


MEMORANDUM

TO: Lawrence Garcia, Corporation Counsel
City of Detroit

Hakim Berry, Chief Operating Officer
City of Detroit

CC: Honorable Colleagues
Janice Winfrey, City Clerk
Avery Peeples, City Council Liaison

FROM: Council President Brenda Jones 

DATE: January 13, 2021

RE: Memorandum of Agreement: City of Detroit and DBA

The City and the Detroit Building Authority (DBA) have established a Memorandum of Agreement (MOA) stating that all contracts between the City and the DBA will no longer include separate indemnity provisions, and instead the terms of the MOA will govern indemnification between the City, the DBA, and related parties providing services to either entity.

Please provide responses to the following questions and concerns:

1. Does the City of Detroit currently provide legal representation and indemnification for any other public authority?
 - a. Please explain why the City of Detroit is providing legal representation and indemnification for the Detroit Building Authority.
2. How many individuals are eligible to receive legal representation and indemnification from the City of Detroit?
 - a. Please list positions, job titles, and responsibilities.
3. What are the issues that may arise that will trigger a request for legal representation and indemnification for an agent of the Detroit Building Authority?
4. What is the projected number of legal representation and indemnification requests that will be submitted to the Detroit City Council annually?
5. How much money has been paid out relative to legal claims against the Detroit Building Authority or any authority board members, directors, authority employees, or personal service contractors?
6. Under what circumstances will the Detroit Building Authority deny a request for legal representation and indemnification?
7. Please provide a detailed list of all current Detroit Building Authority projects.

City of Detroit

CITY COUNCIL

COUNCIL PRESIDENT BRENDA JONES

8. How many employees does the Detroit Building Authority currently employ?
 - a. Are the employees full-time, furloughed, or participating in the workshare program.
9. In addition to the proposed legal representation and indemnification request, the City of Detroit currently provides payroll services to the Detroit Building Authority, please explain why the Detroit Building Authority remains a public authority and not a City Department?