

MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN
AGENDA

WAYS AND MEANS

Hall of Justice
990 Terrace, Muskegon, MI 49442
July 11, 2013 - 4:00 p.m

James Derezinski, Chair
Charles Nash, Vice-Chair

-
1. Call to Order
 2. Roll Call
 3. Approval of the Minutes of the June 18, 2013
 4. Public Comment (on an agenda item)
 5. Items for Consideration

WM13/07 – 71 (Administration) Approve Accounts Payable
WM13/07 – 72 (Administration) Adopt the Resolution Authorizing General
Obligation Limited Tax Bonds
WM13/07 – 73 (Public Works) Award Contract for Parking Analysis and
Modification to Westshore Consulting

6. Old Business
7. New Business
8. Public Comment
9. Adjournment

Public Comment

Persons may address the Commission during the time set aside for Public Comment or at any time by suspension of the rules. All persons must address the commission and state their name for the record. Comments shall be limited to **two (2) minutes** for each participant, unless time is extended prior to the public comment period by a vote of a majority of the commission.

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The County of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting upon 24-hour notice to the County of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the County of Muskegon by writing or calling: Administration, 990 Terrace Street, Muskegon, MI 49442 (231) 724-6520

**Muskegon County
Ways & Means Committee
June 18, 2013
4:00 p.m.
Hall of Justice
990 Terrace
Muskegon, MI**

James Derezinski, Chair

Charles Nash, Vice-Chair

MINUTES

CALL TO ORDER

The meeting was called to order by Commissioner Nash at 4:00 p.m.

ROLL CALL

Present: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Terry Sabo, Robert Scolnik, Rillastine Wilkins

Excused: James Derezinski

APPROVAL OF MINUTES

It was moved by Mahoney, supported by Cross, to approve the minutes of the June 6, 2013, meeting as written. Motion carried.

PUBLIC COMMENT (On an agenda item)

None.

ITEMS FOR CONSIDERATION

- WM13/06 – 60 It was moved by Cross, supported by Hughes, to approve payment of the accounts payable of \$2,156,159.55 covering the period of June 1, 2013 through June 10, 2013 as presented by the County Clerk. Motion carried.
- WM13/06 – 61 It was moved by Sabo, supported by Cross, to approve the Inter Local Agreement between the City of Muskegon and the County of Muskegon to submit a joint application to the Department of Homeland Security and authorize the Chairman of the County Board of Commissioners to sign the application. Motion carried.

- WM13/06 – 62 It was moved by Wilkins, supported by Hughes, to authorize the Board Chairman to execute the agreement between the Muskegon Community Health Project and the County of Muskegon from July 1, 2013 through June 2014 with renewal provisions for one year thereafter. Motion carried.
- WM13/06 – 63 It was moved by Cross, supported by Hughes, to authorize staff to apply for funding under the Michigan Comprehensive Cancer Control Program: Community Implementation Project, 2013-2015 in the amount of \$40,000 with a 10% match coming from the Public Act 2 funds. Motion carried.
- WM13/06 – 64 It was moved by Sabo, supported by Mahoney, to authorize the Chairman of the County Board of Commissioners to enter into and sign the Memorandum of Understanding between Muskegon County and the cities of Muskegon and Muskegon Heights for the submission of the JAG grant by the City of Muskegon. Motion carried.
- WM13/06 – 65 It was moved by Wilkins, supported by Cross, to authorize the District Court to terminate the public defender contract with Benjamin Medema and approve a contract with Angella Guerrero, through its Chief Judge the Honorable Maria Ladas Hoopes for the remainder of the \$43,541.65 (\$11,875.00) board approved contract through September 30, 2013 and authorize Board Chair to sign said contract. Motion carried.
- WM13/06 – 66 It was moved by Hughes, supported by Mahoney, to authorize Finance and Management Services/Purchasing Office to sell County surplus vehicles through the sealed quotation process. Motion carried.
- WM13/06 – 67 It was moved by Cross, supported by Wilkins, to approve renewal of the Professional Liability insurance policy, covering CMH psychiatrists, for the policy period June 26, 2013 – June 26, 2014 in the amount of \$15,432 with RSUI Landmark. Motion carried.
- WM13/06 – 68 It was moved by Mahoney, supported by Wilkins, to accept the grant from United Way of the Lakeshore for \$50,000 from the DTE Foundation to provide low income youth with a Summer Youth Experience as approved by the Muskegon-Oceana Workforce Development Board. Motion carried.
- WM13/06 – 69 It was moved by Cross, supported by Sabo, to accept the grant from Muskegon Community College for \$55,000 to assist the college with the "Credentials to Careers" grant awarded by the US Department of

Labor as approved by the Muskegon-Oceana Workforce Development Board. Motion carried.

WM13/06 – 70 It was moved by Cross, supported by Hughes, to allow the Sheriff's Office to apply for the State Criminal Alien Assistance Program (SCAAP), Off-Road Vehicle (ORV) and the Snowmobile grants. Motion carried.

OLD BUSINESS

Commissioner Hughes requested notifying the Muskegon County JAG LEED (Leadership in Energy and Environmental Design) program participants of the upcoming jail and juvenile transition center project in an effort to assist them in pursuing employment. Ms. Hammersley, County Administrator, will share that information with Granger Construction the construction management company.

Commissioner Nash spoke of his continued efforts in assisting individuals in the community seeking County employment. He also discussed the need for diversity in the work place. Commissioners discussed their desire to review EEO data specifically and further discuss.

NEW BUSINESS

None.

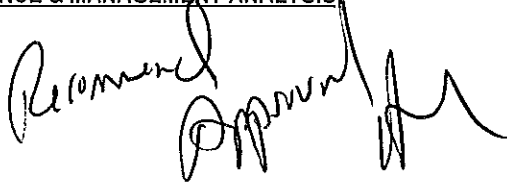

PUBLIC COMMENT (On a new topic)

None.

ADJOURNMENT

There being no further business to come before the Ways & Means Committee, the meeting adjourned at 4:27 p.m.


REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED		
REQUESTING DEPARTMENT Administration		COMMITTEE DATE July 11, 2013		REQUESTOR SIGNATURE Bonnie Hammersley
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
Accounts payable – already distributed.				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
I move to approve payment of the accounts payable of \$29,619,930.81 covering the period of June 11, 2013 through July 3, 2013, as presented by the County Clerk.				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u>		
				
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>		
				
If motion originates from a Statutory Board, Authority or Advisory Committee, please provide the date the motion was approved by that Board/Authority/Committee.				
<div style="border: 1px solid black; display: inline-block; padding: 5px 20px;">N/A</div>				
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RECAP
FOR ACCOUNTS PAYABLE

Total checks issued	06/11/13	through	07/03/13	\$ 7,333,186.65
Total P-Card Purchases	05/01/13	through	05/31/13	\$ 116,804.93
Total Electronic Fund Transfers	05/01/13	through	06/27/13	<u>22,169,939.23</u>
	TOTAL ACCOUNTS PAYABLE			<u>\$ 29,619,930.81</u>

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED X	
REQUESTING DEPARTMENT Administration	COMMITTEE DATE July 11, 2013	REQUESTOR SIGNATURE Bonnie Hammersley	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
<p>On April 23, 2013, the Board of Commissioners authorized a resolution authorizing notice of intent to issue bonds and declaring intent to reimburse for expenditures for the Jail-Juvenile Transition Center (JTC) Project. The notice was published in the Muskegon Chronicle on Monday, April 29, 2013. The forty-five (45) day right to referendum expired on June 12, 2013. Per the County Clerk's Office, no petition was filed. The advertisement included indebtedness not to exceed forty (\$40) million and a term of thirty (30) years.</p> <p>Due to current market conditions, interest rates have risen and the expectation is that they will continue to rise.</p>			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
<p>I move to adopt the Resolution Authorizing General Obligation Limited Tax Bonds, Series 2013. The Resolution provides for the issuance of bonds in the principal amount of not-to-exceed forty (\$40) million in total with a maximum project fund deposit of thirty-four (\$34 million) for the project. The remaining funds will be used to fund capitalized interest and any costs associated with issuance of the bonds. The Resolution authorizes Administration to select investment banking firms to negotiate the sale of the bonds and to sell the bonds within the parameters set forth in the Resolution.</p>			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u>	
		Recommend Approval Heath Kaplan	
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>	
			
If motion originates from a Statutory Board, Authority or Advisory Committee, please provide the date the motion was approved by that Board/Authority/Committee			N/A
AGENDA DATE: 7-11-13	AGENDA NO.: WM13/07-72	BOARD DATE: 7-16-13	PAGE NO.

**RESOLUTION AUTHORIZING
GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2013
COUNTY OF MUSKEGON, STATE OF MICHIGAN**

Minutes of a regular meeting of the County Board of Commissioners of the County of Muskegon, State of Michigan (the "County"), held on July 16, 2013, at 4:00 o'clock p.m., Eastern Daylight Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the County does hereby determine that it is necessary to pay all or part of the costs of acquiring, constructing, renovating, furnishing and equipping a new jail/juvenile facility, including related site improvements (the "Project"); and

WHEREAS, to finance the cost of the Project, the County Board of Commissioners deems it necessary to borrow the principal amount of not to exceed Forty Million Dollars (\$40,000,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") to pay the cost of the Project; and

WHEREAS, a notice of intent for bonds was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the County unless a proper petition for an election on the question of the issuance of the bonds is filed with the County Clerk within a period of forty-five (45) days from the date of publication and no petition was filed with the Clerk within the forty-five day period; and

WHEREAS, the Board of Commissioners desires to authorize the issuance and sale of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the County designated GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2013 (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Forty Million Dollars (\$40,000,000) for the purpose of paying the cost of the Project, funding capitalized interest, and paying the costs incidental to the issuance, sale and delivery of the Bonds.

The Bonds shall consist of bonds registered as to principal and interest of the minimum denomination of \$5,000 or multiples thereof not exceeding for each maturity the aggregate principal

amount of such maturity, dated as of the date of delivery (or such other date as determined by an Authorized Officer, as hereinafter defined), numbered as determined by the Transfer Agent (hereinafter defined), maturing on November 1 (or such other date or dates as determined at the time of sale thereof) in the years 2014 to 2043, inclusive (or such other years as determined at the time of sale thereof), and subject to redemption in the manner and at the times and prices to be determined at the time of sale by the County Administrator or the Finance and Management Services Director (each an "Authorized Officer", and together the "Authorized Officers"). The Bonds shall bear interest at a rate or rates to be determined at the time of sale thereof, payable on May 1st and November 1st of each year, or such other dates and in such years as determined at the time of sale by an Authorized Officer.

Interest on the Bonds shall be payable to the registered owner of record as of the fifteenth (15th) day of the month preceding each interest payment date. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the County to conform to market practice in the future. Interest shall be payable by check or draft drawn by the Transfer Agent (as hereinafter defined), and mailed to the registered owner at the registered address as shown on the registration books of the County maintained by the Transfer Agent. The principal of the Bonds shall be payable upon presentation and surrender to the Transfer Agent.

U.S. Bank National Association, Grand Rapids, Michigan is hereby appointed to serve as bond registrar, paying agent and transfer agent (the "Transfer Agent") for the Bonds. The Authorized Officers are each hereby authorized to execute one or more agreements with the Transfer Agent on behalf of the County. The County reserves the right to replace the Transfer Agent at any time upon written notice to the registered owners of record of the Bonds not less than sixty (60) days prior to an interest payment date.

The Bonds may be issued in book-entry-only form through the Depository Trust Company in New York, New York ("DTC") and any officer of the County is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form and to make such changes in the Bond form within the parameters of this resolution as may be required to accomplish the foregoing. Provided that CUSIP identification numbers are printed on the Bonds, all expenses in relation to the assignment of said numbers shall be paid for by the purchaser of the Bonds pursuant to an agreement between the County and the purchaser of the Bonds.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the County with the manual or facsimile signatures of the Chairman of the Board of Commissioners and County Clerk of the County and shall have the seal of the County, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the Finance Director of the County upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the County. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the County shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for

like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the County. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The County hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The County shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the County subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the County Board of Commissioners, to be designated GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2013 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the County Board of Commissioners, to be designated GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2013 CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN

COUNTY OF MUSKEGON

GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2013

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	November 1, _____	_____, 2013	

Registered Owner:

Principal Amount:

Dollars

The County of Muskegon, State of Michigan (the "County"), acknowledges itself to owe and for value received hereby promises to pay, to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on November 1, 2013 and semiannually thereafter. Principal of this bond is payable at the designated corporate trust office of U.S. Bank National Association, Grand Rapids, Michigan, or such other transfer agent as the County may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the County kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the County are hereby irrevocably pledged.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$ _____, issued for the purpose of paying the cost of certain capital improvements for the County. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended and a duly adopted resolution of the County.

Bonds of this issue maturing in the years ____ to ____, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 2024 and thereafter shall be subject to redemption prior to maturity, at the option of the County, in any order of maturity and by lot within any maturity, on any date on or after November 1, ____, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

This bond is transferable only upon the registration books of the County kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the County, and the County is required, if necessary, to levy ad valorem taxes on all taxable property in the County for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the County, including this bond, does not exceed any constitutional or statutory debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the County of Muskegon, by its County Board of Commissioners, has caused this bond to be signed in its name with the facsimile signatures of its Chairman and the County Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

COUNTY OF MUSKEGON
State of Michigan

By: _____
Its: Chairman

(SEAL)

By: _____
Its: County Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

U.S. Bank National Association
Grand Rapids, Michigan
Transfer Agent

By: _____
Authorized Signatory

7. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than thirty (30) years.

8. Negotiated Sale. The County Board of Commissioners has considered the option of selling the Bonds through a competitive sale and a negotiated sale, and, pursuant to the requirements of Act 34, hereby determines that a negotiated sale of the Bonds will result in the most efficient and expeditious means of selling the Bonds and will result in the lowest interest cost to the County.

9. Bond Purchase Agreement; Delegation to Authorized Officer; Sale Order. The Authorized Officers are each hereby authorized to select and negotiate the sale of the Bonds with an investment banking firm or firms (the "Underwriter"), negotiate and execute a bond purchase agreement with the Underwriter, execute a Sale Order specifying the final terms of the Bonds and take all other necessary actions required to effectuate the sale, issuance and delivery of the Bonds; *provided* that the principal amount of Bonds issued shall not exceed Forty Million Dollars (\$40,000,000), the amount to be deposited in the Construction Fund shall not exceed Thirty-Four Million Dollars (\$34,000,000), the true interest cost on the Bonds shall not exceed five percent (5%) and the Underwriter's discount shall not exceed 2% of the principal amount of the Bonds.

10. Adjustment of Bond Terms. The Authorized Officers are each hereby authorized to adjust the final bond details as set forth herein to the extent necessary or convenient to complete the sale of the Bonds and in pursuance of the foregoing is each authorized to exercise the authority and make the determinations pursuant to Sections 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, date of issuance, interest payment dates, redemption rights and other matters within the parameters established by this resolution.

11. Tax Covenant. The County shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Code, including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds.

12. Appointment of Bond Counsel. The appointment of the law firm of Miller, Canfield, Paddock and Stone, P.L.C. of Detroit, Michigan, as Bond Counsel for the Bonds is hereby confirmed, notwithstanding the periodic representation by Miller, Canfield, Paddock and Stone, P.L.C., in unrelated matters of parties or potential parties to the transaction contemplated by this resolution.

13. Appointment of Financial Advisor. The County hereby appoints First Southwest Company, Dallas, Texas, as financial advisor with respect to the Bonds.

14. Authorization of Other Actions. The Authorized Officers are each authorized and directed to do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the Bonds, including procuring a policy of municipal bond insurance with respect to the Bonds or causing the qualification of the Bonds therefor if, upon the advice of the financial advisor to the County, the acquisition of such insurance would be of economic benefit to the County, obtaining ratings on the Bonds, and to take all other actions necessary or advisable, and make such other filings with the Michigan Department of Treasury or with other parties, to enable the issuance, sale and delivery of the Bonds as contemplated herein.

15. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members: _____

NAYS: Members: _____

RESOLUTION DECLARED ADOPTED.

County Clerk

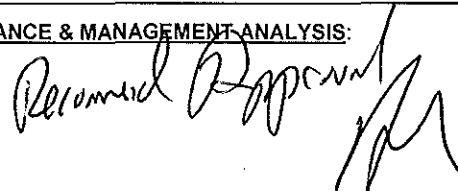
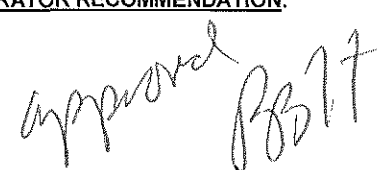
I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners of the County of Muskegon, State of Michigan, at a regular meeting held on July 16, 2013, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

County Clerk

21,288,438.2\063688-00068

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED		
REQUESTING DEPARTMENT Public Works		COMMITTEE DATE July 11, 2013		REQUESTOR SIGNATURE John Warner
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Recently a Request For Qualifications (RFQ-13-2071) was sent out for consulting services to analyze the current parking situation in the HOJ employee parking lot and make recommendations to maximize parking in the lot. This will include design and oversight for paving the southeast corner of the block which is currently grass. On MITN, 552 vendors were notified of the RFQ, 49 vendors downloaded the information and 2 sets of qualifications were received. The two respondents were Prein & Newhof and Westshore Consulting. After a committee reviewed the submittals and interviewed both respondents, it was determined that both consultants were well qualified to perform the work requested. Of the two, Westshore submitted a lower cost to perform the work. Staff recommends contracting with Westshore Consulting for the parking lot analysis and modification work for their submitted base cost of \$37,380 with costs being paid from the Jail Planning Fund, 4660-4661.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to award the contract for parking lot analysis and modification (RFQ-13-2071) to Westshore Consulting for their quoted base cost of \$38,380 with costs being paid from the Jail Planning Fund, 4660-4661.</p>				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u> 		
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u> 		
If motion originates from a Statutory Board, Authority or Advisory Committee, please provide the date the motion was approved by that Board/Authority/Committee				N/A
AGENDA DATE: 7-11-13	AGENDA NO.: Wm13/07-73	BOARD DATE: 7-16-13	PAGE NO.	

MUSKEGON COUNTY QUALIFICATIONS SUMMARY

Commodity Number: 913-36, 918-42, 962-59

Qualifications: RFQ 13-2071

Department: Administration

Release Date: 03/26/13

Product / Service: Professional Engineering Services

Opening Date: 04/08/13

***MITN Solicitation Statistics**
Vendors Received Notice: 552
Vendors Accessed Attachments: 49
Qualifications Received: 2
No-Qualifications Form Received: 3

Vendor Name & Address	Sub-Contractor Total Cost	Project Expenses and Mileage Total Cost	Total Cost	Option Landscape Design Total Cost	Option Lighting Design Total Cost	Option Storm Sewer Assessment Total Cost
Prein & Newhof 4920 Stariha Drive Muskegon, MI 49441	\$4,575.00	\$2,730.00	\$49,930.00	No Bid	No Bid	No Bid
Westshore Consulting 2534 Black Creek Road Muskegon, MI 49444	\$1,875.00	\$1,000.00	\$37,380.00	\$2,250.00	\$2,000.00	\$4,000.00
Estimated Cost \$50,000.00 No Advertisement in Local Paper						

Department Recommendation:
Westshore Consulting @ \$37,380.00
No Options

Buyer Name: Christine R. Johnson

Witness Name: Tina Nash

Finance & Management Services Director Name: Heath Kaplan

Signature: 

Vendor Awarded: _____

Board Approval Date: _____

Purchase Order Number: _____

EVALUATION SUMMARY

**Professional Engineering Services
RFQ 13-2071**

Qualifications Evaluation Summary

<i>Firm Name</i>	<i>E1</i>	<i>E2</i>	<i>E3</i>	<i>Average</i>	<i>Score</i>
<i>Prein & Newhof</i>	<i>940.0</i>	<i>805.0</i>	<i>900.0</i>	<i>881.7</i>	<i>1</i>
<i>Westshore Consulting</i>	<i>920.0</i>	<i>835.0</i>	<i>750.0</i>	<i>835.0</i>	<i>2</i>

Short List Presentation Interview Evaluation Summary

<i>Firm Name</i>	<i>E1</i>	<i>E2</i>	<i>E3</i>	<i>Average</i>	<i>Score</i>
<i>Prein & Newhof</i>	<i>18.0</i>	<i>17.0</i>	<i>18.0</i>	<i>17.7</i>	<i>2</i>
<i>Westshore Consulting</i>	<i>20.0</i>	<i>19.0</i>	<i>19.0</i>	<i>19.3</i>	<i>1</i>

Pricing Evaluation Summary for Hall of Justice Parking Lots

<i>Firm Name</i>	<i>Sub-Contractor Cost</i>	<i>Expenses & Mileage Cost</i>	<i>Total Cost</i>	<i>Score</i>
<i>Prein & Newhof - Both Lots</i>	<i>\$4,575.00</i>	<i>\$2,730.00</i>	<i>\$49,930.00</i>	<i>2</i>
<i>Westshore Consulting - Both Lots</i>	<i>\$1,875.00</i>	<i>\$1,000.00</i>	<i>\$37,380.00</i>	<i>1</i>

Overall Evaluation Rating

<i>Firm Name</i>	<i>Qualifications</i>	<i>Interview</i>	<i>Pricing</i>	<i>Total</i>	<i>Score</i>
<i>Prein & Newhof</i>	<i>1</i>	<i>2</i>	<i>2</i>	<i>5</i>	<i>2</i>
<i>Westshore Consulting</i>	<i>2</i>	<i>1</i>	<i>1</i>	<i>4</i>	<i>1</i>

Rating Score:

1 = First Rated; 2 = Second Rated