

*Formal Agenda*  
*9.18.18*

**INTERNAL  
OPERATIONS  
STANDING  
COMMITTEE**



5

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

September 13, 2018

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001613      100% City Funding – To Provide Generators for the Detroit Fire Department Engine Stations –Contractor: Power Lighting & Technical Services – Location: 10824 W. Chicago, Suite 200, Detroit, MI 48204 – Contract Period: Upon City Council Approval through September 11, 2019 – Total Contract Amount: \$783,000.00. **GENERAL SERVICES DEPARTMENT**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER**                   MCCALISTER                  

**RESOLVED**, that Contract No. 6001613 referred to in the foregoing communication dated September 13, 2018, be hereby and is approved.

6

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

September 13, 2018

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001622      100% City Funding – To Provide Litigation Services as Conflict Counsel for Officer Timothy Leach in Karpovich v COD, ET AL – Contractor: Garan Luow Miller P.C. – Location: 1155 Brewery Park Blvd, #200, Detroit, MI 48207 – Contract Period: July 27, 2018 through December 31, 2020 – Total Contract Amount: \$75,000.00. **LAW**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER**           MCCALISTER          

**RESOLVED**, that Contract No. 6001622 referred to in the foregoing communication dated September 13, 2018, be hereby and is approved.





CITY OF DETROIT  
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 500  
DETROIT, MICHIGAN 48226-3437  
PHONE 313•224•4550  
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8

September 11, 2018

**HONORABLE CITY COUNCIL**

**RE: R&S REHAB, LLC, et al v CITY OF DETROIT  
CASE NO. 17-006384-NF  
FILE NO. L17-00516 (PMC)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Thirty-Five Thousand Dollars and No Cents (\$35,000.00)** is in the best interest of the City of Detroit.

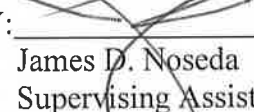
We, therefore, request authorization to settle this matter in the amount of **Thirty-Five Thousand Dollars and No Cents (\$35,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in in favor of **R&S REHAB, LLC, and its attorneys Mark L. Menczer, PLLC**, in the amount of **TWELVE THOUSAND FIVE HUNDRED DOLLARS and NO CENTS (\$12,500.00)**, and in favor of **GLOBAL MEDICAL TRANSPORTATION, LLC, and its attorneys Mark L. Menczer, PLLC**, in the amount of **TWENTY-TWO THOUSAND FIVE HUNDRED DOLLARS and NO CENTS (\$22,500.00)**, to be delivered upon receipt of properly executed Releases and Stipulations and Orders of Dismissal entered in Case No. 17-006384-NF, approved by the Law Department.

Respectfully submitted,

PATRICK M. CUNNINGHAM (P67643)  
Senior Assistant Corporation Counsel

**APPROVED: SEP 11 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:   
James D. Nosedo  
Supervising Assistant Corporation Counsel

**RESOLUTION**

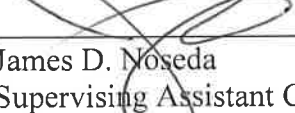
**BY COUNCIL MEMBER \_\_\_\_\_:**

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **THIRTY-FIVE THOUSAND DOLLARS and NO CENTS (\$35,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **R&S REHAB, LLC, and its attorneys Mark L. Menczer, PLLC**, in the amount of **TWELVE THOUSAND FIVE HUNDRED DOLLARS and NO CENTS (\$12,5000.00)**, and in favor of **GLOBAL MEDICAL TRANSPORTATION, LLC, and its attorneys Mark L. Menczer, PLLC**, in the amount of **TWENTY-TWO THOUSAND FIVE HUNDRED DOLLARS and NO CENTS (\$22,500.00)** in full payment for any and all claims which R&S REHAB, LLC or GLOBAL MEDICAL TRANSPORTATION, LLC, may have against the City of Detroit and any City of Detroit employees by reason of alleged injuries or property damage sustained by WILLIE PARKER on or about October 2, 2015, as otherwise set forth in Case No. 17-006384-NF in the Wayne County Circuit Court, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Case No. 17-006384-NF, and, where it is deemed necessary or desirable by the Law Department, a properly executed Medicare Reporting and Indemnification Affidavit.

**APPROVED:**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:   
\_\_\_\_\_  
James D. Nosedá  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_



CITY OF DETROIT  
LAW DEPARTMENT

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July 23, 2018

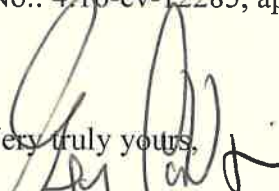
Honorable City Council

RE: *Khalid Khan v City of Detroit, et al*  
Case No.: 4:16-cv-12285  
File No.: L16-00586 (GBP)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum attached hereto. From this review, it is our considered opinion that a settlement in the amount of Five Thousand Dollars and Zero Cents (\$5,000.00) is in the best interest of CITY OF DETROIT.

We, therefore, request authorization to settle this matter in the amount of Five Thousand Dollars and Zero Cents (\$5,000.00) and that you direct the Finance Director to issue a draft in that amount payable to **KHALID KHAN and EXCOLO LAW, PLLC**, his attorney, to be delivered upon receipt of an Order of Dismissal entered in Lawsuit No.: 4:16-cv-12285, approved by the Law Department.


Very truly yours,

  
Gregory B. Paddison  
Assistant Corporation Counsel

APPROVED: SEP 11 2018

Lawrence Garcia  
Corporation Counsel

By:

  
Krystal Crittendon  
Supervising Assistant Corporation Counsel



RESOLUTION

BY COUNCIL MEMBER: \_\_\_\_\_:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Five Thousand Dollars and Zero Cents (\$5,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **Khalid Khan** and his attorney, **Excolo Law PLLC**, in the amount of **Five Thousand Dollars and Zero Cents (\$5,000.00)** in full payment for any and all claims which **Joseph Bonnier** may have against Defendant, CITY OF DETROIT, by reason of the Constitutional Violations alleged to have occurred on or about **May 4, 2014**, and that said amount be paid upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.: 4:16-cv-12285, approved by the Law Department.

APPROVED:

LAWRENCE GARCIA  
Corporation Counsel

By:   
Krystal A. Crittendon  
Supervising Assistant Corporation Counsel



CITY OF DETROIT  
LAW DEPARTMENT

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10

September 12, 2018

HONORABLE CITY COUNCIL

RE: **Donald Bateman v. City of Detroit, et al**  
CASE NO.: 17-007223-NI  
FILE NO.: L17-00338

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that settlement in the amount of **Twenty-Three Thousand Dollars and No Cents (\$23,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Twenty-Three Thousand Dollars and No Cents (\$23,000.00)** and direct the Finance Director to issue drafts payable to **DONALD BATEMEAN and THE MIKE MORSE LAW FIRM, his attorney**, in the amount of **Twenty Three Thousand Dollars and No Cents (\$23,000.00)**; to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 17-007223-NI, approved by the Law Department.

Respectfully Submitted By,

Violca Serifovski

Assistant Corporation Counsel

APPROVED: **SEP 12 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:   
Yvonne R. Bradley  
Supervising Assistant Corporation Counsel

CITY CLERK 2018 SEP 13 AM 10:25

**RESOLUTION**

**BY COUNCIL MEMBER \_\_\_\_\_:**

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Twenty Three Thousand Dollars and No Cents (\$23,000.00)** and be it further,

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **DONALD BATEMAN and THE MIKE MORSE LAW FIRM, his attorney**, in the amount of **Twenty-Three Thousand Dollars and No Cents (\$23,000.00)**; in full payment for any and all claims which **Donald Bateman** may have against the City of Detroit and Leandre Oden by reason of alleged injuries sustained by Donald Bateman on or about September 28, 2016; and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 17-007223-NI, approved by the Law Department.

**APPROVED:**

Lawrence T. Garcia

Corporation Counsel

\_\_\_\_\_

Dated: \_\_\_\_\_

By: Yuvonne R. Bradley

Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



CITY OF DETROIT  
LAW DEPARTMENT

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September 12, 2018

**HONORABLE CITY COUNCIL**

RE: Northland Radiology (as assignee of Robert Solt) v City of Detroit  
Case No: 17-014491-NI  
File No: L17-00690(SVD)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Ten Thousand Dollars and <sup>NO</sup>/Cents (\$10,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Ten Thousand Dollars and <sup>NO</sup>/Cents (\$10,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Northland Radiology and their attorney, **Khurana Law Firm**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 17-014491-NI, approved by the Law Department.

Respectfully submitted,

Sarah V. Domin  
Assistant Corporation Counsel

**APPROVED: SEP 12 2018**

LAWRENCE GARCIA  
Corporation Counsel

BY:

KRYSTAL A. CRITTENDON  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2018 SEP 13 AM 10:25

R E S O L U T I O N

**BY COUNCIL MEMBER \_\_\_\_\_:**

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Ten Thousand Dollars and <sup>NO</sup>/Cents (\$10,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Northland Radiology and their attorney, **Khurana Law Firm**, in the amount of **Ten Thousand Dollars and <sup>NO</sup>/Cents (\$10,000.00)** in full payment for any and all claims which Northland Radiology may have against the City of Detroit and any other City of Detroit employees by reason of treatment provided to Robert Solt for injuries sustained in a bus accident on or about August 24, 2017, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.17-014491-NI and, where it is deemed necessary or desirable by the Law Department, a properly executed Medicare Reporting and Indemnification Affidavit, approved by the Law Department.

**APPROVED:**

LAWRENCE GARCIA  
Corporation Counsel

BY:   
\_\_\_\_\_  
KRYSTAL A. CRITTENDON  
Supervising Assistant Corporation Counsel



CITY OF DETROIT  
LAW DEPARTMENT

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12

September 12, 2018

**HONORABLE CITY COUNCIL**

**RE: ROBERT SOLT v CITY OF DETROIT AND YOLONDA McKNIGHT**

Case No: 17-014491-NI  
File No: L17-00690(SVD)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Seventy Thousand Dollars and <sup>NO</sup>/Cents (\$70,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Seventy Thousand Dollars and <sup>NO</sup>/Cents (\$70,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Robert Solt and his attorney, **Carl L. Collins, III**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 17-014491-NI, approved by the Law Department.

Respectfully submitted,

Sarah V. Domin  
Assistant Corporation Counsel

**APPROVED:** *SEP 12 2018*

LAWRENCE GARCIA  
Corporation Counsel

BY:   
\_\_\_\_\_  
KRYSTAL A. CRITTENDON  
Supervising Assistant Corporation Counsel

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Seventy Thousand Dollars and <sup>NO</sup>/Cents (\$70,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **ROBERT SOLT** and his attorney, **THE LAW OFFICE OF CARL L. COLLINS, III**, in the amount of **Seventy Thousand Dollars and <sup>NO</sup>/Cents (\$70,000.00)** in full payment for any and all claims which **ROBERT SOLT** may have against the City of Detroit and any other City of Detroit employees by reason of injuries sustained in a bus accident on or about August 24, 2017, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.17-014491-NI and, where it is deemed necessary or desirable by the Law Department, a properly executed Medicare Reporting and Indemnification Affidavit, approved by the Law Department.

**APPROVED:**

LAWRENCE GARCIA  
Corporation Counsel

BY:   
\_\_\_\_\_  
KRYSTAL A. CRITTENDON  
Supervising Assistant Corporation Counsel



CITY OF DETROIT  
LAW DEPARTMENT

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13

September 12, 2018

HONORABLE CITY COUNCIL

**RE: ANTHONY MOORE, et al v. CITY OF DETROIT, et al**  
**CASE NO. 17-004218-NI**  
**FILE NO. L17-00188 (MBC)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of Seven Hundred Six Thousand Dollars and No Cents (\$706,000.00) is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of Seven Hundred Six Thousand Dollars and No Cents ( \$706,000.00) and that Your Honorable Body direct the Finance Director to issue drafts in the amount of \$500,000 payable to Anthony Moore and Romano Law, PLLC, \$200,000 payable to Synergy Spine and Orthopedic Surgery Center and Kelman & Fantich and \$6,000 payable to Silver Pine Imaging, LLC and Kelman & Fantich to be delivered upon receipt of properly executed Releases and a Stipulation and Order of Dismissal entered in Case No. 17-004218- NI, as approved by the Law Department.

Respectfully submitted,

*Mary Beth Cobbs*

Mary Beth Cobbs  
Assistant Corporation Counsel

**APPROVED: SEP 12 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY: *CNR*  
Charles N. Raimi, Deputy  
Corporation Counsel

CITY CLERK 2018 SEP 13 AM 10:25




**RESOLUTION**

**BY COUNCIL MEMBER \_\_\_\_\_:**

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of Seven Hundred Six Thousand Dollars and No Cents (\$706,000.00); and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Anthony Moore and his attorneys, Romano Law, PLLC in the amount of Five Hundred Thousand Dollars and No Cents (\$500,000.00), Synergy Spine and Orthopedic Surgery Center and its attorneys Kelman and Fantich in the amount of Two Hundred Thousand and No Cents (\$200,000.00) and Silver Pine Imaging, LLC and its attorneys Kelman and Fantich in the amount of Six Thousand and No Cents ( \$6,000.00) in full payment for any and all claims which Anthony Moore, Synergy Spine and Orthopedic Surgery Center and Silver Pine Imaging, LLC may have against the City of Detroit by reason of alleged injuries sustained on or about August 9, 2016 and that said amounts be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.17-004218-NI as approved by the Law Department.

LAWRENCE T. GARCIA  
Corporation Counsel

BY:                       
Charles N. Rami, Deputy  
Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



CITY OF DETROIT  
LAW DEPARTMENT

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14

September 11, 2018

**HONORABLE CITY COUNCIL**

RE: **Danielle Burton v. City of Detroit, et al**  
CASE NO.: 17-003993-NF  
FILE NO.: L17-00199

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that settlement in the amount of **Thirty-Three Thousand Dollars and No Cents (\$23,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Thirty-Three Thousand Dollars and No Cents (\$33,000.00)** and direct the Finance Director to issue drafts payable to **DANIELLE BURTON and THE PADILLA LAW GROUP, her attorney**, in the amount of **Thirty Three Thousand Dollars and No Cents (\$33,000.00)**; to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 17-003993-NF, approved by the Law Department.

Respectfully Submitted By,

Violca Serifovski

Assistant Corporation Counsel

APPROVED: **SEP 12 2018**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:

  
Yvonne R. Bradley  
Supervising Assistant Corporation Counsel

CITY CLERK 2018 SEP 13 AM 10:25

**RESOLUTION**

**BY COUNCIL MEMBER** \_\_\_\_\_ :

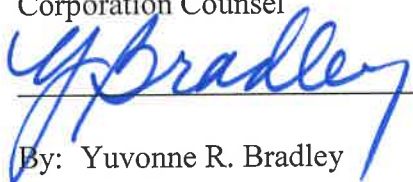
**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Thirty Three Thousand Dollars and No Cents (\$33,000.00)** and be it further,

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **DANIELLE BURTON and THE PADILLA LAW GROUP, her attorney**, in the amount of **Thirty-Three Thousand Dollars and No Cents (\$33,000.00)**; in full payment for any and all claims which **Danielle Burton** may have against the City of Detroit and Michael Jackson by reason of alleged injuries sustained by Danielle Burton on or about July 10, 2015; and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 17-003993-NF, approved by the Law Department.

**APPROVED:**

Lawrence T. Garcia

Corporation Counsel

 \_\_\_\_\_

By: Yuvonne R. Bradley

Supervising Assistant Corporation Counsel

Dated: 9-11-18

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



CITY OF DETROIT  
LAW DEPARTMENT

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15

September 6, 2018

HONORABLE CITY COUNCIL

**RE: WENDY JONES vs CITY OF DETROIT  
WATER DEPARTMENT  
FILE #:14419 (PSB)**

On October 23, 2017, your Honorable Body authorized settlement of the wage loss portion of the lawsuit of Wendy Jones vs City of Detroit Water Department; File # L14419 (PSB), in the amount \$162,000.00. At that time, Medicare's interest (pursuant to 42 U.S.C. Sec. 1395, et seq. and rules promulgated thereunder) had not been determined, and the medical part of Wendy Jones' claim was not resolved.

The City can adequately address Medicare's interests by purchasing an annuity for \$47,539.00 that will cover the cost of a Workers Compensation Set-Aside Arrangement, which was approved by Medicare on July 21, 2018.

We, therefore, request authorization to settle the medi<sup>a</sup>l part of this matter for the amount of **FORTY-SEVEN THOUSAND FIVE HUNDRED THIRTY-NINE DOLLARS (\$47,539.00)**; and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Wendy Jones, and her attorney, Steven H. Stilman**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14419, approved by the Law Department.

Respectfully submitted,

Phillip S. Brown  
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED:

SEP 11 2018

CHARLES RAIMI  
Deputy Corporation Counsel

CITY CLERK 2018 SEP 13 AM 10:25

**RESOLUTION**

BY COUNCIL MEMBER: \_\_\_\_\_

RESOLVED, that payment of Medicare's interest in the above matter be and hereby is authorized in the amount of **FORTY-SEVEN THOUSAND FIVE HUNDRED THIRTY-NINE DOLLARS (\$47,539.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor of **Wendy Jones and her attorney, Steven H. Stilman** in the sum of **FORTY-SEVEN THOUSAND FIVE HUNDRED THIRTY-NINE DOLLARS (\$47,539.00)** in full payment of an annuity covering the Workers Compensation Set-Aside Arrangement approved by the Center for Medicare and Medicaid Services and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED:

 **SEP 11 2018**  
\_\_\_\_\_  
CHARLES RAIMI  
Deputy Corporation Counsel



CITY OF DETROIT  
LAW DEPARTMENT

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16

September 10, 2018

HONORABLE CITY COUNCIL

RE: **Sharon Watson v City of Detroit**  
**Wayne County Circuit Court Case No. 16-012135-NI**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that the City should agree to the entry of an Order of Dismissal and enter into an Agreement to Arbitrate on the terms and conditions set forth in the following resolution.

We, therefore, request authorization to agree to entry of an Order of Dismissal and to enter into an Agreement to Arbitrate on the terms and conditions set forth in the following resolution and, upon certification by the Law Department that the arbitrator has announced a decision requiring the City to pay a designated sum to the Plaintiff, that Your Honorable Body direct the Finance Director to issue a draft payable to **Sharon Watson and Joumana B. Kayrouz, PLLC, her attorney** in the amount the City is to pay the Plaintiff pursuant to the arbitrator's decision, but said draft shall not exceed **EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00)**.

Respectfully submitted,

Edward V. Keelean  
Supervising Assistant Corporation Counsel

APPROVED: SEP 12 2018

LAWRENCE T. GARCIA  
Corporation Counsel

BY:

Krystal A. Crittendon  
Supervising Assistant Corporation Counsel

Attachment

**RESOLUTION**

BY COUNCIL MEMBER \_\_\_\_\_:

**RESOLVED**, that:

The Law Department is authorized to agree to entry of an Order of Dismissal and to enter into an Agreement to Arbitrate in the case of **Sharon Watson v City of Detroit**, Wayne County Circuit Court Case No. 16-012135-NI, on the following terms and conditions:

- A. 1. The parties shall submit to arbitration all matters in controversy raised in the above-named lawsuit.
- 2. Plaintiff shall recover a minimum amount of **Twelve Thousand Dollars (\$12,000.00)**.

The maximum amount of any award to the Plaintiff shall not exceed the amount of **Eighty-Five Thousand Dollars (\$85,000.00)**.

- 3. Any award under **\$12,000.00** shall be interpreted to be in the amount of **\$12,000.00**.

Any award in excess of **\$85,000.00** shall be interpreted to be in the amount of **\$85,000.00**.

There shall be no costs, fees, attorney fees or interest taxable with respect to the award rendered by the arbitrator.

The award of the arbitrator shall represent a full and final settlement of any amounts due and owing to Plaintiff for any and all claims arising out of the incident which occurred on or about September 23, 2015 at or near Cass and Elizabeth; however, limited judicial review may be obtained in a Michigan Federal District Court or Michigan Circuit Court of competent jurisdiction (a) in accordance with the standards for review of arbitration awards as established by law; or (b) on the ground that the arbitrator committed an error of law.

- B. Promptly after the arbitrator announces the decision, the Law Department shall inform City Council in writing of that decision.
- C. Upon certification by the Law Department that the arbitrator has announced a decision requiring the City to pay part or all \$85,000.00 to the Plaintiff, the Finance Director is authorized to issue a draft drawn upon the proper account in favor of **SHARON WATSON and JOUMANA B. KAYROUZ, PLLC, her attorney**, in the amount of the arbitrator's award, **but said draft may not be less than Twelve Thousand Dollars (\$12,000.00) and shall not exceed Eighty-Five Thousand Dollars (\$85,000.00).**

**APPROVED:**

LAWRENCE T. GARCIA  
Corporation Counsel

BY:   
Krystal A. Crittendon  
Supervising Assistant Corporation Counsel





CITY OF DETROIT  
OFFICE OF THE CHIEF FINANCIAL OFFICER  
OFFICE OF DEVELOPMENT AND GRANTS

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 1026  
DETROIT, MICHIGAN 48226  
PHONE: 313 • 628-2158  
FAX: 313 • 224 • 0542  
WWW.DETROITMI.GOV

17

August 20, 2018

The Honorable Detroit City Council  
**ATTN: City Clerk Office**  
200 Coleman A. Young Municipal Center  
Detroit MI 48226

**RE: Request to Accept and Appropriate the sub-award for the FY 2017 Clean Diesel Funding Assistance Program**

The Southwest Detroit Environmental Vision (SDEV) Project has awarded the City of Detroit General Services Department with a sub-award from the Environmental Protection Agency (EPA)—Region 5. The SDEV Project was awarded with the FY 2017 Clean Diesel Funding Assistance Program from the EPA. The SDEV Project sub-award was awarded to the General Services Department for a total of \$360,000.00. The SDEV Project share is \$360,000.00 or 25 percent of the approved amount and there is a cash match of \$1,080,000.00 or 75 percent. The total project cost is \$1,440,000. The grant period is February 1, 2018-January 31, 2020.

The objective of the program is to protect public health and air quality by reducing pollutants caused by diesel emissions. The funding allotted to the department will be utilized to purchase eight (8) Class 6 diesel dump trucks. This is a reimbursement grant.

If approval is granted to accept and appropriate this funding, the appropriation number is 20553, with the match amount coming from appropriation number 20507.

We respectfully request your approval to accept and appropriate funding in accordance with the attached resolution.

Sincerely,

Ryan Friedrichs  
Director, Office of Development & Grants

CC:  
Katerli Bounds, Deputy Director, Grants  
Sajjiah Parker, Assistant Director, Grants

CITY CLERK 2018 SEP 12 04:11:25

**RESOLUTION**

**Council Member** \_\_\_\_\_

**WHEREAS**, the General Services Department is requesting authorization to accept a grant of reimbursement from the Southwest Detroit Environmental Vision (SDEV) Project, for the FY 2017 Clean Diesel Funding Assistance Program, in the amount of \$360,000.00, to purchase eight (8) Class 6 diesel dump trucks; and

**WHEREAS**, the Southwest Detroit Environmental Vision (SDEV) Project is the recipient of the Environmental Protection Agency's (EPA)—Region 5 grant award - the FY 2017 Clean Diesel Funding Assistance Program - and has awarded the City of Detroit General Services Department with a sub-award from the program; now

**THEREFORE, BE IT RESOLVED** that the Director or Head of the Department is authorized to execute the grant agreement on behalf of the City of Detroit, and

**BE IT FURTHER RESOLVED**, that the Budget Director is authorized to establish appropriation number 20553, in the amount of \$1,440,000.00, which includes a cash match of \$1,080,000.00, coming from Appropriation 20507, for the FY 2017 Clean Diesel Funding Assistance Program sub-award from the SDEV Project.

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
The City of Detroit  
AND  
THE SOUTHWEST DETROIT ENVIRONMENTAL VISION PROJECT**

This Memorandum of Understanding ("MOU") is entered into by and between The Southwest Detroit Environmental Vision Project ("SDEV") a Michigan 501c3 non-profit located at 2555 Clark Avenue, Detroit, MI 48209, and THE CITY OF DETROIT, a Michigan municipal corporation acting through its General Services Department, located at 18100 Meyers Road, Detroit 48235 ("Sponsored Organization") in order to cooperate and coordinate their respective activities in order to provide for fiscal sponsorship of the Project, as described herein. SDEV and the Sponsored Organization may each be referred to herein as a "Party" or collectively as the "Parties" to this MOU, as applicable.

**RECITALS**

**Whereas**, SDEV has been awarded a grant ("Grant") in the amount of \$1,005,303.00 ("Grant Funds") from the U.S. Environmental Protection Agency – Region 5 ("Funder") for the purpose of the Detroit Urban Goods Movement (DUGM) project to reduce emissions from aging diesel vehicles through early replacement of same ("Project"), which Project is intended to be undertaken, in part, by the Sponsored Organization; and

**Whereas**, a copy of the application for and award of the Grant are attached hereto as Exhibit A; and

**Whereas**, the Sponsored Organization desires SDEV to serve as the fiscal sponsor of the Grant Funds for the Project; and

**Whereas**, SDEV desires to serve as the fiscal sponsor of the Grant Funds for the Project and SDEV's Executive Committee or Board has approved SDEV's role as fiscal sponsor in accordance with its Procedures; and

**Whereas**, the Funder has approved of SDEV's role as fiscal sponsor of the Grant Funds for the Project;

**NOW THEREFORE**, SDEV and the Sponsored Organization acknowledge the following understanding:

**Section 1: Purpose.** The purpose of this MOU is to assist the Parties in coordinating their activities by providing a written memorandum of their intentions stated in good faith and with as much accuracy as possible. It is not the intent of the parties that this document should constitute a contract or provide the basis for a legal claim by any party. This MOU neither requires nor authorizes the disposition or acceptance of any property or the expenditure or receipt of any funds by either Party.

**Section 2: Activities of SDEV.** In furtherance of the purpose of this MOU, SDEV intends to perform the following independent activities:

- A. SDEV will provide administrative, programmatic, and financial support of activities related to the Project in accordance with the terms of the Grant and additional direction that the Funder may provide.


- B. SDEV will assist Sponsored Organization to solicit bids from, enter into purchase agreements (“Contracts”) with, and manage third party vendors (“Vendors”) to provide goods and services as may be necessary or convenient for implementation of the Project. Such activities will be conducted in accordance with SDEV’s standard bidder selection and contract authorization procedures.
- C. SDEV will establish and manage a segregated account (“Account”) that is designated solely for the Grant Funds. SDEV will disburse funds from the Account only in furtherance of the Project and in accordance with the terms of the Grant, such as for the following purposes: (i) reimbursement of Sponsored Organization in the amount of not more than \$360,000.00 or 25% of the cost of eight (8) Class 6 diesel dump trucks (as described in the applicant fleet description) based on an estimated per truck cost of \$180,000.00. (Note: should additional funding be made available by Funder, Sponsored Organization will be eligible for reimbursement under the same terms for seven (7) additional Class 6 diesel dump trucks), (ii) payment of other expenses that are necessary or convenient for implementation of the Project, and (iii) distribution of allocations due to SDEV for its fiscal sponsorship activities, all in accordance with the terms of the Grant. All activity must occur between February 1, 2018 and January 31, 2020. The vehicles described above are currently owned by the Sponsored Organization and the Sponsored Organization will remain the owner after the conclusion of the Project. Any additional vehicles purchased by the Sponsored Organization, which may be used in this Project, shall also be owned by the Sponsored Organization and the Sponsored Organization shall remain the owner of the vehicles after the conclusion of the Project.
- D. SDEV, with the support the Sponsored Organization, will submit all reports and other information regarding the Project to the Funder, as may be required under the terms of the Grant.
- E. SDEV will prepare all reports, including interim and final reports, and other information regarding the Project required to be submitted to the Funder, as may be required under the terms of the Grant. SDEV will accept the support of Sponsored Organization as may be helpful for the preparation of such reports and information.

**Section 3: Activities of the Sponsored Organization.** In furtherance of the purpose of this MOU, the Sponsored Organization intends to perform the following independent activities:

- A. The Sponsored Organization will implement and operate the Project in accordance with the terms of the Grant, as well as all directions, instructions, and other requirements of the Funder.
- B. The Sponsored Organization will perform oversight of each Vendor’s performance, including review of each Vendor’s activities, reporting, and invoicing. The Sponsored Organization will provide SDEV with regular confirmations of whether or not each Vendor is adequately performing in accordance with its Contract only. The Sponsored Organization will notify SDEV of any instance in which it believes that a Vendor has failed to adequately perform in accordance with its Contract, including failure to provide complete reporting or accurate invoicing, and will cooperate with any investigation by SDEV into such potential failure.

**EXHIBIT A**  
**Grant Application and Grant Award**

See attached.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Cooperative Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 00E02336 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> DE	<b>DATE OF AWARD</b> 02/28/2018
		<b>TYPE OF ACTION</b> New	<b>MAILING DATE</b> 03/07/2018
		<b>PAYMENT METHOD:</b> ASAP	<b>ACH#</b> 50326
		<b>Send Payment Request to:</b> Las Vegas Finance Center	
<b>RECIPIENT TYPE:</b> Not for Profit		<b>PAYEE:</b>	
<b>RECIPIENT:</b> Southwest Detroit Environmental Vision 2555 Clark Str. Detroit, MI 48209-1337 EIN: 38-3068006		Southwest Detroit Environmental Vision 2555 Clark Str. Detroit, MI 48209-1337	
<b>PROJECT MANAGER</b> Maggie Striz Calnin 2555 Clark Str. Detroit, MI 48209-1337 E-Mail: Maggie.Sdev@gmail.com Phone: (313) 842-1961	<b>EPA PROJECT OFFICER</b> Monika Lacka 77 West Jackson Blvd., AR-18J Chicago, IL 60604-3507 E-Mail: lacka.monika@epa.gov Phone: 312-353-6556	<b>EPA GRANT SPECIALIST</b> Alicia Sanders Assistance Section, MC-10J E-Mail: sanders.alicia@epa.gov Phone: 312-886-1972	

**PROJECT TITLE AND DESCRIPTION**

Southwest Detroit Clean Diesel Collaborative:

Southwest Detroit Environmental Vision (SWDEV) will replace 50 vehicles including: Class 8 long-haul trucks, short-haul Class 8 trucks, short-haul single unit Class 6/7 diesel trucks, dump trucks and Class 6/7 Dumpers/Tenders. All vehicles impacted will operate locally within the Detroit metropolitan area 80% of the time, a non-attainment area for ozone and sulfur dioxide. Diesel emission reductions from this project will protect Metro Detroit residents from an estimated 59 tons per year of pollutants, including: 42 tons of nitrogen oxides, 2 tons of particulate matter, 2 tons of carbon dioxide, and 13 tons of hydrocarbons.

<b>BUDGET PERIOD</b> 02/01/2018 - 01/31/2020	<b>PROJECT PERIOD</b> 02/01/2018 - 01/31/2020	<b>TOTAL BUDGET PERIOD COST</b> \$7,640,124.00	<b>TOTAL PROJECT PERIOD COST</b> \$7,640,124.00
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**NOTICE OF AWARD**

Based on your Application dated 02/01/2018 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$1,005,303. EPA agrees to cost-share 27.78% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,005,303. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>	<b>AWARD APPROVAL OFFICE</b>
<b>ORGANIZATION / ADDRESS</b> U.S. EPA Region 5 Mail Code MCG10J 77 West Jackson Blvd. Chicago, IL 60604-3507	<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 5 Air and Radiation Division 77 West Jackson Blvd., A-18J Chicago, IL 60604-3507

**THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY**

<b>Digital signature applied by EPA Award Official</b> Bruce Sypniewski - Deputy Director, Resources Management Division	<b>DATE</b> 02/28/2018
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# EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 1,005,303	\$ 1,005,303
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 4,000	\$ 4,000
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$ 5,513,140	\$ 5,513,140
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 6,522,443	\$ 6,522,443

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.039 - National Clean Diesel Funding Assistance Program (B)	Diesel Emissions Reduction Act of 2010 codified at 42 U.S.C. 16131 et seq	2 CFR 200 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	1805L BX013	17	E4	05L3	102AH4	4122			1,005,303
									1,005,303

Refer to IOS

18



# City of Detroit

CITY COUNCIL

MARY SHEFFIELD  
PRESIDENT PRO TEMPORE  
DISTRICT 5

## MEMORANDUM

**TO:** Mr. David Whitaker, Director  
Legislative Policy Division

**THROUGH:** Council President Brenda Jones

**FROM:** Council President Pro Tempore Mary Sheffield *MS*

**DATE:** September 11, 2018

**RE:** **Request for LPD to Provide Information Regarding Equalization Points for Detroit-Based and Detroit Headquartered Businesses**

Some Detroit Headquartered Businesses have expressed concerns regarding Executive Order 2014-5. Executive Order 2014-5 states that equalization factors should be applied to both Detroit Headquartered and Detroit-Based businesses. Companies that have long been headquartered in Detroit feel that there is an unfair advantage for companies that open up a satellite office in order to receive extra points during the procurement process.

I am requesting that LPD provide a report detailing the equalization points given to both Detroit-Based and Detroit Headquartered businesses for all City contracts. In particular, I am inquiring if Detroit-Based and Detroit Headquartered businesses are given the same equalization points for any City contracts. If so, what caused the deviation from the Detroit City Code Section 18-5-12 and when was this change in procurement policies implemented?

Thank you.

Cc: Honorable Colleagues  
Hon. Janice Winfrey, City Clerk

CITY CLERK 2018 SEP 11 PM 3:14

Received @ table 9/11/18 (Formal Session)