utility Rate Study. However, during the phone interviews some additional information became available on both firms. UFS's cost to annually or periodically update the rate study was significantly higher (\$12,000 - \$16,000) than Burton & Associates (\$4,000-\$6,000) and Burton & Associates incorporated more onsite visits with City staff and stakeholders than did UFS.

Thus, considering this information along with the fact that Burton & Associates were the low bidder; it is staff's recommendation to select Burton & Associates. City Attorney George Saylor has prepared and approved the Water and Sewer Utility Rate Study consultant agreement.

MDD:cl



BID TABULATION

PROJECT: Water & Sewer Rate Study - RFP

BID DATE: 01/08/14 - 12 pm

CONTRACTOR NAME	BID BOND	INSURANCE	BASE BID	ALT. NO.	ALT. NO	ALT. NO	COMMENTS
Raftelis			42,160				190 hrs/\$222 - 3 month completion
Burton & Associates			21,939				148 hrs/\$148 - 4/21-5/2/14 completion
UFS			23,900				166 hrs/\$144 - 12 week completion
Tetra-Tech			44,087				241 hrs/\$183 - 5/6/14 completion

DEPARTMENT ORIGINATION: DPW/Finance/Manager

SIGNATURES: Michelle Wright city clerk
Edward Bradford



REQUEST FOR PROPOSAL

WATER & SEWER UTILITY RATE STUDY

DECEMBER 12, 2013

SUMMARY

The City of Manistee is seeking proposals from qualified and experienced consultants to perform a water and sanitary sewer utility rate study for users inside the City limits and outside the City limits. The work will (i) determine the costs of serving users of various user classes within the City and various classes of users within differing service areas outside the City, (ii) recommend a rate structure to equitably distribute those costs, (iii) recommend the rates to be applied to the structure; and (iv) provide a methodology for the City to annually employ to determine what annual adjustments should be made to the rates. It is assumed the rate structure will utilize either the utility or cash needs approaches recognized by the American Water Works Association.

PROPOSALS MUST BE RECEIVED BY THE CITY CLERK NOT LATER THAN 12:00 P.M. ON WEDNESDAY, JANUARY 8, 2014.

The City of Manistee reserves the right to accept or reject any or all proposals, to waive any irregularities, informalities or defects in any proposal, to accept any proposal in whole or in part which shall be deemed in the best interests of the City of Manistee, and to negotiate with the successful proponent.

PROCESS

The City of Manistee (www.manisteemi.gov) will conduct the review, screening and selection of a professional consultant to provide the services required. The City of Manistee will be providing the RFP responses to both Manistee Township and the Little River Band of Ottawa Indians for their review and comment. The final decision will be made by the City of Manistee.

RFP SUBMISSION

Only complete responses will be considered. The sealed envelope shall be marked City of "Manistee Utility Rate Study Proposal". A total of 7 copies of the response must be provided in hard copy by 12:00 p.m. on Wednesday, January 8, 2014, delivered by mail or in person to:

**City of Manistee
ATTN: Michelle Wright, City Clerk
70 Maple Street
Manistee, MI 49660**

A complete PDF copy shall also be emailed to mdeisch@manisteemi.gov by the deadline.

If further information is required, please contact Ed Bradford, Finance Director at 231-398-2804 or ebradford@manisteemi.gov; or Jeff Mikula, DPW Director at 231-723-7132 or jmikula@manisteemi.gov

PROJECT BACKGROUND

The City operates a combined water and sewer utility (“WSU”). This combined structure is required by ordinance and bond agreements. However, revenues expenses for the different departments are tracked. Rate setting occurs every year as part of the annual budget process. The purpose of the rate study is to formally and objectively: (i) determine the costs of serving users of various user classes within the City and various classes of users within differing service areas outside the City, (ii) recommend a rate structure to equitably distribute those costs, (iii) recommend the rates to be applied to the structure; and (iv) provide a methodology for the City to annually employ to determine what annual adjustments should be made to the rates. It is assumed the rate structure will utilize either the utility or cash needs approaches recognized by the American Water Works Association.

It is recognized that as part of the study, changes in the City’s Ordinance(s) will be needed. For example, Section 1040.04 of the City’s Code of Ordinances currently addresses rate increases; but has not been updated\and or has been superseded by changes due to revenue bond issuance:

Effective on July 1, 1993, and annually thereafter, water and sewer consumption charges shall be increased equal to the inflation rate as established by the Michigan Department of Treasury or its successor, for purposes of determining tax limitations as provided by Act 213 of the Public Acts of 1981, as amended (Truth in Assessing) and Act 5 of the Public Acts of 1982, (Truth in Taxation) or an equivalent standard established by the City Council by resolution in the event that these Acts are repealed or modified so that the inflation rate is no longer published by the Department of Treasury or its successor. However, in no event shall rates be increased by more than five percent each year.

However, Section 11-2 of the City Charter provides broader discretion:

The City Council shall have the power to fix, from time to time, such rates and other charges as may be deemed advisable for supplying the inhabitants of the City and others with such public utility services as the City may provide. Higher rates may be charged for service outside the corporate limits of the City.

Various provisions of the City Code will need to be modified to implement the new rate structure and methodology and be brought into internal consistency. Other areas of City Code may also need modification and should be identified.

WATER DEPARTMENT

The Water Department operates four water extraction wells (three located in Filer Charter Township to the south and one located in Manistee Township to the north), two elevated water towers and approximately 62 miles of water distribution lines.

The Water Department distributes potable water to its customers: residential, commercial and industrial. There are approximately 3,200 water utility customers (3,900 meters). Water is metered at virtually all customer sites. Water charges are based on actual metered consumption during the monthly billing period. Billing is handled by the City's finance department. Annual water consumption appears to be stabilizing, but has been reduced over the past few years. The primary reason is customer water conservation, and a reduction in flows from the State of Michigan Oaks Correctional Facility, which is the City's largest utility customer.

The Water Department has made significant investments over the past decade. This includes installing radio meter reading equipment on approximately 90% of all water meters, wirelessly networking wells and towers to the control system, replacing telemetry and PLC's at wells and conducting well rehabilitation. Some distribution mains have also been replaced and/or upgraded.

WWTP AND SEWER DEPARTMENTS

The Sewer Department operates a 1.3 MGD Wastewater Treatment Plant, 14 lift stations and approximately 50 miles of sanitary sewer collection lines.

The Sewer department collects wastewater from its customers: residential, commercial and industrial. There are approximately 3,200 sewer utility customers. Billing volumes for sewer services are based upon actual water measured amounts. All properties may install separate water meters to measure water which does not return to the sewer collection system. Billing is handled by the City's finance department. The City's average annual daily flow at the WWTP is 700,000 gpd, which is down approximately 300,000 gpd over the past few years. Most of the drop in daily flows is attributable to completing the final two stages of the City's multi-year sewer separation project. Billable sewer consumption appears to be stabilizing, but has been reduced over the past few years due to the reduction in flows from the prison.

The WWTP\Sewer Department has made significant investments over the past decade. This includes increasing the capacity of the WWTP from 1.0 MGD to 1.3 MGD, wirelessly networking lift stations to the control system, replacing telemetry and PLC's at lift stations and the WWTP and conducting lift station rehabilitation. Some collection mains have also been replaced and/or upgraded.

WATER & SEWER UTILITY FINANCES

Total operating revenues for the WSU for the year ended June 30, 2013 were approximately \$2,835,000. Approximate change in net position excluding prior period adjustment is \$0. Approximate cash flow was a positive \$154,000.

The WSU has approximately \$15,000,000 in outstanding debt. Annual debt service is about \$1,600,000. Current commodity rates are \$3.37 per 1000 G for water and \$6.74 per 1000 G for sewer.

PROJECT OBJECTIVES

- To determine the future revenue needs for operations, maintenance, and capital expenditures of the water distribution and sanitary sewer collection utilities of the City of Manistee.
- To project total revenue required to support these needs for a twenty-year planning period.
- To distribute the costs of the systems equitably across all user classes within in the City and in service areas outside the City.
- To clearly define (for system users) the rationale for fees and charges.
- To minimize administrative requirements and associated costs while providing a methodology for annual rate adjustments.
- To consider the impact of rate adjustments on industrial and commercial users from an economic development perspective.

APPROACH

The following steps in developing the rate study shall be used by the successful bidder. These are not all inclusive, nor represent the total analysis that may be required. They serve to give an understanding of the depth of the study required. The City will work closely with the consultant to provide necessary information and insight.

1. Assemble and analyze historical information, including prior fiscal year audits and budgets of the WSU. Analysis shall include consideration of unique costs and revenues and the circumstances from which they arose.
2. Analyze water and sewer use patterns, including City billing consumption records and WSU statistics.
3. Document and include current and projected future debt requirements in the analysis.
4. Review demographic data.
5. Review water and/or sewer agreements with customers outside City limits.
6. Review agreements with neighboring municipalities.

7. Identify capital requirements for at least 5 years.
8. Estimate future expenditures and water and sewer consumption levels.
9. Define the rate structures, including ready-to-serve and or meter, consumption, connection, or other service charges.
10. Estimate future revenues based on rate structures proposed.
11. Allocate specialized service costs to user classifications and/or service areas, including the determination of necessity or appropriateness of a meter charge or a ready-to-serve charge.
12. Determine the impact of historical and current contributions from other City funds to the WSU and the appropriate ways to account for them in rates paid by users outside the City.
13. Determine the capital investments in the WSU, especially those outside the City, and ensure they are appropriately recouped.
14. Identify needed or desired changes in applicable City ordinances to be drafted by the City administration or legal counsel.
15. Identify asset management concepts to be employed within the City's utility rates.
16. Review of preliminary findings with City administration and/or City Council; including interim drafts for review.
17. Prepare and present the final report document, incorporating additional data requested during the preliminary review.
18. Present and explain the final report to City Council in a public meeting.
19. Present and explain the report to representatives of the township and tribal governments.

DOCUMENTATION AVAILABLE

The City will work closely with the consultant to provide needed information. Examples of documents and data readily available are:

1. Ten years audited WSU financial statements.
2. Five years of detailed WSU revenue and expenditure history.
3. Water rate history.
4. Sewer rate history.
5. Volume information
6. Volume and billing information for users outside City limits

SUBMISSION REQUIREMENTS

Responses to this RFP must include the following:

- A. Introduction to Consultant organization.
 - Organization name, contact name, address, phone and fax numbers, email addresses, web page address.
 - Include a summary of the organization's vision, mission, goals and objectives if available.
 - History of the organization.
- B. Project Team
 - Name and qualification of the project manager.
 - Attach complete resumes, including professional licenses or certifications and experience on similar projects, for each member of the project team.
 - A review of all organizations, groups, partners or institutions to be involved in the project, including contact information for each.
- C. Project Experience
 - Provide detailed information about prior projects or work that best support the capabilities of the respondent to perform the work required.
 - Provide at least five references for similar work or projects.
- D. Project Management
 - A narrative that summarizes:
 - The management approach
 - Discussion of the rate-making methodology
 - Accountability with the City on how community interests will be involved in the project.
 - Process for working with City staff on information requests, questions and analysis
 - Communications on progress

- Schedule management
- Quality control
- Milestone schedule and project completion date
- Estimated hours and cost for each phase of the project

SELECTION PROCESS

The City of Manistee will review and determine which firm is best suited to complete this project for the City of Manistee. Criteria include but are not limited to:

- Experience
- Qualifications
- References
- Cost
- Ability to complete project in a timely fashion (preference for expedited completion)

SCHEDULE

The estimated schedule for the RFP process is:

December 12	RFP Issued
January 8	RFP Responses Due
January 8 – January 15	City Evaluation\Vendor Interview (if needed)\Contract
January 21	Council consideration of Agreement

ASSIGNMENT

The Professional Consultant shall not assign the contract or subcontract any portion of the work without the written consent of the City of Manistee, nor shall the firm assign any monies due or to become due to them hereunder, without previous consent of the City.

CANCELLATION OF RFP

This RFP may be cancelled or any or all bids or proposals may be rejected in whole or in part. Proposals that do not comply with all criteria set forth in this RFP are subject to disqualification.

PAYMENT

The City will develop a payment schedule based upon important milestones being accomplished. This payment schedule will be negotiated with the selected consultant.

GENERAL COMMENTS

Proposals shall include a minimum of five client references, preferably of municipalities within the West Michigan area, including a contact name, the name of the municipality, its address and telephone number, date of service and title of report. References for services not sought in this proposal will not be preferred.

Proposals shall include one specimen copy of a rate study as presented to a referring client. This specimen report should be in the form and structure, and relative complexity, as that anticipated to be written for the City of Manistee.

Proposals shall include a copy of the Proposal Cost Sheet as herein shown to provide specific information in the format requested.

In all cases where an electronic spreadsheet, document or database has been created to develop the study, the bidder shall provide a copy of such spreadsheet in native electronic form. The City presently uses Microsoft Excel and Word and requires spreadsheets and documents created or able to be translated into those formats. The final report will be furnished on paper, and in an Adobe .pdf format.

After final report preparation and presentation, all work papers used in the development of the study shall become the property of the City of Manistee and shall be delivered to the Finance Director of the City. The work papers shall be organized as to major issues and shall be used as a resource to develop an ongoing rate study structure to be continued annually solely by the City of Manistee if it so chooses. If electronic versions of the information exist, it shall be provided to the City in electronic form.

Award will be made by the City Council upon recommendation by City Administration. City Council reserves the right to accept or reject any or all proposals, to waive any irregularities, informalities or defects in the proposals, to accept any proposal in whole or in part which it shall deem to be in the best interest of the City of Manistee, and to negotiate with the selected successful bidder.

City of Manistee

Manistee Water & Sewer Utility Rate Study Proposal

The cost to complete a comprehensive rate study per the conditions established in the December 12 request for proposals is:

Cost: \$ _____

If alternates are proposed, please indicate what they are in a separate explanatory memo and provide cost:

Alternative Cost: \$ _____

WATER AND SEWER UTILITY RATE STUDY
CONSULTANT AGREEMENT

THIS AGREEMENT entered into by and between the City of Manistee, a Michigan municipal corporation, with principal office located at 70 Maple Street, Manistee, Michigan 49660, acting by its duly authorized officials, hereinafter referred to as the CITY, and being the party of the first part of this Contract, and Burton & Associates, with its Michigan office located at 2019 4th Street, Suite 1, Jackson, MI 49203, acting through its duly authorized officer, hereinafter referred to as CONSULTANT, and being the party of the second part of this Contract;

WITNESSETH:

WHEREAS, the CITY has published a Request for Proposal (RFP) dated December 12, 2013 soliciting proposals to provide to CITY a Water and Sewer Utility (WSU) Rate Study which RFP has resulted in the submission by CONSULTANT of a bid to provide the services contemplated by the RFP; and

WHEREAS, the CONSULTANT is specially trained and experienced in developing rate study models as contemplated by this Agreement; and

WHEREAS, the CITY through its City Council has approved the acceptance of CONSULTANTS bid made pursuant to the RFP and desires to engage the services of CONSULTANT in conformance with the Bid submitted;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section I. Services Provided

The parties contemplate that the CONSULTANT will provide the below listed services with regard to this Agreement. The below list is not intended to be all-inclusive, and those additional services that may be necessary for CONSULTANT to complete the services contemplated by the parties Agreement are also part of the services to be provided pursuant to this Agreement.

Services to be Performed:

1. Assemble and analyze historical information, including prior fiscal year audits and budgets of the WSU. Analysis shall include consideration of unique costs and revenues and the circumstances from which they arose.
2. Analyze water and sewer use patterns, including City billing consumption records and WSU statistics.
3. Document and include current and projected future debt requirements in the analysis.

4. Review demographic data.
5. Review water and/or sewer agreements with customers outside City limits.
6. Review agreements with neighboring municipalities.
7. Identify capital requirements for at least 5 years.
8. Estimate future expenditures and water and sewer consumption levels.
9. Define the rate structures, including ready-to-serve and or meter, consumption, connection, or other service charges.
10. Estimate future revenues based on rate structures proposed.
11. Allocate specialized service costs to user classifications and/or service areas, including the determination of necessity or appropriateness of a meter charge or a ready-to-serve charge.
12. Determine the impact of historical and current contributions from other City funds to the WSU and the appropriate ways to account for them in rates paid by users outside the City.
13. Determine the capital investments in the WSU, especially those outside the City, and ensure they are appropriately recouped.
14. Identify needed or desired changes in applicable City ordinances to be drafted by the City administration or legal counsel.
15. Identify asset management concepts to be employed within the City's utility rates
16. Review preliminary findings with City administration and/or City Council; including interim drafts for review.
17. Prepare and present the final report document, incorporating additional data requested during the preliminary review.
18. Present and explain the final report to City Council in a public meeting.
19. Present and explain the report to representatives of the township and tribal governments.
20. All other obligations as set forth in the Request for Proposal dated December 12, 2013.

Section II. Compensation

The CITY will compensate CONSULTANT for the services to be performed pursuant to this Agreement a total amount of Twenty-one Thousand Nine Hundred Thirty-nine and (\$21,939.00) and no/100th Dollars, as follows:

February 15, 2014 – 25% of contract price (\$5,484.75)

March 15, 2014 - 25% of contract price (\$5,484.75)

April 15, 2014 - 25% of contract price (\$5,484.75)

25% (\$5,484.75) - upon submission and acceptance of Final Report

Section III. Completion

Work by CONSULTANT will be performed in a timely fashion in accordance with all schedules agreed to between the parties and all matters described in Section I shall be completed no later than 12 weeks from the date CITY has provided all required materials. Final Report due on or before May 2, 2014 and presentation to Manistee City Council no later than April 2014, unless an extension of the time for completion is agreed to in writing by CITY.

Section IV. Conflict of Interest

The CONSULTANT recognizes that the CITY is its primary client within the County of Manistee. CONSULTANT agrees that it will obtain the written consent of CITY prior to providing any similar services to a neighboring municipality to CITY. The purpose of this provision is to avoid those situations where the providing of services to a neighboring municipality similar to those contemplated by this Agreement would necessarily involve the utilization of proprietary and/or confidential information gained by CONSULTANT in connection with its work under this Agreement.

Section V. Integration

This instrument contains the entire Agreement of the parties relating to the matters herein; any representation, promise, or condition not incorporated herein shall not be binding upon the parties. Any modification of this Agreement or waiver of any provision herein contained shall not be binding unless in writing and signed. Notwithstanding the above language, the CONSULTANT'S proposal and the CITY'S Request for Proposal are incorporated into and made a part of this Agreement, except where in conflict with this Agreement, in which case the language of this Agreement shall control.

Section VI. Assignment

This Agreement is a personal service agreement and is not assignable by CONSULTANT without the prior written consent of CITY.

Section VII. Ownership of Documents

All information gathered and elements produced in connection with the services performed pursuant to this Agreement shall be the property of the CITY and upon demand shall be provided to the CITY in electronic or hard copy form, at the CITY's discretion. At the conclusion of the services performed pursuant to this Agreement, CONSULTANT will provide the option to CITY to license any of its proprietary FAMS©-XL rate setting modules, with no additional charge for the license. CITY and CONSULTANT will enter into a separate licensing agreement that would include confidentiality and usage provisions as well as any maintenance, enhancement, and support services desired by CITY to ensure the successful and beneficial ongoing use of each respective module to be licensed.

Section VIII. Indemnification

CONSULTANT agrees to indemnify, defend and hold harmless CITY from all claims, damages and actions arising from or caused by the actions or omissions of CONSULTANT, except where attributed to the acts or omissions of the CITY.

Section IX. Dispute Resolution/Law

Any dispute between the parties regarding the language in this Agreement, enforcement of this Agreement or their respective rights and obligations associated with the work or payment relating to this Agreement, shall be resolved in the courts of Manistee County, Michigan. This Agreement shall be interpreted in accordance with the law of the State of Michigan.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed this _____ day of _____, 2014, and the signatories warrant their authority to bind their principals.

WITNESS:

By:

WITNESS:

CITY OF MANISTEE

By: Colleen Kenny, Mayor

By: Michelle Wright, City Clerk

City of Manistee, MI

Water & Sewer Utility Rate Study



Submitted by:

BURTON & ASSOCIATES

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January 8, 2014



City of Manistee
Attn: Michelle Wright, City Clerk
70 Maple Street
Manistee, MI 49660

Re: Request for Proposal – Water & Sewer Utility Rate Study

Dear Members of the Selection Committee:

Burton & Associates is pleased to present this proposal to perform a Water & Sewer Utility Rate Study for the City of Manistee. Burton & Associates specializes in utility rates and financial analysis for local government utilities and has **performed over 900 of these studies throughout the United States.**

Industry Leader and Authority – For over 25 years, Burton & Associates has successfully provided rate and financial planning services to a variety of governmental utilities, **most notably in the area of water resources.** We bring extensive experience in cost of service studies, financial modeling, review and development of connection, tap, and other miscellaneous fees, and review of financial policies. In fact, **we are currently providing similar water and sewer rate study services to one of your neighboring communities, Pere Marquette Township,** and we strongly encourage you to contact them as they will attest to the breadth of our ratemaking expertise and the quality of our services.

Our Unique Approach – **We are a national industry expert that will independently and transparently analyze and evaluate the City’s water and sewer rates.** During the Study, we will utilize our powerful and robust Financial Analysis and Management System (FAMS-XL©) model to replicate the financial dynamics of your utility in order **to ensure rates that adequately fund utility operations, capital costs and debt requirements, achieve a fair and equitable distribution of costs to all customers both inside and outside the City, and conform with accepted industry practice and appropriate legal precedent.**

Sample Reports – We have included (under separate cover) two sample reports that present the results of a two-phase study recently completed for the City of Venice, Florida.

Point of Contact– Mr. Andrew Burnham will serve as the lead Point of Contact for this proposal and any resulting contract. He will manage all work for this project completed out of our Tampa, FL office and can be reached at 1000 North Ashley Drive, Suite 513, Tampa, FL 33602, (813) 443-5138 or via email at aburnham@burtonandassociates.com. Additional work will be completed in our Jackson, MI office.

Summary - We deliver superior services for an excellent price and look forward to the opportunity to be of service to you. If you have any questions, or need any additional information, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "A. Burnham", is written over a light blue horizontal line.

Andrew Burnham
Senior Vice President

1. INTRODUCTION

This section contains an introduction to Burton & Associates, including company history, contact information, and the types of services we provide.

1.1 CONTACT INFORMATION

Burton & Associates is headquartered in St. Augustine, Florida, with additional offices in Tampa, Florida and Jackson, Michigan. All work to be completed on this project will be managed by Mr. Andrew Burnham from our Tampa office and will be supplemented with local resources from our Jackson, Michigan office. Contact information for each office is listed below, including contact name, address, phone, fax, and email address. Our website is www.burtonandassociates.com.

Headquarters (St. Augustine, FL)

200 Business Park Circle, Suite 101
Saint Augustine, FL 32095
Contact: Michael Burton
Telephone: (904) 247-0787
Fax: (904) 241-7708
Email: mburton@burtonandassociates.com

Tampa, FL Office

1000 North Ashley Drive
Suite 513, Tampa, FL 33602
Contact: Andrew Burnham
Telephone: (813) 443-5138
Fax: (813) 443-8289
Email: aburnham@burtonandassociates.com

Jackson, Michigan Office

2019 4th Street, Suite 1
Jackson, MI 49203
Contact: James Bearman
Telephone: (517) 782-5320
Fax: (517) 782-5350
Email: jbearman@burtonandassociates.com

1.2 MISSION, VISION, GOALS & OBJECTIVES

Burton & Associates' mission is to provide the highest quality financial planning, cost allocation, and rate analysis services in the most cost effective manner by developing customized solutions that reflect the specific needs of each community to ensure the long-term sustainability of the quality of life services they provide.

Our corporate vision is to become a national leader in providing solutions for municipal sustainability through visionary interactive modeling in which we provide our clients with clear and concise diagnoses and alternative cost recovery solutions to ensure a sustainable future.

Burton & Associates specializes in utility rate and financial planning studies.

The goals and objectives of the firm are to provide our clients with the best service possible in the most timely and cost effective manner. We have built our reputation on providing the highest quality services to our clients and will continue to do so as we grow both geographically and in the services we provide.

1.3 HISTORY OF THE FIRM

Burton & Associates, Inc. was founded by Mr. Michael Burton in April of 1988. For over 25 years, the firm has specialized in the provision of utility rate design and financial planning services to local governmental utilities.

It is important to note that while Burton & Associates is headquartered in Florida, we have strong ties to the state of Michigan. Having recently added an office in Jackson, MI and the experience and expertise of Michigan natives Andrew Burnham and James Bearman, both formerly of Consumers Energy, we are poised to become the go-to utility rate consultants in Michigan.

We are currently conducting similar rate studies for Livingston County, MI and Pere Marquette Township for their water and wastewater systems and we strongly encourage you to contact them regarding the services we are currently providing. Mr. Bearman and Mr. Burnham have a combined 50 years of utility ratemaking experience as well as an understanding of what is happening locally in Michigan, in addition to the national credentials of Burton & Associates and the firm’s president, Michael Burton.

Mr. Burton, who will serve as Technical Advisor for this study, was a member of the Rates and Charges Committee of the American Water Works Association (AWWA) for seven years, where **he co-authored AWWA Manual M54 – Developing Rates for Small Systems** which was published in 2004. He also served on a sub-committee evaluating affordability as it relates to rate making principals and practice.

Burton & Associates specializes in water, wastewater and reclaimed water rate development and financial planning and we also provide similar services for stormwater, solid waste, recycling, electricity, and natural gas. Our experience includes development of rates, impact fees, revenue projections, financial feasibility analyses, system and property valuation analyses, funding assistance and fully allocated cost of service and charge analysis. Burton & Associates has developed a proprietary model and a “live interactive process” to accomplish the integration of key financial, capital planning and rate design components.

As a specialty firm for over 25 years, Burton & Associates has provided governmental and utility consulting assistance to utility clients in the following areas of practice:

- **UTILITY COST OF SERVICE & RATE STUDIES, INCLUDING RATE DESIGN**
 - *Water*
 - *Wastewater*
 - *Reclaimed water*
 - *Stormwater*
 - *Solid waste*
 - *Electricity & Natural Gas*
- **COST OF SERVICE ANALYSIS & RATE STRUCTURE EVALUATION & DEVELOPMENT**
 - *Allocation of system costs using a variety of industry accepted approaches and criteria based upon the specific circumstances of each utility system*
 - *Evaluation and development of rate structures based upon accepted industry practice that provide a fair and equitable distribution of costs and conform to legal precedent*
 - *Development of alternative rate structures to achieve fiscal stability and public policy objectives, such as affordability and resource conservation*
 - *Identification of advantages and disadvantages of various rate structures, including customer impact analysis and identification of administrative burden*
- **LONG-TERM FINANCIAL PLAN DEVELOPMENT**
 - *Development of financial policies and goals, such as reserves, debt service coverage levels, capital funding, affordability, etc.*
 - *Rate sensitivity analysis regarding assumptions, cost components, and financial policies*
 - *Identification of sustainable financial plans that minimize rate adjustments to the greatest extent possible while meeting financial goals*
- **DEVELOPMENT OF CAPITAL FINANCE PLANS**
 - *Integration of infrastructure and asset management plans in the development of sustainable financial management plans*
 - *Evaluation of alternative capital plans and financing scenarios in order to evaluate the implications to the overall financial management program*
 - *Determination of the size and timing of borrowing to fund capital projects*
 - *Analysis of refinancing/restructuring of existing debt*
- **BOND FEASIBILITY REPORTS**
 - *For inclusion in the official statements of revenue bonds*
- **ASSISTANCE WITH ORDINANCES AS WELL AS INTER-LOCAL & LARGE USER SERVICE AGREEMENTS**
- **REVIEW AND DEVELOPMENT OF MISCELLANEOUS FEES & CHARGES**
 - *Including connect/disconnect fees, meter testing, account turn off/on, etc.*
- **ASSISTANCE WITH LOCAL GRANT AND LOAN FUNDING APPLICATIONS**
- **SYSTEM & PROPERTY VALUATION AND ANALYSIS**
- **OPERATIONS REVIEWS, STRATEGIC PLANNING & FINANCIAL FEASIBILITY ANALYSES**
- **EXPERT WITNESS TESTIMONY SERVICES**
- **ANALYSIS OF THE ACQUISITION & SALE OF UTILITY SYSTEMS**

2. PROJECT TEAM

This section presents the qualifications of our proposed project team, including resumes and experience of our Project Manager and other members of the team.

2.1 PROJECT MANAGER

Mr. Andrew Burnham, Senior Vice President of Burton & Associates will serve as our Project Manager. As Project Manager, Andy will be responsible for the overall success of all work performed under this contract. He will attend all meetings with City Staff and provide all briefings and presentations to the City Council, other governmental agencies, and the public.

Andy has **over 13 years of utility financial planning and rate experience**, during which he has been recognized as an industry expert as part of utility rate-related regulatory proceedings in multiple states and territories (including Michigan, Arizona, Florida, and the United States Virgin Islands), as well as before the Federal Energy Regulatory Commission. **Andy has personally conducted and/or managed over 500 utility rate studies since joining Burton & Associates**, and has supported our clients in the issuance of over \$500 million of municipal bonds for capital improvement funding just since 2011.

He has extensive experience in **personally conducting as well as overseeing cost of service allocation analyses, long-term financial planning and sustainability analyses, development and evaluation of alternative rate structures, as well as the development of capacity charges** for water, wastewater, reclaimed water, stormwater, solid waste, recycling, electric, and natural gas utility systems.

Andy has written topical papers and made presentations at various industry forums. Papers and presentations that may be relevant to the City include:

INTERACTIVE MODELING PROCESS TO IMPROVE FISCAL STABILITY AND SUSTAINABILITY – Michigan Municipal League Annual Convention – Detroit, MI

FUNDING REUSE AS IT EMERGES FROM AN EFFLUENT DISPOSAL ALTERNATIVE TO A WATER RESOURCE (CO-AUTHOR) – WEFTEC Annual Conference – Orlando, FL

LONG-TERM FINANCIAL MODELING AND SUSTAINABILITY ANALYSIS (CO-AUTHOR) – Florida Governmental Finance Officers Association School of Government – Sarasota, Florida

Andy will manage all work to be completed on this project out of our Tampa, Florida office with support from team members located in our Jackson, Michigan and St. Augustine, Florida offices. Andy's resume is presented in Section 2.2 along with resumes for the other members of our proposed project team.

2.2 PROJECT TEAM ORGANIZATION & RESUMES

We have structured our project team with members experienced in:

- ✓ **Detailed Functional Cost of Service Allocations** with the expertise to analyze system configurations, facilities, plans, design criteria, etc. in the context of allocating costs in order to establish fair and equitable rates for each class of customer
- ✓ **Rate/Fee Structure Concepts and Theory** and their practical application to address specific local circumstances and sustainability objectives while conforming to accepted industry practice and legal precedent (both nationally and locally)
- ✓ **Development of Multi-Year Financial Plans and Rate Programs**, for water and wastewater systems of similar size operated by local government agencies, including the integration of capital improvement programs and asset management plans.
- ✓ **Financial Policy Review** including the development of specific goals/targets relative to operating capital, and other reserves, capital funding, debt service coverage levels, key debt ratios, affordability, and other metrics recognizing industry standards/guidelines and local objectives
- ✓ **Preparation of Public Education and Outreach Initiatives**, including information about the necessity of any rate adjustments and the drivers that cause them

The organization chart below represents all available resources that could be used to ensure the successful and timely completion of the study. Resumes for key personnel are presented on the following pages.



2.3 OTHER PROJECT TEAM PARTICIPANTS

Burton & Associates will be the only organization participating on our project team. No other organizations, groups, partners or institutions will be involved on the project.

AREAS OF EXPERTISE

- Cost of Service Allocation Analysis
- Rate Structure Design & Rate Studies
- Long-Term Financial Plan Development
- Demand Analysis & Forecasting
- Development of Capital Finance Plans
- Development of Capacity Charges
- Bond Feasibility Reports and State Loan Applications
- Preparation of Ordinances, as well as Inter-local and Large User Agreements
- Expert Witness Testimony Services
- Analysis of the Acquisition and Sale of Utility Systems

INDUSTRIES

- Water Resources
 - *Water & Sewer*
 - *Reclaimed Water*
 - *Stormwater*
- Sanitation & Recycling
- Electricity & Natural Gas
- General Government
 - *Police & Fire/EMS*
 - *Parks & Recreation*
 - *Library*

EDUCATION

Bachelors of Business Administration, 2000, Lake Superior State University, Sault Ste. Marie, MI; graduated Magna cum Laude; Recipient of Outstanding Business Student Award

ANDREW BURNHAM

SENIOR VICE PRESIDENT

TAMPA, FL

GENERAL QUALIFICATIONS

Mr. Burnham is Senior Vice President of Burton & Associates and has over thirteen years of financial planning and ratemaking experience. Andy is a leader in our industry and has provided exemplary professional consulting services to our clients for many years. He has provided our clients with exceptional problem solving analytics and a streamlined approach to financial planning and rate making. Andy has served as the **Project Director or Lead Consultant for over 500 projects** since joining Burton & Associates.

RELEVANT PROJECT EXPERIENCE

Town of Front Royal, VA

Mr. Burnham served as Project Director for a water and sewer comprehensive cost of service and rate study. He provided analysis using our FAMS-XL© model to develop a ten-year financial management plan and plan of annual rate adjustments that will be necessary to meet all of the utility's financial obligations in each year of the projection period, including the funding of significant wastewater plant improvements. **Mr. Burnham developed three alternative rate structures for consideration that would recover the identified cost of service from the financial management plan and prepared customer impact analyses for each alternative.** An important element to the financial management plan was quantifying the financial impact of a new large customer (an electric power plant) to the water and sewer systems.

Orange Water and Sewer Authority (OWASA), NC

Mr. Burnham serves as Project Director for all work with OWASA. The initial rate study conducted for OWASA included development of a long term financial plan, allocation of costs to support rate design, and re-design of conservation rates from seasonal to inclining block rates. **OWASA was interested in an integrated model to 1) re-calibrate their financial plan, rates (specifically their water conservation rates), and system development fees, and 2) be used for updating the initial analysis on an annual basis.** Prior to providing services for OWASA, we assisted the University of North Carolina (OWASA's largest customer) in negotiating a reclaimed water rate structure and service agreement with OWASA.

Brunswick-Glynn County Joint Water & Sewer Commission (JWSC), Georgia

Mr. Burnham has managed all work performed for the JWSC since its inception in 2008. During that time, Mr. Burnham has 1) developed annual ten-year financial management plans for the water and sewer systems within the JWSC's two districts (i.e. City of Brunswick and Glynn County), 2) prepared loan and bond feasibility reports, 3) calculated updated water and sewer capital tap fees (impact fees) for each district, 4) calculated public and private fire protection charges, 5) **developed a uniform conservation rate structure for its two service districts**, and 6) prepared a detailed rate manual for use by the JWSC that explains the purpose, intent, and structure of all its rates, fees, and charges.

City of Venice, Florida

Mr. Burnham recently managed a comprehensive water and sewer rate study for the City. During the study, Mr. Burnham and our team utilized our FAMS-XL© model to evaluate the adequacy of the revenue provided by the Utility's current rates and charges to meet its financial requirements over a five-year planning period and ten-year projection period. He also reviewed the **Utility's current rate structure and developed modifications based upon legal precedent, conformance to accepted industry practice, fair and equitable distribution of costs, promoting resource conservation, and customer impact objectives**. Mr. Burnham **led a series of interactive work sessions with a Stakeholder Work Group comprised of various customers from the community**. The Stakeholder group had disparate views of what appropriate rates should be when the project began, but unanimously endorsed our recommendations that were later approved by the City Council.

City of Chesapeake, Virginia

Mr. Burnham managed all work for a comprehensive cost of service and rate study we completed for the City's water and wastewater utility. During the Study, Mr. Burnham used our FAMS-XL© **model to evaluate historical trends in demands and to**

develop a ten-year financial management plan and plan of annual rate adjustments that were necessary to meet all of the utility's financial obligations and goals in each year of the projection period. He used our FAMS-XL© modeling process to develop a five year financial plan that was consistent with a recent bond feasibility report, with changes documented where assumptions and inputs have changed due to the economic climate. **He made presentations to the City Council and the public in order to educate them on the drivers of the necessary rate adjustments**.

City of Baytown, TX

Mr. Burnham managed a comprehensive water and wastewater cost of service rate study for the City. The study included **development of a ten-year financial management plan, including identification of annual percentage rate revenue adjustments, amount and timing of required borrowing to fund the capital improvement program, maintenance of proper reserve levels, and maintenance of adequate debt service coverage levels**. Mr. Burnham also evaluated the current rate structure and developed a plan of recommended changes to provide for fair and **equitable recovery of the revenue requirements and to provide a pricing signal as an incentive for water conservation in the form of an inclining block rate structure**. As part of the study, Mr. Burnham also managed a miscellaneous service charge analysis in which we reviewed the City's current list of miscellaneous fees and provided recommendations for adjustments to those fees as well as potential new fees for their consideration.

Diamondhead Water and Sewer District, MS

Mr. Burnham managed a comprehensive cost of service and rate study for the District's water and wastewater utility. He used our FAMS-XL© model to develop a **ten-year financial management plan and plan of annual rate adjustments that take into account the annual debt service requirements of new long-term debt that will refund outstanding promissory notes and provide additional proceeds**

for the capital improvement funding, and the timing of reimbursements from FEMA for certain capital improvement projects required as a result of Hurricane Katrina. Mr. Burnham also identified 1) additional miscellaneous service charges for which the District could recover the costs of services provided from the specific beneficiary of each service, and 2) alternative methodologies for assessing capital tap fees for commercial or non-residential properties.

City of Decatur, Alabama

Mr. Burnham managed a comprehensive water and wastewater cost of service and rate study for the utility, including development of a ten-year financial management plan, rate structure modifications, impact fees, and specific service charges. He used our FAMS-XL© model to replicate the financial dynamics of the water and wastewater enterprise funds **and we evaluated several scenarios of capital funding alternatives and annual rate adjustments with staff to restore the fund balances of the water and wastewater funds.** We evaluated the current water and wastewater rate structures and **recommended adjustments to the block rate ranges to more appropriately recover the costs of service from the utility's various customer classes.** We conducted briefings with individual board members and made adjustments as necessary.

City of Neptune Beach, Florida

Mr. Burnham has served as Project Director for all work completed for the City, including a water and wastewater revenue sufficiency analysis and several annual updates. In the original analysis, he developed a ten year financial plan and identified a series of annual rate adjustments necessary to fund all of the utility's current and projected requirements. **Mr. Burnham used our FAMS-XL© model to replicate the financial dynamics of the City's water and sewer enterprise fund and evaluated several scenarios of capital funding alternatives and rate adjustments to restore the fund balances of the water and wastewater fund.** He held one-on-one meetings with each Council

member with or FAMS-XL© model up and running and demonstrated the need for the proposed series of annual rate adjustments.

City of Fort Lauderdale, Florida

Mr. Burnham has served as the Project Director for the City since 2008 under a continuing contract as the City's water, wastewater and stormwater rate consultants. He has managed and conducted comprehensive cost of service and rate studies, including development of a ten year financial management plan, rate structure evaluation, impact fees (capital charges), bulk rates, and specific service charges. We developed a tiered volumetric rate structure for water conservation, assisted in the development of water conservation surcharges, and **performed a detail cost allocation between its retail and wholesale customer classes to develop the rates it charged to its retail and wholesale customer classes.**

PROFESSIONAL MEMBERSHIPS

- American Water Works Association
- Water Environment Federation (WEF)
- Florida Government Finance Officers Association
- *Regular attendee and exhibitor at annual conferences for the Florida Section of the American Water Works Association, Florida League of Cities, Florida City and County Managers Association and the Florida Government Finance Officers Association*

INDUSTRY PRESENTATIONS

Michigan Municipal League - Interactive Modeling Process to Improve Fiscal Stability and Sustainability (Detroit, MI)

WEFTEC - Funding Reuse as it emerges from an Effluent Disposal Alternative to a Water Resource, (Co-Authored, Orlando, FL)

Florida Governmental Finance Officers Association School of Government - Long-Term Financial Modeling and Sustainability Analysis (Co-Author, Sarasota, FL)

AREAS OF EXPERTISE

- Cost of Service Allocation Studies
- Design of Financial Management and Rate Programs
- Development of Infrastructure Financing Programs & Cost Recovery Mechanisms
- Development of User Charges
- Impact Fee Studies
- Financial Advisory & Feasibility Services for Assistance in the Issuance of Revenue Bonds
- Strategic Planning for the Provision of Services for Governmental Jurisdictions & Private Developers
- Utility Acquisition & Valuation Analyses
- Expert Witness Testimony Services
- Water Resources Planning

INDUSTRIES

- Water Resources
 - *Water & Sewer*
 - *Reclaimed Water*
 - *Stormwater*
- Sanitation & Recycling
- General Government
 - *Police & Fire/EMS*
 - *Parks & Recreation*
 - *Library*
 - *Roads*

EDUCATION

Bachelors of Industrial Engineering, 1970,
University of Florida, Gainesville, FL

MICHAEL BURTON

PRESIDENT

ST. AUGUSTINE, FL

GENERAL QUALIFICATIONS

Mr. Burton has over 35 years of industry experience in government resources financial analysis and rate setting. Prior to founding Burton & Associates in 1988, he was a principal at Arthur Young and Company (now Ernst & Young), one of the largest national accounting and management consulting firms where he served as Director of the Florida Governmental Service – Financial Consulting Practice. Since the firm’s inception, Mr. Burton has participated in **over 900 financial planning studies**.

RELEVANT PROJECT EXPERIENCE

Orange Water and Sewer Authority (OWASA), NC

Mr. Burton has served as a Technical Advisor for all work with OWASA. The initial rate study conducted for OWASA included development of a long term financial plan, **allocation of costs to support rate design, and re-design of conservation rates from seasonal to inclining block rates**. Most recently, Mr. Burton participated in a cost of service and rate study update that included a revised ten-year revenue forecast, the update of system development fees, and the evaluation of rate structure modifications to achieve local objectives and enhance conformance with industry practice.

City of Venice, Florida

Mr. Burton recently served as a Technical Advisor for a comprehensive water and sewer rate study for the City. Mr. Burton participated in **a series of interactive work sessions with a Stakeholder Work Group comprised of various customers from the community**. The Stakeholder group had disparate views of what appropriate rates should be when the project began, but unanimously endorsed our recommendations that were later approved by the City Council.

City of Decatur, Alabama

Mr. Burton served as a Technical Advisor for a comprehensive water and wastewater cost of service and rate study for the utility, including development of a ten-year financial management plan, rate structure modifications, impact fees, and specific service charges. He used our FAMS-XL® model to replicate the financial dynamics of the water and wastewater enterprise funds **and we evaluated several scenarios of capital funding alternatives and annual rate adjustments with staff.** We evaluated the current water and wastewater rate structures and **recommended adjustments to the block rate ranges to more appropriately recover the costs of service from the utility's various customer classes.** We conducted briefings with individual board members and made adjustments as necessary.

City of Chesapeake, Virginia

Mr. Burton served as a Technical Advisor for all work completed during a comprehensive cost of service and rate study for the City's water and wastewater utility. During the Study, Mr. Burton oversaw our project team's use of our FAMS-XL® **model to evaluate historical trends in demands and to develop a ten-year financial management plan and plan of annual rate adjustments that were necessary to meet all of the utility's financial obligations and goals in each year of the projection period.** Our team used our FAMS-XL® modeling process to develop a five year financial plan that was consistent with a recent bond feasibility report, with changes documented where assumptions and inputs have changed due to the economic climate. **He participated in presentations to the City Council and the public in order to educate them on the drivers of the necessary rate adjustments.**

City of Cocoa, Florida (2009 - Present)

Mr. Burton recently served as Technical Advisor for a comprehensive water, wastewater, and reclaimed water cost of service and rate study, including development of a ten-year financial management plan, rate design, impact fees, and specific service

charges. During the study, Mr. Burton provided input to the evaluation of the City's current inclining block rate structure and recommended refinements to the number of usage blocks, block ranges, and rates for each new block. The study also developed updated water and wastewater impact fees, **including the assessment of the effects of adjusted impact fees upon the rate plan scenarios in the rate revenue forecast.** During this work, we used our FAMS-XL® model to replicate the financial dynamics of the City's water and wastewater enterprise fund and we evaluated several scenarios of capital funding alternatives and annual rate adjustments with City staff for presentation to City management. Since the initial study was completed, we have performed annual updates to the financial management plan and corresponding plan of annual rate increases. In addition, we were also retained to provide financial planning, cost apportionment and rate development assistance to the City for the potential development of future regional water supplies.

City of Baytown, Texas

Mr. Burton served as a Technical Advisor for a comprehensive water and wastewater cost of service rate study for the City. The study included **development of a ten-year financial management plan, including identification of annual percentage rate revenue adjustments, amount and timing of required borrowing to fund the capital improvement program, maintenance of proper reserve levels, and maintenance of adequate debt service coverage levels.** Mr. Burton oversaw an evaluation of the current rate structure and developed a plan of recommended changes to provide for fair and **equitable recovery of the revenue requirements and to provide a pricing signal as an incentive for water conservation in the form of an inclining block rate structure.** As part of the study, Mr. Burton also advised the project team in a miscellaneous service charge analysis in which we reviewed the City's current list of miscellaneous fees and provided recommendations for adjustments to those fees as well as potential new fees for their consideration.

City of Cape Coral, Florida

Mr. Burton has been involved in various capacities for all work performed for the City during our 10 years of services as their water and wastewater rate consultant. In recent years, the City has licensed our FAMS-XL© model for use in annual updates of its water and wastewater system ten year financial plan and schedule of annual rate adjustments. Mr. Burton has overseen a comprehensive rate study to initialize the FAMS-XL© model for the City and then provided assistance in accomplishing annual updates under the terms of the license and maintenance agreement for our FAMS-XL© model. **We also used the FAMS-XL© model in an analysis to develop a detailed plan of finance for the funding of over \$300 million of capital improvements over a three to five year planning period.** We recently completed an annual update to assess the impacts of the slowdown in growth and the ability of the City to defer capital projects and reduce operational spending to reduce rate increases to customers during difficult economic conditions.

Town of Front Royal, VA

Mr. Burton served as a Technical Advisor for a water and wastewater comprehensive cost of service and rate study. He provided oversight to our project team in the use of our FAMS-XL© model to develop a ten-year financial management plan and plan of annual rate adjustments that will be necessary to meet all of the utility's financial obligations in each year of the projection period, including the funding of significant wastewater plant improvements. As part of the analysis, Mr. Burton advised in the **development of three alternative rate structures for consideration that would recover the identified cost of service from the financial management plan and prepared detailed customer impact analyses for each alternative.**

PROFESSIONAL MEMBERSHIPS

- American Water Works Association (*former member of sub-committee for affordability as it relates to rate making principals and practice*)
- Water Environment Federation (WEF)
- Florida Government Finance Officers Association
- *Regular at attendee and exhibitor at annual conferences for the Florida Section of the American Water Works Association, Florida League of Cities, Florida City and County Managers Association and the Florida Government Finance Officers Association*

INDUSTRY PRESENTATIONS

Central Florida Alternative Water Supply Strategy Workshop of Water Management Districts and MyRegion –

Served on a Select Panel of industry experts as a Water Resources Economics and Pricing Panelist to identify best practices to work towards a regional alternative water supply strategy for the Central Florida region (Orlando, FL)

AWWA Annual ACE Conference – The Relationship Between Affordability and Conservation Pricing (San Antonio, TX)

Florida Section of the AWWA Conference – Funding Total Water Management (Co-Author, Orlando, FL)

Florida Water Resources Conference – Integration of Financial and Capital Planning (Tampa, FL)

Florida Governmental Finance Officers Association Annual Meeting – Utility Rate Studies and Minimizing Rate Increases (Co-Author, Orlando, FL)

Florida Water Resources Conference – Financial Implications of Alternative Water Supply (Tampa, FL)

Florida Water Resources Conference – The Effect of Inclining Block Water Rates Upon Water Usage & Revenue (Tampa, FL)

SELECTED CLIENTS

- Pere Marquette Township, MI
- Livingston County, MI

PROFESSIONAL

EXPERIENCE

- Former Chairman of the Michigan Electric and Gas Association Rate Committee
- Former Vice-Chairman of the American Gas Association (AGA) Rates and Strategic Issues Committee
- Former participant on the Edison Electronic Institute, Rates and Regulatory Affairs Committee
- Guest Instructor on Cost Allocation Methodology at the AGA Gas Rates Fundamentals Course at the University of Wisconsin

INDUSTRIES

- Electricity
- Gas
- Water Resources
 - *Water & Sewer*

EDUCATION

Bachelor of Science in Accounting, Lake Superior State University (LSSU), Magna Cum Laude

JAMES F. BEARMAN

VICE PRESIDENT

JACKSON, MI

GENERAL QUALIFICATIONS

Mr. Bearman has over 36 years of extensive rate and regulatory experience with one of the nation's largest combination electric and gas utilities, Consumers Energy. He notably directed the development of the utility's annual gas and electric revenue requirement needs; established pricing structures for residential, small and large commercial, as well as industrial customers; and led numerous cost of service allocation studies to properly assign costs to respective customer groups and/or specific customers. He also administered all tariff provisions, including those associated with customer choice programs, customer contributions for construction, security deposits, and other miscellaneous fees.

EXPERIENCE

Jim's experience includes the following:

- Prepared and delivered expert testimony before state and federal regulatory agencies regarding wholesale and retail pricing, revenue requirements, tariff provisions, and cost of service allocations.
- Coordinated the development and support for recovery of historical and expected operating costs as part of formal rate cases.
- Prepared annual electric and gas revenue forecast and related tracking analysis to record actual results for all customer segments.
- Involved in analyses related to the acquisition/sale of utility systems.
- Administered all aspects of electric and gas tariffs, including all terms and conditions, pricing, as well as all customer related operating conditions, such as credit, collection, and shut-off protections
- Designed, negotiated, and administered special contract pricing arrangements for major commercial and industrial customers in the automotive, agriculture, retail, and paper industries as well as wholesale electric customers.
- Led the project close-out responsibilities for the Energy Delivery area to ensure valid accounting records for property tax calculations.
- Responsible for the implementation of tariff revisions in the billing system upon a regulatory order changing such terms and conditions.
- Directed the 3rd party measurement audit of the utility's largest natural gas customer, resulting in a change from the customer's metering point to that of the utility, significantly reducing line losses.

SELECTED CLIENTS

- City of Casselberry, FL
- City of Plant City, FL
- City of Cape Coral, FL
- City of Edgewater, FL
- City of Lake Worth, FL
- City of St. Augustine, FL
- City of LaBelle, FL
- St. Johns County Utility Department, FL
- City of Jacksonville, FL
- Brunswick-Glynn Joint Water & Sewer Commission, GA
- City of Atlantic Beach, FL
- JEA, Jacksonville, FL
- Town of Port Royal, SC
- City of Naples, FL
- City of Sarasota, FL

INDUSTRIES

- Water Resources
 - *Water & Sewer*
 - *Reclaimed Water*
 - *Stormwater*
- General Government
 - *Public Works*
 - *Parks & Recreation*
 - *Asset Management*
 - *GIS*

KAYLE MOORE, P.E.

MANAGER

GENERAL QUALIFICATIONS

Mr. Moore is a Consultant with Burton & Associates and has over fifteen years of consulting experience. Kayle is a registered professional engineer and has extensive water and sewer capital planning experience with a specialization in GIS and asset management system design.

Kayle offers value added services to our utility rate clients through his ability to objectively evaluate capital plans and engineering solutions as well as providing engineering bases for cost allocations in our fully allocated cost of service analyses.

Kayle also has the perspective of our utility clients, as he served as a GIS Specialist and Utility Information Coordinator for St. Johns County Utilities for 10 years. Kayle also has 5 years of utility consulting experience during which he served on a broad range of engineering, GIS, and rate-related projects.

EXPERIENCE

Kayle provides service in the following areas:

- Graphical Information System Design and Evaluation
- Utility Asset Management Analysis & Capital Planning
- Maintenance Management System Implementation
- Geospatial Data Conversion and Analysis
- Utility Customer and Consumption Data Analysis
- Cost of Service Allocations Analysis
- Development of Specific User Fees and Rate Structures

EDUCATION

Bachelors of Science in Civil Engineering, 1994, University of Central Florida, Orlando, FL; Bachelors of Science in Aerospace Engineering, 1992, University of Central Florida, Orlando, FL

SELECTED CLIENTS

- Orange County, FL
- The Villages, FL
- City of St. Petersburg, FL
- City of Ocala, FL
- Pinellas County, FL
- City of Mount Dora, FL
- City of Dunedin, FL
- City of Clearwater, FL
- Volusia County, FL
- City of Palmetto, FL
- City of Punta Gorda, FL
- City of Sarasota, FL
- City of St. Cloud, FL
- City of Tarpon Springs, FL
- Pinellas County, FL
- City of Cocoa , FL
- City of Lynn Haven, FL
- Seminole County, FL
- Nassau County, FL
- Indian Rocks Beach, FL
- City of Fernandina Beach, FL
- Brevard County, FL
- Town of Beverly Beach, FL
- City of Decatur, AL
- City of Polk City, FL

INDUSTRIES

- Water Resources
 - *Water & Sewer*
 - *Reclaimed Water*
 - *Stormwater*
- Sanitation
- General Government
 - *Fire/EMS*

ERIC GRAU

MANAGER

ST. AUGUSTINE, FL

GENERAL QUALIFICATIONS

Mr. Grau is a Manager with Burton & Associates. He has provided financial and rate consulting services to our clients for the past eight years with Burton & Associates. He has superior financial, business, and analytical skills and has provided our consulting practice with solid financial analyses based upon applications of sound financial and economic concepts with an unparalleled attention to detail.

Eric is skilled in the use of our proprietary interactive FAMS© model and his technical skills have enhanced our interactive process. He has provided our clients with exceptional problem solving analytics and a streamlined approach to financial planning and rate making.

EXPERIENCE

Eric's experience includes serving as Project Consultant in the following areas:

- Long-Term Financial Plan Development
- Cost of Service, Cost Allocation & Rate Studies
- Development of Impact Fees
- Development of Capital Finance Plans
- Bond Feasibility Reports & State Loan Applications
- Annexation & Service Area Expansion Analysis
- Customer, Demand, and Revenue Forecasts

EDUCATION

Bachelor of Science in Finance, 2004, University of Florida, Gainesville, FL; Graduated Cum Laude

SELECTED CLIENTS

- Pere Marquette Township, MI
- Livingston County, MI
- City of Fort Myers, FL
- City of St. Petersburg, FL
- City of Tamarac, FL
- City of Tarpon Springs, FL
- City of Port St. Joe, FL
- City of Lake Worth, FL
- City of Fort Lauderdale, FL
- City of Coconut Creek, FL
- St. Johns River Water Management City, FL
- Village of Key Biscayne, FL
- City of Zephyrhills, FL
- City of Clearwater, FL
- City of Cape Coral, FL
- City of Daytona, FL
- Hendry County, FL
- City of Huntsville, AL
- City of Lake City, FL
- City of Lakeland, FL
- Marion County, FL
- City of Minneola, FL
- City of Naples, FL

INDUSTRIES

- Water Resources
 - *Water & Sewer*
 - *Reclaimed Water*
 - *Stormwater*
- Sanitation
- General Government
 - *Fire/EMS*
 - *Parks & Recreation*
 - *Library*
 - *Roads*

ERICK VAN MALSSSEN

MANAGER

ST. AUGUSTINE, FL

GENERAL QUALIFICATIONS

Mr. van Malssen is a Manager with Burton & Associates. He has over eight years of experience in providing financial and rate consulting services in Florida. He has superior financial, business, and analytical skills and has continuously provided our clients with exemplary financial analysis based upon applications of sound financial and economic concepts.

He has strong Excel modeling skills and has experience working with large data sets and financial models, including our proprietary interactive FAMS© model and specific rate, user charge, and assessment modules.

EXPERIENCE

Erick's experience includes serving as Project Consultant in the following areas:

- Long-Term Financial Plan Development
- Cost of Service, Cost Allocation & Rate Studies
- Development of Impact Fees
- Development of Capital Finance Plans
- Bond Feasibility Reports & State Loan Applications
- System & Property Valuation and Analysis
- Operations and Performance Reviews, Strategic Planning, Financial Feasibility Analyses, and Annexation Analyses
- Analysis of the Acquisition and Sale of Utility Systems
- Customer, Demand, and Revenue Forecasts

EDUCATION

Masters of Business Administration, 2005, University of Central Florida, Orlando, FL; Bachelors of Science in Business Administration, Concentration in Finance, 2004, University of Central Florida, Orlando, FL

SELECTED CLIENTS

- Pere Marquette Township, MI
- City of Casselberry, FL
- City of Plant City, FL
- City of Indian Rocks Beach, FL
- City of Neptune Beach, FL
- City of Clearwater, FL
- City of Lake Worth, FL
- City of Venice, FL
- City of Cape Coral, FL
- City of Bonita Springs, FL
- Seminole County, FL
- Town of Port Richey, FL
- City of Fort Myers, FL
- City of Tarpon Springs, FL
- Pinellas County, FL
- Orange County, FL
- City of St. Petersburg, FL
- Livingston County, MI
- City of Cocoa , FL
- City of Lynn Haven, FL

INDUSTRIES

- Water Resources
 - *Water & Sewer*
 - *Reclaimed Water*
 - *Stormwater*
- General Government
 - *Fire Rescue Service*

ASHLEY VENTURONI

CONSULTANT

TAMPA, FL

GENERAL QUALIFICATIONS

Ms. Venturoni is a Consultant with Burton & Associates. She has five years of experience with Burton & Associates providing utility rate and financial services.

She has superior financial, business, and analytical skills and has experience in performing day to day project activities, including scheduling, budgeting and client meetings.

She has strong Excel modeling skills and is experienced in developing financial models, and in working with our proprietary interactive FAMS© model.

EXPERIENCE

Ashley's experience includes serving as Project Consultant in the following areas:

- Long-Term Financial Plan Development
- Rate Structure Design & Rate Studies
- Cost of Service, Cost Allocation & Rate Studies
- Customer, Demand, and Revenue Forecasts
- Comparative Rate Surveys

EDUCATION

Bachelor of Science in Business Administration, 2008, University of Florida, Gainesville, FL

3. PROJECT EXPERIENCE

This section presents project descriptions, references, client testimonials and a comprehensive list of recently completed projects.

3.1 PROJECT DESCRIPTIONS

This section presents a number of project descriptions of recently completed studies for clients around the country. We have included a variety of projects that demonstrate our broad prospective on water resources rate making and also present our experience in addressing challenges and objectives similar to those of the City. We encourage you to contact these references who can speak directly to the quality of our services and modeling process.



PERE MARQUETTE TOWNSHIP, MICHIGAN (2013 - PRESENT)

We are currently conducting a water and wastewater rate analysis for the Township, **including a detailed cost allocation analysis of the bulk water rates charged by the City of Ludington and impacts of adding a substantial large user to the Township's utility system.** We performed an independent analysis of the City's utility costs and revenue requirements for water service to functional components to determine the appropriate wholesale cost of service and rate to be charged to the Township. We reviewed the analysis in interactive work sessions with Township staff, and are currently working with Township staff and attorneys to facilitate a revision to the rates charged by the City for wholesale water service. In addition to the wholesale water analysis, we used our FAMS-XL© model (populating a separate model for the water enterprise fund and the sewer enterprise fund) to develop ten-year financial management plans and plans of annual rate adjustments that will be necessary to meet all of the Township utility system's financial obligations in each year of the projection period. We are in the process of reviewing the Township's current rate structure and will provide recommendations for any changes, including the development of a new large industrial rate class.

Client Contact: Mr. Paul Keson, Township Supervisor, 1699 Pere Marquette Highway, Ludington, MI 49431, (231)845-1277, paul@pmtwp.org

Mr. Sara McCallum, Township Treasurer, same address and phone, sara@pmtwp.org

B&A Team: Andrew Burnham, James Bearman, Erick van Malssen, Ashley Venturoni



LIVINGSTON COUNTY, MICHIGAN (2013 - PRESENT)

We are currently conducting a Wastewater Rate Analysis for the County's Regional Sewer System, which includes a detailed cost allocation, rate structure analysis, and development of a multi-year financial management plan. **We are currently in the process of identifying and projecting the system costs within the County's service area (which includes areas within Hartland & Tyrone Townships) and developing specific cost**

allocations to ensure appropriate recovery of differentials in cost of service for various customers, such as the costs of maintaining and replacing grinder pumps. In addition, we are using our FAMS-XL© model to develop alternative ten-year financial management plans and plan of annual rate adjustments that will be necessary to meet all of the utility's financial obligations in each year of the projection period. As part of developing the financial management plan, we are customizing our FAMS-XL© model to integrate both multi-year infrastructure and asset management programs of the County to ensure the sustainability of the regional utility system.

Client Contact: Mr. Bob Demyanovich, Deputy Drain Commissioner, 2300 E. Grand River, Suite 105, Howell, MI 48843-7581, (517) 546 0040,

BDemyanovich@co.livingston.mi.us

B&A Team: Andrew Burnham, James Bearman, Erick van Malssen, Leticia Gaglianone



TOWN OF FRONT ROYAL, VIRGINIA (2009 - PRESENT)

We conducted a comprehensive cost of service and rate study for the Town's water and wastewater utility which is divided into two separate enterprise funds. We used our FAMS-XL© model (populating a separate model for the water enterprise fund and the sewer enterprise fund) to develop ten-year financial management plans and plans of annual rate adjustments that will be necessary to meet all of the utility's financial obligations in each year of the projection period, including the funding of significant wastewater plant improvements. **An important element to the financial management plan was quantifying the financial impact of a new large customer (an electric power production plant) to the water and sewer systems.** As part of the analysis we also developed **three alternative rate structures for consideration, including the creation of tiered rate structure option**, which would recover the identified cost of service from the financial management plan while complying with industry guidelines and rate-making principals. We also prepared detailed customer impact analyses for each alternative. **We reviewed the advantages and disadvantages of each alternative with Town Staff and Council in multiple interactive work sessions in order to build consensus and determine the best possible rate structure for the Town.**

Client Contact: Mr. Steven M. Burke, Director of Environmental Services, 800 Crosby Rd, Front Royal VA, 22630, (540) 635-7819, sburke@frontroyalva.com

B&A Team: Michael Burton, Andrew Burnham



ORANGE WATER AND SEWER AUTHORITY (OWASA), NORTH CAROLINA (2006 - PRESENT)

We conducted a water, wastewater and reclaimed water cost of service and rate study, including a ten-year revenue forecast with the assessment of several rate scenarios to fund alternative capital improvement programs. **The scope included development of a long term financial plan, allocation of costs to support rate design, and**

re-design of conservation rates from seasonal to inclining block rates. We also evaluated the effectiveness of service availability fees in the financial plan of the utility and the development and evaluation of water use restriction surcharges in response to significant drought conditions. Previous OWASA water and sewer financial plans and rates had been set using a Black & Veatch rate and financial planning model. As part of our Study, we reviewed the model in detail and determined that a more integrated model would better serve them. OWASA was interested in an integrated model to 1) re-calibrate their financial plan, rates (specifically their water conservation rates), and system development fees, and 2) update the analysis on an annual basis. **We have licensed the model to OWASA at no additional cost, and since the initial study was completed, we have performed annual updates to the financial management plans (and plans of annual rate increases).** It is important to note that prior to providing services for OWASA, **we assisted the University of North Carolina (OWASA's largest customer) in positively negotiating a reclaimed water rate structure and service agreement with OWASA.** After that agreement was completed, OWASA then elected to utilize our services for all of their financial planning needs.

Client Contact: Mr. Stephen Winters, Director of Finance, P.O. Box 336, Carborro, NC 25710, (919) 537-4230, swinters@owasa.org and Mr. Pat Davis, Sustainability Manager, P.O. Box 336, Carborro, NC 25710, (901) 537-4210; pdavis@owasa.org

B&A Team: Michael Burton, Andrew Burnham, Erick van Malssen



CITY OF FORT LAUDERDALE, FLORIDA (2008 - PRESENT)

As the City's water, wastewater and stormwater rate consultants, we have conducted comprehensive cost of service and rate studies, including development of a ten year financial management plan, rate structure evaluation, impact fees (capital charges), bulk rates, and specific service charges. **We developed a tiered volumetric rate structure for water conservation, assisted in the development of water conservation surcharges, and performed a detail cost allocation between its retail and wholesale customer classes to support the bulk rates it charged to other communities.** During this work, we used our FAMS-XL© model to replicate the financial dynamics of the City's water and wastewater enterprise fund and we evaluated several scenarios of capital funding alternatives and annual rate adjustments with City staff for presentation.

Client Contact: Ms. Julie Leonard, Assistant Utility Services Director, 949 NW 38th St, Fort Lauderdale, FL 33309, (954) 828-7897, jleonard@fortlauderdale.gov

B&A Team: Michael Burton, Andrew Burnham, Erick van Malssen



CITY OF CHESAPEAKE, VIRGINIA (2010 - PRESENT)

We conducted a comprehensive cost of service and rate study for the City's water and wastewater utility. **We used our FAMS-XL© model to develop a ten-year financial management plan and plan of annual rate adjustments that were**

necessary to meet all of the utility's financial obligations in each year of the projection period, including analysis of alternative capital improvement programs and funding sources. We used our FAMS-XL© modeling process to develop a five year financial plan that was consistent with a recent bond feasibility report, with changes documented where assumptions and inputs have changed due to the economic climate. We made presentations to the City in order to educate them on the drivers of the necessary rate increase. We recently were contracted to provide an update to the original study, which includes an updated financial plan and analysis of the financial impacts of a wastewater collection system regionalization initiative.

Client Contact: Mr. Bill Meyer, Interim Public Utilities Director, 306 Cedar Road, 5th Floor Chesapeake, Virginia 23322, (757) 382-6352, bmeyer@cityofchesapeake.net, and Ms. Nancy Tracy, Finance Director, same address, (757) 382-8352, ntracy@cityofchesapeake.net

B&A Team: Michael Burton, Andrew Burnham, Erick van Malssen



CITY OF ST. PETERSBURG, FLORIDA (2005 – PRESENT)

We conducted a Water and Wastewater Cost of Service and Rate Study and several annual updates, which included the **development of a long term financial plan for the utility's retail rates and a detailed cost allocation for setting of wholesale rates for large municipal users of their regional water and wastewater systems.** The cost allocations included all direct and indirect costs and allocations were made to not only water and wastewater, but also a functional allocation was made to establish costs associated with retail and wholesale service. Wholesale rates were then established for each wholesale customer based upon the wholesale cost allocations and units of demand for each customer. **We also perform periodic evaluations of the City's retail rate structure relative to fair and equitable recovery of costs and water conservation objectives.**

Client Contact: Ms. Evelyn Rosetti, Manager of Special Projects, 1635 3rd Avenue North St., Petersburg, Florida 33713, (727) 893-7297, evelyn.rosetti@stpete.org

B&A Team: Michael Burton, Andrew Burnham, Eric Grau



DIAMONDHEAD WATER AND SEWER DISTRICT (2011-PRESENT)

We completed a comprehensive cost of service and rate study for the District's water and wastewater utility. We used our FAMS-XL© model to develop a **ten-year financial management plan and plan of annual rate adjustments that considered the annual debt service requirements of new long-term debt that refunded outstanding promissory notes, provided additional proceeds for capital improvement funding,** and provided interim funding due to delays in reimbursements from FEMA for capital improvements required as a result of Hurricane Katrina. The study also included the identification of 1) additional miscellaneous service charges for which the District could

recover the costs of services provided from the specific beneficiary of each service, and 2) alternative methodologies for assessing capital tap fees for non-residential properties.

Client Contact: Mr. Mike Collard, General Manager, 4425 Park Ten Drive, Diamondhead, MS 39525, (228) 255-5813, mcollard@dwsd.us, and Ms. Toni Wilson, Business Manager, same address and phone, twilson@dwsd.us

B&A Team: Michael Burton, Andrew Burnham, Eric Grau

CITY OF VENICE, FLORIDA (2012-PRESENT)



We conducted a Comprehensive Water and Sewer Rate Study for the City, during which we used our FAMS-XL© model to **evaluate the adequacy of the revenue provided by the Utility's current rates and charges to meet its financial requirements over ten-year projection period. We also reviewed the Utility's current rate structure and developed modifications based upon legal precedent, conformance to accepted industry practice, providing an equitable distribution of costs, promoting resource conservation, and customer impact objectives.** We conducted a series of interactive work sessions with a Stakeholder Work Group, comprised of representatives from the community. The Stakeholder group had disparate views of what appropriate rates should be when the project began, but ultimately endorsed our recommendations and the City Council approved the recommended plan of annual rate adjustments and the recommended rate design modifications. **We recently completed an update of the study that focused primarily on the establishment of additional customer classes,** the development of an alternative wholesale wastewater rate structure, and an analysis of the cost of providing bulk and retail reclaimed water service.

Client Contact: Mr. Lennox Bramble, P.E., Utilities Director, 200 North Warfield Avenue, Venice, FL 34285

B&A Team: Michael Burton, Andrew Burnham, Eric Grau



CITY OF BAYTOWN & BAYTOWN AREA WATER AUTHORITY, TEXAS (2009-2010)

We conducted a water and wastewater cost of service and rate study and a wholesale water rate study for the City of Baytown and the Baytown Water Authority, respectively. **The studies included development of a ten-year financial management plan, including identification of annual percentage rate revenue adjustments, amount and timing of required borrowing to fund the capital improvement program, maintenance of proper reserve levels, and maintenance of adequate debt service coverage levels.** The study for the City of Baytown also included evaluation of the current rate structure and development of modifications to provide for fair and equitable recovery of the revenue requirements and to provide a pricing signal as an incentive for water conservation in the form of an inclining block rate structure.

Client Contact: Mr. Bob Leiper, City Manager, 2401 Market Street, Baytown, TX, 77522, (281) 420-6500, citymanager@baytown.org

B&A Team: Michael Burton, Andrew Burnham



DECATUR UTILITIES, ALABAMA (2009)

We conducted a comprehensive water and wastewater cost of service and rate study for the utility, including development of a ten-year financial management plan, rate structure modifications, impact fees, and specific service charges. During this work, we used our FAMS-XL© model to replicate the financial dynamics of the water and wastewater enterprise funds and we evaluated several scenarios of capital funding alternatives and annual rate adjustments with staff. **We evaluated the current water and wastewater rate structures and recommended adjustments to more appropriately recover the costs of service from the utility's various customer classes.** We conducted briefings with individual Board members, publicly presented the results to the full Board at a regular meeting, and attended the hearing where the recommended rates were considered and adopted.

Client Contact: Ray Harden, General Manager, 1002 Central Parkway SW, Decatur, AL 35609, (256) 552-1472, rharden@decaturutilities.com

B&A Team: Michael Burton, Andrew Burnham



BRUNSWICK-GLYNN COUNTY JOINT WATER & SEWER COMMISSION (JWSC), GA (2008-PRESENT)

We have served as the rate consultants for the JWSC since its inception in 2008. The JWSC provides water and wastewater service throughout the majority of Glynn County, with an expansive service area comprised primarily of residential and smaller commercial users. During that time we have 1) developed multiple ten-year financial management plans for the water and sewer systems within the JWSC's two Districts (i.e. City of Brunswick and Glynn County), 2) prepared multiple loan and bond feasibility reports, 3) calculated water and sewer capital tap fees (impact fees) for each District and sub-district, 4) **developed a uniform rate structure with certain charges being unique to each District based upon the cost of service**, 5) calculated public and private fire protection charges, and 6) prepared a detailed rate manual that explains the purpose, intent, and structure of all rates, fees, and charges.

Client Contact: Mr. Keith Morgan, Executive Director, 700 Gloucester St., Suite 300, Brunswick, GA 31520, (912) 261-7112 kmorgan@bgjwsc.com

B&A Team: Michael Burton, Andrew Burnham, Kayle Moore, Ashley Venturoni

3.2 CLIENT TESTIMONIALS

This section presents several client testimonials regarding the quality of our work and the responsiveness of our client service.

“We have worked with Burton & Associates for years and have consistently recommended the firm to government colleagues who are seeking professional, timely and accurate analytical services. Their interactive work session process is the most cost effective and efficient way to conduct business and their ability to present and communicate their work product is outstanding.”

Testimonial from Ron Nielsen
Deputy Utility Director • Orange County, FL

“We were all very impressed with your efforts and the ease of the model you prepared that allows us to quickly ask “what ifs”. It’s obvious we made a good decision selecting you for the job.”

Excerpts from a Letter of Appreciation from Mr. Edward (Alan) Ambler
Water Resources Manager. City of Casselberrv. FL

“Burton & Associates was contracted with the City of St. Cloud to perform professional services on two key projects known as the Water and Wastewater Impact Fee and Revenue Sufficiency Analysis; and Water and Wastewater Rate Design Analysis.

Mr. Burnham’s leadership, technical experience and dedication were instrumental in the success of these projects. In obviously tough financial times, Mr. Burnham was able to assist the City in creating rate restructuring and implementation strategies that were truly balanced and considerate of the needs of both the Utility as a business and the residents that we serve. Mr. Burnham’s professionalism and sound technical judgment through our process was essential in the success of these projects.”

Excerpts from an unsolicited letter of Reference from Mr. Todd Swingle
Former Environmental Utilities Director • City of St. Cloud, FL

“Burton & Associates has served as the City of Fort Myers’ utility rate consultant for over 15 years. Their ability to evaluate complex issues and to explain them in terms that are understandable has legitimized our City Council’s decision making process. In addition, Mr. Burton often provides insights through his many years of experience that may not be readily apparent, but that provide clarity as to the consequences of our decisions to the City and to our constituents. Based upon my experience with Mike and his staff as a City Councilman and now as Mayor, I highly recommend Burton & Associates to elected officials that are facing particularly sensitive and complex issues.”

Testimonial from Mr. Randy Henderson
Mayor • City of Fort Myers, FL

3.3 COMPREHENSIVE LIST OF PROJECTS

A list of projects completed by the firm over the past five years is presented on the following pages and represents all areas of expertise mentioned in the previous section.

It is important to note that at least one member of our proposed project team served in a Project Management or Lead Consultant capacity for each project described on the following pages.

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Selected Recent Clients & Projects

Client	Project Description	Year
Atkins (Bonita Springs)	Annual Report Assistance	2013
Atkins (Sarasota)	Revenue Sufficiency Analysis & Other Services	2013
City of Cape Coral	Water, Sewer & Irrigation RSA and Other Rate and Financial Services	2013
City of Chesapeake	Water and Wastewater Utility Financial Plan & Rate Analysis	2013
City of Chesapeake	Water & Sewer Utility Financial Plan and Rate Analysis	2013
City of Cocoa	Fire Rescue Assessment Consulting Assistance	2013
City of Coral Springs	Water and Wastewater Rate Study	2013
City of Deltona	Water and Wastewater Bond Feasibility Report and Rate Study Update	2013
City of Dunnellon	SWFWMD Report Assistance	2013
City of Edgewater	Water and Wastewater Revenue Sufficiency Analysis and Rate Design Update	2013
City of Fort Lauderdale	General Fund Revenue Sufficiency Forecast	2013
City of Fort Myers	Water and Sewer Revenue Sufficiency Analysis Update	2013
City of Fort Myers	Water and Wastewater Impact Fee Update	2013
City of Lake Worth	Water and Sewer Revenue Sufficiency Analysis Update	2013
City of Lynn Haven	Financial Feasibility Analysis of Acquisition and Development of the Fuel Depc	2013
City of Mount Dora	Storm Water Rate Study	2013
City of Neptune Beach	Water and Wastewater Revenue Sufficiency Study	2013
City of North Port	Fire Rescue Assessment Consulting Assistance Update	2013
City of North Port	Road and Drainage Capital Assessment Development and Bond Issue for Road	2013
City of Palmetto	Utility Rate Study	2013
City of Port St. Joe	Water and Sewer Revenue Sufficiency Analysis	2013
Gateway Services District	General Fund Cost Apportionment Consulting Assistance	2013
Lauderdale-by-the-Sea	Wastewater Rate Study - Commercial Customer Rate Analysis (Additional Serv	2013
Marion County Utilities	Water & Wastewater Revenue Sufficiency Analysis Update	2013
McKim & Creed (St. Pete)	Water Resources Rate Study	2013
Miami Shores Village	Water and Sewer Infrastructure Funding Analysis	2013
Okaloosa County	Water and Sewer Revenue Sufficiency Analysis Update	2013
Okaloosa County	Eglin Utility Privatization Analysis	2013
Orange Water and Sewer Authority (OWASA)	Water and Sewer Rate Study	2013
Plantation Bay Utility Company	Utility Divestment/Aquisition Analysis	2013
Seminole County	Utility Acquisition Feasibility Analysis (Sanlando)	2013
St. Johns River Water Management District	Evaluation and Expert Witness Services - Adena Springs CUP Conditions	2013
Tarpon Springs	Water and Sewer Impact Fee Update	2013
Tohopekaliga Water Authority	Water and Wastewater System Development Charges Study	2013
Tohopekaliga Water Authority	Water & Wastewater Bond Feasibility Report	2013
City of Plant City	Water and Wastewater Rate Study	2012
City of Clearwater	Stormwater Revenue Sufficiency Analysis Update	2012
City of Clearwater	Water and Sewer Revenue Sufficiency Analysis Update	2012
Peace River/Manasota Regional Water Supply Authority	Revenue Sufficiency Analysis	2012
City of Cocoa	Utility Rate and Financial Services	2012
City of Cocoa	Indirect Cost Allocation Analysis	2012
City of New Port Richey	Wastewater Rate Study	2012
City of Casselberry	Utility Rate and Financial Services	2012
City of Cape Coral	Water and Sewer Revenue Sufficiency Analysis Update	2012
City of Sarasota	Water and Sewer Revenue Sufficiency Analysis Update	2012
Marion County	Water and Sewer Revenue Sufficiency Analysis	2012
City of Marco Island	Water and Sewer Cost of Service Rate Study	2012
City of Marco Island	Water and Sewer Rate Study - Comparison of Approaches	2012
Orange County	Water and Sewer Capital Charges Study	2012
Orange County	Water and Sewer Revenue Sufficiency Analysis	2012
University of North Carolina - Chapel Hill	Comparative Cost & Financial Analysis	2012
Orange Water and Sewer Authority	Utility Rate Study	2012

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Selected Recent Clients & Projects

Client	Project Description	Year
City of Fort Lauderdale	Sanitation Rate Study	2012
City of Port Richey	Water and Wastewater Rate Study	2012
Seminole County	Water, Sewer & Solid Waste Rate Study	2012
Tarpon Springs	Water and Wastewater Bond Feasibility and Additional Services	2012
Tarpon Springs	Water and Wastewater Revenue Sufficiency Analysis	2012
The Village Center Community Development District	Refinancing in Support of Bond Issue (Districts 3-6)	2012
VA Tech	Water Quality and Utility Management Considerations	2012
City of Opa-Locka	Water and Sewer Rate Study and Updates	2012
Town of Orange Park	Sanitation Financial Management Plan & Cost Allocation	2012
City of St. Cloud	Water and Waste Water Revenue Sufficiency Analysis and Impact Fee Study	2012
Indian Rocks Beach	Sewer & Solid Waste Revenue Sufficiency Analysis and Update	2012
St. Johns River Water Management District	Consumptive Use Permit Review	2012
Magellan Advisors	North Florida Broadband Authority Rate Study	2012
Town of Front Royal, VA	Water and Wastewater Revenue Sufficiency Analysis and Cost Deferential	2012
Gateway Service District	Utility Rate Study and Rate Design	2012
City of Lake Worth	Utility Billing Audit	2011
City of Lake Worth	Water and Sewer Revenue Sufficiency Analysis	2011
City of Fort Myers	Water and Wastewater Revenue Sufficiency Analysis	2011
City of Palatka	Revenue Sufficiency Analysis	2011
City of Bonita Springs	Preparation of Engineering Report	2011
City of Zephyrhills	Utility Rate Study	2011
City of Delray Beach	Fire Assessment Fee Study	2011
Pinellas County	Automated Meter Reading Analysis	2011
Pinellas County	Utility Rate and Cost Allocation Analysis	2011
City of St. Petersburg	Water Resources Rate Study	2011
City of Dunnellon	Telecommunications Financial Management Plan	2011
Seminole County	Water and Sewer Revenue Sufficiency Analysis	2011
Seminole County	Solid Waste Revenue Sufficiency Analysis	2011
Seminole County	Reclaimed Water Revenue Sufficiency Analysis	2011
Toho Water Authority	Water, Wastewater and Reclaimed Water Rate Study	2011
City of Venice	Water and Wastewater Rate Study	2011
City of Jacksonville Beach	Water and Wastewater Revenue Sufficiency Analysis	2011
City of Edgewater	Utility Rate Study	2011
City of St. Petersburg	Comprehensive Utility Rate Study Update	2011
City of St. Petersburg	Assistance with Treasure Island Utilities Lawsuit	2011
City of Bunnell	Financial Management Plan	2011
City of Bunnell	Water and Sewer Impact Fee Study	2011
City of Clearwater	Solid Waste Revenue Sufficiency Analysis Update	2011
City of Clearwater	Recycling Revenue Sufficiency Analysis Update	2011
City of Clearwater	Water and Sewer Revenue Sufficiency Analysis Update	2011
Diamondhead Water & Sewer District	Water and Sewer Rate Study	2011
Seminole County	Reclaimed Water Revenue Sufficiency Analysis	2011
City of Marco Island	Water and Sewer Rate Study	2011
Seminole County	Water and Sewer Revenue Sufficiency Analysis	2011
Seminole County	Solid Waste Revenue Sufficiency Analysis	2011
City of Chesapeake, VA	Water and Sewer Rate Study	2010
City of Cocoa	Alternative Water Feasibility Analysis	2010
City of Dunnellon	Water and Sewer Revenue Sufficiency Analysis	2010
Village of Key Biscayne	Stormwater Rate Study	2010
City of Fort Lauderdale	Stormwater Rate Study	2010
St. Johns River Water Management District	CUP Economic Feasibility Analysis	2010
City of Fort Myers	Water and Sewer Impact Fee Waiver Analysis	2010
City of Fort Myers	Roads Impact Fee Analysis	2010
City of Coconut Creek	Utility Service Area Valuation	2010
City of Clearwater	Recycling Revenue Sufficiency Analysis	2010
City of Clearwater	Solid Waste Revenue Sufficiency Analysis Update	2010
City of New Port Richey	Bulk Sewer Rate Analysis	2010
City of Zephyrhills, FL	Water and Wastewater Revenue Sufficiency Analysis	2010
Town of Orange Park	Water and Sewer Rate Study	2010
City of Lynn Haven	Water and Wastewater Revenue Sufficiency Analysis	2010
City of Tamarac	Water & Sewer Rate Study	2010
City of Port St. Joe	Water and Sewer Rate & Impact Fee Study	2010
City of Dunedin, FL	Stormwater Revenue Sufficiency Analysis Update	2010
City of Neptune Beach, FL	Water & Sewer Revenue Sufficiency Analysis	2010
City of Coconut Creek	Fire Assessment Fee Development	2010
Brunswick/Glynn County, GA	Water & Sewer Rate Study and Bond Feasibility Analysis	2010

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Selected Recent Clients & Projects

Client	Project Description	Year
City of Cape Coral, FL	Water & Sewer Revenue Sufficiency Analysis	2010
Orange Water and Sewer Authority, NC	Water & Sewer Revenue Sufficiency Analysis	2010
The Village Center Community Development District	Utility Rate Sufficiency Study	2010
Marion County, FL	Water & Wastewater Revenue Sufficiency Update	2010
City of Fort Myers, FL	Water & Sewer Revenue Sufficiency Analysis	2010
City of Clearwater, FL	Water & Sewer Revenue Sufficiency Analysis	2010
City of Clearwater, FL	Stormwater Revenue Sufficiency Analysis	2010
City of Coconut Creek, FL	Fire Service Consolidation Study	2010
City of Clearwater, FL	Water Demand and Rate Study Update	2010
City of Lake Worth, FL	Water & Sewer Rate Study Update	2010
Seminole County, Florida	Water & Wastewater Revenue Sufficiency Analysis	2010
Okaloosa County, Florida	Water & Sewer Revenue Sufficiency Analysis Update	2009
Peace River Manasota Reg. Water Supply Authority	Revenue Sufficiency & Rate Analysis Update	2009
Pinellas County, Florida	Water & Sewer Rate Study	2009
City of Fort Lauderdale	Cost Allocation Analysis	2009
City of Cocoa	Water, Wastewater and Reclaimed Water Rate Study	2009
City of Fort Lauderdale	Water and Wastewater Cost Allocation and Bulk Rate Analysis	2009
City of Fort Myers	Recycling Rate Study	2009
Town of Lake Clarke Shores	Water and Wastewater Rate Study	2009
Town of Orange Park	Fire Assessment Study	2009
City of Cape Coral	Wholesale Sewer Rate Analysis	2009
City of Deltona	Fire Assessment Study	2009
Citrus County	Regulatory Rate Assistance - Water and Wastewater Utilities	2009
Okaloosa County, FL	Water and Wastewater Revenue Sufficiency Analysis Update	2009
City of Crystal River	Water and Wastewater Revenue Sufficiency Analysis Update	2009
Accomack County, VA	Developed Interactive Utility Financial Forecast Model	2009
City of Tarpon Springs	Water and Wastewater Revenue Sufficiency Analysis Update	2009
Marion County, FL	Financial Forecast Model of Water and Wastewater Master Plan Scenarios	2009
City of North Port	Stormwater Assessment Study	2009
Baytown Area Water Authority, TX	Wholesale Water Rate Study	2009
City of Baytown, TX	Water & Wastewater Rate Study	2009
The Village Center Community Development District	Water & Wastewater Rate Study	2009
St. Petersburg	Water & Wastewater Rate Study	2009
Pinellas County, Florida	Water & Wastewater Rate Study	2009
Town of Lauderdale-by-the-Sea	Fire Assessment Study	2009
City of Cape Coral	Fire Assessment Study	2009
City of Fort Lauderdale	Public Services and Utilities Financial Analysis and Rates	2009
City of Miami Beach	Underground Utilities Assessment Program	2009
City of Fort Myers	Water and Sewer Revenue Sufficiency Analysis Update	2009
Orange Water and Sewer Authority	FY 2009 Revenue Sufficiency Analysis Update and Model Assistance	2009
Orange County, FL	Water and Sewer Revenue Sufficiency Analysis Update	2009
Decatur Utilities, AL	Comprehensive Water and Sewer Cost of Service and rate Study	2009
City of Dunedin	FY 2009 Stormwater Revenue Sufficiency Analysis Update	2009
City of Dunedin	FY 2009 Water and Wastewater Revenue Sufficiency Analysis Update	2009
City of Cape Coral	FY 2009 Water and Sewer Revenue Sufficiency Analysis	2009
Brunswick/Glynn County Joint Water & Sewer Com., GA	Comprehensive Water and Sewer Cost of Service and Rate Study	2009
Brunswick/Glynn County Joint Water & Sewer Com., GA	Water and Wastewater Capital Tap Fee Study	2009
Town of Front Royal, VA	Water and Wastewater Rate Study	2009
City of Sarasota	Water and Wastewater Revenue Sufficiency Analysis Update	2009
City of Sarasota	Water and Wastewater Rate Design Study	2009
City of Clearwater	Water and Wastewater Revenue Sufficiency Analysis Update	2009
City of Clearwater	Stormwater Revenue Sufficiency Analysis Update	2009
Peace River Manasota Reg. Water Supply Authority	Update of Long Term Financial Management Plan and Rates	2009
Town of Lady Lake	Water, Wastewater and Reclaimed Water Impact Fee Study	2009
City of Polk City	Wastewater Assessment Study	2009
City of Opa-Locka	Water and Wastewater Rate Design Update	2009
Nassau County, FL	Water and Wastewater Rate Study	2009
Ranger Drainage District, Orange County, FL	Stormwater Maintenance Cost Apportionment and Assessment Study	2009
Mad Hatter Utilities	Utility Divestment Valuation Analysis	2009
City of LaBelle	Update of Water and Wastewater Loan/Grant Support Analysis	2009
St. Johns River Water Management District	Presentation re. Alternative Water Supply Impacts on Local Utilities	2009
City of Fort Myers	Stormwater Assessment Program Development	2008
City of Fort Lauderdale	Water and Wastewater Rate and Impact Fee Study	2008
City of Fernandina Beach	Water and Wastewater Rate and Impact Fee Study	2008
City of St. Cloud	Water and Sewer Rate Design	2008
City of St. Cloud	Water and Sewer Revenue Sufficiency Analysis & Impact Fee Study	2008

4. PROJECT MANAGEMENT

This section presents our approach to conducting a Water and Sewer Utility Rate Study, including project management and communication techniques, our methodology, a proposed project schedule, and estimated hours as well as cost for each phase of the project.

4.1 APPROACH AND METHODOLOGY

This section presents our approach and methodology behind conducting a comprehensive Water & Sewer Utility Rate Study. We have developed an empowering decision support process in which we use our proprietary interactive Financial Analysis and Management System (FAMS-XL©) modeling system. **The interactive process allows us to work closely with our clients to conduct a transparent analysis and to clearly identify and understand the drivers of any necessary rate adjustments.**

To begin the Study, we will perform a detailed cost allocation analysis in order to properly understand and analyze the City's current customers and service districts, including a review of the rates charged to each customer/service district. **We are very familiar with and have conducted multiple cost allocation and rate design studies using ratemaking procedures identified in AWWA Manuals M1 and M54, WEF's Affordability of Wastewater Service Manual, as well as accepted industry practices in various parts of the country.** As such, we will identify the most appropriate cost of service allocation and rate structure methodologies for the City based upon its system configuration, service agreements (both with individual customers and with other neighboring utilities), resources, goals, and public policy objectives. We will then customize the cost allocation and rate design modules to employ the identified methodologies and concepts based upon the City's data.

Once all costs have been properly allocated, and rate structures have been properly identified for all customer classes (both inside and outside of the City), we will then develop a multi-year financial management plan and corresponding projection of rate adjustments for each service and class of customer as appropriate.

Our FAMS© modeling system links the multi-year financial forecast, cost allocation, and rate design calculations so that the implications of changes in one area are immediately reflected in all rate calculations.

This total integration of all rate calculations ensures that system costs are recovered via rates that are fair and equitable to all customer classes.

To properly calibrate our FAMS-XL© modeling system to precisely simulate your utility system, we will review the **financial dynamics of your water and sewer fund, historical and projected budgets, facility plans, historical, current, and expected usage data, particularly for the Oaks**

Correctional Facility and expected growth in neighboring townships, and make adjustments to the FAMS-XL© functionality as required to replicate your utility system and available data.

We then conduct interactive decision support work sessions with City staff with the modules of our FAMS-XL© modeling system up and running with the “control panel” projected on a large viewing screen. In this way we can evaluate alternative financial plan and rate scenarios with instantaneous feedback. This allows us to work with City staff towards solutions while building consensus and confidence in the decision alternatives and the short and long term consequences of each, particularly as it impacts the residents of the City and customers within other communities.

As part of the studies such as this, **presentations to stakeholders, including City Council, residents, and business owners, are critical to facilitate understanding and acceptance of the recommendations resulting from the Study.** We can facilitate meetings or provide public education and communication materials that help build an understanding of the drivers behind any proposed rate adjustments, and how the rates relate to the future sustainability of your water and sewer utility.

As indicated herein, FAMS-XL© has several modules, all of which are, or can be, linked depending upon your specific requirements. **This section describes the modules of FAMS-XL© modeling system, how they are used, their relationship to each other, and the linkages that provide a complete and comprehensive evaluation of all aspects of the financial management, rates, fees, and charges of your water and sewer utility.**

4.1.1 Cost Allocation and Rate Design Module

FAMS-XL© contains cost allocation and rate design modules in which total revenue requirements will be allocated based upon appropriate allocation methods and factors for your system, and rates will then be developed based upon specific rate design criteria for each identified customer class and service area. As mentioned above, we will identify the most appropriate cost of service allocation and rate structure methodologies for the City based upon its system configuration, available data, service agreement, resources, goals, and public policy objectives. We will then customize the cost allocation and rate design modules to employ the identified methodologies and concepts based upon the City’s data.

Within each of these modules, assumptions, sensitivities, and alternatives can be quickly evaluated, with the results seen instantaneously on the “control panel” of each respective module. As described above, the control panel is a screen that displays results in terms of key financial parameters and also contains some input variables and toggles that allow quick examination of “what if” or alternative scenarios.

During this process, we will perform an independent review of the current rate structure to determine if it conforms to accepted industry practice and to determine if the current rates are fair and equitable for each class of customer, in identified/defined services areas inside and outside of the City. We will also look at alternative rate structures, which may better serve the City's fiscal stability needs and conform to its public policy objectives, while ensuring a fair and equitable distribution of costs and conformance to legal precedent.

4.1.2 Revenue Sufficiency and Financial Planning Module

The modules of FAMS-XL© include a five and ten-year revenue sufficiency and financial planning module which is used to develop a long term financial business plan for your utility. This module is the tool that we will use to develop the annual revenue requirements of the utility. **This module allows examination of alternative policies regarding capital funding sources, target debt service coverage levels, levels of operating and capital reserves, affordability, and other financial policies/goals that affect the financial performance of the utility and its future rate requirements.**

In addition to evaluating financial goals and objectives, we can also evaluate scenarios regarding alternative growth rates, capital improvement spending programs, cost escalation factors, changes in usage patterns, elasticity of demand in response to rate increases, and other variables that affect the financial performance of the utility.

Results are displayed during "live interactive decision support work sessions" on the "control panel" of FAMS-XL© which displays results of not only the current scenario being evaluated, but also the last scenario against which the current scenario is being compared. This allows key participants in the interactive work sessions to clearly see the impacts of their alternative decision choices in terms of the financial consequences to the various financial parameters being tracked. Our experience is that the process helps key participants from our clients' staff, such as personnel from finance, budgeting, engineering, operations, management and even elected officials, work towards solutions in an open environment. The result is consensus as to the solutions identified and confidence that all alternative solutions have been thoroughly evaluated.

As with all modules of FAMS-XL©, the revenue sufficiency and financial planning module will be adjusted during the study to precisely simulate the dynamics of your utility. We purposely have continued to expand the capabilities of FAMS-XL© on the Microsoft Excel© platform to allow us the flexibility to adjust our model to replicate the way our clients' do business rather than the reverse.

This instantaneous feedback to key decision makers, in a focused, solutions oriented environment, sets us apart and provides our clients with the best, most effective financial and rate program design tools available.

4.1.3 Linkages of FAMS-XL© Modules

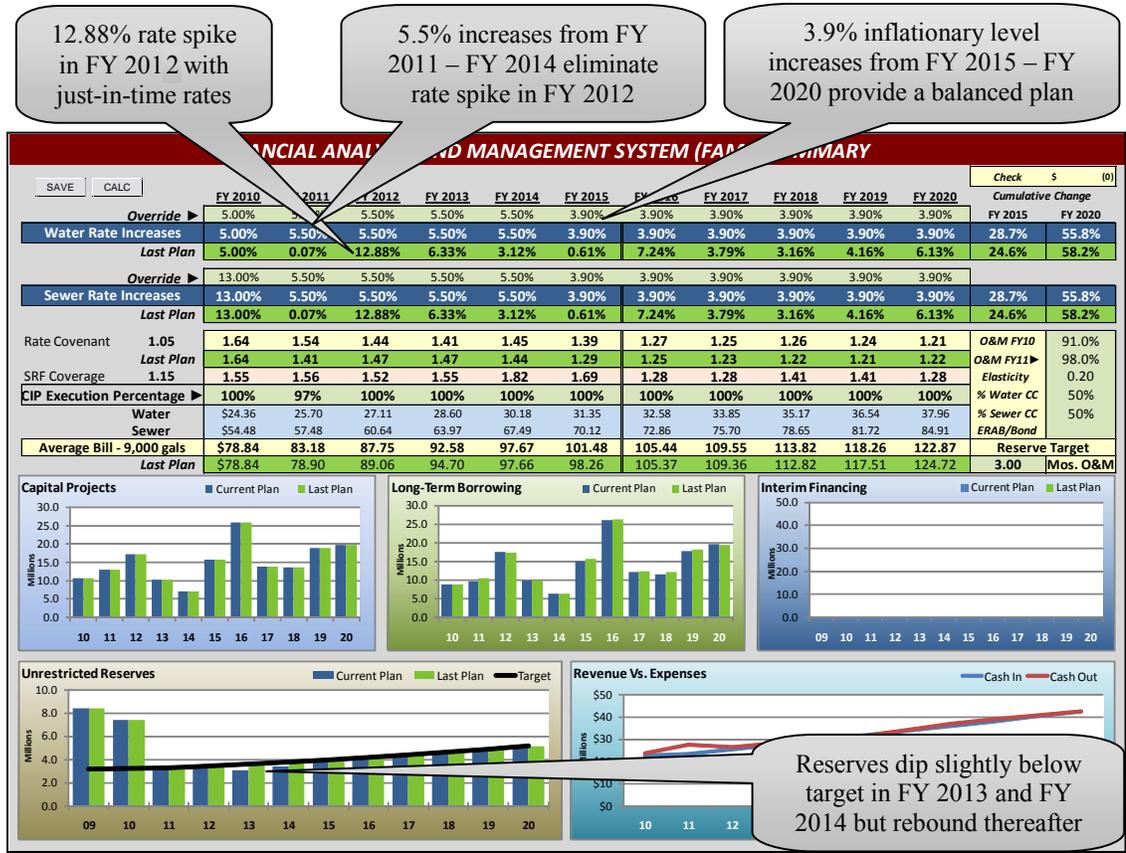
The revenue requirements determined in the revenue sufficiency and financial planning module for the first projected fiscal year are linked to the cost allocation and rate design module, which calculates specific rates necessary to generate the required revenues based upon proper allocation of costs and the specified rate structure, or rate structure alternatives.

In instances where our clients desire a completely integrated analysis of all of the “moving parts” of the financial planning and rate making process, FAMS-XL© provides all of the required functionality and linkages within an extremely flexible and robust set of modules that, combined with the empowering interactive decision support work sessions that we facilitate with you, provides unparalleled vision, clarity and confidence in the short and long term financial management of your utility.

4.1.4 Examples of the Process

An example of a control panel of a revenue sufficiency and financial planning module used in the interactive work sessions for the development of a ten-year financial plan for a water and sewer utility is presented on the following page.

The green bars and panels represent the “last” scenario evaluated, which was “just-in-time” rates, resulting in a 12.88% rate spike in FY 2012. The blue bars and panels represent the “active” scenario, which includes equal 5.5% increases from FY 2011 – FY 2014 (which mitigate the rate spike in FY 2012), with inflationary level increases thereafter. The graph shows through key financial performance indicators that the financial consequences of the earlier smaller rate increases in the “active” scenario are acceptable, and that the rate increases provide smaller more predictable customer impacts that are often times preferable.

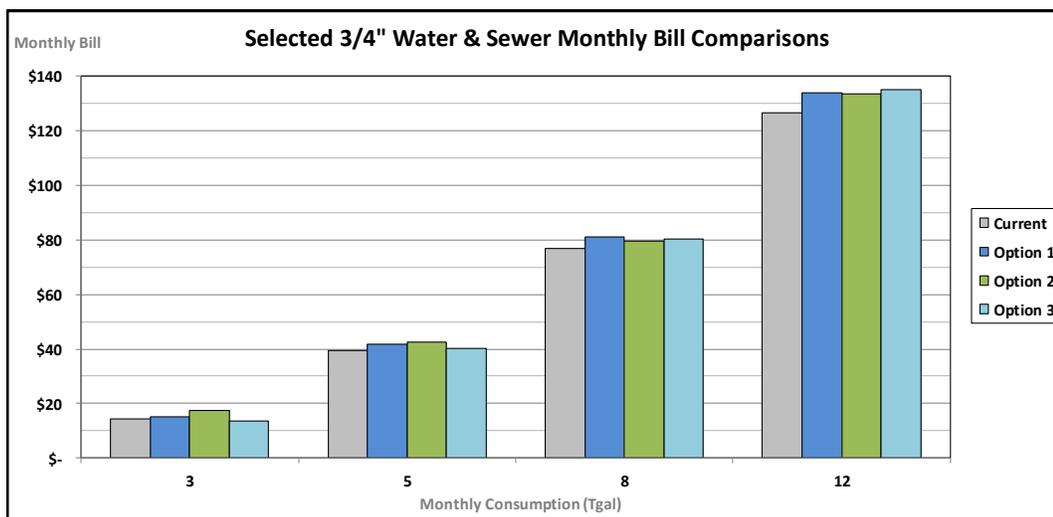


Similarly, during the interactive work sessions for cost allocation and rate design, a detailed customer impact analysis is prepared that quantifies the impact upon customers of alternative rate structures at various amounts of monthly consumption. The example below identifies the impact of three rate structure alternatives or options on a class of customers with 3/4" meters in terms of the dollar amount and percentage change in the monthly bill. Similar analyses are performed for all meter sizes within all customer classes.

The table shows the percentage of customers at each level of usage, which can be used to determine the percentage of customers affected by each rate structure alternative at different levels of usage. Meanwhile, the graph offers a visual representation of the effects of the alternatives on the total monthly bill for selected consumption levels – 3,000, 5,000, 8,000 and 12,000 gallons.

3/4" Meter Water & Sewer Monthly Bill Comparison													
Billing Statistics				Current	Option 1			Option 2			Option 3		
% of Bills	Cumulative %	# of Bills	Use (Tgal)	Mo. Bill	"Across-the-Board" Increase			Rate Structure Change - Alt. A			Rate Structure Change - Alt. B		
					Mo. Bill	\$ Chg.	% Chg.	Mo. Bill	\$ Chg.	% Chg.	Mo. Bill	\$ Chg.	% Chg.
11.8%	11.77%	7,999	0	\$ 14.50	\$ 15.30	\$ 0.80	5.5%	\$ 8.34	\$ (6.16)	-42.5%	\$ 7.76	\$ (6.74)	-46.5%
10.1%	21.87%	6,867	1	\$ 14.50	\$ 15.30	\$ 0.80	5.5%	\$ 11.44	\$ (3.06)	-21.1%	\$ 9.75	\$ (4.75)	-32.8%
13.5%	35.41%	9,202	2	\$ 14.50	\$ 15.30	\$ 0.80	5.5%	\$ 14.54	\$ 0.04	0.3%	\$ 11.74	\$ (2.76)	-19.0%
17.1%	52.47%	11,601	3	\$ 14.50	\$ 15.30	\$ 0.80	5.5%	\$ 17.64	\$ 3.14	21.7%	\$ 13.73	\$ (0.77)	-5.3%
12.7%	65.16%	8,624	4	\$ 26.96	\$ 28.44	\$ 1.48	5.5%	\$ 30.04	\$ 3.08	11.4%	\$ 27.03	\$ 0.07	0.3%
10.0%	75.17%	6,803	5	\$ 39.42	\$ 41.59	\$ 2.17	5.5%	\$ 42.44	\$ 3.02	7.7%	\$ 40.33	\$ 0.91	2.3%
7.3%	82.43%	4,934	6	\$ 51.88	\$ 54.73	\$ 2.85	5.5%	\$ 54.84	\$ 2.96	5.7%	\$ 53.63	\$ 1.75	3.4%
4.9%	87.30%	3,314	7	\$ 64.34	\$ 67.88	\$ 3.54	5.5%	\$ 67.24	\$ 2.90	4.5%	\$ 66.93	\$ 2.59	4.0%
3.2%	90.52%	2,187	8	\$ 76.80	\$ 81.02	\$ 4.22	5.5%	\$ 79.64	\$ 2.84	3.7%	\$ 80.23	\$ 3.43	4.5%
2.2%	92.67%	1,464	9	\$ 89.26	\$ 94.17	\$ 4.91	5.5%	\$ 92.04	\$ 2.78	3.1%	\$ 93.53	\$ 4.27	4.8%
1.5%	94.13%	987	10	\$ 101.72	\$ 107.31	\$ 5.59	5.5%	\$ 105.76	\$ 4.04	4.0%	\$ 106.83	\$ 5.11	5.0%
1.0%	95.13%	684	11	\$ 114.18	\$ 120.46	\$ 6.28	5.5%	\$ 119.48	\$ 5.30	4.6%	\$ 120.97	\$ 6.79	5.9%
0.8%	95.89%	512	12	\$ 126.64	\$ 133.61	\$ 6.97	5.5%	\$ 133.20	\$ 6.56	5.2%	\$ 135.11	\$ 8.47	6.7%
0.5%	96.37%	332	13	\$ 139.10	\$ 146.75	\$ 7.65	5.5%	\$ 146.92	\$ 7.82	5.6%	\$ 149.25	\$ 10.15	7.3%
0.4%	96.78%	273	14	\$ 151.56	\$ 159.90	\$ 8.34	5.5%	\$ 160.64	\$ 9.08	6.0%	\$ 163.39	\$ 11.83	7.8%
0.3%	97.08%	210	15	\$ 164.02	\$ 173.04	\$ 9.02	5.5%	\$ 174.36	\$ 10.34	6.3%	\$ 177.53	\$ 13.51	8.2%
0.2%	97.31%	152	16	\$ 176.48	\$ 186.19	\$ 9.71	5.5%	\$ 188.08	\$ 11.60	6.6%	\$ 191.67	\$ 15.19	8.6%
0.2%	97.50%	132	17	\$ 188.94	\$ 199.33	\$ 10.39	5.5%	\$ 201.80	\$ 12.86	6.8%	\$ 205.81	\$ 16.87	8.9%
0.1%	97.64%	94	18	\$ 201.40	\$ 212.48	\$ 11.08	5.5%	\$ 215.52	\$ 14.12	7.0%	\$ 219.95	\$ 18.55	9.2%
0.1%	97.79%	100	19	\$ 213.86	\$ 225.62	\$ 11.76	5.5%	\$ 229.24	\$ 15.38	7.2%	\$ 234.09	\$ 20.23	9.5%
0.1%	97.91%	85	20	\$ 226.32	\$ 238.77	\$ 12.45	5.5%	\$ 242.96	\$ 16.64	7.4%	\$ 248.23	\$ 21.91	9.7%

Note: All options reflect a 5.5% water and sewer revenue increase.
 Note: 95% of all customers are served with a 3/4" meter.



4.2 MANAGEMENT TECHNIQUES

Burton & Associates is and has been the industry leader in providing financial planning, rates, and cost allocation assistance to local government utilities of all sizes and configurations for over 25 years. During that time, Burton & Associates has faced a wide variety of challenges for which we have developed techniques to mitigate these challenges as they arise in future studies. The following table presents potential risk factors that may be associated with this study and our activities or methods used to resolve them. Each of the risk factors listed in this section are very common to local governments, and as such, we are very familiar with these risks and the techniques necessary to mitigate these risks. The project approach we have presented in this proposal accounts for the mitigation activities in order to minimize the amount of risk that occurs during the course of the study.

Potential Risk Factors	Mitigation Techniques
<p>Limited Resources <i>Due to the overall downsizing of local governments, City staff may have limited time to participate in the Study.</i></p>	<p>We conduct a number of interactive decision support work sessions with City staff with our model up and running with the “control panel” projected on a large viewing screen. In this way, we can evaluate alternative financial plan and rate scenarios with instantaneous feedback, including the likely financial impacts to your customers. This minimizes the in between time for us to make adjustments to our model as it can be done “on-the-fly” with the input of City Staff. Moreover, we provide periodic limited work products for review as part of the process that require minimal time to review. The result is a comprehensive report at the end of the study that contains no new information for staff to review. In the event of limited or incomplete staff reviews of certain work products, we establish a series of checks to independently verify the accuracy of the information, data, and assumptions used in the study and also note key issues that will require verification at the earliest opportunity by City staff to ensure the accuracy of the analysis.</p>
<p>Stakeholder Education & Outreach <i>Without proper education to your Staff, Council and customers, the City may face difficulties getting the approval from the Council and support of the public.</i></p>	<p>We recommend scheduling multiple presentations at the conclusion of the study. First, we often meet individually with City Council members in one-on-one meetings, allowing each councilperson to fully understand the preliminary results and recommendations and ask questions in a private setting. We have also found presentations to the community at public meetings to be effective where customers are invited to ask questions, provide input, and voice concerns. Our entire process is oriented to developing consensus-based solutions that meet the needs of all stakeholders to the greatest extent possible. In the event of limited opportunities to review the study with stakeholders prior to its completion, we have developed effective communication tools that can be used to provide an understanding of the basis of the analysis, its findings, and the impacts of recommended rate adjustments.</p>
<p>Availability of Data <i>Certain data may be incomplete or unavailable for use in the study.</i></p>	<p>We have a breadth of experience in using varying levels of data in order to conduct a cost of service rate study that results in the development of fair and equitable rates, fees, and charges that are defensible. We develop customized rate structures and financial planning models for each community based upon its unique circumstances and available information that are in conformance with accepted industry practice and achieve local goals and objectives. To the extent that the City is unable to evaluate the accuracy of certain data provided, we will prepare a series of cross-references, sampling, and testing activities to ensure that the data is suitable for use in the study. Moreover, we will also identify the potential risks associated with using any unverified data.</p>

We pride ourselves on having open communication with our clients. To begin the study, we will provide the City with a list of data requests that will include all data relevant to the analysis. We will then have a kick-off meeting either in person or via conference call to discuss the data requests and any concerns that either the City or our staff may foresee. The kick-off meeting will serve as the first of many communications between our Project Team and City Staff.

A number of in-person meetings will be scheduled during the project and key staff will be available at all times during the study, whether in person or via phone or internet. In addition to the in-person meetings, we often use the Go-To-Meeting internet forum to essentially conduct a remote interactive work session where our clients can see our computer screen and/or we can see theirs, through the Go-To-Meeting internet forum. Simultaneously, we have a conference call while all parties are viewing the alternative scenario analyses on the control panel of our FAMS©-XL model.

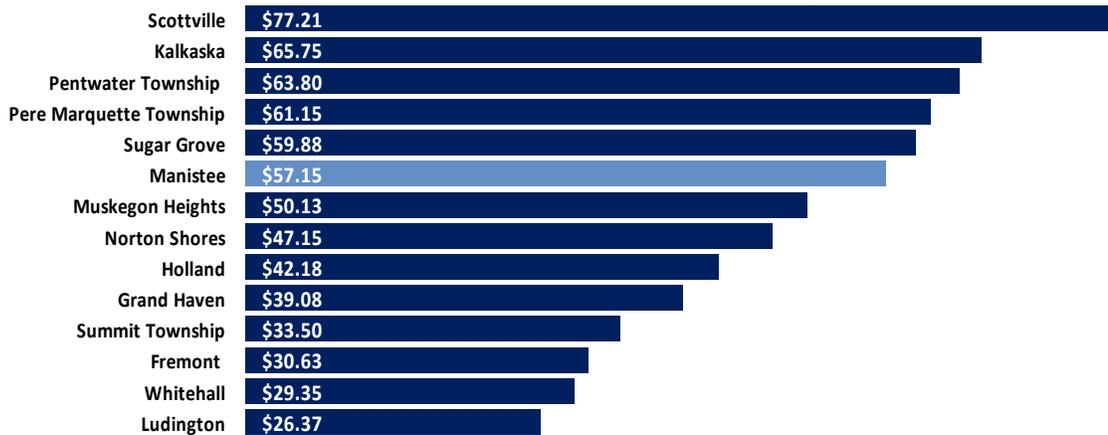
Our experienced Project Manager, Andrew Burnham, will be responsible for managing the project timeline. **Andy has successfully managed over 500 projects similar in scope to the City's desired services.** Mr. Michael Burton will serve as our Technical Advisor on this project and will be responsible for the overall quality control of the analysis. Mike will provide general oversight of the concepts and methodologies used in the analysis, and he (along with Mr. James Bearman) will also provide quality assurance reviews throughout the study.

In addition to the experience gained from hundreds of similar studies we have performed, it is also our ever evolving state of the art technology and interactive decision support modeling process that uniquely makes us the best and most qualified choice for the City.

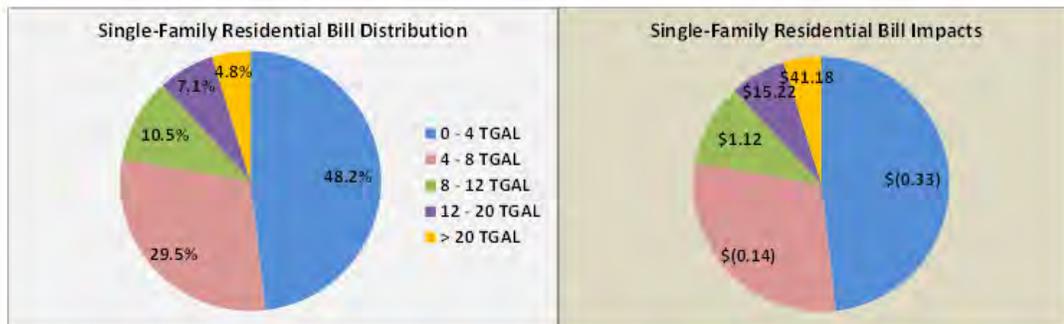
We will provide you with the very best approach to the development of cost allocations, rate structures, and sustainable financial management plans that meet both current and emerging utility management challenges. **Moreover, we understand the importance of stakeholder communication as part of implementing sustainable rate structures. We have developed a number of powerful communication aids and tools that have been very successful in achieving understanding of the drivers behind needed rate adjustments and subsequently receiving support from stakeholders.**

In fact, we often conduct rate surveys that include comparisons of rates and fees with neighboring communities, and also develop effective communication tools that facilitate public understanding of the recommendations and options resulting from our studies. Samples of a selected rate survey and customer impact communication tool are presented on the following page for reference. **We have also included (under separate cover) two Final Reports for the City of Venice, Florida. The study, consisting of two phases, and resulting reports were similar in form, structure and complexity to the study and report that will be conducted and prepared for the City of Manistee.**

Combined Water & Sewer Bill Survey at 5,000 Gallons per Month



Single-Family Residential Impacts 3/4" Meter



Tier	% of Bills	Typical Use	Current Bill	Proposed Bill	\$ Chg.	% Chg.
0 - 4 TGAL	48.2%	2 TGAL	\$ 35.90	\$ 35.57	\$ (0.33)	-0.9%
4 - 8 TGAL	29.5%	6 TGAL	\$ 63.89	\$ 63.75	\$ (0.14)	-0.2%
8 - 12 TGAL	10.5%	10 TGAL	\$ 93.41	\$ 94.53	\$ 1.12	1.2%
12 - 20 TGAL	7.1%	16 TGAL	\$ 133.27	\$ 148.49	\$ 15.22	11.4%
> 20 TGAL	4.8%	20 TGAL	\$ 145.11	\$ 186.29	\$ 41.18	28.4%

*Impacts to large volume users can be moderated via separate additional irrigation meter (see next slide)

4.3 PROJECT MILESTONE SCHEDULE

The schedule on the following page presents Burton & Associates proposed project timeline, including major milestones. Preliminary results of the study will be available within 45-60 days from an assumed February 3, 2014 start date, we can provide public presentations beginning

in mid-April, and the final report can be completed by May 2, 2014. This schedule coincides well with the City’s budget development process and should allow for the implementation of any recommended changes at the beginning of the City’s next fiscal year (i.e. July 1, 2014).

City of Manistee, Michigan

Water & Sewer Utility Rate Study
 Proposed Project Schedule

Tasks	Week												
	1	2	3	4	5	6	7	8	9	10	11	12	
Task 1 Project Initiation - Initiate the Project	Project Initiation: February 3, 2014												
Task 2 Cost Allocation - Perform a Detailed Cost-of-Service Analysis													
Task 3 Rate Design Evaluation													
Task 4 Revenue Sufficiency Analysis - Develop a Multi-year Financial Forecast and Financial Master Plan													
Task 5 Final Report - Prepare a Report of the Results of the Study & Assist with Ordinance Revisions													
Task 6 Presentations - Public Education and/or Presentation to City Council													

4.4 COST PROPOSAL

We have completed the Cost Form as required by the request for proposals and have presented it on the following page. In addition, we have prepared a Project Work Plan & Cost Estimate Schedule, presented on the pages following the Cost Form, which provides a detailed project work plan. This includes a schedule of estimated man-hours per task. We have also prepared a table below that summarizes the cost per major work element. These schedules show that successful completion of this **project will require 148 man-hours and will cost \$21,939 inclusive of travel and expenses.**

You will note that we have included a **discount of 15% which indicates our recognition of the financial challenges facing the City today** and our willingness to be a partner with the City in dealing with those challenges.

Work Element	Man-Hours	Cost
Work Element I - Cost Allocation Analysis and Review of Rate Structure(s)	70	\$11,985
Work Element II - Revenue Sufficiency Analysis	39	\$6,295
Work Element III - Final Report, Ordinance Assistance, and Public Presentations	39	\$7,530
Total Project	148	\$25,810
Less Discount @ 15%		-\$3,872
Total Project Cost (including Discount)		\$21,939

City of Manistee

Manistee Water & Sewer Utility Rate Study Proposal

The cost to complete a comprehensive rate study per the conditions established in the December 12 request for proposals is:

Cost: \$ 21,939

If alternates are proposed, please indicate what they are in a separate explanatory memo and provide cost:

Alternative Cost: \$ N/A

City of Manistee, Michigan

Water & Sewer Utility Rate Study

Project Work Plan and Cost Estimate Schedule



Project Tasks	Estimated Man-Hours				Total Project	
	Technical Advisor	Project Manager	QA/QC Consultant	Project Consultant		
	Rates ----> \$205	\$190	\$160	\$130		
<u>Work Element I - Cost Allocation Analysis and Review of Rate Structure(s)</u>						
<u>Task 1 Project Initiation - Initiate the Project</u>						
1.1	Prepare initial data request list and key milestone schedule.	0	1	0	1	2
1.2	Conduct kickoff meeting/conference call to discuss data requirements, key issues, project responsibilities, schedule, etc.	0	2	2	0	4
<u>Task 2 Cost Allocation - Perform a Detailed Cost-of-Service Analysis</u>						
2.1	Identify all test year costs/revenue requirements associated with the provision of water and sewer service.	0	1	0	1	2
2.2	Review City billing consumption records, WSU service area and statistics, and existing customer classes to determine recommended customer classes for cost allocation and rate design.	0	1	0	2	3
2.3	Review current water and sewer agreements with customers outside the City limits and with neighboring communities.	0	1	0	2	3
2.4	Discuss customer classes, agreements, rate of return, payment in lieu of taxes, historical contributions, and other considerations with the City to determine appropriate cost of service allocation methodology.	0	2	0	0	2
2.5	Allocate costs/revenue requirements to functional cost components, fixed and variable cost components, customer classes and to retail/wholesale service, as applicable, based upon appropriate allocation criteria.	0	2	1	6	9
2.6	Meet with City staff in an interactive work session to review preliminary results.	0	3	3	0	6
2.7	Finalize model and resulting allocations based upon input from City staff.	0	1	0	3	4
<u>Task 3 Rate Design Evaluation</u>						
3.1	Review existing rates and rate structure methodologies including the current cost distribution to various rate categories.	1	1	0	0	2
3.2	Prepare a comparative rate survey based upon neighboring and/or comparable systems.	0	1	0	2	3
3.3	Conduct a diagnostic analysis of the current utility rate structure to identify strengths and weaknesses in terms of but not limited to the following criteria:	1	1	0	0	2
	a. Compliance with legal precedent and generally accepted industry practice (national and local).					
	b. Fair and equitable distribution of costs to customers in proportion to the benefit received and/or demand placed on the system.					
	c. Consistency with community policies regarding such things as affordability, conservation, etc.					
	d. Fiscal stability/risk of the utility, including recovery of readiness-to-serve costs.					
	e. Administrative simplicity and accommodation within existing billing system.					
3.4	Develop User Fees:					
	a. Load billing history data into our FAMS-XL® rate model and create a bill frequency analysis.	0	1	0	3	4
	b. Conduct a revenue test to ensure accuracy of billing data.	0	1	0	2	3
	c. Set up the rate model in conformance with the rate design evaluation in Task 3.3 and the cost allocation results of Task 2.	0	1	0	2	3
	d. Run the model and prepare rate structures that reflect the following considerations:	0	1	0	2	3
	- Recovery of appropriate amount and types of costs in fixed monthly charges and variable rates by class of customer					
	- Alternative rate systems for each class of user considering public policy objectives, such as affordability and conservation					
	- Appropriate rates and policies for separate irrigation only meters, master-meter accounts, and other accounts as necessary					
	e. Review results with consulting team and adjust as required.	1	1	1	3	6
	f. Meet with City staff in an interactive work session to review preliminary results.	0	3	3	0	6
	g. Make adjustments based upon input from City staff in the prior sub-task and distribute workbook of preliminary results.	0	1	0	2	3

City of Manistee, Michigan
 Water & Sewer Utility Rate Study
 Project Work Plan and Cost Estimate Schedule



Project Tasks	Estimated Man-Hours				Total Project	
	Technical Advisor	Project Manager	QA/QC Consultant	Project Consultant		
Rates ---->	\$205	\$190	\$160	\$130		
TOTAL ESTIMATED MAN-HOURS	3	26	10	31	70	
TOTAL ESTIMATED FEE	\$615	\$4,940	\$1,600	\$4,030	\$11,185	
TOTAL ESTIMATED EXPENSES					\$800	
TOTAL ESTIMATED PROJECT COST					\$11,985	
Work Element II - Revenue Sufficiency Analysis						
Task 4	Revenue Sufficiency Analysis - Develop a Multi-year Financial Forecast and Financial Master Plan					
4.1	Compile and review financial data, including recent historical revenues and expenses.	0	1	0	2	3
4.2	Perform a detailed review and analysis of recent historical billed volume and customer data to observe trends in usage patterns and customers in order to develop projections of water and wastewater system customers and usage for all customer classes.	0	1	0	2	3
4.3	Evaluate budget versus actual performance (O&M and capital) to determine proper funding levels to include in rate revenue requirements as well as trends in annual expenses to inform future cost escalation factors/assumptions.	0	1	0	2	3
4.4	Input current financial and billing data into Burton & Associates' proprietary FAMS XL © model, run the model and produce preliminary outputs, including a ten year financial management program that will include the following:	0	1	1	8	10
	o Capital Improvements Program					
	- Project listing by year					
	- Alternative financing options for capital projects					
	- Optimum funding source by project by year					
	o Borrowing Program					
	- Identify any borrowing that be required and/or appropriate to fund certain CIP projects, to include but not necessarily be limited to, revenue bonds, bank loans, and State or other programs.					
	- Timing of bond issue(s)/loan(s) to provide required borrowed funds					
	- Annual debt service of bond issue(s)/loan(s)					
	o Revenue Sufficiency Analysis					
	- Annual revenue projections					
	- Annual operations and maintenance expense projections					
	- All other annual revenue requirements such as R&R, minor capital, transfers to other funds, current debt service/loan payments, replenishment of reserves, etc.					
	- Alternative plans of annual percentage rate adjustments to the water and wastewater rates to provide sufficient revenues.					
	o Sources and Uses of Funds Analysis					
	o Financial Policy Review, including reserves, capital funding, asset management programs, debt ratios, etc.					
4.5	Make adjustments to the FAMS-XL© model to reflect the utility's financial dynamics and recommended rate structures per Task 3.	0	1	0	2	3
4.6	Review results with consulting team, make adjustments, and create alternatives financial management plan & rate adjustment scenarios.	1	1	1	3	6

City of Manistee, Michigan

Water & Sewer Utility Rate Study

Project Work Plan and Cost Estimate Schedule

BURTON & ASSOCIATES

Project Tasks	Estimated Man-Hours				Total Project	
	Technical Advisor	Project Manager	QA/QC Consultant	Project Consultant		
	Rates ---->	\$205	\$190	\$160	\$130	
4.7 Meet with City staff in an interactive work session to review preliminary results.		0	3	3	0	6
4.8 Make adjustments as required based upon input from City staff in the prior sub-task and prepare workbook of assumptions and preliminary results.		0	1	0	4	5
TOTAL ESTIMATED MAN-HOURS		1	10	5	23	39
TOTAL ESTIMATED FEE		\$205	\$1,900	\$800	\$2,990	\$5,895
TOTAL ESTIMATED EXPENSES						\$400
TOTAL ESTIMATED PROJECT COST						\$6,295
Work Element III - Final Report, Ordinance Assistance, and Public Presentations						
Task 5 Final Report - Prepare a Report of the Results of the Study & Assist with Ordinance Revisions						
5.1 Prepare a Draft Report of the Results of the Study and present to City Administration and/or City Council for review and comment.		1	2	1	6	10
5.2 Prepare Final Report of the Results of the Rate Study, including adjustments per comments.		0	1	0	3	4
5.3 Prepare ordinance language & rate schedules reflecting recommendations of the study for inclusion in modifications to City Code.		0	2	0	2	4
Task 6 Presentations - Public Education and/or Presentation to City Council						
6.1 Prepare a presentation of the preliminary results of the Study for presentation to City Administration and/or City Council		1	2	0	2	5
6.2 Review Presentation with City Staff and make adjustments as needed.		0	1	0	1	2
6.3 Present preliminary results of the Study to City Administration and/or City Council.		0	2	2	0	4
6.4 Revise analysis and presentation per City Administration and/or City Council comments.		0	1	0	1	2
6.5 Present final results of the study to City Council in a public meeting.		0	2	2	0	4
6.6 Present final results of the study to representatives of the Township and Tribal governments (1 meeting).		0	2	2	0	4
TOTAL ESTIMATED MAN-HOURS		2	15	7	15	39
TOTAL ESTIMATED FEE		\$410	\$2,850	\$1,120	\$1,950	\$6,330
TOTAL ESTIMATED EXPENSES						\$1,200
TOTAL ESTIMATED PROJECT COST						\$7,530
Total Full Scope of Services						
TOTAL ESTIMATED MAN-HOURS		6	51	22	69	148
TOTAL ESTIMATED FEE		\$1,230	\$9,690	\$3,520	\$8,970	\$23,410
TOTAL ESTIMATED EXPENSES						\$2,400
TOTAL ESTIMATED PROJECT COST						\$25,810
LESS: DISCOUNT @ 15%						-\$3,872
TOTAL ESTIMATED COST						\$21,939



CITY CLERK'S OFFICE

MEMO



To: Mitch Deisch, City Manager *M Deisch*
From: Michelle Wright MMC, City Clerk/Deputy Treasurer *MW*
Subject: Agenda Request
Date: January 14, 2014

Mitch,

Title VI of the Civil Rights Act of 1964 and related statutes provide that no person in the United States shall on the grounds of race, color, or national origin, sex, age, disability, or socio-economic status, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance.

The Civil Rights Restoration Act of 1987 amended Title VI to require compliance by all federal-aid recipients and sub-recipients (schools, colleges, government entities, or private employers) whether their programs are federally funded or not.

Also, related to Title VI are Executive Order 12898 Limited English Proficiency (LEP) and Executive Order 13166 Environmental Justice (EJ) which were enacted to ensure non-discrimination against low-income populations, minority populations, and persons who have limited ability to speak, write, or understand English.

Compliance with federal and state civil rights regulation is mandatory and the Michigan Department of Transportation has the responsibility to ensure that every sub-recipient has a Title VI Plan and LEP Plan on file. Failure to comply with this requirement may result in our being placed in deficiency status, which may jeopardize any pending or future federal funding.

What this means for us is:

- 1) Create a Title VI Non-Discrimination Plan, which also includes the LEP and EJ language;
- 2) Designate a Title VI Coordinator;
- 3) Provide training to staff members authorized to hire, supervise, promote, and discharge employees, or who recommend such action; hold bi-annual meetings to update these key staff members;
- 4) Advise all employees and prospective employees on the Non-Discrimination Plan;
- 5) Notices and posters must be displayed stating the City's Non-Discrimination Plan in areas readily accessible to employees and prospective employees;

- 6) Non-Discrimination Plan and procedures to implement the plan must be brought to the attention of employees either by meetings, employee handbooks, or other appropriate means;
- 7) In all advertisements for employees the notation “An Equal Opportunity Employer” must be included;
- 8) Establish a process to investigate all complaints of alleged discrimination and take appropriate corrective action, including a method to appeal the action;
- 9) Appendix A, B, and C must be inserted in every contract or sub-contract.
 - a. Appendix A – to be inserted in all Federal-Aid contracts
 - b. Appendix B – to be inserted in all transfers of property
 - c. Appendix C – to be inserted in all deeds, licenses, leases, permits or similar instrument;
- 10) Adopted plan must be posted on our website; and
- 11) Annual reporting.

The final draft of the Title VI Non-Discrimination Plan document has received approval from the staff at MDOT and now requires City Council approval. The final document is due back to the State by February 3, 2014.

Please place this request on the January 21, 2014 City Council agenda. An agenda request form is attached. Thank you.

COUNCIL MEETING AGENDA REQUEST FORM

Council Meeting Date: 01/21/14	City Manager Approval:	Consent Agenda:
Department: Clerk	Do You Recommend Approval: Yes	
Title: Consideration of Adopting a Title VI Non-Discrimination Plan and Name the Title VI Coordinator.		
<p>Description: Title VI of the Civil Rights Act of 1964 and related statutes provide that no person in the United States shall on the grounds of race, color, or national origin, sex, age, disability, or socio-economic status, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance.</p> <p>The Civil Rights Restoration Act of 1987 amended Title VI to require compliance by all federal-aid recipients and sub-recipients (schools, colleges, government entities, or private employers) whether their programs are federally funded or not.</p> <p>Also, related to Title VI are Executive Order 12898 Limited English Proficiency (LEP) and Executive Order 13166 Environmental Justice (EJ) which were enacted to ensure non-discrimination against low-income populations, minority populations, and persons who have limited ability to speak, write, or understand English.</p> <p>Compliance with federal and state civil rights regulation is mandatory and the Michigan Department of Transportation (MDOT) has the responsibility to ensure that every sub-recipient has a Title VI Plan and LEP Plan on file. Failure to comply with this requirement may result in our being placed in deficiency status, which may jeopardize any pending or future federal funding.</p> <p>The proposed Title VI Non-Discrimination Plan designates City Clerk Michelle Wright as the Title VI Coordinator. The draft document has also received approval from the staff at MDOT and now requires City Council approval. The final document is due back to the State by February 3, 2014.</p>		
Action: At this time Council could take action to adopt the Title VI Non-Discrimination Plan; designate City Clerk Michelle Wright as the Title VI Coordinator; and authorize the Mayor and City Clerk to sign the document.		

Please attach departmental memorandum in support of this request.

BIDS AND QUOTES

Is this a budgeted item: n/a	How many bids/quotes were received:
Is the bid/quote recommended the lowest received:	
If not, why aren't you recommending the lowest bid/quote:	

CONTRACTS / AGREEMENTS / CERTIFICATES OF INSURANCE

Is there a contract / agreement that will need to be signed: NO
If yes, has the City Attorney reviewed and approved the contract / agreement: _____ If no, then please contact City Attorney and arrange for a review before submitting your agenda item. If yes, please submit original contract/agreement with your agenda request.
Does this project require a certificate of insurance: NO If yes, please submit certificate to the City Clerk's Office prior to the start of the project.

BOARDS AND COMMISSIONS

Was this agenda item presented to a board/commission: no
If yes, which one:
Do they recommend approval:

**PLEASE SUBMIT REQUEST FORM, SUPPORTING DOCUMENTATION AND ORIGINALS TO THE CITY
MANAGER'S OFFICE BY 5:00 P.M. THE TUESDAY PRIOR TO A COUNCIL MEETING**



TITLE VI NON-DISCRIMINATION PLAN

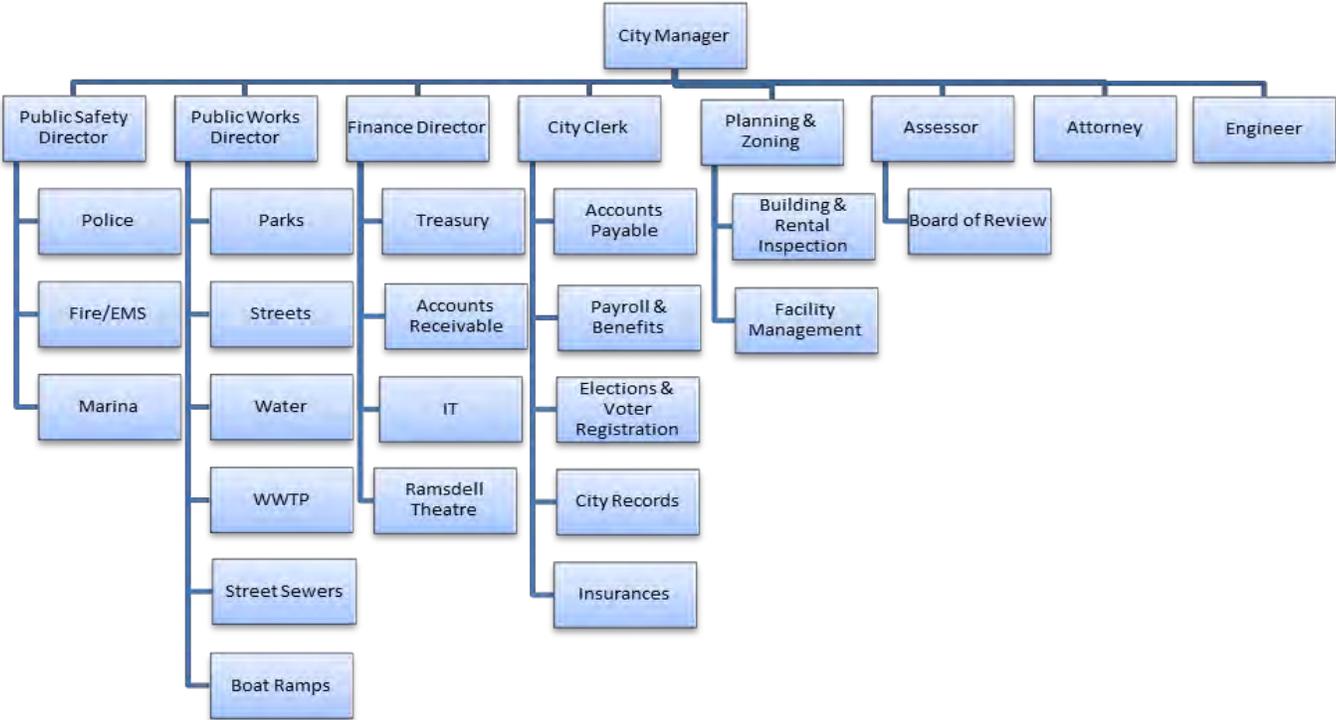
**70 Maple Street
Manistee, MI 49660
Phone: (231) 398-2803
Fax: (231) 723-5410
Website: www.manisteemi.gov**

**Title VI Coordinator:
Michelle Wright, City Clerk
Email: mwright@manisteemi.gov**

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CITY OF MANISTEE ORGANIZATIONAL CHART



INTRODUCTION

In 1841, the John Stronach family constructed a sawmill on Manistee Lake and later another on the Manistee River. By 1849, more settlers were arriving and the reservation was dismantled, with land given to settlers. The city was set back in 1871 when a fire swept through and destroyed over one-half of the city's buildings. The name "Manistee" is from an Ojibwa word first applied to the principal river of the county. In 1881, salt was discovered beneath Manistee and another industry was born. By 1885, there were forty sawmills operating and by the end of the century the population reached 14,260. Manistee claimed to have more millionaires per capita than any other city in the United States. They also had city-provided fire protection, a parks department, water, sewer and street lighting. After 150 years Manistee County has both changed and remained the same. The early boom years of lumbering and exhaustive agriculture have evolved into a stable, diversified industrial base and a top fruit-producing agricultural center. It is the beauty and natural wonder that abounds in the region's forests, lakes and rivers that remain a constant factor and will always make Manistee County a special place to live and visit.

The City of Manistee is a home-rule city incorporated in 1869. The City provides a full array of services to all people of the City, including minority populations, low-income populations, the elderly, persons with disabilities, and those who traverse the State of Michigan. These services include police, fire, public works, water and sewer utility, wastewater treatment, and parks and recreation. The City of Manistee recognizes its responsibility to provide fairness and equity in all of its programs, services, and activities, and that it must abide by and enforce federal and state civil rights legislation.

Title VI of the Civil Rights Act of 1964, is the overarching civil rights law which prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that, "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance." Title VI has been broadened by related statutes, regulations and executive orders. Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibit unfair and inequitable treatment of persons as a result of projects which are undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," signed in February of 1994, requires federal agencies to achieve Environmental Justice as part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Environmental Justice initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice. Also, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)," provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance.

As a recipient of federal financial assistance, the City of Manistee must provide access to individuals with limited ability to speak, write, or understand the English language. The City will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of

defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin. Therefore, the primary goals and objectives of the City of Manistee's Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the City's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in the City of Manistee's programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create illegal adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations;
5. To establish procedures to annually review Title VI compliance within specific program areas within the City;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in the City's services, programs or activities.

As the sub-recipient of federal transportation funds, the City of Manistee must comply with federal and state laws, and related statutes, to ensure equal access and opportunity to all persons, with respect to transportation services, facilities, activities, and programs, without regard to race, color, religion, national origin, sex, socio-economic status, or geographical location. Every effort will be made to prevent discrimination in any program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The City of Manistee shall also ensure that their sub-recipients adhere to state and federal law and include in all written agreements or contracts, assurances that the sub-recipient must comply with Title VI and other related statutes. The City of Manistee, as a sub-recipient who distributes federal transportation funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, the City will make a good faith effort to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI; and that sub-recipients will proactively gauge the impacts of any program or activity on minority populations and low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations.

Discrimination under Title VI

There are two types of illegal discrimination prohibited under Title VI and its related statutes. One type of discrimination which may or may not be intentional is "disparate treatment." Disparate treatment is defined as treating similarly situated persons differently because of their race, color, national origin, sex, disability, or age.

The second type of illegal discrimination is "disparate impact." Disparate impact discrimination occurs when a "neutral procedure or practice" results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The City of Manistee's efforts to prevent such discrimination must address, but not be limited to, a program's impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the overarching functions of planning, project development and delivery, right-of-way, construction, and research.

The City of Manistee has developed this Title VI Plan to assure that services, programs, and activities of the City are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities (see Title VI Assurances).

**CITY OF MANISTEE
NON-DISCRIMINATION POLICY STATEMENT**

The City of Manistee reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In applying this policy, the City and its sub-recipients of federal funds shall not:

1. Deny any individual with any services, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual’s receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
5. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way, which would limit or impede access to a federally-funded service or benefit.

The City of Manistee will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program’s operation, procedures will be promptly implemented to resolve Title VI issues all within a period not to exceed 90 days.

The City of Manistee designates Michelle Wright, City Clerk as the City’s Title VI Coordinator. The City Clerk will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City of Manistee complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations. Inquiries concerning the City of Manistee and Title VI may be directed to the City Clerk, 70 Maple Street, Manistee MI 49660; telephone (231) 398-2803; fax (231) 723-5410; or e-mail mwright@manisteemi.gov.

Colleen Kenny, Mayor

Michelle Wright
City Clerk / Title VI Coordinator

**CITY OF MANISTEE
TITLE VI ASSURANCES**

The City of Manistee (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs for the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of gender, race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient received Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and hereby gives assurances that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) and (b) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the Federal Aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

"The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom it delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

City of Manistee

Colleen Kenny, Mayor

Date

AUTHORITIES

Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h);

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

Federal Aid Highway Act of 1973, 23 USC 324: No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

Age Discrimination Act of 1975, 42 USC 6101: No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

Americans With Disabilities Act of 1990 PL 101-336: No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a state or local government.

Section 504 of the Rehabilitation Act of 1973: No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

USDOT Order 1050.2: Standard Title VI Assurances

EO12250: Department of Justice Leadership and coordination of Non-discrimination Laws.

EO12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

28 CFR 50.3: Guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.

EO13166: Improving Access to Services for Persons with Limited English Proficiency.

DEFINITIONS

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to: (See Appendix E for additional discussion of “significant”)

- Bodily impairment, infirmity, illness or death
- Air, noise and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of person’s businesses, farms or non-profit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of the City programs, policies and activities

Federal Assistance – Includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, federal property or any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement or other contract which has, as one of its purposes, the provision of assistance.

Limited English Proficiency - Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the City.

Low-Income – A person whose median household income is at or below the Department of Health and Human Service Poverty guidelines (see <http://aspe.hhs.gov/poverty/>).

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City program, policy or activity.

Minority – A person who is:

- a. Black – A person having origins in any of the black racial groups of Africa;
- b. Hispanic – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- c. Asian American – A person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or
- d. American Indian and Alaskan Native – A person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City program, policy or activity.

Non-Compliance – A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Persons – Where designation of persons by race, color or national origin is required, the following designation ordinarily may be used; “White not of Hispanic origin”, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, “American Indian or Alaskan Native”. Additional sub-categories based on national origin of primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program – Includes any road or park project including planning or any activity for the provision of services financial aid or other benefits to individuals. This includes education or training, work opportunities, health welfare, rehabilitation, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient - Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Significant Adverse effects on Minority and Low-Income Populations – An adverse effect that:

- a. is predominantly borne by a minority population and/or a low-income population, or
- b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Sub-Recipient – Any agency such as a council of governments, regional planning agency, or educational institution, for example, that received Federal Highway Administration (FHWA) funds through the State DOT and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

ADMINISTRATION – GENERAL

The City of Manistee designates Michelle Wright, City Clerk, as the Title VI Coordinator (hereinafter referred to as the “Title VI Coordinator”). Wright shall have lead responsibility for coordinating the administration of the Title VI and related statutes, programs, plans, and assurances.

Complaints: If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the City. Complaints may be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

Data Collection: Statistical data on race, color, national origin, English language ability and sex of participants in and beneficiaries of the City programs; e.g., impacted citizens and affected communities will be gathered and maintained by the City. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Reviews: Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The City does not have any special emphasis programs at this time.

Title VI Reviews on Sub-Recipients: Title VI compliance reviews will be conducted annually by the Title VI Coordinator. Priority for conducting reviews will be given to those recipients of federal (U.S. Department of Transportation) funds with the greatest potential of impact to those groups covered by the Act. The reviews will entail examination of the recipients’ adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to relevant U.S. Department of Transportation (USDOT) modes upon request.

Annual Reporting Form: The Title VI Coordinator will be responsible for coordination, compilation, and submission of the annual reporting form data to the Michigan Department of Transportation (MDOT), Civil Rights Program Unit via the Sub-Recipient Annual Certification Form (MDOT form #0179) by October 5th.

Title VI Plan Updates: If updated, a copy of Title VI Plan will be submitted to the MDOT, Civil Rights Program Unit, as soon as the update has been completed, or as soon as practicable, and no later than 30 days if significant changes are made.

Public Dissemination: The City of Manistee will disseminate Title VI Program information to the City of Manistee employees and to the general public. Title VI Program information will be submitted to sub-recipients, contractors and beneficiaries. Public dissemination will include inclusions of Title VI language in contracts and publishing the City’s Title VI Plan within 90 days of approval on the main page of the City of Manistee’s internet website, at www.manisteemi.gov.

Remedial Action: The City through the Title VI Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

LIMITED ENGLISH PROFICIENCY (LEP)

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiencyⁱ, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounterⁱⁱ. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, “LEP,” or Limited English Proficient. The Executive Order states that:

“Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”

Not only do all federal agencies have to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies, to nonprofits and organizations. Title VI covers a recipient’s entire program or activity. This means all parts of a recipient’s operations are covered, even if only one part of a recipient’s organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The City of Manistee receives funds from the US Department of Transportation via the Federal Highway Administration.

The US Department of Transportation published *Policy Guidance Concerning Recipients’ responsibilities to Limited English Proficient Person* in the December 14th, 2005 Federal Register.ⁱⁱⁱ

The Guidance implies that the City of Manistee is an organization that must follow this guidance:

This guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient’s entire program or activity, i.e., to all parts of a recipient’s operations. This is true even if only one part of the recipient receives the Federal assistance. For example, if DOT provides assistance to a state department of transportation to rehabilitate a particular highway on the National Highway System, all of the operations of the entire state department of transportation—not just the particular highway program or project—are covered by the DOT guidance.

Elements of an Effective LEP Policy

The US Department of Justice, Civil Rights Division has developed a set of elements that may be helpful in designing an LEP policy or plan. These elements include:

1. Identifying LEP persons who need language assistance
2. Identifying ways in which language assistance will be provided
3. Training Staff
4. Providing notice to LEP persons
5. The recommended method of evaluating accessibility to available transportation services is the Four-Factor Analysis identified by the USDOT.

These recommended plan elements have been incorporated into this plan.

Methodology for Assessing Needs and Reasonable Steps for an Effective LEP Policy

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to the LEP Community.
4. The resources available to the City of Manistee and overall cost.

The greater the number or proportion of eligible LEP persons, the greater the frequency with which they have contact with a program, activity, or service and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets.

The DOT guidance is modeled after the Department of Justice's guidance and requires recipients and sub-recipients to take steps to ensure meaningful access to their programs and activities to LEP persons. More information for recipients and sub-recipients can be found at <http://www.lep.gov>.

The Four-Factor Analysis

This plan uses the recommended four-factor analysis of an individualized assessment considering the four factors outlined above. Each of the following factors is examined to determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to City of Manistee services and activities that may affect their quality of life. Recommendations are then based on the results of the analysis.

Factor 1: The Proportion, Numbers and Distribution of LEP Persons

The Census Bureau has a range for four classifications of how well people speak English. The classifications are: 'very well,' 'well,' 'not well,' and 'not at all.' For our planning purposes, we are considering people that speak English less than 'very well' as Limited English Proficient persons.

As seen in Table #1, the Census 2011 Data for the City of Manistee shows a small number of the population that speak English less than 'very well.'

TABLE #1

LANGUAGE SPOKEN AT HOME	Estimate	Percentage
Population 5 years and over	5,803	5,803
English only	5,622	96.9%
Language other than English	181	3.1%
Speak English less than "very well"	5	0.1%
Spanish	137	2.4%
Speak English less than "very well"	5	0.1%
Other Indo-European languages	22	0.4%
Speak English less than "very well"	0	0.0%
Asian and Pacific Islander languages	22	0.4%
Speak English less than "very well"	0	0.0%
Other languages	0	0.0%
Speak English less than "very well"	0	0.0%

Factor 2: Frequency of Contact with LEP Individuals

The City has conducted an informal survey of our employees with regard to whether they have had encounters with LEP individuals in the performance of their job functions and found that they rarely have encounters with LEP individuals. We have offices accessible to the public and therefore accessible to LEP individuals and we have staff that work in the field that could encounter LEP individuals. Additionally, regular City Council meetings are held twice per month which could potentially bring LEP individuals to these meetings. Given the small concentration of LEP individuals, as displayed in Table #1 (above), the probability of our employees to encounter an LEP individual is very low.

Factor 3: The Nature and Importance of the Program, Activity, or Service to LEP

The City of Manistee serves individuals throughout the City in a variety of ways including managing roads, water, sewer, police, fire, elections, and other services to residents and other individuals, such as visitors and those traversing the state. The nature of the services that the City provides is very important to an individual's day-to-day life. Therefore the denial of services to an LEP individual could have a significant detrimental effect. Although the number of LEP individuals in the City is small, we will ensure accessibility to all of our programs, services, and activities.

Factor 4: The Resources Available to the City of Manistee and Overall Cost

US Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

“Certain DOT recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written LEP plan.”

The City of Manistee serves very few LEP persons and has very limited resources. However, it has decided to include a LEP section in its Title VI Plan in order to comply with the Executive Order and to ensure access and reasonable accommodations for LEP persons who may be unknown at this time.

Safe Harbor Stipulation

Federal law provides a “Safe Harbor” situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A “Safe Harbor” means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient’s written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is non-compliance, but rather provides a guide for recipients that would like greater certainty of compliance than can be provided by a fact-intensive, four factor analysis. For example, even if a Safe Harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient’s written translation obligations under “Safe Harbor” includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This “Safe Harbor” provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Given the small number of LEP language group members, the City of Manistee’s budget and number of staff, it is deemed that written translations of vital documents would be so burdensome as to defeat the legitimate objectives of our programs. It is more appropriate for the City of Manistee to proceed with oral interpretation options for compliance with LEP regulations.

Providing Notice to LEP Persons

USDOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage, in languages that an LEP individual would understand that free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient's services, including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals that those requiring language assistance and/or special accommodations will be provided the requested service free of charge, with reasonable advance notice to the City of Manistee.

Options and Proposed Actions

Options:

Federal fund recipients have two (2) main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis.^{iv}

The City of Manistee is defining an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.^v

Considering the relatively small size of the City of Manistee, the small number of LEP individuals in the service area, and limited financial resources, it is necessary to limit language aid to the most basic and cost-effective services. However, when requested appropriate assistance will be provided.

What the City of Manistee will do. What actions will the City of Manistee take?

- Notify the public that interpreter services are available upon request, with seven day advance notice.
- With advance notice of seven calendar days, the City will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- The City will utilize the *Translators Resource List* as provided by MDOT for translation services and verbal interpretation.
- The Census Bureau "I-speak" Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual's language has been identified, an agency from the *Translators Resource List* will be contacted to provide interpretation services.

- Publications of the City's complaint form will be made available online and upon request.
- In the event that a City employee encounters a LEP individual, they will follow the procedure listed below:

OFFICE ENCOUNTER

1. Provide an I-speak language identification card to determine the language spoken of the LEP individual.
2. Once the foreign language is determined, provide information to Title VI coordinator who will contact an interpreter from MDOT's *Translators Resource List*.
3. If the need is for a document to be translated, the Title VI coordinator will have the document translated and provided to the requestor as soon as possible.

ROAD ENCOUNTER

1. Road crew employee will immediately contact the Title VI coordinator for assistance, and provide an I-speak language identification card to the LEP individual to determine the language spoken of the individual.
2. Once the foreign language is determined, provide information to Title VI coordinator who will contact an interpreter from MDOT's *Translators Resource List* to provide telephonic interpretation.
3. If the need is for a document to be translated, the Title VI coordinator will have the document translated and provided to the requestor as soon as possible.

IN WRITING

1. Once a letter has been received it will be immediately forwarded to the Title VI Coordinator.
2. The Title VI Coordinator will contact a translator from the MDOT's *Translators Resource List* to determine the specifics of the letter request information.
3. The Title VI Coordinator will work with the selected agency to provide the requested service to the individual in a timely manner.

OVER THE PHONE

1. If someone calls into our office speaking another language every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line and if possible determine the language spoken of the caller.
2. Once the language spoken by the caller has been identified, we will proceed with providing the requested assistance to the LEP individual.

The City of Manistee's Staff Training

The City of Manistee's staff will be provided training on the requirements for providing meaningful access to services for LEP persons.

ENVIRONMENTAL JUSTICE (EJ)

Compliance with Title VI includes ensuring that no minority or low income population suffers “disproportionately high and adverse human health or environmental effect” due to any “programs, policies and activities” undertaken by any agency receiving federal funds. This obligation will be met by the City in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The City will use U.S. Census data to identify low income and minority populations.

Where a project impacts a small number or area of low income or minority populations, the City will document that:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment; etc.
- The project’s impact is unavoidable;
- The benefits of the project far out-weigh the overall impacts; and
- Mitigation measures are being taken to reduce the harm to low income or minority populations.

If it is concluded that no minority and/or low income population groups are present in the project area, the City will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the City will administer potential disproportionate effects test.

The following steps will be taken to assess the impact of projects on minorities and/or low income population groups:

STEP ONE: Determine if a minority or low income population is present within the project area. If the conclusion is that no minority and/or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority population groups and/or low income population groups present, proceed to Step Two.

STEP TWO: Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step Three.

STEP THREE: Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.

STEP FOUR: If after mitigation, enhancements and off-setting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action (b) have increased costs of extraordinary magnitude?

STEP FIVE: Include all findings, determinations or demonstrations in the environmental document prepared for the project.

FILING A TITLE VI COMPLAINT

I. Introduction

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the City programs, activities, and services as required by statute.

II. Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the City for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

III. Roles and Responsibilities

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

IV. Filing a Complaint

The complainant shall make himself/herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of City programs, activities, and services, including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of federal and state funds.

Eligibility: Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the City or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Title VI Coordinator's office. In all situations, the employees of the City must contact the Title VI Coordinator immediately upon receipt of Title VI related complaints.

Complaints must be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know that the act was discriminatory within the 180 day period, he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances

V. Investigation

Investigation Plan: The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s)
- Basis for complaint
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation time line
- Remedy sought by the complainant(s)

Conducting the Investigation:

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- If a Title VI complaint is received on a MDOT related contract against the City of Manistee, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a Title VI complaint filed against the City of Manistee the complaint and any pertinent information should immediately be forwarded to the MDOT, Civil Rights Program Unit.

Investigation Reporting Process:

- Complaints made against a City of Manistee sub-recipient should be investigated by the City following the internal complaint process.
- Within 40 days of receiving the complaint, the investigator prepares an investigative report and submits the report and supporting documentation to the office of City Clerk, the Title VI Coordinator, for review.
- The Title VI Coordinator reviews the file and investigative report. Subsequent to the review, the Title VI Coordinator makes a determination of “probable cause” or “no probable cause” and prepares the decision letter.

Retaliation:

The laws enforced by this City prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint please contact:

Michelle Wright, City Clerk
City of Manistee
70 Maple Street
Manistee MI 49660
Phone: (231) 398-2803
Fax: (231) 723-5410
Email: mwright@manisteemi.gov

Reporting Requirements to an External Agency

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 60 days of the date the complaint was received.

Records

All records and investigative working files are maintained in a confidential area. Records are kept for three years.

APPENDIX A - [TO BE INSERTED IN ALL FEDERAL-AID CONTRACTS]

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 Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, 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, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. **Solicitation 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 the 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 issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department 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 State Highway Department 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 the contractor’s noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding 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 provisions of paragraphs (1) through (6) in every subcontract, including procurement of material 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 State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: 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 State Highway Department 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 B - TRANSFER OF PROPERTY

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Michigan, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4) does hereby remise, release, quitclaim and convey unto the State of Michigan all the right, title and interest of the Department of Transportation in and to said lands described Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)*

TO HAVE AND TO HOLD said lands and interests therein unto the State of Michigan, and its successors forever, subject, however, the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State of Michigan, its successors and assigns.

The State of Michigan, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part, on, over, or under such lands hereby conveyed (,) (and)*(2) that the State of Michigan shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX C - PERMITS, LEASES AND LICENSES

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Michigan Department of Transportation, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases, add, “as a covenant running with the land”) that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan Department of Transportation and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

APPENDIX D - TITLE VI COMPLAINT FORM

**CITY OF MANISTEE
TITLE VI COMPLAINT FORM**

Title VI of the Civil Rights Act of 1964 states that “No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program, service, or activity receiving federal assistance.”

This form may be used to file a complaint with the City of Manistee based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. **Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.**

If you need assistance completing this form, please contact the Michelle Wright by phone at (231) 398-2803 or via e-mail at mwright@manisteemi.gov.

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Please explain your relationship with the individual(s) indicated above: _____

Name of agency and department or program that discriminated:

Agency or department name: _____

Name of individual (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Date(s) of alleged discrimination:

Date discrimination began _____ Last or most recent date _____

ALLEGED DISCRIMINATION:

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Color | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Age | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Income |

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

Signature: _____ Date: _____

Please return completed form to: Michelle Wright, City Clerk, 70 Maple Street, Manistee, MI 49660; Phone: (231) 398-2803; Fax (231) 723-5410; E-Mail: mwright@manisteemi.gov.

Note: *The City of Manistee prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.*

APPENDIX E - DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

- (a) *Context*. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.
- (b) *Intensity*. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:
 - (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the City Clerk.

APPENDIX F - PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS FOR CURRENT PLAN YEAR

1. The City of Manistee's Title VI Plan will be communicated to each City Department Head who will review the plan with departmental employees. All City employees will be trained or made aware of the Title VI and LEP policies and complaint procedures.
2. The City of Manistee's Title VI Plan will be published on the main page of the City's website www.manisteemi.gov, within 90 days of approval.
3. Appendix A will be included in all City contracts as outlined in the Title VI Plan.
4. The language in Number 2 of the City of Manistee's Title VI Assurances will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
5. The procedure(s) for responding to individuals with Limited English Proficiency will be implemented.
6. All City of Manistee employees will be trained or made aware of the LEP procedure and the Title VI complaint procedure.
7. A review of City facilities will be conducted in reference to compliance with the American Disabilities Act.
8. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
 - a. **Boards and Commissions:** The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
 - b. **Public Meetings:** The number of open meetings; how meeting dates and times are communicated to the general public and to individuals directly affected by the meeting.
 - c. **Construction Projects:** The number of construction projects and minority contractors bidding and the number selected; verification that Title VI language was included in bids and contracts for each project.
 - d. **LEP Needs:** The number of requests for language assistance that were requested or required; the outcome of these requests.
 - e. **Complaints:** The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
 - f. **Timeliness of Services:** The number of requests for services; amount of time from request to when service was delivered; number of requests denied.
 - g. **Right of Way/Imminent Domain:** The number of such actions and diversity of individual(s) affected.
 - h. **Program Participants:** Racial data of program participants where possible.

ⁱ The executive order verbatim can be found online at <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>.

ⁱⁱ Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons. Federal Register: December 14, 2005 (Volume 70, Number 239)

ⁱⁱⁱ The DOT has also posted an abbreviated version of this guidance on their website at <http://www.dotcr.ost.dot.gov/asp/lep.asp>.

^{iv} <http://www.dotcr.ost.dot.gov/asp/lep/asp>

^v Department of Justice Final LEP Guidelines, Federal Register June 18, 2002-Vol. 67-Number 117.

**SUB-RECIPIENT APPLICATION FOR CERTIFICATION OF
TITLE VI AND EEO COMPLIANCE AND ASSURANCES**

Title VI of the Civil Rights Act of 1964, related statutes and regulations provide that no person shall on the grounds of race, color, national origin, gender, age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving federal financial assistance. The Civil Rights Restoration Act of 1987 amended Title VI to specify that entire institutions receiving Federal funds, whether schools, colleges, government entities, or private employers must comply with Federal civil rights laws, rather than just the particular programs or activities that receive federal funds.

If you need assistance completing this form or additional information, please contact us by phone at (517) 373-0980, Fax (517) 373-6457 or TDD/TTY through the Michigan Relay Center at (800) 649-3777.

COMPANY/ORGANIZATION NAME	TELEPHONE NUMBER	
STREET ADDRESS	FAX NUMBER	
P.O. BOX	CITY	
COUNTY	STATE	ZIP CODE

Recipients of federal financial assistance must comply with the following procedures for monitoring and ensuring non-discrimination in any program, service, or activity, as required by 23 CFR Appendix A of part 230 Special Provisions.

1. Sub-recipient must establish an Equal Opportunity Policy. Sub-recipient must accept as their operating policy the following: It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment without regard to their race, religion, gender, color, or national origin. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship pre-apprenticeship, and/or on-the-job training.
2. Sub-recipient must designate and make known to MDOT an Equal Opportunity Officer. The individual appointed must be capable of effectively administering and promoting an active program of equal employment opportunity and must be assigned adequate authority and responsibility to do so.
3. The sub-recipient equal opportunity policy must be disseminated to all staff members authorized to hire, supervise, promote, and discharge employees, or who recommend such action. To ensure that the policy is known, periodic meetings of supervisory and personnel office employees must be conducted not less than once every six months.
4. All employees, prospective employees and potential sources of employees should be advised of the sub-recipients equal opportunity policy. Notices and posters setting forth the employer's equal opportunity policy must be placed in areas readily accessible to the aforementioned. The employer's/contractor's equal employment opportunity and the procedures to implement the policy must be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.
5. When advertising for employees, the sub-recipients must include, in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements must be published in newspapers or other publications having a large circulation among minority groups in the area from which the project work force would normally be derived.
6. Sub-recipients must establish a process to investigate all complaints of alleged discrimination and take appropriate corrective action, including a method to inform all complainants of their avenues of appeal. Complainants should be advised of their right to file a complaint with governmental agencies (i.e., the State recipient, the Federal agency providing funds to the state recipient, the Department of Civil Rights, the Department of Justice, etc.).

A copy of 23 CFR Appendix A to Subpart A of Part 230 Special Provisions is available upon request. It provides specific information regarding equal employment opportunity responsibilities.

NAME AND TITLE OF THE EQUAL EMPLOYMENT OFFICER (this individual must be capable of effectively administering and promoting an active equal opportunity program and is assigned adequate authority and responsibility to carry out these duties.)

NAME (Please Print)	COMPANY/ORGANIZATION TITLE (Please Print)
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I certify that I will abide by the equal employment opportunity requirements outlined in this application. I also understand the provisions of Title VI and related statutes. This certification is also my assurance that I will not discriminate on the grounds of race, color, national origin, gender, age, or disability.

AUTHORIZED CORPORATE OR ORGANIZATIONAL OFFICER	TITLE	DATE
--	-------	------

NOTE: You must notify MDOT within 45 days if any of the information you provided on this application changes.

Please return this application to:

Cheryl Hudson, EEO Officer
Michigan Department of Transportation
425 W. Ottawa Street
Lansing, Michigan 48933
(517) 373-0980
HudsonC1@michigan.gov

Do not write in this area below

APPROVAL	DATE



MEMORANDUM

Planning & Zoning
231.398.2805
Fax 231.723-1546
www.mansiteemi.gov

TO: Mitch Deisch, City Manager 

FROM: Denise Blakeslee, Planning & Zoning Administrator 

DATE: January 10, 2014

RE: Non-Motorized Transportation Committee By-Law Amendments



Mitch, the City of Manistee Non-Motorized Transportation Committee amended Section 2 Purpose, Section 3 Officers, and changed "Commission" to Committee as needed in their By-Laws at their January 9, 2014 meeting. These changes are as follows:

Section 2.0 Purpose.

The purpose of the Committee shall be to work to provide safe, scenic routes, *accessibility for people of all abilities*, throughout the City *and also* ~~that~~ encourages non-motorized transportation *and water trails* use for fitness, transportation and tourism while enhancing the City's attributes and appeal and connecting the City to surrounding communities.

Section 3.0 Officers

- 3.1 Selection: The Committee shall elect a Chair, Vice-Chair, and Secretary. The election shall take place during the first meeting of each calendar year in January. Officers shall be selected by majority vote of the *members* ~~Commissioners~~ and shall serve for one (1) calendar year. The Secretary may appoint a Recording Secretary.
- 6.2 In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Board Member from attending the scheduled meeting; the *Committee* ~~Commission~~ Chair or staff Liaison to the Non-Motorized Transportation Committee should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend. The Board Member upon this notification will receive an "excused absence" for the involved scheduled meeting.
- 6.3 If any Board Member is absent from three (3) consecutive scheduled meetings without an "excused absence" for any of the three (3) meetings, the Board Member shall be reported in writing to the City Manager. The City Manager will contact the Board Member in writing and question his/her continued ability or interest in being on the *Committee* ~~Commission~~, giving the member a chance to rectify the attendance issue or submit a resignation.

- 6.4 There will be no limit on the number of consecutive "excused absences" for any Board Member. However, if the Board Member is repeatedly absent for at least 50% of the yearly scheduled meetings, that member will also be reported in writing to the City Manager. The City Manager will contact the Board Member in writing and question the member's continued ability or interest to be on the ~~Committee Commission~~. The Board Member will be considered for an appointment nullification when the absences total six in the calendar year.

Enclosed is a copy of the By-Laws for Council's consideration.

:djb

City of Manistee

Non-Motorized Transportation Committee

By-Laws and Rules of Procedure

Section 1.0 Name.

The name of the Board shall be the "Non-Motorized Transportation Committee".

Section 2.0 Purpose.

The purpose of the Committee shall be to work to provide safe, scenic routes, accessibility for people of all abilities, throughout the City and also encourage non-motorized transportation and water trails for fitness, transportation and tourism while enhancing the City's attributes and appeal and connecting the City to surrounding communities.

Section 3.0 Officers

- 3.1 Selection: The Committee shall elect a Chair, Vice-Chair, and Secretary. The election shall take place during the first meeting of each calendar year in January. Officers shall be selected by majority vote of the members and shall serve for one (1) calendar year. The Secretary may appoint a Recording Secretary.
- 3.2 Tenure: The officers shall take office at the start of the next regular meeting following their selection and shall hold office for a term of one year, or until their successors are selected and assume office.

Section 4.0 Officer Duties

- 4.1 Chair. The Chair shall:
- a) Preside at all meetings.
 - b) Periodically meet with City department staff.
 - c) Appoint an acting secretary for a meeting in which the secretary is absent.
 - d) Perform such other duties as may be ordered or authorized by the Non-Motorized Transportation Committee.
- 4.2 Vice-Chair. The Vice-Chair shall:
- a) Act in full capacity of the Chair in the absence of the Chair.
 - b) In the event that the office of the Chair becomes vacant, shall succeed to the office of Chair for the unexpired term. The Non-Motorized Transportation Committee shall then select a successor to the office of Vice-Chair from its membership for the unexpired term.
- 4.3 Secretary. The Secretary or his or her designee shall:
- a) Be responsible for the agendas and minutes of each meeting and shall have them appropriately distributed.
 - b) Keep attendance records.
 - c) Execute documents in the name of the Non-Motorized Transportation Committee as authorized by the Non-Motorized Transportation Committee.

Section 5.0 Vacancies, Removal

Vacancies shall be filled for unexpired terms in the same manner as original appointments. A member may be removed from office by the appointing City Council for neglect of official duty or misconduct in office after being given a written statement for reasons and an opportunity to be heard thereon

Section 6.0 Board Absences

In order to maintain the maximum participation of all appointed Non-Motorized Transportation Committee members at all scheduled meetings, the following is the attendance guide and Board Member replacement policy for “excused” or “unexcused” absences:

- 6.1 When appointed, each Board Member should state his/her willingness and intention to attend each scheduled meeting of the Non-Motorized Transportation Committee.
- 6.2 In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Board Member from attending the scheduled meeting; the Committee Chair or staff Liaison to the Non-Motorized Transportation Committee should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend. The Board Member upon this notification will receive an “excused absence” for the involved scheduled meeting.
- 6.3 If any Board Member is absent from three (3) consecutive scheduled meetings without an “excused absence” for any of the three (3) meetings, the Board Member shall be reported in writing to the City Manager. The City Manager will contact the Board Member in writing and question his/her continued ability or interest in being on the Committee, giving the member a chance to rectify the attendance issue or submit a resignation.
- 6.4 There will be no limit on the number of consecutive “excused absences” for any Board Member. However, if the Board Member is repeatedly absent for at least 50% of the yearly scheduled meetings, that member will also be reported in writing to the City Manager. The City Manager will contact the Board Member in writing and question the member’s continued ability or interest to be on the Committee. The Board Member will be considered for an appointment nullification when the absences total six in the calendar year.
- 6.5 The appointment nullification action would be initiated by the City Manager and forwarded on to the City Council for official action.

Section 7.0 Meetings

- 7.1 Regular Meetings: Meetings shall be held monthly to conduct the business of the Committee. Meeting times and locations shall be posted and open to the public with time set aside at each meeting to receive public comment on agenda items. All actions taken by the Committee shall be recorded by the Secretary and filed with the Manistee City Clerk. All meetings and Committee business shall comply with the Open Meetings Laws of the State of Michigan.
- 7.2 Quorum: Three (3) of the seven (7) members appointed by City Council in accordance with Chapter 263 of the Codified Ordinances shall constitute a quorum for the transaction of business. Whenever a quorum is not present at a meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting when a quorum is present by acting to approve the minutes of the meeting at which the quorum was not present.
- 7.3 Order of Business: The Chair or his/her designee shall prepare an agenda for each meeting and the order

of business shall follow in an orderly manner according to the agenda. A designated period for public comment on agenda items shall be allowed. A time limit for discussion and/or comment may be set by the Chair.

- 7.4 Rules of Procedure: All meetings of the Committee shall be conducted in accordance with generally accepted parliamentary procedure as adopted by City Council for all Boards and Commissions within the City of Manistee.

Section 8.0 Expense Reimbursement

Committee members shall be reimbursed by the City of Manistee for all pre-approved out of pocket expenses incurred in carrying out the official business of the Committee.

Section 9.0 Conflict of Interest

In the event that business being carried out by the Committee may have a personal or financial impact on a member of the Committee or their immediate family, or any corporation or business of which a Committee Member is an officer or director, the Committee member must disclose the conflict of interest and refrain from voting on that particular business. If any question of whether or not a conflict exists cannot be determined by the Committee, then the matter of the questions shall immediately be referred in writing to the Manistee City Attorney for consultation and recommendation.

Section 10.0 Annual Review of By-laws

The Committee shall annually review their By-Laws at the regularly scheduled meeting in January.

Section 11.0 Changes or Amendments.

All changes or amendments to the By-Laws must be approved by the majority of the Non-Motorized Transportation Committee Members. Such changes or amendments must be presented to the Non-Motorized Transportation Committee in writing for consideration and may not be voted upon until the following regularly scheduled meeting.

I HEREBY CERTIFY that the above Bylaws were adopted the 9th day of January 2014.



Dave Yarnell, Secretary

[Annotation: As approved by the City Council at their June 2, 2009 Meeting - Council authorized the bylaw amendments for all Boards and Commissions to include the new Board Absences language; directed all boards or commissions to implement and follow these changes as Council has requested; and authorized the Mayor to sign the amended bylaws.]

[Annotation: On February 14, 2013 The Non-Motorized Transportation Committee amended Section 3 Officers and Section 4 Officers Duties to add Secretary, removing Recording Secretary.]

{Annotation: On January 9, 2014 The Non-Motorized Transportation Committee amended Section 2 Purpose, Section 3 Officers, and changed "Commission" to Committee as needed in the document.}

Approved by the City of Manistee Council

Colleen Kenny, Mayor

Date



APPLICANTS NEEDED

BOARDS and COMMISSIONS VACANCIES

BOARD OF REVIEW (*alternate member*). One unexpired term ending 12/31/14. Applicants shall be taxpaying electors of the City who are owners of property assessed for taxes in the City and, at the time of their appointment, are neither elected or appointed officials of the City.

DOWNTOWN DEVELOPMENT AUTHORITY. One vacancy for an *At Large Member* – unexpired term ending 06/30/15. Purpose: Central business district and tax increment financing authority.

HISTORIC DISTRICT COMMISSION. Three vacancies – (1) unexpired term ending 02/28/15; and (2) three year terms ending 02/28/17. Purpose: Historic preservation.

NON-MOTORIZED TRANSPORTATION COMMITTEE. Two unexpired terms ending 03/31/14 and 03/31/15. Purpose: Provide safe, scenic routes throughout the City that encourages non-motorized transportation use for fitness, transportation and tourism.

PARKS & BEAUTIFICATION COMMISSION. Two unexpired terms ending 06/30/14 and 06/30/16. Purpose: Advisory on parks development, maintenance, improvements, & identifying, planning, implementing public & private beautification projects.

PLANNING COMMISSION. One unexpired term ending 10/31/16. Purpose: Reviews Master Plan, zoning, site plans, & development issues.

TREE COMMISSION. One vacancy – three year term ending 12/31/16. Purpose: Oversees public (parks/boulevards) tree program.

ZONING BOARD OF APPEALS (*alternate member*). One unexpired term ending 05/31/15. Purpose: Hears appeals to zoning and building issues.

Application forms are available at the City Clerk's office, 70 Maple Street or on the City website at <http://www.manisteemi.gov> . All applications should be returned prior to the January 21, 2014 City Council meeting when appointments will be made.



RECEIVED

JAN 14 2014

CITY OF MANISTEE
CLERK-TREASURER

APPLICATION FOR APPOINTMENT

Thank you for your expression of interest in serving this community by volunteering for appointment to a board or commission. Please provide the requested information in addition to any other information you think appropriate for the Mayor and City Council to consider. Please plan on attending the Council meeting at which this matter will be considered. The public notice for this vacancy included that date.

BOARD OR COMMISSION APPLIED FOR: Board of Review

NAME: Erin Pontiac

ADDRESS: 1003 Engelman St.
Manistee, MI 49660

PHONE: (Home) 231-510-3457 (Work) _____

E-MAIL: erinpontiac@gmail.com (X) personal or () work

I want to volunteer for this position because:

I would like to get involved in my community
and I thought this would be a great place to
start. I would also like to have a voice in the city I
live in.

Please add any particular education, experience or background you think appropriate to include:

I have over 10 years of experience in accounting.
I have a degree in business management and I
have a good understanding of taxes.

Feel free to attach any additional information.

I (will) (will not) be able to attend the Council meeting. Please circle one.

Erin Pontiac 1/14/14
Signature Dated

The City of Manistee does not discriminate on the basis of race, color, religion, sex, national origin, age or disability. If you have a disability and may need accommodation to participate fully on this board or commission, please contact the City ADA Officer, or check this box and someone will contact you to discuss your needs.



APPLICATION FOR APPOINTMENT

Thank you for your expression of interest in serving this community by volunteering for appointment to a board or commission. Please provide the requested information in addition to any other information you think appropriate for the Mayor and City Council to consider. Please plan on attending the Council meeting at which this matter will be considered. The public notice for this vacancy included that date.

BOARD OR COMMISSION APPLIED FOR: Downtown Development Authority ~~Resident~~ Member

NAME: Brandon Ball
ADDRESS: 345 Fifth Street
Manistee, MI 49660

PHONE: (Home) 231-690-4981 (Work) 231-690-4981

E-MAIL: brandon@c21boardwalk.com personal or work

I want to volunteer for this position because:

I would like to be involved in improving downtown. I believe the best type of volunteering is through public service.

I feel that I can bring knowledge and experience when defining potential business person needs and expectations.

Please add any particular education, experience or background you think appropriate to include:

I have been selling real estate in Manistee for 7 years and I have worked many listings of commercial buildings specifically in the downtown district. I have consulted with many different persons who are already part of the downtown development authority team regarding incentives and business recruitment.

Feel free to attach any additional information.

I (will) (will not) be able to attend the Council meeting. Please circle one.

Signature

11.26.13
Dated

The City of Manistee does not discriminate on the basis of race, color, religion, sex, national origin, age or disability. If you have a disability and may need accommodation to participate fully on this board or commission, please contact the City ADA Officer, or check this box and someone will contact you to discuss your needs.



APPLICATION FOR APPOINTMENT

Thank you for your expression of interest in serving this community by volunteering for appointment to a board or commission. Please provide the requested information in addition to any other information you think appropriate for the Mayor and City Council to consider. Please plan on attending the Council meeting at which this matter will be considered. The public notice for this vacancy included that date.

BOARD OR COMMISSION APPLIED FOR: Historic District Commission

NAME: Mary E. Russell
ADDRESS: 272 Lighthouse Circle
Manistee MI 49660

PHONE: (Home) 231-723-4348 ^{cell} _(Work) 859-967-3849

E-MAIL: mduncan46@charter.net personal or work

I want to volunteer for this position because:

I believe my skill sets can add to the strengths of this team. I would like to continue to participate in preserving the historic integrity of the City of Manistee

Please add any particular education, experience or background you think appropriate to include:

Project management skills; accounting; event planning; training; communication skills

Feel free to attach any additional information.

I (will) (will not) be able to attend the Council meeting. Please circle one.

Mary E. Russell 1/6/14
Signature Dated

The City of Manistee does not discriminate on the basis of race, color, religion, sex, national origin, age or disability. If you have a disability and may need accommodation to participate fully on this board or commission, please contact the City ADA Officer, or check this box and someone will contact you to discuss your needs.



MEMORANDUM

Planning & Zoning
231.398.2805
Fax 231.723-1546
www.mansiteemi.gov

TO: Mitch Deisch *MD*
City Manager

FROM: Denise Blakeslee
Planning and Zoning Administrator *DB*

DATE: January 10, 2014

RE: Non-Motorized Transportation Committee Annual Events



Mitch, the City of Manistee Non-Motorized Transportation Committee holds two events annually. They are Healthy Active Manistee (H.A.M. it Up!) and the Labor Day Bridge Walk. At their meeting on June 13 2013 the Non-Motorized Transportation Committee scheduled the dates for both events.

- H.A.M. it Up! - will be held May 17, 2014 through May 23, 2014
- Labor Day Bridge Walk – Monday, September 1, 2014

In order to begin event promotions, we are asking for Council approval now. The actual routes will be submitted to Chief Bachman at a later date for approval.

:djb

Denise Blakeslee

From: Dave Bachman
Sent: Friday, January 10, 2014 10:21 AM
To: Denise Blakeslee
Subject: RE: Events - H.A.M. it Up & Labor Day Bridge Walk

We support and endorse the project.

There is no interruption of public transit or really any city resources being used

If there is a change please let me know

db

From: Denise Blakeslee
Sent: Friday, January 10, 2014 9:57 AM
To: Dave Bachman
Subject: Events - H.A.M. it Up & Labor Day Bridge Walk

Dave,

I am preparing the Council Agenda Request form for the Annual H.A.M. it Up and Labor Day Bridge Walk Events for Council approval. While we are looking for Council's endorsement of the events the routes for the 5K run/walk (during H.A.M.) and the route for the Labor Day Bridge walk will be developed by the Committee before the events. This is the same as we did last year.

I wanted to verify with you since we are asking for endorsement from Council before submitting the Event Form for your department that this will work for you. Please let me know.

Thank you.

Sincerely,

Denise


City of Manistee
Planning & Zoning
70 Maple Street, Manistee, MI 49660

Denise J. Blakeslee 231.398.2805
Administrator Fax 231.723-1546
Email: dblakeslee@manisteemi.gov www.manisteemi.gov